



SUBJECT: Information report for official plan and zoning by-law amendments for 2069-2079 Lakeshore Road, 383-385 Pearl Street

TO: Planning and Development Committee

FROM: Department of City Building - Planning Building and Culture

Report Number: PB-22-19

Wards Affected: 2

File Numbers: 505-06/18 & 520-08/18

Date to Committee: June 11, 2019

Date to Council: June 17, 2019

Recommendation:

Receive and file department of city building report PB-22-19 regarding the official plan and zoning by-law amendments for 2069-2079 Lakeshore Road and 383-385 Pearl Street.

Purpose:

The purpose of this report is to provide background information for the statutory public meeting required under the Planning Act for Official Plan and Zoning By-law amendment applications. This information report and associated public meeting facilitate a means to inform, educate and engage citizens in an open and accountable way.

The report provides an overview of the proposed applications, an outline of the applicable policies and regulations and a summary of technical and public comments received to date.

The report relates to the following objectives of the City of Burlington Strategic Plan:

A City that Grows

- Promoting Economic Growth
 - More people who live in Burlington also work in Burlington.

- Small businesses contribute to the creation of complete neighbourhoods where residents are close to goods and services.
- Burlington's downtown is vibrant and thriving with greater intensification attracting both businesses and people to enjoy the quality of life.
- Targeted Intensification
 - Growth is being achieved in mixed use areas and along main roads with transit service, including mobility hubs, downtown and uptown.
 - Burlington has a downtown that supports intensification and contains green space and amenities, has vibrant pedestrian-focused streets, is culturally active and is home to a mix of residents and businesses.
 - Architecture and buildings are designed and constructed to have minimal impact on the environment reflecting urban design excellence that create buildings and public spaces where people can live, work or gather.
- Focused and Directed Population Growth
 - Burlington is an inclusive and diverse city that has a growing proportion of youth, newcomers and young families and offers a price range and mix of housing choices.
 - Future development will be higher density, walkable and accessible, transit-oriented with appealing streetscapes. The City will become a leader in walkability and bikeability scores in the province and will be fully aligned with provincial strategy and goals.

A City that Moves

- Increased Transportation Flows and Connectivity
 - Mobility hubs are being developed and supported by intensification and built forms that allow walkable neighbourhoods to develop.
 - Walkability and cycling has guided the development of new and transitioning neighbourhoods and the downtown so people rely less on automobiles.

A Healthy and Greener City

- Healthy Lifestyles
 - Residents will live within a 15 to 20-minute walk from parks or green spaces

An Engaging City

- Good Governance
 - City information is more accessible with increase in number of residents who engage with the city
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REPORT FACT SHEET

RECOMMENDATIONS:		<i>None. Statutory Public Meeting</i>	Ward No.:	2
Application Details	APPLICANT:	<i>Lakeshore (Burlington) Inc.</i>		
	OWNER:	<i>Lakeshore (Burlington) Inc.</i>		
	FILE NUMBERS:	<i>505-06/18 & 520-08/18</i>		
	TYPE OF APPLICATION:	<i>Official Plan and Zoning Bylaw Amendments</i>		
	PROPOSED USE:	<i>29-storey mixed use building with commercial/retail and residential uses.</i>		
Property Details	PROPERTY LOCATION:	<i>North-east corner of Lakeshore Road and Pearl Street</i>		
	MUNICIPAL ADDRESSES:	<i>2069-2079 Lakeshore Road, 383-385 Pearl Street</i>		
	PROPERTY AREA:	<i>0.248 hectares (0.61 acres)</i>		
	EXISTING USE:	<i>Commercial uses</i>		
Documents	OFFICIAL PLAN Existing:	<i>Downtown Mixed Use Centre – Downtown Core Precinct</i>		
	OFFICIAL PLAN Proposed:	<i>Site specific amendment to permit increased density</i>		
	ZONING Existing:	<i>'DC' –Downtown Core</i>		
	ZONING Proposed:	<i>Modified 'DC' with site specific exception to increase height, density, parking, amenity area and setbacks.</i>		
Processing Details	APPLICATION RECEIVED	<i>December 21, 2019</i>		
	STATUTORY DEADLINE	<i>July 19, 2019</i>		
	NEIGHBOURHOOD MEETING:	<i>January 29, 2019</i>		
	PUBLIC COMMENTS:	<i>Staff have received 36 emails from 29 individuals and/or households and 4 unknown, 11 neighbourhood meeting comment sheets with 7 from individuals and/or households and 4 unknown, and three letters.</i>		

Background and Discussion:

The purpose of this report is to provide an overview of the proposed applications, an outline of the applicable policies and regulations, and a summary of the technical and public comments received to date. This report is intended as background information for the statutory public meeting. As such, no recommendations on the applications are being made at this time.

