

**Emberson, Lola**

---

**From:** Vivian Zhao [REDACTED]  
**Sent:** Tuesday, September 19, 2017 12:09 AM  
**To:** Minaji, Rosalind; Emberson, Lola  
**Subject:** Re: Dundas Tremaine Secondary Plan

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

Dear Ms. Minaji & Ms. Emberson:

We are the property owners of 5371 Dundas Street, which is in the Evergreen Community Secondary Plan area as well as in the Tremaine Dundas Secondary Plan. Because the city is doing community consultation, and we've had a telephone inquiry with Rosalind, we have comments specifically regarding this property.

On the west and north of the property, the Tremaine Dundas Secondary plan draft report PB-52-17 and community consultation file 520-02-63, both showed a natural heritage system that covers until the west border of the property and within the north side of the property. We do not agree with this. Because on the north side within the property, there is only grass. Along the north border, there are planned trees along the property that shouldn't be considered natural heritage. The empty lot on the west side of the property, is mostly grass, that shouldn't be considered as natural heritage system. The buffers should be pushed out of the property.

We strongly suggest that the Natural Heritage System should be confirmed through an environmental study, or in the field through feature limit confirmation (staking), as done for the land owned by Evergreen Community Limited.

Regarding the new zoning, we are not in support of Business Corridor zoning for the usable land within the subject property and adjacent school bus property. We think that Mixed-Use General Corridor is the best option, because it complies with the City's overall planning policy. The reasons are below:

1. In the two files (PB-52-17 and 520-02-63), the City of Burlington indicated that Mixed-Use General Corridor should be located along Dundas Street, and the Business Corridor should be located along Tremaine Road where it is close to the Oakville Business side. So the Mixed-Use General Corridor on this property and the school bus property would comply with the city's policy.

2. Near the subject property, on Dundas and Sutton Drive, they are constructing 5 and 6 storey buildings. The building's first floor that faces Dundas, is commercial. The upper floors are residential. This is a good example of the Mixed-Use General Corridor along Dundas Street. See the plan and pictures below:



3. This type of building will meet the new target of 80 people and jobs per hectare of the Places to Grow's Growth plan for the Greater Golden Horseshoe. This generates both residential units and job opportunities.
4. This type of building will have less pollution, noise, dust, odours and traffic compact than the Business Corridor. With Bronte Creek at the back, the subject property is a beautiful place that people usually dream of living in.
5. Greater Toronto is still in a big shortage of housing, especially in Burlington. There are only a few pieces of land that can develop residential properties. On the other hand, there are more than enough business, including industrial, commercial etc. In Burlington, there are many other business lands waiting for development. To construct more housing, would bring more people to do business, bring more employers and employees, and tax payers to the City of Burlington.
6. The future Dundas Street will become 6 lanes road, there is no left turn at the subject property and school bus property. So it is not convenient for commercial trucks to drive in and out of there. Until the road work is done, school bus will be hard to operate, because they need to go to Oakville and Milton, which has to drive to east. It will cause significant delays for school kids, while now they already delay a lot for drop off and pick up school kids. And the noise, pollution, and traffic impact caused by commercial vehicles will be complained by future residents of Evergreen community and orchard community. So both the subject property and school bus property are not suitable to be business corridor.

PB-35-18 Appendix D - Public Comments

Thanks for reviewing our comments, we would like to meet you to discuss more at your convenience. Also please keep our email and contact information for future notification purposes.

Best Regards,  
Bruce Bi

**Emberson, Lola**

---

**From:** willie brown [REDACTED]  
**Sent:** Monday, May 08, 2017 12:31 PM  
**To:** Emberson, Lola  
**Subject:** Dundas and Tremaine

Hello,

I feel that there is a need for more residential development in Burlington. This parcel is ideally located near the new hospital and highway access and would provide housing for hospital employees and commuters

Regards

Willie Brown

[REDACTED]  
2970 Berwick Dr. #25  
Burlington On.

Sent from my iPad

**Emberson, Lola**

---

**From:** Gail Fabiani [REDACTED]  
**Sent:** Monday, May 01, 2017 11:39 AM  
**To:** Emberson, Lola  
**Subject:** Evergreen Community Secondary Plan

Lola, regarding the Evergreen secondary plan, we need more single family residents in Burlington. The market is overpriced because there is not enough inventory available. More single family homes are desperately needed.

