

ADDITIONAL COMMENTS FROM RESIDENTS:

For my entire life, I've been a proud City of Burlington resident, and I have lived just minutes away from the downtown.

I am proud to have raised a lovely family here. At my current stage in life as a retiree my focus and attention is mostly towards that of the future of the next generation and in particular to me, the future of my grandchildren. When it comes to city planning we must always balance the needs of those who are here to speak up today and those who will be living here tomorrow.

I would like to share my opinion with you, after having reviewed the new proposed Official Plan and the proposed Downtown Mobility Hub Precinct Plan.

I would like to enthusiastically, and unconditionally state my support for taller buildings within the downtown because it offers a range of housing types, and therefore contributes diversity to the downtown, which can only benefit from different backgrounds and experiences. It would also encourage a larger amount of people to engage with our downtown.

As long as the tall buildings are well-made and designed, I have no problem, and actually encourage this kind of development in my city.

I wanted to let you know that I think the long-term plans for the downtown area should encourage density, diversity, and engagement and that saying no to any building simply because it is tall represents dated, counter-productive thinking.

Thank you,

Katherine Ricci

My name is Jan Thompson. My wife, Catherine, and I bought our house in Burlington in 1979. We raised our family here.

I have enjoyed watching the city grow and develop and look forward to more changes. But I am not pleased with many of the changes proposed for the new official plan.

Many parts of the plan are flawed, and the process so far has not been inclusive enough. Many of the components of the proposed official plan are predicated on the downtown core being a "Mobility Hub", specifically an "Anchor Hub". However, it is clear from the documents that the city fails to understand that the downtown core is not now and is unlikely to ever meet the criteria for mobility hubs set out in the 2008 document "The Big Move".

Below are two excerpts from that document which make this clear:

PRIORITY ACTION #7 (page 45) A system of connected mobility hubs.
Create a system of connected mobility hubs, including Anchor Hubs and Gateway Hubs, at **key intersections in the regional rapid transit network** that provide travellers with access to the system, support high density development, and demonstrate excellence in customer service.

GLOSSARY OF TERMS (page 85)

... **Anchor Hubs** have the potential to transform the regional urban structure and **act as anchors of the regional transportation system**.

The downtown core is not served by any Rapid Transit Network and so does not meet the fundamental criteria.

And as such, most of the existing proposals for the development of the core need to be completely revised, after many opportunities for community consultation and engagement. Any Official Plan should be taken to the citizens at election time.

I fully support Councillor Meed Ward's several motions as outlined in the Jan 23, 2018 Agenda Package.

Moreover, I support a motion to delay approval of the Official Plan until after the upcoming Municipal Election.

I wish to preserve my right to seek an appeal through the OMB or LPAT should Council not revise the proposed official plan and postpone the approval of any proposed Official Plan until after the next municipal election.

Thank you

Jan Douglas Thompson

[REDACTED]

Burlington, ON L7R1G7

My name is Gary Parker, My address is: [REDACTED], Burlington, L7R1W3

I am of legal voting age

I wish to register my support for the 11 amendments that will be raised at today's meeting of the Planning and Development Meeting by my city councillor, Marianne

Meed Ward. I strongly believe that no final decision on the contents of our city's new official plan should be made until after municipal elections are held later this year.

Gary Parker
[REDACTED]
[REDACTED]

My name is Glen Smith, My address is: [REDACTED], Burlington L7R1W2

I am of legal voting age

I wish to register my support for the 11 amendments that will be raised at today's meeting of the Planning and Development Meeting by my city councillor, Marianne Meed Ward. I strongly believe that no final decision on the contents of our city's new official plan should be made until after municipal elections are held later this year.

Glen J Smith
[REDACTED]
[REDACTED]

Sent from my iPad

I am of legal voting age

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My name is Laurie Rocco,
[REDACTED]

Kind Regards,

Laurie

I am of legal voting age.

I wish to register my support for the 11 amendments that will be raised at today's meeting of the Planning and Development Meeting by my city councillor, Marianne Meed Ward. I strongly believe that no final decision on the contents of our city's new official plan should be made until after municipal elections are held later this year.

My name is Judy Snyder,

[REDACTED]

Burlington, ON
L7S 1L2

Kind Regards,

Judy Snyder

My name is Bruce Taylor; my address is [REDACTED] Burlington ON L7T 2L3, of legal voting age and I would like to have my name added to supporting Mr. Parkers that any voting be withheld until our Municipal Elections are held.

