



KITCHENER
WOODBRIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

October 5, 2020

Mayor Meed Ward and Members of Council
City of Burlington
426 Brant Street, Box 5013
Burlington, ON
L7R 3Z6

Dear Mayor Meed Ward and Members of Council:

**RE: Proposed Modifications to the City of Burlington Official Plan
Glanelm Property Management- 5353 Lakeshore Road, Burlington
(Lakeside Village Plaza)
OUR FILE: 15218A**

As you know, MHBC is retained by Glanelm Property Management who own the lands located at 5353 Lakeshore Road in the City of Burlington known as Lakeside Village Plaza (the "Subject Lands").

We have provided a number of comments to Council over the past three years on the draft versions of the new Official Plan (April 2017, June 2017, and November 2017) and on the final plan adopted by Council in April of 2018 (the "New Plan"). In our letter dated April 23, 2018, we noted that we had recently submitted an application for redevelopment of the Subject Lands and identified that our client's application should be treated as our submission with respect to the New Plan on a site specific basis. We noted our support for the proposed new *Neighbourhood Centre* policies. We had also recommended a technical modification to address the potential confusion regarding the timing of Official Plan Amendments that were explicitly contemplated by the New Plan.

Since the submission of our application, in conjunction with the production and submission of a number of additional studies as requested by the City, our client has made significant changes to its project team. Members of that team assembled and met with the community in December of 2019. We had planned to continue to work with the community towards the development of a revised concept plan for the Subject Lands; however, the COVID-19 pandemic has resulted in a pause in the continuation of that work. Our client hopes to restart and reconnect with the community on this project as soon as possible.

In May of 2019 we became aware that as part of the scoped re-examination of the New Plan, Council directed staff to review the *Neighbourhood Centre* policies even though these policies were not noted as an area of non-conformity by the Region. On September 30, 2020, we were made aware that revised policies for the *Neighbourhood Centres* were presented at a public meeting before the Community Planning, Regulation and Mobility Committee as part of a number of modifications to the New Plan. We understand the recommended policy modifications will be before Council at its meeting on October 7, 2020, following which they will be forwarded to the Region for their consideration and approval.

We have reviewed the proposed modifications to the *Neighbourhood Centre* policies in the New Plan as set out in staff report PL-18-20 and presented at the Committee on September 30, 2020. While not applicable to our current application, we believe our Official Plan Amendment application conforms with these policies as modified. We maintain our concern, as set out in our letter dated April 23, 2018 (attached for reference) with the wording in Section 12.1.1(3) as it relates to timing for new applications explicitly contemplated by the latest version of the New Plan. We will seek to address this matter further with the Region as required.

We look forward to continuing to work with Council, City staff and the community on the opportunity to revitalize and redevelop the Lakeside Village Plaza.

Please do not hesitate to contact me with any questions or comments on this matter.

Yours truly,

MHBC

A handwritten signature in black ink, appearing to read 'Dana Anderson', written over the printed name below.

Dana Anderson, MCIP, RPP
Partner

Cc: Joe Elmaleh, Glanelm Properties
Aaron Platt, Davies Howe LLP
City of Burlington Committee Clerk
Curt Benson, Region of Halton

April 23, 2018

Mayor Goldring and Members of Council
City of Burlington
426 Brant Street, Box 5013
Burlington, ON
L7R 3Z6

Dear Mayor Goldring and Members of Council:

**RE: City of Burlington New Draft Official Plan (April 2018)
Glanelm Property Management- 5353 Lakeshore Road, Burlington
(Lakeside Village Plaza)
OUR FILE: 15218A**

As you know, MHBC has been retained by Glanelm Property Management as part of a team to prepare and implement a comprehensive master plan for the property located at 5353 Lakeshore Road in the City of Burlington known as Lakeside Village Plaza (the "Subject Lands").

We have provided a number of comments to Council over the past year on the draft versions of the Official Plan (April 2017, June 2017, and November 2017). We have had several meetings with staff in relation to the evolving policy framework and a pending application submission.

In anticipation of that submission, on January 24, 2018, we attended the 4th pre-consultation meeting with City and Regional staff to present an updated proposal for the Subject Lands. On Friday April 20, 2018, we submitted complete applications for the Subject Lands for an Official Plan Amendment (to the existing Official Plan) and a Zoning By-law Amendment. We understand that once the application has been deemed complete, the submission including all technical studies and reports, will be made available to the public on the City's website.

In addition to the application submitted to the City, a copy of our full submission is now being provided to the Clerk as part of our submission to Council in respect of the adoption by Council of the New Draft Official Plan (the "New Official Plan"). This letter serves as an introduction to that submission.

THE LAKESIDE VILLAGE PLAZA REDEVELOPMENT PROPOSAL (APRIL 20, 2018)

The Lakeside Village Plaza redevelopment proposal (the "Proposal") is to be developed over five phases with approximately 900 dwelling units in a range of building types and forms offering a full range of unit sizes. An additional 4,315 square metres of commercial and office space is proposed to be integrated into the development with the retention of a large food store and other retail shops and uses to ensure the planned function of the centre is maintained.

A new network of green and publicly accessible open spaces will connect the buildings and the site to the surrounding community.

