



191 Main Street South, PO Box 575  
Waterdown, ON L0R 2H0  
P 905-257-3590  
E [admin@rvassociates.ca](mailto:admin@rvassociates.ca)

February 5, 2019

Ontario Growth Secretariat  
Ministry of Municipal Affairs and Housing  
777 Bay Street  
23<sup>rd</sup> Floor, Suite 2304 Toronto  
ON M5G 2E5

Sent Via Email to [growthplanning@ontario.ca](mailto:growthplanning@ontario.ca)

Dear Ms. Hayley Berlin:

We are writing to you on behalf of Branthaven Development Corporation (Branthaven) regarding the proposed Provincially Significant Employment Zone mapping as it relates to Oval Court in the City of Burlington. The City of Burlington has undertaken a multi-year Municipal Comprehensive Review which resulted in these lands being recommended for conversion from solely employment uses to a range of uses to support the mobility hub function planned for these lands. It should be noted that this is considered a local employment land conversion, as the employment lands are not subject to the Region of Halton employment overlay. The following is the wording of the City of Burlington's resolution to convert the Oval Court lands:

14.2 – 720, 735, and 740 Oval Court and 5135 and 5155 Fairview Street  
Reconsideration (PB-50-18)

Moved by: Councillor Lancaster Seconded by: Councillor Meed Ward

**Direct the Director of City Building to amend the proposed Official Plan to designate the lands municipally known as 720, 735, and 740 Oval Court and 5135 and 5155 Fairview Street as Urban Corridor on Schedule C of the City of Burlington Official Plan and to direct that the Appleby GO Mobility Hub Area Specific Plan consider and develop appropriate policies for these lands to allow the employment function to be retained, in conjunction with other uses.**

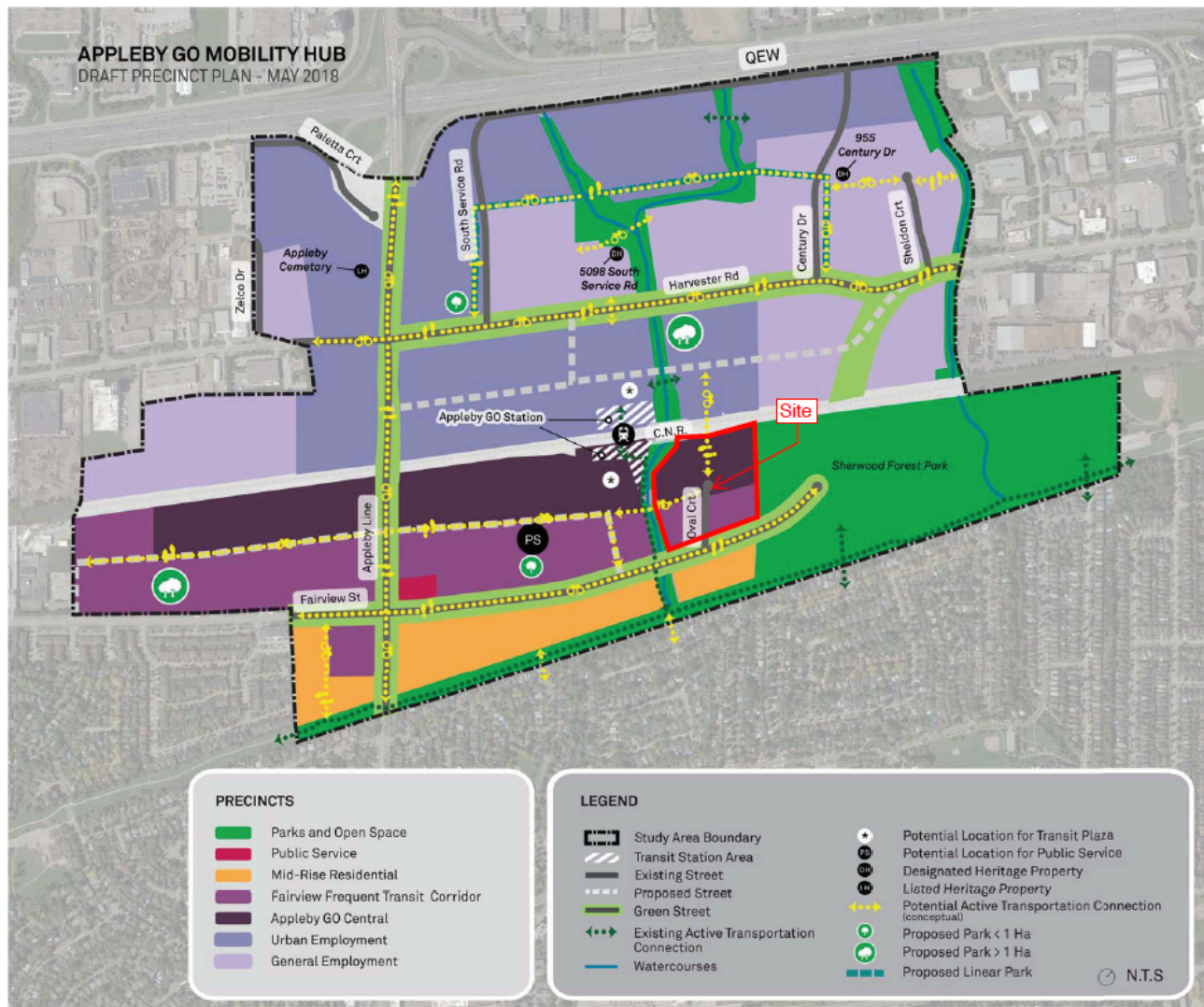
Branthaven is the proponent of a development proposal for the Oval Court lands, which are immediately adjacent to Appleby GO Station. To date, Branthaven has:

