

Citizens' PLAN B

Delegation at Burlington's Community Planning, Regulation & Mobility Committee at January 14th, 2020

Re: Report PL-01-20 incl. ICBL Land Use Study

Citizens' PLAN B remains committed to the extension of Spencer Smith Park and the enhancement of the Brant Street gateway to Lake Ontario, through the application of the "Thin Red Line" design principle related to the Waterfront Hotel re-development. The Waterfront Hotel is within 800 metres (or 10-minute walk) of the John Street Bus Terminal, which means that it's within the Downtown MTSA.

The Open Letter to Council issued on January 5th, 2020, co-authored by Engaged Citizens of Burlington, We Love Burlington & us, Citizens' PLAN B, articulates our position on the above-mentioned report, particularly as it relates to the continued designation of the John Street Bus Terminal as a Major Transit Station Area (MTSA).

To be clear, we appreciate & support Burlington's drive to establish a new, approved OP in Spring 2020, and to take necessary remedial measures on ICBL expiry. We seek to understand however how some of the recommendations in PL-01-20 were made and your assessment of their implications & potential consequences.

What about the meaning & consistent use of the term Major Transit Station Area (MTSA)?

Plan	Actuals
Provincial & regional growth policies & legislation, such as Big Move & Halton Region OP identify a Burlington Downtown MTSA.	The John Street Bus Terminal does not & will likely never meet the definition of an MTSA, according to the recent Dillon Consulting study commissioned to "assess the role & function of the downtown bus terminal". MTO would classify it as a Basic Transit Service with a bus/ route every 20-30 min. and an associated density of 50 p+j/ ha. The first word in MTSA is Major, which the John Street Bus Terminal is not.
How can the desire for literal conformity with provincial & regional policy to gain OP approval justify the continued misuse of the term MTSA downtown, with all of its' intensification implications?	

Would you agree that an OP with policies that can't be enforced is of little value?

Plan	Actuals
"The proposed downtown plan & policies must be developed with the objective of being able to withstand possible appeals to the Local Planning Appeal Tribunal (LPAT)"	The OMB approved a 26-storey building at 374 Martha, in part based on the fact that it was close to a Downtown MTSA, in disregard of permissions in Burlington's OP. See Ed Fothergill's Dec.4/19 letter re: Lakeshore Mixed-Use Precinct for future guidance.
How do you plan to win LPAT 2.0 appeals by developers, for tall buildings well in excess of Burlington OP policies, on the basis of proximity to a Downtown Burlington MTSA?	

We're still trying to follow! So what's your plan to address the errant Downtown MTSA designation?

Plan	Actuals
Halton is responsible to delineate boundaries & establish density targets for individual MTSA's in Burlington. Halton's ongoing Municipal Comprehensive Review, including the Defining Major Transit Requirements (DMTR) study, continues to reinforce the regional significance of the Downtown Burlington MTSA and Brant Street as a Priority Transit Corridor.	In Ontario's 2019 Growth Plan, Downtown Burlington is not on one of its' Priority Transit Corridors, according to Dillon Consulting. Council has directed staff to report back on any changes to the Urban Growth Centre and Major Transit Station Area designations after the completion of the Official Plan and Interim Control By-law studies.
What options does Burlington realistically have to make timely & fundamental changes to our MTSA & UGC designations then, or even once our OP is approved?	

Citizens' PLAN B's Bottom Line

Let's find a way, political if necessary, to change the MTSA & UGC designations downtown so that our updated Official Plan will be LPAT-defensible and ultimately better serve the residents of Burlington, and soon.

D. R. (Don) Fletcher
January 14th, 2020