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Correspondence

April 24th, 2018

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

Attention: Angela Morgan

Dear Mayor and Members of Council:

Re: Revised Draft City of Burlington Official Plan

431, 425, 419, 415 Burlington Avenue and 1421, 1415, 1407 Lakeshore Road,
City of Burlington
Welwyn Interests Inc.

Ruth Victor & Associates are the planning consultant for Welwyn Interests Inc., the owners of the properties located at 431, 425, 419, 415 Burlington Avenue and 1421, 1415, and 1407 Lakeshore Road in the City of Burlington (herein referred to as the "subject properties" or "subject lands").

This letter is with regards to concerns related to the designation of the subject lands under the proposed new City of Burlington Official Plan, which is being presented for adoption by Staff to City Council at a meeting of the Planning and Development Committee on April 24th, 2018.

Overview

This letter is following a number of submissions by both ourselves and Denise Baker to Council on the following dates: June 28th, 2017; September 29th, 2017; November 27th, 2017; and February 22nd, 2018. A copy of these submissions are attached to this letter (see Appendixes 'A'-'D'), as well as a preliminary Heritage Report that was also completed and submitted on September 29th, 2017 (see Appendix 'E').

**For clarity, the properties located at 415, 419, 425, and 431 Burlington Avenue are referred to as "the lands along Burlington Avenue" while the properties at 1421, 1415, and 1407 Lakeshore Road are referred to "the lands along Lakeshore Road".

April 2017

The Proposed Official Plan from April 2017 designated both the subject lands as within the "Urban Centre", the Downtown Mobility Hub, and the lands along Lakeshore Road were located within the Urban Growth Centre Boundary and the designated Primary Growth Area", while the lands along Burlington Avenue were designated as "Established Neighbourhood Area".

Specifically, the lands along Lakeshore Road were designated as "Downtown Residential – Medium and/or High Density Precinct", and the portion of the lands along Burlington Avenue as "St. Luke's

Neighbourhood Precinct". The Downtown Residential – Medium and/or High Density Precinct" were a set of temporary placeholder policies that were to maintain and increase public linkage between to the Lake Ontario waterfront (section 8.1.1.2.5.1), but noted that any associated site-specific policies were to be provided through the finalization of the proposed Official Plan (section 8.1.1.2.4).

November 2017

The proposed Official Plan from November 2017 designated the entirety of the subject lands as within the Urban Centre and Downtown Mobility Hub. It designated the lands along Lakeshore Road as within the designated Urban Growth Centre Boundary and as a Primary Growth Area, while the lands along Burlington Avenue were designated as "Established Neighbourhood Area".

Specifically, the lands along Lakeshore Road were designated as "Downtown Mid-Rise Residential Precinct — Special Planning Area", and the lands along Burlington Avenue were designated as "St. Luke's/Emerald Neighbourhood Precinct". The Downtown Mid-Rise Residential Precinct — Special Planning Area" introduced a maximum height of 6-storeys, while the St. Luke's Precinct introduced a maximum height of 2.5-storeys.

February 2018

The proposed Official Plan from February 2018 designated the subject lands as "Downtown Mid-Rise Residential Precinct — Special Planning Area" and the lands along Burlington Avenue as "St. Luke's/Emerald Neighbourhood Precinct". The policies for these two Precincts remained the same as those established in November 2017.

Since February 2018, the only change to the policies for both Precincts were to include the 6-storey maximum height to the lands located at the northwest corner of Burlington Avenue and Lakeshore Road.

Proposed Development

A proposed concept for the redevelopment of the subject lands was submitted to the City in April 2018 on behalf of Welwyn Interests Inc. for an 11-storey seniors home with 211 units. A pre-consultation meeting for said redevelopment concept is scheduled for May 2nd, 2018.

The subject lands were selected due to their close proximity to Burlington's Waterfront, Brant Street, and public transit infrastructure. At the time of purchasing the subject lands and initial redevelopment discussions the existing Official Plan did not contemplate a maximum height restriction on the subject lands that Staff were recommending. However, the review process introduced a maximum height of 6-storeys for the portion of lands located along Lakeshore Road without justification, which severely restricts the potential for redevelopment of the subject lands in their entirety.

The aforementioned redevelopment concept would result in both an Official Plan and Zoning By-Law Amendment.

Provincial Policy

It is our opinion that the proposed Burlington Official Plan as it relates to the subject lands is not consistent with the 2014 Provincial Policy Statement ("2017 PPS") and does not conform with the 2017 Growth Plan for the Greater Golden Horseshoe ("2017 GGP").

The 6-storey height restriction is not in conformity with the objectives of the 2017 PPS and 2017 GGP; both of which promote intensification, compact built-form, appropriate ranges of housing, and optimal the use of land and investment in infrastructure and public services facilities — especially for lands within designated *Urban Growth Centres*.

