



November 27, 2017

Via Email & Delivered

Ms. Leah Smith, MCIP, RPP
City of Burlington
426 Brant Street, P.O. Box 5013
Burlington, ON L7R 3Z6

Dear Ms. Smith:

**RE: Draft Official Plan
1020 Emery Avenue, Burlington**

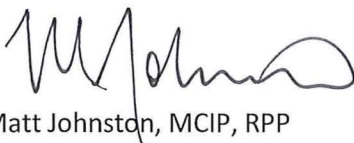
On behalf of the owner, Valery Homes, UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is pleased to submit this letter regarding the Draft Official Plan as it relates to the subject property municipally known as 1020 Emery Avenue, Burlington.

The subject property is designated "Mixed Use Corridor - Employment" on Schedule B in the existing Official Plan and is currently zoned Mixed Use Corridor "MXE" in the City of Burlington Zoning By-law 2020.

The Draft Official Plan process proposes to change the land use designation on Schedule C for the subject lands to "Urban Corridor – Employment Lands". Further, Schedule B of the Draft Official Plan indicates that the subject lands are proposed to be included in the Aldershot GO Mobility Hub. Given the Mobility Hub objectives, consideration should be given to a broader range of land use permissions.

We look forward to discussing these concerns at our December 6th meeting, and to receiving written notice of the decision with respect to this process. Please feel free to contact us with any questions.

Regards,
UrbanSolutions


Matt Johnston, MCIP, RPP
Principal


Amber Lindsay
Planner

cc: Ms. Mary Lou Tanner, MCIP, RPP, Chief Planner
Mr. Ted Valeri, Valery Homes
Mr. Sergio Manchia, MCIP, RPP,

From: Liaquat Mian [ljm@ljmdevelopments.ca]
Sent: Friday, November 10, 2017 12:17 PM
To: Smith, Andrea; Enns, Alison
Cc: Tanner, Mary Lou; Dennison, Jack; Martin Quarcoopome; Mailbox, Office of Mayor Rick Goldring; Jeffrey Stevens; Paul Sharman; Greenlee, Mike; Smith, Leah; Shaheryar Mian
Subject: OPA-rRevised Draft--1860-1880-1900 Apple by Line

Andrea,

At the outset, let me candidly state that I am extremely disappointed to see no change in the new draft OPA, whatsoever to our request which is pending past two years. We carried out number of studies as requested and required, apparently getting deaf ears.

In October 2015 we had requested for air right as a separate application and you merged us with new OPA episode, we have been dragged in this situation with prefixed and determined negative outcome. We had very legitimate request and have greatly contributed in the development of Appleby Corridor. We provided studies and plans for Appleby Village overall concept all has been resting in wastepaper basket it, quite evident.

I personally had number of meetings and provided all what was needed to support our phase 3 with air rights, somehow the approach is not being appreciated.

I request immediate meeting next week at your convenience, as we do not wish to fight with city (that we love and have so much respect) at OMB.

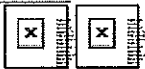
I urge and request immediate reconsideration so we can start the building right away.

Many thanks.

Kind Regards,

Liaquat Mian
CPA, CA
President | LJM Developments
1900 Appleby Line -unit #28
Burlington, ON, L7L 0B7
Tel: 289-245-1900
Cell: 647-588-4165
Fax: 289-245-1901
LJMDevelopments.ca
UptownCenter.com

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November 15, 2017

KIND ATTENTION:

Mary Lou Tanner, Director of Planning

Cc:

Mayor Rick Goldring

Councillor Jack Dennison

Councillor Paul Sharman

Andrea Smith, Manager of Policy and Research

Alison Enns, Senior Planner

Mike Greenlee, Chief of Staff

Martin Quarcoopome, Senior Planner

SUBJECT:

Designation of 1860, 1880, 1900 Appleby Line in the new Official Plan

This letter is to summarize the meeting with Andrea Smith and Alison Enns of the Planning Policy and Research section on November 13, 2017. Also in attendance was my planning consultant, Martin Quarcoopome of Weston Consulting.

This meeting was held following the release of the November, 2017 draft new Official Plan. Planning Staff provided a status update and rationale on the proposed changes, or in the case of 1900 Appleby Line, the lack of change from the April, 2017 version of the draft OP.

Planning staff provided an outline of the events that have happened to date, including the recommendation for employment conversion in 2016 and the proposed re-designation of a small portion of 1900 Appleby Line to Uptown Core (formally identified as Uptown Central) in the April, 2017 draft OP. I expressed my disappointment that our request for Uptown Core on the entirety of the property, or at least on the areas fronting Ironstone side Drive and Appleby Line, fell on deaf ears given the amount of analysis my planning consultant and architect had completed. Their work illustrated that a mixed-use village is compatible with the immediate area and the site should have the permissions of the Uptown Core designation.

Planning staff noted that they appreciate the work I've completed but are uncomfortable with granting the fullest of land uses. It was also stated that the door is not closed for residential uses in the areas not identified as Uptown Core, but with the proposed conversion there is now an opportunity to entertain Official Plan and

Zoning By-law amendment applications outside of this new official plan process. While this is appreciated, I am adamant that residential uses be applied across the site as part of the current process.

The draft Official Plan allows for site-specific policies which require, in some cases, phasing strategies or urban design analysis to ensure comprehensive and compatible development. We strongly believe this in an appropriate measure to ensure that neighbouring lands are not negatively impacted. I request that a site-specific policy be applied to my land under the Uptown Core designation and I will agree to any studies Planning Staff require to make sure compatibility is achieved.

It was suggested that we meet with Planning and Development Staff for a pre-application consultation to discuss our proposal and timing of development applications which could occur following Council approval of the new OP in the New Year. We agree that this is an important step and a meeting will be scheduled. However, we will have a missed opportunity if the Uptown Core cannot be added now. Coming back at a later date for amendments will be more challenging. It is also pertinent to note that neighboring properties along Appleby Line have been provided Uptown Core, while similar conditions exist for our property we are being unreasonably denied. I strongly urged a serious reconsideration of our request allowing Uptown Core designation to our property particularly for portion fronting Appleby Line and Ironstone Drive. We look forward to your approval please.

Thanks,

Liaquat Mian, CPA, CA

Chief Executive Officer | LJM Developments

Cell: 647-588-4165

Email: ljm@ljmdevelopments.ca



November 27, 2017

Via Email & Delivered

Ms. Leah Smith, MCIP, RPP
City of Burlington
426 Brant Street, P.O. Box 5013
Burlington, ON L7R 3Z6

Dear Ms. Smith:

**RE: Draft Official Plan
2207 Fairview Street, Burlington**

On behalf of the owner, Leggat Auto Group, UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is pleased to submit this letter regarding the Draft Official Plan as it relates to the subject property municipally known as 2207 Fairview Street, Burlington.


The subject property is currently designated “Mixed Use Corridor – Commercial” on Schedule B in the Official Plan, while it is zoned Mixed Use Corridor “MXT” in the City of Burlington Zoning By-law 2020. It is our understanding that the use of the subject lands as a Motor Vehicle Sales and Service Establishment is a legally established non-conforming use.

The Draft Official Plan proposes to change the land use designation of the subject property to “Urban Corridor” in Schedule C allowing automotive commercial uses and office uses. Large-scale motor vehicle dealerships are not permitted under this designation, and storage uses and financial institutions are not indicated as a permitted use. Further, Schedule B of the Draft Official Plan indicates that the subject lands are proposed to be included in the Burlington GO Mobility Hub wherein a height of 20+ storeys may be permitted, according to draft concepts presented September 6, 2017.

Given the permission for motor vehicle dealerships within the existing Official Plan and Zoning By-law, and the existing use of the property as a large-scale motor vehicle dealership, and in keeping with the City’s practice for other motor vehicle dealerships, on behalf of owner, Leggat Auto Group, UrbanSolutions respectfully request that a site-specific policy for the subject lands be included in the Draft Official Plan, wherein large-scale motor vehicle dealerships, financial institutions and storage uses are permitted.

We look forward to meeting with you and discussing these concerns in the near future, and to receiving written notice of the decision with respect to this process. Please feel free to contact us with any questions.

Regards,
UrbanSolutions



Matt Johnston, MCIP, RPP
Principal



Amber Lindsay
Planner

cc: Ms. Mary Lou Tanner, MCIP, RPP, Chief Planner
Mr. Brian Leggat, Leggat Auto Group
Mr. Sergio Manchia, MCIP, RPP, UrbanSolutions Planning & Land Development Consultants Inc.

From: Rod Fortune [rod.fortune@leons.ca]
Sent: Friday, November 24, 2017 12:48 PM
To: Enns, Alison
Cc: Mailbox, OPRreview; Smith, Andrea; Smith, Leah; Rod Fortune
Subject: City of Burlington Draft New Official Plan: Opportunities to Provide Feedback

Hi all
I just left a message for Allison albeit at lunch time
I am just reviewing the November Draft OP version
Section 8.1.3.(6.1) Objectives (iii) have added in the words "shall not compete with the planned commercial function of other Mixed Used Nodes and Intensification Corridor designations"
This was not in the April 2017 version.
I met with Alison on Monday afternoon and I noted that we need to ensure the uses under CE -37 need to be maintained as the site specific Policies for our lands was very narrow, confirm address of our lands and ensure deferral D.28 was carried forward to the new OP.
I was going to write a letter but just saw the above clause.
This restricts us from enjoying the historical uses for these lands and developing these lands.
I see the OP is transitioning to allow great things to happen in the City but our lands seem to have the clocks being turned back.
Our local councillor would like to see intensification on these lands along the corridor.
We at Leon's want to develop these lands as part of our recent commitments to the Board, and I am investigating hiring a engineering consultant to address our Storm Water and creek diversion but also work together with the City to solve their Rossland Creek problems
We had a developer meet with our local councillor but he cannot move forward until the City and us resolve the creek.
I am hoping that we will truly turn this into a grand mixed use project.
I would like to see the words of "encourage" in our section like others in the document
Please give consideration to address this, so we can move forward to make this site come to life after all these years.
I am on vacation today but can be reached at 416 989-9315

Rod Fortune
National Real Estate Manager
Leon's Furniture Limited
416-243-4063

On May 18, 2017, at 1:21 PM, Enns, Alison <Alison.Enns@burlington.ca> wrote:

Please see the attached correspondence.

Sincerely,
The Official Plan Project Team.

Alison Enns M.Pl., MCIP, RPP
Senior Planner
Planning & Building Department, City of Burlington
426 Brant Street, Burlington, Ontario L7R 3Z6

MURLEE HOLDINGS LIMITED

45 Gordon Mackay Road, Toronto, Ontario M9N 3X3 (416)243-7880

November 27, 2017

VIA E-MAIL

Ms. Alison Enns
Senior Planner
Planning and Building Department
City of Burlington
426 Brant Street
Burlington, ON L7R 3Z6

Dear Ms. Enns:

**Re: Proposed New Official Plan: November Draft
Murlee Holdings Limited 3119-3167 North Service Road, Burlington**

I am providing more formal comments on the November draft which I saw for the first time late last week. As you are aware, Murlee Holdings Limited ("Murlee") is the real estate development arm of Leon's Furniture Limited ("Leon's"). Certain of the proposed new policies are a matter of significant concern for Murlee and Leon's. Let me just touch on the major issues.

First, taken in their entirety, the proposed amendments very significantly reduce the development potential of the Leon's land. To take one example, Section 8.1.3(6.1) would greatly limit the range of available uses. My sense is that the City, for a variety of reasons, would like to see a further development of this important and well-placed land and Leon's shares that objective. A number of these policies, which limit and restrict existing permitted uses quite significantly, are likely to push the development horizon much further into the future. I doubt very much if that is the City's objective and I would hope that there could be a further discussion of these issues prior to a final submission by staff to Council.

Second, adopting a set of policies which encourage and facilitate a development of the Leon's lands will assist in another important public objective which is addressing in a satisfactory way the challenges with Rossland Creek. My colleagues and I recognize that Leon's will have a role, along with the City and other public authorities, in implementing solutions. As I indicated above, policies which support and encourage the early development of the Leon's land will also assist in the resolution of the watercourse issues.

Leon's has had a longstanding and highly satisfactory working relationship with members of the City staff and with the various elected Councils. Over the years we have all worked together to address and resolve problems and Leon's is ready and willing to work together now in the hope that more satisfactory policies can be adopted and that plans can be made and implemented to address the watercourse problems.

Kindly advise me as to the next steps in your process. Specifically, can you advise if there will be further opportunities for face to face discussions with you and your colleagues prior to the final submission of the draft official plan to your Council for consideration?

Yours truly,

Leon's Furniture Limited

Per:

A handwritten signature in blue ink, appearing to read 'Rod Fortune', with a long horizontal flourish extending to the right.

Rod W. Fortune
National Real Estate Manager

cc: Ed Leon, President & COO
Councillor Jack Dennison – Ward 4

October 31, 2017

The Corporation of the City of Burlington
426 Brant Street
Burlington, Ontario
L7R 3Z6

Attention: Andrea Smith, MCIP RPP, Manager, Policy and Research

**Re: Draft New Official Plan
Property: 4305 Fairview Street
Property Owner: Access Property Developments**

Dear Ms. Smith,

Corbett Land Strategies Inc. (CLS), on behalf of Access Property Developments (APD), is pleased to provide comments regarding the City of Burlington New Official Plan, dated April 2017. APD is the owner of 4305 Fairview Street, located on the northeast corner of Fairview Street and Darlene Court. The subject property is approximately 2.17 hectares (5.35 acres) in area.

A revised New Official Plan is scheduled for release by November 10th and will include revisions and modifications made to date. Although the property owner or CLS did not participate in the engagement sessions held between April and June 2017, we wish to submit the following comments in support of the Proposed New Official Plan.

The subject property is proposed to be re-designated from 'Mixed Use Corridor – Employment' to 'Urban Corridor' in the proposed Draft New Official Plan. Through the proposed 'Urban Corridor' designation, select residential uses as well as expanded retail and commercial standards are to be brought into effect. Additionally, industrial uses will no longer be permitted in this designation, however existing industrial uses will become legal non-conforming. **We ask staff to confirm this interpretation.**

As you may be aware, development applications (Site Plan Approval and Minor Variance) have been submitted to the City of Burlington and are currently under review. These applications are to facilitate the expansion of the existing Storage Facility and are intended to build-out the subject property.

Alongside the current plans for the subject property, APD has contemplated the future use of the parking area to the south of the property, immediately abutting Fairview Street. It is envisioned that this portion may be developed in a manner which includes a mid-rise, mixed-use development. A development of this nature could include office or residential uses on the upper floors and commercial and retail on the ground floor. Plans for this portion of the property are expected to align with the direction of the proposed designation, 'Urban Corridor'.

This submission is to advise City staff of the future redevelopment plans of the subject lands and to provide a formal submission for the proposed New Official Plan.

Should you require any additional information, please do not hesitate to contact me.

Prepared by:

Nick Wood

Nick Wood, BA
Associate Planner
289-725-0880
nick@corbettlandstrategies.ca

November 28, 2017

Amber LaPointe
Committee Clerk
Planning and Development Committee
City of Burlington
426 Brant Street, Box 5013
Burlington, ON, L7R 3Z6

Dear Ms. LaPointe:

**RE: Comments on the City of Burlington New Official Plan (November 2017 Proposed Draft)
Emshih Developments Inc. 433-439 Brant Street, Burlington
OUR FILE: 1583F**

MHBC is retained by Emshih Developments Inc. to provide comments on its behalf related to the new City of Burlington Draft Official Plan as it pertains to their land located at 433-439 Brant Street (“the Subject Lands”).

Site Description and Surrounding Context

The Subject Lands are located on the east side of Brant Street, at the intersection of Brant Street and Ontario Street and are currently developed with one-storey commercial businesses and an outdoor garden centre. The Subject Lands are located immediately adjacent to the Council-approved 421 Brant Street redevelopment, which will allow for the redevelopment of the adjacent lands to include a 23-storey mixed-use development with a maximum of 169 residential apartment units, a minimum of 365 square metres of office space and 900 square metres of commercial retail space.

Presently, our client is considering development options for the Subject Lands within the context of the current and proposed Official Plans with the intent to redevelop the lands.

Current Official Plan Framework

The Subject Lands are currently designated **Mixed Use Centre** (Schedule B) and **Downtown Core Precinct** (Schedule E) in the in-force City of Burlington Official Plan. The current land use structure that applies to the subject lands permits commercial activities, high density residential apartment uses, cultural uses of all types, recreation and hospitality uses, entertainment uses, and community facilities. Developments are permitted to a maximum height of 4 storeys. A maximum height of 8 storeys and 29 metres may be permitted subject to criteria and community benefits. A minimum density of 51 units per hectare and a maximum Floor Area Ratio of 4.0:1 is established (higher FAR may be permitted in conjunction with increased height).

Proposed Official Plan Framework (November 2017)

The Subject Lands are located within the **Downtown Mobility Hub**, which was subject to a separate area-specific planning exercise. The Subject Lands are proposed to be designated **Urban Centre** and **Urban Growth Centre** (Schedule B), **Primary Growth Area** (Schedule B-1), **Downtown Urban Centre** (Schedule C), **Brant Main Street Precinct Special Planning Area and Downtown Parks and Promenades Precinct** (Schedule F). In accordance with the notes contained throughout the Official Plan, it is understood that within the various layers of designations applied to lands within the Mobility Hub, additional objectives and/or policies may be added to the Official Plan, subject to the outcome of the area-specific plan process.

The Downtown Parks and Promenades Precinct identifies current and future parks, promenades and green spaces within the Downtown. These lands are primarily to serve the residents and employees of the Downtown as well as provide parks of a scale that will serve as significant destinations for city-wide and regional events and activities. Existing uses may be permitted within the Parks and Promenades designation.

The Brant Main Street Precinct is intended to serve as a unique retail destination. Development is to maintain and enhance the existing traditional main street physical character along Brant Street. Development is to achieve a low-rise form on Brant Street which could also form the podium to a mid-rise development. A variety of uses are permitted within this Precinct, including residential, office, retail and service commercial, hotel, entertainment and recreation uses. Development within the Brant Main Street Precinct are required to contain a minimum of two permitted uses. The built form in this area is proposed to be low-rise or mid-rise. A maximum height of three (3) storeys immediately adjacent to Brant Street and eleven (11) storeys immediately adjacent to John or Locust Streets is proposed. Additionally, developments are required to achieve a terraced built form and not to exceed a 45-degree angular plane measured from the centre of the Brant Street public right-of-way. Within the Brant Main Street Precinct Special Planning Area, a maximum height of seventeen (17) storeys may be permitted, subject to criteria.

Comments on the Proposed Draft Official Plan (November 2017)

Within the limited timeframe available to review the document, we have reviewed the proposed Draft Official Plan, as it applies to our client's lands, and offer the following comments:

- It is unclear how the application of a Parks and Promenades Precinct designation was placed on a portion of our client's lands. As noted above, the lands currently provide a retail and commercial function and include an associated outdoor garden centre which is part of a private business. Was a detailed analysis of open space needs within the Downtown undertaken as part of the background work for the Mobility Hub area-specific planning process? If so, can we be provided with this analysis? We would appreciate further clarity from staff with respect to the rationale behind the application of such a designation on our client's lands.
- The proposed Draft Official Plan contains strong policy language with respect to built form along Brant Street, identifying that a terraced built form shall be achieved and an angular plane of 45-degrees measured from the centre of the Brant Street public right-of-way is required. We understand that the intent of this policy is to ensure the physical character along Brant Street is maintained; however, we note that this angular plane requirement may not be achievable on all sites within the Precinct and may have the effect of sterilizing lands from development. In the case of the Subject Lands, redevelopment of the site is constrained due to parcel size and configuration and terracing back to meet the full 45-degree angular plane requirement may not be feasible. The cumulative impact of applying this policy on the Subject Lands would result in a

poorly designed building, whereas a more flexible approach would yield a better design for the site and the overall aesthetic of Brant Street. It is our opinion that intensification can be achieved through site redevelopment that represents good urban design without the provision of a 45-degree angular plane. We request that the consideration 45-degree angular plane requirement be more flexible for redevelopment of sites along Brant Street.

- Policy 8.1.1 (3.7.1) e) states “Development within the Brant Main Street Precinct shall provide a three (3) storey podium for all portions of a building fronting a public right-of-way”. The current built form along Brant Street includes a mixture of 1 and 2- storey commercial buildings, which provides variety in the streetscape. Considering the current built form of Brant Street, a redevelopment proposing a two-storey podium with subsequent storeys stepped back would, in our opinion, maintain the character of Brant Street. This policy is again highly prescriptive and overly restrictive. We suggest it be revised to allow for more flexibility in design should a development proposal contemplate a two storey podium.
- In addition to the Brant Main Street Precinct policies, the proposed Draft Official Plan contains a Special Planning Area, in which a portion of the Subject Lands is included. In accordance with the policies of the Brant Main Street Precinct Special Planning Area, it is understood that lands within this designation may be permitted to develop to a maximum height of seventeen (17) storeys, subject to criteria. Within this policy section, we note that this applies to development “immediately adjacent to the intersection of Brant and James Street”. We are unsure of how the City is applying the term “immediately adjacent” in this scenario, as the Subject Lands are not immediately adjacent to the intersection; however, are identified as being within the Special Planning Area on Schedule F. Does this apply only to lands on either corner of Brant and James Street? Or, is it the intent that the City would consider heights up to 17 storeys on the Subject Lands? Clarity on this matter is required. We note that we are generally supportive of increased height permissions and the inclusion of our client’s lands within the Special Planning Area.

We appreciate the opportunity to comment on the Proposed New Official plan as it applies to our client’s lands and look forward to meeting with you to further outline our comments and requests outlined herein, being that:

- The City provide further information with respect to the background work done to determine parks and open space needs and requirements within the Downtown;
- The Brant Main Street Precinct Special Planning Area designation be applied to the entirety of our client’s lands and, in doing so, the portion of these lands which is proposed to be designated ‘Parks and Promenades Precinct’ be removed unless the City intends to purchase these lands;
- The Brant Main Street Precinct policies are revised to allow greater flexibility for site redevelopment, recognizing the reality of existing constraints within this area and other urban design measures that can be implemented to ensure good building design; and,
- Further clarity be provided with respect to the City’s application of the term “immediately adjacent” in the context of the Brant Main Street Precinct Special Planning Area, including clarification that the 17 storey height consideration applies to our client’s lands.

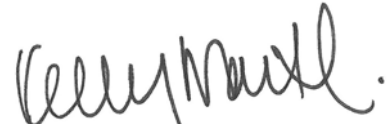
We look forward to working with the City moving forward to facilitate the redevelopment of the Subject Lands. Please do not hesitate to contact me or Kelly Martel of this office with any question or comments on this matter.

Yours truly,

MHBC

A handwritten signature in black ink, appearing to read 'Dana Anderson'.

Dana Anderson, MCIP, RPP

A handwritten signature in black ink, appearing to read 'Kelly Martel'.

Kelly Martel, M.Pl

Cc: Dr. Michael Shih, Jeffrey Kelly- Emshih Developments Inc.
Andrea Smith- City of Burlington
Mary Lou Tanner- City of Burlington



Dear Andrea,

November 21, 2017

First of all, thank you for your direction. I appreciate your perseverance and great efforts in heading up the new official plan, not an easy task. I am so excited and proud to be part of the future Burlington and I hope to be a positive part in creation of a vibrant downtown Burlington. I have had many opportunities to speak to many new comers who have chosen to move to Burlington from all over Canada and the world. This city is truly a gift to Canada.

After reviewing the Draft Official Plan for the City of Burlington, dated November 2017 I am disappointed that the City is not going to permit development and a mix of housing forms in the St. Luke's Precinct. In my opinion this is a huge missed opportunity. St. Luke's is adjacent to the downtown and my properties are within the Urban Growth Centre Boundary but the proposed policies do not allow for growth and redevelopment on my properties.

I would request that staff consider providing a site specific policy permitting townhouses on the properties known municipally at **466 and 470 Nelson Street**. **466 Nelson Street** is at the edge of the St. Luke's precinct and backs onto a Hydro corridor and is therefore a suitable location for townhouses. My intention is to maintain the historic home but I would like to redevelop the remaining lands. Building complete communities includes providing for a range of housing types and townhouses are a reasonable transition from the intensification of the Mobility Hub development to the low density residential neighbourhood of St. Luke's precinct. I respectfully request that a policy be included to allow for townhouse development as a transition from one area to the next specifically to permit them along Neighbourhood Connector streets. Here are two examples of what I am contemplating along Elgin Street which would require 3 ½ story zoning.



As the landowner of **1359 Elgin Street** I am disappointed that the only permitted use for this property is the existing uses and that there are no policies permitting the intensification of the property through the expansion of the existing uses including provisions to add any additional stories to the existing building. I respectfully request that staff consider adding policies that permit the redevelopment of the existing low-rise apartment buildings in the St. Luke's Precinct and allow them to achieve a maximum of 5-stories. It is my opinion that this is appropriate and reasonable infilling and redevelopment that is consistent with the neighbourhood and will not negatively impact the stability of the neighbourhood. This is an example of what I am looking at building for this property.



Thank you for reading my thoughts on Elgin Avenue,

Maurice Desrochers

454 Burlington Avenue, Burlington, Ontario L7S 1R5

PHONE: 905 336 2776

www.burlingtonfurnishedrentals.com sales@burlingtonfurnishedrentals.com



November 27, 2017

Via Email & Delivered

Ms. Leah Smith, MCIP, RPP
City of Burlington
426 Brant Street, P.O. Box 5013
Burlington, ON L7R 3Z6

Dear Ms. Smith:

**RE: Draft Official Plan
629 Brant Street, Burlington**

On behalf of the owner, Leggat Auto Group, UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is pleased to submit this letter regarding the Draft Official Plan as it relates to the subject property municipally known as 629 Brant Street, Burlington.

The subject property is currently designated “Mixed Use Corridor – General” on Schedule B in the Official Plan. Further, the subject property is subject to the Downtown Core Precinct policies of the Official Plan, as indicated on Schedule E, that permit commercial activities including service and retail uses and a maximum height of four (4) storeys.

The subject property is currently zoned Mixed Use Corridor “MXG-239” in the Zoning By-law 2020, which was approved on December 4, 2000. This zoning designation permits Motor Vehicle Sales and Service Establishments, and a maximum height of six (6) storeys (except for automotive uses).

The Draft Official Plan proposes to change the land use designation of the subject property to “Downtown Urban Centre” allowing office uses. Further, according to Schedule B of the Draft Official Plan, the subject property is proposed to be subject to the Downtown Mobility Hub and Downtown Core Precinct area-specific policies. Under this proposed policy framework, the subject property would be permitted a maximum height of 17 storeys. Automotive commercial and storage uses are not indicated as permitted uses in the Downtown Core Precinct.

Given the existing permission for motor vehicle sales and service establishments and office uses within the existing Official Plan and Zoning By-law, and the existing use of the subject property, and in keeping with the City’s practice for other motor vehicle dealerships, on behalf of owner, Leggat Auto Group, UrbanSolutions respectfully request that a site-specific policy for the subject lands be included in the Draft

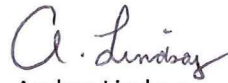
Official Plan, wherein automotive commercial and storage uses are permitted. Moreover, given the precedent established by the recent approval of a 23 storey development at 421-431 Brant Street, we request that the subject property be considered for additional height. We believe that this site would be appropriate for a maximum height of 25 storeys.

We look forward to meeting with you and discussing these concerns in the near future, and to receiving written notice of the decision with respect to this process. Please feel free to contact us with any questions.

Regards,
UrbanSolutions



Matt Johnston, MCIP, RPP
Principal



Amber Lindsay
Planner

cc: Ms. Mary Lou Tanner, MCIP, RPP, Chief Planner
Mr. Brian Leggat, Leggat Auto Group
Mr. Sergio Manchia, MCIP, RPP, UrbanSolutions Planning & Land Development Consultants Inc.

November 15, 2017

Attention: Mayor and Members of Council

RE: **New City of Burlington Official Plan**
720 Oval Court & 5135 Fairview Street,
City of Burlington

We are writing to you on behalf of Branthaven Development Corp. regarding 720 Oval Court and 5135 Fairview Street and the new City of Burlington Proposed Official Plan

The subject lands are located at 720 Oval Court & 5135 Fairview Street in the City of Burlington, and are located on the north side of Fairview Street, east of Appleby Line, west of Burloak Drive, and south of the CN Railway and Appleby GO Station. The subject properties have frontage onto both Oval Court and Fairview Street and abuts commercial/industrial uses to the north and east, a vehicle parking lot and small creek to the west, and residential land use to the south across Fairview Street. The subject lands are within the designated 'Appleby GO Mobility Hub' Study area.



At this time, we are requesting that staff be directed to further review the proposed land uses within the Appleby Go Mobility Hub Study, for these lands, and the Proposed Official Plan to permit a range of Mixed Use on this property including residential uses in conjunction with commercial and office uses.

The subject site is immediately adjacent the Go Station. The Go Station parking lot and the lands on Oval Court are the only lands south of the rail line that are designated for employment use (see Figure 2). By allowing a greater range of uses on these lands and the Go Station parking lot, there would be a much greater opportunity for a significant redevelopment to occur in the near future that would support the mobility hub. The subject lands extend to Appleby line and the broadening of the land uses will ensure an enhanced streetscape, improved public realm and a more compatible use to the residential uses on the south of Fairview Street.

It is recognized that any change in land use designation would have to maintain the employment function currently occurring on these lands. For this reason, the residential use is requested in addition to the current employment uses occurring on these lands. The lands north of the rail line are the significant employment area for this mobility hub, however the subject lands only provide a peripheral role in terms of employment lands supply to support the Mobility hub function. A broader mix of uses on the subject lands would be supportable in the context of the mixed use designation for all other lands south of the rail line.

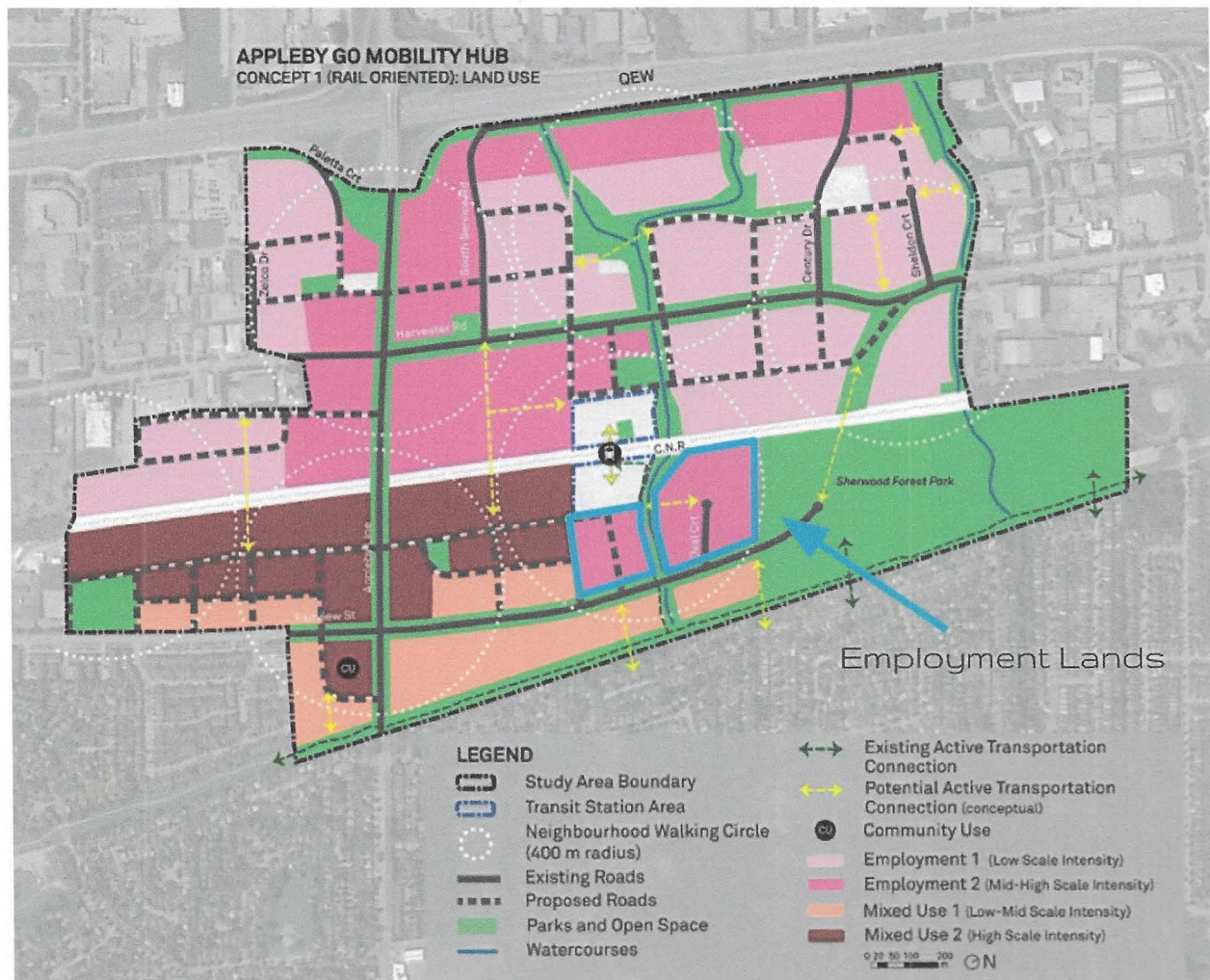


Figure 2 — Appleby Go Mobility Hub Study Area with the subject lands circled

In terms of the planning context, under the Regional Official Plan, the subject lands are designated “Urban Area” as well as a “Major Transit Station”, and are thus a designated “Intensification Area” due to its’ proximity to the Appleby GO Station. These lands are not subject to a regional employment lands overlay.

The purpose of the Major Transit Station Area is to achieve: Residential and employment densities to ensure the viability of existing and planned transit infrastructure and service; A mix of residential, office, institutional, and commercial development; and to provide access from various transportation modes to the transit facility, including pedestrians, bicycle routes and bicycle parking, car share vehicles, and parking/recharging stations for electric vehicles [Section 78(11)]. The purpose of Intensification Areas is to provide an urban form that is complementary to existing developed areas, use space more economically, and promote live-work relationships. These Areas are also to provide a range of employment and compatible residential housing to support neighbourhoods while creating a vibrant, diverse, and pedestrian-oriented urban environment. Intensification Areas are to facilitate easy multi-transit use, as well as provide access to the transit station area.

Under the Proposed Official Plan, the subject lands are designated as “Mixed-Use Nodes and Intensification Corridors — Mobility Hub” with the “Employment Designation” overlay.

The purpose of the Mobility Hub designation is to identify lands that are an important component of the City’s Urban Structure, growth framework, and transportation network. Mobility Hubs are focal points for higher density and mixed-use development that will accommodate a significantly higher share of the City’s future population and employment growth to 2031 and beyond.

As per Schedule “C” (Land Use – Urban Area), the subject lands are further designated “Urban Corridor – Employment” (see Figure 2.4.2.2):

Section 8.3.7: The “Urban Corridor – Employment” designation is to encourage the development of key locations along Major Arterial or Multi-Purpose Arterial Streets that are primarily intended for higher intensity employment uses, as well as encourage higher intensity, transit-supportive and pedestrian-oriented mixed use development in a compact urban form, while retaining compatibility with nearby land uses. However, residential uses and other sensitive land uses shall be prohibited in Urban Corridor-Employment locations.

It is our request that for the subject lands the the prohibition of residential uses be removed from the policies of the Official Plan and that a range of Mixed uses be permitted. In addition, it is our request that the Appleby Go Mobility Hub study be revised to reflect this new direction.

In addition we have reviewed the proposed policies regarding employment land conversions and offer the following comments. The City is undertaking a MCR at this time. The conversion will support and enhance the role of the mobility hub. The proposed conversion due to its small land area will not detrimentally impact the land needs of the City and the existing employment function is proposed to be maintained. The conversion will assist the municipality in achieving density and intensification targets and will not adversely impact the viability of this small pocket of existing employment lands. There are adequate infrastructure and facilities to accommodate the conversion and there are no cross jurisdictional issues. The property fronts on a major arterial road. The amount of land is minor and the

conversion will have a beneficial impact by enhancing and strengthening the mobility hub function by encouraging intensification and redevelopment of lands in very close proximity to the GO station.

Regards,

A handwritten signature in blue ink, appearing to read "Ruth Victor". The signature is fluid and cursive, with the first name "Ruth" being more prominent than the last name "Victor".

Ruth Victor, MCIP RPP MRTPI



November 27, 2017

Via Email & Delivered

Ms. Leah Smith, MCIP, RPP
City of Burlington
426 Brant Street, P.O. Box 5013
Burlington, ON L7R 3Z6

Dear Ms. Smith:

**RE: Draft Official Plan
805 Walker's Line, Burlington**

On behalf of the owner, Leggat Auto Group, UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is pleased to submit this letter regarding the Draft Official Plan as it relates to the subject property municipally known as 805 Walker's Line, Burlington.

The subject property is currently designated "General Employment" on Schedule B in the existing Official Plan and is currently zoned General Employment "GE1" in the Zoning By-law 2020.

The Draft Official Plan process proposes to retain the land use designation for the subject lands as "General Employment" allowing automobile commercial uses including large scale motor vehicle dealerships, storage, and office uses. Please provide written notice of the decision with respect to this process.

Please feel free to contact us with any questions.

Regards,
UrbanSolutions

Matt Johnston, MCIP, RPP
Principal

Amber Lindsay
Planner

cc: Ms. Mary Lou Tanner, MCIP, RPP, Chief Planner
Mr. Brian Leggat, Leggat Auto Group
Mr. Sergio Manchia, MCIP, RPP, UrbanSolutions Planning & Land Development Consultants Inc.



November 27, 2017

Via Email & Delivered

Ms. Leah Smith, MCIP, RPP
City of Burlington
426 Brant Street, P.O. Box 5013
Burlington, ON L7R 3Z6

Dear Ms. Smith:

**RE: Draft Official Plan
814 Guelph Line, Burlington**

On behalf of the owner, Leggat Auto Group, UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is pleased to submit this letter regarding the Draft Official Plan as it relates to the subject property municipally known as 814 Guelph Line, Burlington.

The subject property is currently designated “Mixed Use Corridor – Employment” on Schedule B of the Official Plan. This designation permits motor vehicle dealerships and a maximum height of six (6) storeys (except for industrial uses).

The subject property is currently zoned Mixed Use Corridor “MXE” in the Zoning By-law 2020. This zoning designation permits a range of automotive uses, including motor vehicle sales and motor vehicle service stations, and a maximum height of six (6) storeys (except for automotive uses).

The Draft Official Plan proposes to change the land use designation of the subject property to “Urban Corridor – Employment Lands” allowing office uses and automotive commercial uses. Large-scale motor vehicle dealerships are not permitted under this designation, and storage uses are not indicated as a permitted use. Further, the subject property may be permitted a site-specific maximum height of eleven (11) storeys.