Bruce Taylor

My name is Gary Parker

My address is: [REDACTED], Burlington, L7R1W3

I am of legal voting age

I wish to register my support for the 11 amendments that will be raised at today's meeting of the Planning and Development Meeting by my city councillor, Marianne Meed Ward. I strongly believe that no final decision on the contents of our city's new official plan should be made until after municipal elections are held later this year.

Gary Parker

From: Justin Cochrane [REDACTED]
Sent: Monday, January 22, 2018 2:24 PM
To: Mailbox, OPReview
Cc: Mailbox, Office of Mayor Rick Goldring; Craven, Rick; Meed Ward, Marianne; Dennison, Jack; Taylor, John; Sharman, Paul; Lancaster, Blair
Subject: Letter to City January 22

Via Email

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

Attention Planning Department
Subject: New Official Plan City of Burlington

Hello,

I am a resident in Ward 4 near Tuck School and the issues that have been going on in the core are concerning to me as well. I have been more involved in what has been happening in Burlington since the New Street Road Diet. I have also begun following your news letters more closely.

In November/December issue, there is a section on page 6 with regards to the Official Plan. I didn't find any insight on your perspective on the plan and/or any reference as to how this change in development rules affect my neighbourhood or the drastic changes to the Urban Centers.

I found in Chapter 11 of the Official Plan that the City will ensure that community members are engaged, welcomed, and well served by their City. Based on the rush that has been put on pushing the New OP forward I do not believe that the community goals are being reflected in the current Land Use planning decisions. The downtown is a place where our family enjoys spending time, we know that the downtown residents are working to ensure that the Character of downtown is preserved. This doesn't mean that tall buildings are not supported – there are already many under development right now. It means that the whole downtown is not over intensified with buildings greater than 4-8 stories on Brant Street. Why would the City build in so many new locations and Precincts for such intense heights? We want more people downtown to keep it busy, but making it a concrete jungle won't help anyone.

In Ward 4 There is a potential Future Transit Station at Walkers between Harvester and Fairview. Does this mean that soon my area will border on a Mobility Hub? How will I know this if the Mobility Hub Plan and Transportation Plan are still underway? Does this mean our neighbourhood will soon experience the effects of living near a Mobility hub? Do you feel that you have communicated this new change to your constituents?

In closing, the issue with downtown needs to be looked at again with the community feedback from the Planning and Development meeting on January 23rd. Thank you,

Justin Cochrane – Ward 4

From: Lauren Jenkins [REDACTED]

Sent: Monday, January 22, 2018 3:35 PM

To: Mailbox, OPReview

Cc: Craven, Rick; Meed Ward, Marianne; Dennison, Jack; Taylor, John; Sharman, Paul; Lancaster, Blair; Mailbox, Office of Mayor Rick Goldring

Subject: New Proposed Official Plan

Attention: Leah Smith – City Planning Department

I would like to weigh in on the proposed Official Plan and Downtown Mobility Hub. I have reviewed a number of the key documents and supporting materials and I believe that a variation of height and design of buildings is something that our downtown cityscape is in need of.

I was disappointed to see that a new motion is being brought forward to essentially banish tall buildings within the downtown under the new proposed official plan. Restricting tall buildings all together limits us to a stale and dated mode of city-building.

Having traveled to many major cities around the world, I can attest that development of all kinds including tall buildings should be encouraged to move our beautiful, albeit smaller city, into a positive direction and with enhanced walkability, commercial viability and vibrancy.

We should be approving a plan which encourages the opportunity for taller buildings in our downtown on the merits of their design as well as their response to both the existing and planned context.

Thank you for taking the time to review my letter.

Regards,

Lauren Jenkins, DC

From: Joe Lepore [REDACTED]
Sent: Monday, January 22, 2018 4:43 PM
To: Mailbox, Office of Mayor Rick Goldring; Smith, Leah; Craven, Rick
Subject: Re: Jan 23, 2018 Planning and Development Committee

My name, Joseph Lepore

I live in ward 1

I am of voting age.

I support ECOB's position on delaying the approval of the draft official plan. I do not agree with the current draft official plan allows for balanced growth and the proposals more than double the existing permissions. We don't need to over intensify to meet targets: we need 185k people by 2031; we are already at 183k - we will meet and surpass our targets in the next 5-8 year across the city. I support a motion to delay approval of the Official Plan until after the upcoming Municipal Election.

