



Planning and Development Committee - Public Meeting Agenda

Date: May 21, 2019
Time: 6:30 p.m.
Location: Council Chambers Level 2, City Hall

Pages

1. Declarations of Interest:

2. Statutory Public Meetings:

Statutory public meetings are held to present planning applications in a public forum as required by the Planning Act.

3. Delegation(s):

In order to speak at a Planning and Development Committee - Public meeting, individuals must register no later than noon on the day before the meeting. To register, complete the online application at www.burlington.ca/delegations, email cityclerks@burlington.ca or phone 905-335-7600, ext. 7481.

4. Consent Items:

Reports of a routine nature, which are not expected to require discussion and/or debate. Staff may not be in attendance to respond to queries on items contained in the Consent Agenda.

5. Regular Items:

5.1 Work plan for scoped re-examination of the adopted Official Plan (PB-47-19)

1 - 48

6. Confidential Items:

Confidential reports may require a closed meeting in accordance with the Municipal Act, 2001. Meeting attendees may be required to leave during the discussion.

7. Procedural Motions:

8. Information Items:

9. Staff Remarks:

10. Committee Remarks:

11. Adjournment:



SUBJECT: Work Plan for the scoped re-examination of the Adopted Official Plan

TO: Planning and Development Committee - Public

FROM: Department of City Building - Planning Building and Culture

Report Number:PB-47-19

Wards Affected:All

File Numbers:505-08

Date to Committee:May 21, 2019

Date to Council:May 27, 2019

Recommendation:

Direct the Director of City Building to proceed with the work identified in the Terms of Reference attached as Appendix C to department of city building report PB-47-19, and the work generally identified in section 4.1; and

Direct the Director of City Building to propose refinements to the Neighbourhood Centres Policy to simplify and clarify the intent of the policies, generally described in section 4.2.3; and

Direct the Director of City Building to modify the terms of reference upon confirmation of impacts related to Bill 108 and other Provincial changes to the land use planning and development system, if required.

Purpose:

The Official Plan addresses all four pillars of the Strategic Plan: A City that Grows; A City that Moves; A Healthy and Greener City; and, An Engaging City.

This report provides details on the scope of work proposed to be completed by March 2020 in relation to the re-examination of the adopted Official Plan.

Background and Discussion:

1.0 Staff Direction

On April 26, the new Official Plan was adopted by City Council. On May 11, 2018 the new Official Plan record was received by the Region of Halton as the approval authority for the Official Plan. On December 4, 2018 the Region of Halton provided a notice to the City under 17 (40.2) of the *Planning Act* advising that the adopted Official Plan does not conform with the Regional Official Plan in a number of respects. The effect of the notice extends the Region's review process indefinitely, until such time as the Region determines that the non-conformity is rectified. For more information reference can be made to the [December 14, 2018 CIP memo](#).

The supporting information identified that:

The City of Burlington can make additional modifications before the plan is approved by the Region where there is appropriate planning justification and public consultation. Any modifications would need to be assessed for conformity against the Regional Official Plan and Provincial Plans and policy statements.

In February, 2019 Council provided a staff direction to re-examine the policies of the adopted Official Plan:

Direct the Director of City Building to immediately commence a process to re-examine the policies of the Official Plan adopted April 26, 2018 in their entirety related to matters of height and intensity and conformity with provincial density targets.

2.0 Council Workshop

A Council workshop was held on March 18, 2019 to obtain further Council feedback on this direction, which has resulted in the scope of work identified in this report.

To prepare for the Council Workshop, a series of meetings with Councillors were undertaken. The result of these meetings was a list of issues relevant to each Councillor, which informed the preparation for the Council Workshop.

The Council Workshop was facilitated by Glenn Poitier and was organized into a number of facilitated discussions. The workshop was live webcast, recorded, and the key notes were captured live. The key notes (Appendix A) include the questions posed and notes reflecting the answers provided by the Mayor and Councillors.

2.1 Council Workshop Key Themes

A number of key themes emerged from the workshop discussion. It was clear that Council agrees that the work identified should be completed by the end of Q1 2020. A high-level overview of other key themes is provided below.

2.1.1 Adopted Official Plan, April 2018

Through discussion at the workshop it was agreed that the adopted Official Plan brings in new policies and forward looking approaches to land use planning and growth. In general, Council supports the majority of the policies within the adopted Official Plan. Two key areas emerged as requiring further consideration: the Downtown Precinct Plan and the Neighbourhood Centre policies.

2.1.2 Role for the Amendment Process

It was acknowledged at the workshop that the Official Plan is not intended to provide detailed land use policies for specific sites. As a result there is a role for more detailed land use planning processes. These processes can include both detailed, city-led area specific planning exercises such as area-specific plans, or site-specific development applications for Official Plan and/or Zoning Bylaw Amendments.

2.1.3 Defensibility

Council noted that the Official Plan re-examination work must be defensible. To this end, staff and consultants will need to work together to prepare modifications to policies, based on technical information and public and stakeholder input, which demonstrate the functionality and feasibility of a recommended scenario in conformity with the Regional Official Plan and Provincial Plans and policy statements.

2.1.4 Community Input

A theme that emerged throughout all of the questions and discussions at the workshop was the community's role. It was indicated that Council and the public are expecting that the outcome of the work will:

- Be reflective of the community's vision for the future of Burlington;
- Be that residents believe that the Official Plan represents their values for the future of the City;
- Be supported by an effective public engagement process; and
- Be supported by the public.

Staff agree that the work to re-examine the Official Plan must be supported by a public engagement process and a decision-making process that all stakeholders can understand and agree to in principle. As identified generally by Council, this need for public satisfaction of the plan must be married with the desire to develop a plan that is defensible from a land use planning perspective. In order to achieve success the project team must transparently:

- educate and communicate the givens (e.g. the plan must conform to provincial policy);
- identify the questions that are in scope and out of scope;
- collect, analyze and respond to the feedback;

- use the best tools possible to communicate alternatives, short and long-term impacts and their associated benefits and drawbacks;
- describe and continually communicate about decision making processes; and,
- identify process challenges along the way.

2.1.5 Other Priorities

At the workshop, Council discussed a number of related high priority initiatives that are identified in the Official Plan and the Strategic Plan such as the Mobility Hub Area Specific Plans and the Housing Strategy. These initiatives will be postponed given Council's focus on the re-examination of the Official Plan and the Interim Control Bylaw Land Use Study as well as the work addressing areas of non-conformity of the adopted Official Plan with the Regional Official Plan and given the uncertainty related to the Region's Official Plan Review, and new Provincial legislative changes.

See Appendix B for a listing of other projects and target timelines for completion.

3.0 The Proposed Study Scope

The Council Workshop identified two key areas of the Adopted Official Plan that must be included in the scoped re-examination of the adopted Official Plan to guide the next year of work: a modified precinct plan for the Downtown Urban Centre; and a review of the Neighbourhood Centres policy.

3.1 Re-Examination of the Downtown Urban Centre Policies

To determine the scope of work related to the Downtown Urban Centre Policies staff considered the following background:

- The Council Workshop (March 18, 2019);
- The Motions related to the Downtown Urban Centre that were not passed during the adoption process (2018);
- The non-Official Plan related Council directions identifying, issues to be considered through the Downtown Area Specific Plan (April 26, 2018 – PB-04-18);
- The Commercial Strategy Study recommendations related to the Downtown, with specific attention to small scale retail in the downtown; and,
- The details of Interim Control Bylaw Land Use Study as described in PB-36-19, as it relates to the Downtown.

The details of the proposed work related to the Downtown Urban Centre policies are discussed in Section 4.1 below and are further detailed in the attached Proposed Terms of Reference (Appendix C).

3.2 Re-examination of the Neighbourhood Centres

To determine the scope of work related to the Neighbourhood Centres policies, staff considered the following background:

- The Strategic Plan directions related to the redevelopment of plazas;
- The findings of the Commercial Strategy Study;
- The 2017 Staff Direction to review the Neighbourhood Centres policies; and,
- The policies of the adopted Official Plan related to the Neighbourhood Centres policy.

The discussion in Section 4.2 below identifies staff's recommendations to clarify and simplify the policies of the Neighbourhood Centres policy.

4.0 The Proposed Work Plan

4.1 A modified Precinct Plan for the Downtown Urban Centre

In support of completing the work identified by Council related to the Downtown Urban Centre, staff has developed Appendix C, titled *Scoped Re-examination of the Adopted Official Plan: Proposed Terms of Reference*. The Terms of Reference identifies the key tasks and deliverables and the decision making framework related to the project.

The Downtown Precinct Plan in the adopted Official Plan was based upon a vision at full build out. Staff has received feedback from Council that a shorter planning horizon is desired. As a result, the scope of the modified precinct plan for the Downtown Urban Centre has been shifted such that the precinct plan will contemplate the planning horizon of 2031, in conformity with provincial policy. The Growth Plan in policy 5.2.4.3 states:

The population and employment forecasts and plan horizon contained in the applicable upper- or single-tier official plan that is approved and in effect as of July 1, 2017 will apply to all planning matters in that municipality, including lower-tier planning matters where applicable, until the upper- or single-tier municipality has applied the forecasts in Schedule 3 in accordance with policy 5.2.4.2 and those forecasts are approved and in effect in the upper- or single-tier official plan.

The background technical work prepared to date for the Downtown area-specific plan, to be finalized through this study, will confirm development constraints and provide clarity on infrastructure capacity and required improvements.