Given the permission for motor vehicle dealerships within the existing Official Plan and Zoning By-law, and the existing use of the property as a large-scale motor vehicle dealership, and in keeping with the

City's practice for other established motor vehicle dealerships, on behalf of owner, Leggat Auto Group, UrbanSolutions respectfully request that a site-specific policy for the subject lands be included in the Draft Official Plan, wherein large-scale motor vehicle dealerships and storage uses are permitted. In addition, the existing parcel fabric lends itself to land assembly. With land assembly in place, there is merit in considering a site specific height of 20+ storeys.

We look forward to meeting with you and discussing these concerns in the near future and also to receiving written notice of the decision with respect to this process. Please feel free to contact us with any questions.

Regards,
UrbanSolutions



Matt Johnston, MCIP, RPP
Principal



Amber Lindsay
Planner

cc: Ms. Mary Lou Tanner, MCIP, RPP, Chief Planner
Mr. Brian Leggat, Leggat Auto Group
Mr. Sergio Manchia, MCIP, RPP, UrbanSolutions Planning & Land Development Consultants Inc.



November 27, 2017

Via Email & Delivered

Ms. Leah Smith, MCIP, RPP
City of Burlington
426 Brant Street, P.O. Box 5013
Burlington, ON L7R 3Z6

Dear Ms. Smith:

**RE: Draft Official Plan
834-850 Brant Street, Burlington**

On behalf of the owner, 1059295 Ontario Inc., UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is pleased to submit this letter regarding the Draft Official Plan as it relates to the subject property municipally known as 834-850 Brant Street, Burlington.

The subject property is currently designated "Mixed Use Corridor – General" on Schedule B of the Official Plan.

Majority of the subject property is currently zoned Mixed Use Corridor "MXG-237" in the Zoning By-law 2020. This zoning designation permits motor vehicle sales, leasing, rental and service establishments, and office uses, and a maximum height of six (6) storeys (except for automotive uses).

The Draft Official Plan proposes to change the land use designation of the subject property to "Urban Corridor" in Schedule B, allowing office uses and automotive commercial uses. Large-scale motor vehicle dealerships and storage uses are not permitted under this designation; however, a site specific policy is proposed which states, "Notwithstanding the uses permitted in Subsection 8.1.3.(7.2) c) of this Plan, the large-scale motor vehicle dealership located on the south-west corner of Fairview Street and Brant Street, and identified as 834-850 Brant Street, may be expanded on the abutting property within the Urban Corridor designation by a maximum of fifty (50) percent of the floor area existing on the date of adoption of this Plan, without an amendment to this Plan." Further, Schedule B of the Draft Official Plan indicates

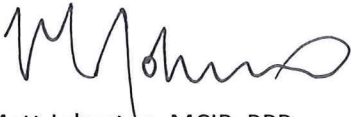
that the subject lands are proposed to be included in the Burlington GO Mobility Hub wherein a height of 20+ storeys may be permitted, according to draft concepts presented September 6, 2017.

Given the permission for motor vehicle dealerships within the existing Official Plan and Zoning By-law, and the existing use of the property as a large-scale motor vehicle dealership, on behalf of owner, 1059295 Ontario Inc., UrbanSolutions respectfully request further modifications to the draft site specific policy wherein large-scale motor vehicle dealerships and storage uses are incorporated as additional permitted uses within the "Urban Corridor" designation through the Draft Official Plan review process.

We look forward to meeting with you and discussing these concerns in the near future and also to receiving written notice of the decision with respect to this process. Please feel free to contact us with any questions.

Regards,

UrbanSolutions



Matt Johnston, MCIP, RPP
Principal



Amber Lindsay
Planner

cc: Ms. Mary Lou Tanner, MCIP, RPP, Chief Planner
Mr. John Lecluse, 1059295 Ontario Inc.
Mr. Sergio Manchia, MCIP, RPP, UrbanSolutions Planning & Land Development Consultants Inc.



November 27, 2017

Via Email & Delivered

Ms. Leah Smith, MCIP, RPP
City of Burlington
426 Brant Street, P.O. Box 5013
Burlington, ON L7R 3Z6

Dear Ms. Smith:

**RE: Draft Official Plan
864 Drury Lane, Burlington**

On behalf of the owner, 983813 Ontario Ltd., UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is pleased to submit this letter regarding the Draft Official Plan as it relates to the subject property municipally known as 864 Drury Lane, Burlington.

The subject property is currently designated "Mixed Use Corridor - Commercial" on Schedule B in the existing Official Plan and is currently zoned Mixed Use Corridor "MXT" in the Zoning By-law 2020.

The Draft Official Plan process proposes to change the land use designation for the subject lands to "Urban Corridor". Further, Schedule B of the Draft Official Plan indicates that the subject lands are proposed to be included in the Burlington GO Mobility Hub wherein a height of 20+ storeys may be permitted, according to draft concepts presented September 6, 2017.

We look forward to an opportunity to meet with you to discuss this property in more detail, and to receiving written notice of the decision with respect to this process. Please feel free to contact us with any questions.

Regards,
UrbanSolutions

Matt Johnston, MCIP, RPP
Principal

Amber Lindsay
Planner

cc: Ms. Mary Lou Tanner, MCIP, RPP, Chief Planner
Mr. Peter Romano, Nickel Brook Brewing Co.
Mr. Sergio Manchia, MCIP, RPP, UrbanSolutions Planning & Land Development Consultants Inc.

November 28, 2017

Amber LaPointe
Committee Clerk
Planning and Development Committee
City of Burlington
426 Brant Street, Box 5013
Burlington, ON
L7R 3Z6

Dear Ms. LaPointe:

**RE: City of Burlington Draft Official Plan – November 2017 Draft
Emshih Developments- 901 Guelph Line, Burlington
OUR FILE: 1583D**

As you know, MHBC is retained by Emshih Developments in relation to their lands located at 901 Guelph Line (the Subject Lands). Our client has continued to request that the Subject Lands be removed from the City's employment land designation to allow for the comprehensive development of the site as a **Special Policy Area** to enable the redevelopment of a unique mixed use community that includes residential, retail commercial and employment uses.

Previous Submissions and Comments to the City

As noted in our last submission to the City on the April Draft Official Plan, Emshih has been actively involved in the City's Official Plan Review process since 2012. Since that time they have undertaken considerable work, providing the City with a justified rationale supporting the request that the Subject Lands be removed from the City's Employment Land inventory through the City's employment land conversion review process and Municipal Comprehensive Review. Emshih has continued to rationalize that request through recent presentations and submissions to Council and staff related to the Official Plan Review process. A detailed chronology of presentations, meetings and submissions by Emshih related to the Subject Lands was set out in the June 29th letter.

As you know, on April 6, 2017, a detailed presentation was made at the Committee of the Whole Workshop meeting, with the following key points being expressed related to the Subject Lands:

- There are considerable transportation constraints as documented by the Ministry of Transportation, with regard to development of the site solely for office uses;
- Considerable effort has been made into creating a vision for the redevelopment of the site with the input of City staff, key stakeholders and residents;
- The Subject Lands' context lends itself to a redevelopment that has the potential to provide a unique opportunity for a new "modern" district with employment, residential, retail and

commercial uses, that will provide a higher ratio of jobs than what currently exists on the site and serve as a key gateway to the City;

- The April 2017 and now updated November 2017 Official Plan framework, which retains these lands for employment only uses [removing high-rise office development through the revisions to the site specific policy 8.2.4(3)(h)(i)], creates a restrictive framework that will stagnate development on this unique 6.4 ha (15.8 acre) site for at least a decade.

As noted in our earlier submission, we provided staff with details about the proposal and rationale for consideration of the Subject Lands for conversion. We further provided staff with a policy structure for how the opportunity for the site's inclusion in the mobility hub can and should be addressed. Our proposed mapping and policy wording would allow for the future development of the site to ensure a **minimum amount of employment** is incorporated in any future redevelopment and **enable several key City objectives** to be met including **sustainability and affordable seniors housing**. We have received no response from staff on these submissions. We have been further advised by staff that there will be no further changes to the draft November 2017 Official Plan without Council direction.

November 2017 Draft Official Plan

The updated draft Official Plan framework (November 2017) maintains the site in the Employment Growth Area and the Subject Lands are designated as **Business Corridor**. There have been no considerations of any changes to the Burlington GO Mobility Hub boundary as requested in our meetings and submissions to staff and Council.

At this time we wish to strongly reiterate the reasons why the Planning and Development Committee should direct staff to provide an alternative policy approach which permits the conversion of the lands and allows for an amendment to the Plan subject to a set of performance measures.

- The subject lands can be readily developed as a gateway site to the City, and as part of the Burlington GO Mobility Hub, with a mix of uses (employment, residential, retail) to create a compact mixed-use site;
- The proposed comprehensive redevelopment of our client's lands, given their size, offers the ability to provide a minimum amount of employment uses with other uses which can be set out as conditions required for the development of the larger site.
- The site offers the opportunity to convey a percentage of units for seniors housing and affordable housing and there have been active discussions with the current President of Habitat for Humanity (Halton Peel) as to how to implement affordable housing through the redevelopment;
- Burlington Green remains as a strong supporter of the site for a mixed use redevelopment that can achieve a level of sustainability unmatched by any other site in the City.
- The subject lands should be considered as a "*Special Policy Area*" within the context of the Burlington GO Mobility Hub. From our review of the Burlington GO Mobility Hub information, there appear to be significant constraints to development and we seriously question the ability to redevelop the lands within the current boundary to meet the minimum growth targets given the servicing constraints, land fragmentation and existing uses within the area.

We strongly urge the Committee to direct staff to further reconsider the Subject Lands for conversion. In addition, we request that staff be directed to further consider the recommended policy approach to create opportunities for a comprehensive site redevelopment on the Subject Lands that can meet several of the City's objectives rather than constrain the site within the restrictive employment policy framework currently proposed.

Please do not hesitate to contact me or Kelly Martel of this office with any question or comments on this matter.

Yours truly,

MHBC

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

Dana Anderson, MCIP, RPP

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

Kelly Martel, M.PI

cc: Dr. Michael Shih, Emshih Developments
Mary Lou Tanner, City of Burlington
Andrea Smith, City of Burlington

From: Matthew Bennett [matthew@nbhc.com]
Sent: Wednesday, November 15, 2017 2:08 PM
To: Enns, Alison; Smith, Andrea
Cc: 'Tavella, Kristopher'
Subject: RE: City of Burlington Official Plan- Phone call or meeting

Hi Alison, Andrea,

Thanks again for taking the time to speak with me a few weeks ago regarding concerns raised by the United Church of Canada with regard to the treatment of Places of Worship within the draft City Official Plan.

We have reviewed the latest Nov. 10 proposed plan and are pleased with the revisions throughout the document. Most notably the removal of the language we discussed in section 3.2.2. We were also pleased to see the inclusion of commercial spaces within the range of permitted uses on Institutional properties within Rural Settlement Areas.

Thank you for your attention to these matters and incorporating this feedback.

Kind regards,
Matt

Matthew Bennett MCIP, RPP, PLE
Associate



N. Barry Lyon Consultants Limited
3 Church Street, Suite 100
Toronto, Ontario, M5E 1M2
tel: (416) 364-4414 ext. 203
fax: (416) 364-2099
matthew@nbhc.com
www.nbhc.com

From: Enns, Alison [mailto:Alison.Enns@burlington.ca]
Sent: Friday, October 27, 2017 3:42 PM
To: 'Matthew Bennett' <matthew@nbhc.com>
Subject: RE: [Spam] City of Burlington Official Plan- Phone call or meeting

Excellent. Thank you.

From: Matthew Bennett [mailto:matthew@nbhc.com]
Sent: Friday, October 27, 2017 3:24 PM
To: Enns, Alison <Alison.Enns@burlington.ca>
Cc: Smith, Andrea <Andrea.Smith@burlington.ca>
Subject: RE: [Spam] City of Burlington Official Plan- Phone call or meeting

Hi Allison,

Thanks for coordinating this, let's proceed with a call on the 2nd.
Maybe once the new OP language is available publicly it'll make sense to meet again at City Hall.

Look forward to speaking with you both next Thursday.
Have a great weekend,

Matthew Bennett MCIP, RPP, PLE
Associate



N. Barry Lyon Consultants Limited
3 Church Street, Suite 100
Toronto, Ontario, M5E 1M2
tel: (416) 364-4414 ext. 203
fax: (416) 364-2099
matthew@nblc.com
www.nblc.com

From: Enns, Alison [<mailto:Alison.Enns@burlington.ca>]
Sent: Friday, October 27, 2017 2:06 PM
To: 'matthew@nblc.com' <matthew@nblc.com>
Cc: Smith, Andrea <Andrea.Smith@burlington.ca>
Subject: [Spam] City of Burlington Official Plan- Phone call or meeting

Hi Matthew,

My Manager Andrea Smith and I are available to meet, or teleconference on Thursday at 9:30. Please let me know if I need to book a room here at City Hall.

Thanks for your time,

Alison Enns

Alison Enns M.Pl., MCIP, RPP

Senior Planner
Planning & Building Department, City of Burlington
426 Brant Street, Burlington, Ontario L7R 3Z6

tel. 905-335-7600 ext. 7787
fax 905-335-7880
Alison.Enns@burlington.ca

Personal information collected as a result of the City's request for comments on the draft new Official Plan is collected under the authority of the Planning Act, RSO 1990, c. P.13, and will be used to assist in making a decision on the matter. This information may be used to inform and notify individuals of City of Burlington public involvement opportunities related to the Official Plan Project, to provide you with updates on the Official Plan Project, to inform the development of the proposed new Official Plan, to notify you of City Council's decision on the proposed new Official Plan, and to serve notice of an Ontario Municipal Board Hearing. Under the Planning Act, this information is considered part of the public record and will be disclosed, including personal information. Personal information, including (but not limited to) names, addresses, opinions and comments collected will be made available for public disclosure to members of the public, at the meeting, through requests, and through the City of Burlington website. Questions or concerns about this collection can be directed to the Manager of Policy Planning and Research, City of Burlington, 426 Brant Street, Burlington, Ontario, L7R 3Z6, 905-335-7600, ex 7385.

This message, including any attachments, is privileged and intended only for the addressee(s) named above. If you are not the intended recipient, you must not read, use or disseminate the information contained in this email/fax. If you

2017-11-27

VIA EMAIL: newop@burlington.ca

City of Burlington
Planning Department
426 Brant Street, PO Box 5013,
Burlington, ON L7R 3Z6

Attention: Leah Smith
Planning Department

Re: Comments on Draft New Official Plan: Cemetery Policies

Dear Ms. Smith,

LARKIN+ Land Use Planners Inc. represents Arbor Memorial Inc. (AMI) with regards to their cemetery properties across Canada and in particular, with regards to Burlington Memorial Gardens located at 3383 Guelph Line in the City of Burlington. We have over 25+ years of experience in the formulation and execution of land use planning policy and the development of funeral establishments and cemeteries in Ontario, working with all levels of government within Ontario and the Greater Toronto Area. This letter follows up our previous correspondence dated June 29, 2017 wherein we provided feedback on the new draft Official Plan.

We have reviewed the Burlington Official Plan Proposed – November 2017 and conclude that your plan continues to neglect cemeteries within this policy document. We note that the Plan recognizes cemeteries as an “Other use” in Section 3.3.3 which addresses components of Complete Communities. We appreciate that the City of Burlington recognizes cemeteries as part of a complete community but, once again, the City of Burlington has not adequately considered the provision of cemeteries within the Plan to meet the needs of the community. Given that the City of Burlington is proposed to grow to 193 000 persons by 2031 and given the increase in the aged population in Ontario, the City needs to plan for the entire lifetime of its residents including the provision of final resting grounds.

Our review recognizes several deficiencies in your policies:

1. Failure to identify where cemeteries will be accommodated in the City of Burlington.
2. Failure to recognize cemeteries as a permitted use within the Rural Area.
3. Failure to provide adequate siting policies.
4. Concerns with policies that limit the expansion of existing non-Agricultural Uses in Rural Areas

1. Failure to Identify Where Cemeteries will be permitted within the Official Plan

We have reviewed the new Official Plan and feel that the provision of cemeteries has not been adequately addressed within the document. As with population projections to plan for housing and employment, municipalities must also undertake mortality projections to ensure that the burial needs of the City of Burlington are met and adequate facilities are provided to provide a final resting ground for the residents of the City of Burlington. Furthermore, we note that no land use designations recognize cemeteries as a permitted use.

- We request that the City of Burlington consider projected mortality for the City of Burlington and identify where cemeteries will be accommodated to fulfill this important need.



2. Failure to recognize cemeteries as a permitted non-agricultural use within the rural areas of the City.

Cemeteries are compatible with almost all land uses, service both urban and rural areas, and therefore, should be accommodated within both the urban and rural areas of the City of Burlington. With the intensification policies of the PPS 2014 and the Growth Plan, it is likely that new cemeteries will be located in the non-urban area or the urban periphery and likely to not be able to locate within the urban boundary. Modern, viable cemeteries range in size from approximately 20 to 40 ha and, therefore, the likelihood of finding a parcel of that size with the urban boundary is remote and, if available, would contribute to the inefficient use of expensive municipal infrastructure. Historically, cemeteries have been located on the periphery or outside of urban centres and cannot be considered a strictly urban use.

Cemeteries must be accommodated within the non-urban area for the following reasons:

- ✓ Cemeteries as an urban use conflicts with the Province of Ontario's intensification policies within the Provincial Policy Statement, 2014 and the Growth Plan for the Greater Golden Horseshoe

The competition for land between more traditional land uses within existing urban areas is intense and there is a core land use planning objective to promote efficient development that optimizes municipal services and infrastructure. The intensification policies of PPS 2014 and the Growth Plan for the Greater Golden Horseshoe promote intensification of traditional uses such as residential, commercial and other mixed uses in order to meet specific density targets. These policies conflict with the development of cemeteries in urban centres and further supports the position that cemeteries are more suitably located in rural areas. Furthermore, land used for a cemetery is considered "non-renewable" since it is a permanent land use. Therefore, land used for a cemetery will no longer be available for intensification and redevelopment. Finally, large parcels of land required for uses such as cemeteries are becoming increasingly scarce within the Greater Toronto Area.

- ✓ Cemeteries are compatible with most other uses and specifically are compatible with rural uses and can be developed without access to urban infrastructure for their development.

Cemeteries are compatible with the rural and agricultural landscape and promote connections between the Greenbelt and external agriculture system by allowing the designation of large tracts of land for low-intensity use. Being essentially "green space" areas, they can act as an effective buffer between urban and rural areas. Cemeteries can be developed on private services should urban services not be available and, in fact, tying up large parcels of expensively serviced land is an inefficient use of municipal resources. Urban land is better reserved for uses that require full municipal services.

- ✓ The Provincial Policy Statement, 2014 recognizes cemeteries as a rural land use and permits non-agricultural uses, such as cemeteries, within prime agricultural areas provided the policies of Section 2.3.6 can be met.

The Provincial Policy Statement, 2014, recognizes cemeteries as a rural land use within Ontario and includes policies to guide the development of non-residential uses on prime agricultural land in Section 2.3.6. The supporting documents "Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas" provides guidance for land uses that are permitted on prime agricultural land, and "An Introduction to the Provincial Policy Statement, 2014: Rural Ontario" identifies cemeteries as one such use. We recognize that there are policies within the Draft Official Plan that accommodate non-agricultural uses in an agricultural area similar to the policies in the PPS, however they should be more specific regarding cemeteries.

- We request that the City of Burlington recognize cemeteries as a permitted use within the rural area (non-settlement area) policies in Section 9 of the Official Plan.



3. Failure to provide adequate siting policies.

The City of Burlington needs to provide siting policies within their Official Plan to provide guidance and direction to cemetery operators with the City. We have attached a copy of a sample policy that we have developed with other municipalities within the GTA. We note that you have provided a general policy in Section 3.3.3 but are requesting that this policy be expanded in order to provide appropriate direction to future cemetery development and the expansion of existing cemeteries.

- We request that the City of Burlington provide appropriate siting policies in the new proposed Official Plan.

4. Policies that limit the expansion of existing non-Agricultural Uses in Rural Areas

Finally, we have reviewed the Rural Policies in Section 9 and have concerns with **Section 9.1.2 h)** which permits an expansion to an existing use not permitted by the Plan and located outside a Rural Settlement Area without an amendment provided that the proposed expansion *(iii) does not significantly increase the intensity of, or the area occupied by, buildings and accessory facilities existing prior to the expansion.* It is our opinion that any proposed development within an existing use should be evaluated relative to the size of the property and the surrounding uses. This policy is vague and it is difficult to understand how it will impact future development on existing sites.

We hope that this letter clarifies our concerns with the cemetery policies in the new Burlington Official Plan Proposed – November 2017. As a follow up to this letter, we would be pleased to meet with you to discuss these matters in more detail. Please do not hesitate to contact us should you have any questions or require additional information at (905) 895-0554 or amg@larkinplus.com.

Sincerely,

LARKIN+

Aaron Gillard
MCIP, RPP
amg@larkinplus.com

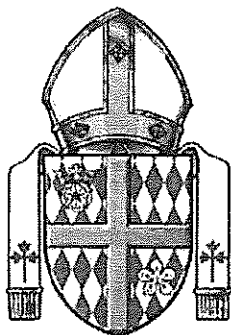
cc Mike Larkin, LARKIN+
Cosimo Casale, Cosmopolitan Associates



LARKIN+ Proposed Cemetery Policy:

The establishment of a new cemetery or the expansion of an existing cemetery shall be permitted subject to Section 2.3.6 of the Provincial Policy Statement 2014 and to all other applicable legislation and shall require an amendment to the Official Plan and/or Zoning By-law in accordance with the following criteria:

- a) The need for the proposed use and the area and capacity of the cemetery and the accessory uses must be appropriate for the location, and sufficiently sized to serve the projected population within the cemetery planning horizon;
- b) Opportunities for alternative interment and/or burial practices to meet the needs of diverse cultures and efficient use of the land area shall be considered; and,
- c) The following studies shall be conducted to ensure the compatibility of the use with the surrounding area:
 - i. A Needs Analysis of the proposed cemetery (or an expansion of an existing cemetery) demonstrating need through an examination of the demand for additional cemetery land, assessed against the existing and potential supply of such land within the cemetery planning horizon, and of the diversity of cultural and religious beliefs and burial trends;
 - ii. An environmental evaluation which includes hydrological and hydrogeological studies indicating that the use will not have adverse impacts on the quality and quantity of ground and surface water on or nearby the site or any Wellhead Protection Area;
 - iii. A Traffic Impact Study which ensures an appropriate access to the site and addresses the potential impacts to existing surrounding and area uses, including an assessment of projected on-site parking requirements in relation to such accessory uses as defined herein; and,
 - iv. A master site plan that demonstrates the use of existing site characteristics, such as topography and vegetation, identifies natural native vegetation enhancement and sequential plantings, including opportunities for memorial groves, improvements to connectivity between key natural heritage features and key hydrologic features and establishes appropriate buffers from adjacent land uses, where necessary, through planting, grading and screening.



DIOCESE OF HAMILTON

November 27, 2017

Council of the City of Burlington
426 Brant Street
P.O. Box 5013
Burlington, ON L7R 3Z6
Email: cob@burlington.ca

Re: Draft Official Plan (November 2017)

On behalf of **The Roman Catholic Episcopal Corporation of the Diocese of Hamilton in Ontario** (“Diocese of Hamilton”) I am writing to you, the Council of the City of Burlington, to provide comments concerning the **Draft Official Plan (November 2017)**. As you are likely aware, the Diocese of Hamilton holds title to a number of properties throughout the City, where our places of worship offer both spiritual enrichment and vital services to the community.

As a Catholic organization, the Diocese of Hamilton respects the dignity of every human person and believes that there is an obligation to support those who are in need and to promote the common good.

As a regulated charity, subject to both federal and provincial legislation, we also have fiduciary obligations to protect our charitable property and ensure that it is used to further the charitable objectives of the Catholic Church.

With that in mind, we and other faith groups in the City were very concerned over the policy contained in the *April 2017 Draft Official Plan* that required surplus institutional lands seeking amendments for residential purposes to be only considered where the majority of residential units proposed were for assisted or special needs housing. While we readily support the Draft Official Plan’s commitment to providing affordable housing for the City’s residents and neighbourhoods, the *April 2017 Draft Official Plan* that focused on surplus institutional lands placed an unfair burden on religious institutions such as the Diocese of Hamilton. Requiring a commitment for a majority of residential units to be for assisted or special needs housing could have a significant negative impact on the value of the land, thereby limiting the options for institutions such as ours to sell properties and using the proceeds to further our own programs, many of which help people in need.

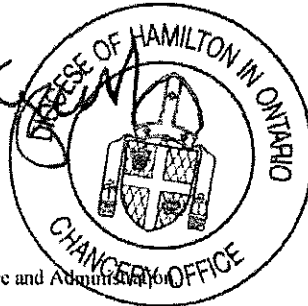
... 2/

We are therefore pleased to see the amendments made in the **November 2017 Draft Official Plan** that deletes the problematic portion of the *April 2017 Official Plan* concerning surplus institutional lands and hope that the City will continue to consult with the faith community over the issue of special needs and affordable housing in order to develop sound programs that are beneficial for all.

Sincerely,



(Most Rev.) Douglas Crosby, OMI
Bishop of Hamilton



Copy: Mr. James Long, Episcopal Director of Finance and Administration

/cd

November 28, 2017

**VIA-E-MAIL
WITHOUT PREJUDICE**

Planning Department
City of Burlington
426 Brant Street
Burlington ON L7R 3Z6

Attention: Andrea Smith, MCIP, RPP
Manager of Policy and Research

Dear Ms. Smith:

Re: Proposed New Official Plan
Report Number PB-50-17
File Number 505-08

Embee Properties Limited holds an ownership interest in Block 299, Plan 20M-1193, which is located at the north-east corner of Dundas Street and Palladium Way.

Block 299 is approximately 3.37 acres in area and is vacant at this time. It is designated in the current Official Plan as Business Corridor and zoned Business Corridor (H-BC1-320).

We have reviewed the proposed Official Plan (November 2017) and note that Schedules B, B-1 and C have mistakenly designated more than 50% of Block 299 as Natural Heritage System.

We are aware of policies in the proposed Official Plan that explain designation boundaries are approximate, except for those established by well-defined features. We can confirm that Block 299 is indeed well-defined by public roads on two sides and public green space on two sides.

We would respectfully request, therefore, that Schedules B, B-1 and C be modified correctly so that the entirety of Block 299 is properly designated Employment Lands (B), Undeveloped Area Outside Built Boundary (B-1), and Business Corridor (C).

Out of an abundance of caution, we must object to the proposed designation of Block 299.

2...

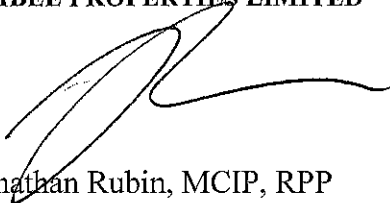
We have enclosed copies of the noted Schedules together with details and related maps to assist you in describing the correct designation for Block 299.

We look forward to working with staff to resolve this matter prior to the adoption of the proposed Official Plan scheduled for Spring 2018.

We request that we continue to receive written notice of any and all further actions by the City with regard to this matter.

Yours very truly,

EMBEE PROPERTIES LIMITED



Jonathan Rubin, MCIP, RPP

Phone: 416.250.5858 ext.34

E-mail: jonathan@embeeproperties.ca

JR:bk

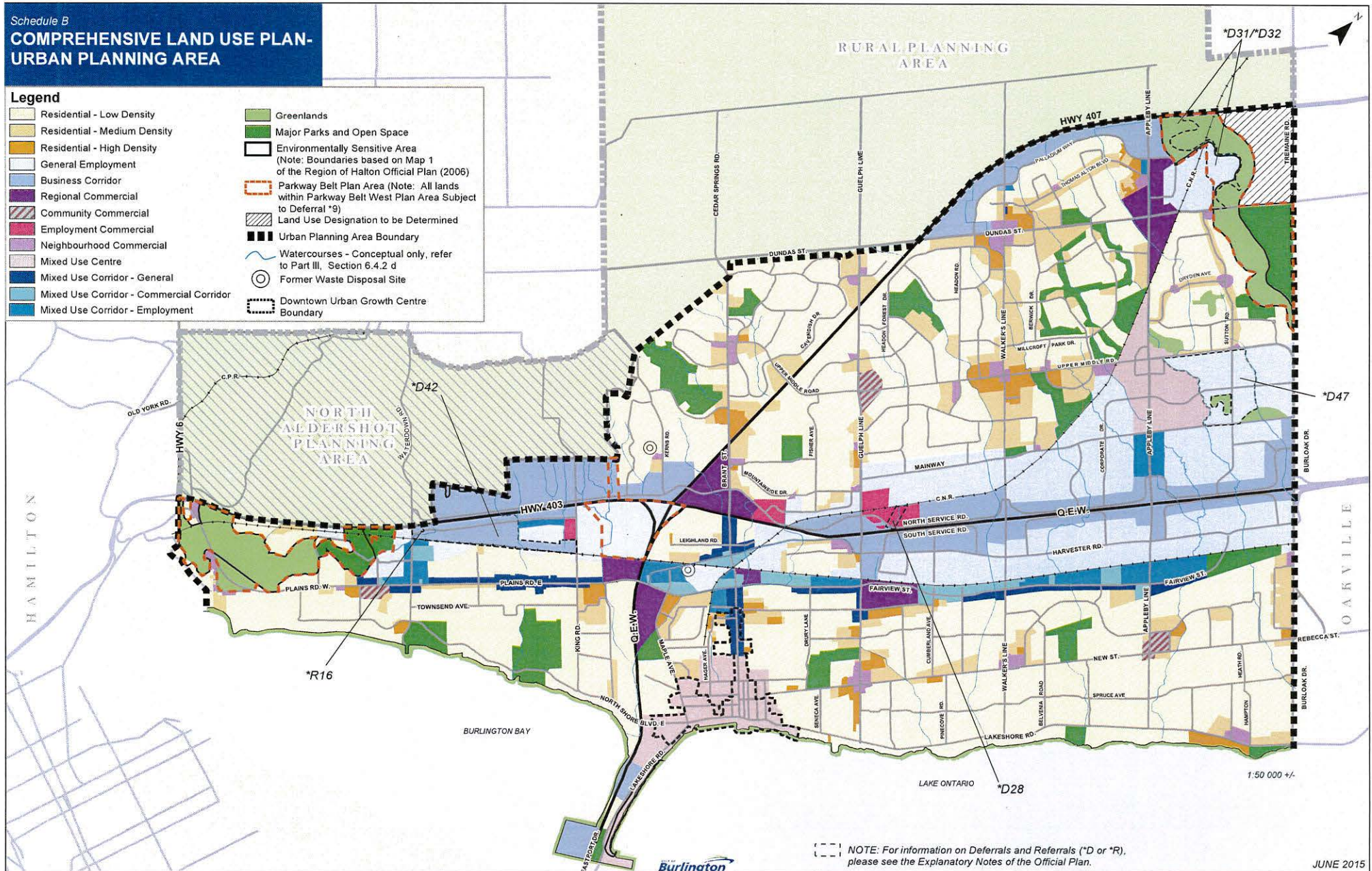
Encl.

cc: Mr. Hugo Rincon
Ms. Amber LaPointe

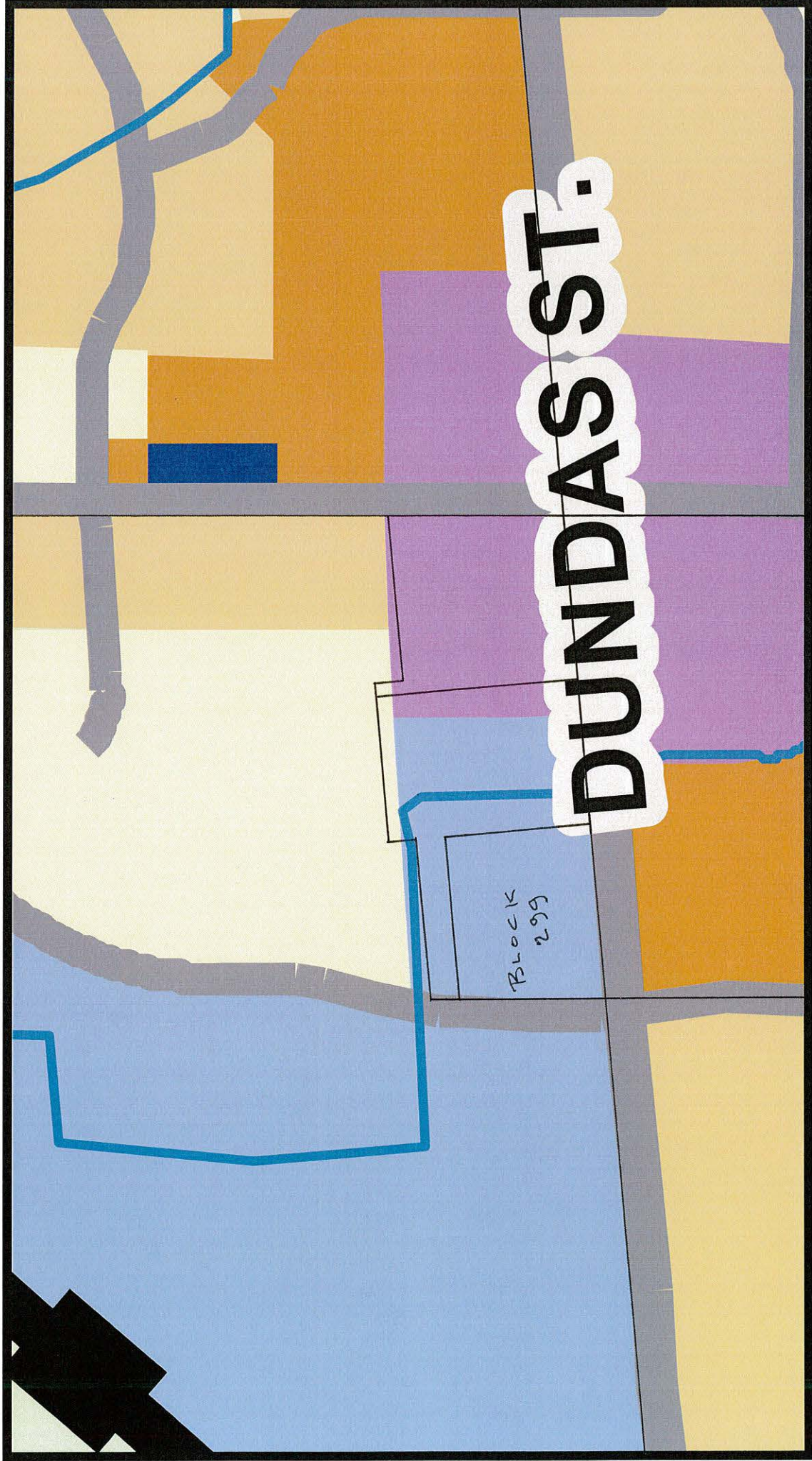
CITY of BURLINGTON EXISTING OFFICIAL PLAN

Schedule B COMPREHENSIVE LAND USE PLAN- URBAN PLANNING AREA

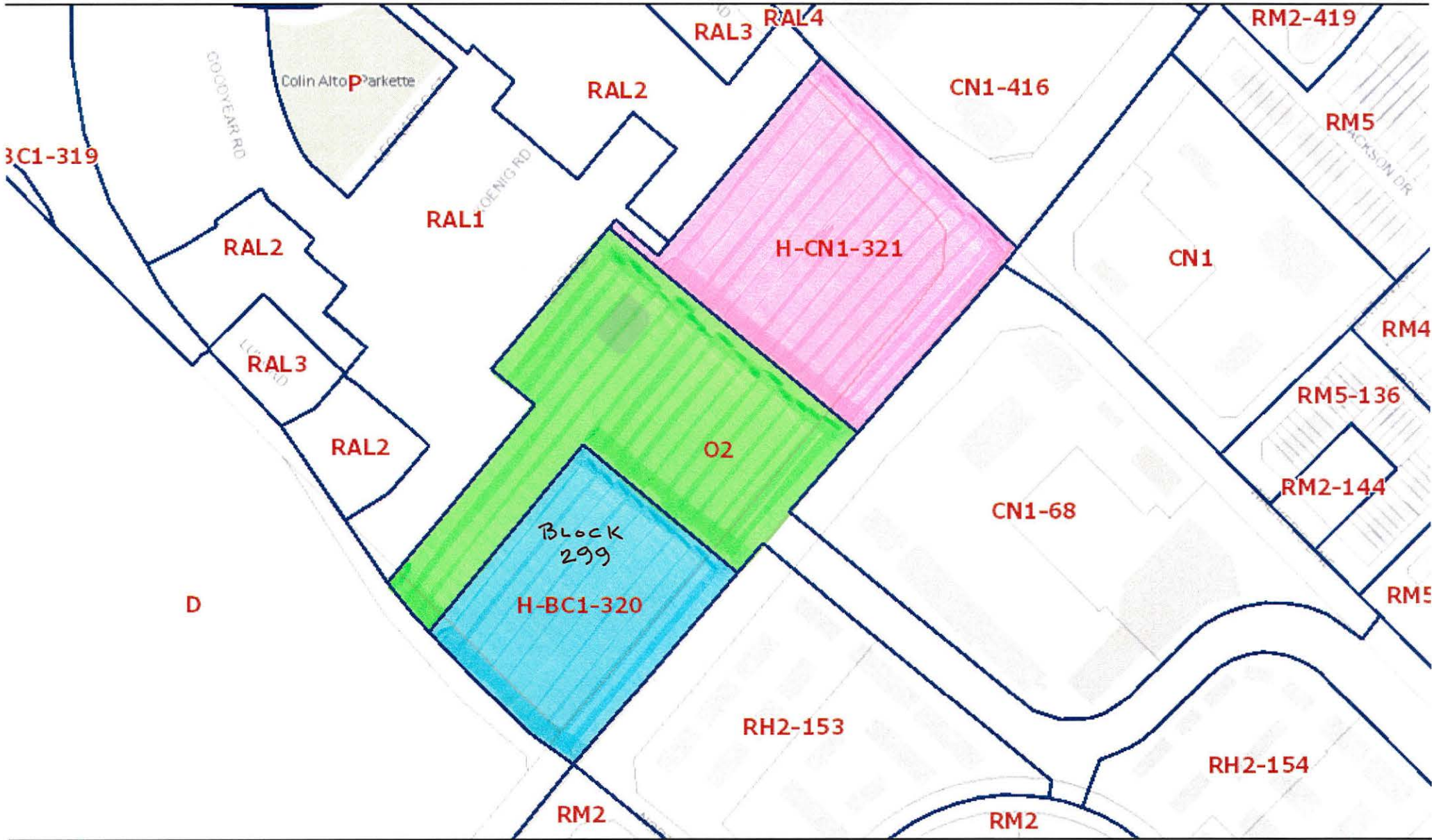
- Legend**
- Residential - Low Density
 - Residential - Medium Density
 - Residential - High Density
 - General Employment
 - Business Corridor
 - Regional Commercial
 - Community Commercial
 - Employment Commercial
 - Neighbourhood Commercial
 - Mixed Use Centre
 - Mixed Use Corridor - General
 - Mixed Use Corridor - Commercial Corridor
 - Mixed Use Corridor - Employment
 - Greenlands
 - Major Parks and Open Space
 - Environmentally Sensitive Area
(Note: Boundaries based on Map 1 of the Region of Halton Official Plan (2006))
 - Parkway Belt Plan Area (Note: All lands within Parkway Belt West Plan Area Subject to Deferral *9)
 - Land Use Designation to be Determined
 - Urban Planning Area Boundary
 - Watercourses - Conceptual only, refer to Part III, Section 6.4.2 d
 - Former Waste Disposal Site
 - Downtown Urban Growth Centre Boundary



