

# Taking a Closer Look at the Downtown: Responses to Submissions Received December 6, 2019-March 19, 2020

All submissions have been reviewed and considered by the project team for the Taking a Closer Look at the Downtown project (the Re-examination of the Downtown Policies in the Adopted Official Plan). This appendix reproduces comments or excerpts of comments where appropriate for the purpose of summarizing and responding to the input received.

Within the table below, under the “Stakeholder Comment” column, comments are reproduced for reference. Where possible, comments have been summarized; in other cases, excerpts of comments have been quoted verbatim. Individual submissions have been split up so that different comments from the same letter can be sorted into different categories. The same submissions and submission authors therefore appear in multiple tables. Where appropriate, staff have addressed certain comments under the “Staff Response” column. Some submissions did not require a response because they were clear and could be applied to the project team’s work without the need for discussion; in these cases, only the words “comments noted” appear under the “Staff Response” column. For ease of reference, paragraphs have been enumerated – using letters in the “Stakeholder Comment” column and Roman numerals in the “Staff Response” column. The first or second paragraph in one column does not always directly relate to the first or second paragraph in the other.

Throughout this appendix, the Taking a Closer Look at the Downtown Project (Scoped Re-examination of the Adopted Official Plan) is referred to as “the Re-examination” or “the project”.

Comments are organized into the following tables within this appendix:

- General Comments (GE)
- Brant Main Street Precinct Comments (BM)
- James Street Node Comments (JS)
- Lakeshore Precinct Comments (LA)
- Mid-Brant Precinct Comments (MB)
- Upper Brant Precinct Comments (UB)
- Downtown East Precinct Comments (DE)
- Village Square Precinct Comments (VS)
- Neighbourhood Mixed-Use Precinct Comments (NM)

- Apartment Neighbourhoods Precincts Comments (AN)
- Low-Rise Neighbourhood Precincts Comments (LR)
- Public Service Designation Comments (PS)
- Process Comments (PR)
- Out of Scope Comments (OS)

The Process Comments table addresses submissions that commented on the process of the Taking a Closer Look at the Downtown project, rather than the content of the project. The Out of Scope Comments section identifies submissions that spoke to matters outside the scope of the Taking a Closer Look at the Downtown project and explains why these submissions could not be applied to the project. For more information on project scope and gives, refer to the [Taking a Closer Look at the Downtown: Public Engagement Plan](#) and the SGL report “[Taking a Closer Look at the Downtown: What You Need to Know](#)”.

GENERAL COMMENTS				
Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
GE1	Jan 15, 2020	Peter Ward (email)	<p>a. I understand the goal is to show growth to 2031. We’re already at 188 ppl/ha (excluding Old Lakeshore); with what’s approved, we’ll easily get to 200 jobs and ppl/ha with or without your concepts. The in force and effect Official Plan at full build-out is 259 ppl/ha; again we’re on track to 200 jobs and ppl/ha by 2031. I understand these are minimums (this is repeated ad nauseam), so with our current OP we’ll reach above the 259 ppl/ha. The report provides no rationale for why concepts showing full build out exceeding 300 ppl/ha which will be achieved decades from now. By going with high numbers, this sets the stage (or conversation, whatever metaphor works for you) for proposing overdevelopment, when none is needed.</p>	<p>i. The recommended policy modifications reflect an appropriate land use vision and built form for Downtown Burlington, and conform to the Growth Plan requirement to plan for a minimum 200 people and jobs per hectare by 2031. The recommended policy modifications do not set a target of 300 people and jobs per hectare.</p> <p>ii. The proposed new parks in Upper Brant and Mid Brant Precincts are intended to be important expansions and enhancements of the public realm that will provide open space for the residents of these precincts.</p> <p>iii. The preliminary preferred concept does not propose a reduction of Lions</p>

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			<ul style="list-style-type: none"> <li>b. i'll reiterate we don't have two distinct concepts, but versions of the same, producing the same full build of over 300 ppl/ha</li> <li>c. The report does not make a strong case for what constitutes "good planning and practices"; while the preferred concept might be appreciated from a technical planning perspective, the payoff and benefit to the community are too subtle and abstract</li> <li>d. The drivers appear to be legal defensibility and economic viability as the benefits like a Ghent Street sitting area at a traffic intersection or the John Street extension road way are of negligible value to the community</li> <li>e. On greening the downtown, as you give with the No Frills plaza park, you significantly take away with the reduction of the Lions Club park</li> <li>f. There is no evidence new development will enhance retail and vibrancy at street level; rather the opposite. The coarse-grained streetscapes with the building of the Baxter, Pearl and Pine Retirement, 360 on Pearl high-rises have created retail deserts. The Berkeley is on track for the same.</li> </ul>	<p>Park. The Lions Park is an existing City park on privately owned land, subject to an agreement between the City and landowner. The intent of the recommended policy modifications is to outline the vision for a long-term park function in this area, while acknowledging the current reality that it is private land.</p> <ul style="list-style-type: none"> <li>iv. The recommended policy modifications and draft urban design guidelines include provisions to ensure new development is designed in such a way as to protect and enhance the retail environment of downtown</li> </ul>
GE2	Jan 16, 2020	Scott Snider, solicitor on behalf of Carriage Gate Homes and related companies: 2069-2079 Lakeshore	<ul style="list-style-type: none"> <li>a. Writing as counsel to Carriage Gate Homes and related companies (collectively: "Carriage Gate"), which are potentially affected by the review of land use permissions currently being undertaken by the City. Carriage Gate has participated actively in the planning process and has made previous submissions to Committee and Council regarding the planning</li> </ul>	<ul style="list-style-type: none"> <li>i. Analysis and rationale for the recommended policy modifications are provided in the Final SGL report (May 2020, Appendix 1 to PL-16-20)</li> <li>ii. Section 5 of SGL Planning and Design's final report (May 2020) outlines how the recommended policy modifications</li> </ul>

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		Road & 383-385 Pearl Street (Lakeshore (Burlington) Inc.), 2107 & 2119 Old Lakeshore Road (Old Lakeshore (Burlington) Inc.), 535-551 Brant Street (Rennimob)  (correspondence on Jan 16 <sup>th</sup> Committee agenda)	initiatives that would impact these sites in the City's Urban Growth Centre. b. "Overall, there is a fundamental lack of evaluation and details in the study that rationalize the recommendations. The evaluation matrix makes statements without supporting analysis; c. There is no evaluation of alternatives for achieving planning objectives identified in the matrix; d. The Study does not discuss how the recommended concept meets provincial and regional policies, including the minimum Growth Plan targets. This reflects a serious lack of transparency in the work; e. The Report recommends locations for new parks in the absence of any analysis demonstrating that the UGC is parkland deficient; f. There is no analysis that the economic viability of the types and forms of development contemplated by the proposed measures."	conform to provincial and regional policies and are consistent with the Provincial Policy Statement including the minimum UGC density target. iii. Section 6 of SGL Planning and Design's final report (May 2020) discusses the findings of the technical reports that support the recommended policy modifications. These studies are appended in full to the report. iv. Economic viability of development was considered through a Market Analysis Study completed by NBLC in 2017 and an addendum completed in July 2019. These reports are discussed in SGL Planning & Design's October 2019 report "Taking a Closer Look at the Downtown: Themes, Principles, and Land Use Concepts". v. The acquisition of parkland or cash in lieu to accommodate growth is a standard procedure in accordance with the Planning Act and the Parks, Recreation, and Open Space policies in Section 3.3 of the adopted Official Plan. The recommended policy modifications indicate the need for new parkland in the Upper Brant and Mid Brant Precincts

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				to accommodate the planned intensification of these Precincts.
GE3	Jan 16, 2020	Jeremy Skinner (correspondence and <a href="#">delegation on Jan 16<sup>th</sup></a> Committee agenda)	<ul style="list-style-type: none"> <li>a. Suggestion that City ensure that transitions with bordering stable residential neighbourhoods are not compromised by any development applications unless dictated by a higher authority</li> <li>b. Suggestion that City assess whether the current fine-grained street network be maintained for through vehicular traffic or whether some streets be repurposed such as pedestrian walkways and public open spaces. Vehicular access for building servicing would be restricted to after hours except in the events of emergencies.</li> </ul>	<ul style="list-style-type: none"> <li>a. The recommended policy modifications include policies for transitions in section 8.1.1(3.19.4). These are discussed in section 4.4 of SGL Planning &amp; Design’s final report (May 2020). The draft Downtown Burlington Placemaking and Urban Design Guidelines will provide additional direction and examples of possible built form and design elements that can be used to create a transition between different built forms.</li> <li>b. The recommended policy modifications include policies for the public realm, which provide for the design of Brant Street south of Caroline Street as a flex street. Further study would be required before considering the permanent conversion of any street to pedestrian-only for all or part of the day.</li> </ul>
GE4	Jan 16, 2020	Jim Young (correspondence on Jan 16 <sup>th</sup> Committee agenda)	<ul style="list-style-type: none"> <li>a. Concerns about over-intensification in Downtown Burlington;</li> <li>b. Regarding Taking a Closer Look at Downtown project: “planners have presented two downtown options which amount to unattractive ‘short squat’ density on Brant St from Ghent to Lakeshore or Alternating Extremely High buildings along that same stretch,</li> </ul>	<ul style="list-style-type: none"> <li>i. The recommended policy modifications are based on foundational technical studies, which are appended to staff report PL-16-20, <a href="#">summarized on the project webpage</a>, and discussed in section 6 of SGL Planning &amp; Design’s final report (May 2020) Appendix 1 to PL-16-20, that demonstrate that the proposed</li> </ul>

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			<p>neither of which have won favour with council and certainly do not appeal to local residents.”</p>	<p>levels of intensification can be accommodated in Downtown Burlington. The recommended policy modifications include a revised precinct system that permits different types and intensities of development in different parts of the Downtown, as appropriate. The delineation of precinct boundaries was informed by public feedback and understanding of existing context.</p> <p>ii. Public feedback received in summer 2019 informed the development of a land use vision and two initial built form concepts, which were presented for public discussion in fall 2019. Based on public feedback on the two initial concepts, a preliminary preferred concept was developed and presented in January 2020. Based on additional public feedback, this concept was further refined prior to the release of the recommended policy modifications in May 2020.</p>
GE5	Jan 16, 2020	Tom Muir (correspondence on Jan 16 <sup>th</sup> Committee agenda)	<p>a. Disappointment with planning recommendations and “resignation that nothing ever changes in the development and planning agenda in the City of Burlington, no matter what is said or promised.”</p>	<p>i. Comment noted</p>

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GE6	Jan 16, 2020	Suzanne Mammel, Hamilton Halton Home Builders Association (HHHBA), now West End Home Builders Association (WEHBA)  <a href="#">(spoken delegation at Jan 16<sup>th</sup> Committee)</a>	a. Concern proposed 20m setback from Brant Street above three storeys: do not understand rationale, concerned that this will make development unfeasible on some sites, and sites that do develop will be indistinct due to lack of flexibility for distinct designs.  b. Concern that proposed built form will make development more expensive and make housing less affordable.	i. Rationale for the recommended 20m setback above three storeys on parts of Brant Street and Lakeshore Road is provided in the SGL Final report (May 2020), Appendix 1 to PL-16-20. Based on feedback received, the recommended policy modifications introduce flexibility on the 20m setback in the Upper Brant Precinct.  ii. The recommended policy modifications build on the housing policies in section 3 of the Adopted Official Plan, which emphasize the need to provide opportunities for more housing stock to be introduced while ensuring compatibility with existing neighbourhoods. The recommended policy modifications for Downtown allow for new housing in a range of built forms in different precincts as appropriate based on existing and planned context.
GE7	Jan 16, 2020	Ed Fothergill, for Molinaro  (letter on Jan 16 <sup>th</sup> Committee agenda <a href="#">plus spoken delegation</a> )	a. Written as planning consultant on behalf of Molinaro Group. Previous correspondence presented to the City on December 4, 2019 is still relevant and applies to the preliminary preferred concept. The current correspondence expands upon and further illustrates the significance of comments made earlier.  b. Maintaining a small-town identity in the downtown is not a realistic expectation, and retaining a form of	i. The City of Burlington is not a small town, but parts of the Downtown exhibit characteristics of a small town main street. It is maintenance of those characteristics that was identified as a priority through extensive public engagement. The recommended policy modifications address this objective