The shift of the scope of this work to the 2031 planning horizon means that there are not likely to be significant infrastructure issues identified through this planning exercise. It should be noted however, that after the approval of the Regional Official Plan Amendment implementing the Regional Official Plan Review the City will be required to

undertake future work related to growth and infrastructure to bring the City's Official Plan into conformity. This will include a review of the Downtown Urban Centre policies and the Downtown Urban Centre's role in accommodating growth and development from 2031 to 2041.

Based on the technical studies, the modified policies developed for the Downtown Urban Centre will provide sufficient direction to guide public sector initiatives and investments and will provide the tools needed to guide development applications consistent with the Regional Official Plan and Provincial plans and policies. Ultimately the outcome of this work will not constitute an area-specific plan, instead the outcome will be modified policies which will go beyond the high level Official Plan policies that are included in the current adopted Official Plan (April 2018). The modified policies will be developed to ensure that the City can conform with the Growth Plan policy to accommodate 200 people and jobs per hectare combined within the Urban Growth Centre boundary by considering the findings of technical work and public, agency, and stakeholder feedback.

The attached Proposed Terms of Reference includes the key tasks and deliverables. The Proposed Terms of Reference will guide the staff team and the selected consultant team in completing the project within the one-year time frame.

The Proposed Terms of Reference addresses:

- All precincts within the Downtown Urban Centre where significant concerns regarding height and density were raised by the current Council;
- All precincts impacted by motions not passed when considered by the previous Council in the development and finalization of the adopted Official Plan;
- Specific policies identified to be modified based on the technical work;
- Small scale retail in the Downtown;
- Built form transition to adjacent residential areas;
- Heritage conservation and cultural heritage resources;
- Flexible streets

The Proposed Terms of Reference **do not** address:

- Shifting the Urban Growth Centre from the downtown to Burlington GO. The Urban Growth Centre location is established in the Growth Plan for the Greater Golden Horseshoe and the Region of Halton Official Plan. Any policies proposed for the Official Plan must conform with both;
- Major Transit Station Area and Mobility Hub role and function in the downtown as they will be considered in the Interim Control By-Law Land Use study and recommendations will inform this study;

- Transportation or infrastructure assessments to support people and jobs beyond 2031.
- Undertaking a Neighbourhood Character Area study for the St. Luke's and Emerald precincts. Matters of zoning in the St. Luke's and Emerald precincts will be considered at the time of the Zoning By-law Review;
- The Old Lakeshore Road Precinct. This area requires a more detailed area specific planning process as identified by adopted Official Plan policy. For more details see Appendix B;
- The Waterfront Hotel Site. This site is subject to a process outlined by a Memorandum of Understanding signed by the City and landowner. For more details see Appendix B;
- Revisions to the Downtown Public Service Precinct. It is expected that the development criteria and other policies of the adopted Official Plan provide sufficient guidance for development in the precinct; and,
- Developing parking rates for the Downtown. Parking rates for intensification areas such as the Downtown are to be addressed through the preparation of site-specific zoning. For more details see Appendix B.

4.2 Neighbourhood Centres Policy

Interest was expressed in having the Neighbourhood Centres policies in the adopted Official Plan reviewed.

A brief discussion with respect to commercial policies and the redevelopment of plazas as directed in the Strategic Plan and studied in response to Council Directions is provided in Appendix D titled *Neighbourhood Centre Policy Background*.

4.2.1 Minor modifications to Neighbourhood Centre policy

The role of policy in supporting the redevelopment of Neighbourhood Centres is to establish a detailed policy framework to guide the consideration of site specific development applications. Consistent with the Strategic Plan, the policy framework encourages redevelopment of plazas.

Staff has considered the discussion at the Council Workshop and acknowledge that there is an opportunity to simplify and provide further clarity related to the intent of the Neighbourhood Commercial policies and their relationship to the Strategic Plan. This will be lead by staff and would be implemented as part of the proposed modifications to the adopted Official Plan. This work will include:

- Identifying opportunities to clarify and describe the intent of the policy;
- Simplifying language; and
- Clarifying the relationship of the land use policies with the growth framework.

Strategy/process

The scope of work proposed for the re-examination of the adopted Official Plan has been developed and refined to reflect the one-year time frame identified as a critical success factor. A scope larger than that identified in the attached terms of reference would require additional time to complete. The modified Official Plan needs to be approved by the Region in advance of the Regional Official Plan Amendment implementing the findings of the Regional Official Plan Review / Municipal Comprehensive Review as after that point the City's policies would need to be reviewed to address conformity with the Regional Official Plan with a time horizon to 2041.

As discussed at the Council Workshop held on March 18th, another consequence of proposing work that would extend the timeframe beyond March 2020 is primarily to shift out the initiation of work for a number of planning studies or initiatives by 12 – 18 months which are outlined in Appendix B.

Options considered

A wide range of issues were considered in the development of the proposed scope and attached Terms of Reference. The proposed scope relied upon the identification of key priorities and the importance of completing the re-examination within one year.

In addition, some further uncertainty has been introduced through recently released proposed changes to several pieces of legislation including the *Planning Act* through Bill 108. The Province has also released a new Growth Plan and Provincially Significant Employment Zones Mapping. Staff will continue to assess changes at the provincial level and identify any related impacts to the terms of reference. Upon confirmation staff will revise the work plan, if required.

Staff considered the proposed work plan the impact on other priority planning projects. Other priorities and proposed timelines are outlined in Appendix B.

Financial Matters:

Funding of \$600,000 from the Policy initiatives reserve fund was approved as part of the 2019 budget for Official Plan related initiatives to cover a number of related studies such as the scoped re-examination of the adopted Official Plan.

Connections:

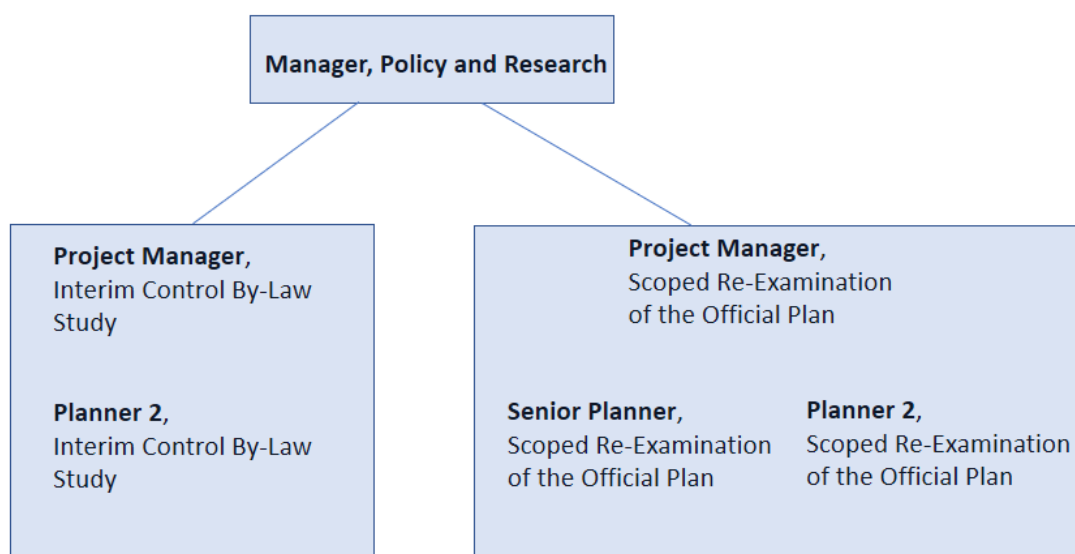
The scoped re-examination of the adopted Official Plan is related to a number of ongoing initiatives within the City and at the Region of Halton.

Approval of the Adopted Official Plan (April, 2018)

The adopted Official Plan is with the Region of Halton for approval, where a number of issues of non-conformity have been identified. Staff continue to work with the Region to address those issues and to finalize modifications required to support the development of the draft decision that will be brought to Council for consideration. It is expected that the outcome of this work will be to propose modifications to policies that are currently included in the adopted Official Plan.

Interim Control Bylaw Land Use Study

An Interim Control Bylaw Land Use study is currently in progress. It is expected that the findings of the Interim Control By-Law Study will inform the policies to be developed as a result of this study. The Manager of Policy and Research will act as liaison between the two projects to ensure alignment. The relationship between the two projects is highlighted below.



A Joint Steering Committee made up of Senior Staff will be struck to monitor both projects and to act as a guidance body for decision making related to each project. The proposed composition is highlighted below.

<p style="text-align: center;">Joint Steering Committee proposed composition</p>

City Manager
Senior Manager of Government Relations
Director of City Building
City Solicitor / Assistant City Solicitor
Director of Transportation
Director of Transit
Director of Capital Works
Executive Director, BEDC
Manager, Urban Design

Public Engagement Matters:

The proposed terms of reference includes the development of an engagement and communications plan to support the work related to the development of a modified precinct plan for the Downtown Urban Centre. Council will receive IAP2 training and consider elements of the engagement plan at a Council Workshop in June. The engagement plan will be developed with key stakeholders and the Charter Action Team (ChAT).

Conclusion:

The timeframe and study scope of the re-examination of the Official Plan are recommended based on meetings with members of Council and the Council Workshop. The attached proposed Terms of Reference outlines the scope of the work related to the Downtown Urban Centre policies, and this report identifies the need to consider policy modifications related to the Neighbourhood Centres policy. This report and its attachments will guide the work to be undertaken by the staff team and the consultant team.

Respectfully submitted,

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Appendices:

- A. Burlington City Council Workshop: Identifying the OP re-examination scope and process for moving forward. Meeting Notes for discussion items.
- B. Updates on Other Initiatives and General Timeframes
- C. Scoped Re-examination of the Adopted Official Plan: Proposed Terms of Reference
- D. Neighbourhood Centre policy background

Notifications:

Curt Benson, Region of Halton

Barb Veale, Conservation Halton

New OP Project Email List

Report Approval:

All reports are reviewed and/or approved by Department Director, Director of Finance and Director of Legal. Final approval is by the City Manager.