CITY OF BURLINGTON
EXISTING OFFICIAL PLAN - SCHEDULE B - DETAIL - NOT TO SCALE

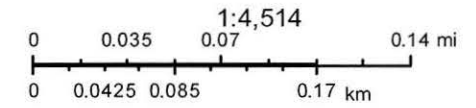


City of Burlington Mapping



November 27, 2017

- NEC Development Control
- Indian Point
- Roseland
- Shoreacres
- Zoning Bylaw
- Designated area for lot coverage



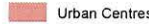
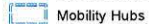
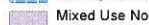
Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

PROPOSED OFFICIAL PLAN - NOVEMBER 2017

SCHEDULE B
Urban Structure
City of Burlington

Legend

Mixed Use Intensification Areas

-  Urban Centres
-  Mobility Hubs
-  Mixed Use Nodes and Intensification Corridors

Employment Lands

- 

Areas of Employment Overlay

- 

Residential Neighbourhood Areas

- 

Natural Heritage System, Major Parks and Open Space


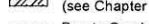
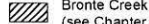
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Mineral Resource Extraction Area

- 

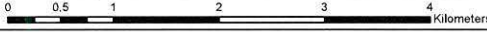
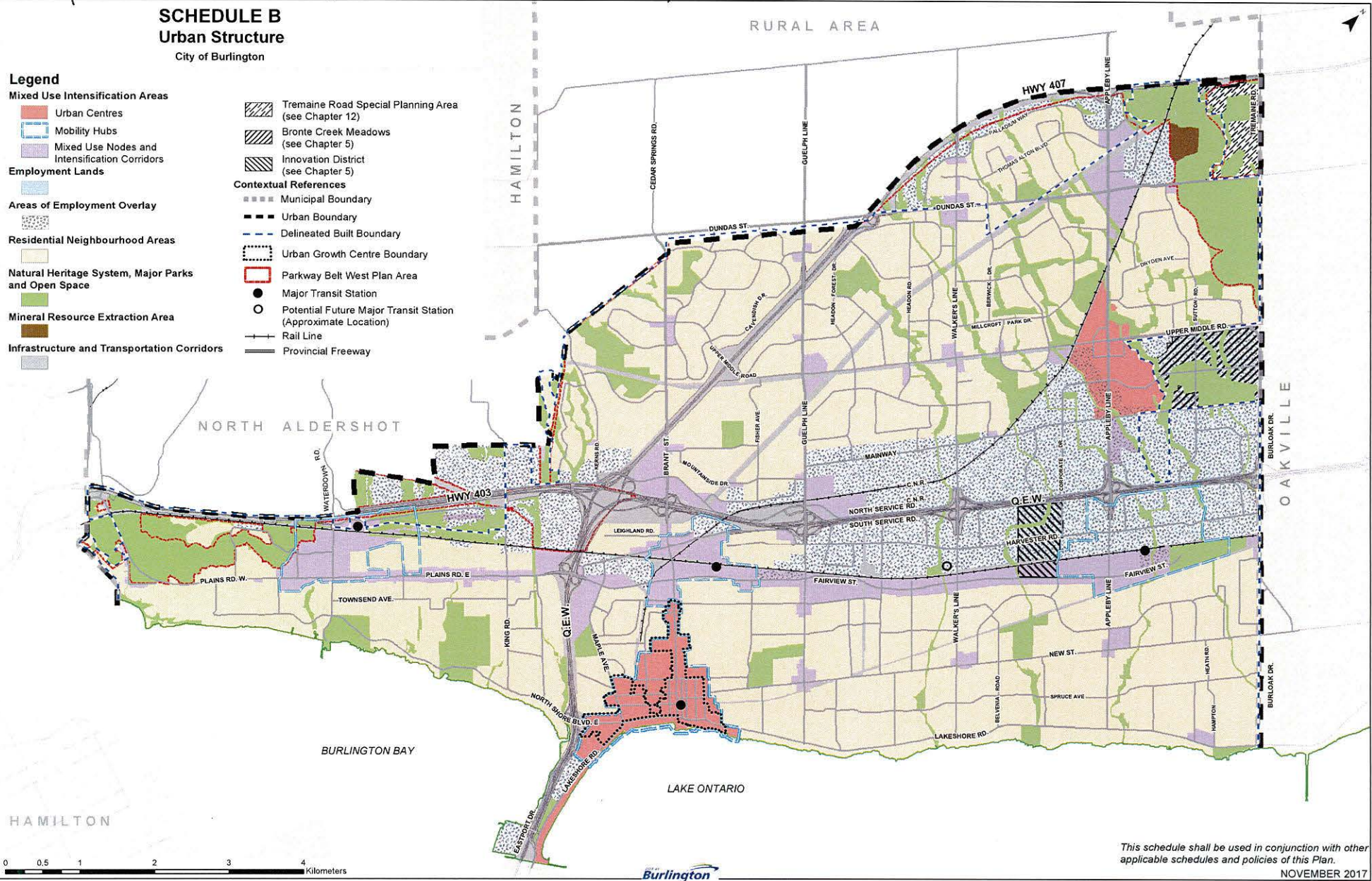
Infrastructure and Transportation Corridors

- 

-  Tremaine Road Special Planning Area (see Chapter 12)
-  Bronte Creek Meadows (see Chapter 5)
-  Innovation District (see Chapter 5)

Contextual References

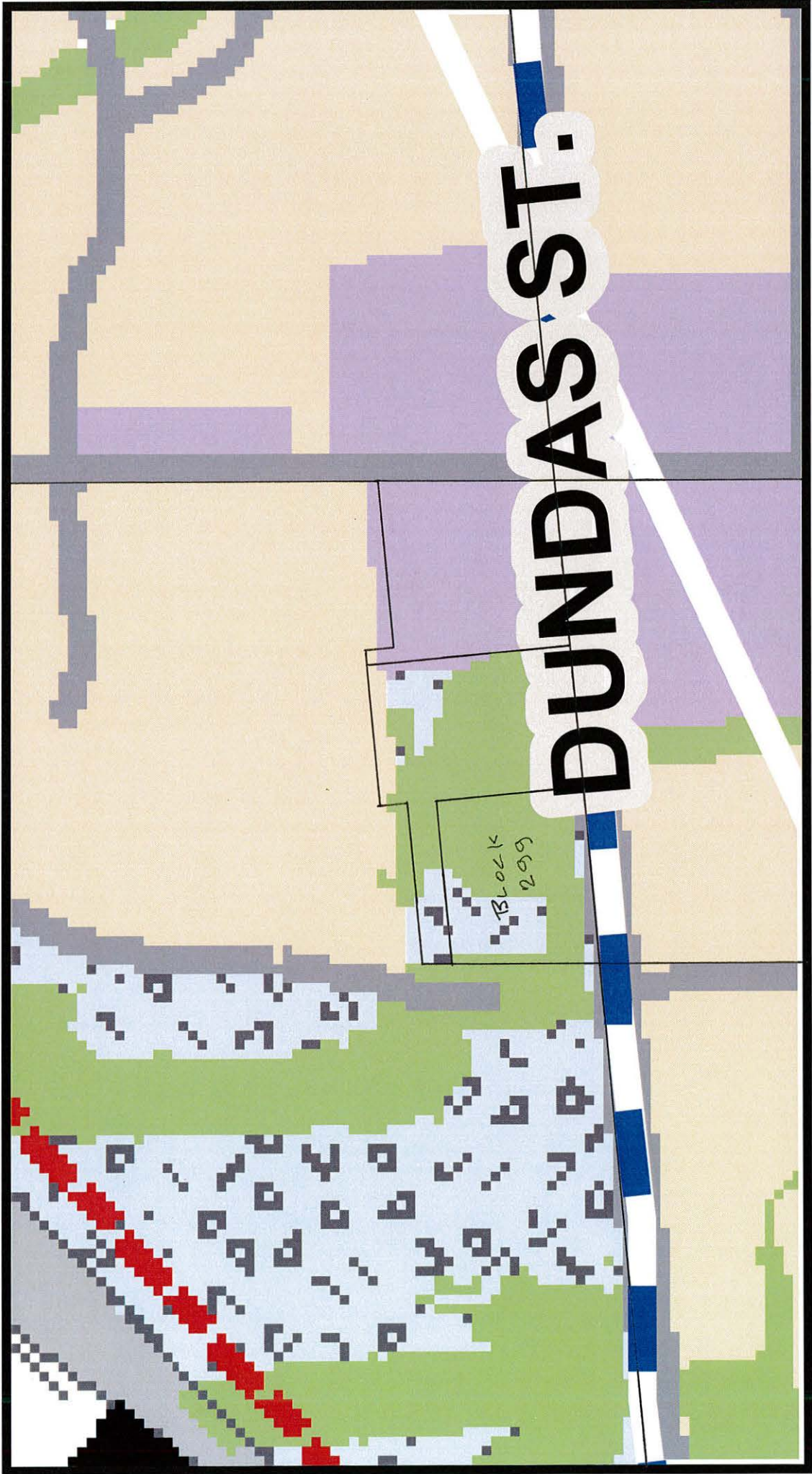
-  Municipal Boundary
-  Urban Boundary
-  Delineated Built Boundary
-  Urban Growth Centre Boundary
-  Parkway Belt West Plan Area
-  Major Transit Station
-  Potential Future Major Transit Station (Approximate Location)
-  Rail Line
-  Provincial Freeway



This schedule shall be used in conjunction with other applicable schedules and policies of this Plan.
NOVEMBER 2017

CITY of BURLINGTON

PROPOSED OFFICIAL PLAN - NOVEMBER 2017 - SCHEDULE B - DETAIL - NOT TO SCALE



PROPOSED OFFICIAL PLAN - NOVEMBER 2017

SCHEDULE B-1 Growth Framework City of Burlington

Legend

Growth Areas

- Primary Growth Area
- Secondary Growth Area
- Employment Growth Area
- Established Neighbourhood Area

Mobility Hubs

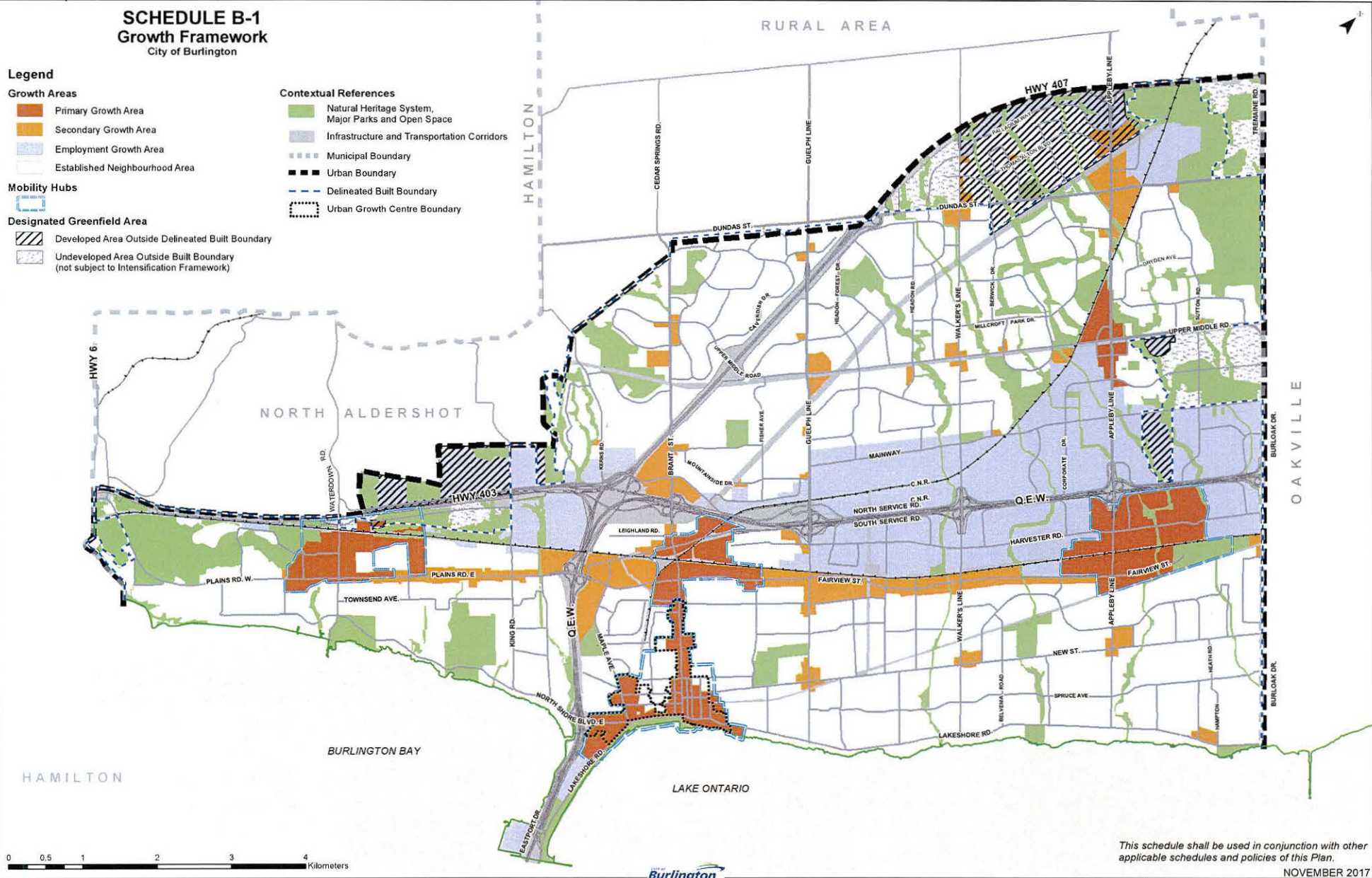
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Designated Greenfield Area

- Developed Area Outside Delineated Built Boundary
- Undeveloped Area Outside Built Boundary (not subject to Intensification Framework)

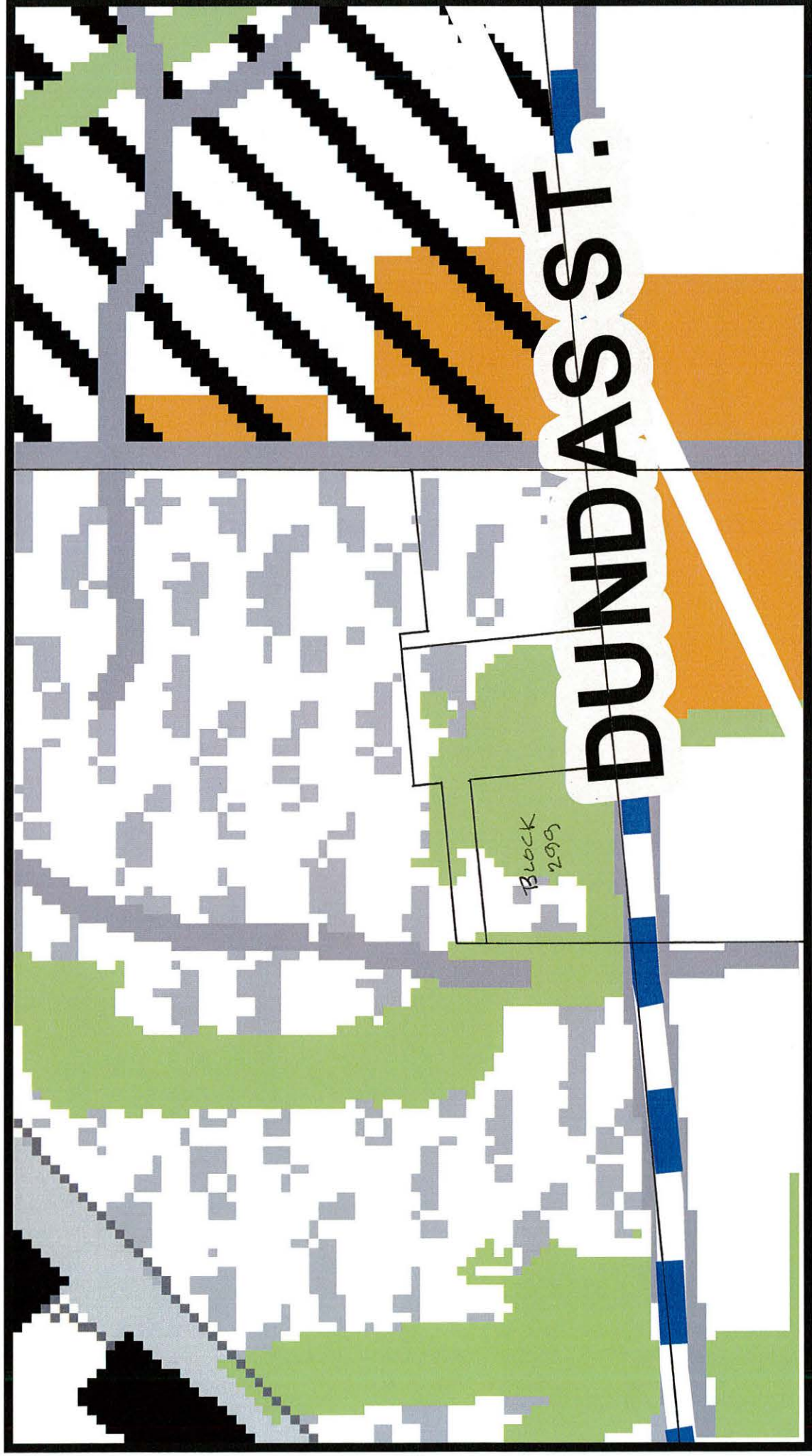
Contextual References

- Natural Heritage System, Major Parks and Open Space
- Infrastructure and Transportation Corridors
- Municipal Boundary
- Urban Boundary
- Delineated Built Boundary
- Urban Growth Centre Boundary



This schedule shall be used in conjunction with other applicable schedules and policies of this Plan.
NOVEMBER 2017

CITY of BURLINGTON
PROPOSED OFFICIAL PLAN - NOVEMBER 2017 - SCHEDULE B-1 - DETAIL - NOT TO SCALE



PROPOSED OFFICIAL PLAN - NOVEMBER 2017

SCHEDULE C Land Use - Urban Area City of Burlington

RURAL AREA

Legend

MIXED USE INTENSIFICATION AREAS

- Urban Centres
- Mixed Use Nodes and Intensification Corridors
 - Mixed Use Commercial Centre
 - Neighbourhood Centre
 - Local Centre
 - Employment Commercial Centre
 - Urban Corridor
 - Urban Corridor - Employment Lands

RESIDENTIAL NEIGHBOURHOOD AREAS

- Residential - Low Density
- Residential - Medium Density
- Residential - High Density

EMPLOYMENT LANDS

- General Employment
- Business Corridor

NATURAL HERITAGE SYSTEM AND MAJOR PARKS AND OPEN SPACE

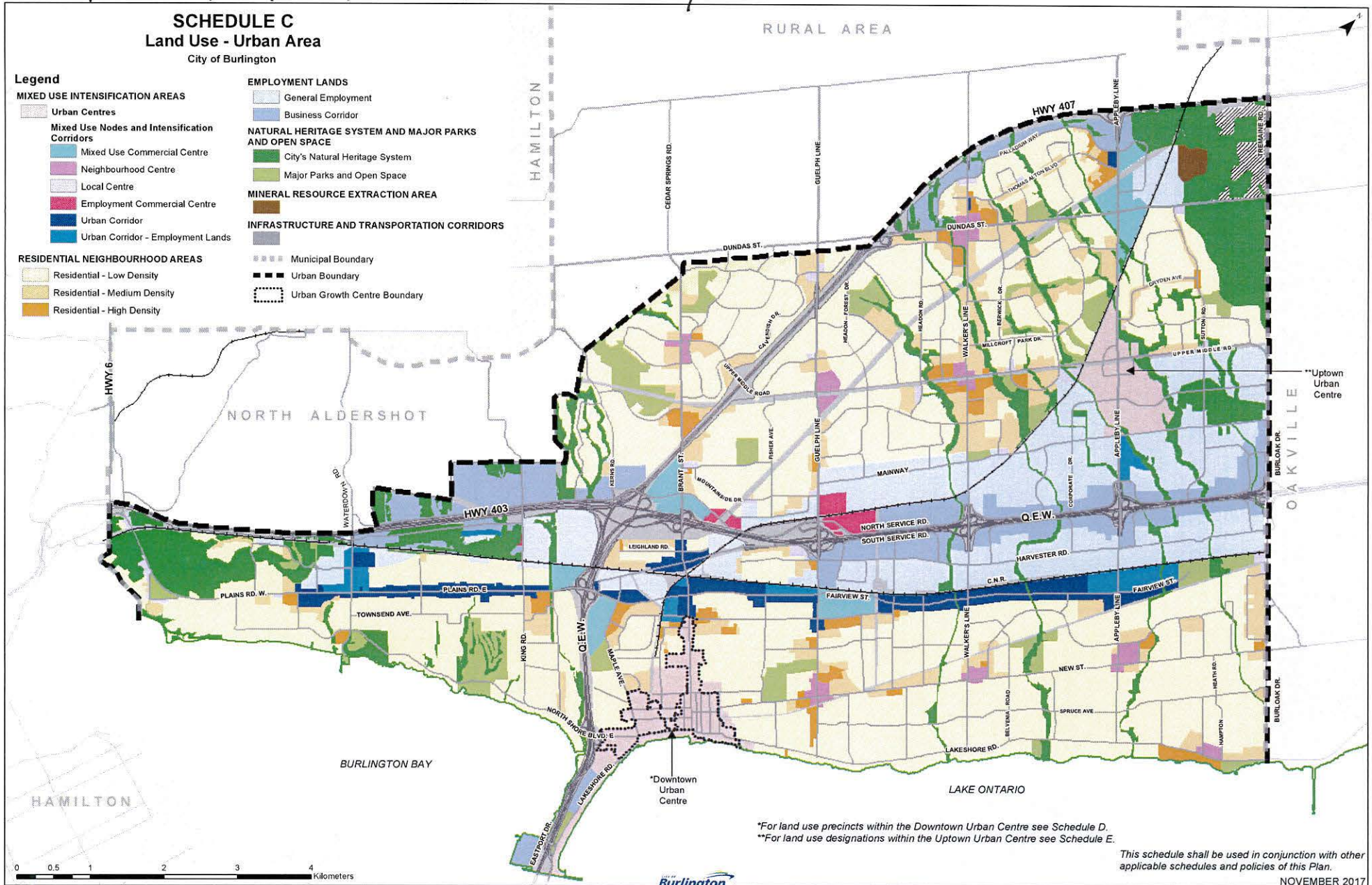
- City's Natural Heritage System
- Major Parks and Open Space

MINERAL RESOURCE EXTRACTION AREA

- Mineral Resource Extraction Area

INFRASTRUCTURE AND TRANSPORTATION CORRIDORS

- Municipal Boundary
- Urban Boundary
- Urban Growth Centre Boundary

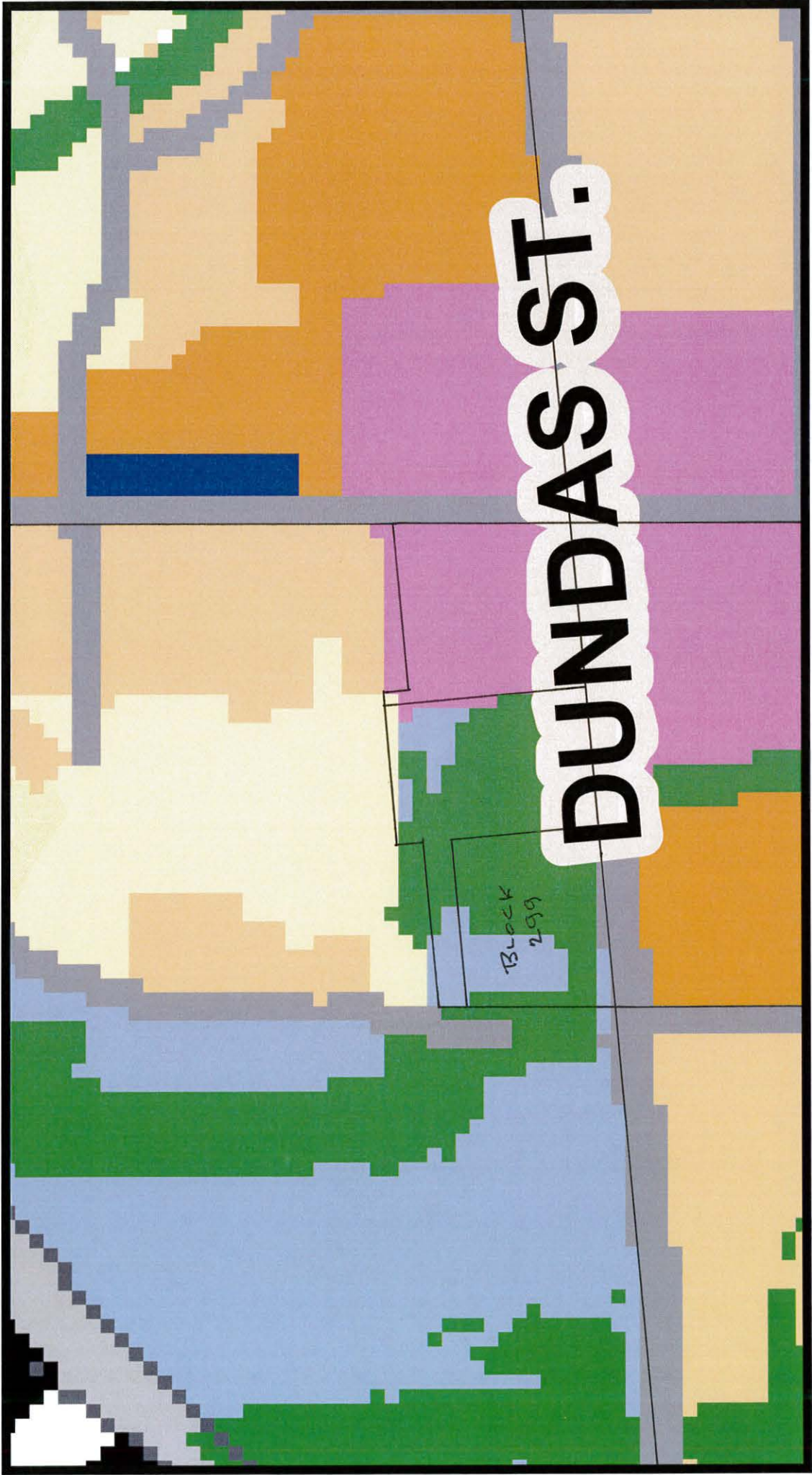


*For land use precincts within the Downtown Urban Centre see Schedule D.
 **For land use designations within the Uptown Urban Centre see Schedule E.

This schedule shall be used in conjunction with other applicable schedules and policies of this Plan.

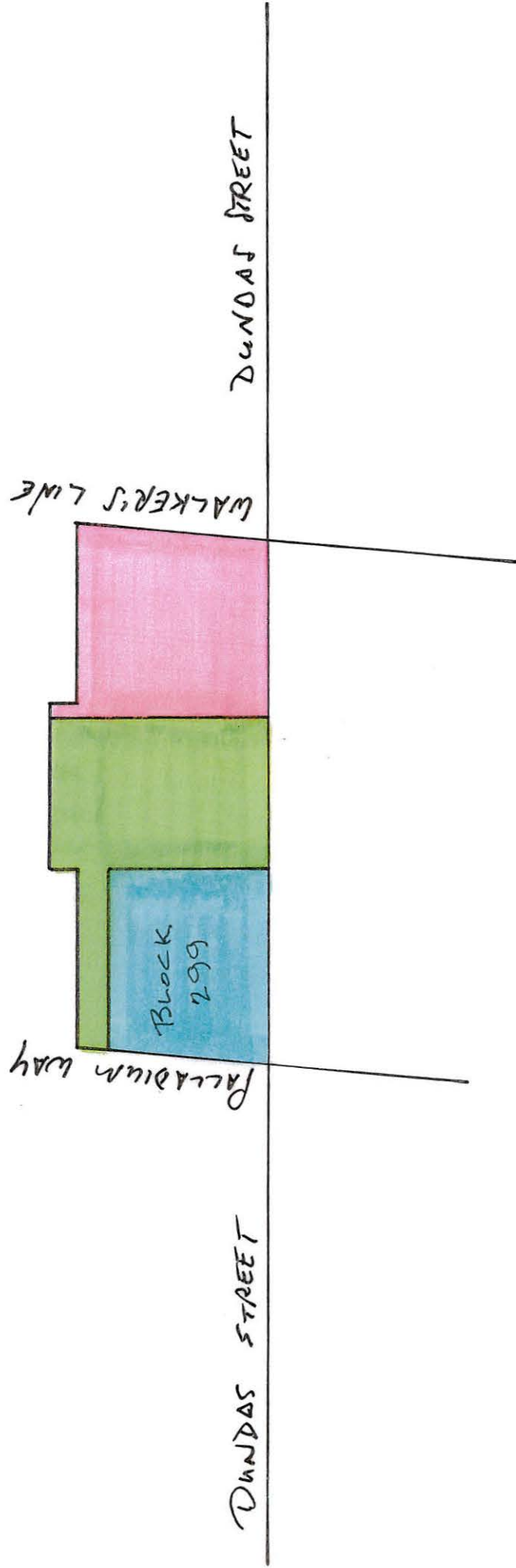
CITY OF BURKINGTON

PROPOSED OFFICIAL PLAN - NOVEMBER 2017 - SCHEDULE C - DETAIL - NOT TO SCALE



CITY of BURLINGTON

PROPOSED OFFICIAL PLAN - NOVEMBER 2017 - SCHEDULES B (B-1) + C - DETAIL - NOT TO SCALE



Daly, Laura

From: Darla Goldblatt [REDACTED]
Sent: Monday, November 27, 2017 2:35 PM
To: Mailbox, OPReview
Subject: Comments to New Official Plan - City of Burlington

Attention: Leah Smith, Planning Department – City of Burlington

I have been a resident of the City of Burlington for the majority of my life and currently reside only a few minute drive from the Downtown area.

Over the past few weeks I have taken the opportunity to review the new proposed Official Plan as well as the proposed Downtown Mobility Hub Precinct Plan.

I would like to reiterate my support for the concept of taller buildings and greater density being allocated to the downtown area and believe this is the direction of proper City building.

I believe the Downtown needs support in its effort to be rejuvenated and directing growth in the form of development activity is a positive step in the right direction.

There is specific demand on cities in the 21st century - they need a vibrant public realm, mixed use developments, the ability engage diverse populations and create opportunities for people to live there – not just shop there or go for dinner.

Providing the opportunity for taller buildings is a way for the city to get what it needs in terms of a more attractive public realm, a less bulky and more elegant building which is in keeping with the demands of the sophisticated demographic that live in Burlington.

Regards,

Darlene Goldblatt

November 27, 2017

Andrea Smith
Manager of Policy and Research
City of Burlington
426 Brant Street
Burlington, ON L7R 3Z6

Dear Andrea,

RE: Burlington New Draft Official Plan – Red Line Revisions
505-08

On June 27, 2017, the Board submitted its comments to the City of Burlington regarding the proposed changes to the new Official Plan. In its first round of comments, the Board had a number of comments as well as concerns surrounding some of the newly introduced policy directions.

City and Board staff met on two (2) separate occasions to review Board comments and concerns. Through discussions, a number of solutions were reached to resolve the prevalent concerns of the Board. Accordingly, Board staff would like to take this opportunity to acknowledge City staff's efforts and success in reaching amenable solutions to a number of our concerns.

As stated in our previous submission, it is understood that the City of Burlington is built-out and is transitioning toward intensification and higher density development to meet its provincial growth targets. Board staff sees this as an opportunity to slow declining enrolments in areas of Burlington.

Our comments have been summarized by the chapters and policy sections staff previously commented on, and those that have been recently introduced.

INTRODUCTION

1.4.5 An Engaging City

Supportive of the change made to section 1.4.5, as it meets the intent of our comment.

SUSTAINABLE GROWTH

2.2.3 d) (ii) Delineated Built Boundary

Response noted. As an additional general comment, with the ongoing review of the Board's Education Development Charges (EDC) By-law, staff has observed that the Regional Best Planning Estimates are often overstated. This is especially true with higher density developments, where allocations have not been fully met regionally. Staff would like to continue

collaborating with the City on this matter on an ongoing basis to better project growth trends to better inform the Board's EDC By-law, which is being reviewed in its entirety this year, going forward for final approval in May 2018.

2.3.1 Mixed Use Intensification Area

Clarification noted.

2.3.3 Residential Neighbourhood Areas

No action required.

2.4 Growth Framework

2.4.1 e) To limit the introduction of unplanned *intensification* in established neighbourhood areas.

Changes clarifies the intent of the intensification restrictions in established neighbourhood areas. Additions to established neighbourhood areas further clarifies that development (i.e. infill) is an acceptable form of development as long as it maintains densities and intensity.

2.4.2.1 a) Primary Growth Areas:

The parameters identified in Subsection 7.3.2.(1) addresses the majority of the Board's concerns. Note that in regards to 'sympathetic' uses, Board staff acknowledges that this can be addressed through the implementing zoning by-law.

2.4.2.3 Established Neighbourhood Areas

Changes made to the policy framework addresses the concerns of the Board.

2.5.2 Policies

Deletion noted. New policy framework in Chapter 12, section 12.1.2.(2) noted. Board staff is supportive of the intent of the statement.

In regards to 12.1.2.(2.2) c) (vi) which speaks to available public service facilities (related to previous comments submitted to the City) Board staff submits that if new development may have the potential to exceed the available capacity of the Halton Catholic District School Board's school accommodations, that the Board has the ability to either re-direct enrolment pressures through School Boundary Reviews; introduce portables; and/or the construction of new pupil places. This would be measured to the future sustainable yield of students.

Board staff does want to clarify that it will not oppose future development due to potential accommodation pressures. Instead, the Board would inform the City of potential actions that would need to be taken to address potential pressures through Development Comments, its annual Community Planning and Facility Partnership Meeting, or any other form of communication with the City.

Furthermore, if required, Board staff would like to confirm with City Staff that no policy frameworks within the Official Plan could unintentionally preclude the introduction of new school additions, and/or the introduction of school portables to accommodate future growth pressures. Note it is understood that the Board would be required to follow the required planning processes for such projects.

Board staff suggests that a policy subsection be added to speak to these matters.

COMPLETE COMMUNITIES

3.1.2 Housing Affordability

3.1.1.(2) c)

b) The use of surplus lands owned by the *City* and other *public authorities* shall be considered for residential purposes, including *affordable* or and *assisted housing*, shall be considered before using them for other land uses.

Board staff understands the intent of the above statement, and appreciates the flexibility provided.

Board staff would request that alternative measures be considered when surplus lands from other *public authorities* lands that are being considered for infill/development prior to disposition. If wording could be introduced in this section or in Chapter 12 that would speak to situations where affordable or assisted units are being introduced in a development owned by another public authority, that the City consider bonusing the authority to compensate for any potential losses, such as increased density/intensity, or breaks in parkland dedications among other mechanisms.

3.2 Public Service Facilities and Institutional Uses

3.2.1 Objectives

Subsection c) amended in a favourable manner to address Board concerns.

3.2.2 Policies

Noting the amendments made to subsection c), an Adult Learning Facilities would not be considered an Ancillary Employment Use as per the definition provided in Chapter 13. The Adult Education Component of the use would not be supporting surrounding employment in the area, but one operate more as a standalone.

The advantage of having Adult Education Services within Employment Areas are associated to the following:

- 1) Employment lands have access to major transportation corridors, allowing easy access to serve a large geographic area/catchment area
- 2) Often has abundant parking facilities available for the adult learners, which are not necessarily available in more commercial areas
- 3) Usually requires 5,000 - 25,000 square feet of space, a size that can often be best accommodated for in a demisable office tower or space
- 4) Not as intensive or sensitive as a full sized elementary or secondary school

Board staff suggests that the intended Adult Education use does not fit with the definition provided in the responding comments.

If possible, a clause to Section 3.2.2 f) similar to subsection (ii) for adult learning centres would be recommended, or the removal of subsection m) in regards to adult learning centres.

3.2.2 j) Area-Specific Plan

No action required

3.2.2 k) Official Plan Amendments

Board staff supports the changes made by the City, and acknowledges that an Official Plan Amendment would require that the proposal be assessed against development criteria when there may be an increase in density and intensity to the established neighbourhood.

3.2.2 l) Acquisition of Surplus facilities

Board staff is satisfied with the reference to the provincial legislation, which addresses concerns surrounding the definition of “cost-effective”.

3.2.2 m) City initiated Official Plans

Deletion acknowledged.

3.2.2 n) Co-location

As stated previously, the Board recognizes the benefit to the community of co-locating facilities where possible.

Since our previous comment letter, the Ministry of Education is looking to finding new methods of having municipalities and school board better coordinate in their long-term planning. The Ministry is looking to amend the Community Planning and Partnership Guidelines to:

- Better align with integrated local planning processes;
- Encourage joint responsibility for integrated community planning, with a focus on communication between school boards, municipal governments and community partners about boards' capital plans;
- Highlight the potential for community use of open and underutilized schools; and
- Require that boards disclose municipal participation and non-participation in CPPG meetings.

If the City believes there is a way to formalize these initiatives in a policy framework, Board staff would be more than happy to work collaboratively. Note that the new guidelines are being released in the New Year for consultation.

3.2.2 q) Day Cares

Now addressed in Section 8.3.10, Board staff acknowledges that the majority of the specifics will be addressed in the zoning by-law.

In regards to Section 8.3.10 a) (ii) a. Board staff recommends that the wording of “small in scale” either be defined, or removed. If the City’s intent is to have the daycare use ancillary to the school use it should be described in that manner instead of using small in scale as a definition. The cause for concern is in regards to the varying format a Child Care can take as an ancillary use to a school facility.

When developing the implementing zoning by-law, the City should be aware that the number of daycare rooms that can be accommodated at a school to be the most financially viable ranges between 1-5 rooms. There is also the potential for the addition of Ontario Early Year Center/Family Centre rooms. Altogether, this could increase the size to approximately 10,000 square feet to a school.

Furthermore, the amount of square footage is not necessarily a reflection of the intensity of use. Per example, an infant room and pre-school room are relatively the same size, but have very different loading characteristics – 10 vs 24 respectively.

In regards to Section 8.3.10 a) (ii) e. for vehicular access, some schools may be located on local streets. Given the synergies between schools and daycares, it would be preferable not to limit their location entirely.

Acknowledging that private operators are often much larger than their public counterparts, perhaps a distinction between daycare ancillary to a school and a daycare as a primary commercial use should be considered.

The Ministry of Education, through their Early Years and Child Care Branch prescribes the requirements for many of the above noted items which the Board must comply with. Any City requirements should align with the Ministry objectives (link below).

