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To: Mayor and Council
From: Mark Simeoni, Director of Community Planning
Cc: The Planning Partnership, c/o Donna Hinde
Date: April 12, 2022
Re: April 4th letter from The Planning Partnership

CPRM April 12, 2022
L-20-22 and PL-28-22
Memo from Mark Simeoni

Mayor and Members of Council,

On April 4th, 2022 a letter (“the letter”) was sent to City staff from The Planning Partnership (TPP), regarding a report that was produced by The Planning Partnership titled, *Burlington Waterfront Hotel Planning, Planning Justification Report* (“the report”), dated March 23, 2022. See Appendix A of this Memo for the letter. The report is appended to Staff Report PL-28-22.

The letter makes allegations that City staff directed TPP to implement a building height of 22 storeys.

The City takes such allegations very seriously and has investigated this allegation through discussions with staff, review of meeting notes and a comprehensive review of email communication. That review has confirmed that in no way did City staff direct TPP to reach any general or specific planning conclusion with regard to building heights or any other matter. Staff did identify the current policy and existing built form context in which the TPP were to provide planning recommendations for the study area. In addition, since the letter was received, TPP has been asked for specifics as to when the alleged staff direction was given, and none have been provided.

In engaging external consultants, it is the City’s expectation that they will provide their independent analysis and conclusions. In this case, staff provided direction with respect to the applicable policy regime and physical context that it expected the report to consider. At no time was direction given with respect to the conclusions of the report, which staff expected to be provided based on an independent analysis of the applicable and current policy context.

At no time during the drafting the March 23 report, or at any time following its submission to the City was there any indication from TPP that there was a concern about a perceived “direction” until the letter was delivered immediately before the report was to be considered by Council.

The letter further states that there is no technical basis for the heights which TPP proposed in the report.

This is incorrect. Earlier phases of the study included broad technical analysis completed in 2018. There is merit in those technical studies being updated. However, this was addressed on Page 31 of the report, which states:

It is recognized that refinement may be warranted through these technical supporting studies. This may also be done prior to the enactment of the Official Plan Amendment for the Preferred Concept (2022).

This updated technical analyses has been considered by City staff through the review of Official Plan and Zoning By-law Amendment applications for 2020 Lakeshore Road, located within the study area of the report, for which a recommendation has been made and will be considered by Council.

Respectfully submitted,

Mark Simeoni
Director of Community Planning Department



April 4, 2022

Samantha Romlewski
Senior Planner
Community Planning
City of Burlington

Burlington Waterfront Hotel Planning Study

Dear Samantha:

Thank you for clarifying roles and responsibilities for the Council Committee Meeting on April 5, 2022. We are fully supportive of appropriate staff answering key questions related to the development application, policy, the staff report and parkland. In addition, we would request that City staff also deal with questions or concerns related to the height and/or massing of the building at the Council Committee Meeting

As you are aware, during the process of preparing the Planning Justification Report for the Waterfront Hotel Planning Study, we were directed by City staff to implement a building height of 22 storeys. We have drafted the implementing instruments based on this direction. Given the direction from staff, and the lack of any technical assessments and supporting studies to confirm any specific building height on the subject site, The Planning Partnership cannot provide professional planning and/or urban design support for any specific building height through the remaining approvals process, including at any potential appeal to the Ontario Land Tribunal.

Your truly,

A handwritten signature in black ink, appearing to read 'Donna Hinde'.

Donna Hinde BES, MLA, FCSLA
Partner, The Planning Partnership