Burlington City Council Workshop
Identifying the OP re-examination scope and process for moving forward

Meeting Notes for Discussion Items

Date: March 18th, 2019

Location: Burlington City Hall, Council Chambers

Big Picture Aspirations

In terms of hoped for higher-level outcomes of the re-examination of selected facets of the OP, wouldn't it be great if...[What]?

- That reflects the vision of the community for the future of Burlington
- The residents believe that the Official Plan represents their values for the future of the City
- Completed in a timely manner
- Once complete, would like to see the rules maintained. (Other levels of government)
- Economically sustainable community well into the future, where people of all ages and incomes can afford to live here
- If we had an official plan that could withstand multiple challenges at LPAT
- If the Official Plan functionally improved the quality of life for the residents of Burlington. Intensification that works.
- Not only are we built out and have an aging population we require adequate housing to ensure people can continue to live here.
- Celebrate the wonderful things in the adopted OP – focusing on the few areas that need to be changed
- Get across town faster on the bus and in our cars
- We get similar commercial space for existing commercial space.

Issues and Itches

Council ‘top-ups/refinements/points of emphasis’ re: key themes emerging from the advance interviews with Council:

- Employment lands and employment conversions. Business is changing (retail trends). Brick and mortar. Commercial / retail use in employment areas?
- Clarity of expectations of population and employment growth (Province and Region) and what the implications of those expectations are to the discussion.
- Staff direction was modified (and other matters) modified at Council
- Process. If something is in the adopted OP Council must actively take steps to remove it. If an issue is not in the OP there are other processes and opportunities to build in a response to those issues.
- Timing with the Regional Official Plan (Q3, 2020) alignment. Modifications, alignment concerns.
- Hoped to have had the Mobility Hub work complete alongside this review. Mobility Hub track and process.
- Waterfront Hotel property, how will this property relate to the Official Plan. Important piece – explain the connection.

Setting the Context

Questions of fact/clarification:

- Comment: I am not sure how well served we are by thinking of this plan as a 100 year plan. We cannot predict what the world will look like in 100 years. We can plan within the planning horizon – knowing that regular reviews are required. It is important to understand that we are planning for the next 5 years. Action now.
- Plazas – OPA – Speak plain English. Introduce the subject of the 12 storey height at Appleby Village. How do we align and reconcile 12 storey permissions in the Official Plan with 3 storey zoning?
- Ears perked up about future proofing the Official Plan. Where did we do that? Examples provided by Rosa. How does it impact our OP. How did we come to that?
- Point of clarification – no range of heights inclusive of community benefits. 4 storey up to 8 (Downtown Core). You’ve brought that into other policies.
- Height limit is a height limit. We do not control what comes in the door.
- We talk a lot about height – density. How many people and units are too much. Expectations of the public. Appearances are one thing traffic is another. Marry the two concepts.
- Timelines: Regional OP/MCR – Q3-2020 – Mobility Hubs are the second story line.
- Downtown and the mobility hub. Concerned when we are building new building in former commercial areas – at grade space is different (potentially less) and the shape of the space. Concern about pushing out smaller tenants. Could we ask for space for space?
-

Presenting a Critical Path: Recommendations for Moving Forward

Councillor questions/comments:

- Issues of conformity identified by the Region
- Rules changing issue: Existing Official Plan; currently working to modify the adopted Official Plan. My understanding is that there is only a small window of opportunity. Do this together? It is important to get this done now. We always seem to be a little bit behind.
- Fully understand focus for next year. Concerned about the vague nature of reference to the Housing Strategy and the Integrated Mobility Plan (mid 2019- with timelines – informed by ICB study).

Gauging Expectations for the OP Re-Examination

What do we want the OP re-examination to **Do** — what are the issues, themes, topics, opportunities and outstanding questions that need to be addressed in the scope of work?

- Keep in mind our residents and to not make it costly down the road (what services do we need to provide to keep up with growth) fairness, environmental responsibility. We do not want it to cost us in 30 or 40 years - sustainable. Mindful of residents needs and expectations. Asset management perspective
- Captured input in the original slides (Presentation)
- Bring back some of the motions on the OP from the last term of Council (Clerk to include). Height is density – more traffic more parking, more users and it relates to streetscape feel on the ground and these things are increasingly important. Taxpayers are subsidizing parking not being built. Visitor – extra car as a monthly permit in the municipal lot- impacts customer access to parking.
 - Height and density in certain sites/precincts.
- Commercial space issues in the downtown. Noted with interest – Waterfront Hotel planning study options, requires discussion. It is a big hole in our study. Schedule D highlights this prominent location. Might be too important to miss.
- Concerned with language and how we protect the rural area through the Official Plan. Self sustaining development in the rural area (opportunities for clear language).
- Commercial space issues – a number of plazas replaced and renewed. Perhaps a minimum percentage of commercial returns. People miss the complement of services that do not return after redevelopment.
- Language around Brownfield and Heritage. In the past year there have been examples of innovative policies in other municipalities.
- Urban Growth Centre designation – does it fit there or should it be at the Burlington GO?
- Mobility Hub – considering through ICB
- Growth Targets – looking at the City describing what we want. Proactive about where we want to see the accommodation of growth. We need to have a conversation about what more growth can or should it take?
- MTSA's discussion from the Province that they can change the designation. What does delineate mean? 500 -800 m around the

station. It is a circumference ? a line? Some opportunities for clarification.

- Good public engagement process.
- Interest/ concern related to the Neighbourhood Centre – fairly substantial increase. Check back in to see if the community has any further ideas.

What are the **Restrictions** — what must the OP re-examination not do?

- Province – MMAH -has asked municipalities to hold off on significant changes. (TC) Region has discussed with the Province we are learning that it is a caution rather than a direction. (HM) Region will continue their work. Changes will/may arise but work should move forward – adjust. Work will continue.
- OP re-examination starts from the adopted OP – not the existing OP.
- Must not go against the Regional Official Plan – avoid future conformity issue.
- Definitely one year. Could it be condensed? Community is tuned up and prepared. A full consultation will be possible in a short period of time. A lot – but fast. Would there be a benefit in doing it more quickly? Sooner is better. (TC) workplan resourcing, target dates, milestones, find the time to consider at Council.
- Must be done within the year. Fairest way to move forward for all of us. Province right down to the residents. We can accomplish a lot together.
- Given the narrow scope the hope would be that the Mobility Hub, OLR, Waterfront Hotel done – avoid fragmentation. Having said that recognize the changes that have occurred over the last little while. Less than a year.

What are we willing to **Invest** (time, resources, expertise, etc.) to facilitate a positive OP re-examination outcome?

- Money, expertise, time
- Bring in outside resources and help
 - As part of this – examine what types of studies that would be required to achieve.
 - Growth framework/ growth analysis. Settle this issue – to ensure defensibility.
- Level of expectations – know where we are going, what is acceptable

What **Values** (and/or principles) must we embrace as part of the process?

- Built out with an aging population. Mindful of long term impacts of decisions today.
- Public engagement – but more than that – Public satisfaction. It must be their plan. See that it reflects their vision for the community.
- Transparency
- Accountability
- Defensible and in conformity
- Communication – being as creative as we can possibly be. Many modes have been delivered. Look to other communities – people receive information in many different ways. Fewest number of people disconnected from process. Accessibility to communication. Concerned that it will seem too downtown focused – this is a Burlington issue for discussion.
- Education – if we can educate about why the City needs to grow. We all have a role in meeting the need to accommodate growth. It could work for everybody.
- Clarity – people need to understand what they are going to get from and in their city in the mid – term. Why we are going there. The need for public satisfaction must be married with defensibility and it can be hard. Combination of education, communication and listening. Important.
- Being specific. We are reviewing the downtown and this . Clarity about specific questions that will be asked. We must move away from the vague general language.

What are the **Essential Outcomes** — those few things that are absolute ‘must haves’ for you to consider the OP re-examination a success?

- Must pass and must be accepted by the Region
- Unique – ensure that we end up with a plan very specific to our community.
- Timelines essential completion
- Protecting the character of the Downtown.
- Change some of the height and density provisions in the OP (lower) to strengthen brownfield and heritage matters where possible.

Questions and Clarifications

- (HM) Heritage and Brownfield policies to be considered at the review of the downtown? Brownfield could have broader implications. Heritage is narrow to the Downtown.
- (LS) Clarity of policy in the rural area – or was it modifications? Main concern is around the language. Concerns about what we might be anticipating from a language perspective.
- Can we contain it to the Downtown? Ability to resource and achieve needs consideration. Comfortable that we can advise. Report and recommendation.
- Retail plazas – outside the downtown. Broaden to include Neighbourhood Centre policies.
- (TC) need a better sense of public engagement scope. Keep council informed – concern to keep focus.
- Waterfront Hotel – Master planning exercise and a separate process. History. What is the go- forward plan for this site?

Preliminary Discussion on Engagement: *Who, Why and on What?*

Whom do we need to engage in the re-examination process — and to what end (that is, on which facets/topics of the OP)?