Another key resource would include the Region's Children's Services Social and Community Services. The Board works closely with this branch on all Early Years projects.

http://www.edu.gov.on.ca/eng/parents/planning_and_design.pdf

3.3.1 Parks, Recreation and Open Space Objective

No action required.

DESIGN EXCELLENCE

7.1.2 General Policies

7.4.1. a) (v) – Parking lot design: Understanding the intent, we are limited on funding. Primarily, the Board would seek landscaping measures to reduce heat island effects.

7.4.1 b) – the Board always seeks to maximize the efficiency of its structures, and improve where it is fiscally feasible.

As previously mentioned, it is noteworthy that the Board is constrained by the Ministry of Education funding benchmarks for new schools and major additions. As such, the Board will re-iterate that it may be limited by funding in pursuing the City of Burlington's environmental and design strategies.

LAND USE POLICIES

8.1.2 Urban Centres

No action needed – the Board will comment accordingly for all schools or facilities that fall within Urban Centres.

8.1.2 Mobility Hubs

At present, three (3) Board owned facilities fall within Mobility Hubs. Holy Rosary Catholic Elementary School falls within the Aldershot Mobility Hub; St. John Catholic Elementary School within the Downtown Mobility Hub; and the Board Catholic Education Centre (Board Office) falls within the Burlington Mobility Hub.

As delineated in section 8.1.2.(2), the Board will comment accordingly to area-specific plans that include a Board owned site. As a general comment, future development plans in these area-specific plans should not have the effect of limiting or impeding the current and future use or developability of the facility/site.

In the interim, in reviewing the preliminary concepts for the Burlington Go Mobility Hub, there are concerns surrounding the placement of the park at the corner of Drury and Fairview. This would limit the potential for the Board to expand on site. Additional comments to follow.

Board staff is in the process of fully reviewing the preliminary concept plans for the aforementioned mobility hubs, and will provide comments shortly.

8.1.3 Mixed Use Nodes and Intensification Corridors

No action required.

8.4.2.1 Major Parks and Open Space Designation

No action required.

PUBLIC PARTICIPATION AND ENGAGEMENT

11.1.1 Public and Agency Participation Objectives

No action required.

11.2.1 Public and Agency Participation General Policies a)

Board staff looks forward to commenting on future applications and area-specific plans

11.3.1 Procedures

No further action require.

NEXT STEPS

On behalf of the Board, we thank the City of Burlington for the opportunity to comment on the newly proposed Official Plan, as well as considering and implementing recommended changes or providing further clarification. Board staff looks forward to continue working with the City of Burlington.

Regards,



Frederick Thibeault, M. Pl.

cc: Roxana Negoj, Superintendent of Business Services and Treasurer of the Board
Paula Dawson, Direction of Education and Secretary of the Board
Sarah Galliher, Planning Officer
Michelle D'Aguiar, Senior Planner, Halton District School Board
Domenico Renzella, General Manager of Planning, Halton District School Board

City of Burlington
426 Brant Street
Burlington, Ontario L7R 3Z6

November 3, 2017

Attn: Members of Planning and Development Committee and Council

Re: Draft Burlington Official Plan

Ladies and Gentlemen:

As you are aware, The Hamilton-Halton Home Builders' Association (HHHBA) has been actively involved in providing comments on the Draft Official Plan to assist in ensuring that the document we move forward with meets the various goals of the City, its residents and members of the development industry.

I am writing you today to outline my concerns again: it is not my intent to re-hash what has previously been submitted, but rather to note concerns with the process since my delegation to Committee on September 5, 2017.

At that time, I noted that I had requested a meeting with staff to review the submission made by our Association and the comments within, and at the time of the Committee meeting, that had not occurred. At that time, staff committed to meeting with us, and while I had initially expected to meet immediately following the Committee meeting, it was scheduled for October 11, 2017. Builder/Developer members of the Association, my staff and I, together with numerous City staff attending this meeting. While an agenda was prepared, outlining the issues to be covered, there was no substantial new information provided that we didn't already have: no information was made available addressing our comments and no indications of significant changes proposed in the OP were outlined. With the exception of two memo documents discussing how population has changed in the last year within the Urban Growth Centre, the City-wide population and built-up are residential unit growth analysis, we were simply advised that this is a complicated process and that much of the big picture concerns that we have are not achievable with this OP. We were advised of the timeline moving forward (i.e. Being back on the agenda on November 30th), and it was only after significant push back on our part that we were able to get staff to commit to providing us with documents on November 10, 2017, 20 days before it goes to Committee; for our review.

While Staff afforded us the opportunity to address any specific comments in our submission, given they had yet to provide us with their position, explanation, etc. I ended the meeting indicating further time would not be beneficial in moving our concerns forward.

We have been advised that on November 10th, we will be provided with:

- A document addressing all comments received from all parties, and where it is addressed (if it has been)



- A new version of the Official Plan, with some means of understanding what has been revised, added or deleted.
- A copy of the Downtown Mobility Hub sections, at an OP level.

I must again stress the following: twenty calendar days to review what amounts to an equivalent (or more) volume of documentation that took us months to read, consider and digest during the first round is inappropriate, and very much concerns our membership who has consistently voiced its desire to help and its concerns that the process is too rushed. We have at every step of the way met with staff, offered up our concerns, asked questions to assist in ensuring that sufficient background work is done to substantiate the OP, and yet, those remain unanswered and outstanding.

We have been advised that the background studies to justify the preferred concept for the Downtown Mobility Hub and the OP level detail supporting it will not be made available on November 10th. Our Association fails to understand how a design concept can be supported through incorporation into the Official Plan that has no basis in transparent and available research and rationale.

With the exception of the two small memo documents received as noted above, we have been advised that staff is not required to look at how the City grew over the last number of years, if that was greenfield versus intensification versus employment; data that would greatly assist in looking at how we've grown and what we may need to adjust in the future.

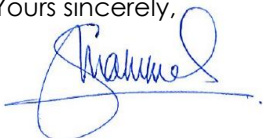
I bring to your attention the additional following concern: statistics given by staff at the September 5th meeting indicating we would far exceed Provincial population targets for 2031 assumed "full buildout" of the City. This is a dangerous approach to moving forward, as it suggests that further growth beyond 2031 cannot be achieved. Planning at specific densities with that end goal uses all available land to achieve that finite number. Members of our Association, who have suggested higher densities are required in some areas, recognize this approach is unsuitable given there is no urban boundary expansion foreseen in the future of our City.

Lastly, it has been suggested that Committee or Council MAY move to approve the Official Plan at the November 30th meeting. We strongly urge that this is NOT appropriate, given there may be significant gaps remaining in the document, and insufficient time to review the various documents being provided in such a short timeframe – however we cannot say as we just don't have the information.

As I've said previously – it is important we get this right. Please recognize our comments are provided in an effort to achieve that end goal. We request that you ensure that more time is allowed, after November 30th, to review, comment and discuss these substantial documents.

Thank you for your consideration in this matter. As always, I am available to discuss this file or any others affecting the City, with any of you at any time.

Yours sincerely,



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

Copy – City of Burlington staff:

- James Ridge, City Manager
- Mary Lou Tanner, Director of Planning and Building
- Andrea Smith, Manager of Policy and Research

From: Sharon Hutchinson [REDACTED]
Sent: Monday, November 27, 2017 10:32 PM
To: Mailbox, OPReview
Subject: Email to be read at the upcoming Meeting on the Proposed New Official Plan comments.

Firstly, With the magnitude of information on this Proposed New Official Plan, not near enough time is being given to the public for commenting. This I call "fast forwarding" on the City's part, for a reason!

Secondly, the "new" precinct planning for the downtown/lakeshore core has already printed an extremely high number of storeys to particular areas that should not be. In placing these numbers, it is obvious that with request for rezoning, that the number of storeys will increase 6-10 higher as was the case for the James and Brant development. (This as all the citizens said at the time of the 23 storey acceptance, that this was then a starting number for future development). We have all known and tried to instil in the Planning Dept. staff that once a precedence has been set with height numbers, and words of having to provide compatibility with surrounding areas, that you automatically go forward with no ear for input by the community for change of any kind. It is very difficult for the citizens to comprehend where we fit in to our own community as taxpayers, when we know that predetermined decisions have been made before it reaches the media.

Would thoughts be that the Federal and Provincial Government must be giving such huge subsidies to the municipalities with a guarantee that you follow their density and intensification guidelines? There is no other explanation to the present Proposed New Official Plan outline for our small downtown/lakefront core. We DO NOT have Head Offices in our downtown, we DO NOT have a high end financial district downtown, we DO NOT have conference centres downtown, we DO NOT have downtown hotel transportation to the 2 airports, we DO NOT have Corporate Offices, and the list can go on, with no rhyme or reason for these monstrosities being proposed for our downtown areas that do not have the means for vehicle transportation to accommodate such venues.

Again, we know the time, effort, and cost to prepare the Proposed New Official Plan Document (at taxpayers expense), that in writing this, I already feel handicapped with knowing nothing more than reading my words will prevail. So disappointing, and paying exorbitant taxes for??

Thank you for sharing my thoughts.

Sharon Hutchinson

VIA E-MAIL

November 28, 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 16121.00001

Dear Mayor and Members of Council:

RE: City of Burlington Proposed New Official Plan (November 2017)

We are solicitors for A&W Food Services of Canada Inc., McDonald's Restaurants of Canada Limited, Restaurant Brands International (operators and licensors of Tim Hortons Restaurants) as well as their industry association, the Ontario Restaurant Hotel and Motel Association (ORHMA), (collectively, "Clients"). We are providing this written submission to you on behalf of our Clients after having reviewed the proposed Burlington Official Plan (November 2017 version).

In this regard, we understand that a comment letter from our Clients' planning consultants Labreche Patterson & Associates Inc. dated June 30, 2017 (see attached) was previously provided to the City. We are also advised that at least two previous written submissions were provided to the City in response to the Commercial Policy Review Direction Reports, as well as attending a "workshop" on drive-through facility policies.

We also understand that a meeting between City staff, Andrea Smith and Hugo Rincon and Victor Labreche (Labreche Patterson & Associates) and Greg Hogarth (local owner/operation of Tim Hortons Restaurants) occurred on July 12, 2017 wherein Mr. Labreche and Mr. Hogarth. Irrespective of these submissions and meetings, our concerns have not been addressed, necessitating this further correspondence.

Our concerns with the latest draft of the Official Plan can be summarized as follows:

1. Chapter 7 – "Design Excellence", Policy 7.3.3 Specific Use Policies

The reference to “emissions” in policy 7.3.3 a) (iv) is not acceptable. Based on related studies that our clients have had completed, there is no evidence to support that the operation of a Drive Through Facility (“DTF”) results in greater emissions than otherwise permitted accessory parking lots to retail and service commercial land uses. To our knowledge, no such study supporting this policy has been commissioned by the City of Burlington, and if it has been, it has not been shared with the public.

2. Chapter 8 – 8.7 “Specific Use Policies”, Policy 8.7.1 “Accessory Drive Throughs”

We object to the opening paragraph of policy 8.7.1 as proposed. We ask that this policy be deleted and replaced as follows:

“An accessory drive-through provides an added convenience to people travelling by private automobile. Although convenient, accessory drive-through may present transportation management, planning and urban design challenges. The addition of an accessory drive-through to commercial uses, needs to ensure compatibility with the stated objectives for an area or designation so they do not alter the form, function and compatibility of a principal use and compromise other city objectives including intensification and pedestrian oriented development.”

3. Policy 8.7.1. (2) “Policies”

We object to the proposed policy as it notes that accessory drive-throughs “shall be prohibited” in the Urban Growth Centre and mobility hubs. We ask that the reference to “shall be prohibited” be replaced with “*may be permitted through a site specific Zoning By-law Amendment*”.

4. Policy 8.7.1. (2) b); we object to this policy in its entirety.

5. Policy 8.7.1.(2) (c); as proposed it is acceptable however this policy needs to be reconciled with proposed policy 8.7.1. (2).

Our clients have satisfactorily resolved many of their concerns pertaining to the use of prohibitions of DTF in Official Plans in numerous other municipalities without the need for a contested hearing as the use of prohibitions of the type proposed is not in accordance with related case law. Notwithstanding this, we fully respect that the restaurant and DTF brands would otherwise have to meet all Official Plan policies such as build form, density and massing requirements that are typical of most urban downtown and intensification areas, the same as any other land use within these areas. As such, it is our position that a specific prohibition has not been justified.

In summary, we request that the current proposed policies be revised. As we believe it would assist in your considerations, we would like the opportunity to discuss the above and other alternative language with you that have been successful in other municipalities to address our concerns.

Finally, please also consider this letter as our formal request to be provided with copies of all future notices, reports, and Committee and/or Council decisions on this matter.

Yours truly,

WeirFoulds LLP



Denise Baker

DB/mw

Encls.

cc : newop@burlington.ca
Clients
Victor Labreche, Labreche Patterson & Associates Inc.

11133741.1



Labreche Patterson & Associates Inc.

Professional Planners, Development Consultants, Project Managers

VIA MAIL AND E-MAIL (newop@burlington.ca)

Our File: P-375-EEE

June 30, 2017

Official Plan Review Staff
City of Burlington
426 Brant Street, PO Box 5013
Burlington, Ontario
L7R 3Z6

Re: Draft Official Plan for the City of Burlington

As you are aware based on our previous submissions on the past Official Plan direction reports leading to the preparation of the draft Official Plan for the City of Burlington, we represent A&W Food Services of Canada Inc., McDonald's Restaurants of Canada Limited, Restaurant Brands International (operators and licensors of Tim Horton's Restaurants) as well as their industry association, the Ontario Restaurant Hotel and Motel Association (ORHMA). We are providing this written submission to you on behalf of our clients after having reviewed the current draft Official Plan.

Our comments relate to our client's current and future business, employment and operating interests for the above noted brands and their industry association. As you know several of our client's locations includes an accessory drive-through facilities (DTF) and our comments specifically related to *Chapter 8.7 – Specific Use Policies* of the draft Official Plan which contain proposed land use policies on DTF. Based on our review of these policies (attached hereto) and as we have consistently stated in our previous written comments and at workshops held on considerations of new DTF policies, we object to the proposed specific prohibition of DTF that is proposed in policy 8.7.1.1 b) and policy 8.7.1.2 a) in the draft Official Plan. As we have previously stated, we object to any proposed Official Plan based prohibition as such prohibition is principally not in accordance with related OMB and judicial review case law relative to such prohibition. In this regard we cite OMB case No. PL031324, PL050759, PL050584 – Order No. 2649, Sept. 21, 2006 wherein OMB Member R. Makuch states:

The Board finds that drive-through facilities need to be carefully controlled and that the proper approach for controlling these is the one adopted by the City of Toronto, which prohibits these facilities through its zoning by-law and not in its official plan. Official Plans do not need to be prescriptive like zoning by-laws.

We and our clients as well as legal counsel have referenced this noted case and others over the last 10+ years to mutually resolve with any municipalities that have initially proposed prohibition at the level of an Official Plan as such prohibition is not in accordance with related case law. In this regard, we fully respect that the restaurant and DTF brands would otherwise have to meet all Official Plan based policies such as minimum build form, density, massing, mixed use requirements that are typical of most urban downtown and intensification areas just like any other land use would have to meet. As such, a specific prohibition is not justified as the existing policies would have to be complied with no matter

what the proposed use to ensure all policy requirements to direct required built form; density etc. of the plan is achieved.

As a related OMB case example of what we mean in this regard on the fact that OP policies would need to be met for any land use and as such a specific prohibition is not justified comes from a case in the Town of Grimsby. OMB Case No. PL111079 presided by Vice-chair Susan de Avellar Shiller, decision date May 10, 2012, relative to a proposed new OP for the Town of Grimsby. The relevant statements in the OMB decision are as follows:

“The official plan has four policies which place restrictions on the locations of drive-through facilities in the downtown and in the Winston neighbourhood area. Mr. Seaman (Director of Planning, Town of Grimsby) testified that the particular concern regarding drive-through facilities in these areas related to matters of urban design and quality of pedestrian realm.

Mr. Seaman noted that the official plan already had a large number of sections dealing with urban design and the quality of the pedestrian realm that would govern any development in these areas, including drive-through facilities. Some of these policies include front and flanking façade treatments, building location on site and driveway access and circulation that is sensitive to pedestrian needs.

Having reviewed several of these sections the Board finds that the area-specific policies regarding design and pedestrian realm provide important and appropriate protection. On this basis, the appeals by A&W Food Services of Canada Inc., McDonalds Restaurants of Canada Inc., Wendy’s Restaurants of Canada Inc., Ontario Restaurant Hotel & Motel Association and TDL Group Corp. are allowed in part.

The Board modifies subsection 3.5.3.3(a), subsection 3.5.4.2(a) and subsection 11.3.3.1(b)(i) to remove the prohibition on drive-through in these sections.”

Based on our overall review of the draft Official Plan, we found it to be overall very comprehensive particularly in the *Mixed Use Nodes and Intensification Corridors, Urban Centres, Mobility Hubs and Urban Corridor* designations with regard to the required density, massing and overall built form to be achieved in these areas. The policies for these areas, indirectly of course, relates to the principle findings and above noted decision in the case noted above. We submit that, given the fact that specific study and proper justification has not been completed to justify a specific prohibition of DTF with regard to the draft City of Burlington Official Plan, our clients in any event would have to meet the same policies for these areas just like any other land use would without any justified need for a specific prohibition.

We wish to note that our work with several municipalities over the years on behalf of our noted clients including surrounding municipalities to Burlington being the City of Hamilton, City of Mississauga and Town of Oakville regarding resolution of new DTF policies that where essentially performance based policies regarding specific built form criteria that would have to be met for specific areas of those municipalities. In some cases a zoning by-law amendment would also be required in specific areas as a further process to implement Official Plan policies for a specific area. No specific prohibition of DTF in the respective Official Plans of these municipalities was implemented.

Relative to proposed policy 8.7.1.2 b) we object to this policy as it is currently written. Relative to this policy the reference to *“shall be prohibited”* in this context is not acceptable wherein the policy then provides for a Zoning By-law amendment. We note that of the 27 DTF locations operated by our clients in the City of Burlington 10 of these are located in the designation areas noted in policy 8.7.1.2 b) as well as in the proposed *Mixed Use Nodes and Intensification Corridors*. Again, a specific prohibition at the level of the Official Plan is not acceptable.

Further with regard to policy 8.7.1.2 b) we object to the specific need for a zone change in the noted areas. We state this as the over arching policies of the plan would seem to require any use not just a DTF that may locate in these areas would have to meet similar policies in other parts of the plan that are similar to those noted in 8.7.1.2 b) to f). Further, we are very perplexed why a site specific amendment to the Official Plan or the Zoning By-law is not required when a DTF is located within the same building as a motor vehicle service station but requires at least a zoning amendment or it would be outright prohibited for a DTF to locate within its own self contained building or multi-use/tenant building or plaza arrangement?

Also, as per policy 8.7.1.2 b) (i) and f) (iii) the context or notion that a DTF cannot exist with or abutting a mixed use type zone permitting "sensitive land uses" such as residential uses is not acceptable. Planning policies are more and more encouraging mixed uses particularly along urban corridors and within intensification areas with policies to direct buildings to be placed as close to heavy travelled vehicle corridors and intersections carrying 20,000+ cars a day in many cases. The various negative impacts from immediately abutting roads in our opinion is far greater than a single DTF lane which can be properly screened and located based on basic and reasonable site plan control requirements.

Based on the foregoing, we object to Chapter 8.7.1 in its entirety as currently written in the draft Official Plan. We request an opportunity to meet with you at your earliest opportunity to discuss resolution options to our concerns. The approach of performance based type policies that are noted in policy 8.7.1.2 b) to f) we would suggest provides a basis to consider which of these are acceptable as written, should be revised or removed and where the consideration of a site specific Zoning By-law amendment is appropriate.

The above reflects our comments on the current draft Official Plan for the City of Burlington. We reserve our rights to comment further on this matter as the process proceeds and new information or material is brought to our attention.

Finally, please also consider this letter as our formal request to be provided with copies of all future notices, reports, and Committee and/or Council considerations on this matter.

Yours truly,

Labreche Patterson & Associates Inc.

**Victor Labreche, MCIP, RPP
Principal, Senior Planner**

Attach.

Copy: *Leslie Smejkal, ORHMA*

Riley Hallwood, A&W

Julie May Rodgers, McDonalds Restaurants

Carol Patterson, Restaurant Brands International (Tim Hortons)

Denise Baker, WeirFoulds, LLP

8.7 SPECIFIC USE POLICIES

8.7.1 ACCESSORY DRIVE THROUGHS

Accessory drive-throughs are an automobile-oriented amenity which can alter the form, function and *compatibility* of a principal use. The addition of an *accessory drive-through* can result in otherwise permitted commercial uses becoming not *compatible* with the stated objectives for an area or designation.

8.7.1.1 OBJECTIVES

- a) To ensure that principal uses which include an *accessory drive-through* adopt a form and function that responds to and supports the planned *development* of an area.
- b) To prohibit new *accessory drive-throughs* in specific Mixed Use Intensification Areas which are intended to accommodate higher *intensity developments*, pedestrian and transit-oriented *development* and where a high level of *compatibility* amongst a wide range of uses, including *sensitive land uses* within a building, site or area, will be required.
- c) To ensure that *developments containing accessory drive-throughs*, where permitted and appropriate, are developed with minimal impacts on the functionality, *compatibility and* urban design of a site or area.

8.7.1.2 POLICIES

- a) *Accessory drive-throughs* within the Downtown Urban Growth Centre, as identified on Schedule B, Urban Structure, *shall* be prohibited.
- b) Within the Uptown Urban Centre and Mobility Hubs, as identified on Schedule B, Urban Structure, as well as lands designated Urban Corridor on Schedule C, Land Use – Urban Area, of this Plan, *accessory drive-throughs shall* be prohibited except where the proposed *accessory drive-through* is the subject of a Zoning By-Law amendment application and where the following criteria are met to the satisfaction of the *City*:
 - (i) the applicable Official Plan and Zoning By-law designations for the subject site do not permit residential or other *sensitive land uses*;
 - (ii) the *accessory drive-through* will not impede current or future opportunities for *intensification*, including the *development of sensitive land uses*, on or adjacent to the site;
 - (iii) the *accessory drive-through* will not impede the *development* of private or public *development* or facilities located on the same site,

CHAPTER 8 – LAND USE POLICIES – URBAN AREA

- adjacent sites or public rights-of-way which would contribute towards the creation of a transit and pedestrian supportive environment; and
- (iv) the *accessory drive-through* does not conflict with or compromise the objectives or policies of the applicable land use designation as stated within Chapter 8, Land Use Policies-Urban Area, of this Plan.
- c) Notwithstanding Subsection 8.7.1.2 b) of this Plan, an *accessory drive-through* may be permitted without a site-specific amendment to this Plan or the Zoning By-Law where:
- (i) the *accessory drive-through* was existing or approved prior to the coming into force of this Plan; or
 - (ii) the *accessory drive-through* is associated with, and located within the same building as, a *motor vehicle service station*.
- d) An *accessory drive-through* shall not be located between a building façade and a public right-of-way.
- e) *Accessory drive-throughs* shall be designed in a manner which promotes pedestrian safety and accessibility.
- f) *Accessory drive-throughs* shall be designed to address the following functionality, *compatibility* and urban design considerations through the site plan review process, to the City's satisfaction:
- (i) sufficient dedicated vehicle queuing areas;
 - (ii) sufficient separation distances between an *accessory drive-through* and a site access/egress area shared with a private or public roadway;
 - (iii) sufficient separation distances, with respect to mitigating noise and/or emissions, between an *accessory drive-through* and current or future *sensitive land uses*, including residential uses, where identified as a permitted use on the subject site or adjacent sites through this Plan;
 - (iv) associated buildings and facilities that incorporate urban design that is *compatible* with the surrounding context or area; and
 - (v) site location which minimizes the presence and impact of the *accessory drive-through* on the surrounding *streetscape*.

November 27, 2017

Ms. Leah Smith
Planning Department
City of Burlington
426 Brant Street
P.O. Box 5013
Burlington, Ontario
L7R 3Z6

Dear Ms. Smith:

**RE: Nelson Aggregate Co. – Comments on City of Burlington Draft Official Plan
OUR FILE 9135C**

On behalf of Nelson Aggregate Co., thank you for providing a copy of the draft Burlington Official Plan dated November 2017. Based on our review of the Official Plan, Nelson Aggregate Co. has the following comments and suggested revisions to the Official Plan:

- 4.1.2 a) - Should include a policy similar to 4.1.2 a) xii) to support local aggregate production. This change would be consistent with the Provincial Policy Statement (PPS) and conform to the Greenbelt Plan to recognize the importance of close to market aggregates to reduce greenhouse gas emissions.
- 4.10.2(1) c) – Delete. The intent of this policy is unclear and inclusion of this policy contradicts Policy 4.10.2(1) b) and other policies of the Plan.
- 4.10.2(2) b) – Delete “but outside the Niagara Escarpment Development Control Area” since the PPS requires the protection of existing mineral aggregate operations within the Niagara Escarpment Plan and this exclusion is not consistent with Policy 4.10.2(1) g).
- 4.10.2(2) i) iii) - Policy should be revised to read “habitat of endangered and threatened species, except in accordance with Provincial and Federal requirements” to conform to the Regional Plan and NEP and be consistent with the PPS. A similar change should occur to 4.2.2.k) i) c).
- 4.10.2(2) g) & l) – Should be revised so the Plan is not misinterpreted to require an Official Plan Amendment for existing mineral aggregate operations, consistent with Policy 2.5.2.4 of the PPS.
- 4.10.2(2) i) v) – Should not be located in this section and should be revised to be consistent with 110 (8.2) of the Regional Plan which was approved following an OMB hearing. Similar to the Regional Plan, this policy should be included in Section 4.10.2(2) j).

- 4.10.2(2) r) – Should be revised to include “In prime agricultural areas” at the beginning of the policy to be consistent with Policy 2.5.4.1 of the Provincial Policy Statement.

Thank you for consideration of the above comments. We would appreciate an opportunity to meet with the City of Burlington to discuss the suggested revisions prior to approval of the plan.

We have also sent a separate letter requesting a copy of the Notice of Decision to Amber LaPointe, Committee Clerk, City of Burlington, City Hall, 426 Brant Street, P.O. Box 5013, Burlington, Ontario, L7R 3Z6.

If you have any questions, please don't hesitate to call.

Yours truly,

MHBC



Brian Zeman, BES, MCIP, RPP
President

cc. *Quinn Moyer, Nelson Aggregate Co.*
Steve Bisson, Nelson Aggregate Co.
David White, Devry Smith Frank LLP

Scott Snider
Professional Corporation
15 Bold Street
Hamilton Ontario Canada L8P 1T3
Direct Line 905 526-6183 ext. 289
Receptionist 905 529 3476 (905 LAW-FIRM)
Facsimile 905 529 3663
ssnider@tmalaw.ca

Via email to newop@burlington.ca and
leah.smith@burlington.ca

November 27, 2017

City of Burlington
Planning and Building Department
Attn: Leah Smith
426 Brant Street, PO Box 5013
Burlington, Ontario L7R 3Z6

Dear Ms. Smith,

**Re: Committee Meeting | November 30, 2017
Burlington's Proposed New Official Plan
Comments on behalf of Penta Properties Inc.
Our File No. 13122**

We are counsel to Penta Properties Inc. ("Penta") and have requested to speak before Committee at its November 30th meeting with respect to the City of Burlington's Proposed New Official Plan (PB-50-17). We have made an electronic request to appear as a delegate at this council meeting.

Our client will be submitting detailed comments on the draft Official Plan directly to Staff.

Needless to say, a new official plan is a major undertaking that requires careful consultation with those who take the time to make submissions on it. In our view, it is essential that Staff undertake to meet with those who have provided substantive comments before advancing the Plan to a council meeting.

We are requesting that all notices, including notices of decision, be provided to this office and also directly to Penta Properties Inc. as follows:

Penta Properties Inc.
Attn: Dave Pitblado, Director of Real Estate Development
4480 Paletta Court
Burlington, Ontario L7L 5R2
(email dpitblado@paletta.ca)

City of Burlington
Attn: Ms. L. Smith
November 27, 2017

Page 2

Thank you for your assistance with this.

Yours truly,

A handwritten signature in blue ink, appearing to read "Scott Snider". The signature is fluid and cursive, with the first name "Scott" being more prominent than the last name "Snider".

Scott Snider

Cc: Dave Pitblado

SSnd
13015\346



Penta Properties Inc., 4480 Paletta Court, Burlington, Ontario L7L 5R2
tel: 905.632.6036 fax: 905.632.0064 www.PentaProperties.ca

November 28, 2017

Andrea Smith
City of Burlington
Planning & Building Department
426 Brant Street
Burlington, Ontario
L7R 3Z6

Dear Ms. Smith:

Re: Burlington's Proposed New Official Plan (PB-50-17)

Please accept our comments for your consideration in advance of the November 30th Planning and Development Committee Meeting. Scott Snider of Turkstra Mazza Associates has already registered as a delegation at the evening session of this meeting to speak on our behalf.

As you will see, our comments are comprehensive and cover the Official Plan as a whole, not strictly policies that have a direct impact on lands we own. Respectfully, being given barely 3 weeks to complete this review was not sufficient given the importance of this guiding document. We were additionally informed that the intention is to take this new Official Plan to Council in January for adoption. How can the City possibly give due consideration to the comments provided in such a short period of time?

We acknowledge and appreciate your offer to meet with us, and now that we have completed our review, agree that a meeting would be appropriate. However, this meeting needs to be meaningful and productive. Too often through this process and through the Mobility Hub Study process we have been asked to provide comments both verbally and in writing, given certain assurances by City representatives that changes would be made, only to find out that nothing changed. We have no desire to spend additional time and resources if lip service is all we can expect in return.

Yours truly,
PENTA PROPERTIES INC.


Dave Pitblado
Director, Real Estate Development

Cc: Mayor and Members of Council
Mary Lou Tanner
Alison Enns
Leah Smith
Frank McKeown - BEDC
Scott Snider – Turkstra Mazza Associates

City of Burlington

Official Plan Review - Comments

November 2017

Section	Official Plan Text	Comments / Concerns
2.2.1.(d)	Non-farm development in the Rural Area shall be directed to existing Rural Settlement Areas.	This policy fails to respect the definition of "development", or address existing rural lots of records outside of Rural Settlement Areas, where landowners still have a right to undertake certain forms of development, such as building an addition onto their home.
2.2.2.(d)	The Green System depicts the network of green spaces that runs through the city's Urban Area, Rural Area and North Aldershot. It is a critical component of the healthy and environmentally sustainable city. The Green System is made up of three components: the Natural Heritage System; Major Parks and Open Space which are designated within settlement areas; and other parks in the Urban Area such as Neighbourhood Parks, Parkettes and Special Resource Areas. In the Rural Area, agriculture is considered to be a compatible and complementary use in much of the Green System.	The revised wording is helpful in a sense, but we still question the need for another layer of designation and policies above and beyond those that already exist for the three components. In the rural area, agriculture should be considered the top priority, period. Stating that it is compatible and complementary suggests that it is not in fact the top priority, but instead a sub-designation that could be impacted should changes to the Green System ever be made. We recommend deleting all references to this Green System, and let the merits of the three components stand on their own.
2.2.3.(d).(i)	The Urban Boundary represents the fixed boundary that identifies the Urban Area. Changes to the Urban Boundary may only be considered through a municipal comprehensive review and are not intended or permitted within the planning horizon of this Plan.	Delete "and are not intended or permitted within the planning horizon of this Plan." We appreciate no boundary expansions are currently being planned, but why not at least leave yourselves open to that possibility if circumstances within the planning horizon of this Plan change, and suddenly warrant such consideration?
2.3	The Urban Structure is composed of six major components: 1. Mixed Use Intensification Areas; 2. Areas of Employment; 3. Residential Neighbourhood Areas; 4. Natural Heritage System, Major Parks and Open Space; 5. Mineral Resource Extraction Area; and 6. Infrastructure and Transportation Corridors.	The Green System is not mentioned, adding to our thought that it is a redundant term that does nothing beyond adding an extra layer of designation and confusion.

2.3.1.(i)	Mobility Hubs.	Mobility Hubs are being planned as the major intensification areas within the urban area, where significant growth can be supported. Consideration must therefore be given to prioritizing the City's needs within the urban area over potential environmental constraints, when feasible. There's also a statement that "These are emerging areas in the Urban Structure that represent opportunities to intensify and develop complete communities", however if you look at the concept plan for the Appleby Go Mobility Hub as an example, what's being proposed is far from a complete community.
2.3.5.(b)	The Natural Heritage System is made up of natural heritage features and areas, such as woodlands and wetlands, and the linkages and interrelationships among them, and with the surrounding landscape. Major Parks and Open Space includes Community Parks, City Parks, and other public and private open space lands.	How is this significantly different than the Green System, to warrant the need for a Green System designation on top of it?
2.4.2.(b)	The Growth Framework shall not apply to undeveloped areas outside of the Delineated Built Boundary...	Why not? The last few remaining vacant properties within Burlington's Urban Boundary are shown outside of the Delineated Built Boundary in Region of Halton's Official Plan (ie. Bronte Creek Meadows, 1200 King Road). Why would the Growth Framework not apply to these properties, which represent major development and economic opportunity to the City? The west half of 1200 King Road is within the Aldershot Mobility Hub, an identified Primary Growth Area, yet this policy states the Growth Framework shall not apply? This doesn't make sense.
2.4.2.(d)	An Official Plan Amendment proposing an increase in height, density and/or intensity may be determined by the City to be premature where an area-specific plan has been initiated...	How long are these area-specific plans expected to take from start to completion? Landowners have a right to apply for development approvals whenever they want, and should not be delayed or deemed premature should they wish to proceed with an application ahead of any outstanding work the City may be undertaking. If these area-specific plans are that important to the City, then the City should start them immediately so as to minimize such pre-maturity arguments from arising in the first place.
3.1.1.(1)	To ensure that a sufficient supply of suitably designated and serviced land is available to accommodate residential growth to meet existing and future housing needs.	Where does the City currently have serviced "land" available to accommodate residential growth, given that the City is essentially built out? Bronte Creek Meadows may be this City's only remaining piece of land that could achieve this policy, if ever allowed to develop in such a manner.

3.1.1.(2).(h)	The City shall require the inclusion of housing policies within all new area-specific plans, requiring development proponents to provide commitments to achieve the Region's affordable housing targets... As part of the area-specific plan or implementing development approval process, the City will require the designation of lands for affordable, assisted, and/or special needs housing, where appropriate.	Development, property values and construction costs are driven by market forces. If the design and implementation of these forms of housing are not financially viable for a private landowner or developer under current market conditions, there should be no such policies that force them to develop anything less than the highest and best use.
3.1.1.(2).(i)	The City shall require the submission and implementation of a housing impact statement as a condition of Zoning By-Law approval, where the development proposal includes more than 200 dwelling units, identifying...	Same comments as above re. 3.1.1.(2).(h)
3.1.1.(2).(l)	The City will encourage a mix of housing forms. However, the city's existing stock of low density residential housing shall be considered sufficient to contribute towards that component of the mix.	What is the impact of this policy on development applications that propose additional low density residential housing?
3.1.4.2.(e)	The City will recognize the importance of development applications which will provide assisted and special needs housing...	While we appreciate that you amended the wording of this clause, it is still not a fair practice for those who submitted complete applications and paid all application fees first.
3.2.1.(d)	To support the development of a city-wide Post Secondary Institution Strategy.	How long will this take? When will it begin? In meetings with City planning staff we've been told they want to undertake this study before determining appropriate uses at Bronte Creek Meadows. While this will put in place a strategy, what if in reality there is no desire from the Post Secondary Institution community to come to Burlington? Will lands be designated and placed on hold indefinitely, just like the employment lands that remain vacant for decades?
3.2.2.(d)	Major places of worship shall not be permitted within an Area of Employment.	Why not? Many places of worship double as community centres, meeting rooms, day cares, etc... to ensure use through all 7 days of the week as a more economical use of new buildings. This city has ample vacant employment land that could be used for this purpose. Furthermore, within the past few years alone the City has approved several places of worship within the employment lands in the Alton community along the Highway 407 corridor, which otherwise could not have been built under this new policy (see 3.2.3.(b))

3.2.2.(h).(ii)	The City will initiate the development of a comprehensive, City-wide Post Secondary Institution Strategy that will consider, at a minimum: (ii) an analysis and discussion of the relative strengths and opportunities related to the potential to accommodate a post-secondary institution in Primary Growth Areas, including the Downtown or Mobility Hubs as compared with areas within the Designated Greenfield Area.	In discussions with Planning staff, no consideration of future land uses within Bronte Creek Meadows was going to be given until after the completion of this Post-Secondary Institution Strategy. Now with this policy, the City is wanting to look at the Downtown and Mobility Hubs as potentially better locations for a post-secondary institution. If Bronte Creek Meadows isn't considered a desirable area for the post-secondary institution, which is fine, why are we being forced to wait until after this study is completed?
3.3.2.(d)	The majority of new parkland will be acquired by the City through the development approval process as parkland dedication in accordance with Subsection 12.1.16 of this Plan.	This is the old way of thinking, back when Burlington had residential greenfield developments. That isn't the case anymore for Burlington. Development applications in the future will be very site and property specific. Land for new parks doesn't really exist anymore, therefore the entire parkland dedication idea needs to be reconsidered.
3.3.2.(f)	Connections between neighbourhoods and parks, such as pedestrian and bicycle trails shall be identified and secured during the development approval process.	Again, this is the old way of thinking. Burlington is built out. If those connections and trails don't exist already, there's likely not going to be much of an opportunity to create them now. Development applications in the future will be very site and property specific, and will not cover large parcels of land where the creation of these types of features is possible.
3.3.2.(h)	A high priority shall be placed on environmental protection, accessibility for all ages and abilities, public safety, public access and increased visibility along streets during the detailed design and development of parks.	Again, this is the old way of thinking. Burlington is built out, there is no land for development of new parks of any significant size.
3.3.2.(i)	Parks shall be located, designed and maintained to enhance the local neighbourhood or community.	Again, this is the old way of thinking. Burlington is built out, there is no opportunity for more "neighbourhood" type developments like we've seen in the past. If the park doesn't already exist, there's likely not going to be much of an opportunity to create them now.
3.3.2.(j)	In areas of the city that are deficient in parkland, parkettes may be developed by the City to respond to this deficiency.	On what land? Does the City have significant undeveloped land holdings, or will efforts be made to purchase such land?
3.4.3.(d)	The City will encourage the inclusion of public art in all significant private sector development across the city, using applicable planning tools and processes.	What does public art have to do with planning approvals and development? Where in the Planning Act does it state public art is a requirement? If the City wants public art, that's fine, pay for public art. The word "encourage" is open to interpretation based on how strongly the City wants to push.

