



November 25, 2020

Mayor Meed Ward and Members of Council
City of Burlington
426 Brant Street
Burlington, ON

Attn: City Clerk (Via email only)

Dear Mayor Meed Ward and Members of Council:

**RE: NEW BURLINGTON OFFICIAL PLAN
519 & 527 BRANT STREET, 789 & 795 BRANT STREET AND 1062 & 1074 COOKE BOULEVARD,
BURLINGTON
OUR FILES: 20329A, 20329B, 20329C**

MacNaughton Hermesen Britton Clarkson Planning Limited ("MHBC") has been retained by Camarro Developments, the managing company of various properties owned under different corporations including 527 Brant Street (2552477 Ontario Inc.), 1062 Cooke Boulevard (1062 Cooke Blvd Inc.), 1074 Cooke Boulevard (1074 Cooke Blvd Inc.), and has an interest in 519 Brant Street (2552477 Ontario Inc.), 789 Brant Street (Brant Investment Holdings Inc.) and 795 Brant Street (Brant Investment Holdings Inc.) through Agreements of Purchase and Sale. Based on our review of the modifications to the adopted Official Plan proposed by the Region of Halton, as attached to Staff Report PL-22-20 to be considered by Council at its meeting on November 26, 2020, our client has a number of concerns with the proposed further modified Official Plan, including the following:

- 1) The overly prescriptive policy language related to height and density.

The overly prescriptive policy approach to height with the added mandatory regulatory design requirements has the unintended consequence of possibly sterilizing land from development altogether.

- 2) The overly prescriptive and strict urban design policies.

Most specifically, the policies that require the tower of a high-rise buildings to be setback a minimum of 20 metres from the front façade of the podium, and a minimum separation distance policy requiring a minimum of 30 metres between tall buildings (conflicting with the City's own

Tall Building Guidelines), are inappropriate and have not been adequately considered as to their applicability in the actual construction of development.

3) The overly prescriptive requirements for retail and service commercial uses.

The retail and service commercial policies are found in each of the precinct policies for the Downtown and also on the new Schedule D-1 which identifies mixed use and retail streets. The specific allocation of retail space along Retail Main Streets is to be appropriately defined through the zoning by-law. The modified policies also require all existing retail gross floor area to be replaced in new development. This mandatory policy is problematic as it removes flexibility to address the changing retail market.

The modified policies prohibit residential uses at grade as part of mixed use developments and prohibit residential entrances on retail streets. Instead these entrances are required to be located on side streets or at the rear of buildings where feasible. It is not clear why residential lobbies and entrances on Brant Street cannot be adequately designed to enhance the retail streetscape as they are today. The location of an entrance at the side or rear of a may be challenging if not impossible for internal buildings and are often not appropriate from an accessibility, safety and design perspective.

4) Timing and Process for Applications within the MTSA's

It is unclear based on the proposed modifications to the MTSA's, including the Aldershot GO Station area, what policies are applicable to lands yet to be further studied through the future Area Specific Plans. While we are pleased to see the Aldershot GO Station still recognized as a MTSA on a Commuter Rail Corridor / Transit Priority Corridor along with the delineation of the MTSA Special Planning Area in place of the Mobility Hub boundary, it is not clear how long redevelopment in these areas will be deferred or considered prior to the Region's MCR work which will set out growth to 2051 and the City's Area Specific Plan work which will be under the new Official Plan which only applies to 2031. It would appear a further amendment to these areas will be required under a 2031 planning horizon, to achieve Provincial and Regional objectives that require growth to be accommodated to 2051. This appears contrary to the direction to advance intensification in the MTSA's to accommodate growth needs in accordance with the Growth Plan.

Thank you for the opportunity to provide comments to be considered as part of Council's approval of the Regional modification in relation to the new Official Plan.

Yours Truly,

MHBC



Dana Anderson MA, FCIP, RPP, Partner

cc: Kyle Camarro, Camarro Developments Inc.
Clerk, City of Burlington (for distribution to members of City Council)