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			<p>development that was established decades ago is not a solid principle upon which to establish a foundation for the preparation of a development plan for the future of an Urban Growth Centre within the concept of expectations brought forward through the Provincial Growth Plan. It is unreasonable to hold this out as a practical expectation as part of the planning exercise – Burlington will not remain a small town. It is not appropriate to measure future development plans against an unrealistic standard, nor is it possible to create and properly implement planning principles which are intended to establish a multi-functional downtown core as part of creating a compact form of urban intensification.</p> <ul style="list-style-type: none"> <li>c. The report lacks assessment of submissions made on behalf of those who suggested higher densities are more appropriate.</li> <li>d. Height and density should be an outcome, not an objective, of the planning exercise.</li> <li>e. Concern with lack of consideration of trade-offs; for example, would higher height be deemed acceptable if it could lead to affordability?</li> <li>f. Concern with omission of implications for housing affordability, overall built form, transit usage, and economic viability of retail operations.</li> <li>g. The staff report and SGL planning report both identify the need to consider built form in the development principles for the plan; however, the recommendations in many cases do not account for the existing</li> </ul>	<p>through policies that require new development to respect the variety of existing physical characters in each precinct, in balance with the need to accommodate intensification in accordance with provincial, regional, and local policy.</p> <ul style="list-style-type: none"> <li>ii. All feedback received has been documented, considered, and responded to through two Feedback reports (Sept 2019 and Jan 2020) as well as response tables appended to staff reports PL-02-20 and PL-16-20.</li> <li>iii. The recommended built form policies, including maximum heights for developments in various parts of the Downtown, were informed by analysis of existing and approved context, public engagement, and the need to be consistent with the Provincial Policy Statement and conform to provincial and regional policies and plans.</li> <li>iv. Trade-offs and the need to balance seemingly competing objectives, such as creating a downtown that is walkable, bikeable, and transit-supportive, while also accommodating parking and minimizing traffic congestion, were</li> </ul>

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			<p>development context. For example: the James Street Node and Lakeshore Road east of Brant Street.</p> <p>h. There is an onus on the authors of the new report to demonstrate how the preliminary preferred concept better achieves intensification targets and policies and principles of the Growth Plan than the adopted Official Plan.</p> <p>i. Where new design standards such as the 20m setback have been introduced, it is necessary to demonstrate the practical applicability to the downtown area, and why they are an improvement to the previously adopted Tall Building Guidelines.</p> <p>j. It is recommended that the previously adopted plan be supported together with specific changes that affect properties owned by the Molinaro Group as outlined in their earlier submission.</p>	<p>discussed in public engagement throughout the project.</p> <p>v. The recommended policy modifications allow for intensification in a variety of built forms and require the provision of office, retail, and service commercial uses, where appropriate, in addition to residential, public service and institutional uses. The planned development intensity and mix of uses will contribute to increasing housing stock, improving retail viability, and achieving complete communities. The draft Downtown Placemaking and Urban Design Guidelines will further improve retail viability and support high-quality urban design of the planned built form.</p> <p>vi. The Final SGL report (May 2020, Appendix 1 to PL-16-20) addresses how the recommended policy modifications conform to applicable policies and are consistent with the PPS.</p> <p>vii. While the Tall Building Guidelines apply more generally to a variety of contexts throughout the City, the recommended policy modifications are, and draft Downtown Placemaking and Urban Design Guidelines will be based on</p>

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				analysis and public engagement focused specifically on Downtown Burlington.
GE8	Jan 16, 2020	Michael von Teichman, 440 Elizabeth Street Holdings  ( <a href="#">spoken delegation at Jan 16<sup>th</sup> Committee</a> ) (with slides)	Transit service and density are important to create a vibrant downtown and more sustainable development patterns.	The recommended policy modifications allow for intensification in the Downtown which will contribute to achieving transit-supportive densities.
GE9	Jan 16, 2020	Mayor's Millennial Advisory Committee  (letter sent by email)	<ul style="list-style-type: none"> <li>a. Brant Street should encourage wider sidewalks and greater setbacks for buildings to expand on opportunities for patios, plazas, bike lanes, and promenades;</li> <li>b. Greater natural park space would be ideal in the downtown with public amenities such as grass, trees, BBQs, benches and playgrounds;</li> <li>c. Specialized dog parks and splash pads would also be useful public amenities;</li> <li>d. More underground parking garages; greater parking underground would be more favorable than above ground or at grade parking lots;</li> <li>e. An underground walking path to connect buildings would be ideal;</li> <li>f. As a result of the findings and the presentation of the preliminary preferred concept precinct, we agree with the rationale and results with a recommendation to keep building podium heights within a uniform</li> </ul>	<ul style="list-style-type: none"> <li>i. The recommended policy modifications include provisions for the public realm and streetscapes in particular in 8.1.1(3.18.2). The draft Downtown Placemaking and Urban Design Guidelines, building on the existing Downtown Streetscape Guidelines, will provide additional guidance to ensure streets are designed as functional and pedestrian-friendly parts of the public realm.</li> <li>ii. The recommended policy modifications provide for the introduction of new parks and open spaces and protection of existing parks and open spaces. Specific park amenities and design are out of scope of the current project. Comments requesting specific park amenities have</li> </ul>

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			<p>approach with opportunities that present greater natural park space and public amenities;</p> <p>g. The precinct plan should also promote areas designated for culture and arts applications, for instance between the Burlington Performing Arts Centre and the Burlington Art Gallery. This can help to create a cultural quarter within the City with multipurpose uses. The existing grade level parking lots could be repurposed as outdoor theatres and parks with underground parking;</p> <p>h. The precinct that is the most ignored is the lake; currently there is no Burlington lake precinct – there should be one, and it should include a marina to promote the enjoyment of the water culture.”</p>	<p>been shared with Parks &amp; Open Space staff.</p> <p>iii. The recommended policy modifications promote the provision of parking underground where possible.</p> <p>iv. An underground walking path has not been considered or identified as needed infrastructure through the technical work that has been undertaken. The recommended policy modifications include a focus on the enhancement of the public realm, active transportation experience, and retail environment at grade.</p> <p>v. Arts and culture programming are out of scope of the Taking a Closer Look at the Downtown Project. This comment has been forwarded to the City’s Arts and Culture Manager.</p> <p>vi. The provision of a marina has not been considered through the Taking a Closer Look at the Downtown project, and would require separate study and public engagement in partnership with the Region of Halton and Conservation Halton.</p>
GE 10	Jan 27, 2020	Peter Ward (email)	a. Concern that preliminary preferred concept will increase land values and incentivize redevelopment of properties, particularly heritage properties and existing	i. Land values are assessed by MPAC based on a range of factors and cannot be controlled by the Official Plan. The

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			<p>community institutions in the Downtown East Precinct, and may contribute to a loss of green space.</p> <p>b. "How 'heritage resources should be considered in the review of any development proposal' doesn't count for much at the LPAT. Further, designating heritage against the wishes of the property owner is not a solution: this rarely happens now. And by increasing the value of the land, property owners will plead against designation because of the huge financial loss from the windfall the preferred concept has created."</p>	<p>recommended policy modifications include policies to provide green spaces, conserve cultural heritage resources, and support the long-term viability of community institutions.</p> <p>ii. The decision to designate a property under the Heritage Act is a Council decision outside the scope of the Official Plan, which is a Planning Act tool. The recommended policy modifications include policies to support heritage conservation through Planning Act mechanisms in co-ordination with the use of the Heritage Act, and in a manner consistent with the Provincial Policy Statement and in conformity with provincial and regional policies.</p>
GE 11	Jan 27 2020	David Bronskill, solicitor on behalf of Vrancorp (letter sent by email and put on Jan 27 Council agenda)	<p>a. Writing as solicitors for Vrancorp Group regarding their property 2020 Lakeshore Road ("the property") and 2092 Old Lakeshore Road, as well as for other landholdings.</p> <p>b. Concern that the preliminary preferred concept provides insufficient evaluation and detail in support of recommendations; for example, there are many alternatives to a 20m setback to achieve goals related to walkability, pedestrian comfort, public views of the waterfront, and compatibility with existing built form.</p> <p>c. Concern that preliminary preferred concept is not supported by meaningful review of how it would meet</p>	<p>i. Section 4 of SGL Planning and Design's final report (May 2020) describes rationale for the recommended policy modifications.</p> <p>ii. Section 5 of SGL Planning and Design's final report (May 2020) outlines how the recommended policy modifications conform to provincial and regional policies, including the UGC target, and are consistent with the Provincial Policy Statement.</p>

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			the minimum provincial and regional targets for growth.	
GE 12	Feb 5, 2020	Michael von Teichman	<ul style="list-style-type: none"> <li>a. Submits draft plans showing preliminary massing and layout of potential future addition to existing office building at 440 Elizabeth Street, intended to consist of at-grade retail, medical office on second floor, and office use above to a height of approximately 12 storeys;</li> <li>b. Submits draft plans and drawings showing preliminary massing and layout of an above-grade parking structure on lands between Pearl Street and Martha Street, south of James Street, currently occupied by a surface parking lot; the parking structure would be intended to support the office addition at 440 Elizabeth Street and potentially public parking also.</li> </ul>	Submission noted
GE 13	Feb 5, 2020	Hilda Cirotto via email	I am disappointed in the absence of truly affordable and low income homes in Burlington. Why is this not a priority for COB? Thanks for the opportunity for open dialogue.	“From Vision to Focus” (Burlington’s Plan from 2018-2022) identifies housing as a top priority for the City, with a goal to increase options for housing across the City. Key actions for this goal include completing the Scoped Re-examination of the Adopted Official Plan and, subsequently, completing and implementing a Housing Strategy to address needs related to young families, seniors’ housing, affordable housing, special needs housing, and newcomers by Q2 2022. Through the Scoped Re-examination, the recommended policy modifications build on the housing policies in section 3 of the

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				Adopted Official Plan, which emphasize the need to provide opportunities for more housing stock to be introduced while ensuring compatibility with existing neighbourhoods. The recommended policy modifications for Downtown allow for new housing in a range of built forms in different precincts as appropriate based on existing and planned context.
GE 14	Feb 10, 2020	Alex Brooks-Joiner Via email	<ul style="list-style-type: none"> <li>a. Concern that the City as a whole must be planned to facilitate sustainable transportation and efficient use of infrastructure, not just the Downtown.</li> <li>b. Suggestion that additional east-west transportation connections are required in Downtown.</li> </ul>	<ul style="list-style-type: none"> <li>i. The Adopted Official Plan contains policies to guide the entire City to a more sustainable and efficient future. The Downtown Urban Centre must be considered in its context as a part of the broader City System. Refer to the policies and Schedules of the Adopted Official Plan for more information on how the City is comprehensively planned.</li> <li>ii. A macro-level and micro-level transportation study were completed for the City in support of the Re-examination project. Neither study identified a need for new east-west connections to accommodate existing or projected traffic. Both studies have been appended to staff report PL-16-20.</li> </ul>
GE 15	Mar 6, 2020	Trans Northern Pipeline Inc	Trans-Northern (TNPI) prefers that its infrastructure in the downtown be incorporated as open space. If this is not achievable, current setbacks from the pipeline right-of-way	The recommended policy modifications incorporate the TransNorthern pipeline into the Parks & Promenades designation east of