4.2	Natural Heritage System	Again, how is this significantly different than the Green System to a degree that warrants the inclusion of an additional Green System designation?
4.2.1.(e)	To recognize and support agriculture as a primary activity and a complementary and compatible use within the Prime Agricultural Areas.	It should be the other way around, NHS should be a compatible use within the Agricultural System. Not enough importance is placed on the role of agriculture, and the challenges it faces because of competing NHS policies. If lands are designated Prime Agricultural Areas, priority should be given to normal farm practices regardless of any perceived negative impact to the NHS. At the pace at which NHS policies are getting more and more restrictive to farming activity, agriculture is being strangled out of the Prime Agricultural Area. NHS is important, but without agriculture, we don't eat.
4.2.1.(f)	To maintain, restore and enhance Key Natural Features, without limiting the ability of existing agricultural uses to continue.	Delete the word "existing:". Prime agricultural land is at a premium but for a variety of reasons, properties may be left fallow for periods of time as part of normal farm practices. Will these fallow periods jeopardize the landowner's claim that agricultural uses continue to exist? In our experience, the answer is yes.
4.2.1.(n)	To provide opportunities for non-intensive recreation uses within the Natural Heritage System, where appropriate.	The unfortunate and unintended consequence of this policy is that it encourages illegal trespassing onto private property and farmland, where people feel they can do whatever they want, go wherever they want, and damage whatever they want, all on property that they do not own. Rural property owner rights are infringed upon every day because of policies like this one.

4.2.2.(j)	Existing agricultural operations are a permitted use within the Key Natural Features and can continue.	Sounds great in theory, but doesn't really work that way. As part of normal farming practice, land must be periodically left fallow in order to regenerate. In practice, once a property is left fallow, it is interpreted by government authorities as no longer being an active or existing agricultural operation. If a certain bird or salamander species happens to be seen anywhere near the property, the ability to farm this property is lost. We have agricultural land that has been actively farmed for nearly a century, yet after leaving it fallow for a limited period and then trying to farm it again, we were issued Stop Work Orders and threatened with fines if we dare tried to farm our farmland. We lost 40 acres of designated Prime Agricultural Area, all because we let the property go fallow as part of normal farm practices, and have been fighting the Provincial Government for the past 5 years unsuccessfully to try to farm our land. The word "existing" should be deleted.
4.2.2.(k).(i).(c)	The City shall apply a systems based approach to development and site alteration within and adjacent to the City's Natural Heritage System, including the development of permitted uses, by: prohibiting development and site alteration within: the habitat of endangered species and threatened species located within other Key Natural Features. Elsewhere in the Natural Heritage System, development and site alteration shall not be permitted except in accordance with Provincial and Federal legislation or regulations.	The entire rural area provides potential habitat for one endangered species or another, that doesn't mean those species actually live there. Placing prohibition on development and site alteration over the entire rural area (Natural Heritage System) will end agriculture as we know it. Ploughing a farm field has been interpreted as "site alteration" by Provincial authorities, as evidenced by our experience in the example given above, where ploughing our designated Prime Agricultural Area would result in fines and possible imprisonment.
4.2.2.(k).(ii)	...not permitting development or site alteration within or adjacent to the City's Natural Heritage System that requires an Environmental Impact Assessment (EIA) under Subsection 4.2.4 of this Plan, unless it has been demonstrated through an EIA or equivalent study that there will be no negative impact on the City's Natural Heritage System...	The "no negative impact" test is not appropriate given its subjective nature. Any development or site alteration could be argued to have a negative impact depending on a person's point of view. It should be a matter of identifying the impact, and then determining if/how compensation may be provided to mitigate that impact.
4.2.2.(l)	Where appropriate, the City will enhance the function of the City's Natural Heritage System through the development process by locating City parks and open space adjacent to or near the City's Natural Heritage System and designing and managing that open space to enhance natural features and ecological functions.	Again, this is the old way of thinking. Subdivision applications where blocks of land can be dedicated to the City won't be happening like they used to.

4.2.2.(m).(i)	The designation of land as part of the Natural Heritage System does not imply that those lands are available or open to public use.	Good. This needs to be emphasized to the public, not just hidden as a policy in the Official Plan which most residents don't ever read.
4.2.2.(m).(ii)	The designation of land as part of the Natural Heritage System does not imply that the City intends to purchase those lands.	Arguably, by designating private lands as NHS and enforcing what can and cannot be done on that property, the City does have an interest in those lands. In cases where such enforcement strips the property rights of owner, leaving them with no opportunity to use their property as they intended, the City should be forced into a position of either purchasing the property, or at least waiving any and all property taxes. This is expropriation without compensation.
4.2.3.(c)	While the Greenbelt's Natural Heritage System and the City's Natural Heritage System have different sets of planning policies, they complement each other and together implement the City's vision of a sustainable Natural Heritage System...	Let's not forget the Region of Halton's Natural Heritage System policies, or Conservation Halton's policies, or the Niagara Escarpment policies, or the Ministry of Natural Resources, policies, or the Ministry of Environment's policies... all of which can be different, and are cause for great confusion for landowners trying to cut through the red tape when trying to submit a development application. Why does there need to be this many different sets of policies essentially enforcing the same thing, and this many different sets of approvals, applications, fees, etc...? A small forest of trees is needed for all the paperwork that gets generated in the interest of protecting the environment.
4.2.3.(i)	Notwithstanding Subsection 4.2.3 h) of this Plan, a minimum vegetation protection zone thirty (30) m wide shall be required for wetlands, seepage areas and springs, fish habitat, permanent and intermittent streams, lakes and significant woodlands, measured from the outside boundary of the Key Natural Feature.	Policy 4.2.3.(h) identifies the need for an Environmental Impact Assessment (EIA) for any development proposed within 120m of a Key Natural Feature for the purpose of identifying a vegetation protection zone. Why then is an arbitrary 30m minimum protection zone dictated without the benefit of the EIA? If the City already knows that 30m is needed, why make the proponent spend thousands of dollars on a report which, even if it recommends a zone of 15m, is still going to be enforced at 30m? Either eliminate the need for an EIA, or let the EIA dictate what zone is appropriate under the site specific circumstances.

4.2.3.(j)	Notwithstanding Subsection 4.2.3.h) of this Plan, agricultural uses shall be required to provide a thirty (30) m vegetation protection zone from a Key Natural Feature...	The danger with this policy is that over time, that 30m protection zone will naturalize and grow to become part of the Key Natural Feature, at which point a new 30m protection zone will be implemented, and over time, the farmable land will continue to shrink until it's no longer a viable farm property. This is the real impact when Natural Heritage System is given priority over agriculture. No such buffers or protection zones should apply to agricultural uses.
4.2.5.(b)	If a development application involves lands in or adjacent to the Natural Heritage System that is determined should be protected the City shall seek, through the development approval process, the dedication of those lands and associated buffer lands to the City, Conservation Halton...	What if a landowner does not want to dedicate their buffer lands free of charge? Development land is at a premium and isn't cheap, so what gives the City the right to just take it? At minimum, this land should at least count towards parkland dedication, which it currently doesn't. It's one thing to require dedication of roads needed for the development, but this policy allows for the possibility of taking otherwise useable property.
4.2.5.(e)	Consents may be permitted to enable the securement of lands for conservation purposes or to support the Bruce Trail by a public authority or a non-government conservation organization... provided that the severance does not result in the creation of a new developable non-farm lot outside the Rural Settlement Areas.	Why is this a bad thing if it results in a public agency securing desirable land? Why is the creation of a developable non-farm lot under these circumstances perceived as such a negative that it would eliminate any chance of these agencies gaining land? Isn't that a good thing?
4.4.2.(2)	Water Resource and Stormwater Management	Many of these policies reflect the old way of thinking, when there were opportunities for the construction of stormwater management ponds in new subdivisions. Now that development will primarily be restricted to infill intensification, some of these policies may warrant a second look to ensure they reflect the new reality of what development in Burlington will look like. New innovative methods are now available to manage storm water.
4.4.2.3.(g)	As a condition of development approval, the City shall normally require the dedication of hazardous lands from the greater of the floodplain hazard, or the valley through with the watercourse flows, including a conservation setback from stable top of bank, floodplain hazard, or meander belt allowance. Dedication of these lands shall not be considered part of parkland dedication.	Why not? Any land for preservation purposes and public use/benefit that the City takes from the landowner (excluding roads) should count towards the parkland dedication requirement.

4.7	Some land may be contaminated as a result of past or present land uses... In order to determine no adverse effects prior to permitting development on these sites, confirmation regarding the level of contamination is required to ensure that they are suitable or have been made suitable for the proposed use...	This wording requires the landowner to incur significant remediation expenses before even finding out if re-development is possible. Wording should be added such that "confirmation regarding the level of contamination is required to ensure that they are suitable or have been made suitable, or can be made suitable for the proposed use. If the property owner hires a consultant who writes a report documenting the necessary remediation efforts, that should be sufficient for the sake of proceeding with development applications. The actual remediation work would then become a condition of approval, whereby the landowner could invest the money knowing that the ultimate development proposal is approved.
5.1.2.(b)	The City will promote economic development and competitiveness and the development of complete communities by: focusing on employment growth in mixed use intensification areas...	Bronte Creek Meadows is not located in a mixed use intensification area, and therefore will not be the focus of the City's employment growth, yet is effectively being sterilized because of the City's continued insistence that this entire property be retained for employment uses, when the employment community has already made it very clear that this property is not desirable for such uses.
5.1.2.(d)	Major office and appropriate major institutional development shall be located in the Urban Growth Centres or major transit station areas also identified as the City's Mobility Hubs, with existing or planned higher order transit service.	Bronte Creek Meadows is not located in an urban growth centre, nor a major transit station area, nor a Mobility Hub, so why does the City continue to insist that this property remain vacant indefinitely for major office or major institutional development, when neither have shown any prospect of ever happening?
5.2	The city has a finite supply of lands within the Area of Employment and it is critical that the City adopt a policy framework with protects that supply from unwanted conversion from employment lands to non-employment use. The City will need to maintain it's supply of land within the Area of Employment...	The City's own studies have demonstrated that there is in fact a surplus of employment land. While we agree that viable employment land should be preserved, non-viable land, land which is not desirable for employment uses as demonstrated by decades of being on the market with no interest, should be considered for alternative uses. Bronte Creek Meadows is over 300 acres of vacant land within the urban area that could be generating income for the city, which instead remains vacant farmland surrounded by urban development on 3 sides, and the environmentally sensitive Bronte Creek Provincial Park on the other.
5.2.2.(b)	It is recognized that all lands within the Area of Employment Overlay are necessary to achieve a significant component of the employment forecasts for the city...	The City's own studies have demonstrated that there is in fact a surplus of employment land.

5.4.1.(b)	Development in close proximity to the Appleby GO should be transit supportive and consider opportunities to facilitate walking and cycling.	All development can be transit supportive if transit exists in the area, which is under the City's control. All development can provide opportunities to facilitate walking and cycling, if the infrastructure exists beyond the property boundaries, which again is under the City's control. For Appleby GO, which has limited residential nearby, the majority of users will continue to require a car. As part of the development of this area as a Mobility Hub, high density residential and mixed uses should be included to bring in a population that will use transit, walking, and cycling options. The current concept plans do not show this, particularly north of the railway tracks.
5.4.1.(d)	The QEW Corridor will be the focus of the development of a long-term employment intensification study containing strategies to support development and re-investment.	We understand the goal for this area to be the "Prosperity Corridor", and agree in principle with this policy net of the Mobility hubs, which should allow mixed use. Something needs to be done to rectify the traffic issues which currently make these properties undesirable. The QEW is often a parking lot, causing traffic to divert onto Harvester Road which again grinds traffic to a halt. Traffic movement along these corridors during rush hour is often horrific.
5.4.2.(a)	The employment function of Bronte Creek Meadows is a priority for the City. This area will be a focus for innovative employment uses as part of a complete community and in accordance with this Plan and the City's Strategic Plan.	This is worse than the previous wording! This property is not in a Primary Growth Area, is not within a Mobility Hub, is not along the QEW Corridor, and has displayed absolutely no desirability for employment uses for decades, yet for some reason it remains a "priority" for the City? It is time to change the thinking, and consider alternative uses (ie. mixed use/residential), otherwise this property will remain vacant for decades to come, costing the city losses of millions of dollars in property taxes and development charges that could otherwise be collected.

5.4.2.(b)	In the near term, this area should be guided by the development of an area-specific plan.	The City can spend all the money it wants on studies, that does not change the reality that the BCM property is not desirable for employment uses. When is this Area-Specific Plan being developed, and will the landowner have any involvement? We've been hearing about this for years, but nothing ever happens. In the likely event that even after the City goes to the time and expense of preparing this Area-Specific Plan the property remains undesirable for the uses the City wants, then what? This is over 300 acres of underutilized land within the urban boundary. At what point can alternative uses be considered on at least a portion of this property? The City is losing millions of dollars every year by not having this property develop.
5.4.2.(c).(iv)	The area-specific plan will be prepared in accordance with the policies of Subsection 12.1.3 of this Plan and will at a minimum, consider the following: future land use that focuses on employment uses.	Same comments as before, this property just is not desirable from an employment perspective as evidenced by its continued vacant state. Strong efforts have been made by the landowner and BEDC to try and convince employers to come to this property, and in each and every case, they've determined that the property is not desirable. The prospective buyers/tenants just had no interest in this location given the surrounding sensitive land uses.
5.4.3	A specific area of the 403 West Corridor will be considered as part of the area specific plan for the Aldershot Mobility Hub.	Please identify this "specific area". Why does the City need to complete both an area specific plan AND a Mobility Hub plan in this area? Why is a portion of 1200 King Road shown as included in the Mobility Hub, while staff have informed us that the west portion of this property has no development potential and has been removed from the Mobility Hub? Which is it? How does the City intend to adhere to the terms of the 2009 Minutes of Settlement if they plan to remove this property from the Mobility Hub?
5.5.1	Objectives of the Agricultural System	Add an objective to the effect "To understand the need to find a proper balance between Agriculture and NHS when NHS policies negatively impact farming within Prime Agricultural Areas."
5.5.2.(e)	The City will consider the development of an urban agricultural strategy to identify and support appropriate agricultural uses in the Urban Area.	Are there enough farm properties within the urban area to warrant this?
6.1.2.(h).(iii)	New or expanded infrastructure shall avoid Key Natural Features, Prime Agricultural Area, sensitive surface and ground water features, and unacceptable adverse impacts on cultural heritage resources.	"Shall" should be changed back to "should". There needs to be at least some degree of flexibility in instances where circumstances may dictate no other viable options.

6.1.2.(h).viii)	Proposals for new or expanded infrastructure should be planned, designed and constructed to minimize unacceptable adverse impacts on the community, the Agricultural System, cultural heritage resources...	This is a more acceptable wording, however it contradicts 6.1.2.(h).(iii). In one policy it says this infrastructure shall avoid these features, whereas in this policy it says this infrastructure should be designed and constructed to minimize adverse impacts. This leaves too much room for inconsistent interpretation and enforcement of these policies.
6.2.2.1.(b)	To provide adequate capacity to meet local transportation needs...	Yet you've already indicated that the City has no intention of widening roads (6.2.2.1.(g), 6.2.2.2.(b)) to increase capacity. Where is this additional capacity going to come from?
6.2.2.1.(c)	To place emphasis on developing a connected and contiguous grid-oriented street network that supports convenient and efficient travel by all modes and discourages the development of street configurations that disrupt the grid network.	Does this even apply to Burlington anymore? Where are there developments occurring that are sufficient enough in size to require this policy? Development now is limited to infill and re-development. In most cases, if not all, the major road network is already in place, and no new roads are being built.
6.2.2.2.(j) & (k)	Within the Rural Area as shown on Schedule A - City System, of this Plan, all new, expanded and reconstructed transportation facilities shall incorporate context sensitive design and shall be planned, designed and constructed in accordance with Subsection 6.1.2.h) of this Plan. New public rights-of-way established through the subdivision of large parcels shall be designed in a manner which provides for safe and efficient pedestrian and transit connections, such as a grid-oriented street network.	What is the purpose of this policy? Private landowners cannot develop subdivisions in the rural area in a manner whereby new public roads will be required. If by remote chance a new road does someday get constructed in the rural area, is there really any need to give consideration to pedestrian traffic and transit connections? How many pedestrians do you expect to see walking around in the rural area?
6.2.2.2.(o)	Through area-specific plans and development applications, a grid-oriented street network shall be provided to create a continuous and highly permeable active transportation network.	What about in circumstances such as those identified in 6.1.2.(h).(iii), where Key Natural Features, cultural heritage resources, etc... interfere with a developer's ability to create a grid-oriented street network? The word "shall" be provided needs to be revised to "should" in order to allow the flexibility needed when these types of circumstances are encountered. Also, with all these new policies promoting active transportation (ie bike lanes), how do you reconcile that when you are also promoting reduced street widths? This policy could have impacts on Bronte Creek Meadows, Eagle Heights, and 1200 King Road, the two latter of which already have active applications under review.

6.2.4	Active Transportation.	The way Burlington was laid out does not lend itself well to major active transportation goals, particularly north of QEW. Active transportation may become more prevalent as mixed-use re-development takes place over the coming decades, but for now and the foreseeable future the automobile will remain the mode of travel most heavily relied upon. Canadian winter will also place limits upon active transportation initiatives. Of course active transportation should be encouraged, but not at the detriment to automobile users that make up the majority of the population.
6.2.4.1.(b)	To develop and maintain a continuous on-street and off-street bikeway and trail system across the city, connecting to adjacent municipalities, for greater commuting and recreational purposes.	What percentage of the population do you expect to see riding bikes and walking to adjacent municipalities as part of their commute? Given the growing traffic congestion problems in this City, an off-street system where possible would be a far better option, but then again where can you create this system when the City is already built out? The "road diet" trial period along New Street has already proven unsuccessful.
6.2.10.1.(c)	To reduce traffic congestion, parking supply needs, and demand for parking spaces by encouraging non-automobile modes of travel.	Is Burlington prepared to allow the high density residential and mixed use development that is needed to provide scenarios where residents can live, work and play all within a distance that encourages non-automobile modes of travel? This requires a new way of thinking, and an acceptance of increased building heights and densities beyond what may be popular.
6.2.10.2.(b).(ii)	The Transportation Demand Management (TDM) Plan shall: identify design and/or program elements to reduce single occupancy vehicle use.	What does this mean? QEW already has HOV lanes, is the City considering something similar for City streets? How much worse will that make traffic congestion?
6.5.1.(d)	To recognize, as a built-out municipality, the importance of remaining competitive at attracting new development.	This Official Plan has been given the title "Grow Bold", which suggests progressive thinking towards doing just that. Unfortunately in reading this Official Plan, it doesn't do that. It is filled with layers upon layers of red tape and regulations that frustrate development and make developers look elsewhere to invest.
6.5.2.(g)	To the extent that land is available within the Urban Area, the City shall provide adequate opportunities for new development, consistent with the policies of this Plan, in a timely and efficient manner.	Our experience with several of our properties suggests otherwise.

7.1.2.(f)	An Urban Design Advisory Panel will be established by the City to provide independent, objective and professional advice on issues of design that affect public realm, architecture, context sensitivity and sustainability.	Strongly opposed to this. An additional level of subjective review of applications will do nothing but frustrate and lengthen the approvals process. This Panel is not a regulatory commenting agency, therefore the developer has no obligation to consider their "advice". Please delete any notion of this advisory panel.
7.3.2.(i)	Ensuring site and building design are compatible to the surrounding area; and enhance its physical character.	This City is changing as the result of intensification, particularly in the Primary Growth Areas, where taller buildings will soon become the norm. The test of compatibility will no doubt be challenged by those living in nearby lowrise residential housing. We suggest adding wording to the effect that in some instances, a building design may not be compatible to the surrounding area, yet still deemed desirable in accordance with the planning objectives of this Official Plan. These same comments also apply to 8.1.1.(1).(e). and 8.1.1.(2).(c).
7.3.2.(a).(vi)	Designing and orienting development in predominant locations such as corner lots, view terminus lots, and lots facing public open spaces to contribute to the public realm and pedestrian environment, provide definition at these locations and contribute to a distinctive community design.	The problem with many of these urban design comments, including this one, is that they are subjective. In our experience the landowner's opinion often is treated as secondary to the plans examiner's opinion. Opinion based policies like these are very frustrating to developers.
7.3.2.(1).(a)	In Primary and Secondary Growth Area... Development will be conceived not only in terms of how the site, building, facades and other architectural attributes fit within the existing or planned context and relate to the public realm, but also how they promote and contribute towards achieving urban design and architectural excellence.	Same comment as above. Who's "conceiving" development proposals, the developer or the City? What does "architectural excellence" mean, and who judges? Who's opinion matters most?
7.3.2.(3).(a)	In Employment Growth Areas... development should ensure land use compatibility between the lands designated for employment and adjacent land uses.	Hasn't the City already done this in designating the Employment Growth Areas? If employment is not a compatible land use with the adjacent land uses, then why are they designated for employment in the first place? Can these lands then be re-designated for something other than employment if not deemed suitable for employment due to land use compatibility issues with adjacent land uses?

8.1.1.2.(m)	Development proponents may be required by the City to prepare an area specific plan prior to the development of Urban Centre areas or blocks...	At who's expense? Area Specific Plans are the municipality's responsibility, not the development proponent's. If the City wants and Area Specific Plan completed, then the City should be undertaking that work immediately so as not to delay or frustrate development potential.
8.1.1.3	A large portion of the Downtown Urban Centre is within the Urban Growth Centre boundary, an area referred to in the "Places to Grow" - Growth Plan for the Greater Golden Horseshoe, as an area that shall accommodate a significant share of population and employment growth within the city.	Exactly, so why are there competing policies where sometimes this Plan says growth is going to happen, whereas other policies suggest growth can only happen if it's compatible? If intensification, higher densities, and tall buildings are meant to be built in the downtown area, then strong policy direction needs to be given, not mixed messages. Developers who attempt to build structures of any significant size downtown to achieve this policy are faced with nothing but pushback and conflict.
8.1.1.3.2.(i)	In development containing both retail and service commercial uses at grade and residential uses, office uses or uses accessory to residential should be required as an intermediary use between areas of a building or floors containing retail and service commercial uses and residential uses to minimize to the potential adverse effects...	By adding more employment use to areas not currently identified as employment, or taken into consideration in the employment land needs analysis, will that allow for other unused and undesirable employment land (such as Bronte Creek Meadows) to be removed from the employment land designation, and developed as some other use? Employment growth in the future may be vertical as opposed to the traditional ground related form that required protection of designated land acreage.
8.1.1.3.12.1.(c)	Development shall not exceed a height of seventeen (17) storeys.	What makes 17 storeys the magic number? There are already buildings taller than this, and recent development applications approved at heights taller than this.
8.1.2.1.(a)	To develop area specific plans for each of Burlington's mobility hubs.	Is that work not already underway and nearing completion in 2018, or is this going to be another round of study after the current mobility hub study is completed? What's the timeframe?
8.1.2.1.(l)	To encourage the accommodation of a diverse range of household sizes and incomes in mobility hubs.	How does this apply to the Appleby GO Mobility Hub, where the City is currently showing no residential on its concept plan north of the railway tracks?
8/1/2.(b)	For the Burlington, Aldershot and Appleby Mobility Hubs...	Is 1200 King Road included in the Mobility Hub or not? It appears to be, yet City staff have told us no development is possible on the west half of our property. We strongly object to their position.

8.1.3.3.3.(b)	On the lands designated "Mixed Use Commercial Centre" on the east side of Appleby Line, south of Highway 407, and identified as 3215 Appleby Line and 3270 Harrison Crescent, the following additional policies apply...	This section goes on to discuss permitted uses, prohibited uses, and square footage caps. Why is this included in the Official Plan, when these are Zoning By-Law level details? Why is the City prohibiting residential uses, supermarkets/grocery stores, department stores, warehouse clubs, and retailing of non-work related apparel within this Mixed Use Commercial Centre? This policy should be deleted.
8.1.3.4.2.(e)	The City will encourage a minimum building height of two (2) storeys and the maximum building height shall be six (6) storeys.	Development in Urban Corridor areas shall be designed to incorporate a compatible and intense mix of retail, office, employment and residential uses, and amenities and public service facilities. Placing an arbitrary cap of 6 storeys (or 11 storeys as in 8.1.3.4.2.(f)) limits the potential for this "intense mix" of uses.
8.1.3.7.2.(f)	A minimum of thirty (30) percent of residential units contained within a development in Urban Corridor lands located within mobility hubs shall consist of units with two bedrooms or more.	Understand that with more bedrooms and floor space comes higher sale prices, which may reduce the number of the more "affordable" units. To some degree the market should dictate, not an arbitrary number in an Official Plan.
8.1.3.7.2.(h)	The minimum building height shall be two (2) storeys and the maximum building height shall not exceed six (6) storeys.	Why cap building height at 6 storeys along Urban Corridors? If circumstances allow, additional height should be permitted, even beyond the 11 storey's noted in 8.1.3.7.2.(i).(i). The more flexibility the better, subject of course to appropriate checks and balances.
8.1.3.7.3.(b)	Site specific policies for 4415 Fairview Street	As stated, this property is within the Appleby GO Mobility Hub, therefore why does this Plan prohibit residential uses and supermarket/grocery store uses? Why is it generally recognized for lower intensity retail development? Why are individual retail uses capped at a maximum of 3000sq.m? This is all contradictory to the strategy behind Mobility Hubs, and represents the old way of thinking. The preferred concept plan also shows a proposed park on this property, which we strongly disagree with.
8.1.3.8.3.(a)	Site specific policies for 1200 King Road	It is well known that Aldershot needs a new grocery store, why would the City prohibit a grocery store on this large undeveloped property, a portion of which is within the Mobility Hub where significant residential and mixed use development is planned? The City's construction of the South Service Road would create an ideal scenario for a supermarket in connection with the greater development of this property as a whole. And why prohibit a large building supply store?

8.2.1.(a)	It is the general intent of this Plan that this supply shall not be reduced through re-designation of employment lands to permit non-employment uses.	So even though the City's Land Needs Study demonstrated a surplus of employment land, and even though the comprehensive review process allows for re-designation requests, the City has already put it's foot down and closed the door on any opportunity for re-designation, even in cases where there would undeniably be positive outcomes for the City?
8.2.3.3.(d).(iv)	Re. 1200 King Road and a condition on the permitted sports arena/stadium. "The proposed east-west service road extending from Waterdown Road to King Road has received all applicable approvals to permit its construction."	We have made the draft plan application and this now sits with City of Burlington. If Burlington fails to grant the approval for this road, why should the landowner lose the right for this sports arena/stadium? This policy should be deleted.
8.4.1.1.(j)	To provide opportunities for non-intensive recreation uses within the City's Natural Heritage System, where appropriate.	The City's Natural Heritage System includes privately owned lands. This policy may inadvertently encourage illegal trespassing.
8.7.1.1.(b)	To restrict new accessory drive-throughs in specific Mixed Use Intensification Areas which are intended to accommodate higher intensity developments...	While we acknowledge you've replaced the word "prohibit" with "restrict", it essentially expresses the same intent. Why place such a restriction on drive-thrus? Burlington is and will remain for a very long time car-dependent, therefore there is still substantial demand for the convenience that drive-thrus offer.
9.1.1.(a)	To maintain the open, rural landscape character of the Rural Area, with agriculture and natural heritage as compatible and complementary uses.	Agriculture should not be considered "compatible" or "complementary" in the rural area, it should be considered the primary use, with everything else being either compatible and/or complementary to agriculture.
9.1.1.(b)	To enable the agricultural industry to adapt and grow.	Hard to do when the NHS regulations continually override agriculture, and the setbacks and buffers keep encroaching further and further into agricultural land, and the mere presence of certain birds or salamanders makes farming no longer possible on Prime Agricultural Land. While we know municipal and regional planners disagree completely with the farm operators, the NHS policies at all levels are strangling agricultural operations and making agriculture more and more difficult.
9.2.3.(ii)	Subject to the other policies of this Plan, the applicable policies of the Greenbelt Plan and Niagara Escarpment Plan, the following uses may be permitted within the Agricultural Area designation: (ii) Normal farm practices	Should that not state normal farm practices SHALL or WILL be permitted within the Agricultural Area designation? This policy is evidence whereby in reality, agriculture is not given the priority it deserves to exist and continue in the Rural Area.

9.2.4.(b)	The Prime Agricultural Areas... include lands in the City's Agricultural Area and Natural Heritage System designations. Together these lands support and advance the goal to maintain a permanently secure economically viable agricultural industry...	Due to the enforcement of policies such as this whereby Natural Heritage regulations take precedent over agricultural policies, we have 40 acres of designated Prime Agricultural land that we can no longer farm without threat of fines and/or imprisonment. Agriculture must be given priority over natural heritage system on Prime Agricultural Areas.
9.3.1.(n)	To provide opportunities for outdoor non-intensive recreation uses within the City's Natural Heritage System, where appropriate.	The unfortunate and unintended consequence of this policy is that it encourages illegal trespassing onto private property and farmland, where people feel they can do whatever they want, go wherever they want, and damage whatever they want, all on property that they do not own. Rural property owner rights are infringed upon every day because of policies like this one.
9.3.2.(c)	The following uses may be permitted within the City's Natural Heritage System subject to other policies of this plan and to the applicable policies of The Greenbelt Plan and The Niagara Escarpment Plan: (i) existing agricultural operations	Object to the word "may" be permitted. If the agricultural operation is existing, it "shall" or "will" be permitted as of right. Let's not forget that most of the rural area farm land has been farmed for the past century, well before the government started introducing restrictive policies and designation labels.
9.5.3.(b)	Maximum dwelling sizes may be determined by the City and the Region of Halton, based on hydrogeological concerns, visual impact and compatibility with adjacent land uses and community character.	This is somewhat unfair to the purchaser of a rural settlement area lot, who may have purchased the lot with a particular home design in mind, only to find out after the fact that the City of Burlington may restrict the size of the house because of "other factors". How does a purchaser do their due diligence in this case, for something that may or may not be an issue, without spending tens of thousands of dollars on studies and drawings BEFORE buying the lot?
10.3	North Aldershot - General	Should there not be site specific policies for Eagle Heights that respect the OMB and development approvals already in place? In general, and rather than listing them point by point, we object to any policies within this Official Plan that may contradict what was previously approved by the OMB.
10.4	North Aldershot - Land Use Designations - Residential Areas	Do these policies apply to Eagle Heights? If so, we have concerns as these are not necessarily consistent with the plans for this subdivision. Further review required by City to ensure existing approvals are respected.

10.5	Sub-Area Policies	The policies break out the various development pods in Eagle Heights into "Sub-Areas", and dictate the maximum number of residential units permitted in each. We have an active application that exceeds these maximum number of units. These numbers warrant further review and discussion given the pending OMB Hearing. There are also policies regarding "Building Envelope Control" that should be deleted, given that this additional requirement was not identified in the OMB Decision. This goes back to my earlier comment, should there not be site specific policies for Eagle Heights that respect existing approvals and the current application?
10.5.1.1.(i)	The degraded valley feature between Sub-Areas 1 and 6 should be rehabilitated.	What does this mean? By whom? Is that valley not already in a natural state?
10.5.1.2.(h)	The existing drainage feature east of Woodview School shall be preserved and the natural vegetation pattern restored.	What does this mean? This area is farmed, and the "natural vegetation pattern" has never been altered. What needs to be restored? We disagree with the need for this statement.
10.7.2	Site Plan Control	We do not agree with the additional requirement for Site Plan Control for the lots in Eagle Heights.
11.2.1.(l).(v)	The City will employ appropriate tools and techniques that are consistent with the intended consultation and engagement goals of a given land use planning matter. Where the goal of the engagement is to: (v) Empower: the City will place final decision making power in the hands of the public, through utilizing tools and techniques suitable for empowering the public including, but not limited to, citizen juries, ballots, and Council delegated decisions.	Very misleading policy. This gives the impression that land use planning matters will be voted on by the public, which is not the case.
11.3.1.(a).(xi)	...where a development application is deemed to have a potentially significant impact, the City may require an expanded public consultation process, including additional neighbourhood meetings.	What does this do to application processing timeframes? The Planning Act still requires municipalities to make a decision within 180 days from the date an application is deemed complete.

12.1.3.(2).(d)	Where an area-specific plan has not been identified by the City's work plan and is required by policy and triggered by a private development application, the City may at its sole discretion require that the applicant fund the background studies to support the development of the area specific plan.	This is an unfair policy, and suggests that the City would be better off to not prepare any such plans when they can instead sit back and do nothing, and just wait for private developers to do this work for them. If the City wants an Area Specific Plan, do an Area Specific Plan. Don't pawn this responsibility and cost onto a developer and make them pay for it. This adds significant time and expense, and certainly does not meet your goal of making development and investment in Burlington desirable. Is the City reimbursing all costs for work done on their behalf?
12.1.3.(3)	Support studies will be required as part of the area-specific planning process, and will be completed to the satisfaction of the City...	This policy goes on to list 17 different studies which, if policy 12.1.3.(2).(d) is enforced, means the private landowner that wants to develop a specific property now has to spend hundreds of thousands of dollars studying the broader area in connection with this Area-Specific Plan which should have already been completed by the City? How is this reasonable? Is the City reimbursing all costs for work done on their behalf?
12.1.12.4.1.(c)	Severance of surplus farm dwelling policies	Do not agree with the requirement that the surplus farm dwelling be built and occupied since December 16, 2004. The age of the house has no bearing on whether or not it is deemed surplus at the time of the property transaction. Similarly we do not agree that the lot retained for agricultural use be a minimum of 30ha in size. The size of the property has no bearing on whether or not the home is deemed surplus at the time of the property transaction.
12.1.16.2.(a)	Parkland dedication from residential development shall be required as a condition of development. The amount of land shall be determined on the following basis:	You deleted the reference to the cash-in-lieu option. This should be put back in. Since most residential development will be limited to midrise and highrise built form on smaller existing parcels of land, the availability of land to be dedicated may not always be feasible, hence the need for the cash-in-lieu option.
12.1.16.2.(d)	The payment of money equal to the value of the land otherwise required to be conveyed for parks may be required at the discretion of the City.	Perhaps this is the cash-in-lieu option, however there is no indication of how that value will be calculated.

Definition of "Right to Farm"	The right of a farmer to lawfully pursue agriculture in areas where agriculture is permitted by this Plan.	Sounds great in theory, but other agencies are enforcing this differently. As previously mentioned, we have over 40 acres of designated Prime Agricultural Area in rural Burlington that had been farmed for nearly a century that we cannot farm anymore without facing threats of fines and/or imprisonment, all because of conflicting NHS policies and the potential that a salamander could walk across the field twice a year. There are major conflicts between NHS and Agriculture that have been expressed many times to all levels of government, yet the government has done nothing to assist.
Schedule A	City System	c) Green System is not shown accurately on Bronte Creek Meadows or 1200 King Road. e) Properties fronting Dundas Street at 3075, 3095 and 3151 Dundas Street are incorrectly shown as "Green System". Should simply be shown as Rural Area.
Schedule A-1	Provincial Land Use Plans and Designations	Bronte Creek Meadows, 1200 King Road and the Alton commercial plaza are incorrectly shown as "Greenfield" and outside of the built boundary. These properties are urban properties within the built boundary.
Schedule B	Urban Structure	Bronte Creek Meadows and 1200 King Road - The NHS designation covers way too much area, and does not accurately reflect what's actually on the property. The plan incorrectly identifies all the lands on the north side of Harrison Crescent as "Areas of Employment", even though we have commercial permissions.
Schedule B-1	Growth Framework	a) Bronte Creek Meadows is incorrectly shown outside of the built boundary, has far too much NHS shown, and is shown not subject to Intensification Framework, which makes no sense given that it is one of very few properties that has potential to help the City meet its intensification targets and bring significant income to the City, if planned properly. b) 1200 King Road is incorrectly shown outside of the built boundary, has far too much NHS shown, and is shown not subject to Intensification Framework, which makes no sense especially since part of this property is within the planned Mobility Hub area. c) Alton commercial plaza is incorrectly shown outside of the built boundary.

Schedule B-2	Growth Framework and Frequent Transit Network	Bronte Creek Meadows is not shown as an Employment Growth area, is not shown having Justified Frequent Transit Network access, and is not shown having even Candidate Frequent Transit Network access, supporting our position that this property is not desirable for employment uses, as evidenced by years of marketing it for such use, unsuccessfully. It's time to consider other uses on this property.
Schedule C	Land Use - Urban Area	Way too much NHS shown on the mapping for Bronte Creek Meadows and 1200 King Road, not reflective of actual conditions.
Schedule G	Aldershot Mobility Hub	Should include all of the 1200 King Road property, not just the western portion. This property offers a great opportunity to do something special. Why limit that potential? Also, why are City staff telling us that this property is no longer included in the Mobility Hub?
Schedule H	Appleby Mobility Hub	Consideration should be given to including 4450 Paletta Court as part of the Mobility Hub as well, given that it is under the same ownership of neighbouring land at 4480 Paletta Court that is included in the Mobility Hub.
Schedule I-3	Land Use - Mount Nemo Settlement Area	The NHS mapping for the residential lots on the east side of Escarpment Drive is inaccurate, as it shows far too much NHS. Also worth noting are the areas behind that section of NHS identified as "Agricultural Area", as these are the areas referred to earlier that we are not allowed to actually farm. There are also agricultural areas not shown correctly in this vicinity, which have instead been shown as NHS.
Schedule J	Agricultural System - Rural Area	As identified above, there are agricultural lands in the vicinity of The Bluffs that are incorrectly shown as NHS, and areas of Prime Agricultural Land that we are unable to farm due to competing NHS policies. How was the Key Natural Heritage Features mapping determined? It appears to have been done at a very high level, and therefore we question its accuracy.
Schedule K	Land Use - North Aldershot	How was the mapping in and around Eagle Heights determined? Does this accurately reflect the existing OMB approval and future development plans? It's difficult to tell how accurate this mapping is given the scale, but it appears that there are errors.

Schedules L-1 to L-10	North Aldershot, Central Sector, Sub-Areas	These maps do not appear to respect or reflect existing development approvals in place, nor the current application which is before the OMB.
Schedule M	Natural Heritage System	As stated previously, the NHS mapping on Bronte Creek Meadows, 1200 King Road and at The Bluffs is incorrect.
Schedule Q	Trails Strategy	It's interesting that 6 different Future Trail Connections are shown at Bronte Creek Meadows, a block of land that the City will not allow to be developed with anything but employment uses, in an area not desirable for employment uses, with no transit to speak of, in a part of the City that is really only accessible by car.

General Notes:

- 1) Why have the policies on Mid-Rise Buildings and Tall Buildings been deleted from Chapter 7?
- 2) Is Burlington using the correct population growth numbers? Hamilton's population is expected to grow by nearly 300,000 people by 2041 if I'm not mistaken, whereas Burlington states their population will only grow by 20,000 people within that same timeframe. Or is that 20,000 residential units? Something seems off. Please clarify.
- 3) We question the maximum building height policies throughout this Plan, even if not specifically identified above. After all the time and effort bringing in Brent Toderian, and listening to his message about building design being more important than building height, this Plan still places height restrictions that serve to limit development potential. How is that consistent with the Grow Bold message?