- How do we actually get an effective public engagement process? What kind of technology is out there to improve our engagement process? Not facebook. Machine learning, AI can be done in a way to connect with a large part of the population
- Website can be utilized more effectively (landing page)
- Maybe we should move the conversation out of City Hall – different moderators. Understand the issues and draw the people we need to hear. Don't do the same old.
- Feedback that electronic notices are not effective. Can we coordinate with City-talk. Ward specific town halls and an agenda outlined to everyone. That would augment the e- communication in an important way.
- How we communicate. Different parts of the community are at a different state of understanding. Glean intelligence about where the community is “at”
- Go out to the people. Facebook live, telephone town hall – expensive but money well spent. People found the budget TTH very effective. Mailouts for sure. This might be crazy – knock on doors. What if...could we have an army of volunteers knocking on doors. This conversation is happening. Here is how you can get involved. Nothing that replaces the door to door connection.
- Key is to not ask people to come to us all of the time. Catch people who are not normally in the Council Chambers. Social media, facebook, challenge is reaching younger adults. Powerful communication tool – through advertising. In their car or on the bus. How do we reach them on our streets. You have to catch them more than once. Serve as a reminder and supported by direct mailing or a quick check on facebook
- Seniors are easier to engage with, than the busy families, young people. Discipline of asking questions. Statistically significant surveys. Agree – properly trained surveyor –door to door would work. Six years work. Ensure clarity of communication. What represents good communication and good questions.

- All of the above. Given time, we will have to be efficient. Mailout is effective. Backed up properly with social media. A little bit of everything in a timely manner.
- Knocking on the door – difficult. Election was the door to door. Reflected in the current request to make these changes.
- Engaging Citizen’s Advisory Committees – BIAs , Economic Development Corporation

Who?	What Topics?
• Chamber of Commerce	•
• BIA, sports groups, large audiences	•
•	•
•	•

Are we talking to everybody about everything?

- Area specific issues. Residents have an investment in the downtown – at the end of the day each ward may be focused differently
- Avoid anecdotal interpretations – well informed - clearly groups organized already with the City. Generalized sampling. Carefully created questions developed around what information we must have. We need to have professionals in survey research involved.
- Seeking opinion from everyone? Responsibility to educate – process, question.
- Don’t need to talk about everything. We did that already. Need to be ready to respond about everything. We got the views of the public about the OP. Largely the things we are trying to address. Come to them with our process. (adopted OP general)
- Concerns around the downtown everywhere. Do not dismiss the feedback we do hear because it isn’t given to us by 185,000 people. Statistically significant survey challenges (ex. Land line) However, with all of those caveats we need to deeply consider what it is that they are telling us. When you start to hear suggestions. Want a richness – whether one person or 1000s if it is a good idea it should be in the OP.
- Definition of a “storey” (move above)
-

Any early ideas for potential outreach/engagement approaches?

-

Looking Ahead and Open Forum

What's next?

-

Additional participant comments/observations

- Do not lose sight of other studies (Housing Strategy etc.) – keep them close in the timeline. Could we collectively come up a priority list to ensure that we move forward on important studies.
- If we can go out to the public with a broad timeline and how everything syncs together. It is a concern and there may be some angst in the community. Explain the reason for the timelines. Reasons how everything fits together.
- Employment lands – is there a limit to the number of uses in terms of specific businesses. Ex. Could there be employment land that could have three places of worship or three storage units.
- One team moving forward. Leadership of Council

Appendix B: Updates on Other Initiatives and General Timeframes

Project	Status
Downtown Parking Utilization and Future Needs Assessment	An approved policy framework guiding the development of the Downtown is required to be in place prior to the commencement of the Downtown Parking needs study. Once the study is initiated it is expected that it will take 12 months to complete.
City Wide Parking Standards Review	<p>The City-wide Parking Standards Review and the associated zoning regulations will be considered by Council at the May 13, 2019 Committee of the Whole meeting. Staff are requesting direction to proceed with Zoning By-law Amendments to implement the Study.</p> <p>The Parking Study does not include recommended parking rates for intensification areas, including downtown.</p> <p>The parking rates for the Downtown will be considered at the time of the Zoning By-law Review and will be informed by the findings of the Downtown Parking Utilization and Future Needs Assessment work noted above. This work must be completed within three years of the approval of the Official Plan.</p>
Mobility Hub Area Specific Plans	The Mobility Hub Area Specific Plans will be put on hold for one year and will recommence upon completion of the scoped re-examination of the new Official Plan and the Interim Control Bylaw Study. The completion date target is Q4 2021.
Waterfront Hotel Study	<p>The Waterfront Hotel Planning Study has been undertaken to comprehensively plan this key waterfront site and guide the property owner in its redevelopment.</p> <p>The Study kicked off in 2017 and included three public meetings/workshops and two community surveys. In November 2017, an update on the status and progress of the study was presented to Council at the Planning and Development Committee Meeting (PB-67-17). From January to April 2018, ongoing stakeholder engagement sessions were held. PB-23-18 was brought to the Planning and Development Committee in June 2018, and established a set of key policy to guide the development of a final concept. Through the work completed to date there is a lack of consensus among all parties including the landowner, external stakeholders and the public on an appropriate redevelopment concept for the site.</p>

Appendix B: Updates on Other Initiatives and General Timeframes

	<p>This site was not included in the background work related to the Downtown Mobility Hub area specific plan. Given the MOU in place with the owner of this property in order to complete a study to respond to an existing Official Plan policy it would not be appropriate to include this site within the scope of work proposed for the re-examination of the adopted Official Plan and would impact the ability to deliver the project by March 2020.</p> <p>Independent of the scoped re-examination of the Official Plan, staff will re-activate the discussions related to the Waterfront Hotel. Staff will report back to the Planning and Development Committee in Q2 2020 with an augmented work plan, including details on timelines, a new public engagement plan, and any additional budget required to support the work.</p>
Old Lakeshore Road	<p>The Old Lakeshore Road area and the associated policies in the existing Official Plan were the result of extensive study and urban design considerations. At the outset of the Official Plan project, staff developed a terms of reference to address staff direction that emerged from the Burlington Waterfront Access and Protection Advisory Committee. Two staff reports with proposed terms of reference were provided to Council (2013) although neither was endorsed.</p> <p>The policies of the adopted Official Plan include the precinct policies developed for the area that were incorporated in OPA 55, but also highlight that the City will consider undertaking an area-specific plan for the lands within the Old Lakeshore Road Precinct. The Area Specific Plan will include a review of existing height and density permissions and conditions for development along with other matters.</p> <p>Given the extensive history of the Old Lakeshore Road precinct it is expected that significant technical work and in-depth engagement would be required to support the development of an area-specific plan for the Old Lakeshore Road Precinct and that it would not be possible to undertake this work at the same time as developing the new precinct plan for the Downtown Urban Centre. It is expected that an Area Specific Plan will commence upon completion of the new Official Plan and will take approximately 18-24 months to complete.</p> <p>A development application on a portion of the Old Lakeshore Road</p>

Appendix B: Updates on Other Initiatives and General Timeframes

	precinct, north of Old Lakeshore Road, is likely to be formally submitted in the near term. The development application, upon the removal of the Interim Control By-Law, will be considered against the in force and effect Official Plan at that time.
Housing Strategy	The Housing Study will commence upon completion of the scoped re-examination of the new Official Plan. The completion date target is Q2 2022.
Integrated Mobility Plan	<p>The Integrated Mobility Plan (IMP) is a coordinated transportation and transit plan. It will be completed after the scoped re-examination of the new Official Plan is completed and approved by the Region in order to ensure that the IMP is based on council's vision as established in the new OP.</p> <p>The IMP process will however begin alongside the Official Plan to ensure coordination, starting with a Council workshop to establish study assumptions in mid-2019. Once the tender is awarded it is expected that work including public engagement will take approximately two years to complete.</p>
Brownfields Community Improvement Plan	A Brownfields Community Improvement Plan review and program will commence in late 2019. It is expected that the work could be finalized and delivered to Council by Q4 2020.
Wind and Shadow Impact Policy Directions and Guidelines	<p>This study will support the City in establishing policies and guidelines for the consideration of wind and shadow impacts. The study will include a best practices review and provide technical information related to the Planning policy structure and development review procedures as they relate to wind and shadow impacts as well as how wind and shadow studies are prepared and evaluated.</p> <p>Recommendations and outcomes of this study will include policies and guidelines that will inform and clarify acceptable wind and shadow impacts that will support policy, zoning regulations and design guidelines to be considered in assessing development applications. This study will be undertaken in parallel with the scoped re-examination of the Official Plan. It is expected that this work will be initiated in Q3, 2019 and is expected to be finalized in Q2, 2020.</p>

Scoped Re-examination of the Adopted Official Plan

Proposed Terms of Reference

1. Purpose of the Terms of Reference

This terms of reference details the scope of work to be completed as part of the scoped re-examination of the downtown policies in the adopted Official Plan, with a focus on matters related to height and density. The re-evaluation will result in proposed modifications to the Official Plan policies to be provided to the Region of Halton for approval. The Terms of Reference clarify the roles and responsibilities of the Lead Consultant/Consultant Team and the City Official Plan Re-examination team.

2. Background

In April 2018, Burlington City Council adopted the new Official Plan. The new Official Plan was based on detailed studies, analysis and public consultation. Background on the various studies and staff reports that supported the Official Plan can be found at www.burlington.ca/newop.

The new Official Plan also included a new downtown precinct plan and associated Official Plan level policies. Additional detailed work on the Area Specific Plan (ASP) completed as part of the Mobility Hubs Study, including detailed studies, has been partially completed to date. The Mobility Hubs Study included ASPs for the three GO Station Mobility Hubs and the Downtown. The work focused on a planning horizon well beyond 2031 and 2041. This planning horizon acknowledges that planning through redevelopment is complex and requires the establishment of a vision that supports the urban structure and the growth framework while acknowledging that this work will be refined over time through the Regional Official Plan Review as well as successive reviews of the Official Plan and potentially the area specific plans.