Regards, Gail

***Gail Fabiani***

*Sales Representative*



Office: 905-637-1700

Cell: 905-928-1728

**Emberson, Lola**

---

**From:** Kathryn Nestor [REDACTED]  
**Sent:** Thursday, May 04, 2017 1:53 PM  
**To:** Emberson, Lola  
**Subject:** Evergreen Plan

As a Realtor in Burlington, I see first hand that there is an extreme shortage of housing in the GTA resulting in huge price increases. Desperate buyers from Toronto must come further out of the city core to find low rise homes for less than \$1MM.

As much as the Ontario government wants to see intensification of residences the dream remains to have a detached house with a yard. Next in demand are semi-detached and then freehold townhouses with the emphasis on a passion for ownership for the dirt around their house. High rise condos have their place but it is having even a small piece of land to call their own.

Any further zoning and/or plans for additional housing is desperately needed.

Best regards,  
Kathryn Nestor  
Right At Home Realty Inc.



**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](mailto:ssnider@tmalaw.ca)

Via email [lola.emberson@burlington.ca](mailto:lola.emberson@burlington.ca)

May 9, 2017

City of Burlington  
Planning and Building Department  
**Attn: Lola Emberson, Senior Planner**  
426 Brant Street, PO Box 5013  
Burlington, Ontario  
L7R 3Z6

Dear Ms. Emberson,

**Re: Community Consultation | File: 520-02-63  
Evergreen Community Secondary Plan  
Paletta International Corporation - Bronte Creek Meadows  
Our File No. 13122**

---

We are counsel to Penta Properties/Paletta International Corporation ("Paletta") in this matter. Paletta owns a large vacant site north of Mainway, west of Burloak Drive and south of Upper Middle Road known as Bronte Creek Meadows ("BCM").

On February 16, 2016 we wrote to the City of Burlington outlining Paletta's position on planning for the Evergreen Community (Burlington) Ltd. lands ("Evergreen"). A copy of the letter is attached. It was, and remains, our position that if the City is considering designating any portion of the Evergreen lands for residential uses, it is duty bound to put that consideration in the proper context of the City of Burlington as a whole and consider the relative merits of BCM for residential uses.

As part of the public consultation on the Evergreen Community Secondary Plan ("Secondary Plan") we are writing to reiterate these concerns. To date, there has never been an analysis of the relative merits of the Evergreen lands for employment and residential uses versus the BCM lands. It is our view that the BCM lands are inferior employment lands with

poor access to and no frontage on a 400 series highway and in a relative backwater from an employment perspective. Furthermore, the BCM lands are ideal residential lands given their proximity to other residential uses, natural areas and schools. Meanwhile, the proposed Secondary Plan for this area includes large areas of residential uses adjacent to the 407. Our client welcomes any fair and independent comparison of the locational attributes of these two sites for employment and residential uses. In our view, the relative merits could not be clearer. Council should require a comprehensive comparative analysis before taking any further steps in respect of this Secondary Plan.

This is not simply a planning exercise. The only purpose behind designating lands for employment purposes is to attract jobs. Council must ask itself: which of these two sites is more likely to attract real employment users? To press forward without a clear answer to that question would not simply be unfair to Paletta - it would do a great disservice to the people of Burlington. Residents of Burlington will not be able to find a job on vacant lands no matter what they are designated.

This Secondary Plan is premature at best and represents piecemeal planning.

We respectfully request to be added to the circulation list to receive copies of all notices with respect to the Secondary Plan. We also ask that all such notices continue to be provided directly to Paletta International Corporation as follows:

**Paletta International Corporation**  
**Attn: Dave Pitblado, Director of Real Estate Development**  
**4480 Paletta Court**  
**Burlington, Ontario L7L 5R2**  
**Email: dpitblado@paletta.ca**

If you have any questions please do not hesitate to contact us.