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		Via email	<p>should be respected. Additionally, TNPI supports the addition of bike and multi-use paths within the City such as in the Hydro One corridor and expects to be consulted prior to any construction to ensure TNPI crossing guidelines are adhered to and proper agreements are in place. TNPI should be consulted if any additional utilities such as water or sewer infrastructure are to be planned in the vicinity of the TNPI pipeline. TNPI reminds the City that section 335 (1) and (2) of the Canada Energy Regulator Act have implications for any construction, ground disturbance, or vehicle operation within the vicinity of a pipeline. Authorization for ground disturbance and construction within the 30-metre prescribed area can be initiated through Ontario One Call.</p>	<p>Brant Street and west of Brock Ave. Between Brant Street and Brock Ave, the Trans-Northern pipeline is located within a right-of-way passing through the Brant Main Street Precinct, Public Service designation, and Low-Density Neighbourhood Precinct (St Luke’s Neighbourhood). The City adheres to legislated safety protocols in the implementation of any development or site alteration.</p> <p>Policy 6.3.2(j) in the adopted Official Plan directs that pipeline rights-of-way will be identified in the City’s Zoning By-law. The adopted Official Plan contains objectives in 6.3.1 to recognize and protect major utility corridors and other lands required for utility purposes, and to ensure consultation with infrastructure and/or utility providers to ensure that development in close proximity to infrastructure and/or utility corridors or facilities is safe.</p>

**BRANT MAIN STREET PRECINCT**

Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
BM 1	Jan 16, 2020	Ed Fothergill, for Molinaro  (letter on Jan 16 <sup>th</sup> Committee agenda plus spoken delegation)	<p>a. Re: the Molinaro property at Brant Street and Lakeshore Road, development potential has been reduced from that initially suggested by staff. We believe that this site is more appropriately oriented toward the Lakeshore development rather than Brant Street and should be included in policies that apply to the Lakeshore Precinct to allow for a continuous and uniform planning response to the Lakeshore frontage. This will not affect the connection to the waterfront from Brant Street identified by the staff report. These connections can be retained. We do not believe that the change adequately responds to the feedback given our response that higher density would be appropriate in this location.</p> <p>b. The recommendation to require a 20m setback from Brant and Lakeshore of building height exceeding three storeys restricts developments on individual sites and appears to be contrary to the principle of maximizing the efficient use of land in an area which is intended to accommodate significant growth in a compact form; it is also contrary to the Tall Building Guidelines recently adopted by the City. A preliminary review of that setback reveals that it will not allow for an appropriate form of development on many development sites in the downtown area. It is an improper urban design tool which will frustrate, if not directly prevent, any form of appropriate development along Brant Street. It is unclear as to the source of the setback and the extent to which, if any, it has been successfully adopted and implemented in other UGCs.</p>	<p>i. The lands at the northeast corner of Brant Street and Lakeshore Road are recommended to be designated as part of the Brant Main Street Precinct. The recommended policy modifications for this precinct permit intensification in a built form that is appropriate for the junction of these two streets, which were identified as significant spines of the Downtown through public engagement and review of existing context.</p> <p>ii. Rationale for the recommended 20m setback above three storeys is provided in section 4 of the SGL Final report (May 2020), Appendix 1 to PL-16-20. This setback is a made-in-Burlington solution.</p> <p>iii. Efficient use of land is only one test of what is an appropriate built form on a site. A 100 storey building is more efficient use of land than a 50 storey building but neither may be appropriate on a specific property. One of the other principles of the Growth Plan is to “provide for different approaches</p>

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				<p>to manage growth that recognize the diversity of communities in the <i>GGH</i>". The Growth Plan also requires the municipality to "identify the appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas". That policy direction is a fundamental tenet of the Precincts.</p> <p>iv. The Tall Building Guidelines do not identify sites that are appropriate for tall buildings, but provide guidance for the design of tall buildings where they have been permitted by the Official Plan and Zoning By-law</p> <p>v. Subsequent to the release of the recommended policy modifications, the City will release draft Downtown Burlington Placemaking and Urban Design Guidelines, which will be intended to replace the Tall Building Guidelines in the Downtown.</p>
BM 2	Feb 13, 2020	Dana Anderson, MHBC, on	a. Writing as planning consultants for Emshih Developments Inc ("Emshih") regarding their properties at 372-380 Brant and 433-439 Brant Street.	i. Rationale for the recommended use of policy to require a 20m setback above three storeys is provided in section 4 of the SGL

**BRANT MAIN STREET PRECINCT**

Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
		behalf of Emshih Via email	<p>b. We have previously provided comments with respect to the Adopted Official Plan on Nov 28, 2017; Jan 22, 2018; Feb 26, 2018; Apr 23, 2018, as it relates to Emshih’s property at 433-439 Brant Street. Throughout the process our comments have identified the significant concerns with the prescriptive and mandatory urban design regulations being provided in Official Plan policies and their impact on the redevelopment potential of that site, namely that these policies would make it nearly impossible to develop a mid-rise building on this site which is contrary to the growth objectives of the province respecting intensification within Urban Growth Centres.</p> <p>c. We have significant concerns with the proposed concepts:</p> <p>d. Combined, the prescriptive urban design regulations required to implement this vision effectively limit the development potential on both sites to a three-storey built form. As the consultant’s report notes, in order for a financially viable development with one floor of at-grade retail and/or office uses, a minimum six storey building would be required.</p> <p>e. The concept could sterilize development within this area due to the inability to develop a viable mixed-use building unless it is developed as a high-end luxury exclusive condominium building. This is contrary to the City’s Strategic Plan as it relates to affordable housing. It may also be the case that even a high-end luxury condominium is not feasible due to locational attributes (e.g.: these properties are not directly along the waterfront where they would be marketable for a high-end purchaser).</p> <p>f. Including specific and prescriptive requirements as mandatory policy within an Official Plan creates significant constraints to development. Urban Design Guidelines are not appealable once</p>	<p>Final report (May 2020), Appendix 1 to PL-16-20.</p> <p>ii. Not every site will be able to develop to the full height permission illustrated on Schedule D-2 due to site-specific constraints.</p> <p>iii. The recommended policy modifications build on the housing policies in section 3 of the Adopted Official Plan, which emphasize the need to provide opportunities for more housing stock to be introduced while ensuring compatibility with existing neighbourhoods. The recommended policy modifications for Downtown allow for new housing in a range of built forms in different precincts as appropriate based on existing and planned context.</p> <p>iv. Section 5 of SGL Planning and Design’s final report (May 2020) outlines how the recommended policy modifications conform to provincial and regional policies, including the UGC target, and are consistent with the Provincial Policy Statement.</p>

BRANT MAIN STREET PRECINCT				
Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
			<p>adopted by City Council and therefore should not have the status of Official Plan policies. These elements are more appropriate for inclusion within true Urban Design Guidelines, which would allow for flexibility to address impacts on a site-specific basis, when taking into consideration the individual constraints of each site, rather than providing a broad base policy to be applied to each site in the same manner. Ultimately each site should be assessed on its own merits and context, which includes existing and future development, and not dictated by overly rigid framework based on urban design criteria.</p> <p>g. Request that staff carefully consider the extent to which these items are regulated in policy and reevaluate the concept in order to allow for financially viable redevelopment within the downtown that will conform to the Growth Plan and its density targets for 2031 and thereafter.</p>	

JAMES STREET NODE				
Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
JS 1	Jan 16, 2020	Ed Fothergill, for Molinaro  (letter on Jan 16 <sup>th</sup> Committee agenda plus	<p>a. The identification of a James Street Node creates an artificial node based on previous approvals and not on an assessment of how height and density might be best distributed throughout the downtown area.</p>	<p>i. The James Street Node policies do reflect past development approvals but those approvals were given with the intention to contribute to the enhancement of a civic node at the intersection of Brant Street and James Street. It is</p>

**JAMES STREET NODE**

Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
		spoken delegation)		intended that new public squares be created adjacent to the intersection to complement and expand the existing Civic Square. Tall buildings are permitted in the James Street Node to facilitate the expanded public realm at grade and to enhance the civic node through built form.
JS 2	Jan 27 2020	David Bronskill, solicitor on behalf of Reserve  (letter sent by email and put on Jan 27 Council agenda)	<ul style="list-style-type: none"> <li>a. Writing as solicitors for Reserve Properties Ltd (“Reserve”) regarding their properties 401-413 Brant Street, 444-450 John Street, and 2002-2012 James Street (“the properties”).</li> <li>b. On July 16, 2018, Burlington Council adopted OPA 113 and enacted Zoning By-law 2020.399 to permit the redevelopment of the properties for an 18-storey mixed-use building (“the development”). Reserve has appealed this decision to LPAT on the grounds that the development does not represent sufficient optimization of the properties in accordance with Reserve’s original application.</li> <li>c. The preliminary preferred concept by SGL designates the properties as “Brant Main Street Precinct/James Street Node”, which recognizes the approval of the development.</li> <li>d. Concerned that the City intends to use the preliminary preferred concept and any resulting amendments to the Official Plan, to evaluate current applications, including Reserve’s appeal of the development approval. This would be contrary to the policy-led system required by the Planning Act which requires any application to be evaluated pursuant to policies and guidelines that were in place at the time of submission of the application.</li> </ul>	<ul style="list-style-type: none"> <li>i. The recommended policy modifications include a site-specific policy that recognizes the development form approved in OPA 113.</li> <li>ii. Upon approval, the policies of the new Official Plan will be informative, but not determinative, in the review of development applications that predate the Plan’s approval. Applications will continue to be subject to the policy framework that was in effect at the time that the complete application was submitted.</li> <li>iii. The recommended policy modifications contain provisions for transition between different built forms. The draft Downtown</li> </ul>

**JAMES STREET NODE**

Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
			<p>e. Concerns that the preliminary preferred concept recognizes the development but there is no recommendation regarding transition policies in any resulting amendments to the Official Plan. Reserve strongly recommends the inclusion of transition policies.</p> <p>f. Concerns that the preliminary preferred concept proposes the use of a 20m setback above a three-storey podium on Brant Street, which is inconsistent with the built form previously supported and approved by the City for this area and does not appear to be based on any meaningful planning or urban design analysis. Further, any such requirement is excessive and would not represent good planning in this area, especially when it would appear to be a disincentive to otherwise desirable intensification proposals.</p> <p>g. Concerns that the preliminary preferred concept proposes reduced heights along Brant Street without any substantive planning or urban design justification. Reserve strongly believes that this recommendation warrants reconsideration.</p> <p>h. Concerns that there is insufficient planning and/or urban design rationale to support the proposed massing reductions and 45-degree angular plane along John Street, given its current and future function as a service corridor for Brant Street. This recommendation warrants further review and discussion.</p>	<p>Urban Design Guidelines will provide additional guidance on matters of transition.</p> <p>iv. The recommended 20m setback from Brant Street above three storeys and terracing above five storeys from John Street do not apply in the James Street Node. Rationale for these policies in other precincts is provided in section 4 of the SGL Final report (May 2020), Appendix 1 to PL-16-20.</p> <p>v. Recommended maximum height permissions are shown on Schedule D-2. Lands within the James Street Node are subject to site-specific policies for height.</p>