In February of 2019 Council provided a staff direction to re-examine the policies of the adopted Official Plan:

Direct the Director of City Building to immediately commence a process to re-examine the policies of the Official Plan adopted April 26, 2018 in their entirety related to matters of height and intensity and conformity with provincial density targets.

A Council workshop was held on March 18, 2019 to obtain further Council feedback on this direction, which has resulted in the scope of work identified in this terms of reference.

PB-47-19
Appendix C

On March 5, 2019, Burlington City Council voted in favour of a staff report recommending an interim control bylaw (ICBL). The ICBL temporarily restricts the development of lands within a study area for a period of one year, with a maximum extension of a second year.

The lands in the ICBL study area approved by City Council include the Downtown Urban Growth Centre (UGC) and lands in proximity to the Burlington GO Station.

During the one-year “freeze” on development in the study area, the City will complete a land-use study to:

- Assess the role and function of the downtown bus terminal and the Burlington GO station on Fairview Street as Major Transit Station Areas
- Examine the planning structure, land use mix and intensity for the lands identified in the study area
- Update the Official Plan and Zoning bylaw regulations as needed for the lands identified in the study area.

While this work will be undertaken as part of a separate study and process, this terms of reference has been written with the understanding that findings from the ICBL study will have impacts on the scoped re-examination of the downtown policies.

3. Project Expectations

The proposed downtown precinct plan and Official Plan policies must conform with the Regional Official Plan and Provincial Plans, to a planning horizon of 2031.

The process must be supported by public, agency and stakeholder consultation and engagement.

The project must be completed by March of 2020. This is in order to ensure the new policies are approved prior to the approval of the Region’s new Official Plan, and in order to align this scope of work with the study being completed as part of the interim control bylaw, which is also scheduled for completion by March 2020. The findings of the Interim Control Bylaw Land Use Study may have impacts on the downtown plan and must be integrated into this process accordingly.

The proposed precinct plan and policies must be defensible. The consultant will be responsible for providing expert testimony required at the Local Planning Appeals Tribunal or other tribunals, if appeals are received related to the new precinct plan as part of the adopted Official Plan, including testimony on the process, technical studies and Official Plan policies.

4. Project Risks

Issue	Probability	Consequence	Mitigation	Risk after mitigation
Changes to Provincial Planning policy, legislation, or regulations	Active	High	This project is likely to be affected by potentially significant changes to the Provincial Planning framework. The likelihood of this impact is high, and the impact of any change is also expected to be high. To mitigate for this risk staff will be prepared to assess changes to legislation, Provincial Plans, Policy Statements and any associated regulations and report back to Council with impact to the scope, timing and resources required to complete the work.	High
Lack of buy in of stakeholder community to engagement plan	Possible	High	The engagement and communication plan will be developed to build a mutual understanding of goals of the project and to establish buy in on the scope and approach to engagement and the expected outcomes of the work among Council and all stakeholders.	High
City or Agency Input and Engagement Delays or Issues	Unlikely	High	Given that the technical work requiring buy in and collaboration has been underway for over 18 months it is expected that most major points of contention have been addressed.	Medium
Pressure to add additional scope to the project	Possible	Medium	The inflation of the scope of work will be managed by establishing decision making protocols for the consideration of any additional work that relies on the Project Steering Committee. These protocols will include direction to report directly to Council in cases where a significant new element is identified.	Medium

Issue	Probability	Consequence	Mitigation	Risk after mitigation
Goals and agreed to measures for success shift across the project	Likely	Medium	The project terms of reference and the engagement and communication plan give clarity on the expectations for decision makers. The project team will develop mechanisms to continually communicate agreed to goals and measures for success throughout the process.	Medium
Delay of other related processes including the Interim Control By-Law	Possible	Medium	The Manager of Policy and Research will be responsible for acting as a support and coordinator among the various projects and will maintain open dialog among project teams.	Low
Resolution of non-conformity issues prior to the completion of the project work.	Possible	Low	The Manager of Policy and Research will work with Regional staff to incorporate the updated policies for the Downtown Urban Centre into the draft decision. The Region is aware of the work being proposed and will be updated regularly on the project.	Low
Staff turnover or changes in Consulting team	Possible	Medium	The Manager of Policy and Research will work with the Project Team in the case of significant human resource challenges within the staff team or the consulting team.	Low

5. Project Stages and Requirements

There are five key stages in this project, as identified in the chart below. They include:

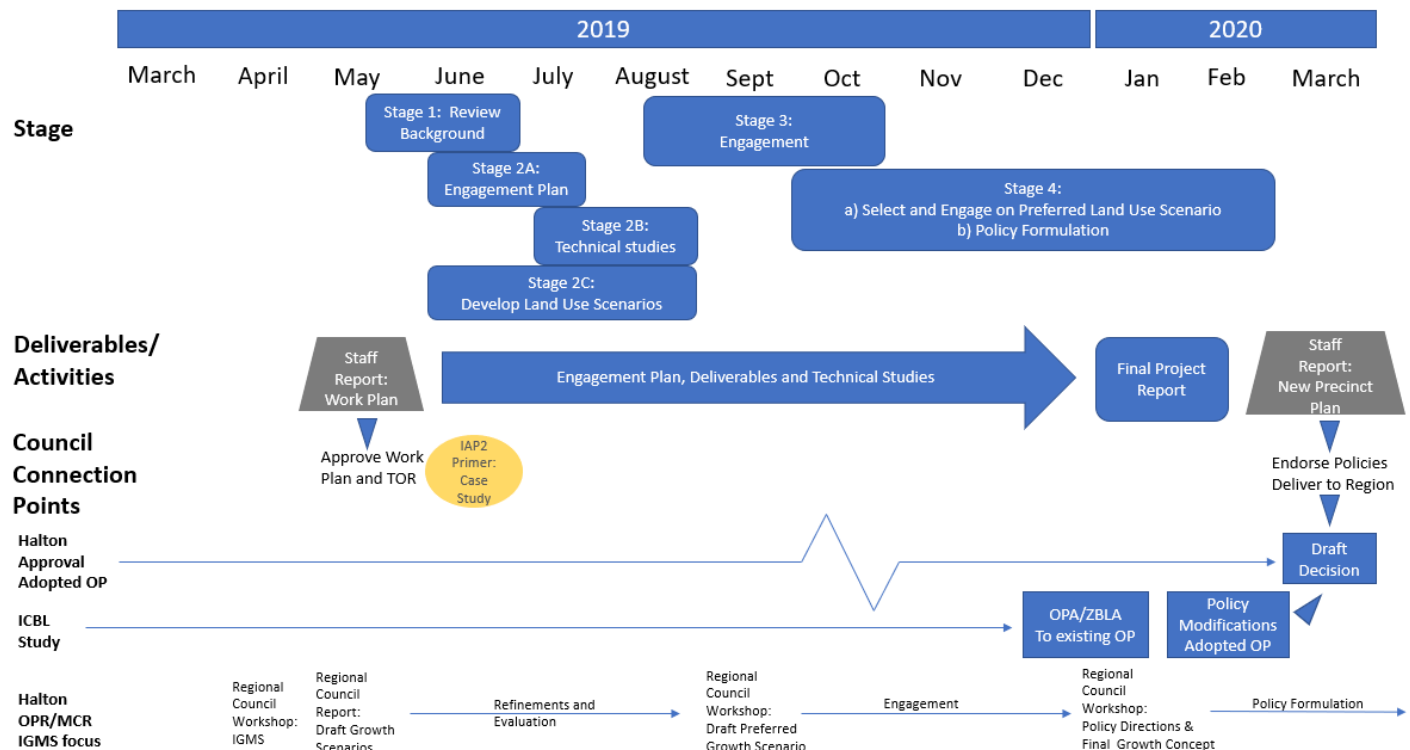
1. Review background material
2. Preliminary Work
 - a. Develop public engagement plan
 - b. Update supporting technical studies
 - c. Develop land use scenarios

PB-47-19
Appendix C

3. Conduct public, agency and stakeholder engagement
4. Select preferred scenario and policy formulation
5. Present modified Official Plan policies

The diagram below provides general details of project timing and alignment with other initiatives including the Region of Halton's Approval Process related to the Adopted Official Plan and the City's Interim Control By-Law Study. This diagram does not include specific details related to engagement and communication as these will depend upon the detailed engagement and communications plan to be developed in Stage 2.

Project Timing and Alignment



The key tasks and deliverables for each stage are described in the table below.

<p>Stage 1: Review background</p> <p>Estimated Timeframe: May and June 2019</p> <p><u>Background:</u></p> <ol style="list-style-type: none"> 1. Review the existing Official Plan, adopted Official Plan downtown policies, Downtown Urban Design Guidelines, Tall Building Design Guidelines, and Mid-rise Design Guidelines.

2. Review all background work that has been completed to date on the Downtown Area Specific Plan.
3. Review all applicable provincial and regional policies.
4. Prepare an information memo for public release which states the context of the scoped re-examination of the Downtown Urban Centre policies including what can and what cannot be considered through this work. This memo will be used to orient stakeholders to the project and will be used throughout the project to ensure alignment with project goals. This memo will be approximately 10 - 15 pages and will be released publicly and discussed prior to the finalization of the public engagement plan. The memo will include information on:
 - the Mobility Hubs Study Area Specific Plan process and technical work completed or in progress to date;
 - general information about Places to Grow and the requirements related to the Urban Growth Centre specifically;
 - information about the Metrolinx Regional Transportation Plan, and the connection of the Interim Control By-law study to the project; and,
 - any other information that stakeholders and the public would need to participate fully in the discussion.