Yours truly,

Scott Snider

cc: Angelo Paletta  
Dave Pitblado

atss  
13122\227





**ATTACHMENT**

**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](mailto:ssnider@tmalaw.ca)

Via post & email [mike.greenlee@burlington.ca](mailto:mike.greenlee@burlington.ca)

February 16, 2016

City of Burlington  
Burlington Planning and Building Department  
Attn: Mike Greenlee, Senior Planner  
426 Brant Street  
Burlington, Ontario L7R 3Z6

Dear Mr. Greenlee:

Re: Evergreen Community (Burlington) Ltd. ("Evergreen")  
Official Plan Amendment, Rezoning and Plan of Subdivision  
Applications for 5421, 5453 and 5463 Dundas Street  
and 3232 Tremaine Road  
City File Nos. 505-06/15, 520-09/15 & 510-03/15  
Paletta International Corporation  
Our File No. 13122

---

As you are aware, we are counsel to Paletta International Corporation ("Paletta") in this matter. Paletta has substantial land holdings throughout the City of Burlington, including a site north of Mainway, west of Burloak Drive and south of Upper Middle Road known as Bronte Creek Meadows ("BCM"). BCM has a long history which is known to many councillors and staff.

In 2011, we made submissions to the Community Development Committee with respect to the proposed Tremaine and Dundas Secondary Plan Study for the Evergreen lands. In our submissions at the CDC meeting, and in subsequent correspondence dated September 23, 2011, we highlighted Paletta's concerns with any isolated consideration of residential uses for the Evergreen lands. We made the point in 2011, and reiterate it now, that if the City is considering designating any portion of the Evergreen lands for residential uses, it is duty bound to put that consideration in the proper context of the City as a whole and certainly to consider the relative merits of BCM for residential uses. This is necessary not only because it is good and sensible planning to evaluate all of the City's options when considering the designation of new residential lands, but also based on commitments made by the City to the Ontario Municipal Board in the context of the BCM hearing back in 2004.

City of Burlington  
Attn: Mr. M. Greenlee  
February 16, 2016

Page 2

**Background:**

Paletta purchased BCM in 1998/1999. Just as Evergreen is doing now, Paletta made applications for an official plan amendment, rezoning and plan of subdivision for residential uses on the BCM site. These applications were opposed by the City Council at the time for a variety of reasons, with the principle focus of the City being that BCM was required for employment uses over the planning period to the year 2021. Appeals were filed with the Ontario Municipal Board and a hearing was conducted in 2004. Ultimately, the Board refused to approve Paletta's applications.

In considering this outcome, it is absolutely essential to understand the Board's findings and the fundamental basis for its decision to refuse the applications. The Board found that BCM was suitable for either residential or employment uses. The Board noted as follows:

"The developable portions of Bronte Creek Meadows present no constraints to residential development. The site is well serviced by arterial roads and can be integrated into the City's public transit system.

Bronte Creek Meadows is within the City's urban boundary and contains woodlots, valley lands and stream corridors that would provide amenities for residential uses.

Bronte Creek Meadows would be well served with retail uses. A large-scale shopping centre is located at the northwest corner of Upper Middle Road and Appleby Line.

To the north of Bronte Creek Meadows is a residential community of Orchard. Approximately 75% of the lots within Orchard are registered.

To the west is the Sheldon Creek Valley that is a well-treed, incised valley feature. West of that Valley is the Sheldon Creek residential neighbourhood that is planned for semi-detached, street townhouses and low-rise apartments.

East of Burloak Drive is the Bronte Creek Provincial Park, which contains amenities and activities suitable for residential development." (at pp. 3-4)

The Board preferred the evidence tendered by Paletta on the environmental issues, transportation issues and fiscal impact issues finding that none of those matters presented any impediment to the designation of BCM for residential uses.

As you might expect, there was substantial evidence presented dealing with residential and employment land needs. **Significantly, in every employment land needs study conducted by the City, the Region and Paletta, the Evergreen lands were included as part of the City's employment lands inventory.** While the Evergreen lands were designated, as they are today, "Land Use Designation to be Determined", the lands were consistently and repeatedly included

City of Burlington  
Attn: Mr. M. Greenlee  
February 16, 2016

Page 3

as part of the City's employment land inventory without objection from anyone. This was understandable as the lands abut Hwy 407 and are immediately across the street from Town of Oakville employment lands.