Joe

From: Paula Presswood [REDACTED]
Sent: Monday, January 22, 2018 8:15 PM
To: Smith, Leah
Subject: TEC

Subject: Jan 23, 2018 Planning and Development Committee

My name is Paula Presswood.

I live at [REDACTED] Burlington Ontario L7P1P7 Canada - Tyandaga

I am of voting age.

I support ECOB's position on delaying the approval of the draft official plan. I do not agree with the current draft official plan allows for balanced growth and the proposals more than double the existing permissions. We don't need to over intensify to meet targets: we need 185k people by 2031; we are already at 183k - we will meet and surpass our targets in the next 5-8 year across the city. I support a motion to delay approval of the Official Plan until after the upcoming Municipal Election.

Paula Presswood

Sent from my iPhone

From: Fran Fendelet [REDACTED]

Sent: Monday, January 22, 2018 11:00 PM

To: Mailbox, Office of Mayor Rick Goldring; Craven, Rick; Meed Ward, Marianne; Taylor, John; Dennison, Jack; Sharman, Paul; Lancaster, Blair; Smith, Leah

Subject: Planning and Development Committee - Jan 23, 2018

Dear Mayor Goldring, Councillor Craven, Councillor Meed-Ward, Councillor Taylor, Councillor Dennison, Councillor Sharman, Councillor Lancaster, Ms Leah Smith

I support the ECOB's (Engaged Citizen's of Burlington) position on delaying the approval of the draft official plan.

I do not agree that the current draft official plan allows for balanced growth and the proposals more than double the existing permissions. We don't need to over intensify to meet targets: we need 185k people by 2031; we are already at 183k - we will meet and surpass our targets in the next 5-8 years across the city. I support a motion to delay approval of the Official Plan until after the upcoming Municipal Election.

I am of voting age and reside in Ward 1.

Thank you for your attention to my request.

Regards,

Fran Fendelet

[REDACTED]

Burlington, ON L7P 5B5

From: Smith, Leah on behalf of Mailbox, OPReview

Sent: Tuesday, January 23, 2018 8:59 AM

To: LaPointe, Amber

Cc: Bustamante, Rosa; Caldwell, Phil; Plas, Kyle; Caldwell, Phil

Subject: FW: Letter to City January 22.doc

Hi Amber - For the public record.

-----Original Message-----

From: vanessa drew [REDACTED]

Sent: Monday, January 22, 2018 2:55 PM

To: Mailbox, OPReview; Craven, Rick; Meed Ward, Marianne; Dennison, Jack; Taylor, John; Sharman, Paul; Lancaster, Blair

Subject: Letter to City January 22.doc

January 22 Via Email

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

Attention Planning Department
Subject: New Official Plan City of Burlington

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I found in Chapter 11 of the Official Plan that the City will ensure that community members are engaged, welcomed, and well served by their City. Based on the rush that has been put on pushing the New OP forward I do not believe that the community goals are being reflected in the current Land Use planning decisions. The downtown is a place where our family enjoys spending time, we know that the downtown residents are working to ensure that the Character of downtown is preserved. This doesn't mean that tall buildings are not supported – there are already many under development right now. It means that the whole downtown is not over intensified with buildings greater than 4-8 stories on Brant Street. Why would the City build in so many new locations and Precincts for such intense heights? We want more people downtown to keep it busy, but making it a concrete jungle won't help anyone.

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In closing, the issue with downtown needs to be looked at again with the community feedback from the Planning and Development meeting on January 23rd. Thank you,

Vanessa Drew – Ward 4

From: Robinson, Jim [REDACTED]
Sent: Monday, January 22, 2018 10:15 PM
To: Mailbox, Office of Mayor Rick Goldring; Craven, Rick; Meed Ward, Marianne; Taylor, John; Dennison, Jack; Sharman, Paul; Lancaster, Blair; Mailbox, OPRReview
Subject: New Draft Official Plan for Downtown

Dear Mr. Mayor and Burlington City Council Members,

I understand there is an upcoming Planning & Development Committee meeting which will be discussing and addressing the components of the new Draft Official Plan pertaining to the Downtown. As such, I am writing this email to you in an effort to reiterate my position which was formally put forth to the city in late November, a copy of which is shown below.