LAKESHORE PRECINCT				
Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
LA 1	Jan 27 2020	David Bronskill, solicitor on behalf of Vrancorp  (letter sent by email and put on Jan 27 Council agenda)	<ul style="list-style-type: none"> <li>a. Writing as solicitors for Vrancorp Group regarding their property 2020 Lakeshore Road (“the property”) and 2092 Old Lakeshore Road, as well as for other landholdings.</li> <li>b. Concern that preliminary preferred concept is not supported by sufficient rationalization for the built form recommendations for the Lakeshore.</li> <li>c. Concern that the recommendation for Lakeshore Road to be a priority retail main street is unsupported by any meaningful rationale, especially for the north side of the street and given the existing context and recent approvals.</li> </ul>	<ul style="list-style-type: none"> <li>i. Section 4 of SGL Planning and Design’s final report (May 2020) provides rationale for the recommended policy modifications including built form and identification of retail streets.</li> </ul>

MID-BRANT PRECINCT				
Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
MB 1	Jan 15, 2020	Martin Quarcoopome, Weston Consulting, on behalf of Victoria Brant Ltd  (letter by email and put on Jan 16	<ul style="list-style-type: none"> <li>a. Writing as planning consultant for Victoria Brant Ltd, who own 2016, 2018, and 2022 Victoria Ave and 559-615 Brant Street (“Brant Plaza”), to provide comments on Preliminary Preferred Concept. Previous correspondence was sent Dec 5, 2019 with comments on the 2 initial concepts.</li> <li>b. Generally support the direction and vision for the Mid-Brant Precinct, but believe the Brant Plaza presents a unique opportunity that isn’t found elsewhere in Downtown and can yield more than what is currently illustrated.</li> <li>c. Concerned primarily with proposed height limitation at rear of Brant Plaza along Rambo Creek, in the form of both a 45 degree angular plane and a 3-storey height maximum. Support the 45 degree angular plane but believe greater than 3 storeys can be accommodated within that plane while still</li> </ul>	<ul style="list-style-type: none"> <li>i. The recommended policy modifications require development in Mid Brant to transition appropriately to the neighbourhoods and planned open space to the east, through the use of a 45 degree angular plane and</li> </ul>

MID-BRANT PRECINCT				
Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
		Committee agenda)	<p>providing adequate separation and screening to mitigate potential shadow and overlook impacts on the neighbourhood east of the creek.</p> <p>d. Note that Brant Plaza is the only site within downtown expected to accommodate new transportation corridor, which will take away developable land. Accordingly, extra massing on the remaining lands should be permitted to offset these losses, as long as the built form design meets good planning and urban design principles.</p> <p>e. Request that the 3-storey restriction at rear of Brant Plaza be removed to allow development within the angular plane. Also request to meet with staff.</p>	through intervening low-rise buildings or other built form transition to create a pedestrian scale along the open space block, as determined through a comprehensive block plan.
MB 2	Jan 16, 2020	Mayor's Millennial Advisory Committee  (letter sent by email)	John Street road continuation should require more engagement and research; a more fleshed out proposal would help visualize the area around Rambo Creek and whether a secondary road to offset the Brant Street traffic is ideal. The current committee position is that there is not enough information to form a position on this area, as greater park space would be ideal, but maintaining routes for logistics vehicles is also important.	The type, function, and design of the proposed new transportation corridor in Mid Brant Precinct will be considered through a future comprehensive block planning exercise.
MB 3	Feb 14, 2020	Martin Quarcoopome, Weston, on behalf of NLG and Victoria-Brant Ltd  Via email	<p>a. Writing as planning consultant for Victoria Brant Ltd, who own Brant Plaza (2016, 2018, 2022 Victoria Ave, and 559-615 Brant St). Weston also represents Nautical Lands Group (NLG) who has an option to purchase the Brant Plaza lands for seniors and retirement uses. This letter represents a response to the endorsed preferred concept for Downtown as it relates to NLG's vision for the subject lands. NLG and Weston previously shared information on the demand for seniors' housing in Burlington.</p> <p>b. NLG's vision for the Brant Plaza is to provide multi-generational housing options that allow for limited to full care services as a true age-in-place community.</p>	i. Rationale for the recommended built form policies is provided in section 4 of the SGL Final report (May 2020), Appendix 1 to PL-16-20. The draft Downtown Burlington Placemaking and Urban Design

MID-BRANT PRECINCT				
Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
			<ul style="list-style-type: none"> <li>c. NLG supports various elements of the endorsed downtown concept including the mid-block transportation corridor connecting John Street to Victoria Street, a trail block along Rambo Creek ultimately connecting to a future parking with the Mid-Brant Precinct, 3 storey podium maximum height on Brant Street, and angular plane to regulate height and massing.</li> <li>d. NLG has concerns with some elements of the endorsed concept, including the 20m setback from Brant Street for height above three storeys, height cap at 17 storeys, maximum tower floor plate, and the 3-storey height maximum along Rambo Creek. NLG offers the following revised standards:</li> <li>e. NLG would need to increase tower floor plates beyond 750 square metres to 950 square metres, while maintaining a 25m separation between towers, to account for retirement industry elements such as larger corridor widths, more staging and storage areas, and common spaces for residents. NLG/Weston acknowledge that tower placement and height will be dictated partially by shadow impacts on and off site, as assessed through the development application process.</li> <li>f. NLG/Weston believes the 20m setback from Brant Street for height above 3 storeys is excessive, and is concerned that including this requirement in policy rather than design guidelines will be so prescriptive as to lose flexibility and require Official Plan amendments to vary what should be a guideline. Further, these directions would create a streetscape that doesn't allow for creative design and may lead to all buildings looking identical. At this time, NLG anticipates terracing from 1.5m to 3m after the third storey which would be terraced as you reach the tower.</li> <li>g. NLG has concerns with the proposed maximum height restriction, as additional height is needed to make it viable for non-residential uses to be incorporated into the podium such as retail at grade and commercial, community and medical/office uses in the upper storeys of the podium. NLG</li> </ul>	<ul style="list-style-type: none"> <li>Guidelines will provide additional guidance on built form matters.</li> <li>ii. Refer to row MB1 above regarding height transition on east side of Mid Brant Precinct</li> <li>iii. Past development approvals in other parts of the City, such as on New Street, were based on site-specific analysis.</li> <li>iv. A comprehensive block planning exercise is required for Mid-Brant Precinct to determine appropriate form of development. The comprehensive block plan can consider the proposed civic uses and retail and commercial uses and the appropriate</li> </ul>

**MID-BRANT PRECINCT**

Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
			<p>seeks heights of 25 storeys on the interior site, which will fit within a 45 degree angular plane from the rear of the property.</p> <p>h. Weston/NLG believe the 3 storey maximum height at the rear of the property is arbitrary and unnecessarily limits redevelopment of the lands; height in this part of the property should be regulated by the angular plane. Weston submits that the approach taken with the Rosseau Group development at New Street and Guelph Line was appropriate and should be utilized for the development of these lands.</p> <p>i. NLG commits to provide the following community benefits:</p> <ul style="list-style-type: none"> <li>○ creation of a new Central Park on current City-owned lands (John Street parking lot) and the Brant Plaza; (NLG would like to explore the acquisition of City-owned lands east of John Street down to Caroline Street which would allow creation of a centralized park with above and below grade public parking. NLG would work with the City and community to appropriately program this space to meet the needs of the neighbourhood);</li> <li>○ provision of a trail along the creek, incorporating walking and cycle paths with new tree plantings per City standards;</li> <li>○ NLG would like to build on the existing public space at the southeast corner of Brant and Victoria, and integrate it with the redevelopment of the Plaza;</li> <li>○ Introduction of civic uses such as a community centre, meeting space, and/or library;</li> <li>○ Preserving the retail and commercial focus of the property including incorporation of the No Frills into a new/larger 30,000 sq ft storefront within the future podium, as part of the planned new total of 60,000 sq ft of retail at grade and another 45,000 sq ft of commercial and office space on the second and third storeys;</li> </ul>	<p>location of buildings on the site.</p> <p>v. The project team acknowledges the feedback provided by Weston in both their letter and the attached comment matrix.</p>

MID-BRANT PRECINCT				
Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
			<ul style="list-style-type: none"> <li>○ Replace the existing 100+ retail/commercial jobs on site and add an additional 300 (full and part time) jobs through the introduction of the new Wellings facilities and services;</li> <li>j. Proposed seniors campus would provide for the following mix of units: 800 Wellings Seniors Independent Living units, 120 Assisted living units, 255 long-term care beds, and 125 multi-generational units that would cater to any age group or family type.</li> <li>k. Attached to this letter is a comment matrix that responds to each Principle and details how NLG's vision for the Brant Plaza fits within the city's vision for the Downtown.</li> </ul>	

UPPER BRANT PRECINCT				
Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
UB 1	Jan 15, 2020	Khai Tuyn Ly and Donna Lee (789-795 Brant, at Prospect)  (letter hand-delivered and put on Jan 16 <sup>th</sup> Committee agenda)	<ul style="list-style-type: none"> <li>a. Writing as owners of 789 and 795 Brant Street</li> <li>b. Concern that the proposed requirement that building height exceeding 3 storeys be set back 20m from Brant Street is inappropriate for the subject properties in Upper Brant due to shallow lot depth and could make development of more than 3 storeys on the subject properties unfeasible</li> <li>c. There should be no height restriction, in keeping with the intent to locate the tallest buildings closest to Burlington GO station</li> </ul>	<ul style="list-style-type: none"> <li>i. The recommended policy modifications require a setback from Brant Street for buildings above the third storey; flexibility is built into the setback requirement to recognize the wider right-of-way widths in Upper Brant Precinct, and to facilitate appropriate rear setbacks and transitions to surrounding established neighbourhoods.</li> <li>ii. The recommended policy modifications permit the tallest developments in the Downtown to be located within the Upper Brant Precinct, along and north of Ghent Ave. Maximum permitted heights are identified on a new Schedule D-2.</li> </ul>

UPPER BRANT PRECINCT				
Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
			d. Request that the subject properties be exempted from the 20m setback for height above 3 storeys	
UB 2	Jan 16, 2020	Ed Fothergill, for Molinaro  (letter on Jan 16 <sup>th</sup> Committee agenda <a href="#">plus spoken delegation</a> )	Concern that requiring 20m setback from Brant St for tower in Upper Brant Precinct will reduce ability to achieve well-designed tower and also achieve appropriate transitions in rear adjacent to established neighbourhood.	Refer to response in row UB1 above concerning flexibility in 20m setback requirement in Upper Brant Precinct.
UB 3	Feb 3, 2020	Alex Brooks-Joiner (email to <a href="mailto:newop@burlington">newop@burlington</a> )	<ul style="list-style-type: none"> <li>a. Concern that residents in the vicinity of Upper Brant Precinct were not equally engaged in the Re-examination and that as a result, planned density has been concentrated in Upper Brant Precinct to satisfy those who opposed intensification in other parts of Downtown;</li> <li>b. Concern about transitions from tall buildings in Upper Brant Precinct to surrounding neighbourhoods;</li> <li>c. Concern about traffic impacts from planned intensification;</li> <li>d. Concern about provision of adequate parkland for new residents</li> </ul>	<ul style="list-style-type: none"> <li>i. The recommended policy modifications were informed by extensive public engagement in addition to technical studies and consideration for existing context.</li> <li>ii. Opportunities have been provided for all Burlington residents to have their say, including both online and in-person engagement options. Opportunities were promoted on social media, in print media, and through a mail-out to all households and businesses in Burlington. For more information on public engagement process for the Re-examination project, refer to the project's Public Engagement Plan.</li> <li>iii. The recommended policy modifications allocate the tallest buildings (up to 25 storeys) to the north end of downtown in parts of the Upper Brant Precinct. This reflects the fact that the Upper Brant Precinct is an area that already has existing tall and</li> </ul>