From: Roger Goulet [REDACTED]
Sent: Monday, November 27, 2017 3:00 PM
To: Smith, Andrea; Campbell, Don; Mailbox, OPReview
Cc: [REDACTED], Sarah Harmer; Vanessa Warren; Ken Woodruff; Gloria Reid
Subject: PERL Submission on Burlington 2017 Official Plan 2nd Draft

PERL - Protecting Escarpment Rural Land

The following is PERL's additional submission on the Burlington Official Plan second draft. Please accept our submission, and incorporate the changes that we are respectfully suggesting.

We thank you for providing a "tracked change" version of the Official Plan. It is very useful to see the changes made to the plan, without having to re-read the Plan over again.

However, not showing or noting where items / policies have been moved to is a problem. It requires the reader to scan the whole Plan looking for moved items.

Not noting moved paragraphs / segments is frustrating and discouraging.

Schedule A-1 of Niagara Escarpment Plan area and designations is out of date. In 2017 the NEPDA map was updated by the Province. The municipality is required to conform to higher tier plans. Burlington should use the updated map, which shows the Grindstone Creek Headwaters Complex PSW.

Schedule K of North Aldershot needs to be updated to reflect the changes in natural heritage designations, features and functions under Provincial Policies, the Greenbelt Plan, and reflect the Cootes-to-Escarpment EcoPark System agreements and future intentions. Of special concern are the land use designations in and around the King Road Jefferson Salamander breeding habitats. Ontario Species-at-Risk regulations must be conformed with.

SARA - Species-at-Risk Act is not referenced in any of the natural heritage Official Plan draft policies, that I could find. Why not? With more and more species under threat or endangered due to human activity, development, and climate change, it is all of our responsibility to take decisive actions to protect the species at risk.

Draft OP **4.10.2.2** Mineral Aggregate. The Niagara Escarpment Plan Development Act does NOT allow mineral extraction in the Escarpment Rural designation areas. Mineral extraction may be allowed in Escarpment Rural only upon Plan amendment approval. The language in the Official Plan is misleading, possibly wrong. Refer to NEC policy language.

Draft OP **9.2.3 a) (xiii)** Agriculture Permitted uses. Why is "non intensive recreation uses such as nature viewing and pedestrian trail activities, **only** if lands are publicly owned or part of the Bruce Trail".

This activity currently goes on on private lands. Why make this illegal?

I suggest that you replace "only" with "**encourage** use on publicly owned or part of Bruce Trail".

Draft OP **9.1.2 n)** Special Events on Agricultural Lands.

Thank you for making changes as requested; however, not all community or environmental groups are "registered charities", some are incorporated.

Our request is that this policy applies to registered charitable organization, and to incorporated community or environmental organizations. We can accept the criteria (iii) to (viii).

Thank you for the opportunity to provide our input into the Official Plan processes.

If you have questions, contact me,
Roger Goulet
PERL Executive Director

Begin forwarded message:

From: Roger Goulet <[REDACTED]>
Date: July 14, 2017 at 1:39:27 PM EDT
To: Andrea Smith <Andrea.Smith@burlington.ca>, don.campbell@burlington.ca
Cc: John Taylor <John.Taylor@burlington.ca>, Blair.Lancaster@burlington.ca
Subject: PERL Submission on Burlington 2017 Official Plan

Reference: City of Burlington 2017 Official Plan Comment Submission
Submitted July 14, 2017

PERL - Protecting Escarpment Rural Land

PERL is a non profit citizens advocacy group dedicated to promoting ecological, social and economic sustainability especially as it relates to North Burlington.
PERL is fostering a new vision for the future of the social, economic and fragile ecology of this area in keeping with the principles of sustainability.

Please accept PERL's comments below.

PERL supports many parts of the draft Official Plan; however there are changes we respectfully request be made.

Most of our comments pertain to Burlington's rural area.

We await issuance of a revised 2017 Official Plan.

In the past, PERL has reviewed and commented on Municipal strategic and planning documents, delegated on a number of issues, and participated on working groups and Official Plan appeals.

When the new Bylaws stemming from the 2017 Official Plan are drafted, we would like to review them. We ask that any changes to existing Bylaws or new Bylaws be highlighted.

If you have any questions contact me.

Roger Goulet
PERL Executive Director
https://www.facebook.com/PerlBurlington/?ref=page_internal

BURLINGTON OFFICIAL PLAN 2017 - Comments on Draft OP

3.5.2.1 Cultural Heritage Resources...

> Does this OP policy include the possibility of reviving the 'Rural Cultural Landscape Conservation Designation' for the Mount Nemo Plateau?

If not, why not?

Appendix G 'Cultural Heritage Landscape Study Area' map encompasses the Mount Nemo Plateau and slopes.

Since the Province did not accept the NEC *Escarpment Protection* designations for much of the Mount Nemo Plateau, the City needs to **strengthen its rural protective policies** for this unique Plateau.

4.2 Natural Heritage System:

Schedule N map

> Why are the agricultural lands on the Mount Nemo Plateau not identified as 'prime agricultural lands'?

Schedule K map shows that most of these agricultural lands as "prime agricultural area".

Schedule K should be the designation.

Schedule A-1 map - Provincial Land Use Plans and Designations

> The map does not show the MNRF 2010 designation, and recent NEP 'escarpment natural' designation which is the *Grindstone Creek Headwaters Wetland Complex Provincially Significant Wetlands* (PSW); nor the MNRF designation areas for the Jefferson Salamander habitats on and adjacent to the Nelson Aggregate lands, which was determinative in the Joint Board's application 'denial' decision of October 2012.

4.2.2 General Policies...

4.2.2 Paragraph F "The boundaries of the City's Natural Heritage System, and of Key Natural Heritage Features, and other components within it, may be refined, with additions, deletions and/or boundary adjustments..."

> Recommend adding, "and other components and **species-at-risk** within it..."

4.2.2 Paragraph J "...Major changes to the boundaries of the City's Natural Heritage System ..."

> The NEP and Greenbelt NHS designations and re-designations are under separate authority

4.2.2 Paragraph J "Major changes...or removal or addition of Key Natural Features on Schedule N..., shall require an amendment to this Plan.

> This Policy should also require public meeting(s).

4.2.2 Paragraph K "...the review of a development application, it is found that there are natural heritage feature(s) or function that have not been adequately identified or evaluated, or new information has become available, the applicant shall be required to have an Environmental Impact Assessment prepared..."

> This Policy should add **{or potential for species-at-risk}**. This became determinative in the denial of the Nelson Aggregate new quarry application on Mount Nemo. The applicant, Nelson Aggregate, did not identify the presence of endangered Jefferson Salamanders and their habitats.

Paragraph M (i) "...prohibited development and site alteration within:

a. b. c. d.

> This Policy should add **e. {significant woodlands designated within the Halton Natural Heritage System}**.

4.2.3 Greenbelt Natural Heritage System...

4.2.3 Paragraph d) "The boundaries of Key Natural Features within the Greenbelt...or similar studies accepted by the City and the Region"

> Changes to the Greenbelt NHS boundaries...add = **must be approved by the Province.**

4.2.3 Paragraph h) "The proponent of any development or site alteration...shall be required to carry out an Environmental Impact Assessment"

> Should add...**must comply with Greenbelt development policies**

> Should add...**the Environmental Impact Assessment must be approved by the City, Region and where appropriate Conservation Authority**

Refer to 4.2.4 a)

4.2.4 Paragraph f) "Through the Environmental Impact Assessment, the boundaries...complete development application"

> Add..."corroborated by Regional staff and Conservation Halton and Provincial Ministries where appropriate **and the Niagara Escarpment Commission where appropriate"**

4.4.2.1 e) Water Management..."All sub-watershed studies shall be completed...Sub-watershed studies include, but are not limited to:

(i) a general inventory of existing geology, hydrology, hydrogeology, limnology, fish habitats and other environmental data;"

> Should add...**endangered and threatened species**

4.10 Mineral Aggregate Resources...

4.10.2.2 j) (i)..."the City shall not permit new Mineral Resource Extraction Areas or expansion...

(i) The Niagara Escarpment Plan Area, except the Escarpment Rural Area"

> Need to clarify that the NEP does not permit / allow mineral extraction in any part of the NEP, except through NEP amendment within the Escarpment Rural designated area. The wording in (i) implies that mineral extraction is allowed in NEP Escarpment Rural areas. Not so.

PERL was a contributor to the creation of the Cornerstone Standards, along with other environmental organizations and a few aggregate industry companies.

The Cornerstone Standards, for socially and environmentally responsible aggregate operations, go well beyond most Municipal Official Plan policies / guidelines, and Provincial Aggregate Resources Act regulations and standards.

PERL supports stronger environmental, health and safety requirements and policies, which reduce the negative impacts from mineral extraction operations on people, communities and the environment.

One of the desired outcomes of the Cornerstone Standard is for Municipalities and developers to specify that suppliers of mineral aggregates be certified under the Cornerstone Standards, à la FSC.

A few aggregate quarries have been certified under the Cornerstone Standards for aggregate operations. Certification is for an individual quarry, not their corporate entity.

<http://www.cornerstonestandards.ca/>

8.4.2.3 Site-Specific Policies...

Paragraphs a) (i) (ii)

> The "Major Parks and Open Space" designation reference to (Wellness House) needs to be updated, since Wellness House is not located within the delineated private or public open space. According to Schedule C Land Use - Urban Area, Wellness House is within 'Urban Centres'. There should not be a public health care building within the private open space owned by The Villages of Brantwell.

9.1 Rural Community...

PERL supports the Rural Community policies.

9.2 The Agricultural System...

Paragraph 9.2.3 a) Permitted Uses (xiii) "Non intensive recreation uses such as nature viewing and pedestrian trail activities, only if the lands are publicly owned or are part of the Bruce Trail"

> The policy should not prevent nature viewing and pedestrian trail activities **on private lands, assuming owner permission**. This is the current practice in parts of the rural area. The City should not discourage public enjoyment of our rural areas.

Paragraph 9.2.3 b) The Agricultural System (i) Special Events on commercial farms..."the events are directly related to the farm operation, to an agricultural related use or to an on farm diversified use..."

Paragraph 9.3.2 e) "On a commercial farm located **outside** the Escarpment Natural Area and Key Natural Features,..."

Also..."the events have been approved by the City through an amendment to the zoning bylaw, a temporary use bylaw, or a permit issued by the City..."

> We do not agree with this policy. A private landowner having a farm property should be able to host 'special events' unrelated to their farm operations.

PERL sponsored a number of fundraising concerts in the rural area, on private land. Without the funds generated, we would not have been able to hire the experts that identified the Grindstone Headwaters Wetland Complex PSW, which set the stage for the identification of the Jefferson Salamander habitat in and around the Nelson Aggregate proposed quarry, nor be a Party at the Nelson Aggregate Joint Board Hearings.

Furthermore, RBGC sponsored a comedy event to raise money to help fight the unjust SLAPP suit brought by the Burlington Airpark.

NGOs like PERL and RBGC make a valuable contribution towards environmental and social advocacy. The City should not prevent NGOs' ability to use special events for fundraising in support of our mission, which primarily advocates for the protection of our rural natural heritage and agricultural lands.

> The City should not require an amendment to the zoning bylaw, or a temporary use bylaw for special events. Bylaws take too much time and resources, effectively preventing Special Events. The current "permit" process is more than adequate, since it requires approvals by the City, the Region, and the Niagara Escarpment Commission if within the NEP. A bylaw amendment is not necessary.

Other elements of the Special Events policies (ii), (iii), (iv), (v) are acceptable, since they are already part of the current requirements for a permit.

9.5 Rural Settlement

9.5.2 General Policies

9.5.2 f) "Major rock cutting and blasting for road construction within Rural Settlement Areas *shall* not be permitted. The regrading of the existing land for road construction *shall* be discouraged."

> Should **require application for City 'site alteration permit'**

Sent from my iPad



GROW BOLD

2015-2040

Nov 20/17



Proposed New Official Plan for the City of Burlington

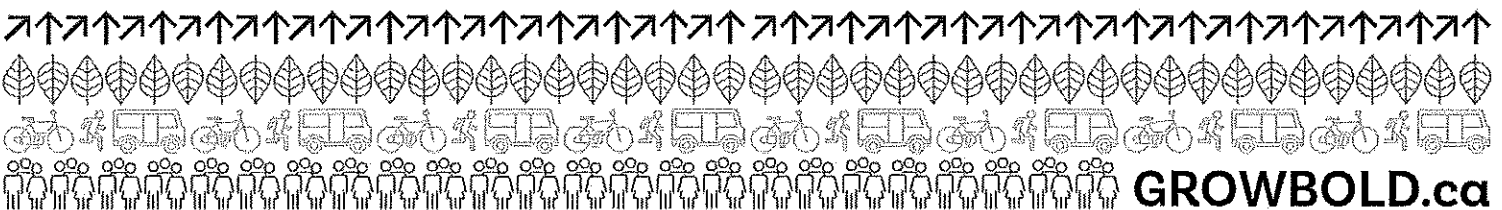
Please forward your comments on the proposed new Official Plan to the attention of Leah Smith, Planning Department, City of Burlington, 426 Brant Street, P.O. Box 5013, Burlington, Ontario, L7R 3Z6, or by email to newop@burlington.ca by **no later than 4:30pm on Monday November 27, 2017**, if you want your comments received by the Planning and Development Committee at the public meeting scheduled for **November 30th, 2017 at 1pm and 6:30 pm.**

From: Name Al Ruggiero TBR / Renton Dets
 Address 4101 Steeles Ave W.
Toronto, ON M3N 1V7
 E-mail plan@roses.com
 Phone 416-788-2453

We own lands currently designated Mixed Use Employment and Mid-High Density residential. These lands are adjacent to a Hydro corridor along an old CNR spur.

The new OP proposes to redesignate these lands to Infrastructure + Transportation corridor. Not very appetizing from our position as it basically freezes the site for dev.

Obviously we are not satisfied and will object to the OMB.



From: Ruiter [REDACTED]
Sent: Tuesday, November 21, 2017 2:20 PM
To: Mailbox, OPReview
Cc: Elizabeth Ruiter
Subject: Burlington Draft Official Plan Comments

Please find below our comments to the official plan.

We request the Neighbourhood Centre designation be defined with a maximum of 3 stories.

This revised designation will make it easier for developers to change the look and feel of neighbourhoods that are less populated (e.g., low-density residential) with current low rise buildings (3 storeys and under) to be able to change to a mid-rise building. This will put pressure on existing infrastructure with the increase in height.

Additionally, most areas designated as 'Neighbourhood Centre' are within residential areas where the typical structure is a 2 storey residence. Having the possibility of 6 stories and even 11 stories, significantly changes the nature of those residential areas. These mid-rise structures should be allowed only in designated 'Mobility Hub' areas.

Increased pressure on infrastructure:

1. More traffic on already busy streets (we continue to see increased traffic flow East and West, especially south of the QEW. Additional development of mid-rise structures will compound this issue)
2. Additional pressure on water and waste lines.
3. Plan closure of schools resulting in more bus traffic in these areas.
4. Stress on amenities due to over-population (e.g. local parks & greenspaces)
5. Height issues; Sunshade due to height (especially in winter, there will be no sunshine in surrounding areas) and View-Blocking (views of the lake currently enjoyed by residents not located directly on the Lakeshore will be blocked)

Regards,

Elizabeth and Jonathan Ruiter
215 Thomas Court
Burlington.

From: Smith, Andrea
Sent: Wednesday, November 08, 2017 3:42 PM
To: Smith, Leah
Subject: FW: City of Toronto - Planning for Children in New Vertical Environments

Leah, please add to the feedback file.

Andrea

From: Sharman, Paul
Sent: Wednesday, November 08, 2017 3:37 PM
To: Jeremy Skinner
Cc: Smith, Andrea
Subject: RE: City of Toronto - Planning for Children in New Vertical Environments

Thank you for this Jeremy,
I have copied Andrea Smith for her to treat your comments as official feedback on the New OP.

I am keen to see staff response
Regards
Paul

Paul Sharman
City & Regional Councillor
Ward 5

Do you receive my monthly news letter by email? If not would you like to? Please send me an email providing your approval for me to add you to my mailing list [Paul Sharman](#).

Contact Information:
Phone: 905-335-7600 (ext. 7591)
Fax: 905-335-7881
Email: [Paul Sharman](#)
Webpage: [Councillor Paul Sharman - City of Burlington](#)

From: Jeremy Skinner [REDACTED]
Sent: Wednesday, November 08, 2017 3:27 PM
To: Sharman, Paul
Subject: City of Toronto - Planning for Children in New Vertical Environments

Paul:

Jennifer Keesmaat, Chief Planner for the City of Toronto, launched an initiative entitled "Planning for Children in New Vertical Environments".

Ref: <https://www1.toronto.ca/wps/portal/contentonly?vgnextoid=35cf62e9d88c0510VgnVCM10000071d60f89RCRD>

The City Planning Website on this topic includes a Draft set of Urban Guidelines in a very readable PDF document.

Ref: https://www1.toronto.ca/City%20of%20Toronto/City%20Planning/SIPA/Files/pdf/V/Vertical_Communities/Draft%20Growing%20Up%20Guidelines_May_2017.pdf

A quick assessment by the Planning Department may permit the City of Burlington to take a position on those elements which would benefit the Grow Bold strategy.

Alignment with the City of Toronto or the ability to differentiate particular policy elements to favour City of Burlington objectives may assist in governing multi-storey development applications in a more timely fashion.

For example:

The city of Toronto proposes that the ideal 2-bedroom size for all elements including: Entrance & Storage; Laundry; Kitchen & Dining; Living Room; Bedrooms; Balcony & Terrace.


They also make recommendations on how residential units can be made adaptable for layout change over time using movable panels.

They suggest that an ideal 2-bedroom is 90m² or 969sf and that an ideal 3-bedroom is 106m² or 1140sf.

Comparison:

Vertical community comprising of 459 units in a 25-storey building with a footprint of 10,780m² vs a low rise community comprising of 450 units with up to 4-storeys with a footprint of 150,700m².

I will see you tonight at your open house meeting at Bateman HS.

Regards -- Jeremy Skinner 

From: Jeremy Skinner [REDACTED]
Sent: Sunday, November 12, 2017 11:00 PM
To: Mailbox, OPReview
Subject: Proposed OP Nov 2017 Chapter 2 Definition Query

Follow Up Flag: Follow up
Flag Status: Flagged

Section 2.3.1 entitled MIXED USE INTENSIFICATION AREAS

What does linear or nodal Mixed Use Intensification Areas mean from the statement:

b) Mixed Use Intensification Areas will occur in either linear or nodal forms at different levels of intensity and will accommodate a wide, or in some cases, a limited, range of uses in accordance with the underlying land use designations.

Please either rewrite the sentence or provide definitions for each of linear forms and nodal forms in the Definitions Chapter.

Regards -- Jeremy Skinner [REDACTED]

From: Jeremy Skinner [REDACTED]
Sent: Sunday, November 12, 2017 7:28 PM
To: Mailbox, OPReview
Cc: Sharman, Paul
Subject: Proposed OP Nov 2017 Chapter 2 Suggestions

Follow Up Flag: Follow up
Flag Status: Flagged

Please consider the following suggestions to the Nov 2017 version of the proposed OP.

Section 2.2.3 Entitled PROVINCIAL PLAN BOUNDARIES AND CONCEPTS

Under Growth Plan for the Greater Golden Horseshoe

Added text in italics

(ii) The Delineated Built Boundary ... The Regional Official Plan *Table 2 Intensification and Density Targets* states that a minimum of 8,300 new housing units must be added within the Delineated Built-up Area between 2015 and 2031

Justification: This reference is for key metrics which has been downloaded into the Burlington OP and therefore the citation warrants more detail as to the source.

Section 2.2.4 Entitled POPULATION AND EMPLOYMENT DISTRIBUTION

Please consider adding a summary statement after the chart indicating that the population is expected to grow by 22,000 representing a 13% increase in population.

Please consider adding a summary statement after the chart indicating that employment is expected to grow by 18,000 representing a 20% increase in employment.

Justification: These metrics will be often quoted by the press and the public. Therefore it is important to manage the message so as to avoid misinformation.

Please be sure to validate that you agree as to the delta numbers and percentages.

Section 2.3.1 Entitled MIXED USE INTENSIFICATION AREAS

Under Urban Centres

Added text in italics

d) The city has two existing Urban Centres: the Downtown Urban Centre *as depicted in Schedule D* and the Uptown Urban Centre *as depicted in Schedule E*. These areas represent established *mixed-use* development areas with both established neighbourhood areas and dynamic evolving growth areas.

Section 2.3.1 Entitled MIXED USE INTENSIFICATION AREAS

Under Mobility Hubs

Added text in italics

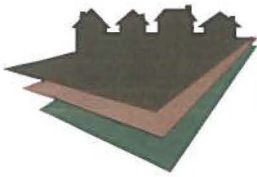
k) In Burlington there are four identified Mobility Hubs. Two of these hubs, Downtown Burlington *as depicted in Schedule D* and the area around Burlington GO *as depicted in Schedule F*, have been identified by Metrolinx, included in the Halton Region Official Plan, and classified as an Anchor Hub and Gateway Hub, respectively. An additional two Mobility Hubs, *both classified as Gateway Hubs*, have been identified by the City in the areas around Aldershot GO *as depicted in Schedule G* and Appleby GO *as depicted in Schedule H*. All four areas are considered major transit station areas. In this Plan, these four hubs are identified collectively as areas that will be subject to further detailed area-specific planning.

Section 2.4.2.(3) Entitled ESTABLISHED NEIGHBOURHOOD AREAS

c) In the Established Neighbourhood Area, land assembly for development applications that are not compatible is discouraged.

Should we not consider adding an exception permitting the assembly of property for neighbourhood lands which face onto Frequent Transit Corridors & Candidate Frequent Transit Corridors as depicted in Schedule B-2 for replacement by strip townhomes?

Regards -- Jeremy Skinner 5023 Cenaber Court, Burlington L7L4Y6 [REDACTED]



November 28, 2017

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

Attention: Leah Smith

Dear Leah,

Re: Burlington Proposed New Official Plan
November 2017

We represent Sundial Homes (Walkers Line) Limited, the owner of the lands within Registered Plan of Subdivision 20M-1193, located at the NW corner of Dundas Street and Walkers Line.

As you may know, we are actively building houses within this Plan of Subdivision, and have additional building permits to obtain in the future.

Can you please confirm that the proposed new Official Plan will have no negative impact on the current Zoning and Official Plan policies that we currently enjoy. Can you also please confirm that the lands within our Registered Plan of Subdivision are “grandfathered” from any potential new planning policies.

Yours very truly,
MATSON, McCONNELL LTD.

Christopher S. Matson, B.E.S.

(chris/2017/sundial.walkers line/28nov.burlington)

Encl.

November 28, 2018

City of Burlington's Draft New Official Plan (November 2017)
Feedback Form – Chapter 8 Downtown Urban Centre Pages 9 - 35

Name: Guy Sheppard

Company/Organization: Sustainable Development Committee

Contact Information (address/email): On file with BSDAC

Official Plan Topic Area (Policy Number, Schedule/Appendix Number)	Comment	Suggested Change/Action
General	The City has basically qualified the whole section by "additional objective, policies, etc. may be added subject to the outcome of that <i>area-specific plan process</i> , and incorporated as part of this Plan and/or through a future amendment to this Plan." This makes it extremely difficult to comment on it in certain sections.	
General	The way this document plays around with heights it looks like you will never achieve the objective 8.1.1.3.1 d) To ensure <i>development</i> incorporates effective transitions with adjacent <i>development</i> and surrounding areas. This is going to be a real hodge-podge.	
8.1.1.3.3 Downtown Parks and Promenades Precinct	Three Key Directions missing: <ul style="list-style-type: none">• Identify a new pedestrian promenade be established from Lake Road to St. Luke's Anglican Church.• Identify Elgin Street from Brant to the Ontario Corridor as a potential future extension of the Elgin Promenade.• Recognize the Burlington War Memorial (Canotph) as a permanent public park. How are you going to address these??	
8.1.1.3.4 Downtown	One Key Direction missing:	

<p>Public Service Precinct</p>	<ul style="list-style-type: none"> Identify additional land within Downtown Mobility Hub which may be required to accommodate future public services in anticipation of future population and employment growth – additional areas outside 421 John Street. <p>How are you going to address this?</p>	
<p>8.1.1.3.4 b) Public/private partnerships</p>	<p>How do you intend to carry out the Public-Private Partnerships? Need to spell out more clearly.</p>	
<p>8.1.1.3.4.2 a) 431 John Street</p>	<p>Why was the idea of accommodating future post-secondary education facility dropped from this area? Do not forget residence needs if going to accommodate.</p>	
<p>8.1.1.3.5 The St. Luke's and Emerald Neighbourhood</p>	<p>"Enhanced cycling and pedestrian connections ... Downtown." - Be careful with new and/or enhanced pedestrian and cycling connections as dealing with narrow streets with many not having sidewalks.</p>	
<p>8.1.1.3.6 Bates Precinct</p>		
<p>8.1.1.3.6.2 Bates Precinct Special Planning Area</p>	<p>This should not be allowed. City should not allow greater than 3 storeys in the Bates community. Needs to stick to its guns on planned building heights.</p>	
<p>8.1.1.3.7 Brant Main Street Precinct</p>	<p>Two Key Directions missing:</p> <ul style="list-style-type: none"> Establish a maximum floor plate size for portions of a building above four storeys. Require developments to achieve a minimum of two uses within a building. – May want to set minimum number based on size two uses for 10,000 square feet may not make sense. <p>How are you going to address these?</p>	

8.1.1.3.7.2 Brant Main Street Precinct Special Planning Area	Already modified 17 storeys to 23 storeys. Was it appropriate for building height transition given going to transition to other buildings with maximum heights of 11 storeys in the future?	
8.1.1.3.9 Downtown Tall Residential Precinct		
8.1.1.3.9.1 c)	Maximum height should be spelled out so not buried in a Zoning By-law. Should not exceed 17 stories.	
8.1.1.3.10 Old Lakeshore Road Precinct	Delete “ Modest <i>tall buildings</i> which transition downward for the <i>adjacent</i> Downtown Core Precinct towards the waterfront may be accommodated where such <i>development</i> achieves strategic public and city building objectives, including the provision of public waterfront access and the creation of new uninterrupted view corridors to Lake Ontario.” No building should exceed 6 storeys south of Lakeshore Road.	
8.1.1.3.11 c), d), and e)	See above.	
8.1.1.3.12 Downtown Core Precinct		
8.1.1.3.12.1 b)	May want to minimum number of permitted uses depending on size (area) of retail. Minimum of two for 10,000 sq. ft. may not make sense.	
8.1.1.3.12.1 c)	May want to limit where 17 maximum storeys is allowed. Do not want it throughout the precinct.	
8.1.1.3.13 The Cannery Precinct		
8.1.1.3.13.1 c)	Should not exceed 17 storeys in north west section so will transition nicely into the Brant Main Street Precinct.	
8.1.1.3.14 Upper Brant Precinct	<p>One Key Directions missing:</p> <ul style="list-style-type: none"> • Require developments to achieve a minimum of two uses 	

November 28, 2018

	<p>within a building. – May want to set minimum number based on size two uses for 10,000 square feet may not make sense.</p> <p>How are you going to address this?</p>	
8.1.1.3.13.1 c)	Should not exceed 17 storeys in north west section so will tie in nicely transition into the Brant Main Street Precinct.	
8.1.1.3.15 Downtown Urban Design		
8.1.1.3.15 a)	Also include Old Lakeshore Precinct as an exclusion.	

CHAPTER ONE- INTRODUCTION				
Name/Company/ Organization	OP Section	Stakeholder Comments	Staff Response	SDC Comments
Guy Sheppard, Sustainable Development Committee	1.4	Do not see our proposed Vision anywhere.	Comment noted. Elements of the vision proposed by Sustainable Development Committee can be found in the guiding principles, community vision and throughout the Plan.	OK
Guy Sheppard, Sustainable Development Committee	1.5	Principles: Sustainable Development –do not see economic or social aspects, Diversity and Adaptability – see diversity related to Natural Heritage but nothing else. Adaptability is not addressed. Community – see it in bits and pieces but Neighbourhood re. interacting, supporting each other or identifying opportunities. Invigorated Rural Areas – Looks fairly well covered. Interconnectivity – Looks fairly well covered . Accessibility and Equity – Accessibility appears covered. See nothing on Equity. Health and Vitality – Looks fairly well covered.	Policy modified. Economic aspects addressed in 1.5.1 a) c) f) g) h) i), Social aspects addressed in 1.5.1 a) e) g), 1.5.3 f), 1.5.4 a) b) c). 1.5.1 e) to modified to reflect social aspects. "Diverse" "Adaptable" now reflected in 1.5.1 a) and "Equitable" in 1.5.3 f).	Thank-you.
Guy Sheppard, Sustainable Development Committee	1.5.1 b)	North Aldershot – why a distinct role? Shouldn't that eventually either be urban or rural?	Policy maintained. The next Regional Official Plan Amendment will update the land use vision for North Aldershot.	OK
Guy Sheppard, Sustainable Development Committee	1.5.1 g)	Provides for the efficient, effective, and financially responsible...	Policy modified.	OK
Guy Sheppard, Sustainable Development Committee	1.5.2	The language is vague, referencing only active and sustainable transportation choices. Provide greater detail on how land use aligns to multi-modal transportation	Policy modified.	OK
Guy Sheppard, Sustainable Development Committee	1.5.3 f)	Promotes health, safety and social well-being ... health care facilities, recreation facilities, parks ...	Policy modified.	OK
Guy Sheppard, Sustainable Development Committee	1.5.4 d)	Proposed new item d): "supports and encourages the community to identify opportunities to build active creative neighbourhoods	Policy maintained. 1.5.4 a) b) and c) enable this direction.	Sorry don't see it.

CHAPTER ONE- INTRODUCTION				
Name/Company/ Organization	OP Section	Stakeholder Comments	Staff Response	SDC Comments
Guy Sheppard, Sustainable Development Committee	Introduction	City is evolving into a “complete city” or “complete City”, but definition is only provided for a “complete community”. Suggest harmonizing the language, e.g. “a city of complete communities”, using only “a complete community”	Policy modified.	OK
Guy Sheppard, Sustainable Development Committee	Introduction	Economic and social aspects of sustainable development are not well introduced, particularly with respect to create neighborhoods. Maybe Complete Community definition covers daily needs. Nothing addresses the social side.	Policy modified.	Where was this covered?
Guy Sheppard, Sustainable Development Committee	Introduction	Adaptability and climate resilience are not addressed.	Policy modified. These themes are also being considered as part of the Regional Official Plan Review. Updates to the City's Official Plan will be required in the future to expand upon these themes.	OK

CHAPTER TWO - SUSTAINABLE GROWTH				
Name/Company/ Organization	OP Section	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	2.1 general	Do not see enough reference to people or connectivity.	Policy modified.	See connectivity but not reference to people.
Guy Sheppard, Sustainable Development Committee	2.1 general	Suggest deleting Paragraph 6, "A new sense of shared purpose ..." does not contribute to the overall message of the section.	Policy modified by deletion.	Good
Guy Sheppard, Sustainable Development Committee	2.1 general	Paragraphs 7, 8 & 9 are confusing with respect to "city building" and key messages. Specific wording recommended in comments.	Policy modified.	Good
Guy Sheppard, Sustainable Development Committee	2.2.1 d)	Last sentence, "Limited growth will be directed ..." is redundant	Policy modified.	OK
Guy Sheppard, Sustainable Development Committee	2.2.1 e)	Specific edits for clarity recommended in comments	Policy maintained. Only minimal modifications to the existing North Aldershot policies were undertaken through the development of the Official Plan. The Regional Official Plan Review will consider this area and modifications may be required to the City's Official Plan in the future.	Understand
Guy Sheppard, Sustainable Development Committee	2.2.3 d) ii)	Could the yearly number be included, as in 519 units per year from 2015 to 2031? This may help some with a better perspective on growth.	Policy maintained. While that figure (519) represents the average annual number of units that would be required over the time period this target is established in the Regional Official Plan and the achievement of the policy is not measured on an annual basis, rather from the year 2015 to 2031.	Understand
Guy Sheppard, Sustainable Development Committee	2.2.3 e)	Land use in this area in North Aldershot is significantly influenced by the large land-areas owned and controlled by RBG, and by the planned Cootes to Escarpment Park.	Policy maintained. The next Regional Official Plan Amendment will update the land use vision for North Aldershot.	Understand
Guy Sheppard, Sustainable Development Committee	2.2.4	Could a percentage increase per year be included to help readers gain a better perspective on growth? This would show growth of less than 1% per year over 25 years.	Policy maintained. This is an item that is outside of the scope of the Official Plan.	Understand

CHAPTER TWO - SUSTAINABLE GROWTH				
Name/Company/Organization	OP Section	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	2.3.1 j)	Since City is indicating it will designate a new Walkers/Cumberland GO station as a mobility hub, consider mentioning Appleby/Dundas as potential future mobility hub location once Dundas Street BRT is underway.	Policy maintained. The Walker's Cumberland station is under review by Metrolinx as a potential future GO station, while Appleby/Dundas is not under consideration.	OK
Guy Sheppard, Sustainable Development Committee	2.3.2 c)	Does this mean that every area in the city can be changed by a municipal comprehensive review or is it just employment lands?	Policy modified. Policy 12.1.2.1 outlines the issues that can only be assessed at the time of an Official Plan Review. Since the release of the Draft Official Plan the Province released the revised Growth Plan for the Greater Golden Horseshoe (2017) which redefined the term municipal comprehensive review. A municipal comprehensive review may now only be conducted by an upper or single-tier municipality. Modifications have been made to reflect that change.	OK
Guy Sheppard, Sustainable Development Committee	2.3.4	a) and b) only state what they are. Are these areas to be protected or can they be developed or intensified? This may not be clear to the public.	Policy modified.	OK
Guy Sheppard, Sustainable Development Committee	2.4.1 d)	Language around mobility choices is weak. We need to prioritize & support active transportation/transit not just provide choice. Suggest that language be strengthened to indicate prioritizing active transportation/transit.	Policy modified.	OK
Guy Sheppard, Sustainable Development Committee	2.4.1 e)	e) To limit the introduction of unplanned <i>intensification</i> in established neighbourhood areas". This is objective is vitally important and needs to be supported in any fashion possible as we have lot of this.	Refer to response to comment S.2.27. This was copied from S.2.27. Policy modified to clarify intent. In general the Established Neighbourhood Areas are expected to accommodate only limited intensification. The Growth Framework policies, and specifically the Established Neighbourhood policies discourage intensification have been modified to rely on appropriate processes, policies and criteria to assess potential development, rather than to limit the ability to assess an individual application on its own merit. Please refer to Chapter 2 (2.4).	The final version has removed prohibition of Official Plan amendments in Established Neighbourhoods. Zoning By-law amendments, plans of subdivisions cannot be prohibited. Discouraging land assemblies is not strong enough. Need to tell Council the concept of protected Established Neighbourhoods is not possible. Prepare for a blanket of townhouse with no trees in all low density neighbourhoods. Note changes in Row 34 and 35 in blue below.

CHAPTER TWO - SUSTAINABLE GROWTH				
Name/Company/ Organization	OP Section	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	2.4.2.1 c)	Should we list tools similar to employment lands?	Policy modified - moved. Strategic Investment Area policies are located in the Implementation and Interpretation Chapter of the Plan (12.1.20).	OK
Guy Sheppard, Sustainable Development Committee	2.4.2.1 e) i)	Could not find the Section 2.3 Urban Structure objectives. Do you mean 2.4 Growth Framework Objectives?	Policy modified.	OK
Guy Sheppard, Sustainable Development Committee	2.4.2.2 (b) (i)	What does significantly mean? 5%, 25%, or 100%. This is unclear.	Policy deleted.	OK
Guy Sheppard, Sustainable Development Committee	2.4.2.2 a) i)	Should be Schedule P-1 not B-1.	Policy maintained. The listing of street types in this instance is to provide context for the residential lands included in the Secondary Growth Framework, but the policy relies on Schedule B-1.	OK
Guy Sheppard, Sustainable Development Committee	2.4.2.2 b) (iii)	Add 50 units/ha so do not greatly exceed 25 units/ha as have the capability to go up to 75 units/ha which could lead to over intensification.	Policy deleted.	OK
Guy Sheppard, Sustainable Development Committee	2.4.2.3	Specific edits for established neighbourhoods provided in comments	See response to comment S.2.27. This was copied from S.2.27. Policy modified to clarify intent. In general the Established Neighbourhood Areas are expected to accommodate only limited intensification. The Growth Framework policies, and specifically the Established Neighbourhood policies discourage intensification have been modified to rely on appropriate processes, policies and criteria to assess potential development, rather than to limit the ability to assess an individual application on its own merit. Please refer to Chapter 2 (2.4).	The final version has removed prohibition of Official Plan amendments in Established Neighbourhoods. Zoning By-law amendments, plans of subdivisions cannot be prohibited. Discouraging land assemblies is not strong enough. Need to tell Council the concept of protected Established Neighbourhoods is not possible. Prepare for a blanket of townhouse with no trees in all low density neighbourhoods. Note changes in Row 34 and 35 in blue below.