In order to succeed over the next 10-20 years, we need be forward thinking in how we plan our city. We must use good planning principles, rely on our experienced professionals to help guide us through this process and be welcoming of change, not fearful of it. Growth and intensification can bring so many good things which our downtown is in dire need of.

I do hope that: i) you will continue to stand behind city staff's recommended direction, which council supported during the September Planning and Growth meeting (ie. precinct plan which allocates a variety of buildings in the downtown core along with a number of taller buildings); and, ii) council will set in place a plan that will in fact allow Burlington to finally Grow Bold.

Regards,

Jim Robinson

Email Sent On November 28, 2017

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

FTI Consulting

[REDACTED]

[REDACTED]

From: Kassia Falco [REDACTED]

Sent: Monday, January 22, 2018 10:28 PM

To: Mailbox, OPReview

Cc: Mailbox, Office of Mayor Rick Goldring; Craven, Rick; Meed Ward, Marianne; Dennison, Jack; Taylor, John; Sharman, Paul; Lancaster, Blair

Subject: Mobility Hub Study + Official Plan

To whom it may concern:

I feel that I have some insights to offer regarding the proposed Downtown Mobility Hub Study and Proposed Official plan, as I have lived near the downtown Burlington area for the majority of my life. Most notably, after having lived in Toronto for a number of years my Husband and I have just recently moved back to Burlington to raise our twin daughters here.

Aside from our connection to family and friends within the Burlington area one of the major driving forces that informed our decision to move back was the proposed

direction of the city in terms of their new official plan and desire to grow bold. In its simplest form we wanted to raise our children in a city that is forward thinking about the future and creates a place of opportunity for them to grow and learn.

I believe in supporting new development, and think that higher density tall buildings will bring new people to boost our economy and to create new interest in our downtown. Our downtown has a lot to offer, with great restaurants, stores, and other services and I feel that by declining high density mixed use buildings, we are detracting from our city. We could benefit so much from inviting a variety of buildings into our downtown core, and encouraging development into our small sized city can and should be seen as a positive.

Additionally, I've applauded the approval of the development at 421 Brant Street, which I believe will also rejuvenate our downtown. I hope this kind of encouraging development can continue to create a bustling downtown, for my children and grandchildren to enjoy for years to come.

Thank you for your time.

Sincerely,

Kassia Kocharakkal

The Official Plan ('OP') should not only be approved and supported by council but more importantly **it should be put forth to the taxpayers of Burlington for their support and approval via a referendum.** Rationale being, does Council have the necessary expertise and background to properly evaluate the merits of the OP by solely relying on a handful of City Planners and staff?

City Planners have provided an alternative, unconventional and presumably progressive view on the future of Burlington not shared by many of the residents of Burlington.

My view is that the City has failed its residents as follows:

- Not adequately disseminating important information to the general population on the OP
- Understanding that information has a 'shelf life', no real financial or social analysis/proof that this OP will be of long term benefit
- No risk analysis and discussion of mitigants
- Discounting residents' consistent opposing views that were gleaned through town halls, workshops, surveys etc.

- Rushing complex decisions through council, without allowing for the necessary time frames to absorb the information and understanding the impacts those decisions will have in the coming decades

The OP should highlight the solidarity of its citizens that is inclusive and respectful of the many challenges and opportunities that face Burlington.

Thank you for your consideration,

Susan Goyer

[REDACTED]

Burlington, ON

January 22, 2018
Ms. Amber LaPointe
Committee Clerk
Clerks Department, City of Burlington
By email: Amber.Lapointe@burlington.ca

Re: Proposed Changes to draft Official Plan downtown policies

Dear Ms. LaPointe:

The Burlington Downtown Condominium Association ("BDCA"), representing 11 condominiums, over 1,000 residents in 690 units and providing in excess of \$3,000,000 in property tax revenue to the City, appreciates and applauds the contributions made by Council. These contributions have resulted in Burlington being recognized as the best mid-sized city in Canada. In August 2016, our submission to Ms. Bustamante regarding the ADI proposal on Martha Street, documented our support of the Official Plan and expressed our concerns with other than minimal future alteration to the Official Plan. We are therefore disappointed with the proposed modifications to the Official Plan, the draft Official Plan. This letter registers our opposition to the draft Official Plan.

Infrastructure

The proposals to increase allowable heights will increase the residential density in the downtown core with no significant change in the related infrastructure, including traffic, parking, sewers and drains. The following is a quote from John Tory, Mayor of Toronto on his January 17, 2018 blog.

