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Our File No.: 173075

Via Email

Ontario Land Tribunal
655 Bay Street, Suite 1500
Toronto, ON M5G 1E5

Attention: Azeem Patel, Case Coordinator

Dear Mr. Patel:

Re: OLT-22-003866 (2020 Lakeshore Road) - Revised Submission

We are the solicitors for Burlington 2020 Lakeshore Inc., the applicant and appellant in the above noted appeal (the "**Applications**") for the property known municipally in the City of Burlington (the "**City**") as 2020 Lakeshore Road (the "**Lands**").

Further to my previous email, our client has enclosed a set of revised plans prepared by NEUF Architects Inc. dated February 27, 2024 (the "**Resubmission**"). This resubmission reflects two refinements to the plans filed with the Tribunal on February 6, 2024 (the "**Revised Plans**") arising out of Expert Witness Meetings. No other changes have been made and all statistics remain the same. The changes are as follows:

1. The proposed vehicular access ramp is reverted back to its original location along Elizabeth Street. This change arose after the City of Burlington (the "**City**") and Halton Region (the "**Region**") expressed concern that the Revised Plans proposed to relocate the vehicular access to the underground parking to the cul de sac at the end of Elizabeth Street. The Region's land use planner suggested that a Regional Official Plan Amendment would be required to permit the proposed vehicular access ramp to connect the existing cul de sac. The City also objected to the proposed location. Accordingly, our client has reverted the proposed vehicular access ramp back to its original location along Elizabeth Street. This change reflects the direction provided in the City's Waterfront Hotel Study that recommended vehicular access to occur from Elizabeth Street.

2. Our client revised proposed conveyances for road widening and parkland dedication. During the Transportation Expert Witness Meeting, City staff requested that our client confirm the accuracy of the proposed road widening. Our client surveyor and land-use planner reviewed the proposed road widening in accordance with Part II, Policy 3.3.2 of

the City's Official Plan (1997), and in particular, sub-policy (c), which notes that "existing roads shall be widened equally on both sides of the road" (emphasis added). Staff previously identified that the planned width of Lakeshore Road requires a 2.2-2.78 metre widening was required along Lakeshore Road. Given the City Official Plan's direction noted above, and the City's acceptance of reduced widenings at other development applications in downtown Burlington along Lakeshore Road (including at the property known municipally as 2069-2079 Lakeshore Road and 383-385 Pearl Street, 370 Martha Street, and others), which provide for a reduced right-of-way for Lakeshore Road to approximately 26 metres. It is also common practice for planned road widenings to be shared equally on both sides of the road. Accordingly, this would require our client to convey approximately 1.4 metres as a road widening along Lakeshore Road to achieve the planned right-of-way width of 30 metres.

As a result of this modification, approximately 130 square metres would be added to the Lands' total site area. Accordingly, our client is also proposing to amend the proposed parkland dedication to add approximately 13 square metres to the proposed parkland dedication, to ensure that the City receives the maximum amount it is entitled to receive under Section 42 of the *Planning Act*. Our client proposes to add this additional dedication parcel at the northwest corner of the Lands (where a 250 square metre dedication parcel is proposed), to create a 263 square metre dedication parcel.

While our client recognizes that the Resubmission follows the Revised Plans, these amendments arise from conversations with City and Region witnesses and are intended to reduce or narrow the scope of issues. We remain hopeful that the Resubmission addresses the City's and Region's issues and will assist in facilitating a full or partial settlement before the Tribunal.

Please contact the undersigned should you require anything further.

Yours truly,

Goodmans LLP



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