Relying on the evidence of the City and the Region, the Board concluded as follows:

"The Board further finds that the Bronte Creek Meadows lands are required for employment uses and are not required for residential uses over the period to 2021."  
(at p. 40)

Given the size of the Evergreen lands, this conclusion would obviously apply equally to the Evergreen lands which, as noted, were consistently included as part of the City's employment land inventory as presented to the Board.

Needless to say, the employment and residential forecasts were hotly contested at the hearing. It is now 2016 and there are only five years remaining in the 2021 planning period. With respect, the ongoing lack of interest in Bronte Creek Meadows for employment purposes and the extremely constrained supply of residential lands in the City strongly suggests that the Board should have preferred Paletta's evidence on those issues.

Be that as it may, it is clear from the Board's decision that it was also strongly influenced by two other factors; namely, a concern that BCM had not been properly marketed for employment purposes and assurances given by the City that the designation of BCM would be reviewed in the future. On the first issue, the Board made a number of comments:

"The Board agrees with the Region's submission that from 1998, the lands were effectively taken off the market for employment land uses, save and accept for the efforts by the City and Paletta to secure a semi-conductor manufacturer on the lands. In November of 1998, the then owner, Richview Investments Limited, filed an official plan amendment application for a residential designation.

Paletta did not list the lands with any commercial brokers nor was the property signed. The message to the market place that these lands were going to be developed for residential land uses..." (at p. 6)

"Paletta moved quickly after it acquired all of the Bronte Creek Meadows lands to seek a re-designation of the site to residential, which the Board takes no issue with, provided that the proposal does not prejudice the public interest and provided it constitutes good land use planning." (at p. 38)

"The Board furthermore does not accept the implication that the City is attempting a land banking exercise by opposing the re-designation of the subject site. Permitting a site to remain idle is contrary to one of the goals of the PPS of promoting the cost effective use of land and infrastructure. The Bronte Creek

City of Burlington  
Attn: Mr. M. Greenlee  
February 16, 2016

Page 4

Meadows site has up until now, never been considered by the City as a residential site and the Board is of the view that properly marketed, has a reasonable opportunity of attracting employment opportunities...” (p. 39)

In terms of the City’s assurances that the designation of BCM would be reconsidered in the future, the Board reiterated the evidence of the City’s principal planner, Mr. Lehman, as follows:

“Mr. Lehman could see no reason for the City to the risk of running out of employment land and losing the opportunity to foster its economic base. He saw no need to re-designate Bronte Creek Meadows at this time, advising the Board that the issue should be revisited in 5 years time.” (at p. 18)

Most significantly, the concluding paragraph of the Board’s decision was as follows:

“The Board is satisfied the City has put forward a bona fide and a reasonable position that the continued designation of the Bronte Creek Meadows lands for a use other than residential is a valid and appropriate one. The City has assured Paletta that it intends to review the designation of the subject site from time to time, in the context of a wider review of all of the other lands within its boundaries. The Board heard no evidence or suggestion that the City will not do so, when it considers it to be in the public interest.” (at p. 40, emphasis added)

Simply put – this has never occurred. These assurances provided by the City to the Board need to be fulfilled. Since the City is now considering residential uses on a large portion of the Evergreen lands that were consistently included within the City’s employment land inventory as presented to the Board, now is the time to also consider residential uses for BCM as part of a “wider review”.

Paletta is simply asking that the City fulfill its commitment to the Board and to Paletta – a commitment that requires, at a minimum, an evaluation of the competing merits of the Evergreen lands with the BCM lands for residential and employment purposes. In our view, there is simply no doubt that the BCM site is substantially inferior for employment uses and exceptional for residential uses. We invite staff and the City to test these assertions. We do not view this as a controversial suggestion in the slightest. To the contrary, surely it is in the public interest for the City to identify the best lands for residential uses and, contrastingly the best lands for employment uses among the options available to the City. This is one of the functions of good land use planning. Our client welcomes any fair comparison and evaluation of its lands versus other options for residential or employment uses in the City.