**UPPER BRANT PRECINCT**

Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
				<p>mid-rise apartment buildings, and is also the closest part of Downtown to the Burlington GO Station; future development in Upper Brant can therefore contribute to achieving transit-supportive development in proximity to a major transit station with higher order transit. While the Downtown Bus Terminal and Burlington GO Station are both major transit station areas (MTSAs), the findings of the recent Interim Control By-law (ICBL) Land Use Study have confirmed that the Burlington GO Station area can support denser development based on its higher level of transit service. For more information on the ICBL Land Use Study, please see <a href="http://www.burlington.ca/icbl">www.burlington.ca/icbl</a>.</p> <p>iv. The recommended policy modifications require development applications to be supported by a park concept plan to ensure the appropriate provision of parkland in Upper Brant Precinct to accommodate growth.</p> <p>v. The recommended policy modifications include transition policies to ensure new development does not adversely impact surrounding established neighbourhoods. The draft Downtown Placemaking and Urban Design Guidelines will provide additional guidance for transitions.</p>
UB 4	Feb 10, 2020	Alex Brooks-Joiner Via email	a. Concern about transition from new development in Upper Brant Precinct to established neighbourhoods in both the east and west.	i. The recommended policy modifications include transition policies to ensure new development does not adversely impact surrounding established neighbourhoods. The draft Downtown

UPPER BRANT PRECINCT				
Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
			b. Concern about shadow impacts from new development.	Placemaking and Urban Design Guidelines will provide additional guidance for transitions. ii. The City is also developing new guidelines to inform the assessment of wind and shadow impacts from new development. For more information visit <a href="https://www.burlington.ca/en/services-for-you/urban-design.asp">https://www.burlington.ca/en/services-for-you/urban-design.asp</a> .

DOWNTOWN EAST PRECINCT				
Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
DE 1	Jan 15, 2020	Peter Ward (email)	The Downtown East recommendation puts at risk the heritage on Elizabeth Street which are not designated but on the municipal register of heritage properties. I am gobsmacked the preferred concept proposes 17 storey buildings in their place. The preferred concept is undermining, not preserving the “small-town feel”	The recommended policy modifications include policies to ensure cultural heritage resources are conserved and duly considered in the review of development proposals. This includes specific requirements for development on Elizabeth Street between the Elgin Promenade and Maria Street. The recommended policy modifications build on the city-wide cultural heritage policies of the adopted Official Plan.

DOWNTOWN EAST PRECINCT				
Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
DE 2	Dec 19, 2020	Glenn Wellings for Mattamy (James-Martha)  (letter sent by email)	<ul style="list-style-type: none"> <li>a. Writing as planning consultant for Mattamy James Street Limited Partnership (“Mattamy”), who have active applications for Official Plan amendment and Zoning By-law amendment to redevelop 2082, 2086, and 2090 James Street with a (revised proposal) 17-storey building with 164 residential apartment units and ground floor office/commercial.</li> <li>b. Support the identification of Downtown East precinct as a pre-eminent designation for major office, post-secondary education institutions, and residential uses, in the form of tall buildings 12 storeys or higher.</li> <li>c. Believe that the Land Use Concepts should identify prominent gateway locations in the downtown, such as the Mattamy site</li> <li>d. Believe taller buildings must be considered in order to achieve the densities necessary for the Downtown Urban Growth Centre, noting that many tall buildings have existed in Downtown for several decades and new tall buildings have more recently been constructed, forming part of the Downtown landscape/fabric without resulting in adverse impact or incompatibility in the Downtown area or surrounding residential neighbourhoods.</li> <li>e. Find it evident that Burlington is not achieving the minimum target of 200 persons/jobs per hectare for the Urban Growth Centre even with the removal of Spencer Smith Park, and do not understand how Spencer Smith Park could be removed from the Urban Growth Centre boundary, which inflates the persons/jobs per hectare figures.</li> <li>f. Request the release of technical studies that have informed the project</li> </ul>	<ul style="list-style-type: none"> <li>i. A revised system of Precincts has been developed to reflect local context and appropriate development types for various parts of the Downtown. The recommendations do not include the identification of specific gateway locations.</li> <li>ii. The recommended policy modifications permit tall buildings in the Downtown East Precinct, although some sites may not achieve the full height maximum due to site-specific conditions.</li> <li>iii. Section 5 of SGL Planning and Design’s final report (May 2020) outlines how the recommended policy modifications conform to provincial and regional policies, including the UGC target, and are consistent with the Provincial Policy Statement.</li> <li>iv. Technical reports that were completed in support of the project have been appended to staff report PL-16-20. All reports that were available in draft form in January 2020 were released at that</li> </ul>

**DOWNTOWN EAST PRECINCT**

Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
				time concurrent with the release of staff report PL-02-20.
DE 3	Jan 15, 2020	Glenn Wellings for Mattamy (James-Martha)  (letter sent by email and put on Jan 16 Committee agenda)	<ul style="list-style-type: none"> <li>a. Planning consultant for Mattamy James Street Limited Partnership (“Mattamy”), writing with comments on the Preliminary Preferred Concept, as a follow-up to an earlier letter dated Dec 19, 2019.</li> <li>b. Current Mattamy proposal is for 17 storey building with tower floorplate of approximately 710 square metres with approximately 345 square metres of ground floor office space.</li> <li>c. Disagree with the need for a 45 degree angular plane measured from centre line of Martha Street at this location, noting that planning rationale for a 45 degree angular plane is to protect a 2-3 storey built from on the east side of Martha, but existing apartment buildings on east side of Martha Street opposite Mattamy site are 4 storeys, with significant setbacks and expansive paved areas, traffic island, and traffic lanes resulting in significant separation between the east and west sides of Martha at this location.</li> <li>d. Note that no concerns have previously been raised about compatibility with the east side of Martha through the processing of Mattamy’s active development applications over the last two years</li> <li>e. Concern with requirement for 2 storeys of office space and lack of planning justification provided</li> <li>f. Recommend that city re-evaluate Preliminary Preferred Concept with attention to whether Martha Street north and south of James Street should be captured within the same policy context.</li> </ul>	<ul style="list-style-type: none"> <li>i. The recommended policy modifications include transition policies for tall buildings located across a public road from a Low-Rise Neighbourhood Precinct or Residential – Low Density designation; these transition policies recognize the amount of separation provided by the road as a factor in determining the appropriate transition. The draft Downtown Burlington Placemaking and Urban Design Guidelines will provide additional transition guidance.</li> <li>ii. Rationale for the requirement to provide office space in Downtown East Precinct is provided in the SGL final report (May 2020) and appended market/economic studies.</li> <li>iii. Downtown East Precinct boundaries have been delineated based on public engagement and understanding of existing and planned context.</li> </ul>

DOWNTOWN EAST PRECINCT				
Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
DE 4	Jan 16, 2020	Michael von Teichman, 440 Elizabeth Street Holdings  ( <a href="#">spoken delegation at Jan 16<sup>th</sup> Committee</a> ) (with slides)	Concern about the need for sufficient floorplates in office buildings in order for office uses to be viable and office units to be rentable. 750m2 floorplate is insufficient for many office types.	The recommended policy modifications require the provision of office space within the podium of tall buildings in Downtown East Precinct. The recommended policy modifications clarify that the maximum tower floor plate of 750m2 does not apply to the office component of tall buildings.
DE 5	Feb 14, 2020	Michael Von Teichman Via email	<p>a. Believe the publicly and privately owned lands bounded by John Street, James Street, Elizabeth Street, and Pine Street offer a unique opportunity to create an economic and cultural centre in the Downtown, provide jobs on currently underutilized lands, and support nearby businesses.</p> <p>b. Requests that the following be considered for inclusion in Official Plan policies and future zoning regulations for the downtown, particularly Downtown East Precinct but also Old Lakeshore Road Precinct:</p> <ul style="list-style-type: none"> <li>- Expand the description of the precinct to state "the Downtown East Precinct will serve as a pre-eminent destination for major office, post-secondary education institutions, cultural facilities and residential uses".</li> <li>- In order to expand the intent of the precinct being a focus for the provision of public parking - add permissions for parking structures, including side yard setback exemptions.</li> <li>- Parking structures permitted on city lots, or formerly city parking lots, with setbacks from the third floor on the front and rear yard only, to a</li> </ul>	<p>i. The recommended policy modifications include the identification of the Downtown East Precinct as a place for office and education uses, opportunities for residential uses within mixed-use developments, and the provision of public use parking to support retail and office uses.</p> <p>ii. Refer to row DE4 above regarding office floor plates.</p> <p>iii. Urban design requirements for parking structures are addressed in policy and will be further addressed in the draft Downtown Burlington Placemaking and Urban Design Guidelines</p>

DOWNTOWN EAST PRECINCT				
Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
			<p>max 6 floors of parking.</p> <ul style="list-style-type: none"> <li>- Allow relief from the Tall building guidelines for developments/redevelopments that include a significant amount of employment GFA. In this regard the threshold for "significant employment" should be a minimum of 200 jobs per hectare and the relief should include:               <ul style="list-style-type: none"> <li>-No step backs above the street wall for any building that is 12-storeys or smaller.</li> <li>-Increase floor plate size for non-residential uses to 900 sq. m., since these towers rarely have balconies and would appear the same size and office prefers larger floor plates to attract national employers.</li> <li>-In order to encourage community uses (such as cultural facilities, day cares, etc.), all community uses over 250 sqm should not be counted toward the Floor Space Index.</li> </ul> </li> </ul>	<p>iv. The project scope does not include the development of policies for Old Lakeshore Road Precinct or the development of any zoning regulations.</p>

VILLAGE SQUARE PRECINCT				
Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
VS 1	Jan 13, 2020	<p>Gary Care, Sylvia Christie, 402 Martha</p> <p>Jim Shaw, Beth Shaw, 404 Martha</p> <p>Joe Donnell, 406 Martha</p>	<ul style="list-style-type: none"> <li>a. Support the creation of a Village Square Precinct to distinguish this part of Downtown from other areas;</li> <li>b. Do not support permission for 11 storey buildings within Village Square Precinct; feel that 11 storey buildings are out of character with the rest of the precinct;</li> <li>c. Concern that the permission for mid-rise buildings up to 11 storeys within Village Square Precinct could be</li> </ul>	<ul style="list-style-type: none"> <li>i. The recommended policy modifications do not include recommendations specific to the active development applications at 2085 Pine Street.</li> <li>ii. Recommended maximum height permissions are shown on new Schedule D-2; however, not every property will be able to achieve the full height shown on</li> </ul>