Site Description

The subject applications apply to four properties, known municipally as 2069-2079 Lakeshore Road and 383-385 Pearl Street, which the applicants have assembled. These lands comprise the northeast corner of Lakeshore Road and Pearl Street. The properties currently contain a two storey semi-detached building listed on the Municipal Heritage Register and known as the “Acland House”, a two storey commercial building and a single storey medical office building, which contain approximately 1497 m² of commercial space. The subject lands comprise a total area of approximately 0.248 hectares (0.61 acres). Assembled, the subject lands have a total frontage of 59 metres along Lakeshore Road and 40 metres along Pearl Street.

Adjacent to the north of the subject properties are three storey live-work units; adjacent to the east is a vacant lot with approval for a 27 storey mixed used building known as Nautique Lakefront Residences; directly west across Pearl Street is a 17 storey mixed use building, known as 360 Pearl; directly north of 360 Pearl is a 14 storey building, known as 390 Pearl; directly to the south are single storey commercial uses and to the south-west a 22 storey mixed use building, known as Bridgewater Residences. Further west fronting onto Elizabeth Street is a 12 storey mixed use building, known municipally as The Baxter. As shown in the chart below, the building heights of the surrounding uses vary from 12.74 m for the live work townhouse development to 88.75 m for the Nautique development.

Development	Linear Building Height
Live work Townhouse Development	12.74 m – 13.78 m
Nautique Lakefront Residence3s	88.75 m
360 Pearl	61.25 m
390 Pearl	41.5 m
Bridgewater Residences	69.7 m
The Baxter	41.48 m

Surrounding land uses are shown in the Location / Zoning Sketch attached as Appendix A to this report.

Description of Applications

On December 21, 2018, the Department of City Building acknowledged that complete applications had been received for Official Plan and Zoning By-law amendments for 2069-2079 Lakeshore Road, 383-385 Pearl Street. The applications propose the development of a 29-storey mixed use building with a 4 storey podium, 675 square metres of ground floor retail / commercial space fronting onto Lakeshore Road and Pearl Street, 280 residential units, the adaptive reuse of the heritage building located at 383-385 Pearl Street as live/work units and a Floor Area Ratio of 10.2:1, as illustrated in Appendix B – Detail Sketch. There are 5 levels of underground parking being proposed with vehicular access being provided from Lakeshore Road and servicing/loading access from Pearl Street. A total of 291 parking spaces are being proposed for the residential component of the building. The proposed building also contemplates outdoor amenity areas on the 2nd and 5th floors.

Technical Reports

The following technical reports were submitted in support of the applications:

- [Planning Justification and Urban Design Report](#), prepared by Bousfields Inc., dated August 2018.
- [Architectural Plans](#), prepared by Turner Fleischer Architects Inc., dated August 8, 2018.
- [Economic Analysis](#), prepared by Altus Group Economic Consulting, dated August 8, 2018.
- [Boundary and Topographic Survey with Adjacent Building Heights](#), prepared by A. T. McLaren Limited, dated August 24, 2017.
- [Conceptual Landscape Plans](#), prepared by Ferris + Associates Inc., dated August 10, 2018.
- [Tree Preservation/Removal Plan](#), prepared by Ferris + Associates Inc., dated August 10, 2018.
- [Arborist Report](#), prepared by Ferris + Associates Inc., dated August 25, 2017.
- [Noise Study](#), prepared by Novus Environmental, dated January 23, 2018.
- [Noise Study Addendum](#), prepared by Novus Environmental, dated August 8, 2018.
- [Noise Study Addendum#2](#), prepared by Novus Environmental, dated November 7, 2018.
- [Transportation Impact Study, Parking Study and Transportation Demand Management](#), prepared by Paradigm, dated August 2018.
- [Additional Traffic Data and Response](#), prepared by Paradigm, dated November 22, 2018.
- [Hydrogeology Report](#), prepared by Terraprobe, dated August 25, 2017.

- [Pedestrian Wind Comfort Opinion](#), prepared by Novus Environmental, dated August 8, 2018.
- [Pedestrian Wind Study](#), prepared by Novus Environmental, dated December 13, 2018
- [Shadow Study](#), prepared by Bousfields Inc. dated August 2018.
- [Functional Servicing Report](#), prepared by S. Llewellyn & Associates Limited, dated August 8, 2018
- [Heritage Value Assessment](#), prepared by ERA Architects, dated December 13, 2017.
- [Phase One Environmental Site Assessment](#), prepared by Terraprobe, dated August 25, 2017.
- [Environmental Site Screening Questionnaire](#) dated October 19, 2018.
- [Angular Plane Study](#), prepared by Turner Fleischer Architects Inc., dated August 8, 2018.
- [Ground water Sampling Results](#), prepared by Terraprobe, dated December 20, 2018.
- [Phase 2 ESA Qualified Professional Preliminary Statement](#), prepared by Terraprobe, dated November 24, 2018

The applications along with these materials have been circulated to various departments and agencies for technical review. The applications remain under technical review. Comments received at the time of finalizing this report are included below in the Technical Review section. The technical reports can be accessed and reviewed through the associated links and on the City's website at www.burlington.ca/2069lakeshore.