We simply cannot imagine that the City would consider designating new residential lands without ensuring that it was making the highest and best use of the limited land resources available to the City within its urban area for both residential and employment uses.

City of Burlington  
Attn: Mr. M. Greenlee  
February 16, 2016

Page 5

**Subsequent Events:**

In 2009, the City and Paletta entered into comprehensive Minutes of Settlement dealing with a variety of outstanding land use planning issues. This included Bronte Creek Meadows. One of the fundamental objectives of the Minutes in respect of BCM was to address the concern identified initially by the City and the Region, and accepted by the Board, that the lands had not been adequately marketed for employment purposes. In good faith, assuming the City would fulfill the assurances it made to the Board about reconsidering the BCM designation in due course Paletta agreed to withdraw its appeals of OPA 55 and Zoning Bylaw 2020.205 in respect of a portion of BCM now known as the "Burloak Employment Estates". This is the portion of BCM which immediately abuts Burloak Drive and was considered to have the best potential for employment uses. Paletta also agreed to actively market the Burloak Employment Estates in cooperation with the Burlington Economic Corporation for a period of at least five years.

Paletta has fulfilled its obligations fully. It has actively marketed Burloak Employment Estates for employment uses. It has cooperated fully with the BEDC to advance the development of the lands. Unfortunately, despite years of effort, there has been very little interest of any kind and no sales. The lands sit vacant and underutilized. Quite frankly, this is not surprising because the lands have no access to rail, no visibility to 400 series highways and relatively poor access to 400 series highways. The marketing of the Burloak Employment Estates has continued well beyond the requirements of the Minutes of Settlement, to no avail.

**Conclusion:**

Paletta has fully complied with its agreement to market the Burloak Employment Estates. It has been almost 12 years since the Board's decision which raised the concern about the lack of marketing of the site and the site remains vacant. It is long past time for the City to fulfill its assurances made to Paletta and the Board that it will review the designation of BCM in the context of a wider review of other lands. It would be fundamentally inconsistent with those assurances to proceed designating new residential lands on lands consistently included within the City's employment land inventory without at the same time also considering the options for BCM.

Our client fundamentally objects to any initiative to designate any portion of the Evergreen lands for residential uses unless it is done so in the context of a wider review which includes BCM. The Evergreen lands have no higher claim to residential status than any other lands in the City simply because they are designated "Land Use to be Determined." The City should apply the most appropriate designations in the context of its other options in the City.

We respectfully request to be added to the circulation list to receive copies of all notices and any Notices of Decision with respect to these applications. We also ask that all such notices be provided directly to Paletta International Corporation as follows:

City of Burlington  
Attn: Mr. M. Greenlee  
February 16, 2016

Page 6

**Paletta International Corporation**  
**Attn: Dave Pitblado, Director of Real Estate Development**  
**4480 Paletta Court**  
**Burlington, Ontario L7L 5R2**  
(email [dpitblado@paletta.ca](mailto:dpitblado@paletta.ca))

We would be happy to meet with Staff to discuss these issues at your convenience.

Yours truly,

A handwritten signature in blue ink, appearing to read "Scott Snider", is positioned above the printed name.

Scott Snider

SSnd  
13122\215  
Cc: Angelo Paletta  
Dave Pitblado  
Peter Walker

May 6, 2016

Mr. Mike Greenlee  
Senior Planner  
City of Burlington  
Planning & Building Department  
426 Brant St.  
Burlington, Ontario  
L7R 3Z6

Dear Mr. Greenlee:

**Re: Evergreen Community Secondary Plan  
5371 Dundas Street  
Owners: Vivian Zhao and Bruce Bi  
Our File: 2016/14**

---

Please be advised that we have recently been retained by Vivian Zhao and Bruce Bi, owners of 5371 Dundas Street ("subject lands") to represent their interests as the City moves forward with the preparation of the Evergreen Community Secondary Plan (see Attachment No. 1 – Location of Subject Lands). As you are aware, the subject lands are not part of the private development application submitted by Evergreen Community (Burlington) Ltd. for 5421, 5453 and 5463 Dundas Street and 3232 Tremaine Road.

