



Project No. 2019

November 25, 2020

VIA E-MAIL TO CLERKS@BURLINGTON.CA

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

Dear Sirs/Mesdames:

***Re: November 26, 2020 Community Planning, Regulation and Mobility  
Committee Meeting to consider Item 5.1, New Official Plan – Region of  
Halton Draft Notice of Decision (PL-22-20)***

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We are the planning consultants for Landform Development Group Inc. and 2413350 Ontario Inc. (the “**Owners**”) regarding the redevelopment of the property located at 401-417 Martha Street, in the City of Burlington (the “**Subject Site**”).

The Owners initiated the redevelopment of the subject site in 2018 and had two pre-consultation meetings with the City, a pre-application community meeting, a Burlington Urban Design Advisory Panel meeting, a filed a formal official plan amendment and rezoning application on September 29, 2020. The recent applications seek to redevelop the subject site with an 11-storey (plus mezzanine) residential apartment building. The application submission includes several studies, including a planning and urban design rationale prepared by our office, which rationalizes the proposal in the context of the existing in-force Official Plan, Regional Official Plan and provincial policy framework.

In this regard, we continue to have concerns regarding policy 8.1.1(3.10.2) of the New Official Plan, which is a site-specific policy for the subject site that establishes a maximum building height of 22 metres. In our opinion, there has been no information provided that supports this proposed policy and this height restriction is arbitrary and not the result of a comprehensive urban design exercise for the subject site and surrounding context.

In addition, Section 8.11 (3.17) provides for a new set of policies related to urban design in the Downtown. In our opinion, these policies 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. Furthermore, certain policies are overly

prescriptive (such as Policy 8.1.1 (3.19.2)) and should not be included in an official plan.

We are also concerned with the proposed Downtown Burlington Placemaking and Urban Design Guidelines, since they inappropriately refer to density targets, are not clear on how to apply angular planes, and overly prescriptive.

In terms of the Region's response, we are concerned that it has not considered the proposed alteration to the Urban Growth Centre boundary on Schedule B, Urban Structure. More specifically, the City's removal of large portions of Spencer Smith Park. In our opinion, this is a specific area of non-conformity, since the boundary does not conform to the boundary illustrated in the Regional Official Plan. It appears that the City is deliberately attempting to limit the redevelopment potential and growth targets in the Downtown Urban Growth Centre by reducing the overall area. Furthermore, we are concerned that the proposed downtown policies in the New Official Plan are overly restrictive and limit the development potential and the City's ability to achieve the minimum growth targets established in the Regional Official Plan and Growth Plan. The City has neglected to rationalize the proposed height and built form proposed in the Downtown, nor has it demonstrated how the New Official Plan provides a framework that will ensure the minimum density and growth targets, established in the Regional Official Plan and Growth Plan, can be achieved in the Downtown Urban Growth Centre.

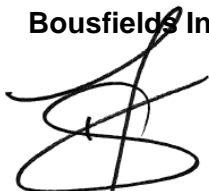
We are also concerned that the City has yet to produce a consolidated Official Plan that is to be presented for approval. Also, there has been little time for the public to review the Region's response and proposed modifications, since it was only made available on November 18<sup>th</sup> (eight days before the Community Planning, Regulation and Mobility Committee Meeting).

Based on the foregoing, we respectfully request that the Community Planning, Regulation and Mobility Committee not endorse the proposed modifications to the adopted Official Plan and request the Region to issue its notice of decision to approve the Burlington Official Plan in order to allow for our concerns to be addressed.

As always, we would be pleased to meet with you to discuss this further. Please accept this letter as our request to be notified of any decision made in respect of this matter.

Respectfully Submitted,

**Bousfields Inc.**



David Falletta MCIP, RPP

/DF:jobs

cc. Owners  
Denise Baker, WeirFoulds LLP