"Development along the Etobicoke waterfront has exploded in recent years but transit infrastructure has not kept up with that growth. I have heard from so many people who live in this area who have told me about the frustration they face trying to get to work and home again."

We are not opposed to change but do not wish downtown Burlington to be the subject of similar headlines.

Traffic

Downtown traffic, without factoring in the inevitable increase from already approved projects, is currently at capacity during rush hour periods.

The BDCA cannot support the proposed increases in allowable storeys.

Parking

Residential buildings need adequate parking for visitors and tradespeople, and commercial enterprises need parking for their customers. The City has currently allowed downtown condominiums many exceptions, thus reducing available parking. Bunton's Wharf and 360 Pearl have no parking for visitors. As well, the approved Waterfront Development on Lakeshore does not have adequate parking. The new senior home on Pearl has no visitor parking spaces. The proposed changes will increase the density, thus compounding the problem, yet there is no mention for a new parking garage in the Downtown Area.

The BDCA cannot support the proposed increases in allowable storeys.

Sewers and Drains

Given the recent flooding throughout Burlington we have serious concerns that continued residential growth will place undue strain on the current infrastructure. No evidence has been provided to suggest otherwise.

The BDCA cannot support the proposed increases in allowable storeys.

We support the motions to be proposed by Councillor Meed Ward, specifically:

Defer the approval of the draft Official Plan until after the 2018 Municipal Election

This will allow for full and fair discussion from all affected interests. The BDCA fails to understand the urgency to push the amendments through without a full appreciation of the concerns of those who will be directly impacted. A longer time frame for discussion would enable the changes required in infrastructure to be identified and addressed. The BDCA supports the deferral of the proposed changes to the Official Plan until after the 2018 Municipal Election.

Remove the mobility hub classification for the downtown and shift the Urban Growth Center to the Burlington GO station

The BDCA understands the need for a city to grow but is concerned that the growth is too heavily weighted to residential growth in the downtown area. In addition, the BDCA is not aware of plans to amend the current infrastructure to address this growth.

Review the Downtown Urban Growth Centre boundaries and consider restoring original boundaries with the exception of Spencer Smith Park.

The BDCA is not aware of any benefits to be realized by the proposed changes and understands that the Region would support the proposed boundary changes.

Retain the current height restriction of 4 storeys (with permission to go to 8 storeys with community benefits) for the Downtown Core Precinct. Include policies to allow additional density in developments that preserve heritage buildings, as a factor of square footage preserved.

The BDCA supports this motion. The BDCA would support a range of mid-rise developments as contemplated in the existing Official Plan.

Height restriction of 3 storeys along Brant Street with permission to go to 11 storeys along John Street frontage, only with the provision of community benefits.

The BDCA supports this motion. The BDCA believes in the existing Official Plan.

Add the north-west corner of Burlington Avenue and Lakeshore Road to the special planning area to match the north-east corner. Reduce height to 3 storeys.

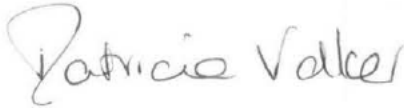
Reduce the cannery district at the north-east corner of Lakeshore Road and Brant Street to 15 storeys.

Upper Brant Precinct: 8a. Remove East side of Brant from Blairholm to Prospect

Remove West side of Brant from Blairholm to Olga

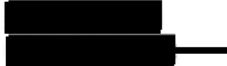
The BDCA supports the above motions.

Respectfully submitted on behalf of the Downtown Condominium Association



Patricia Volker, Brant's Landing
On behalf of the BDCA, President, Jack Bolzan

Members of the BDCA



Baxter:

Brant's Landing:

Bunton's Wharf:

Harbour Lights:

Harbourview:

Lakeforest:

Pine and Pearl:

The Residences of Village Square:

Sandy Pinto

Dennis Roy

Mary Mazure

Patricia (Trish) Volker

Marianne Fletcher

Dawson Kilpatrick

Colette Ertel

Bob Rideout

Jack Bolzan

Joe Lamb

cc: Mayor Rick Goldring

Rick Craven

Marianne Meed Ward

John Taylor

Jack Dennison

Paul Sharman

Blair Lancaster

James Ridge

January 22, 2018

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 Downtown Mobility Hub Precinct Plan and Supplementary Information and Directions Regarding the Proposed Downtown Mobility Hub Precinct Plan and Proposed Official Plan Policies (PB-11-18)
Emshih Developments Inc. 433-439 Brant Street, Burlington
OUR FILE: 1583F**

As you may know, 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").

