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Our File No.: 173075

City of Burlington
426 Brant Street, PO Box 5013
Burlington, ON L7R 3Z6**Attention: Alison Enns (newop@burlington.ca)**

Dear Sirs/Mesdames:

Re: New Official Plan – 2069 Old Lakeshore Road and 2076 Old Lakeshore Road

We are solicitors for Vrancor Group, who are the owners of the property known municipally as 2069 Old Lakeshore Road and 2076 Old Lakeshore Road (the “**Properties**”). We are writing to provide our client’s comments in respect of the City of Burlington’s proposed modifications to the adopted official plan.

As background, the Properties would be identified as part of a Primary Growth Area within the Urban Growth Centre Boundary on Schedule B-1 (Growth Framework). The Properties would also be identified as part of a Frequent Transit Corridor on Schedule B-2. The Properties are also located with the Old Lakeshore Road Precinct on Schedule D (Land Use – Downtown Urban Centre). Clearly, the Properties are a candidate for intensification.

However, our client has concerns with the proposed implementation of this intensification potential through the proposed height and built form policies. In particular:

- Policy 8.1.1 (3.6.1) c) suggests that development not exceed 10-storeys (31.5 metres) in height. This height restriction is arbitrary and not the result of a comprehensive urban design exercise for the Properties and the surrounding context.
- Policy 8.1.1 (3.6.1) g) and Policy 8.1.1 (3.6.1) i) relate to the transfer of development rights for cultural heritage resources and require certain actions for a proponent of development along the waterfront trail. These policies are overly restrictive and will negatively impact the intensification potential of the Properties.
- Policy 8.1.1 (3.6.1) j) would require an area-specific plan for lands within the Old Lakeshore Road Precinct. Policy 8.1.1 (3.6.1) k) would require a specific study for the Old Lakeshore Road Precinct prior to a development application preceding such an area-specific plan. These policies are vague because they do not provide certainty related to



any terms of reference but, in any event, contain unnecessary pre-conditions to development of the Property.

- Section 8.1.1 (3.17) would provide a new set of policies related to urban design in the Downtown. These policies unnecessarily deviate from the City's Mid-Rise and Tall Building Guidelines and result in arbitrary performance standards that are not ground in good urban design principles. Further, certain policies are overly prescriptive (such as Policy 8.1.1 (3.19.3) and Policy 8.1.1(3.19.4)) for inclusion in an official plan.

Our client also has extensive concerns with the proposed Downtown Burlington Placemaking and Urban Design Guidelines. In particular, these guidelines inappropriately refer to density targets, lack certainty for measuring angular planes, are overly prescriptive in setback numbers and tower separation, and unduly ambiguous when addressing views and vistas. Our client's planning consultant would be pleased to meet with City staff to discuss revisions to these guidelines.

Please accept this letter as our request to be notified of any decision made in respect of this matter.

Yours truly,

Goodmans LLP

A handwritten signature in blue ink, appearing to read "D. Bronskill".

David Bronskill

DJB/

cc. Client

David Falletta, Bousfields