Section 1.1.3.2 of the 2017 PPS encourages intensification in the form of densities and a mix of land uses that efficiently use land and resources, and support active transportation. Specifically, Section 1.1.3.3 states that intensification opportunities should be promoted where can be accommodated based on the availability of existing or planned infrastructure. Section 1.1.3.4 speaks to redevelopment of land within Urban Growth Centres, stating: "New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses, and densities that allow for the efficient use of land, infrastructure, and public services. The aforementioned proposed concept represents mixed-use intensification on lands directly abutting high-density lands on which 11-storey apartment buildings are located. In addition, the proposed Official Plan represents a down-designation from the current Official Plan policies with regard to height.

With regards to housing, Sections 1.4.1 and 1.4.3 maintain the importance of providing an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents of the regional market areas, and instructs planning authorities to accommodate residential growth for a minimum of 10 years through residential intensification and redevelopment. Specifically regarding housing types, Section 1.4.3 states that in order to meet all forms of housing required to meet the social, health, and well-being requirements of current and future residents (including special *needs* requirements), that all forms of residential intensification are to be promoted, and to establish appropriate development standards for residential intensification and redevelopments that minimize the cost of housing and facilitate compact form. The proposed concept represents senior housing

As mentioned above, the subject lands are located within the designated Urban Growth Centre, however the proposed Burlington Official Plan identifies the boundary of this Centre as the rear portion of the lands along Lakeshore Road: the lands along Burlington Avenue are not located with the Urban Growth Centre Boundary. The Urban Growth Centre represents a strategic growth area in which, according to Section 2.1.1 of the 2017 GGP, will be the areas in which growth will be focused and directed to. Sections 2.2.2 and 2.2.3 of the GGP states that Urban Growth Centres will be focal areas for: investment in regional public service facilities; to serve as high-density major employment centres that will attract provincially, nationally, or internationally significant employment uses; and to accommodate significant population and employment growth. It further highlights the minimum density target of 200 residents and jobs combined per hectare for the Downtown Burlington Urban Growth Centre in which the subject lands are within. Finally, the GGP also promotes the importance of achieving complete communities through intensification, a range and mix of housing options and

densities, and diversifying the overall housing stock across the municipality. It is important to note that the Growth Centre Boundary of the proposed Official Plan does not match with the Urban Growth Centre as laid out in the Places to Grow Plan (See Appendix 'F'). This map shows the area of the urban growth boundary as being north of Ontario Street, rather than at the rear of the properties within the subject lands with frontage onto Lakeshore Road.

In addition, as has been demonstrated in previous submissions for the subject lands, the proposed Official Plan draws the boundary of the Downtown Mid-Rise Residential Precinct along the rear of the properties along Lakeshore Road. This creates an inappropriate transition between the properties along Lakeshore Road and those along Burlington Avenue, and since this intersection represents an important gateway to the St. Luke's Neighbourhood Precinct, it is important to note that the subject properties are located adjacent to lands on which 11-storey apartment buildings have been located for a number of decades. A heritage assessment of the three listed and one designated dwellings on a portion of the subject lands has been undertaken, which concludes that the designated building does not have significant heritage importance. It is noted that the listed property at 431 Burlington Avenue is to be kept standing under the submitted concept plan for the subject lands. As stated, the lands located directly to the east of the lands along Burlington Avenue are comprise of 11-storey apartment buildings and thus the ability to provide an appropriate transition to the stable residential neighbourhood on the western side of Burlington Avenue is not achieved with the existing 2.5-storey maximum height on those lands east of Burlington Avenue.

Conclusions

Based on the aforementioned reasons, it is our opinion that the designation of the subject lands under the new Burlington Official Plan that is being recommended for adoption is not consistent with the PPS nor does it conform to the 2017 Growth Plan and thus should not be adopted without further work having been completed in order to identify appropriate policies related to the subject lands in their entirety. The division of the subject lands in the proposed Official Plan with regards to does not represent the intent of the Urban Growth Centre, which is the facilitate the majority of population and employment growth throughout the Province. In addition to this, said division prohibits and appropriate transition between the higher-density residential areas to the east and the lands along Lakeshore Road and the stable residential neighbourhood on the western side of Burlington Avenue. Further study would permit the proposed division to be analyzed and addressed.

In addition, as per Section 12.2.2(3) of the proposed Official Plan, which states that the City of Burlington will not accept Official Plan Amendment applications for a period of two (2) years following the date of adoption will further preclude any development of the subject lands and thus the significance of the appropriate designation of the subject lands prior to said adoption is critical.

It is our opinion that the Urban Growth Centre Boundary should be revised to include the subject lands and the maximum height of 6-storeys be removed in order to permit a thorough and appropriate transition between said neighbourhoods.

Thank you for receiving these comments — please do not hesitate in contacting us if you have any questions or wish to discuss this further.

Yours truly,