



## CARRIAGEGATE

August 10, 2020

**Delivered By Email**

City of Burlington  
426 Brant Street  
P.O. Box 5013  
Burlington ON L7R 3Z6

**Attention: Kevin Arjoon, City Clerk**

**Subject: Downtown UGC and MTSA Designations  
PL-33-20**

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Carriage Gate Homes is an active member of the local building industry with one mixed-use building currently under construction at 421 Brant Street and several other active applications within the City's only Urban Growth Centre.

- The Urban Growth Centre was established by the Province of Ontario in 2008. Further to this designation by the Province, the City of Burlington approved a strategic plan that builds upon the established principles and policy direction.
- As the existing Official Plan for the City of Burlington was approved in 1997, we recognize that the City of Burlington has been working to prepare a new Official Plan for well over eleven (11) years.
- Currently, the existing Official Plan for the City of Burlington is recognized by the Province of Ontario, the Region of Halton, City staff, professional planners and LPAT as being terribly out of date and non-compliant with Provincial and Regional policy.
- Further to its review of the adopted Official Plan in 2018, the Region of Halton identified four (4) policy areas that required further review and refinement as they were inconsistent with Provincial and Regional policy. Prior to the Region of Halton issuing its notice of decision on the adopted Official Plan, only these four areas are required to be addressed to the Region's satisfaction.
- Subsequent to the Region's indication that four areas of the adopted Official Plan must be reviewed further and further to the municipal election in the fall of 2018, the new City Council chose to not only direct City staff to address the four (4) non-conformity issues outlined by the Region but to also undertake a re-examination of the adopted policies for the downtown. City Council embraced a sentiment that the adopted Official Plan contained policies that may represent and result in "overdevelopment".

- The City's efforts to address the Region's comments and to revise planning policies for the Urban Growth Centre relate only to the adopted Official Plan with a planning horizon of 2031 - effectively the next ten (10) years.
- At no time during the planning review process related to the adopted Official Plan have any reports or supporting documents been prepared by City staff (or its consultants) regarding a detailed re-examination of the UGC. Nor has there been any public process or consultation process with stakeholders to review any changes.
- At this point, no portions of the adopted Official Plan have been approved. Therefore, none of it is in force or effect.

During the planning process related to the initiatives noted above, the City of Burlington instituted an interim control by-law that has been appealed by numerous landowners and business interests in the City, the implementing official plan amendment (OPA 119) and an implementing by-law (By-law 2020.418) have been appealed by numerous landowners and business interests. OPA 119 is premised on the assumption that the MTSA designation for the downtown would remain.

Subsequent to Council's consideration of OPA 119, the City received a letter from the Minister of Municipal Affairs indicating that the current MTSA designation applicable to the downtown in the Region's Official Plan could be removed by the Region. The Region of Halton has indicated that this matter would be reviewed and considered through its IGMS efforts.

OPA 119, noted above, is a proposed amendment to the existing Official Plan and is not part of the newly adopted Official Plan. As noted above, this amendment is premised on the existence of the downtown MTSA designation. Notwithstanding Council's intention to request the Region of Halton to remove the MTSA designation from the downtown, OPA 119 has not been repealed and the implementing zoning by-law 2020.418 only applies to an area in the vicinity of the Burlington GO Station lands between Brant Street, Drury Lane, Fairview Street and the GO rail line and related facilities. This by-law has also been appealed by many landowners and business interests in the City.

In effect, development, redevelopment and future construction activity within the City's primary intensification area (the Urban Growth Centre) has been frozen.

During the process of considering revised planning policies for the downtown as part of the new Official Plan (2031) planning process, City Council received correspondence from the Minister of Municipal Affairs and Housing indicating that the current MTSA designation that applies to downtown Burlington in the Region's Official Plan could be removed by the Region of Halton. The Region of Halton has indicated that this will be considered through the Region's ongoing official plan review (IGMS Study) that is intended to have a planning horizon to 2051.

In addition, it appears that the City of Burlington, as requested by City Council, has held unspecified discussions with the Region of Halton and the Ministry of Municipal Affairs and Housing regarding the Urban Growth Centre designation and potential adjustments to its boundaries. At no time has the public or any stakeholder been advised or provided with any background or information on what is being considered or proposed. This is a matter that is being considered through the IGMS that the Region is undertaking for the 2051 planning horizon and is not part of and is distinctly separate from the adopted OP work and approvals that are ongoing that relate specifically to it.

Changes being considered by the City of Burlington and/or the Region of Halton in respect of Provincial policy must be considered through an appropriate planning process and cannot be considered at the last minute without appropriate discussion and review and the detailed analysis being considered. We brought this to the attention of Council in our deputation on December 5<sup>th</sup>, 2019. As this Council prides itself on transparency and an open planning process, deleting and/or revising the Urban Growth Centre at this time is inappropriate and unacceptable. Any changes being proposed to change the boundary of an Urban Growth Centre or to relocate it can only be made by the Minister of Municipal Affairs and Housing. The relocation of an Urban Growth Centre or modifications to its boundary are decisions that can also only be made by the Province of Ontario and would have a significant impact on the urban structure and planning policies currently being developed by the Region of Halton through the IGMS.

Unfortunately, PL-33-20 and recent social media activity are very confusing. It is unclear what City staff is recommending and no analysis has been completed or provided to the public and stakeholders that rationalize any changes that may be considered.

### **Requests:**

Further to the above, we request that City Council's consideration of this matter be deferred at this time and until such time as:

- Staff have provided to us detailed mapping to indicate all of the changes being considered to the boundaries of the Urban Growth Centre;
- We have been provided with and had an appropriate opportunity to review all supporting documents prepared by the City or on its behalf; and,
- We have been provided an opportunity to review the information and mapping with City staff; and,
- We have been provided an opportunity to delegate to Council on these matters after we have been provided with the above noted information and we have been provided an opportunity to review our findings with City staff.

In addition we request:

- OPA 119 be repealed insofar as it relates to all properties outside of the area included in by-law 2020.418.

Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,  
**Carriage Gate Homes**

A handwritten signature in dark ink, appearing to read "Mark G. Bales".

Mark G. Bales, MCIP, RPP, MLA

c.c. Mayor Marianne Meed Ward  
All members of City Council