## **BACKGROUND**

### **Staff Report PB-36-11 – Council Date – September 26, 2011**

Staff Report PB-36-11, dated August 2, 2011, recommended that Council receive the report titled *"Tremaine and Dundas Secondary Plan: Background and Option Report"*, prepared by Macaulay Shiomi Howson Ltd., dated September 2009 along with the Addendum letter, dated January 11, 2010. There was also a recommendation to support Option 2 Mixed Use Option (Options Report, Map 11). The Council Minutes (Council Meeting No. 16-11) state: "Support a mixed use development substantially in compliance with the attached generalized and conceptualized sketch. The sketch is not to scale and reflects the organization and general configuration of uses on the site, not the quantity or exact location of the uses depicted". It appears that the Council Resolution does not make reference to Option 2, Map 11, but rather a generalized and conceptualized sketch.

A subsequent Staff Report, PB-82-12, dated October 31, 2012, contains Sketch No. 2 – titled "Council Approved Generalized Concept Plan (Council Meeting No. 16-11)" which



shows the subject lands as “Residential Areas” (see Attachment No. 2). Sketch No. 3 to the report, titled “Council Approved Generalized Concept Plan” shows the subject lands as “Residential – Low Density” (see Attachment No. 3).

**Staff Report PB-82-12 – Council Date - November 26, 2012**

Staff Report No. PB-82-12 recommended that Council instruct staff to support Sketch No. 3 to the report or alternatively Sketches No. 6 or No. 7, both prepared by Evergreen Community (Burlington) Ltd. (“Landowners’ Group”). As mentioned above, Sketch No. 3 shows the subject lands designated for “Residential – Low Density”.

Both Sketches No. 6 and No. 7, also referred to as Concept A and Concept B, show the subject lands designated for “Employment”.

On November 26, 2012, Council resolved:

“Direct the Director of Planning and Building to prepare a secondary plan for the Evergreen community based on Concept A or Concept B or a “hybrid” of the two concepts in principle, and providing land use policies that can achieve between 816 and 980 jobs, according to the concept ultimately determined and supported by an assessment of the issues outlined in report PB-82-12, including the comments from consultation with departments, agencies and the public; and

Direct the City Solicitor to request the Ontario Municipal Board at the prehearing on November 26, 2012 to adjourn the Evergreen Community (Burlington) Ltd. appeals of Official Plan Amendments 55 and 73 until completion of the secondary plan for the Evergreen community. (PB-82-12-1).”

[The two (2) paragraphs quoted above are two (2) of the four (4) paragraphs approved by Council on November 26, 2012]

On April 29, 2013, Council placed the preparation of the Evergreen Community Secondary Plan on hold until the resolution of the Ontario Municipal Board (“OMB”) hearing on ROPA 38. The Landowners’ Group appealed the Natural Heritage policies in ROPA 38 and was seeking a special exemption from the depth of the buffers required from specific natural heritage features. An OMB decision was rendered on April 6, 2016 and the Landowners’ Group appeal was dismissed.



Our clients' concern is the wording of the November 26, 2012 Council resolution. The resolution states that the Secondary Plan be prepared based on Concept A or Concept B or a hybrid thereof. We are not clear, at this point in time, on the background to, and the rationale for the employment designation on the subject lands and if there was any discussion and/or justification provided by the Landowners' Group for the change from the initial Residential designation on the subject lands to their proposal for Employment on the subject lands.

In our opinion the subject lands, in association with the lands to the east (First Student Inc.) are appropriate for a future medium to medium-high density residential built form.

We would like to meet with City staff to further discuss the genesis of the proposed Employment designation by the Landowners' Group.

#### **Staff Report PB-83-15 – Council Date – December 16, 2015**

On July 20, 2015, the Landowners' Group submitted new applications to amend the Official Plan and Zoning By-law, a revised draft plan of subdivision and a new set of supporting documentation. Staff Report PB-83-15 states: "The landowner application proposes land uses, including mixed use, employment and residential based on a hybrid of Council-endorsed land use concepts A and B."

Unfortunately, our clients did not fully appreciate that the 2012 concept plans prepared by the Landowners' Group depicted their lands and the First Student Inc. (5401 Dundas Street) lands as "Business Corridor".