- Held a very positive meeting with Metrolinx on November 16, 2018 to discuss the interface of the proposed development with the GO station lands.
- Completed a pre-consultation meeting on December 12, 2018 with the City of Burlington, Region of Halton, Conservation Halton and Burlington Economic

Development Corporation regarding the attached preliminary development concept.

- Retained ORTECH Consulting to complete a Land Use Compatibility study, which concludes that there are no compatibility issues with the proposed development and the surrounding industrial uses.

The City of Burlington is actively preparing the Area Specific Plan for the Appleby GO Mobility Hub. The City has undergone extensive public consultation and has come up with a preferred concept for the area. Below is the preferred concept mapping with Oval Court outlined in red.



Appleby GO Mobility Hub Draft Precinct Plan – May 2018 - Prepared by City of Burlington

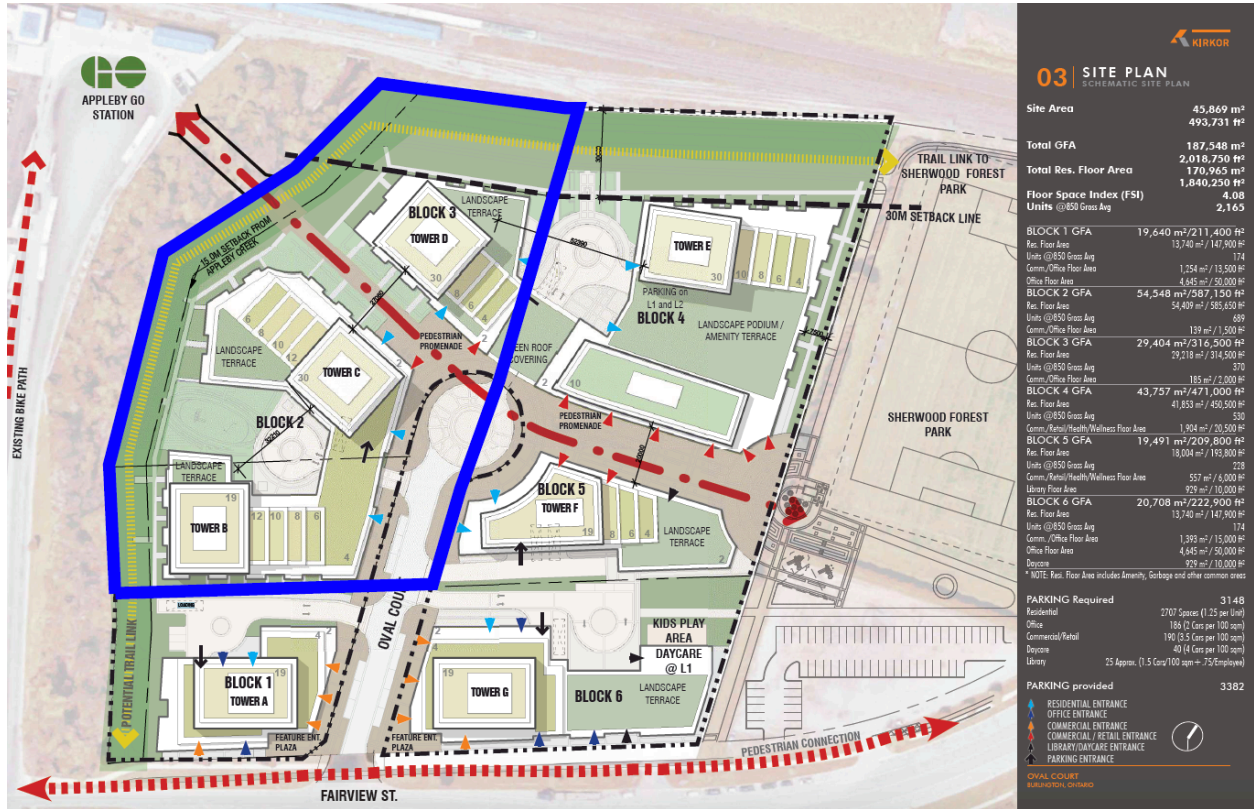
The Environmental Registry Office posting notes that the proposed amendment to the Growth Plan, 2017 would change the policy framework for protecting employment areas by allowing employment area conversions to be approved ahead of the next Municipal Comprehensive Review where the employment land is not designated provincially significant. We strongly support this policy change. We have completed the City of Burlington MCR process and the Oval Court lands have been recommended for conversion, however, the Region of Halton has advised that they will not be making decisions on the City of Burlington employment conversions until the end of their Municipal Comprehensive Review process, which is expected to take 2 more years. The policies proposed within the Growth Plan would allow for these types of projects to proceed in a more expeditious manner to support job creation and economic growth by permitting the immediate approval of City of Burlington conversion recommendations by the Region of Halton.