Our client's applications seek, **as expressly contemplated by the New Official Plan**, an amendment to permit additional height on the Subject Lands in accordance with the plan's direction and policies provided in Section 8.1.3 (4.2) g). Only Phases 2 and 5 introduce three taller buildings (18 and 14 storeys) as part of a redistribution of permitted height across the Subject Lands.

The Proposal and our client's applications are consistent with the Provincial Policy Statement, 2014 ("PPS") and conform with the Growth Plan for the Greater Golden Horseshoe, 2017 ("Growth Plan"), the Region's Official Plan, as well as the City's current and new draft Official Plan (April 2018), as demonstrated in our application submission materials which include a significant number of technical reports. We have also included an assessment of the Official Plan Amendment Criteria and Development Criteria from the new Draft Official Plan as part of our submission.

We look forward to furthering discussions with staff over the next two weeks to advance a further community engagement process specific to the Proposal.

FINAL DRAFT OFFICIAL PLAN (APRIL 2018)

The following is a summary of our review of the Proposal in relation to the April 2018 Draft Official Plan. We believe it is important to identify our conformity to the proposed Plan for the benefit of City Council and the Region who is also the approval authority for the new Plan.

- In the Draft Official Plan, the Subject Lands are proposed to be designated as a **Neighbourhood Centre** (Schedule C) and part of the **Mixed Use Nodes and Intensification Corridor** (Schedule B) and **Mixed Use Intensification Area and Secondary Growth Area** (Schedule B-1). We are pleased to see the recognition of Lakeshore Road as a **Frequent Transit Corridor** and Hampton Heath Road as a **Transit Support Corridor** (Schedule B-2).
- The proposed development of the Subject Lands contributes to the establishment of a mixed use node as envisioned by the proposed urban structure in the new draft Official Plan. The introduction of a comprehensive, compact, mixed use redevelopment of the Subject Lands will strengthen the Subject Lands' function as a growth area which is also ideally located next to existing schools, parks, an arena and four bus routes. The Subject Lands will continue to serve its role as a Neighbourhood Centre, acting as a focal point for the community and serving the day-to-day and weekly goods and service needs of the local residents while allowing for reorganization of the Subject Lands through the introduction of residential units.
- The Proposal is appropriate within the identified Secondary Growth Area focused along Lakeshore Road between Kenwood Avenue and Hampton Heath Road. The Subject Lands are just under 4 ha and represent a significantly large redevelopment area which allows for a distribution of heights throughout the Subject Lands. While three of the six proposed residential buildings are greater than the 11 storey (or mid-rise) maximum building height, the opportunity is provided for in the new draft Official Plan in Section 8.1.3(4.2) for an exception for taller buildings through an Official Plan Amendment.
- The proposed dwelling units will consist of a mix of units that will provide a range of housing choices for different household types. There are opportunities to provide for rental buildings and units and residential units for seniors as well as larger units for families.

- The Proposal has been carefully designed to respond to the surrounding context and in compliance with the new Plan’s urban design excellence policies and the City’s tall building guidelines.
- The Proposal will help achieve transit-supportive density in the area. Parking, as well as access and driveways through the Subject Lands, have been carefully considered in accordance with the City’s new Official Plan policies.
- The Proposal is also pedestrian oriented in that it provides an interconnected network of landscaped sidewalks and open space areas inside the development and provides at grade commercial uses along the perimeter with entrances oriented toward the street.
- The proposal fully meets the City’s new criteria for development applications and ensures compatibility with the existing pattern and character of development including compliance with the criteria in Appendix 7. The proposed Official Plan Amendment under the new Plan also complies with the criteria in policy 12.1.1.3 (j).

REQUEST OF COUNCIL

In our past correspondence we had noted that Section 12.1.1(3) of the draft Official Plan limits Official Plan Amendments to the new Plan for a period of two years, unless Council has declared a resolution, in accordance with the *Planning Act*, that such a request is permitted. While this Section does not permit an Amendment for two years, policy 8.1.3 (4.2) g) specifically permits an Official Plan Amendment for consideration of additional building height “where the development proposal contributes to achieving vibrant, active and walkable built environmental, and is consistent with the objectives of the Neighbourhood Centre designation”.

In recognition of policy 8.1.3(4.2), which we believe the Proposal meets, and our recently submitted applications, we want to ensure that the Proposal is not hindered by the two year prohibition. We therefore request that policy 12.1.1(3) be modified as follows:

- c) *Requests for Official Plan Amendments shall not be accepted by the City for the period of 2 (two) years from the date of approval of any part of this Plan, unless council has declared by resolution, in accordance with the Planning Act, that such a request is permitted, **or where an application for an Official Plan Amendment is permitted to be submitted by another policy of this Plan and such Amendment was submitted prior to approval of this Plan.***

We want to thank staff and Council for their consideration of our past comments and we look forward to continuing to work with the City staff, Council and the community on the great opportunity to revitalize and redevelop the Lakeside Village Plaza.

Please do not hesitate to contact me with any questions or comments on this matter.

Yours truly,

MHBC

A handwritten signature in black ink, appearing to read 'Dana Anderson', written over the printed name below.

Dana Anderson, MCIP, RPP
Partner

Cc: Joe Elmaleh, Glanelm Properties
Cynthia Zahoruk, Zahoruk Architects
Aaron Platt, Davies Howe LLP
City of Burlington Committee Clerk
Tami Kitay, City of Burlington
Andrea Smith, City of Burlington