We note that the Landowners' Group Sketches No. 6 and 7 (Concepts A and B) show the area west of the existing woodlot in the central/north portion of the community, immediately south of Highway 407 as Residential, whereas Sketch No. 3 to PB-82-12 shows the same area as Employment, i.e., the business corridor has been reduced in size from that shown on Sketch No. 3 to PB-82-12.

#### **CURRENT DEVELOPMENT PROPOSAL**

##### **Evergreen Community (Burlington) Ltd., July 17, 2015**

We have commenced our review of the existing background reports associated with the Secondary Plan. Most of these studies were prepared in 2009. We have also commenced our review of the 2015 supporting documentation submitted by the Landowners' Group, including the Planning Justification Report ("PJR").



The PJR includes a draft Official Plan Amendment (“OPA”) and a draft Zoning By-law Amendment (“ZBA”). The map associated with the draft OPA proposes a “Business Corridor” designation on the subject lands. The map associated with the Landowners’ Group draft ZBA does not include the subject lands.

We do not see any specific justification in the PJR for the “Business Corridor” designation on the subject lands. The number of jobs proposed on the lands subject to the Landowners’ Group applications submitted in 2015 is 1,326. This total includes an estimated 357 jobs from the “Business Corridor” lands immediately south of Highway 407 and 969 jobs from the “Mixed Use Corridor – Employment” and “Mixed Use Corridor – General” land use designations. This exceeds the 816-980 range of jobs required as per the 2012 Council resolution. The Landowners’ Group has not included the proposed “Business Corridor” lands (subject lands and First Student Inc. lands) in the job generation numbers. It appears the employment target can be met without the subject lands.

We are also in the process of reviewing the “Employment and Residential Assessment” prepared by Malone Given Parsons Ltd. (“MGP”) on behalf of Evergreen Community (Burlington) Ltd. MGP was retained to carry out a residential and employment assessment of the Region’s Best Planning Estimates within the context of the Landowners’ Group property.

## **CONCLUSION**

In our opinion, the subject lands, including the First Student Inc. lands, are appropriate for residential development. The subject lands are located an appropriate distance from the Canada Brick manufacturing use located on the west side of Bronte Creek. A small pocket of “Business Corridor” land is not required to meet employment targets/objectives and is not, in our opinion, an appropriate location for a “Business Corridor” designation. Additional employment/business corridor lands, if required, are more appropriately located along the Highway 407 corridor, similar to the business corridor configuration to the west in the Alton Community.

In terms of higher density residential development along Dundas Street in the subject location, a proposal by ADI Development Group Inc. was recently approved for 5210 – 5236 Dundas Street, in close proximity to the subject lands. The ADI site is smaller than the subject lands and the First Student Inc. property. The OMB approved the settlement between the City and ADI which allows for 237 residential units in four (4) connected apartment buildings ranging in height from 4-6 to storeys.



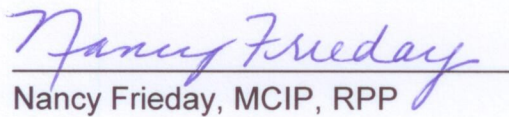
The purpose of this letter is to formally advise City staff that the owners of 5371 Dundas Street do not support the proposed "Employment/Business Corridor" designation on their lands.

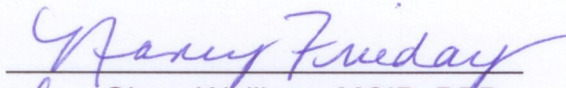

We understand that the subject lands do contain Natural Heritage features and are partially within the area regulated by Conservation Halton. We have also advised our clients that it will be necessary to contact First Student Inc. and obtain their opinion on the proposed Employment land use designation. Further, discussions are required with Region of Halton transportation staff on the detailed design for the widening of Dundas Street.

We understand that the City is currently undergoing staffing changes. We were advised to seek a meeting with staff on the above-noted matters in approximately two (2) weeks. We would very much appreciate the opportunity to meet with City staff to discuss the options and next steps. Please contact me to set up a meeting as soon as possible.

