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Goodmans LLP

January 27, 2020

Our File No.: 173075

City of Burlington Council
426 Brant Street, PO Box 5013
Burlington, ON
L7R 3Z6

Attention: City Clerk (cityclerks@burlington.ca)

Dear Sirs/Mesdames:

Re: City Report Number PL-02-20
Taking a Closer Look at the Downtown: Preliminary Preferred Concept

We are solicitors for Vrancorp Group regarding the property known municipally in the City of Burlington as 2020 Lakeshore Road (the "**Property**") and 2092 Old Lakeshore Road, as well as for other landholdings. We are writing to provide our client's comments regarding the preliminary preferred concept for the City's downtown area (the "**Draft Concept**").

Background

As background regarding the Property, our client has actively participated in a planning study intended to guide its redevelopment. Public consultation and engagement began in May 2017, with the emergence of two preferred options for the Property through a series of workshops. Both our client and members of the public made significant contributions to the processing of this study.

On June 5, 2018, City staff provided an updated to City Council and recommended key policy directions for the Property. These policy directions included design principles related to land use and built form, public realm and mobility/access. City staff also recommended that the study process be re-engaged in early-2019 following additional review and work by City staff.

As noted in our correspondence to the City on March 5, 2019, it was manifestly prejudicial for the City to abandon this study process, given all of the time, effort and resources invested by our client and the public. There was simply no legitimate planning basis to replace the study process for the Property with a new study process. Unfortunately, our client's request was not accepted and the Property was not exempted from the City's interim control by-law.

Comments

We have reviewed the Draft Concept with our client and its planning consultant. As noted above, our client has concerns with the Draft Concept and would appreciate an opportunity to meet with City staff in advance of the preparation of detailed modifications to the City's Official Plan. In particular:

- The Draft Concept provides insufficient evaluation and detail in support of the recommendations. As one example, there are many alternatives to a 20 metre setback to achieve goals related to walkability, pedestrian comfort, public views of the waterfront and compatibility with existing built form.

- The Draft Concept is not supported by any meaningful review of how it would meet the minimum provincial and regional targets for growth. Given the lack of transparency in how the Draft Concept will meet (or exceed) these targets, further information should be provided for review, including any assumptions about the location and approach to employment as well as the Draft Concept's ability to accommodate the required minimum population targets.

- The Draft Concept is not supported by sufficient rationalization for the built form recommendations for the Lakeshore, especially given the amount of work already done for this area. It also appears that built form recommendations for the L3 sub area are deferred, noting that further analysis is required.

- The recommendation that Lakeshore Road be a priority retail main street is unsupported by any meaningful rationale, especially for the north side of the street and given the existing context and recent approvals.

- The Draft Concept indicates that the Old Lakeshore Road Precinct and the Waterfront Hotel are outside the scope of study and no change to the City Official Plan is recommended. However, these lands fall within the scope of the City's interim control by-law and it is unclear why no analysis or land use recommendation has been provided for these lands.

As noted above, our client would appreciate the opportunity to meet with City staff to discuss these concerns and to ensure that any final report will provide additional rationale for the Draft Concept.

Please also accept this letter as our request for notice of any decision by City Council regarding this item.

Yours truly,

Goodmans LLP

David Bronskill
DJB/
cc: Client

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