

December 15<sup>th</sup>, 2014

Dear Sir or Madam:

**Subject: Statutory Public Meeting Concerning a Proposed Official Plan and Zoning By-law Amendment Application for 374 Martha Street**  
**FILE: 505-02/14 & 520-07/14**

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**Meeting Details:**

You are invited to attend a Statutory Public Meeting to consider the above application. This meeting will take place on:

Date: January 19<sup>th</sup>, 2015  
Start Time: 6:30 pm  
Location: Council Chambers, Level 2, 426 Brant Street

The Development and Infrastructure Committee of City Council is holding this statutory public meeting to consider a proposed Official Plan Amendment and zoning by-law amendment, plan of subdivision under Sections 22 and 34 of the Planning Act.

**Proposed Development:**

The City of Burlington has received applications from Walker Nott Dragicevic Associates (WND) to re-designate and rezone the property located at 374 Martha Street to permit the development of a 28-storey, 226 unit building with 348 m<sup>2</sup> of retail/commercial use. Further information and background studies can be found at [www.burlington.ca/374Martha](http://www.burlington.ca/374Martha).

**Existing Official Plan Designation and Zoning**

The property is designated Downtown Core Precinct which permits commercial activities, high-density residential apartment uses and cultural, hospitality and entertainment uses with a minimum density of 52 units per net hectare and a maximum building height of 8 storeys.

The property is zoned DC which permits a wide range of retail commercial, service commercial, community, office, hospitality, entertainment and recreation uses. The DC zone permits dwelling units in a commercial/office building and an apartment building with a requirement for retail uses on the ground floor. The DC zone permits a maximum building height of 4 storeys and a maximum floor area ratio of 4.0:1.

**Staff Report:**

**How to Obtain the Staff Report:**

An information report concerning these applications will be available for public review on January 12<sup>th</sup>, 2015. The report does not include a recommendation on the application at this time. The report will be available on the City's website at [www.burlington.ca](http://www.burlington.ca), under City Hall; Agendas and Minutes; Development and Infrastructure Committee. A copy of the report can also be picked up at the City Clerk's Department on the main level of City Hall.

**Appearing as a Delegation:**

If you wish to arrange in advance to appear as a delegation at the statutory public meeting, please contact Lisa Palermo, Committee Clerk at (905) 335-7600 Ext. 7492 or [Lisa.Palermo@burlington.ca](mailto:Lisa.Palermo@burlington.ca). Delegations are limited to a maximum of 10 minutes each and shall be webcasted on-line.

Please submit any presentation material to Ms. Palermo before the meeting to allow for its distribution and review by all members of the Committee. In addition, the content of all delegation submissions is considered to be public and will be posted to the city's website and made searchable via Google and other tools. As this is a statutory public meeting, you do not have to register in advance in order to speak.

**Future Notification:**

The staff report prepared for this public meeting does not include a recommendation on the application. A recommendation report will be presented to the Development & Infrastructure Committee in the future. Notice of the date that the recommendation report will be sent to the following:

- 1) those that attended and signed the sign-in sheet at the October 9<sup>th</sup>, 2014 neighbourhood meeting;
- 2) persons that submitted written comments to the Planning Department on the applications;
- 3) persons that appeared as a delegation at the statutory public meeting; and
- 4) those that submitted a request to be notified of this future meeting date.

To be added to the list to be advised of the date a recommendation report is presented to the Development & Infrastructure Committee, or if you have any questions about this application, please contact Rosa Bustamante, Planner II - Development at the number provided above.

Please note that if you do not include your name and address with submitted written comments about the application or speak at the public meeting, you may not be able to appeal the decision of Council to the Ontario Municipal Board or appear as a Party to any future Hearing about this issue. See the attached Legal Notice for more details.

Should you wish to be notified of the Council decision to approve, refuse, or approve with modification this application, or of any subsequent Ontario Municipal Board appeal of this matter, you must submit a written request to the Clerk's Department to the attention of Lisa Palermo.

If you have any questions about these applications, please contact me at the above number.

Yours truly,

  
Rosa Bustamante

### **Legal Notices (Required under the Planning Act)**

Personal information contained in delegations and comments are collected under the authority of the Planning Act, R.S.O. 1990, c. P. 13 and may be contained in an appendix of a staff report, published in the meeting agenda, delegation list and/or the minutes of the public meeting and made part of the public record unless otherwise requested.

The City collects this information in order to make informed decisions on the relevant issue(s) and to notify interested parties of Council's decisions. It may also be used to serve notice of an Ontario Municipal Board hearing. In order to protect privacy as required by the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M. 56 (MFIPPA), the City of Burlington will only reproduce and publish personal information where required to complete processes as required under the Planning Act. Names and addresses contained in submitted letters and other information will be removed from the public record, unless the individual expressly requests the City include their personal information. The disclosure of this information is governed by the MFIPPA. Questions about this collection and disclosure should be directed to the Coordinator of Development Review, Planning Department at 905-335-7642.

#### **Official Plan Amendment**

A copy of the proposed Official Plan Amendment is available for inspection at the Clerk's Department, 1<sup>st</sup> floor, City Hall, during regular business hours. If you wish to be notified of the adoption of the proposed Official Plan Amendment, you must make a written request to Lisa Palermo, Committee Clerk, City of Burlington, City Hall, 426 Brant Street, P.O. Box 5013, Burlington, Ontario, L7R 3Z6.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Burlington before the proposed Official Plan Amendment is adopted, the person or public body is not entitled to appeal the decision of the City of Burlington to the Ontario Municipal Board.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Burlington before the proposed Official Plan Amendment is adopted, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body as a party.

#### **Zoning By-law Amendment**

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Burlington before the by-law is passed, the person or public body is not entitled to appeal the decision of the City of Burlington to the Ontario Municipal Board.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Burlington before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body as a party.

# DETAIL SKETCH

Official Plan and Zoning By-law Amendment Applications to permit  
a 28 storey mixed use apartment with ground floor commercial.



SUBJECT PROPERTY



Bus Routes



Bus Stops

FILE No. 505-02/14  
520-07/14

