

January 16, 2020

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VIA E-MAIL

File 20378.00001

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

Attention: Mayor Meed Ward and Members of Council

Dear Mayor and Members of Council:

***Re: Taking a Closer Look at the Downtown: Preliminary Preferred Concept***

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We are solicitors for Landform Development Group Inc. and 2413350 Ontario Inc. regarding the redevelopment of property located at 401-417 Martha Street, in the City of Burlington, (the "**Property**").

Together with our consultants Bousfields, we have reviewed the SGL Report entitled "Taking a Closer Look at the Downtown: Preliminary Preferred Concept" ("**SGL Report**") and note the following concerns that we wish to discuss with you further.

The Property is proposed to be located in a new "Village Square Precinct". There is no justification for the boundaries of this Precinct or the rationale for the exclusion of the existing 12-storey slab directly abutting the Property. It is submitted that there is a lack of analysis in the SGL Report as it relates to the creation of a new "Village Square Precinct" and the related built form recommendations.

Flowing from this lack of analysis in the SGL Report, it is our primary concern that the Property is proposed to be designated Village Square Precinct (V1) with a maximum of 3 storeys. There is no justification for this designation and it fails to take into consideration the fact that the Property is located within the City's Urban Growth Centre, and the existing and approved context surrounding the site, which includes medium and high rise buildings, including one directly abutting the property to the south.

It is of note that in terms of building height what is proposed represents a down designation without justification from the adopted Official Plan where staff determined a maximum height of 11 storeys was appropriate for the Property, and from the existing in force Official Plan designation where there are no height limits for the Property. It is submitted that this is contrary to the in force Provincial Policy as well as past Tribunal decisions with respect to down designations in Burlington's Urban Growth Centre.

We would appreciate the opportunity to discuss the proposed down designation with Mr. Lowes prior to any planning instruments being brought forward to Council for consideration.

We also request notice of any future meetings being held in connection with this matter. We thank you for your consideration of these comments.

Yours truly,

**WeirFoulds LLP**

A handwritten signature in black ink, appearing to read "DBaker", with a stylized flourish at the end.

Denise Baker

DB/mw

cc Client

Heather MacDonald, Executive Director of Community Planning, Regulation & Mobility, City of Burlington

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