**VILLAGE SQUARE PRECINCT**

Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
		<p>Josh Lindsay, 408 Martha</p> <p>Don Wilson, Liz Wilson, 410 Martha</p> <p>(letter sent by email Jan 13 and appearing as correspondence on Jan 16<sup>th</sup> Committee agenda, supported by <a href="#">spoken delegation on Jan 16</a>)</p>	<p>interpreted as a tacit approval of the active development applications at 2085 Pine Street (file numbers 505-03/19 and 520-06/19);</p> <p>d. Recommend that the “V2” sub-precinct be removed and all lands along Pine Street from Elizabeth to Martha be designated V1 and limited to 3 storeys height, with the exception of 2085 Pine Street which may develop to 5 storeys as previously approved through a past development application.</p> <p>e. Objective should be to ensure a proper transition for the residents to the east and north of the new Village Square Precinct.</p>	<p>the Schedule due to site-specific constraints such as lot dimensions and the need to transition to adjacent properties. Transition policies are included in proposed Section 8.1.1(3.19.4) of the Official Plan; additional guidance will be provided through the draft Downtown Burlington Placemaking and Urban Design Guidelines.</p> <p>iii. Recommended policy 8.1.1(3.10)(e) specifically addresses transition to existing townhouses on Martha Street. This transition policy is represented graphically on Schedule D-2: Maximum Building Heights.</p>
VS 2	Jan 16, 2020	<p>Denise Baker, solicitor for York Trafalgar Homes (2085 Pine)</p> <p>(letter by email and put on Jan 16<sup>th</sup> Committee agenda)</p>	<p>a. Writing as solicitor for York Trafalgar Homes Corp, regarding their development proposal for 2085 Pine Street. Active development application numbers 505-03/19 and 520-06/19.</p> <p>b. Property is located within Urban Growth Centre.</p> <p>c. Support a number of elements of the preliminary preferred concept but seek clarification with respect to the proposed 45 degree angular plane for properties identified as ‘V2’.</p>	<p>i. Recommended policy 8.1.1(3.10)(e) specifically addresses transition to existing townhouses on Martha Street but does not speak directly to the active development applications at 2085 Pine Street.</p> <p>ii. The draft Downtown Burlington Placemaking and Urban Design Guidelines will provide additional transition guidance.</p>
VS 3	Jan 16, 2020	<p>Denise Baker, solicitor for Landform</p>	<p>a. Writing as solicitor for Landform Development Group Inc and 2413350 Ontario Inc regarding property located at 401-417 Martha Street</p>	<p>i. A revised precinct plan was developed based on public engagement and an understanding of existing context. The</p>

**VILLAGE SQUARE PRECINCT**

Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
		Development Group Inc and 2413350 Ontario Inc (401-417 Martha)  (letter by email and put on Jan 16 <sup>th</sup> Committee agenda)	b. Subject properties are located within new Village Square precinct, located adjacent to an existing 12-storey slab building to the south located in Apartment Neighbourhoods Precinct. Submit that there is a lack of analysis in the SGL report as it relates to the creation of a new Village Square Precinct and the related built form recommendations c. Primary concern is the maximum height restriction of 3 storeys for the subject properties despite the properties' location within Urban Growth Centre and the existence of adjacent and nearby tall buildings d. Note that adopted Official Plan permits 11 storeys for subject properties and in-effect Official Plan has no height limits for subject properties; submit that this is down-designation and contrary to in-force Provincial policy and past Tribunal decisions e. Would appreciate the opportunity to discuss the proposed designation with Mr. Lowes prior to planning instruments being brought forward to Council for consideration	recommended policy modifications allow for intensification opportunities in low-rise and mid-rise forms in different parts of Village Square Precinct, as appropriate based on existing and planned context. ii. The in-effect Official Plan designation for the subject lands is Downtown Residential Medium and/or High Density with a density range of 26 to 185 units per hectare, and requires development to be compatible with the existing character of the precinct and neighbouring precincts with respect to such matters as height, setbacks, massing, design, and community features. The recommended policy modifications take a different approach by focusing on height rather than density but still in a form compatible with existing character of the precincts and neighbouring precincts. iii. Planning staff are happy to meet to discuss comments and concerns with the recommended policy modifications.
VS 4	Jan 16, 2020	Mayor's Millennial Advisory Committee	Agree that Village Square should remain low rise and have protected Burlington cultural heritage status in some form;	The recommended policy modifications propose low-rise and mid-rise heights in different parts of the Village Square Precinct, as shown on Schedule D-2. Some properties within this Precinct are listed on the

**VILLAGE SQUARE PRECINCT**

Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
		(letter sent by email)		Municipal Register of Cultural Heritage Properties in accordance with the Heritage Act. The recommended policy modifications include policies concerning the conservation of cultural heritage resources and identified potential cultural heritage resources/landscapes.
VS 5	Feb 5, 2020	Gary Care on behalf of Martha Street residents Jim Shaw, Beth Shaw, Joe Donnell, Josh Lindsay, Liz Wilson, Don Wilson, Sylvia Christie, Gary Care via email	<ul style="list-style-type: none"> <li>a. Follow-up to January 23 meeting with Mayor and planning staff regarding concerns about preliminary preferred concept permitting mid-rise buildings up to 11 storeys in areas identified as "V2" sub-area.</li> <li>b. Acknowledge that staff confirmed the preliminary preferred concept does not signal that the City supports the active development application for 2085 Pine Street;</li> <li>c. Express concern that the preliminary preferred concept could be used as rationale by LPAT to approve the active development application at 2085 Pine Street;</li> <li>d. Recommend that entire Village Square Precinct be limited to 3 storeys with a site-specific exception for 2085 Pine Street preserving the past development approval for a 5 storey building, or that the V2 sub-area be limited to 4-6 storeys height, again with a site-specific exception for 2085 Pine Street to preserve past development approval for 5 storeys.</li> <li>e. Generally support the Village Square Precinct boundaries, with a vision for this precinct as a</li> </ul>	i. Refer to row VS1 above for response regarding Village Square Precinct built form and transition/compatibility considerations

VILLAGE SQUARE PRECINCT				
Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
			predominately 3 storey precinct maintaining a village-like feel as a low-rise transitional area, and with new development being compatible with existing character.	
VS 6	Feb 24, 2020	Gary Care and Don Wilson on behalf of Sylvia Christie, Beth Shaw, Jim Shaw, Joe Donnell, Michelle Kachur, Josh Lindsay, Liz Wilson Via email	<ul style="list-style-type: none"> <li>a. Request that City staff review the September 26, 2017 Planning and Building Department’s recommendation report for 2085 Pine Street, including technical reports, as part of the City’s analysis as it pertains to considering the V-2 sub-area of the Village Square Precinct;</li> <li>b. Request that City staff take into account the public input that occurred over the past 7 years through the review of development applications for 2085 Pine Street, as it pertains to consideration of the V-2 sub-area of the Village Square Precinct;</li> <li>c. Propose that the Village Square Precinct be amended as follows: “modify the V2 designation – 11 storey to a 4-6 maximum storey with amendment addressing 2085 Pine as indicated below”, and “That the 2085 Pine St property shall remain as 5 storey plus a raised parking storey as previously approved DMR 3-storey amended”.</li> <li>d. Note that the existing low-rise built form in the Village Square Precinct provides an area of transition between the potential high-rise areas to the north along James St and south along Lakeshore</li> </ul>	<ul style="list-style-type: none"> <li>i. The scope of the Re-examination project does not include comprehensive review of past and current development applications. The Re-examination project was informed by extensive public engagement as described in reports PL-02-20 and PL-16-20.</li> <li>ii. Refer to row VS1 above regarding recommendations for built form and transition/compatibility considerations in Village Square Precinct.</li> </ul>

NEIGHBOURHOOD MIXED USE PRECINCT				
Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
NM 1	Jan 16, 2020	Bob Osborne <a href="#">(spoken delegation at Jan 16<sup>th</sup> Committee)</a> (with slides)	Supports designation of east side of Brant Street north of Blairholm Ave as Neighbourhood Mixed Use Precinct.	Comment noted.

APARTMENT NEIGHBOURHOODS PRECINCTS				
Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
AN 1	Jan 16, 2020	Denise Baker, solicitor for Spruce Partners Inc and Amico Properties Inc (1161-1167 North Shore Blvd E)  (letter by email and put on Jan 16 <sup>th</sup> Committee agenda)	<ul style="list-style-type: none"> <li>a. Writing as solicitors for Spruce Partners Inc and Amico Properties Inc regarding their property at 1161-1167 North Shore Blvd E, within Urban Growth Centre and Apartment Neighbourhood Precinct.</li> <li>b. Appreciate the need to consider existing context with respect to development applications, but submit that existing context cannot be the driver of development policies which are intended to implement provincial policy that well post-dates any of the existing context.</li> <li>c. Submit that if height and density are to be dictated by existing context within the Urban Growth Centre, the objectives of Provincial Policy could not be achieved.</li> <li>d. Request consideration for amending language with respect to Apartment Neighbourhood Precinct from “height of new buildings should be based on the surrounding context” to “height of new buildings should be compatible with the surrounding context”.</li> <li>e. Also request consideration for amending language in precinct vision from “only limited infill development will be permitted within the</li> </ul>	<ul style="list-style-type: none"> <li>i. The recommended policy modifications allow for intensification through a variety of built forms as appropriate in each precinct, and provide the ability to achieve the minimum density target of the UGC. The Apartment Neighbourhoods Precinct permits infill development that fits into and respects the existing physical character of adjacent properties, with a requirement to transition to, and be compatible with, adjacent Low-Rise Neighbourhood Precincts and other established residential neighbourhoods.</li> </ul>

**APARTMENT NEIGHBOURHOODS PRECINCTS**

Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
			<p>Apartment Neighbourhoods which reflects the existing context within the precinct..." to "only limited infill development will be permitted within the Apartment Neighbourhoods which is compatible with the existing context within the precinct..."</p>	<p>ii. Refer to section 8.1.1(3.12) of the recommended policy modifications for specific recommended wording of policies.</p>
AN 2	Jan 21 2020	Denise Baker, solicitor on behalf of Arya Properties (1381 Lakeshore) (letter sent by email) [also appears on Jan 27 Council agenda]	<p>a. Writing as solicitors for Arya Properties Ltd., owners of 1381 Lakeshore Road ("the site"). The in-effect Official Plan designates this Downtown Residential – Medium and/or High Density Precincts.</p> <p>b. Seek clarity as to whether the preliminary preferred concept designates the site as Apartment Neighbourhoods or Low Rise Neighbourhood Precinct.</p> <p>c. If the site is designated Low Rise Neighbourhood, this would be a down designation that would materially impact the ability to redevelop the site for the purpose for which it was purchased. Such a down designation has not been justified in the work undertaken by SGL Planning and would be contrary to the PPS and Growth Plan, and past decisions of LPAT.</p> <p>d. If the site is designated Apartment Neighbourhood and the adjacent properties to the east are designated Low Rise Neighbourhood, we are concerned that this will impact our ability to develop the site as a result of issues of adjacency and policies pertaining to transitioning to low-rise neighbourhoods.</p>	<p>i. The recommended policy modifications designate 1381 Lakeshore Road as Apartment Neighbourhoods Precinct. The existing adjacent townhouses to the east are designated Low-Rise Neighbourhood Precinct.</p> <p>ii. The recommended policy modifications include policies for transition between different built forms: refer to Sections 8.1.1(3.12) and 8.1.1(3.19.4). The draft Downtown Burlington Placemaking and Urban Design Guidelines will provide further guidance on matters of transition and compatibility.</p>