CHAPTER TWO - SUSTAINABLE GROWTH				
Name/Company/Organization	OP Section	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	2.4.2.3 b)	We like the idea of introducing policies that prohibit privately initiated Official Plan amendments for increased density beyond that permitted through the underlying use designation. Strong language is needed that prevents any Official Plan Amendments beyond existing maximum density.	Refer to response to comment S.2.27. This was copied from S.2.27. Policy modified to clarify intent. Policy modified to clarify intent. In general the Established Neighbourhood Areas are expected to accommodate only limited intensification. The Growth Framework policies, and specifically the Established Neighbourhood policies discourage intensification have been modified to rely on appropriate processes, policies and criteria to assess potential development, rather than to limit the ability to assess an individual application on its own merit. Please refer to Chapter 2 (2.4).	The final version has removed prohibition of Official Plan amendments in Established Neighbourhoods. Zoning By-law amendments, plans of subdivisions cannot be prohibited. Discouraging land assemblies is not strong enough. Need to tell Council the concept of protected Established Neighbourhoods is not possible. Prepare for a blanket of townhouse with no trees in all low density neighbourhoods. Note changes in Row 34 and 35 in blue below.
Guy Sheppard, Sustainable Development Committee	2.4.2.4	Does this go as far as saying the city will go out and recruit business to come to our city? As we have limited experience in implementing incentives, we should learn from other municipalities who have been successful and replicate their practices.	Comment noted. The role of the Official Plan is to ensure there are adequate opportunities provided for a mix of employment and economic activities throughout the City. The City in partnership with BEDC and the Region of Halton can develop additional strategies to facilitate growth of jobs throughout the City, and within the City's Area of Employment.	OK
Guy Sheppard, Sustainable Development Committee	2.4.2.4 c)	Do you really want this? You could be leaving yourself open to investing in whole lot of infrastructure when you do not have the resources? You intend to prioritize everything the same? Should consider Employment Secondary areas.	Policy maintained. The policies are supportive of employment growth within all Employment Growth Areas, however priorities for development may be further refined by identifying certain areas as Strategic Investment Areas. BEDC through its Economic Strategy will develop various programs and initiatives to support employment growth and employment development.	OK
Guy Sheppard, Sustainable Development Committee	2.4.2.4 d) (viii)	Do we not want to use DPS in other areas particularly in recognized growth areas?	Refer to response to comment S.2.39. Copied from S.2.39 Policy modified - moved. Strategic Investment Area policies are located in the Implementation and Interpretation Chapter of the Plan (12.1.20).	OK

CHAPTER TWO - SUSTAINABLE GROWTH				
Name/Company/ Organization	OP Section	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	2.5.2	Not sure if this addresses the concept of building better buildings. It may be covered in Chapter 7.	Comment noted. Yes, Chapter 7 Design Excellence covers this concept.	OK
Guy Sheppard, Sustainable Development Committee	2.5.2 a)	What are you to use for measuring TDM?	Policy modified to clarify that TDM is provided in accordance with subsection 6.2.10.	OK
Guy Sheppard, Sustainable Development Committee	2.5.2 a)	What happened to grading as a compatibility criterion? It made good sense.	Policy maintained. Staff are not aware of a previous grading criterion, however the development criteria require review of stormwater management and grading and drainage plans are a requirement of a complete application (see subsection 12.1.2).	OK
Guy Sheppard, Sustainable Development Committee	2.5.2 a)	Consider the following as potential intensification criteria: Section 4 criteria, Sustainability Building and Development Guidelines, District Energy Evaluation, Carbon Analysis of proposed fuels, and triple bottom line assessment.	The criteria includes all policies in Chapter 7 which includes Sustainable Design and a link to the Sustainable Building and Development Guidelines. The guidelines provide guidance on low carbon buildings and district energy.	Thanks for the explanation.
	2.5.2 b)	The policy does not put a "red light" on development in Established Neighbourhoods.	Not addressed.	??
Guy Sheppard, Sustainable Development Committee	General	The chapter doesn't indicate the importance of reducing energy usage / reducing GHG in the built form. This seems like a significant gap, and a missed opportunity. Integrate messaging about the impact of built form on energy consumption and GHG emissions, and the City's goal of reducing both through better land use planning.	Policy modified. Community vision has been modified.	OK
Guy Sheppard, Sustainable Development Committee	General	Clarify City System as both an interconnected system of land use areas, and a strategic framework. Current language is confusing.	Policy modified.	Suggested wording generally followed.
Guy Sheppard, Sustainable Development Committee	General	Language around prioritizing active transportation/transit should be strengthened.	Section 2.3.1 modified.	OK

RESIDENTIAL NEIGHBOURHOOD AREAS

CHAPTER TWO - SUSTAINABLE GROWTH				
Name/Company/ Organization	OP Section	Stakeholder Comments	Staff Response	SDC Response
	2.3.3 b)	June Draft 2.3.3 b) Residential Neighbourhood Areas are established residential areas, and are not intended to capture a significant portion of the City's growth. Rather, only limited intensification such as infill development and accessory dwelling units. Any development occurring in these areas shall consider the physical qualities and characteristics which are prevalent in the area.	November Final 2.3.4 b) Residential Neighbourhood Areas are established residential areas, and are not intended to capture a significant portion of the city's growth. Rather, only limited intensification such as secondary dwelling units shall be permitted. Any development occurring in these areas shall be compatible and should enhance the physical character of the surrounding area.	

CHAPTER THREE - COMPLETE COMMUNITIES				
Name/Company/Organization	OP Section	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	3.1.1.2 f)	Additional options should be provided, beyond having to meet the CHMC regulations, allowing for conversion to take place. As an example, City of Hamilton policies allows for the proponent to either A) meet (at or above) CHMC vacancy rates, or B) obtain 75% approval from all tenants in the building prior to being able to convert a property to condominium tenure.	Refer to comment S.3.5	Looked at comments in S.3.5. Does not answer our Stakeholder Comment.
Guy Sheppard, Sustainable Development Committee	3.3.2 e)	Provide a timeline for the update the existing Parks, Recreation and Cultural Assets Master Plan for accountability purposes	Policy maintained as this process is outside the scope of the new OP project. Parks and Open Space staff forecast the delivery of a new Parks Master Plan by the end of 2018/early 2019.	OK - Parks Master Plan to be developed end of March 2018/early 2019.

CHAPTER 4 - ENVIRONMENT AND SUSTAINABILITY				
Name/Company/Organization	OP Section	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	4.1 general	Climate Change and Air Quality fifth line, add "effective" after "sustainable".	Policy modified.	OK
Guy Sheppard, Sustainable Development Committee	4.1.2	Address GHG and fuel emissions as part of Climate Change Objectives and Policies.	Policy modified. Preamble and policy updated to refer to greenhouse gas and fuel emissions.	Thanks addressed greenhouse gas and fuel emissions. Why did you change the start of the policies to "The City will-shall-work to improve---"
Guy Sheppard, Sustainable Development Committee	4.1.2 a) (iii)	Or build intensification so existing or planned transit can be used.	Policy maintained. The policy as written achieves this effect.	OK
Guy Sheppard, Sustainable Development Committee	4.1.2 a) (ix)	Could effective on-site non-fossil fuel energy generation not help?	Policy modified. Existing policy 4.1.2 vii) addresses this consideration, and policy 4.1.2 xi) was added to reflect a broader scope of energy considerations.	Do not see this in vii. Deals with water.
Guy Sheppard, Sustainable Development Committee	4.1.2 a) (x)	How will this help?	Policy maintained. This helps by ensuring sensitive land uses (e.g. residential) are not impacted by air quality impacts like dust and odour.	Thanks for explanation.
Guy Sheppard, Sustainable Development Committee	4.1.2 a) (xi) & (xii)	Proposed additions: 1. Control air emissions from manufacturing operations AND encourage energy conservation	1. Policy maintained. Air emissions from manufacturing operations are controlled by the provincial government. 2. Policy modified. policy 4.1.2 xi) was added to reflect a broader scope of energy considerations, such as energy conservation.	OK
Guy Sheppard, Sustainable Development Committee	4.2 general	Why would you ever want to strike a "balance between protection and enhancement of the Natural Heritage System and community growth and development" - Dangerous statement to put in here	Policy modified by removing this sentence.	OK
Guy Sheppard, Sustainable Development Committee	4.2.1 g)	Consider adding "and away from NHS".	Policy maintained. The policies place restrictions on development to maintain and enhance the Natural Heritage System but do not direct all development away from the NHS.	OK

CHAPTER 4 - ENVIRONMENT AND SUSTAINABILITY				
Name/Company/ Organization	OP Section	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	4.2.1 j)	Consider adding "and water quality"	Policy modified. Objective added respecting water quality and quantity.	OK
Guy Sheppard, Sustainable Development Committee	4.2.1 Objectives a) , b) and f)	Change objectives to start "To maintain, enhance and restore"	Policy modified. Objectives a) and b) revised to be consistent with Provincial policy.	OK
Guy Sheppard, Sustainable Development Committee	4.2.2 c) (vi)	Is Hamilton Conservation Authority not involved on west side of Burlington?	Comment noted. Burlington is entirely under the jurisdiction of Conservation Halton.	Thanks for explanation.
Guy Sheppard, Sustainable Development Committee	4.2.2 General Policies, b)	What about Natural Heritage shown on Schedules C and N??	Policy modified.	OK
Guy Sheppard, Sustainable Development Committee	4.2.2 j)	What are Major and Minor Changes? These should be spelt out.	Policy deleted. Please refer to policy 4.2.2 f).	OK
Guy Sheppard, Sustainable Development Committee	4.2.3 h (i)	Fourth Line, Consider adding "and/" before "or".	Policy maintained. The policy conforms with the Greenbelt Plan.	OK
Guy Sheppard, Sustainable Development Committee	4.2.3 k)	(i) "no alternative" – How often does this occur?	Comment noted. This wording is required for conformity with the Greenbelt Plan and the Region's OP.	OK
Guy Sheppard, Sustainable Development Committee	4.2.3 k)	(ii) "Impact ... minimized to the maximum extent possible" – how often does this occur?	Comment noted.	OK
Guy Sheppard, Sustainable Development Committee	4.2.4 a) (i) b.	Should a smaller size than 1000 square metres be used?	Policy maintained. This question could be considered through the Region's OP review.	When will the Region's OP Review take place?

CHAPTER 4 - ENVIRONMENT AND SUSTAINABILITY				
Name/Company/ Organization	OP Section	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	4.3 general	Should we not mention something about a Tree Bylaw?	Council did not approve a city wide by-law. A pilot tree bylaw for the Roseland Character Area is being developed, however it does not require OP policy to be implemented.	Thanks for the explanation.
Guy Sheppard, Sustainable Development Committee	4.3 general	The Urban Forest Management Plan needs to be updated. It is more than five years old.	Comment noted and referred to Roads and Parks Maintenance, the lead department on the Urban Forest Management Plan.	OK
Guy Sheppard, Sustainable Development Committee	4.3.2 Policies d)	What about replacing unhealthy trees with healthy trees?	Policy 4.3.2 d) iii) modified. Trees of varying levels of health are all currently considered in tree replacement requirements.	OK
Guy Sheppard, Sustainable Development Committee	4.3.2 Policies e)	Great idea!!	Comment noted. Thanks.	OK
Guy Sheppard, Sustainable Development Committee	4.4.1.1 c)	What about protection of species like fish etc.?	Policy maintained. This is covered by Natural Heritage System policies which includes wildlife habitat and fish habitat.	Thanks for the explanatioj.
Guy Sheppard, Sustainable Development Committee	4.4.1.2 l)	What about controlling the quantity of water running off building or site?	New objective added.	Thanks for adding.
Guy Sheppard, Sustainable Development Committee	4.4.2	What about a policy to encourage stewardship of watersheds by Local Land Owners?	Policy modified.	What policy was modified?
Guy Sheppard, Sustainable Development Committee	4.4.2.1 a)	Is there not a partnership with Source Water Protection as well?	Source Protection is implemented by the Region of Halton in conjunction with Conservation Halton	OK
Guy Sheppard, Sustainable Development Committee	4.4.2.1 c)	What Schedule is used for Urban Watershed Plans?	Policy modified to reference Schedule C - Land Use Urban Area.	OK

CHAPTER 4 - ENVIRONMENT AND SUSTAINABILITY				
Name/Company/Organization	OP Section	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	4.4.3 p)	Is Source Water Protection Committee not involved here?	Source Protection is implemented by the Region of Halton in conjunction with Conservation Halton. The primary responsibility of the committee is to create the source protection plan, oversee any technical updates and review annual progress reports.	OK
Guy Sheppard, Sustainable Development Committee	4.4.3 q) (i)	Why are we then reconstructing Waterdown Road?	This policy is subject to a "may" test which allows discretion. Therefore it may be applied in some parts of South Aldershot as conditions warrant, but not all parts of South Aldershot (e.g. Waterdown Road).	May? - OK
Guy Sheppard, Sustainable Development Committee	4.5.2.1 c)	Can now drive dune buggies on the beach?	This objective speaks generally to multimodal access to the waterfront. The enabling policies are intended to facilitate a range of transportation options to support connection to waterfront lands.	Still comes across as able to drive on the beach with trucks, cars, or any vehicle you want.
Guy Sheppard, Sustainable Development Committee	4.5.3.2 e)	Is this fair to those who currently own land on the bay and lake and have access to boating?	This policy only applies to development proposals made through the Planning Act and would not impact landowners of single detached dwellings that wish to maintain their current land use and have boating access.	Thanks for the explanation.
Guy Sheppard, Sustainable Development Committee	4.7.2 k)	Good to see	Comment noted. Thanks.	OK
Guy Sheppard, Sustainable Development Committee	4.10.2.2 b)	How much effort is being put into this? Settlement areas are almost on top of some of these deposits.	Comment noted. The City attempted to ensure that development was not permitted adjacent to the North Aldershot Quarry but was unsuccessful.	Thanks for the explanation.
Guy Sheppard, Sustainable Development Committee	General	Modify intro so the description of Sustainable Development matches with the new Sustainable Development Principles and Objectives write-up.	Policy modified. The first paragraph of the introduction includes verbatim wording from the principles and objectives write up. Paragraphs 2 & 4 have been updated to further reflect updated Principles and Objectives write up.	Further discussion needed on first paragraph and definition.

CHAPTER 4 - ENVIRONMENT AND SUSTAINABILITY				
Name/Company/Organization	OP Section	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	General	Consider adding a section to cover the re-development of golf courses as well as ongoing maintenance around Natural Heritage. Also need as North Aldershot still allows Golf Courses although Rural area does not allow.	Comment noted. Policy 8.4.2.2 d) d) specifies that a proposal to re-designate lands within the Major Parks and Open Space designation to permit urban development shall only be considered in conjunction with a municipal comprehensive review. This applies to golf courses. The Official Plan does not provide the means to set maintenance requirements.	OK

CHAPTER FIVE - ECONOMIC ACTIVITY				
Name/Company/Organization	OP Section	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	5.2.2 b) (vii)	This seems vague – not sure what it means.	Policy maintained. This policy implies that any issues that might have impacts to the Region of Halton, including the Towns of Oakville, Milton, and Halton Hills as well as Hamilton have been considered.	OK
Guy Sheppard, Sustainable Development Committee	5.2.2 b) (x)	“shall meet at least two of the following conditions:” Why two, rather than one, three or some other number of conditions?	Policy maintained. This policy is additional discretionary policy which adds local context and consideration to a very comprehensive and detailed process to consider employment land conversions.	OK
	5.4.1 c)	Can the OP be more specific about the kinds of support (or incentives) to be considered? E.g. Full property taxes levied on unused properties, favourable development charges to re-purpose older buildings, etc.	No Response.	Would appreciate one.
Guy Sheppard, Sustainable Development Committee	5.4.4	On Appleby Line, the area has a high rate of commercial retail business. Need for increased diversity of employment with advanced technology or professional business development. Would like to see a target sector including office space and limit ‘retail’ commercial space, in comparison to ‘prestige’. Where “prestige” employment, would like to see a minimum building height (2 stories).	Policy maintained. This policy applies to the designated employment lands along the Highway 407 corridor and includes very few properties with frontage on Appleby Line.	OK
Guy Sheppard, Sustainable Development Committee	5.5.2 a)	Consider sale of property currently used for recreational purposes be zoned for agriculture purposes on Class 1(+).	Comment noted. It is not expected that the City would rezone Open Space lands for Agricultural purposes.	Still need to look at in a little more detail.
Guy Sheppard, Sustainable Development Committee	General	Provide timelines to complete area-specific plans (McMaster Innovation District and Bronte Creek Meadows) and Employment intensification Study	This level of detail would not be provided in the Official Plan, however future city work plans will identify the timing of the other studies or Area Specific Plans noted in the Official Plan.	If you do not lay-out an overall high level three to five year plan outlining when you do the work in large chunk it will never be accomplished. Doing yearly does not look at the final end point you are trying to achieve.
Guy Sheppard, Sustainable Development Committee	General	In conversations with BEDC, they mentioned it would be beneficial to define “Mixed Use” by degree or range of use.	Section 8.1 of the proposed new Official Plan contains objectives and policies pertaining to mixed use. The Official Plan, along with the zoning by-law are tools to define the specific requirements, depending on their context (e.g. within an urban centre, at a site level).	OK

CHAPTER SIX - INFRASTRUCTURE, TRANSPORTATION & UTILITIES				
Name/Company/ Organization	OP Section	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	6.1.1 b)	Please identify the " areas in the Growth Framework"	Comment noted the Primary Areas in the Growth Framework are the Urban Centre and Mobility Hubs.	Thanks for making change.
Guy Sheppard, Sustainable Development Committee	6.1.1 b) and 6.1.2 b)	How are you going to prioritize new development such as the Northwest corner of Dundas and Walker or Evergreen that is ready to go?	Servicing priority for greenfield areas such as these is addressed through the related Secondary Plan and the Region's servicing allocation process. The policies in this chapter are intended to assist in establishing how priorities will be identified in intensification areas.	Thanks for the explanation.
Guy Sheppard, Sustainable Development Committee	6.2 general	What kind of programs does the city have to promote and facilitate carpooling-car sharing or bike –sharing? The Awareness sub-committee of the SDC could implement some free workshops for residence to increase environmental awareness. Or assigning some budget for Burlington Green to run the workshops	The city's TDM policies and Sustainable Building and Development guidelines promote carpooling, car sharing and bike sharing, and the city's Transportation Department has been pursuing opportunities to facilitate these options. The city would appreciate the support of the committee in promoting these programs through public workshops.	SDC Awareness should address with City's Transporation Department.
Guy Sheppard, Sustainable Development Committee	6.2 general	Need to consider when we should prioritize transit over cycling and cycling over transit. Cycling cannot have priority over transit all the time as more people will use transit over cycling in the long run.	Policy modified. Now indicates a general shifting of priorities to support more sustainable modes of transportation such as walking, biking and transit, and that specific priorities may be determined based on context.	Thank-you.
Guy Sheppard, Sustainable Development Committee	6.2 general	Change "Public Transit/Transportation definition to "Transit/Transportation" definition which should include bus (public/school), taxis, for hire, car/bike share/rental, autonomous cars, etc.	Definition has not been added. The intent of these policies is to address public transit as a form of public infrastructure and in the city's jurisdiction to manage. Broadening the definition is not appropriate as the policies apply to public service. Instead additional policies have been added to address ride sharing, autonomous vehicles, etc., and that they will be evaluated in conjunction with providing transit service.	Beside city transit need to consider transit provided by private means such as school buses, company or private buses, airline services, taxis, automous vechicles, car pooling for work and school, and city pick-up services. As we become more crowded we are going to need a infrastructure for these types of vechicles and should plan for it. What you are planning for is City Transit not Public Transit. Public transit can be carried out by both City as well as Private Groups. Need to start thinking boarder. See comment in Definiton section.

CHAPTER SIX - INFRASTRUCTURE, TRANSPORTATION & UTILITIES				
Name/Company/ Organization	OP Section	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	6.2.1.1 g)	Like the context sensitive design concept. Design guidelines are definitely good to need to be flexible to make this work.	Comment noted.	OK
Guy Sheppard, Sustainable Development Committee	6.2.1.1 h)	Will <i>complete streets</i> strategy truly work in all instances? A lot of streets are not wide enough.	It is anticipated that the complete streets strategy will identify different standards for varying street types/widths.	OK
Guy Sheppard, Sustainable Development Committee	6.2.1.2 c)	Should effectiveness not also come into play? I would rather be carrying out the right thing inefficiently than the wrong thing efficiently. This holds true in a lot other areas.	Policy modified.	Good
Guy Sheppard, Sustainable Development Committee	6.2.1.2 j)	Can the OP address the need for Area-Specific Plans to better coordinate economic activity opportunities with required MTO approvals to facilitate long term planning with developers?	Policy maintained. The city is currently undertaking a study to assess the impacts of MTO approvals along the QEW corridor and to recommend a streamlined pre-approvals approach for future developments. The OP will not need to address this through ASP's.	When do you intend undertake this study?
Guy Sheppard, Sustainable Development Committee	6.2.10.1 b)	How the city does support sustainable transportation choices? And what are these choices?	The Transportation Demand Management policies in this section are intended to support sustainable transportation choices. See policy 6.2.10.(2) c) E.g. Bike facilities, supports for car-pooling, bike-sharing/car-sharing, provision of transit passes, etc.	Thanks for the explanation.
Guy Sheppard, Sustainable Development Committee	6.2.10.2 d)	This policy makes no sense. For example the building would be permanently built with reduced parking yet the implementation would not have been completed to the satisfaction of the City.	Policy maintained. Legal agreements, financial securities and other tools are used to ensure that measures are implemented to the satisfaction of the city.	Does it really work? We have a 17 storey tower built but no parking garage. Does financial incentives really work?
Guy Sheppard, Sustainable Development Committee	6.2.10.2 e)	That's a great idea, but it is recommended to add a more detailed plan or program in the policy	Policy modified. Policy is intended to show general support for external service providers of TDM programs such as car share.	Good
Guy Sheppard, Sustainable Development Committee	6.2.2.2 a)	Does this policy include the streets that new developments are applying for their permits at the moment in them?	No, the OP policies are not in effect until approved.	Thanks for the explanation.

CHAPTER SIX - INFRASTRUCTURE, TRANSPORTATION & UTILITIES				
Name/Company/ Organization	OP Section	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	6.2.2.2 d)	What are daylight triangles? Please define.	Policy modified. Now refers to a definition of daylight triangles.	Thank-you.
Guy Sheppard, Sustainable Development Committee	6.2.2.2 m) and n)	Need to outline what are the consequences of "LOS'E" or better or "LOS "F". These terms mean nothing to the general public.	Policy modified. References to LOS removed.	Good.
Guy Sheppard, Sustainable Development Committee	6.2.3.1	There is nothing in this that states there will be investment in a more convenient, affordable and reliable transit system. It only states that the city will promote the use of transit. It should be clear that the city will invest dollars in a better transit system not just promote it.	See response S.6.35.	Taken from S.6.35 - Policy 6.2.1.(2) i) speaks to the implementation of multi-modal transportation options (including transit) through the capital budget process. Council has made a commitment to invest in transit operations to improve service reliability in 2017, and further investment will be considered as part of the 2018 budget. At the same time work is being done to analyze alternative service models using existing service hours. In addition, once the service alternative work through the Integrated Transit Mobility Plan reaches completion in 2018, a 5 year Business Plan including a growth strategy will be developed.

CHAPTER SIX - INFRASTRUCTURE, TRANSPORTATION & UTILITIES				
Name/Company/ Organization	OP Section	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	6.2.3.1 c)	Does touch on the implementation of a frequent transit system but it should be clear that there will be a financial commitment to make a better transit system.	See response S.6.35.	Taken from S.6.35 Policy 6.2.1.(2) i) speaks to the implementation of multi-modal transportation options (including transit) through the capital budget process. Council has made a commitment to invest in transit operations to improve service reliability in 2017, and further investment will be considered as part of the 2018 budget. At the same time work is being done to analyze alternative service models using existing service hours. In addition, once the service alternative work through the Integrated Transit Mobility Plan reaches completion in 2018, a 5 year Business Plan including a growth strategy will be developed.
Guy Sheppard, Sustainable Development Committee	6.2.3.1 e)	How can you possibly carry this out under a <i>complete streets</i> strategy?	Connecting developments to transit should not be hindered by a complete streets strategy.	OK
Guy Sheppard, Sustainable Development Committee	6.2.3.2 a)	With the coming of BRT along Dundas Street and Evergreen, should east of Appleby Line on Dundas Street not be considered Frequent Transit Network candidate?	The Frequent Transit Network has been located to align with the city's primary, secondary and employment growth areas. Regional transit planning by Metrolinx will evaluate BRT service for this corridor, and the plan will be amended accordingly once confirmed.	OK
Guy Sheppard, Sustainable Development Committee	6.2.3.2 e)	It is recommended to bring some explanations about the "Region of Halton's Transportation Master Plan" or to mention where this master plan can be found.	Policy modified to include full title of document. It can be found on the internet or by contacting the Region (this level of detail would not be included in an OP).	Good
Guy Sheppard, Sustainable Development Committee	6.2.4.1 b)	It is recommended to consider about Health and safety of bike riders.	Objectives modified. See 6.2.4.(1) d) and new objective h).	Thanks.

CHAPTER SIX - INFRASTRUCTURE, TRANSPORTATION & UTILITIES				
Name/Company/ Organization	OP Section	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	6.2.4.2	A policy should be incorporated such that barriers should be provided to protect cyclists wherever feasible.	Policy maintained. 6.2.4.(2) g) speaks generally to the consideration of cyclist safety in the design and development of facilities. The Cycling Master Plan may identify specific requirements and the OP may be updated accordingly.	Needs to be a policy to protect riders where feasible. Should not depend on Cycling Master Plan to do that.
Guy Sheppard, Sustainable Development Committee	6.2.4.2 b) and d)	Changes made to these theses schedules could impact other areas in the Plan with unknown consequences. Saying an unapproved schedule takes precedent what is an approved schedule is dangerous.	Policy modified. Now indicates that an OPA is not required provided the modifications to the schedule are in keeping with a Council-approved Cycling Master Plan to ensure that a public process has been held.	OK
Guy Sheppard, Sustainable Development Committee	6.2.5.2 b)	This item needs to be reviewed for safety matters	6.2.5.(2) e) requires safety measures for developments adjacent to railways.	Good
Guy Sheppard, Sustainable Development Committee	6.2.5.2 g)	What is the definition of "appropriate locations"	Policy modified.	OK
Guy Sheppard, Sustainable Development Committee	6.2.6.1	Does this include an oversight on the possible contaminant emissions by transportation systems?	No, this is under the jurisdiction of the Federal Government.	Understand.
Guy Sheppard, Sustainable Development Committee	6.2.8.2 b)	In what situations is heavy truck traffic restricted? And what kind of goods movement?	The policy refers to residential areas. Goods movement is dealing with heavy commercial vehicles, policies also refer to heavy trucks and freight.	Thanks for the explanation.
Guy Sheppard, Sustainable Development Committee	6.3.1 c)	Should be compatible	Policy modified.	OK
Guy Sheppard, Sustainable Development Committee	6.3.1 f)	Where is the policy encouraging this?	Policy modified.	It can also provide electricity not just heating and cooling. The question has not been answered.
Guy Sheppard, Sustainable Development Committee	6.3.2 j)	This will restrict the usage of electric vehicles and is a barrier.	Policy maintained. Consultation with the city on new electric power facilities should not present a barrier to the use of electric vehicles.	OK

CHAPTER SIX - INFRASTRUCTURE, TRANSPORTATION & UTILITIES				
Name/Company/ Organization	OP Section	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	6.5.1 a)	Support this objective.	Comment noted, thank-you.	OK

CHAPTER SEVEN - DESIGN EXCELLENCE				
Name/Company/ Organization	OP Section	Stakeholder Comments	Staff Response	SDC Response
	7.1.1	Make clear what is being proposed in reference to sustainability	No comment provided	Provide follow-up on what done.
Guy Sheppard, Sustainable Development Committee	7.2	Add "and costs" after "infrastructure demands". Beyond environmental, economic, and social considerations, should you consider cultural.	Policy modified.	OK
Guy Sheppard, Sustainable Development Committee	7.1.1 d)	Use Place Making approach previously sent to staff. We do not feel this is planner jargon.	Although the term "Placemaking" has not been added in policy, elements of this approach has been incorporated in preambles, objectives and policies of this Plan (e.g.. socially-active places, sense of belonging and engagement). Chapters 7 and 12.	Probably can't do any better
Guy Sheppard, Sustainable Development Committee	7.1.2 d)	Delete "The preparation of" – not needed)	Policy modified.	OK
	7.1.2 c)	Other standards will have to be used outside "municipal" such as Ontario Building Code.	No comment provided	Provide follow-up on what done.
Guy Sheppard, Sustainable Development Committee	7.1.2 e)	Need to develop urban design brief guidelines used in Development Applications.	Comment noted.	Would like timeframe
Guy Sheppard, Sustainable Development Committee	7.1.2 f)	Draw from the current and past members of the SDC for the Urban Design Panel. Need this tool in place to help ensure design excellence is achieved.	Comment noted. The City is developing terms of reference for The Burlington Urban Design Advisory Panel which will establish the purpose, scope of work, membership, meeting procedures, etc. The City will initiate recruitment in Q4 2017.	Time is running out.
Guy Sheppard, Sustainable Development Committee	7.1.2 g)	Urban design award is a good idea. What other tools are you going to consider?	Comment noted. The City continues to assess opportunities to achieve design excellence.	OK
Guy Sheppard, Sustainable Development Committee	7.1.2 h)	What does this mean? How?	Policy deleted and new objective was added. The City will work with stakeholders in the implementation of the design objectives and policies.	OK
Guy Sheppard, Sustainable Development Committee	7.1.2 h)	How are you going to get Senior orders of government to implement design objectives?	See response to comment S.7.19 i.e. see above comment.	OK

CHAPTER SEVEN - DESIGN EXCELLENCE				
Name/Company/Organization	OP Section	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	7.1.3 e)	This doesn't make sense because it leaves the entire City open for review with no prioritizing. It would be better to require any application to identify whether a landmark significance exists then address how to retain and enhance it. Consider that the Heritage Committee look at it and prioritize.	Policy deleted. New section on New Community design was included. The appropriate built form and urban design will be determined through a coordinated Area-Specific Planning exercise (7.3.1).	OK
Guy Sheppard, Sustainable Development Committee	7.1.4 c)	Human scale needs to be in italics. Does not make sense when use only "scale" definition in Chapter 13 with human in front.	Both "scale" and "human scale" are defined in Chapter 13 and shall be in italics.	OK
Guy Sheppard, Sustainable Development Committee	7.1.4 e)	Will also help tourism.	Comment noted.	OK
Guy Sheppard, Sustainable Development Committee	7.1.4 i)	Are there design standards for Public Safety regarding safe sidewalks, accessibility, etc. that needs to be considered?	The City develops and permanently updates engineering and design standards that are implemented to ensure the safety and accessibility of all users.	OK
Guy Sheppard, Sustainable Development Committee	7.1.5 b)	If a real issue do not allow it to be built.	Comment noted. Design direction maintained in policy.	OK
Guy Sheppard, Sustainable Development Committee	7.1.5 g)	What are "terminus lots"?	Terminus lots are predominant locations fronting a T-intersection, generally located at the end of a view corridor, which has the opportunity to contribute to the public realm the pedestrian perception and the community identity.	OK
Guy Sheppard, Sustainable Development Committee	7.1.5 n)	Not possible if no transit.	Policies modified to provide flexibility, communicate design priorities and non-prescriptive provide guidance. New policy considers improving the quality of streets, sidewalks and other facilities to provide more direct access to transit.	OK
Guy Sheppard, Sustainable Development Committee	7.1.5 q)	How do you intend to avoid acoustical walls? We have them all over the place. May need some guidelines.	See response to comment S.7.1	OK

CHAPTER SEVEN - DESIGN EXCELLENCE				
Name/Company/ Organization	OP Section	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	7.1.5 z)	Should provide guidelines how this should be done.	Policy deleted. Sustainable Design policies and the Sustainable Building and Development Guidelines encourage energy efficiency and low carbon buildings through many techniques, including passive design measures.	OK
Guy Sheppard, Sustainable Development Committee	7.1.5.1 a)	Should provide guidelines fairly quickly in support of this.	Comment noted.	OK
Guy Sheppard, Sustainable Development Committee	7.1.5.1 f)	Stipulate in guidelines.	Comment noted.	OK
Guy Sheppard, Sustainable Development Committee	7.1.5.2 d) (i)	Put "human scale" in italics	Policy modified.	OK
Guy Sheppard, Sustainable Development Committee	7.2.1 a)	Add an additional objective to improved energy generation efficiency and reduce greenhouse gases.	Objective modified.	OK
Guy Sheppard, Sustainable Development Committee	7.2.2	These are out of order with Appendix A17 and some are voluntary. One mandatory is missing.	Policy and guidelines modified.	OK
Guy Sheppard, Sustainable Development Committee	7.2.2 f)	If it is mandatory you may want to make an amendment to the plan.	That is correct. Changes to mandatory requirements would require an amendment to the plan, unless they have been mandated by other legislation (e.g. the Building Code).	OK

CHAPTER EIGHT - LAND USE POLICIES URBAN AREA				
Name/Company/ Organization	OP Section	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	8.1.1.1.2 l) (x)	What about the impact of light on park, open spaces, and natural heritage?	Policies have been integrated into modified Chapter 7.	OK
Guy Sheppard, Sustainable Development Committee	8.1.1.1.2 l) (xi)	Architectural features and setbacks will not totally fix. It is important to get the height, massiveness and transition correct.	See response to comment S.7.1 and policies contained in Chapter 7. S.7.1 Comment - Policies modified to provide flexibility that was provided for, and built into the Sustainability guidelines.	OK
Guy Sheppard, Sustainable Development Committee	8.1.1.2	It is important to finish the Site Specific work in this area quickly so we do not lose control of it.	Comment noted.	Have planned finished dates been established?
Guy Sheppard, Sustainable Development Committee	8.1.1.2.1 j)	The bottom of each street should have a view and access to the lake such as the bottom of Elizabeth or Martha Streets.	Comment noted. Staff have heard this message through public feedback as a part of the Downtown Mobility Hub Work. Comments are noted in the engagement record as an input to the Downtown Mobility Hub.	Actually spelt out now with addition Downtown Mobility Hub changes in Proposed New Official Plan.
Guy Sheppard, Sustainable Development Committee	8.1.1.3	The proposed location of the Uptown Core is troublesome from the perspective of car traffic and the Region's intent to make Appleby an arterial road. Recommend staff take a very hard look at whether this is the absolute right location to planned mixed-use, walkable urban core. Appleby Line and Dundas Street would make a better location for an anchor hub as it is a near where the 407 commuter buses, Dundas BRT, Appleby Line Express Bus Route, and connections to Milton can readily be met.	Policy modified to clarify that the development of the Uptown Core designation will result in fine grain redevelopment of large parking lots.	Thanks for the explanation.
Guy Sheppard, Sustainable Development Committee	8.1.1.3.1 e)	How do you intend to ensure social, cultural and entertainment uses are in place. They have a long way to go.	Comment noted. The objective is to support the continued development of an important destination within the City. The policies of this plan permit these uses.	OK
Guy Sheppard, Sustainable Development Committee	8.1.1.3.11 b)	Is this feasible given the amount of traffic coming from the proposed CN container shipping terminal on Tremaine?	Comment noted. The City will work with the Region in assessing this matter as it relates to the design of Appleby Line and Upper Middle Road.	OK

CHAPTER EIGHT - LAND USE POLICIES URBAN AREA				
Name/Company/ Organization	OP Section	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	8.1.1.3.2 h)	Great idea to link Dryden Avenue to Millcroft Park.	Comment noted.	OK
Guy Sheppard, Sustainable Development Committee	8.1.1.3.7.2 a) (i)	What is this?	Comment noted. Subsection (i) deleted and policies were renumbered.	OK
Guy Sheppard, Sustainable Development Committee	8.1.3.3.2 d) (iii)	<i>residential uses</i> with the exception of single-detached, and semi-detached dwellings and townhouses;	See response to comment S.8.69 Comment from S.8.69 - Policy modified. Other forms of ground oriented dwellings may be permitted subject to criteria.	Staff response does not address the question.
Guy Sheppard, Sustainable Development Committee	8.1.3.3.2 f), 8.1.3.3.2 f), and 8.1.3.6.2 g)	Have a concern with townhouses particularly back to back and stacked townhouses. Some of the developments have been awful and are going to lead to slums.	Comment noted.	How do you intend to handle?
Guy Sheppard, Sustainable Development Committee	8.1.3.6.2 m)	We need more affordable family units. Suggest increase to 50%.	See response to comment S.8.89 and S.8.187. Comment from S.8.89 - Comment has been incorporated into the record of engagement for the Mobility Hub Study and is considered as part of specific plans currently underway. Comment from S.8.187 - Policies modified. Also please note that any new Official Plan policies related to Mobility Hub will be amended as required to reflect the outcome of the area specific plans (i.e. mobility hub study).	Note and track when area specific plan changes come out.
Guy Sheppard, Sustainable Development Committee	8.1.3.6.3 c)	Is this what current zoning for the ADI development?	Policy deleted. The property is located within a mobility hub study area. Area specific plan process is underway. A development application on the site has been submitted.	OK
Guy Sheppard, Sustainable Development Committee	8.1.3.7.2 k)	Why not quote exact heights here?	See response to comment S.8.83 Comment from S.8.83 - Policy modified. A maximum Floor Area Ratio is provided as indicator of the appropriate built form for the designation. FAR increases will be subject to a Zoning By-law amendment of minor variance application.	OK

CHAPTER EIGHT - LAND USE POLICIES URBAN AREA				
Name/Company/Organization	OP Section	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	8.1.3.7.2 m)	Link to subsection 8.1.3.6.2 u) makes no sense	Policy modified to cross reference subsection properly.	OK
Guy Sheppard, Sustainable Development Committee	8.2 general	Saw nothing outlining how Bronte Meadows was going to be handled. Site specific study?	Comment noted. Please refer to Chapter 5 Section 5.4.2.	OK
Guy Sheppard, Sustainable Development Committee	8.2 general	Several cross referencing issues noted	Policy modified.	OK
Guy Sheppard, Sustainable Development Committee	8.2.1.1 j)	Is there not a longer term strategy developed than 5 years?	Comment noted. The Burlington Economic Development Corporation has a 5 year Economic Development Strategy that is reviewed and updated regularly.	Thanks for the explanation.
Guy Sheppard, Sustainable Development Committee	8.3 general	Ensure that intensification in established neighborhoods has tighter controls, including rules that prevent developer-initiated OP amendments and zoning by-law changes	Policies modified. Intensification is discouraged in the Established Neighbourhood Area of the growth framework. Development in Residential Neighbourhood Areas is subject to development application process and applicable policies of the Plan including Development Criteria. Also refer to response to comment S.2.27. Comment from S.2.27 - Policy modified to clarify intent. In general the Established Neighbourhood Areas are expected to accommodate only limited intensification. The Growth Framework policies, and specifically the Established Neighbourhood policies discourage intensification have been modified to rely on appropriate processes, policies and criteria to assess potential development, rather than to limit the ability to assess an individual application on its own merit. Please refer to Chapter 2 (2.4).	The final version has removed prohibition of Official Plan amendments in Established Neighbourhoods. Zoning By-law amendments, plans of subdivisions cannot be prohibited. Discouraging land assemblies is not strong enough. Need to tell Council the concept of protected Established Neighbourhoods is not possible. Prepare for a blanket of townhouses with no trees in all low density neighbourhoods.