Stage 2

Stage 2a: Develop public engagement plan **Estimated Timeframe: June and July 2019**

Public Engagement Plan:

1. Hold a Council Workshop to obtain Council direction on the scope of engagement required. The workshop will be based on IAP2's steps for public participation planning, and will result in a decision statement from Council, and the identification of the scope of engagement (i.e. the areas where public feedback is required) and the project givens (i.e. the areas where no public feedback is required, e.g. legislated matters, sections of the OP that are not being reviewed, etc.).
NOTE: This workshop will be facilitated by an IAP2 Master Trainer retained by city staff. No consultant involvement is expected in this workshop.
2. Prepare a public engagement and communications plan based on Council's decision statement and scope of engagement, in consultation with members of the City' Charter Action Team (ChAT), a team of city staff and community members, that help to ensure that people get involved with the city, as promised in Burlington's Engagement Charter.
NOTE: Staff will prepare the public engagement and communications plan.

Stage 2b: Update supporting technical studies
Estimated Timeframe: July and August 2019

Foundational Technical Work to be Updated:

The following studies have been prepared as part of the Mobility Hubs scope of work but require additional work to be completed. Once completed, as detailed below, these studies will be released publicly:

- Environmental Impact Study: The scope of work has been confirmed with the appropriate agencies. The environmental impact study and flood plain analysis have been completed and are with the Region of Halton and Conservation Halton for review.

This task includes making any revisions based on agency feedback.

- Strategic Transportation Overview:

Based on the CIMA+ work completed in 2018 (Downtown Operations Review) expand the geographic scope of the study and establish baseline traffic information for the study area.

- Functional Servicing Study: Undertake a high-level Functional Servicing Study to confirm capacity to 2031 only, and alignment to Regional Master Servicing Plans and city stormwater plans. The previous Functional Servicing Study was based upon a full build out plan as previously proposed in the adopted Official Plan.

- Cultural Heritage Evaluation Reports: Cultural Heritage Evaluation Reports have been completed. This task includes the review of these reports by Heritage Burlington and revisions by the consultant, as required. Once any required revisions are made engagement with Heritage Burlington, or other stakeholders will be undertaken which may result in further proposed modifications.

- Base Digital 3D model: Using the existing technical documents prepared as part of the Downtown ASP, staff or consultants will prepare and release two digital 3D models which include a minimum of 6 specified at grade viewpoints and will include at least 3 axonometric view perspectives and will depict:

- permissions of the existing in force Official Plan (informed by Council Approved design guidelines, and zoning) and,
- the permissions of the proposed precinct plan found in the adopted Official Plan.

Note: It is requested that the Lead Consultant prepare a cost for this work, however, prior to approving any work related to this item staff will determine if sufficient capacity exists within City resources to complete this work.

No Further Work Required:

The following two studies have been completed as part of the Mobility Hubs Study scope of work and require no further updates:

- Stage 1 Archaeological Assessment
- Market Analysis

Note: While no deliverable is identified related to the Market Analysis as part of this terms of reference it is expected that additional work completed related to the Mobility Hubs scope of work will be considered as part of this project.

Stage 2c) Develop Land Use Scenarios

Estimated Timeframe: June – August 2019

Land Use Scenarios:

1. The consultant team will prepare two land use scenarios that take into account the findings of the preliminary studies/analysis and which will achieve, at a minimum, the City's general objectives for Urban Centres, and appropriate general objectives found within the Downtown Urban Centre policies and Urban Design Objectives found within the adopted Official Plan. The two scenarios will evaluate height and density with a focus on the Downtown Core, Brant Main Street, Upper Brant and Mid-Rise Precincts, while achieving the minimum Urban Growth Centre target of 200 people and jobs per hectare by 2031. For both scenarios, the following is required:

- mapping identifying the major land use, transportation and parks/open space components of each scenario that sufficiently demonstrates the similarities and differences between the two scenarios, and the pedestrian experience of each scenario. This mapping is intended as a public engagement tool;
- a digital high level, 3D aerial representation of the preliminary mapping which visually demonstrates the intended heights/densities of the scenario in relation to existing areas adjacent to the study area. The digital 3D models will provide a minimum of 6 at grade viewpoints and will include at least 3 axonometric view perspectives. The digital models must be easily comparable to the digital 3D models prepared in Stage 2b);

Note: It is requested that the Lead Consultant prepare a cost for this work, however, prior to approving any work related to this item staff will determine if sufficient capacity exists within City resources to complete this work.

- population and employment projections to 2031 of each land use scenario, on a block by block basis, based on appropriate assumptions(e.g. persons per unit, etc.), which shall include the outcomes of the 2016 Census of Population; and

- a document for public release which clearly describes the process and methodology related to the development of the land use scenarios, the assumptions applied, discussion of the opportunities and constraints of each land use scenario and a comparison of each of the land use scenarios developed to the Downtown Precinct Plan included in the Adopted Official Plan (April, 2018). The scope and content of this report are to be confirmed with the City's Project Team and informed by the Public Engagement Plan, including guidelines for communication. The report must include and consider any preliminary findings from the Interim Control Bylaw Land Use Study.

Post Scenario Completion – Updates to Technical Studies:

1. The following study requires updates to reflect the updated land use scenarios to be completed prior to engagement:
 - **Financial Impact Analysis:** Undertake a Financial Impact Analysis to determine the individual and combined impact of the chosen scenarios for the downtown study area on both the capital and operating cost and revenue implications for the City of Burlington, and on a broad basis for the Regional Municipality of Halton and the Halton district School Boards. This entails an evaluation of the marginal and/or average operating cost and revenues to the municipality which are directly associated with the residential and/or non-residential developments.

This task includes updating the existing study to reflect the updated land use scenario(s).

Stage 3: Conduct public, agency and stakeholder engagement

Estimated Timeframe: August – Mid October 2019

1. Conduct public, agency and stakeholder engagement on the two land use scenarios and desired community benefits based on the detailed public engagement plan created in Stage 2a.

Stage 4: Select preferred scenario and policy formulation

Estimated Timeframe: Mid October 2019 - February 2020

- Compile and analyze all feedback received during stage 3 and conduct follow up meetings as required.
 Note: This task is to be completed by city staff, in consultation with the consultant.
- Engage on the draft preferred scenario.
- The Consultant Team will select the preferred scenario. The consultant will use the

public feedback summary to inform their final report and recommendations.

- The Consultant Team will update the FIA, as required.
- The Consultant Team will undertake the micro-level transportation operations review for the preferred scenario, including the following:

Transportation Network Improvements & Enhancements

The analysis should emphasize multi-modal transportation as the preferred outcome for the Downtown and provide detailed policy with tangible actions to support an increase in the transit modal share informed by the Regional Official Plan and the interim control bylaw land use study)

- Complete future screenline analysis and intersection LOS to identify ‘hotspots’ and inform the multi-modal recommendation/improvement options, inclusive of transit service levels required to meet the established modal split target.
- Recommend detailed policy direction with potential action items to achieve target modal split target based on the traffic operations analysis and multi-modal opportunities identified.

Planned Street Improvements and Connections

- Review the proposed future street network and identify any potential issues with connectivity, accessibility, typology and alignment that may impact the function of the Mobility Hubs (including but not limited to intersection spacing, classifications, etc.). Classification of the proposed street network to be in accordance with the City’s ‘Classification of Transportation Facilities’ Table, as included in the adopted Official Plan.

Active Transportation Network & Improvements

- Review the future planned active transportation network.
- Propose approaches for flexible streets and associated policy requirements.
- Review and coordinate with the city’s Cycling Master Plan Update (2019)
- Identify potential areas for improvements to the active transportation network based on the future operations relative to the future planned network.

Transit

The Lead Consultant, informed by the findings of the interim control bylaw related to the role and function of the Downtown Bus Terminal, will prepare recommendations related to policy and approaches to increasing transit ridership and incentivizing transit use in the Downtown in support of the recommended level of development proposed in the recommended land use scenario.

- The Consultant Team will deliver a Final Project Report that consists of a modified Downtown Urban Centre precinct plan and Official Plan policies based on the selected scenario. The report will also include all technical studies and a summary of all public feedback as appendices. The Final Project Report will also include a section identifying any additional work required to support the implementation of the

policies for the Downtown Urban Centre. Depending on the scenario selected, the detailed Downtown Urban Centre policies shall be required on the following topics, which include but are not limited to:

- General Objectives and Policies
- Precincts
- Urban Design policies, including transition policies to adjacent low density residential, retail and service commercial uses, residential uses, policies related to the existing Downtown Urban Design Guidelines and other issues as required.
- Infrastructure:
- Transportation and Transit
- Regional Servicing
- Utilities
- Phasing policies, if required
- Retail and Service Commercial policies which establish unit maximum floor area and maximum floor area at grade per individual unit, which elaborates on policy 8.1.1(3.2) h).
- Public Service Facilities, Public Uses and Institutional Uses
- Affordable Housing
- Special planning area policies
- Parks, including the identification of new parks, promenades and linkages with surrounding neighbourhoods
- Natural Heritage System
- Development Phasing
- Community benefits, including a prioritized list of projects
- Community Improvement, including the potential to direct the development of a Community Improvement Plan

Note: As it relates specifically to the development of the proposed precinct plan the Lead Consultant is requested to include policy development work costs separately in the event that staff prepare the policies.