On November 28, 2017, we provided written comments with respect to the proposed Draft Downtown Mobility Hub Precinct plan which highlighted our concerns and questions with the proposed policies (attached). To date, we have not had any response from staff and have not had an opportunity with staff to discuss further.

On January 19, 2018, we received a copy of PB-11-18: Supplementary Information and Directions Regarding the Proposed Downtown Mobility Hub Precinct Plan and Proposed Official Plan Policies. We have reviewed the Supplementary Information and Directions Report (PB-11-18) prepared by staff and note that it does not appear to address the concerns and issues raised by citizens, agencies and landowners (including our client). We appreciate the opportunity to comment further on the Proposed Downtown Mobility Hub Precinct Plan, however, we still have several concerns with respect to background information and inputs into the Area Specific Planning process, including the determination of the Parks and Promenades Designation, in particular, which we would like to discuss with staff before these policies are approved and incorporated into the New Official Plan. We need to better understand how these policies are to be implemented and how parkland is to be acquired. We respectfully request a meeting with staff to discuss these issues, in advance of any formal approval by Council.

Our concerns remain, as summarized below:

1. Parks and Promenades Designation

A Parks and Promenades designation has been applied to a portion of our client's lands and it is unclear how this was determined. We noted in our letter that these lands currently provide a retail and commercial function and include an associated outdoor garden centre, which is part of a private business. On this matter, we asked staff whether a detailed analysis of open space was undertaken as part of the work for the area-specific planning process and requested further information with respect to the background work done to determine the parks and open space needs requirements within the Downtown. **We still have considerable concerns with what methodology was used to determine the appropriate land needs and locations for the parks and promenades precinct. We have further concerns and questions around what the City's approach and process will be with respect to obtaining the proposed parks and promenades lands from private owners, where they are not owned by the City, such as is the case with our Client's lands.**

2. Urban Design and Built Form along Brant Street

In our previous submission, we highlighted concerns with the inclusion of strong policy language in the Plan with respect to built form, including the required 45-degree angular plane and three storey podiums along Brant Street. It continues to be our position that the physical character along Brant Street can be maintained without the strict requirement of a 45-degree angular plane, which may not be feasible on all sites; and, flexibility in design which would permit development proposals to contemplate two-storey podiums along Brant Street, should that be desired. In our letter, we noted that this rigid policy framework would have the unintended consequence of sterilizing lands from development. Particularly, in the case of the Subject Lands, redevelopment of the site is constrained due to parcel size and configuration and, as a result, terracing back to meet the full 45-degree angular plane may not be feasible. **We continue to request that the Brant Main Street Precinct policies be revised to allow greater flexibility for site redevelopment, in recognition of existing constraints within this area and other urban design measures that can be implemented to ensure good building design.**

3. Clarification of the Brant Main Street Special Planning Area

Our November 28, 2017 letter outlined concerns with application and interpretation of language within the Brant Main Street Special Planning Area designation. Primarily, we noted that we were unsure of how the term "immediately adjacent" was being applied within the context of the Special Planning Area. This directly impacts our client's lands, which are identified as being within the Special Planning Area; however, we are unsure how to interpret whether the seventeen (17) storey height maximum applies to these lands or not. **We continue to request that further clarity be provided with respect to the 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.**

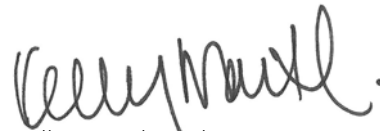
We look forward to meeting with the City moving forward to further discuss our comments and requests in order to facilitate the redevelopment of our client's lands. Please do not hesitate to contact me or Kelly Martel of this office with any questions or comments on this matter.

Yours truly,

MHBC

A handwritten signature in black ink, appearing to read 'Dana Anderson', with a stylized, cursive script.

Dana Anderson, MCIP, RPP

A handwritten signature in black ink, appearing to read 'Kelly Martel', with a stylized, cursive script.

Kelly Martel, M.P.I

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

November 28, 2017

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

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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', with a stylized, cursive script.

Dana Anderson, MCIP, RPP

A handwritten signature in black ink, appearing to read 'Kelly Martel', with a stylized, cursive script.

Kelly Martel, M.Pl

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