

**Response to "Taking a Closer Look at the Downtown:
Themes, Principles and Land Use Concepts"
City of Burlington**

PB-89-19

On Behalf of the Molinaro Group

This response to the above document is being submitted on behalf of the Molinaro Group who own properties in the downtown area. A review of the planning document prepared by SGL Planning and Design Inc. reveals a number of issues and concerns that we feel should be brought forward to Council for consideration in their deliberations.

The two options for the Lakeshore District significantly reduce development density on the Molinaro properties and other properties in the downtown area beyond the limits established in both the approved and adopted Official Plans. This new change in direction is not consistent with the intent of the Provincial Growth Plan which is designed to focus new development in Transit Station Areas and in the downtown core. One of the implications of the proper implementation of the Growth Plan is that tall buildings are anticipated in the downtown. This principle applies to other precincts within the downtown area as well.

The evolution of development in downtown Burlington over the past decade has proceeded in a direction which is consistent with the Provincial Policy Statement and the 2017 Growth Plan and includes recent emergence of high rise buildings and approvals of new tall buildings yet to be constructed. While understandably generating some reservations for those who would prefer to maintain the small town character of the downtown, this direction is a natural, logical and inevitable outcome of the implementation of Provincial Policy Statement and Growth Plan policies.

The report appears to suggest that there may be options to retain the small town character of the downtown area in revised official plan policies. For example, Principle 12 is to enhance and retain the "small town" identity of the Brant Main Street Precinct. This is an unrealistic expectation which is contrary to the intent of the provisions of the Growth Plan, the Regional Official Plan and both the approved and adopted Official Plans for the City of Burlington. As an Urban Growth Centre, as defined in the Growth Plan, it is simply not possible to design a plan that will maintain the small town character of the downtown which already changed and will need to continue to evolve in this direction to achieve intensification targets.

Similarly, the suggestion that tall buildings on Lakeshore Road be limited is not supported by existing public planning policy.

The Growth Plan encourages most intensification to occur in Major Transit Station Areas and Urban Growth Centres which include the downtown area, which itself includes a Major Transit Station. The plan sets minimum density targets of 160 residents and jobs per hectare in areas that are served by light rail transit or bus transit while Urban Growth Centres, such as downtown Burlington, must be planned to achieve by 2031 a minimum density target of 200 residents and jobs combined per hectare. The Provincial direction is to ensure that these objectives are met and that the focus of urban intensification should be in the downtown core. Any policy directive which would significantly limit development potential beyond existing planning policies that were established in the approved and adopted Official Plans cannot be supported.

Further, the limitation or prohibition of tall buildings in the downtown area would be inconsistent with the development pattern that has emerged over the past decade. This development pattern will continue with new projects which have already received approval but have not yet been constructed. The direction proposed by the SGL Report would lead to an inconsistent development pattern of building heights within the downtown and has the potential to significantly increase issues of compatibility between individual sites.

While the report suggests that podium buildings may be able to be set back 20 metres from the street, this depth is not appropriate for many of the sites in the downtown and will not allow an appropriate built form of tall buildings to be constructed.

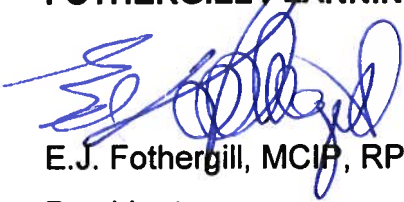
The report does not speak to the trade off between number of competing factors that must be considered in establishing a balanced form of development in an Urban Growth Centre. For example, the limitations in size and scale proposed in the plan have not been assessed in terms of housing affordability or feasibility of maintaining a strong retail presence in the downtown area. In order to be successful, commercial market rates have to be competitive and sustainable. It is unclear as to the extent to which the market analysis that was completed by the City has investigated these matters.

Please be advised that we would like to continue to be informed of ongoing studies reports and actions regarding the Official Plan review. For that reason, we may make further submissions on this process as it evolves.

Thank you very much for considering this submission.

Sincerely,

FOTHERGILL PLANNING & DEVELOPMENT INC.



E.J. Fothergill, MCIP, RPP

President

cc. Vince Molinaro
Sam DiSanto
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