The Province has released proposed Provincially Significant Employment Zone (PSEZ) mapping, which identifies a portion of Oval Court as PSEZ, namely 720 and 740 Oval Court. The affected area has been outlined in blue on the attached preliminary development concept. The affected parcels are owned by Branthaven. 720 Oval Court is the location of Branthaven's head office, and 740 Oval Court is tenanted by Zeton, who has indicated that they are looking to move their headquarters to a larger plant in Oakville in the coming years.

Branthaven's proposal for Oval Court shown below represents a major intensification project and provides much needed housing, jobs, and other community uses immediately adjacent to Appleby GO Station. This is the type of development which the Province of Ontario is actively encouraging through all of the various policy initiatives. Based on our market research and as discussed with the City of Burlington, the preferred location for office and community support uses is along Fairview Street due to the improved visibility and access to those lands with a variety of mixed-use buildings with residential use on the interior of the site and in closer proximity to the connection to the GO Station Lands. It is not clear what the value is of the Province designating a portion of these lands as PSEZ, thereby impeding these lands from being included as part of this comprehensive development project.



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Branthaven Development Corp Development Proposal – Prepared by Kirkor Architects

If the proposed PSEZ mapping proceeds without changes and designates part of the Oval Court lands as a provincially significant employment zone, these lands would require provincial approval in order to be converted, and therefore would not be eligible for conversion until the next Municipal Comprehensive Review. By proceeding in this manner, we believe the Province is unintentionally adding barriers to the development of this mobility hub within the City of Burlington.

As part of the Environmental Registry Office posting, it is noted that the Province is seeking feedback as to whether employment areas that overlap with major transit station areas should be included in the provincially significant employment zones or whether they should be excluded from the zones. It is our request that Oval Court not be included within the provincially significant employment zone as it would be a major barrier in these lands proceeding to development in a timely manner. Oval Court is best developed as a mixed-use area with a range of built form and activities occurring. As noted in the above council resolution, employment opportunities can be achieved through official plan policy within these mixed-use areas without the need to create ever more barriers to these lands proceeding.



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It is our request that the Oval Court lands as shown on the attached schedule be deleted from the provincially significant employment zone mapping.

Yours truly,

A handwritten signature in black ink that reads "Ruth Victor". The signature is fluid and cursive, written over a light grey rectangular background.

Ruth Victor, MCRP RPP MRTPI