- The Lead Consultant, in the Final Project Report, will include direction on further work, study required or implementation plans or programs to be developed to support the implementation of the policies. This will include but not be limited to high level directions for the development of revised zoning and other guidelines.
- The Lead Consultant will also prepare a memo to be incorporated into the Final Project Report related to any recommended modifications to the City's existing Downtown Urban Design Guidelines, Tall Building Design Guidelines and the Mid-Rise Design Guidelines. This memo will provide recommended direction for modifications to the guidelines including but not limited to alignment with proposed policy, considerations related to the unique nature of downtown parcel fabric and road pattern, and the identification of priority areas for special urban design treatment.

<p>This should include specific mapping and any other supplementary information required to support the modifications.</p> <ul style="list-style-type: none"> • The Lead Consultant will also prepare a memo to be incorporated into the Final Project Report detailing connections to the Downtown Economic Vision, Core Commitment, Retail Strategy, Investment Attraction Strategy and the relationship to the Post-Secondary Institution Attraction Strategy. This memo will identify any further work required to align policy directions with economic and strategic objectives for the Downtown. <p>Note: Staff will complete a review of innovative heritage policy best practices, using the completed Cultural Heritage Evaluation Reports as technical background. Policy work is not required by the consulting team.</p> <ul style="list-style-type: none"> • Staff will review all policies to ensure coordination and consistency with other official plan policies.
<p>Stage 5: Present modified Official Plan policies</p> <p>Estimated Timeframe: March 2020</p>
<ol style="list-style-type: none"> 1. Present recommended policy modifications to Council for endorsement at a public meeting. Note: While the proposed modifications do not constitute an Official Plan Amendment, as a best practice this meeting will be treated as a Statutory Public Meeting, using the requirements of section 17 of the <i>Planning Act</i>. 2. Upon Council endorsement, the proposed modifications are to be provided to the Region of Halton for approval. 3. Should Council direct staff to conduct further consultation and make additional modifications, additional time and costs will be added to the workplan to allow for a second public meeting.

Key Deliverables

All key deliverables are outlined in Section 5. All final reports that will be posted must be prepared to be AODA compliant. A simplified list is provided for reference below.

1. Project Team Communication and Responsibilities Plan
2. Existing Finalized Technical Studies
 - a. Stage 1 Archaeological Assessment
 - b. Market Analysis
3. Information memo – Planning Context

4. Communications and Engagement Plan (To be prepared by Staff)
5. Technical Studies to be finalized not dependent upon Land Use Scenarios
 - a. EIS
 - b. Macro Transportation Analysis
 - c. Functional Servicing Report
 - d. Cultural Heritage Evaluation
6. Two Alternative Land Use Scenarios: Communication and Engagement Document
7. Technical Studies to be modified after two Land Use Scenarios developed
 - a. Financial Impact Analysis
8. Technical Studies undertaken and finalized after preferred Land Use Scenario selected:
 - a. Update Financial Impact Analysis, as required
 - b. Micro Transportation Analysis
9. A directions memo providing recommendations for any modifications proposed to the City's existing Downtown Urban Design Guidelines, Tall and Mid-Rise Building Design guidelines to ensure alignment with proposed policies.
10. Final Project Report with all finalized technical reports attached including Official Plan Policies and an updated precinct plan

6. Study Organization and Additional Requirements

Project Management

The scoped re-examination of the Adopted Official Plan related to the Downtown is to be managed by the City's Project Manager – Official Plan and will be accountable to the Project Steering Committee and to the Manager of Policy and Research. Work, as described in this Terms of Reference will be undertaken by the project consultant, with the assistance of the Official Plan team and other City staff as required.

Joint Steering Committee

A joint Steering Committee will give strategic advice on matters related to this project and the Interim Control Bylaw Land Use Study. A Steering Committee will be made up of the following city staff, or their delegate.

**Joint
Steering Committee
proposed composition**

Interim City Manager / City Manager
Senior Manager of Government Relations
Director of City Building
City Solicitor / Assistant City Solicitor
Director of Transportation
Director of Transit
Director of Capital Works
Acting Executive Director, BEDC / Executive
Director, BEDC
Manager, Urban Design

It is expected that the Steering Committee will meet as follows:

- At project initiation
- Provide comments on the Public Engagement Plan
- To review the Background Analysis and Technical Studies
- Provide comments on the land use scenarios
- Provide comments on the final report and policies

It is also expected that the Steering Committee will be gathered at key decision-making points will be consulted on an as-needed basis should additional issues arise that have not been anticipated by the Terms of Reference. The steering committee will also provide feedback on the findings and integration of the Interim Control Bylaw Study.

Project Team responsibilities

The project team is made up of the City's Official Plan Re-examination Team and the Lead Consultant/Consultant Team. The division of responsibilities from the perspective of the City's Official Plan Re-examination Team and the Lead Consultant/Consultant team are described generally below. It will be the responsibility of the City's Official Plan Re-examination Team, in consultation with the Lead Consultant to confirm these responsibilities and to confirm associated timelines beyond those generally described in Section 5.

The City's Official Plan Re-examination team is responsible for:

- Ensuring linkages between the Terms of Reference and the study work;
- Providing background information and the assembly of necessary data, reports, contacts, etc. to the project consultant;

- Ensuring alignment and connections between the Downtown Study and other city initiatives, in particular the Interim Control Bylaw Study;
- Providing knowledge and support to the project consultant as well as establishing and managing data sharing requirements;
- Ensuring city departments and agencies sign off on the assumptions and requirements for all technical work prior to the consultant advancing the work;
- Preparation and implementation of a detailed Engagement and Communication Plan;
- Leading and coordinating communication between the City, the Lead Consultant and their consortium, partner agencies, stakeholders and the community;
- Coordination, preparation, setup and facilitation of community and stakeholder engagement initiatives;
- Monitoring, reviewing and providing feedback and/or revisions on the work of the project consultant;
- Prepare staff reports to City Council based on the work of the project consultant;
- Reviewing and editing all policies to ensure coordination and consistency with other official plan policies;
- Analyzing, consolidating and responding to public comments/feedback, in consultation with the consultant.

The Lead Consultant/Consultant Team Responsibilities:

- Coordination of the consulting team;
- Regular communications with the City's Project Team - Project Manager – Official Plan or their delegate, based on an agreed to communications plan at the outset of the project;
- Ensuring linkages between the Terms of Reference and study work, attend and support public engagement events and support at City Council meetings;
- Technical analysis and projections required to meet the project stage requirements and the project deliverables outlined in Section 5.0 will be undertaken by the project consultant;
- Drafting Official Plan policies and amendments (NOTE: City staff may complete this task, please provide costing as a separate line item); Developing a process to develop the recommended scenario including documentation that details the analysis and project steps;
- Delivery of all project deliverables as per Section 5.0;
- Maintaining project budget and regular monitoring and reporting of hours billed directly, broken down by the project's key tasks/deliverables on a monthly basis; and
- Preparation of detailed invoices broken down by tasks and work completed, in alignment with the project budget.

It is the expectation of the City of Burlington that the project consultant's team members (including any sub-consultants) should have the required and appropriate qualifications and that the Lead

Consultant/Project Manager must be a Registered Professional Planner (or equivalent) and/or Member of the Canadian Institute of Planners.

Project meetings

Bi-weekly meetings between the City's Official Plan re-examination team and the project Lead Consultant will take place, alternating between face-to-face meetings and tele/video-conference, as required and specified in the Communication and Responsibilities Plan. It is expected that regular email correspondence will occur throughout the project. Weekly check-ins between the Project Manager – Official Plan, or their delegate, and the project consultant's Project Manager/Lead Consultant will be required. Larger team meetings, including the attendance of additional project consultant team members, will be scheduled as required. Staff will be responsible for leading, coordinating and facilitating all meetings.

Consultation and engagement

A comprehensive public engagement and communication program will be developed by City staff in consultation with Council, the ChAT Team and other stakeholders. This will include the identification of any other committees that may be required.

The City's Official Plan Re-examination Team will coordinate, prepare for, facilitate and present at these public meetings with supporting presentations from the project consultant. The Lead Consultant, and other consulting team members as required, may be asked to present for a portion of each meeting as well as assist in answering questions and other tasks as required.

The project consultant must be available for additional public and stakeholder meetings and consultation events as required (to be provided as a separate item on the pricing schedule). It is generally expected that 2-3 staff attend on behalf of the project consultant, including the Lead Consultant. It is expected that the Lead Consultant – Project Manager will provide a continued public presence throughout the process.

Committee/council meetings

It is anticipated that there will be, at minimum, one Committee/Council meeting where the Lead Consultant's Project Manager, and other consulting team members as required, will be required to attend and assist City staff in answering any questions. Attendance at additional Committee/Council meetings may be required, as needed.

Agency and Stakeholder meetings

Staff will facilitate meetings with key stakeholders and landowners in the study area. The project consultant's Project Manager, and other consulting team members as needed, may be required to attend such meetings as deemed necessary.