**LOW-RISE NEIGHBOURHOOD PRECINCTS**

Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
LR 1	Jan 16, 2020	Denise Baker, solicitor for Welwyn Interests (Burlington-Lakeshore)  (letter by email and put on Jan 16 <sup>th</sup> Committee agenda)	<ul style="list-style-type: none"> <li>a. Writing as solicitors for Welwyn Interests Inc, owners of 415, 419, 425, and 431 Burlington Ave and 1407, 1415, and 1421 Lakeshore Road (“the lands”).</li> <li>b. Owners preconsulted with the City in 2018 about a concept to redevelop the lands with an 11-storey seniors home with 211 units. The lands were selected by the owners for development of a seniors home due to close proximity to the waterfront, Brant Street, public transit infrastructure, location within Urban Growth Centre, and the current lack of height limit for the portion of the lands fronting on Lakeshore</li> <li>c. Have been engaged with the City’s new Official Plan project and have corresponded with the City on June 28, 2017; Sept 29, 2017; Nov 29, 2017; Feb 22, 2018; Apr 24, 2018; and Apr 25, 2018.</li> <li>d. Throughout past correspondence, raised concerns with the now-adopted Official Plan policies down-designating the lands and imposing a maximum of 6 storeys along Lakeshore Rd. Submit that the 6-storey limit renders the site undevelopable for the purpose for which it was purchased.</li> <li>e. Concerned with current proposal for the lands to be limited to 2.5 storeys and designated as Low-Rise Neighbourhood Precinct. Submit that this has not been justified in the work undertaken by SGL Planning, and that such a down-designation of lands within the Urban Growth Centre is contrary to the Provincial Policy Statement and Growth Plan, and past LPAT decisions.</li> <li>f. Request that Mr Paul Lowes be made available to discuss this with landowner</li> </ul>	<ul style="list-style-type: none"> <li>i. Low-rise Neighbourhood Precincts allow for limited intensification in a form that is compatible with and fits into the existing physical character Rationale for the recommended policy modifications is contained in Section 4 of the SGL final report (May 2020).</li> <li>ii. The in-effect Official Plan designation for the subject lands is Downtown Residential Medium and/or High Density with a density range of 26 to 185 units per hectare, and require development to be compatible with the existing character of the precinct and neighbouring precincts with respect to such matters as height, setbacks, massing, design, and community features. The recommended policy modifications take a different approach by focusing on height rather than density but still in a form compatible with existing character of the precincts and neighbouring precincts.</li> </ul>

**LOW-RISE NEIGHBOURHOOD PRECINCTS**

Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
				<ul style="list-style-type: none"> <li>iii. Planning staff are happy to meet to discuss comments and concerns with the recommended policy modifications</li> </ul>
LR 2	Mar 19, 2020	Bob Hilton and Perry Bowker, representatives of Lions Club  Via email to Alison	Lions Club prefers that the Lions Park lands be subject to the same land use designation at the lands to the north and east (Low Density Residential – Emerald Neighbourhood).  Lion Club requests the following wording change in site-specific policy: "could" instead of "will", i.e.: "In the long term the City <del>will</del> <u>could</u> investigate opportunities to acquire the lands..."	<ul style="list-style-type: none"> <li>i. The recommended policy modifications designate the Lions Park lands (north half of the Lions Club property) as Low-Rise Neighbourhood Precinct – Emerald Neighbourhood, and the Lions Club lands (south half of the property) as Downtown East Precinct. Schedule D shows a "New Public Park" symbol over the north half of the property, reflecting the long-term vision for public parkland in this area.</li> <li>ii. Refer to policy 8.1.1(3.14.1)(q) for specific recommended policy wording related to Lions Park.</li> </ul>

PUBLIC SERVICE DESIGNATION				
Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
PS 1	Jan 15, 2020	Peter Ward (email)	The plan puts at risk the long-term existence of the Presbyterian Church on Elizabeth and James, and to some extent the Ukrainian Catholic Church on Pearl Street. I cannot fathom why the preferred concept proposes a 17 storey building at the former church location and a mid rise at the latter location	The recommended policy modifications recognize the existing places of worship in downtown by including them within the Public Service designation to ensure these lands are available for public service and institutional uses in the long term.
PS 2	Jan 13, 2020	Halton Catholic District School Board (letter sent by email)	<p>The Board has two schools within Downtown Burlington. St John Catholic Elementary School (JK-grade 8) located at 653 Brant Street is shown as “Public Service” land use designation, adjacent to lands to the south designated for tall buildings (12 storeys or higher) in Concept 1 or mid-rise buildings of 7-11 storeys and Low-Mid-Rise buildings of 4-6 storeys to the south. The Board has concerns about impacts of adjacent development on the school property from shadowing on school buildings and playgrounds, sufficient separation distance for noise from the school, and safety of students on school property and those traveling to/from school during any construction activity on adjacent properties.</p> <p>The Burlington Campus of Thomas Merton Adult and Continuing Education Centre is a regional secondary-level program serving the entire City of Burlington, located within a commercial/retail building at 460 Brant Street within the Brant Main Street Precinct. Students access the school by active transportation, public transit, and/or personal automobile. As such, it is important that the general area be easily accessible by walking, cycling, and public transit, and have parking for vehicles. The Board generally supports the criteria and measures for evaluation of the proposed concepts, specifically as it relates to enhancing pedestrian priority areas (Principle 5) and having a</p>	<ul style="list-style-type: none"> <li>i. The recommended policy modifications allow for tall buildings up to 17 storeys on the lands to the south of St John Catholic Elementary School, as shown on proposed Schedule D-2.</li> <li>ii. Mitigation of shadow impacts from tall buildings on adjacent properties including schools will be ensured through recommended built form policies in 8.1.1(3.19). Further guidance will be provided by the draft Downtown Burlington Placemaking and Urban Design Guidelines and the Wind and Shadow Guidelines.</li> <li>iii. Noise impacts and mitigation measures are addressed at the time of a site-specific development application</li> <li>iv. Construction management is out of scope of the Official Plan and is addressed at the time of a site-specific development application</li> <li>v. The recommended policy modifications support the long-term viability of</li> </ul>

PUBLIC SERVICE DESIGNATION				
Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
			road network that allows for efficient and safe travel through Downtown (Principle 6), as outlined in Section 4 of SGL’s report “Themes, Principles, and Land Use Concepts” dated October 2019.	transit and active transportation in the Downtown, and accommodate the need for adequate public and private parking.
PS 3	Mar 13, 2020	Michelle D’Aguiar, Halton District School Board	<p>HDSB operates two schools within the study area: Central Public School (K-6 facility) and Burlington Central Elem and High School (7-12 facility). Both schools are located at the corner of Brant and Baldwin Streets. There is a total of 1680 pupil places to accommodate 1251 students. The secondary school offers a regional International Baccalaureate program.</p> <p>HDSB notes the schools are designated “Public Service” and are adjacent to the Upper Brant Precinct which allows mid-rise development to 11 storeys. HDSB has concerns related to potential shadowing of the school property, sufficient separation distances for the noise from the school, and potential safety issues associated with construction.</p> <p>HDSB comments that public transit access to the school is essential due to the regional program.</p> <p>HDSB notes that the Cultural Heritage Resource Assessment identifies both Central Public School and Central High School as cultural heritage resources (CHR 64 and CHR 1, respectively).</p>	<ul style="list-style-type: none"> <li>i. The recommended policy modifications permit mid-rise buildings up to 11 storeys on the lands directly to the north of Central Public School and Central Elementary and High School, as shown on Schedule D-2.</li> <li>ii. Refer to row PS1 above concerning shadow impacts, noise impacts, construction management, transit, and active transportation.</li> <li>iii. Both HDSB schools in Downtown Burlington are listed on the Municipal Register of Cultural Heritage Resources and are identified accordingly in the Cultural Heritage Resource Assessment completed by ASI in support of the project.</li> </ul>

PROCESS				
Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
PR 1	Jan 6, 2020	Blair Smith and Lynn Crosby for We Love Burlington (email)	Concern that too little time was provided between the public release of the preliminary preferred concept with associated reports and the January 16 Committee meeting at which the preliminary preferred concept and associated reports were to be discussed.	The preliminary preferred concept and associated staff report and SGL Planning & Design report were released Jan 9, 2020; considered by Community Planning, Regulation, and Mobility (CPRM) Committee on Jan 16, 2020; and endorsed by Council on Jan 27, 2020. In response to feedback about the amount of time available for review of the preliminary preferred concept, the City promoted an opportunity for comments on the preliminary preferred concept to be submitted up to February 14, 2020. All feedback received up to March 19, 2020 has been considered in the development of the recommended policy modifications and responded to in this appendix. Public feedback on the recommended policy modifications will be accepted until the CPRM Committee meeting of September 30, 2020.
PR 2	Jan 7, 2020	Blair Smith and Lynn Crosby for We Love Burlington (email)	We understand that the January 16 meeting was promoted in various places. Our concern is that the report being made public on January 9 leaves only a few days for citizens (and council members) to properly review it and prepare delegations and ask questions. The “tight turn-around time” from December 5 is, frankly, entirely under your control and we have always taken issue with the unnecessary rush of this entire process. As we advised in our delegation on December	Refer to row PR1 above for response regarding commenting timeline

PROCESS				
Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
			5, there is no statutory “clock ticking” and as we recommended, we believe that time should be taken for fulsome review. In fact, the optics of this very rushed process, coinciding with the December holidays, are most unfortunate to say the least.	
PR 3	Jan 16, 2020	Suzanne Mammel, Hamilton Halton Home Builders Association (HHHBA), now West End Home Builders Association (WEHBA)  ( <a href="#">spoken delegation at Jan 16<sup>th</sup> Committee</a> )	Concern that there was insufficient time to review the preliminary preferred concept and associated reports prior to Jan 16, 2020 meeting. Request that Council receive the report only and not endorse concept at this time (Jan 2020), and that HHHBA be given additional time (two months) to review the preliminary preferred concept and all reports.	Refer to row PR1 above regarding commenting timeline.
PR 4	Jan 16, 2020	Ed Fothergill, for Molinaro  (letter on Jan 16 <sup>th</sup> Committee agenda <a href="#">plus spoken delegation</a> )	“From a review of the background report prepared by SGL Planning and Design Inc and staff report, it is our position that the planning process associated with this exercise has significant deficiencies and as a result produces an outcome which is flawed.”	The Re-examination project has followed a process described in section 2 of the SGL Planning & Design final report (May 2020). The recommended policy modifications are informed by public engagement, planning analysis of existing and planned context and the applicable policy framework, and technical studies.

PROCESS				
Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
PR 5	Jan 16, 2020	Scott Snider, solicitor on behalf of Carriage Gate Homes and related companies: 2069-2079 Lakeshore Road & 383-385 Pearl Street (Lakeshore (Burlington) Inc.), 2107 & 2119 Old Lakeshore Road (Old Lakeshore (Burlington) Inc.), 535-551 Brant Street (Rennimob) (correspondence on Jan 16 <sup>th</sup> Committee agenda)	<ul style="list-style-type: none"> <li>a. Writing as counsel to Carriage Gate Homes and related companies (collectively: “Carriage Gate”), which are potentially affected by the review of land use permissions currently being undertaken by the City. Carriage Gate has participated actively in the planning process and has made previous submissions to Committee and Council regarding the planning initiatives that would impact these sites in the City’s Urban Growth Centre.</li> <li>b. There has been little specific engagement with the building industry to evaluate the feasibility of the various recommendations;</li> <li>c. Requests additional time to review the details of the work being presented to Committee, and that Committee decline to endorse any concept at this time.</li> </ul>	The building industry has been included in engagement for the Re-examination in accordance with the project’s Public Engagement Plan. All interested and affected parties have the opportunity to provide additional feedback in advance of, or at, the public meeting scheduled for September 30, 2020.
PR 6	Jan 16, 2020	Jeremy Skinner (correspondence and <a href="#">delegation</a> )	<ul style="list-style-type: none"> <li>a. Ensure that the general public understands the purpose of the Official Plan and the need for amendments based on decisions of City Council, Halton Region, LPAT, or Province.</li> </ul>	The SGL Planning & Design report “What You Need to Know” was released in August 2019 prior to the commencement of public

PROCESS				
Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
		<a href="#">on Jan 16<sup>th</sup></a> Committee agenda)	b. Ensure that downtown urban growth centre precincts including Emerald and St Luke's and stable residential neighbourhoods which border the downtown urban growth centre understand what the City can and can't do in terms of transition compatibility with proposed development applications. This should include a discussion as to the implications of selling residential properties to land assembly aggregators.	engagement to provide a resource for interested parties to learn about the applicable policy framework. Additionally, an overview of policy conformity requirements, City jurisdiction, and project scope were provided at the beginning of every public engagement event throughout the project. This did not include discussion of the implications of private property transaction decisions.
PR 7	Jan 16, 2020	Jim Young (correspondence on Jan 16 <sup>th</sup> Committee agenda)	Concern that too little attention has been paid to the voices of city advocacy groups such as Engaged Citizens of Burlington, We Love Burlington, and Plan B. "City engagement efforts should involve a little less reaching out, and a little more listening in"	Public engagement throughout the project has occurred in accordance with a Public Engagement Plan that was developed at the commencement of the project with input from key stakeholders including Engaged Citizens of Burlington.
PR 8	Jan 16, 2020	Tom Muir (correspondence on Jan 16 <sup>th</sup> Committee agenda)	Concern that "staff (and maybe with the consent of Council) over-controlled the rules of engagement, got what they wanted to hear by restricting the planning concepts and policies considered. As a result the reexamination of the OP and the restricted planning concepts underlying the preferred concept for Downtown including the MTSA, and not removing it, falls decisively short of what I was expecting."	Public engagement throughout the project has occurred in accordance with a Public Engagement Plan that was developed at the commencement of the project with input from key stakeholders. Additionally, staff sought public feedback on engagement tactics throughout the process and adapted engagement techniques throughout the process in response to feedback: for example, improvements to format of Action Labs between October and November.