CHAPTER EIGHT - LAND USE POLICIES URBAN AREA				
Name/Company/Organization	OP Section	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	8.3.2.1	Specific edits suggested for residential low density	Comment noted.	The final version has removed prohibition of Official Plan amendments in Established Neighbourhoods. Zoning By-law amendments, plans of subdivisions cannot be prohibited. Discouraging land assemblies is not strong enough. Need to tell Council the concept of protected Established Neighbourhoods is not possible. Prepare for a blanket of townhouses with no trees in all low density neighbourhoods.
Guy Sheppard, Sustainable Development Committee	8.3.3.1 b) and c)	Change maximum density to 50 units/ha and use Residential Policy Direction A 1. "Create the potential to permit ... to specific requirements" Use three requirements listed in original brief. This has the potential to intensify 3 fold. Two fold is bad enough.	Policy maintained. Proposed policy would allow the development of compatible built forms.	OK
Guy Sheppard, Sustainable Development Committee	8.3.3.2 c)	Both addresses are west of William O'Connell Boulevard.	Policy modified to address comment.	OK
Guy Sheppard, Sustainable Development Committee	8.3.4.1 c)	We do not agree with this. Any building intensification going above 185 units/ha should have an Official Plan Amendment. This will provide our citizens an early warning of what is taking place and provide them with an opportunity to comment on it.	Policy maintained. Staff believe that a development application can be assessed through a rezoning and effectively respond to context and address the development criteria and built form guidance set in the OP and other tools such as design guidelines.	By burying it in Zoning By-law the public will not be aware of large changes coming. This hold for other areas not just this clause.
Guy Sheppard, Sustainable Development Committee	General	"Affordable" needs to be carefully defined. In one context it suggests a variety of housing options and general market availability designed to allow greater access to a diverse population, in another context it specifically means providing housing for low-income families.	Policy maintained. There are definitions for affordable housing, assisted housing and special needs housing. The unitalicized term affordable is now used in select policies and is described in each policy.	OK

CHAPTER NINE - LAND USE POLICIES RURAL AREA				
Name/Company/Organization	OP Section	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	9.1.2 d)	Suggested additions to policy: (i) the development envelope shall be located within 120 m of a municipal road and shall not exceed one hectare in area. (ii) The development envelope shall be located so as to minimize impacts on the viability of the current and future agricultural use of the lot. (iii) A new or replacement dwelling shall not be greater than 225 sq. m in size	Policy maintained. The planning rationale for limiting the size of the dwelling 225 sq m is not provided.	Not our comment. Came from Mark Bales of Carriage Gate.
Guy Sheppard, Sustainable Development Committee	9.2.3 (b)	Definition of types of events seems rather vague, but also overly restrictive; should include events which raise awareness of local agriculture. Types of events allowed is very restrictive- allowing only events directly related to the farm operation or related to on-farm diversified use producing value-added agricultural products eliminates a farm`s ability to host private events such as weddings, which may provide a much needed boost to bottom line while also functioning as a promotional tool to encourage interest in their agricultural products or encouraging agrotourism in general. If the size, type and number of events were restricted, why not allow this use, as long as it doesn`t negatively impact agricultural operations, natural areas or neighbours? It is another means of building in flexibility and enabling farms to be creative in adapting to being in a near urban context while remaining competitive at a level that allows them to invest in other types of agriculture related expansions and/or improvements	Policy modified to ensure that events support commercial agricultural operations. A new policy added to permit events supporting registered charitable organizations.	OK

CHAPTER NINE - LAND USE POLICIES RURAL AREA				
Name/Company/ Organization	OP Section	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	9.2.4	Specific wording edits suggested to Prime Agricultural Area policies in comments	Policy modified to require that proposals to redesignate land within Prime Agricultural Areas must demonstrate that alternative locations have been evaluated and demonstrated to be unsuitable.	OK
Guy Sheppard, Sustainable Development Committee	9.2.4	Should there be restrictions on aggregate extraction in the prime agricultural land designated area as it all seems to be prime land and just requiring a swap at time of rehabilitation seems unwise.	Comment noted. The PPS permits mineral aggregate extraction in Prime Agricultural Areas. The City's OP specifies that a new or expanded mineral aggregate operation requires an amendment to the Plan and requires that impacts on the Agriculture System be evaluated in considering such amendments. It also requires that when aggregate extraction is complete the site be rehabilitated to agricultural use where feasible.	Best can do.
Guy Sheppard, Sustainable Development Committee	9.2.4	Not sure why the criteria applicable to areas outside the Greenbelt Plan area do not apply to those within, seems like we are putting too much faith in the Greenbelt Plan which is something that is out control of the municipality and could be impacted by changes in Provincial government.	Comment noted. The criteria do not apply to redesignation of Prime Agricultural lands within the Greenbelt as the Official Plan does not permit such redesignation within the Greenbelt.	Best can do.

CHAPTER TEN - LAND USE POLICIES NORTH ALDERSHOT				
Name/Company/ Organization	OP Section	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	10.3.6 (b)	New public roads will be built to rural standards: We'd like clarification on what exactly this means (defined somewhere else in the plan?) but we question whether this is sufficient as we are trying to achieve a 'balanced' transportation system and there are plans in the works to widen a number of our rural roads to improve safety for cycling.	Existing policy maintained. A review of the North Aldershot policies will be done through the Region's Official Plan Review, and any changes will be made at that time.	When will Region Plan be done?
Guy Sheppard, Sustainable Development Committee	10.4.4 (c)	Need to be careful that lower density appearance is not confused with sprawl	Comment noted. A review of the North Aldershot policies will be done through the Region's Official Plan Review, and any changes will be made at that time.	When will Region Plan be done?
Guy Sheppard, Sustainable Development Committee	10.4.7 f) (ii)	Use Audubon (or similar) standard for any expansion/change of golf operations	See response to comment S.10.4.	When will region Plan be done?

CHAPTER ELEVEN - PUBLIC PARTICIPATION & ENGAGEMENT				
Name/Company/ Organization	OP Section	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	11.1	"The City is known for its sound decision-making processes". Is this a goal? Or something already achieved? If so, it would be better to back it up with a reference (i.e. According to...).	Policy modified to reflect the source reference, the Strategic Plan.	OK
Guy Sheppard, Sustainable Development Committee	11 Preamble	suggest identifying which strategic plan you are referencing i.e. 2015-2040	Policy modified.	OK
Guy Sheppard, Sustainable Development Committee	11.1.1	Objectives are general - It would be better to explain more about "how" the City is going to implement these	Policy maintained. Objectives are intended to be high level general statements, while the policies are intended to explain how the city will achieve the objectives.	OK
Guy Sheppard, Sustainable Development Committee	11.2.1	As Environmental awareness is a key factor in engaging the public community, we propose to add an item specifically for Environmental awareness maybe into this section or section 11.3.1 Procedures. The city could implement Environmental awareness seminars or workshops for residents/or consider a budget for this. Other possible engagement strategies could be inclusion in councillors' newsletters, website posting area, and automated e-mail notifications.	Policy modified. We agree that awareness is important on many matters, so we have added a broader policy that supports awareness related to all matters addressed by the Official Plan (this includes environmental issues, amongst many others).	OK
Guy Sheppard, Sustainable Development Committee	11.3.1	Outline what citizens can do in terms of asking questions and providing opinion at each public meeting (Neighbourhood, Statutory, Recommendation to Committee and Council).	Policy maintained. This level of detail is not addressed by an Official Plan. Please refer to the Engagement Charter and the city's website for addition details on delegating to Council and participating in public meetings.	Engagement Charter only provided general guidelines and is really no help. Current procedure outlines what Citizens can do in neighbourhood meetings? Why not other meetings?
Guy Sheppard, Sustainable Development Committee	11.3.1	Provide recommendations four weeks in advance of Planning and Development Recommendation meeting. Allow time to properly analyze.	Policy maintained. Committee agenda timelines are outside of the scope of the Official Plan. Your comment has been shared with Council and the Clerks Department for consideration.	Where do we stand on this consideration?

CHAPTER ELEVEN - PUBLIC PARTICIPATION & ENGAGEMENT				
Name/Company/Organization	OP Section	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	11.3.1 a) (xi)	In what circumstances does the City consider a high level of public engagement to be required? Provide reference to document that fully spells out this process or better describe in Official Plan. How is this defined? What is considered to be a 'potentially significant impact'? Who makes this decision?	Policy maintained. The term is not defined and has been left broad to allow for discretion in implementation. Typically this decision would be made by city staff or Council, often based on feedback received from the community that demonstrates the need for further consultation.	Thanks for the explanation.
Guy Sheppard, Sustainable Development Committee	11.3.1 a) iv)	Please consider adding more advisory committees and persons who have expressed interest to the circulation list.	Policy modified.	OK
Guy Sheppard, Sustainable Development Committee	11.3.1 a) ix)	Consider changing "adequate time may be allowed" to "adequate time shall be allowed". Does the fact that it is a statutory public meeting imply that staff should analyze all public comments?	Policy modified.	Changed from "may" to "should". Not going to get much better.
Guy Sheppard, Sustainable Development Committee	General	Numerous editorial suggestions (e.g. punctuation, minor wording changes) made in comments	Policies modified.	OK
Guy Sheppard, Sustainable Development Committee	Graphic 11-1	Could this be turned into a 2 x 5 table giving examples of situations when the City would employ one type of engagement over another?	Existing graphic maintained. A more detailed table regarding the spectrum of public engagement is found in the City's Engagement Charter.	Thanks for spelling out in Official Plan.

CHAPTER TWELVE - IMPLEMENTATION & INTERPRETATION				
Name/Company/ Organization	OP Section	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	12.1.2.1 c)	Define "minor".	Policy maintained. The Plan does not define major or minor in order to allow for interpretation subject to context, scale and potential impacts.	OK
Guy Sheppard, Sustainable Development Committee	12.1.3.1.2 e)	What municipal requirements does that include? Agricultural zones will be re-developed as "urban zone" after interim period. Can this be explained a little more clearly?	In the case of a Development Zone, the Official Plan establishes a parent Designation which describes its ultimate urban land use, however the D zoning allows for existing uses or agricultural uses to continue until such time as development occurs.	OK
Guy Sheppard, Sustainable Development Committee	12.1.3.1.5.2 g)	Suggest adding the following policy: Community benefits provision shall be considered where the increased density and height conforms with the intent of the e Plan and the increase in height and density is compatible with adjacent existing or proposed development.	Policy maintained. The policy requires that the development proposal constitutes good planning and is consistent with the intent of the policies of this plan. Compatibility is sufficiently addressed.	OK
Guy Sheppard, Sustainable Development Committee	12.1.3.1.7.2	a) Items (i) to (v) Not clear enough regarding timing	Policy maintained. The Planning Act stipulates that a temporary use may be authorized by by-law and that permission shall not exceed three years. The Planning Act also allows extensions for three years each. The Planning Act further distinguishes that Garden Suites may be permitted, subject to certain criteria for not longer than 20 years.	OK
Guy Sheppard, Sustainable Development Committee	12.1.3.1.8.2 b) vii)	Safety matters should also be addressed.	Policy maintained. The list of criteria to be satisfied deal with a wide range of land use planning considerations.	OK
Guy Sheppard, Sustainable Development Committee	12.1.3.3.2 d)	Energy conservation could be added to the items	Policy maintained. The Planning Act does not allow for the regulation of energy conservation through Site Plan, unless it can be achieved through external features such as tree planting.	OK
	12.1.3.5.1	Should employment lands not also be addressed here?	No comment provided	Provide follow-up on what done.

CHAPTER TWELVE - IMPLEMENTATION & INTERPRETATION				
Name/Company/ Organization	OP Section	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	12.1.3.6 a)	Instead of saying "acquire land" perhaps suggest that new developments will need to develop parkland when a new development takes place. Instead of may which gives developers a loop hole, suggest using the words "will be required" to ensure compensation if parkland is not developed.	Policy maintained. Parkland dedication whether in the form of conveyance of land or payment of cash is a requirement of development, and is noted as "shall be required" in the policy.	OK
Guy Sheppard, Sustainable Development Committee	12.1.3.7.2 a)	More info about the program would be great	The property standards by-law 040-2009 is accessible on the City's website.	OK
Guy Sheppard, Sustainable Development Committee	12.1.4.2.2	Why such a high density of 300 people and jobs per ha? What is the make-up of the 28 percent?	The Metrolinx Mobility Hub guidelines provide suggested transit supportive densities and identifies 300 people and jobs per ha as the upper range for hubs serviced with Regional Express Rail. The new Growth Plan now sets a minimum target of 150 people and jobs per ha. The target will be confirmed/refined through the Area Specific Planning (ASP) process. 28% is identified by the Region of Halton's Transportation Master Plan. It is broken down as 20% Transit, 5% Cycling and Walking, and 3% Travel Demand Measures (carpooling). The ASP will look at this in more detail.	OK
Guy Sheppard, Sustainable Development Committee	12.2.2 g)	What is "minor"? Provide examples.	Policy maintained. The Plan does not define major or minor in order to allow for interpretation subject to context, scale and potential impacts.	OK

CHAPTER THIRTEEN - DEFINITIONS				
Name/Company/Organization	Definition	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	Ancillary Employment Use and Area of Employment and Employment	Provide detailed definitions of employment uses with examples.	Existing definitions maintained. The policies of the Plan support the interpretation of these definitions.	Not asking to change the definition. Only want examples so can better understand the definition.
Guy Sheppard, Sustainable Development Committee	Development	The definition appears to be very limiting.	Definition maintained. Consistent with definition of development in Region's OP.	OK
Guy Sheppard, Sustainable Development Committee	Mixed Use	Include "Mixed Use" in the Definitions section to make clear the City's intention in including this term in the OP; i.e. identify a minimum requirement for space allocation such as percentage of space by type (retail, commercial, residential), etc. to qualify as an acceptable Mixed Use. Confirm Mixed Use development has an inherent benefit to the community as a component of "placemaking". Suggest: Mixed-use development is a type of urban development that blends residential, commercial, cultural, institutional, or industrial uses, where those functions are physically and functionally integrated, and that provides pedestrian connections.	A definition of Mixed Use is not recommended in the OP. As an alternative, the preamble of Section 8.1 Mixed Use Intensification Areas, introduces the term.	Thank-you as discussed.
Guy Sheppard, Sustainable Development Committee	Placemaking	Suggest adding: Placemaking is a multi-faceted approach to the planning, design and management of public spaces, the public realm and communities that involves including people in the discussion of designing public spaces that reflect shared value and support healthy communities.	The term "Placemaking" is not used in policy. Elements of this approach to the design of spaces are incorporated in preambles, objectives and policies of this Plan (Preamble and 7.1.1 k), Chapter 12).	Thank-you as discussed.
Guy Sheppard, Sustainable Development Committee	Service Commercial	Provide an example or two with definition.	Comment noted. Policy not modified.	Not asking to change the definition. Only want examples so can better understand the definition.

CHAPTER THIRTEEN - DEFINITIONS				
Name/Company/Organization	Definition	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	Sustainable Development , Sustainability , Etc	Need a better definition of Sustainable Development. Here's a suggestion - Sustainable Development as a pattern of resource use that "meets the needs of the present without compromising the ability of future generations to meet their own needs". In order to preserve the natural world, economic, social and environmental factors must be jointly considered and harmonised.	Definition modified.	Thank-you.
Guy Sheppard, Sustainable Development Committee	Transit	Define "transit" .	Definition not added, see Chapter 6.	In the development of Sustainable Principles and Objectives, Council requested we needed to change our understanding of transit. All we are trying to do is get a definition of transit that is not in conflict with ours.

CHAPTER FOURTEEN - SCHEDULES & TABLES				
Name/Company/Organization	Schedule/Table	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	Schedule A	Label for Major Transit System easily gets lost on the map. A brighter colour or image i.e. star, diamond, etc. would be better.	Comment noted. Schedule modified.	OK
Guy Sheppard, Sustainable Development Committee	Schedule A	Green Belt Plan Area and Built Boundary are too similar in colour/style when looking in the Aldershot area – change colour or line type on one of them for ease of reading.	Comment noted. Schedule modified.	Orange line is not defined on Schedule A.
Guy Sheppard, Sustainable Development Committee	Schedule A	Parkway Belt West Plan hard to understand in the east end.	Schedule modified. Please refer to Schedule A-1 for provincial plan boundaries.	OK
Guy Sheppard, Sustainable Development Committee	Schedule A-1	The line types for North Aldershot Policy Area and Designated Greenfield Area are extremely similar and causes minor confusion when reading.	Schedule modified to provide clarify.	OK
	Schedule B	Urban Growth Centre is shown on map but not labeled.	No comment provided	Provide follow-up on what done.
Guy Sheppard, Sustainable Development Committee	Schedule B1	Urban Growth Centre is noted at 'UGC' - use full name as there is space	Comment noted. Schedule modified.	OK
Guy Sheppard, Sustainable Development Committee	Schedule B2	This schedule should also show external linkages to Oakville, BRT, Hamilton, and 403 & 407 Bus Routes. A separate map showing all non-car/truck linkages to Mobility Hubs should be developed for walking, cycling and public transit routes along with external links.	Schedule maintained. This schedule is intended to show the relationship between growth areas and higher order levels of transit, such as the GO Regional Express Rail Line and the frequent transit corridors, other transit service is illustrated on transit maps external to the Official Plan. Area Specific Plans will contain schedules outlining multi-modal connections in Mobility Hubs.	Thanks for the explanation.
Guy Sheppard, Sustainable Development Committee	Schedule B2	Primary Mobility Hub Connector, make line type have a smaller dash, for legibility.	Schedule modified.	OK

CHAPTER FOURTEEN - SCHEDULES & TABLES				
Name/Company/Organization	Schedule/Table	Stakeholder Comments	Staff Response	SDC Response
Guy Sheppard, Sustainable Development Committee	Schedule C	From roughly Kerns Road to Hendon Road – south of Dundas to Lake – why is no Natural Heritage shown.	Schedule maintained. The NHS mapping conforms to the Natural Heritage System in the Region's approved OP. Policies in Section 4.2 have been updated to include direction for unmapped features.	Glad to see there is policy for handling unmapped features but how are you suppose to know where they are if you do not map them??
Guy Sheppard, Sustainable Development Committee	Schedule C	Northeast corner of Walkers Line and Upper Middle Road is not Open Space and Park Area. It is a hockey arena.	Schedule maintained. Municipal parks and related public service facilities (e.g. an arena) are permitted in the Open Space designation.	OK
Guy Sheppard, Sustainable Development Committee	Schedule C	From roughly Kerns Road to Hendon Road south of Dundas to Lake why is there no Natural Heritage shown	Schedule maintained. The NHS mapping conforms to the Natural Heritage System in the Region's approved OP.	Glad to see there is policy for handling unmapped features but how are you suppose to know where they are if you do not map them??
Guy Sheppard, Sustainable Development Committee	Schedule D1	Watercourse is not labeled	Schedule modified. Watercourse designation is now shown on Schedule D only.	OK
Guy Sheppard, Sustainable Development Committee	Schedule F	'Rail Line' is very difficult to identify on the plan, and the rail line does not continue south past Grahams Line, unlike what the schedule shows.	This schedule has been removed. Please now refer to Schedule D.	Schedule has been removed but not rail line pass Graham's Lane
Guy Sheppard, Sustainable Development Committee	Schedule Q	Shows 'Highway Interchange Crossing' along Harvester Rd, likely a mistake?	Schedule Modified.	OK
Guy Sheppard, Sustainable Development Committee	Schedule Q	Add carpool parking lot at QEW & Guelph line and at Appleby & 407; change label on map to be 'Car Pool Lot' rather than 'Go Transit Car Pool Lot'	Schedule maintained. The intent of showing the GO Transit Car Pool lot is to reflect the use of this lot as a GO Bus Stop. No edits needed.	OK

General Comments			
Name/Company/Organization	Comments	Response	SDC Response
Guy Sheppard, Sustainable Development Committee	With all the plans, studies, guidelines, area-specific work, new processes, etc. proposed in this new Official Plan, it is important to put together an overall Work Plan outlining the scope of work, timeline, and resources. This Work Plan should be monitored and controlled to ensure the Work Plan is carried out successfully in a timely fashion and those responsible are held accountable.	This level of detail would not be provided in the Official Plan, however prioritization of various initiatives are considered on an annual basis to determine timing, budget and resources.	If you do not lay-out an overall high level three to five year plan outlining when you to do the work in large chunkc it will never be accomplished. Doing yearly does not look at the final end point you are trying to achieve.

Sustainable Building and Development Guidelines Comments

Name/Company/ Organization	Section	Comment	Response	SDC Response
Guy Sheppard, Sustainable Development Committee	General	Should stress the importance of: Greenhouse Gas Emission Reduction, Water Conservation, Energy Generation and Conservation, Waste Reduction. May want to consider a priority scheme similar to Toronto.	Guidelines modified, and now identify these items and stress the importance of implementing voluntary items that deliver Strategic Plan and Community Energy Plan goals (e.g. carbon neutrality, energy generation and conservation, etc). A priority scheme may be considered through future updates to the guidelines.	OK
Guy Sheppard, Sustainable Development Committee	General	Should develop guidelines for single family homes.	Guidelines maintained. Burlington no longer requires Site Plan for single detached dwellings and receives very few subdivision applications, so there is not a clear implementation mechanism.	How are the requirements of the previous site plan dealt with currently? For example, are tree protection reports and weekly inspections required? Are there deposits required that will only be released on compliance with requirements?
Guy Sheppard, Sustainable Development Committee	Intro, Page 2	After "Compliance for additional voluntary building measures ...award", add "if received community benefits, non-monetary benefits or monetary benefits".	Document modified to reflect change.	OK
Guy Sheppard, Sustainable Development Committee	Intro, Page 5, Next Steps	May have a difficult time trying to carry out this training for everyone who needs it. If inspectors are going to do this, you have a lot of work in front of you.	Comment noted. At this stage inspectors will not be reviewing compliance of voluntary measures.	OK
Guy Sheppard, Sustainable Development Committee	Transportation, Item 1	How handle cycling or walking paths that going through the site?	Guideline modified for clarity.	OK
Guy Sheppard, Sustainable Development Committee	Water Conservation and Quality, Item 1	Can we not go pass level one for requirements?	Guideline maintained. Level one is the highest standard. This equals enhanced quality treatment which requires 80% long term suspended sediment removal or better.	Will new requirements being developed include a quantity standard?

Sustainable Building and Development Guidelines Comments

Name/Company/ Organization	Section	Comment	Response	SDC Response
Guy Sheppard, Sustainable Development Committee	Water Conservation and Quality	Add New: Do not forget, in February 2017 Ontario Regulation 20/17, Reporting of Energy Consumption and Water Use was filed and published. The regulation outlines what building owners must do to comply with Ontario's Large Building Energy and Water Reporting and Benchmarking (EWRB).	Guideline modified, in maintenance, monitoring and communication category.	OK
Guy Sheppard, Sustainable Development Committee	Water Conservation and Quality	Consider LEED criteria for Water Efficient Landscaping, Reduce by 50%	Guidelines maintained. Low maintenance landscaping is reflected under natural environment.	Ok
Guy Sheppard, Sustainable Development Committee	Water Conservation and Quality	Consider LEED criteria for Water Reduction, 30% Reduction	Guideline maintained. Encouraging WaterSense fixtures was selected as an alternative to the LEED criteria as it is easier to demonstrate compliance.	Ok
Guy Sheppard, Sustainable Development Committee	Energy	Rename to Energy and Emissions	Guidelines modified.	OK
Guy Sheppard, Sustainable Development Committee	Energy	Follow Strategic Plan focus on net zero carbon and new SDC Principles and Objectives	Guidelines modified to refer to net zero.	OK
Guy Sheppard, Sustainable Development Committee	Energy	Heat Island Items normally fall under Sustainable Sites.	Comment noted, this guideline achieves both objectives.	OK
Guy Sheppard, Sustainable Development Committee	Energy, item 4	Provide a metric similar to Toronto in kWh/m2 or LEED criteria: Minimum Energy Performance and Optimize Energy Performance	Guideline maintained as energy guideline # 4 is based on LEED. LEED grants points for energy optimization for 6% improvement or better for new construction. The city has set a minimum target of 10% or better as the aspirational voluntary guideline.	OK
Guy Sheppard, Sustainable Development Committee	Energy, item 7	Add metric similar to Toronto in kgCO ₂ /m ² New LEED Net Zero can provide some background.	Guidelines modified. LEED Zero Carbon Building Standard and Toronto Zero Emissions Building Framework have been added as references.	OK

Sustainable Building and Development Guidelines Comments

Name/Company/ Organization	Section	Comment	Response	SDC Response
Guy Sheppard, Sustainable Development Committee	Energy, item 8	Do not forget, in February 2017 Ontario Regulation 20/17, Reporting of Energy Consumption and Water Use was filed and published. The regulation outlines what building owners must do to comply with Ontario's Large Building Energy and Water Reporting and Benchmarking (EWRB).	Guidelines modified, noted in maintenance, monitoring and communication category.	OK



Fogler, Rubinoﬀ LLP
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October 26, 2017

Reply To: Joel D. Farber
Direct Dial: 416.365.3707
E-mail: jfarber@foglers.com
Our File No. 148005

VIA EMAIL

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

Attention: Clerk

Dear Sir or Madam:

Re: OFFICIAL PLAN REVIEW – NEW OFFICIAL PLAN PROJECT

**SUBMISSIONS TO COUNCIL ON BEHALF OF RK (BURLINGTON MALL) INC. –
BURLINGTON MALL 777 Guelph Line**

We are the solicitors for RK (Burlington Mall) Inc., owner of lands within the Burlington Mall shopping complex.

As Council is aware, our client through the ownership group of RioCan REIT and KingSett Capital, have recently invested approximately \$60 million into the mall to create an improved shopping and eating experience, and to retrofit the former Target space. These renovations and improvements are currently underway with completion anticipated in early 2018.

While the current renovations address immediate term needs for the facility, it is critical that the future planning framework for the site provide opportunities for the longer term. These opportunities include the prospect of substantial residential and commercial intensification of the site in the future. The site is large enough to accommodate more intensive forms of development and is within a recognized intensification corridor.

Our client has been monitoring the City's new Official Plan initiative and has engaged with staff in respect of its various policy concerns. Our client is supportive of the proposed Mixed Use Commercial Centre designation, including the retention of the site's commercial planned function. However, our client is of the view that the historical built form and other detailed technical constraints should not be carried forward from the existing plan. These policies include, but are not limited to the following:

1. The built form standards (minimum 2 storeys – maximum 12 storeys) are not necessary and unduly constrain future development potential. Built form standards should be developed in the context of development applications, and not constrained by Official Plan policies.
2. There should be no floor space restrictions related to office, hospitality or residential uses. These restrictions are problematic as they presumably would be applied over different parcels of land. Accordingly, development on parcels within the Mixed Use Commercial Centre could adversely affect development opportunities on other parcels.
3. As the planned commercial function of the Burlington Mall is recognized as a critical part of the City's overall commercial structure, there should be no requirement for market studies that require the demonstration of "need" to support an expansion project.

We will continue to try and work through our client's issues with staff with the aim to present to Council a revised set of policies for Burlington Mall for inclusion in the City's new Official Plan. These policies will establish the planning framework required to support the continued investment, enhancement and intensification of Burlington Mall, the City's largest shopping centre.

Yours truly,

FOGLER, RUBINOFF LLP

"Joel D. Farber"

Joel D. Farber*

*Services provided through a professional corporation

JDF/sz

cc: Andrea Smith & Hugo Rincon (City of Burlington)
client (Stefan Wisniowski)



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October 26, 2017

Reply To: Joel D. Farber
Direct Dial: 416.365.3707
E-mail: jfarber@foglers.com
Our File No. 133235

VIA EMAIL

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

Attention: Clerk

Dear Sir or Madam:

**Re: OFFICIAL PLAN REVIEW – NEW OFFICIAL PLAN PROJECT SUBMISSIONS
ON BEHALF OF RIOCAN HOLDINGS INC. MILLCROFT CENTRE 2000-2080
Appleby Line**

We are the solicitors for RioCan Holdings Inc., owner of lands within the Millcroft Centre shopping complex. Our client is the owner of the entire site together with Canada Mortgage and Housing Corporation, save and except for the Canadian Tire lands which are held in separate ownership.

Our client is very pleased to have been able to secure Movati Athletics as its new tenant at the site of the former Target, with a new 70,000 square foot athletic centre currently under construction and hoping to be open shortly. While the Movati building addresses some of immediate term needs for the facility, it is critical that the future planning framework for the site provide opportunities for the longer term. These opportunities include the prospect of substantial residential and commercial intensification of the site in the future. The site is large enough to accommodate more intensive forms of development and is within the Uptown Urban Centre, a focal point for intensification.

Our client has been monitoring the City's new Official Plan initiative and has engaged with staff in respect of its various policy concerns. Our client is supportive of the Uptown Corridor and Uptown Central land use designations for the site, which is an improvement from the now existing three separate land use designations that apply to the site.

Our client is also supportive of the proposed official plan policies that recognize and maintain the site's commercial planned function. However, our client is of the view that the proposed policies for the site are overly prescriptive and could undermine ongoing reinvestment and intensification. Among the key policies of concern are as follows:

1. The prohibition against single storey buildings [8.1.1.3.2 (b)] which could preclude new buildings or extensive renovations to existing buildings on the site;
2. The requirement for a development proponent to provide a pedestrian connection from Dryden Avenue to Millcroft Park including a pedestrian overpass of the CNR tracks [8.1.1.3.2 (h)] which should be a municipal responsibility;
3. The prohibition against single purpose buildings [8.1.1.3.3.2 (b) and 8.1.1.3.4.2 (b)] which policy conflicts with the existing uses of the site, including the new Movati athletic facility and could preclude redevelopment, intensification and reinvestment in the site;
4. The cap on individual uses of 1,400 sq.m. at grade [8.1.1.3.3.2(c) and 8.1.1.3.4.2(c)] which policy is overly and unnecessarily prescriptive;
5. The built form standards of height and density [8.1.1.3.3.2(f&g) and 8.1.1.3.4.2 (f&g)] are not necessary and unduly constrain future development potential. Built form standards should be developed in the context of development applications, and not constrained by Official Plan policies.
6. There should be no floor space restrictions in the Uptown Corridor designation [8.1.1.3.4.2(d)]; and
7. We would appreciate confirmation that future development applications for the Millcroft Centre will not require Area Specific Planning.

We will continue to try and work through our client's issues with staff with the aim to present to Council a revised set of policies for Millcroft Centre for inclusion in the City's new Official Plan. These policies will establish the planning framework required to support the continued investment, enhancement and intensification of site as one of Burlington's key areas for intensification.

Yours truly,

FOGLER, RUBINOFF LLP.

"Joel D. Farber"

Joel D. Farber*

*Services provided through a professional corporation

JDF/sz

cc: Andrea Smith & Hugo Rincon (City of Burlington)
client (Stefan Wisniowski)

From: [Lesley Simpson](#)
To: [Mailbox, Clerks](#)
Subject: Comments for November 30th meeting
Date: Tuesday, November 28, 2017 11:03:19 AM

Good morning. I would like to voice my concern over the proposed future development that is happening downtown Burlington. As a long time citizen of Burlington and a resident in the core area...I am afraid the downtown area will begin to look like the waterfront downtown Toronto. Have you seen that lately? Certainly not my idea of the Best mid size city in Canada to live in.

The uniqueness of the downtown area with its personality is what makes the core area desirable to live in and not to mention the traffic flow. The town houses on Ghent have increased traffic already and not sure what will happen when the Berkley is open and the condos at the Fairview GO station. We will not be able to move downtown...but lets say, I dont drive to take advantage of living in a walkable area of Burlington, where are we going to shop for groceries, eat in restaurants...and if you touch Spencer Smith Park, it will certainly change the whole make up of our great city.

I understand growth and change will happen and we need to accommodate and move forward, but I am not sure that changing the whole waterfront area and uniqueness of our midsize buildings with high rises, is the right direction.

I know if we sell our house and move, someone will move into our house and the taxes will be paid and no one will notice we are gone, but we certainly are watching this development as we consider our long term plans and if this is where we want to retire.

Good luck Burlington..we are proud to live here and call it home

--

Lesley Simpson



From: Robinson, Jim [<mailto:Jim.Robinson@fticonsulting.com>]
Sent: Tuesday, November 28, 2017 9:28 PM
To: Mailbox, OPRReview
Subject: Comments to New Official Plan - City of Burlington, ATTN: Leah Smith, Planning Department

Dear Ms. Smith

I have been a resident of the City of Burlington for the majority of my life and grew up near Walkers and Lakeshore - only short drive away from the Downtown area.

I have reviewed the new proposed Official Plan as well as the proposed Downtown Mobility Hub Precinct Plan. Having been fortunate to travel to a number of world-class cities around the world, a key element that I have noticed about successful and vibrant cities has been their ability to direct growth, density, and vibrancy towards their downtown area. I believe the City of Burlington needs to take a similar approach and can benefit greatly from additional forms of housing opportunities, retail and commercial spaces in the downtown area.

In an urban environment such as Downtown Burlington, I think this is best achieved through the creation of well-designed tall buildings. Tall buildings provide the opportunity to add density in a much slender and architecturally pleasing form. They reduce the bulkiness at the human scale and reallocate the density to a higher component of the built form which is not as visually impactful. A great example of this is the recent approval of 421 Brant St. within the Brant St. Special Policy Area.

On balance I am writing this email to show my support for a long term vision of Downtown Burlington which includes the incorporation of additional density through the use of well-designed tall buildings.

Best regards,

Jim Robinson

Jim Robinson, HBA, CPA-CA, CIRP
Managing Director, Corporate Finance & Restructuring

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November 29, 2017

Amber LaPointe
Committee Clerk
Planning and Development Committee
City of Burlington
426 Brant Street, Box 5013
Burlington, ON, L7R 3Z6

Dear Ms. LaPointe:

**RE: Comments on the City of Burlington New Official Plan (November 2017 Proposed Draft)
Commercial Properties at Walker's Line and New Street (4033-4059 and 4011 New Street)
OUR FILE: 17221A**

MHBC is retained by Marydale Construction Co. Limited (Mr. Augustine Arrigo) and Kapmory Limited (Mr. Stuart Warner) to undertake a review of the City of Burlington New Official Plan (November 2017 Proposed Draft) as it pertains to their separate landholdings located at Walker's Line and New Street and municipally known as 4033-4059 and 4011 New Street (the "Subject Lands").

Current Official Plan Framework

The Subject Lands are currently designated Residential Areas (Schedule A) and Neighbourhood Commercial (Schedule B) in the in-force City of Burlington Official Plan. The current land use structure that applies to the subject lands provides opportunities for commercial centres within and at the periphery of residential neighbourhoods at locations that meet residents' day-to-day and weekly goods and service needs. A range of retail and commercial uses are permitted within the Neighbourhood Commercial designation and residential uses may be permitted in retail and commercial buildings above the first storey. The current Neighbourhood Commercial designation differentiates "small scale" and "large scale" neighbourhood commercial areas based on overall size, whereby a maximum building area of approximately 2,500 square metres over a 1 hectare site is considered small scale and 12,500 square metres over a 5 hectare site is considered large scale. There is no stated minimum or maximum height in the Official Plan and height is currently governed by the Zoning By-law.

Proposed Official Plan Framework (Draft 1-March 2017)

On March 24, 2017, the City released the new Draft Official Plan, in which the subject lands were proposed to be designated Mixed Use Nodes and Intensification Corridors (Schedule B), Secondary Growth Area (Schedule B-1) and Neighbourhood Centre (Schedule C).

On August 3, 2017, we provided comments to the City on the first draft New Official Plan as they pertain to the Subject Lands. In our previous comments, we identified several concerns with the proposed policy framework and its effect of constraining our clients' lands for future development which are briefly summarized again, below, for your information:

- The proposed minimum height of two storeys limits the potential to develop and redevelop the commercial sites in the short-term;
- The proposed maximum height of 6 storeys (11 storeys through bonusing) limits potential for redevelopment and intensification in the future;
- The proposed Floor Area Ratio caps for retail and service commercial uses is limiting and does not reflect the broader range of retail and service commercial uses which may exceed the proposed 2,800 m²/ 1,400 m² at grade requirement; and,
- The proposed policy which directs that development occur largely in the form of mixed use buildings is limiting and could impact redevelopment opportunities in the future. Flexibility to allow for a mix of uses on a site or a mix of uses within a building would be more appropriate to maintain the planned function.

In general, based on the above concerns, we recommended the City adopt a more flexible policy approach for the Neighbourhood Centres to recognize the evolving redevelopment opportunities along New Street and reflect the need for a phased development approach to commercial plazas which allows the retail planned function to be maintained in the interim and longer term.

Comments on the Proposed Draft Official Plan (November 2017)

The subject lands continue to hold the same designations as they did in the first draft (Mixed Use Nodes and Intensification Corridors, Secondary Growth Area, and Neighbourhood Centre). We have reviewed the proposed Draft Official Plan, as it applies to our client's lands, and offer the following comments:

- General Policy 8.1.3.2 k) has been added to the new Draft, which states that "development in the form of minor expansions and renovations to existing buildings, new small buildings and/or minor building replacements that are consistent with the existing scale and built form may be permitted, provided the proponent demonstrate how the development contributes to achieving vibrant, active and walkable built environment and does not compromise the long-term development of the site". We understand that the City has added this policy to address comments received through the first round of consultation, including our August 3, 2017 submission, which requested that a 1-storey built form be permitted. We also note that the language in Policy 8.1.3(4.2) e) respecting height permissions within the Neighbourhood Centres designation has been softened to encourage a minimum height of two (2) storeys whereas the minimum height within the Neighbourhood Centre designation previously included a requirement that the minimum building height shall be two (2) storeys. **We believe that these modifications address our previous concern with respect to minimum building height standards within the Neighbourhood Centre designation.**
- While the maximum height of six (6) storeys has been retained, we note that the November 2017 Draft has been revised to permit taller buildings up to a maximum height of eleven (11) storeys subject to a Site Specific Zoning By-law Amendment within all Neighbourhood Centres. More importantly, the November 2017 draft has been revised to consider taller buildings in excess of eleven (11) storeys, as part of a comprehensive site development, through a site-specific Official Plan Amendment whereas the April 2017 draft did not provide this flexibility. **We are supportive of the City's shift toward a more flexible approach with respect to height permissions within the Neighbourhood Centre designation.**
- With respect to density of development, we note that the November 2017 draft includes a policy which states "The Maximum Floor Area Ratio of development of 2.5:1 is regarded as appropriate

built form in the Neighbourhood Centre. An increase to this Floor Area Ratio may occur through a site specific Zoning By-law Amendment or Minor Variance Application, without the need for an amendment to this Plan". This revision provides additional flexibility to support the redevelopment of older retail plazas throughout the City. Additionally, in our comments of August 3, 2017, we noted that the proposed Floor Area caps for retail and service commercial uses were limiting and suggested that the 2,800 m²/ 1,400 m² at grade requirements be removed. **We note that these requirements have been removed from the November 2017 draft; however, a policy has been added in place which states these will be established in the Zoning By-law. This policy modification addresses our previous concerns; however, we ask that the City continue to consider our previous comments related to the limitations of imposing 2,800 m² and 1,400 m² at grade caps when proceeding with the implementing Zoning By-law.**

- The April 2017 Draft of the New Official Plan contained policy which stated that "Development in a Neighbourhood Centre shall be designed to contain a range of land uses, largely in the form of mixed use buildings..." (Policy 8.1.3.3.2 b)). **This policy has been removed from the November 2017 draft, which provides additional flexibility for the redevelopment on our client's lands.**
- The November 2017 Draft now contains the following policy:

Policy 8.1.3(4.2) i) "Any proposed development of sites designated Neighbourhood Centre should retain the existing retail and service commercial floor area on site. Any proposed reduction of floor area shall not compromise the planned function of the designation as described in Subsections 8.1.3 (4.1) a) and b) of this Plan, and shall be supported by a retail and service commercial needs assessment prepared by a qualified person, to the satisfaction of the City."

We have sought clarification from staff as to the intent of this policy and its application to redevelopment.

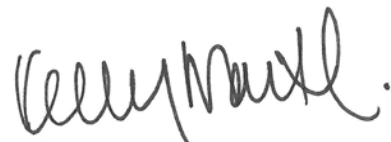
We appreciate the opportunity to comment on the Proposed New Official plan as it applies to our client's lands. We will continue to monitor the Official Plan processes and provide additional comments, as necessary, and ask that you keep us informed throughout the process. Please do not hesitate to contact me or Kelly Martel of this office with any question or comments on this matter.

Yours truly,

MHBC



Dana Anderson, MCIP, RPP



Kelly Martel, M.PI

Cc: Augustine Arrigo, Stuart Warner
Mary Lou Tanner, City of Burlington
Andrea Smith- City of Burlington