Presentations

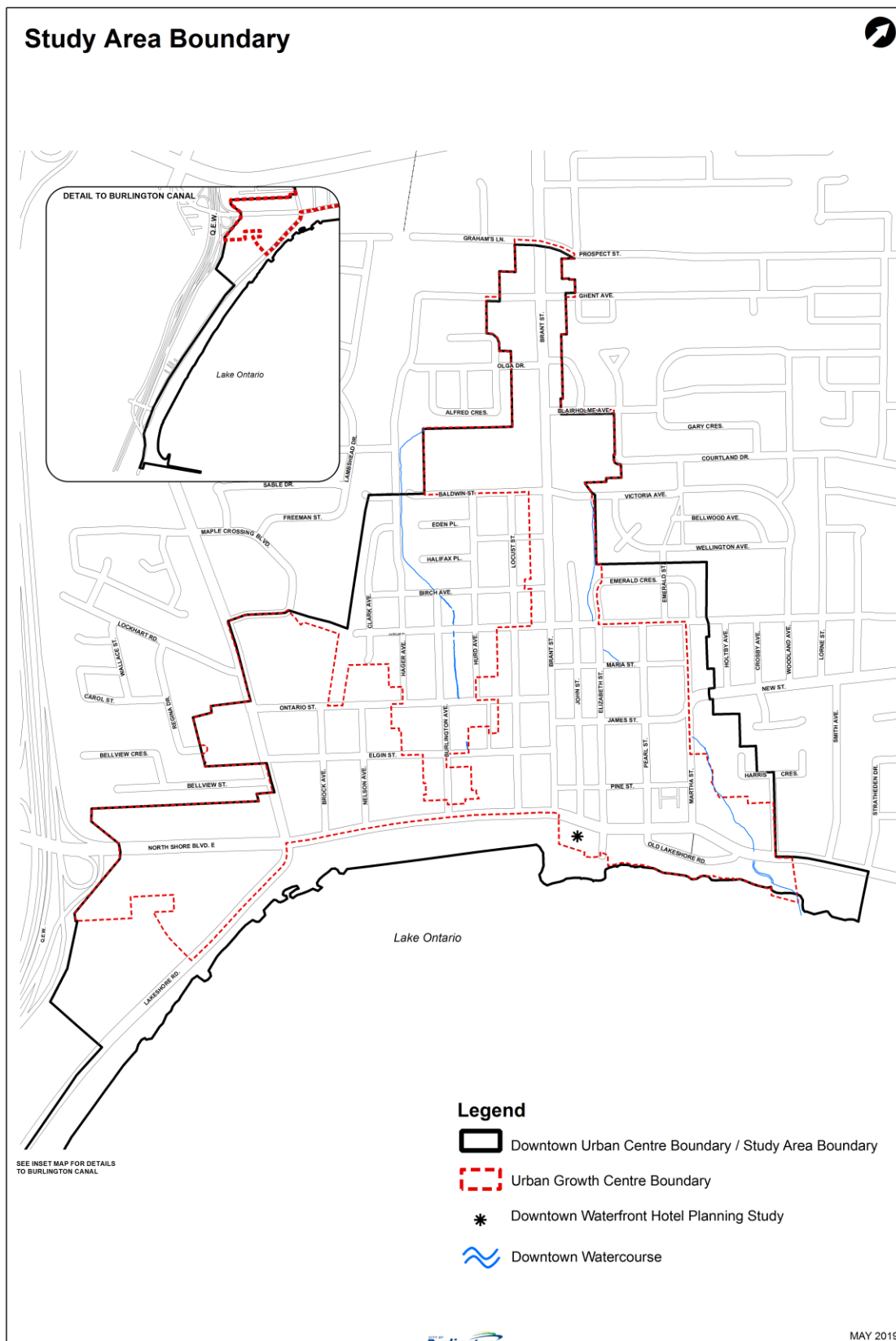
Presentations by the project consultant at each public meeting will be required to supplement City Official Plan Re-examination team who will develop the engagement plan, prepare and deliver presentations and will coordinate City staff support for facilitation at the meetings.

Budget

The budget must be inclusive of all of the project deliverables and communication/engagement requirements described in Section 5, including the optional items highlighted throughout. The Lead Consultant is to provide a detailed task list with estimated hours and costs broken down by subtask as described in the sections above. It is expected that no technical work will be undertaken until written agreement on the scope and elements to be considered are confirmed.

Study Area

The study area is indicated on the figure below. It includes the Urban Growth Centre as identified in the Region's Official Plan (for conformity purposes) and the City's Urban Centre Boundary as depicted in the adopted Official Plan. While the Waterfront Hotel Site and the Old Lakeshore Road Precinct are within the study area boundary, these sites are not a component of this work plan and will be studied in greater detail through separate processes subject to Council approval.



Neighbourhood Commercial Designation

Planning for retail and commercial uses is challenging. These uses, and where they choose to locate, are affected by a wide range of drivers including competition and changes in customer preferences, including the prevalence of online shopping among many others. Planning policy approaches to guiding retail and commercial uses must be highly flexible and must be developed to support the public interest. In planning for complete communities the City must ensure that there is adequate commercial land to meet the needs of the community while allowing for some flexibility to react to changing retail dynamics. This requires an appropriate approach to planning policy to allow healthy competition in the market place to react to retail trends, while maintaining the planned function of existing and planned commercial space.

Redevelopment of Aging Plazas

Both the current Strategic Plan and the previous Strategic Plan saw the role for the redevelopment of older commercial plazas. In the existing Strategic Plan the following direction is provided in the context of the Strategic Direction 1: A City that Grows, Intensification:

- 1.2.c. Aging commercial plazas are being redeveloped and transformed into mixed-use neighbourhood areas where a mix of residential, commercial, cultural or institutional uses are provided. Buildings are connected to the street with doors and windows, have high quality design and provide pedestrian and cycling connections.

The Neighbourhood Centre policy within the adopted Official Plan has been developed to support this sub-component of the City that Grows strategic direction to signal support for the redevelopment and intensification of aging commercial plazas with consideration to urban design, a greater mix and range of uses and to find means of integrating these plazas more fully and compatibly, into their surrounding neighbourhoods.

Challenges

The 8 areas of the City that have been assigned the land use designation of Neighbourhood Centre in the adopted Official Plan are varied in nature. The areas are typically organized around an intersection and are composed of a number of parcels and have a wide range of retail and commercial uses. The configuration of all of these areas are unique including a variety of small and large parcels, a variety of built form configurations, a small number of owners or a large number of owners, and all are set against very different existing contexts. The timeframe over which a redevelopment could be considered for each plaza varies widely, since the decision to redevelop a site is a complex one, based on a wide range of factors. This variety of conditions can

mean that site redevelopment could be challenging and could happen within different timeframes.

Given the unique nature of the designated Neighbourhood Centres in the adopted Official Plan it is not possible to establish a one-size fits all approach to guiding development on these sites.

Neighbourhood Centres designation in the adopted Official Plan

The redevelopment of Neighbourhood Centres provides an opportunity to transform existing community plazas into vibrant people places that serve as a focal point for surrounding neighbourhoods and future residents, offering a range of retail and service commercial uses, community facilities, residential uses above grade and open spaces in an appealing walkable mixed use node.

Upon Council consideration staff received the following direction related to the Commercial Policy Directions presented in 2015:

Direct the Director of Planning and Building to provide a more detailed review of the eight locations being proposed as Neighbourhood Centres in Policy Direction A of the proposed Official Plan Review: Commercial Lands Policy Directions contained in Planning and Building Department report PB-05-15 to include minimum and maximum criteria for each site and to report back to the Development and Infrastructure Committee in the fall with the accompanying policy report (SD-7-15)

After receiving the Staff Direction from Council, staff reviewed the proposed policy directions related to Neighbourhood Centres which supported the development of the policies in the April, 2017 Draft Official Plan and the development of the April, 2018 adopted Official Plan.

Acknowledging the unique and distinct nature of the areas designated Neighbourhood Centre in the Official Plan, staff wrestled with determining the best means to address these areas. Was the best tool a flexible, but directive policy framework based on the role for privately-initiated development applications; or was the best tool to pursue an extensive, city-wide, area-specific planning exercise for these areas? Given the commitments made to the area-specific planning project with respect to the City's Mobility Hub areas, a city-led area-specific planning program that would consider Neighbourhood Centres was out of scope, then and now. Staff determined that the best approach was to build a policy framework to provide clear direction for the development of zoning regulations for these areas and to provide clear direction for the use of various *Planning Act* tools. In acknowledgment of the opportunity to support the redevelopment of Neighbourhood Centre, the adopted Official Plan policy signaled an openness to change and redevelopment.

The policy ultimately established a tiered approach related to height to considering development through *Planning Act* processes:

- For proposed buildings from 1 to 6 storeys, a privately initiated development application will include a site plan application subject to the Site Plan requirements, any policies or guidelines, such as the city's mid-rise urban design guidelines.
- For buildings from 6 to 11 storeys the policies signal an openness to consider development through a zoning by law amendment process based on technical information and public engagement and input. The zoning by law amendment will be assessed against all relevant development criteria in addition to a number of special criteria embedded in policy. These criteria include requiring a significant reduction of parking at grade and the submission of an urban design brief that demonstrates how the proposal's design achieves a high quality of design and helps to mitigate the adverse impacts of the increase in height on public sidewalks, public open spaces and adjacent uses.
- The policies also identify that there may be an opportunity to consider building heights in excess of 11 storeys, however, in order to consider this, a more detailed process in the form of an official plan amendment is required. This structure acknowledges that in order to consider taller buildings staff would need a justification in order to ensure that any proposal is consistent with the broader objectives of the Official Plan and that it would be supported by the appropriate technical studies, and subject to public engagement. Any official plan amendment must be considered against the development criteria and the official plan amendment criteria. In particular, the official plan amendment criteria give special treatment to secondary growth framework areas. The adopted Official Plan notes that any proposed residential development in the secondary growth framework area shall provide city building objectives consistent with the Strategic Plan, requiring sustainable design measures and a choice of other city building objectives. These objectives include, but are not limited to requiring that the development proposal includes such things as affordable, rental housing or units including three or more bedrooms.

These changes acknowledge that the means of determining appropriate development on large, complex sites found within the Neighbourhood Centre designation is through *Planning Act* processes like site plan, zoning by-law amendments or official plan amendments that are informed by stronger policy guidance about the broader objectives of the Official Plan. This approach safeguards the public interest while also supporting and incentivizing the redevelopment and revitalization of the older plazas.