Yours truly,

**WELLINGS PLANNING CONSULTANTS INC.**

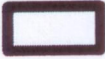

  
Nancy Friday, MCIP, RPP

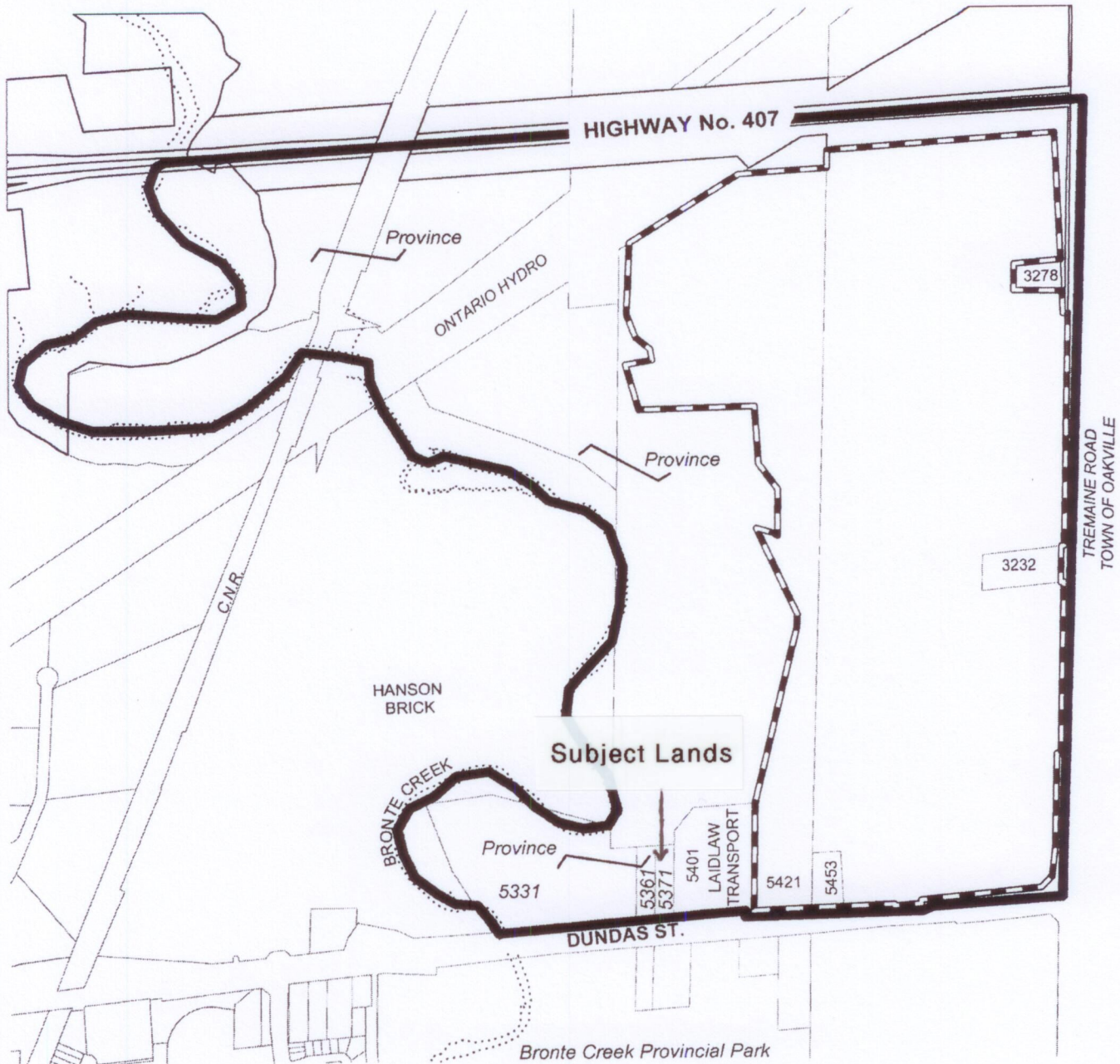
  
 Glenn Wellings, MCIP, RPP

Copy: R. Minaji, Co-ordinator of Development Review



FILE No. 150-05-44

-  Secondary Plan Study Area
-  Lands Associated With The Evergreen Proposal



DATE: SEPTEMBER 2009