PROCESS				
Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
PR 9	Jan 16, 2020	Gary Scobie (independent) and Lynn Crosby, Blair Smith, Josie Wagstaffe, Deborah Ruse, and Dave Myers (We Love Burlington)  (correspondence on Jan 16 <sup>th</sup> Committee agenda)	Comments refer to both ICBL Land Use Study Report (PL-01-20) and Preliminary Preferred Concept Report (PL-02-20):  “We take serious issue with the process that put these two reports to Council with virtually no opportunity for proper and meaningful citizen engagement; we feel, once again, that local voice is not truly heard nor respected. The fact that not one member of Council had a single question for either delegation further cemented that feeling.	Public engagement throughout the Re-examination project has occurred in accordance with a Public Engagement Plan that was developed at the commencement of the project with input from key stakeholders including community advocacy groups.  All interested and affected parties have the opportunity to provide additional feedback in advance of, or at, the public meeting scheduled for September 30, 2020.

OUT OF SCOPE				
Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
OS 1	Jan 16, 2020	Jeremy Skinner  (correspondence and <a href="#">delegation on Jan 16<sup>th</sup></a> Committee agenda)	Suggestion to invest in an “Inspire Burlington” public meeting on the matter of Urban Planning and Transportation Planning with relevant guest speakers, to dispel the myths which persist among residents as to what City Council can and can’t do in terms of controlling development, and to provide guidance to	Suggestion is out of scope of the Re-examination project but has been shared with relevant Community Planning Department staff. The City has created a website as a resource to help generate understanding of the development process, and continues to look for opportunities to improve:

**OUT OF SCOPE**

Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
			the residents as to what the City of Burlington should contemplate going forward.	<a href="https://www.burlington.ca/en/services-for-you/understanding-the-development-application-process.asp?mid=9349">https://www.burlington.ca/en/services-for-you/understanding-the-development-application-process.asp?mid=9349</a>
OS 2	Jan 16, 2020	Jim Young (correspondence on Jan 16 <sup>th</sup> Committee agenda)	<ul style="list-style-type: none"> <li>a. Concerns about outcome of Interim Control By-law study;</li> <li>b. Concerns about incompleteness of Integrated Mobility Plan and the need for public transit service;</li> <li>c. Concerns about the number of development applications currently active and the potential for applications to be appealed to LPAT for non-decision</li> </ul>	<ul style="list-style-type: none"> <li>i. The Interim Control By-law (ICBL) Study is a separate project from the Re-examination project. The findings of the ICBL have informed the Re-examination project.</li> <li>ii. The Integrated Mobility Plan (IMP) is also a separate project. Completion of the IMP has been identified in “From Vision to Focus” as a key action to achieve Council’s goal of improving the transit and transportation modal split.</li> <li>iii. <i>The Planning Act</i> requires the City to process development applications that are submitted. Council decisions or non-decisions on development applications are subject to appeal to the LPAT in accordance with the Act.</li> </ul>
OS 3	Jan 16, 2020	Tom Muir (correspondence on Jan 16 <sup>th</sup> Committee agenda)	Concern that all of the planning concepts for Downtown have been based on the Downtown being an MTSA, and no alternative concept has been presented that contemplates the removal of the MTSA designation.	<ul style="list-style-type: none"> <li>i. The recommended policy modifications conform to regional and provincial policies, including the identification of a Major Transit Station Area (MTSA) in the Downtown. It is a given of this project that proposals to remove or relocate the Downtown MTSA are out of scope of the project. Changes to the designation of Downtown as an MTSA may</li> </ul>

**OUT OF SCOPE**

Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
				<p>only occur through the Region’s Municipal Comprehensive Review.</p> <p>ii. The recommended policy modifications are informed by the findings of the Interim Control By-law (ICBL) Land Use Study, which recommended that the Downtown MTSA be treated differently than the MTSA’s on the priority transit corridor.</p> <p>iii. City Staff will be preparing a report to Council regarding the MTSA designation of the Downtown and UGC boundary based on the findings of the ICBL land use study. Further recommendations from staff regarding the Downtown MTSA may come from that report.</p>
OS 4	Jan 16, 2020	<p>Gary Scobie (independent) and Lynn Crosby, Blair Smith, Josie Wagstaffe, Deborah Ruse, and Dave Myers (We Love Burlington)</p> <p>(correspondence on Jan 16<sup>th</sup> Committee agenda)</p>	<p>Comments refer to both ICBL Land Use Study Report (PL-01-20) and Preliminary Preferred Concept Report (PL-02-20):</p> <p>a. We believe that the UGC boundary must be moved north and out of the downtown and that the MTSA designation at the John St. Bus terminal must be removed. This has been stated by delegates for the past year, and for the year before that.</p> <p>b. We expect Council to immediately collaborate with both the region of Halton and the province to effect the necessary changes as part of approving a new Official Plan. We strongly encourage Council to take advantage of the collaboration opportunities</p>	<p>i. The recommended policy modifications conform to regional and provincial policies, including the identification of an Urban Growth Centre (UGC) and Major Transit Station Area (MTSA) in the Downtown. It is a given of this project that proposals to remove or relocate the Downtown UGC and/or MTSA are out of scope of the project. Refer to response in Row OS3 above for further discussion of the MTSA in Downtown Burlington.</p>

**OUT OF SCOPE**

Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
			offered by MPP Jane McKenna in her letter to Council of January 10, 2020.	
OS 5	Jan 16, 2020	Mayor's Millennial Advisory Committee  (letter sent by email)	The downtown MTSA should be downgraded to just a bus terminal and maintain and expand the stops with growing ridership;	The recommended policy modifications conform to regional and provincial policies, including the identification of a Major Transit Station Area (MTSA) in the Downtown. It is a given of this project that proposals to remove or relocate the Downtown MTSA are out of scope of the project. Refer to row OS3 above for further discussion of MTSA in Downtown Burlington.
OS 6	Jan 27 2020	David Bronskill, solicitor on behalf of Vrancorp  (letter sent by email and put on Jan 27 Council agenda)	<ul style="list-style-type: none"> <li>a. Writing as solicitors for Vrancorp Group regarding their property 2020 Lakeshore Road ("the property") and 2092 Old Lakeshore Road, as well as for other landholdings.</li> <li>b. Vrancorp actively participated in the Waterfront Hotel Study affect the property, with public engagement beginning in May 2017, and the recommended key policy directions being recommended to Council on June 5, 2018. It was recommended that the process be re-engaged in early 2019 following additional review and work by City staff. As noted in previous correspondence dated March 5, 2019, it was prejudicial for the City to abandon this study process and there was no legitimate planning basis to replace the study process with a new study process. Vrancorp's request to be exempted from the City's interim control by-law was not accepted.</li> </ul>	<ul style="list-style-type: none"> <li>i. The Waterfront Hotel study is a separate project and out of scope of the Re-examination of the Adopted Official Plan.</li> <li>ii. The Interim Control By-law (ICBL) Study is a separate project from the Re-examination; the delineation of the ICBL boundary is out of scope of the Re-examination.</li> <li>iii. It is a given of the Re-examination project that the Old Lakeshore Road Precinct and Waterfront Hotel site are out of scope of the project, as they will be subject to their own planning processes.</li> </ul>

**OUT OF SCOPE**

Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
			<p>c. Concern that the Old Lakeshore Road Precinct and Waterfront Hotel are outside the scope of the study and no change to the Official Plan is recommended. Concern that these lands are within the scope of the Interim Control By-law despite not being in the scope of the Re-examination of the Adopted Official Plan.</p>	
OS 7	Jan 27 2020	David Bronskill, solicitor on behalf of Core (letter sent by email and put on Jan 27 Council agenda)	<p>a. Writing as solicitors for Core FSC Lakeshore GP Inc (“Core”), who own 2093, 2097, and 2101 Old Lakeshore Road and 2096 and 2100 Lakeshore Road (“the properties”), which are subject of active development applications proposing a 27-storey mixed use building.</p> <p>b. As noted in previous correspondence dated Dec 3, 2019, concerned that Old Lakeshore Road Precinct is not included in the scope of the Re-examination of the Adopted Official Plan, despite the precinct’s inclusion in the Interim Control By-law scope. Core believes this area should have been reviewed as part of the ongoing planning exercise to ensure conformity and consistency with upper level planning documents.</p> <p>c. Core believes the properties, which are located within the Urban Growth Centre, are underutilized and are appropriate for intensification that is consistent with the PPS and in conformity with the Growth Plan, without need for any future study.</p>	Refer to row OS6 above.

**OUT OF SCOPE**

Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
OS 8	Feb 3, 2020	Peter W. Sangster (email)	Suggestion that City research the appropriateness of using hydrogen fuel for City fleet in the interest of sustainability.	The fuel type of City vehicles is out of scope of the Re-examination project. This comment has been forwarded to Transit Department staff and Capital works Department Sustainability staff for their consideration.
OS 9	Feb 3, 2020	Alex Brooks-Joiner (email to newop@burlington)	Suggestion that lands north of the Downtown Urban Centre should be intensified	Areas outside the Downtown Urban Centre are out of scope of the Re-examination project. For information on planning exercises for the areas north of Downtown, refer to the ICBL study ( <a href="http://www.burlington.ca/icbl">www.burlington.ca/icbl</a> ) and Burlington GO Area-Specific Plan study ( <a href="https://www.burlington.ca/en/services-for-you/burlington-go-mobility-hub-study.asp">https://www.burlington.ca/en/services-for-you/burlington-go-mobility-hub-study.asp</a> ).
OS 10	Feb 10, 2020	Alex Brooks-Joiner Via email	Concern about the need for public notification when development applications are submitted.	The City provides public notice of development applications and statutory public meetings in accordance with <i>the Planning Act</i> and the policies of the Official Plan. For more information, refer to <a href="https://www.burlington.ca/en/services-for-you/understanding-the-development-application-process.asp">https://www.burlington.ca/en/services-for-you/understanding-the-development-application-process.asp</a> .