Discussion:

Policy Framework

The proposed Official Plan and Zoning By-law amendment applications are subject to the following policy framework: the Planning Act, Provincial Policy Statement (PPS), 2014; Places to Grow, Growth Plan for the Greater Golden Horseshoe, 2017; Halton Region Official Plan; City of Burlington Official Plan, and the City of Burlington Zoning By-law 2020. A discussion of conformity with provincial, regional and city documents will be addressed in the subsequent recommendation report.

Planning Act, R.S.O 1990, c.P. 13

When dealing with their responsibilities under the *Planning Act*, Municipalities shall have regard to a wide range of matters of provincial interest with respect to matters such as protection of the environmental features and agriculture, efficient use of infrastructure

and services, adequate provision of housing, employment and facilities, sustainable and transit supportive development and accessibility for all persons.

Provincial Policy Statement (PPS) 2014

The Provincial Policy Statement provides broad policy direction on matters of provincial interest related to land use planning and development that support the building of viable, healthy and strong communities. The PPS focuses growth and development within established settlement areas and promotes efficient development and land use patterns which sustain financial well-being of municipalities over the long term. The PPS policies provide for an appropriate mix and range of housing and employment to meet the needs of current and future residents through opportunities for intensification and redevelopment.

The PPS supports improved land use planning and management based on policies that contribute to the efficient use of land and infrastructure, protection of natural and built resources, creation of healthy, active and transit supportive communities, protection of public health and safety and increased accessibility for all members of the community. It is noted that all decisions affecting planning matters “shall be consistent with” the PPS.

Growth Plan for the Greater Golden Horseshoe (Growth Plan) 2017

The Growth Plan for the Greater Golden Horseshoe provides a growth management policy direction and framework for implementing the Province’s vision for building stronger, prosperous complete communities by better managing growth within existing urban areas.

The Growth Plan encourages transit supportive densities and a healthy mix of housing, employment growth and access to services in order to achieve compact, vibrant and complete communities. This type of development optimizes investments in infrastructure and public service facilities and accommodates people at all stages of life and includes a mix and range of housing and jobs as well as easy access to stores and services to meet the daily needs of residents.

The Growth Plan contains population and employment forecasts to plan for and manage growth to the horizon of the Growth Plan and requires Municipalities to develop and implement through their official plan policies and strategies for achieving allocated intensification.

The subject lands are identified as being located within the Downtown Burlington Urban Growth Centre. Urban growth centres are to be planned to accommodate significant population and employment growth. Urban growth centres are to be planned to achieve, by 2031 or earlier, a minimum density target of 200 residents and jobs per hectare.

Halton Region Official Plan

The Region's Official Plan (ROP) provides goals, objectives and policies to direct physical development and change in Halton Region. The ROP provides population and intensification targets for all of the local municipalities including the City of Burlington.

The subject property is designated "Urban Area" in the Halton Region Official Plan (ROP) and an Urban Growth Centre. Within the Urban Area, the ROP policies support the achievement of densities higher than surrounding areas and mixed uses that support active transportation and ensure the viability of existing and planned transit for everyday activities promoting the development of vibrant and healthy communities. The Urban Area is also where urban services (municipal water and/or wastewater systems) are or will be provided to accommodate existing and future development. The Urban Growth Centre is to accommodate a significant share of population and employment growth. The Urban Growth Centre is further identified as part of the Region's intensification areas and as a mobility hub.

The ROP states that permitted uses shall be in accordance with local Official Plans and Zoning By-laws and subject to other relevant policies of the Regional Official Plan.

City of Burlington Official Plan

The general principles and functional policies of the Official Plan provide for a community plan and growth strategy aimed at creating an attractive, liveable community that offers a wide range of housing, employment, transportation, and leisure opportunities for all its citizens. The Official Plan promotes the efficient use of land through intensification within appropriate areas of the City, in accordance with Provincial growth management objectives, while recognizing the need for balancing this objective with other planning considerations, such as site contamination, stormwater management, transportation and input from the public. The Official Plan states that as redevelopment and intensification become more prominent in urban life in Burlington, design takes on a more important feature of the approval process. The policies speak to building design strengthening and enhancing the character of existing distinctive locations and neighbourhoods, and are designed to be sympathetic to density, form, height, setbacks, spacing and materials compatible with its surrounding area. The design of all buildings must recognize pedestrian scale, safety and the perception of safety and access and the preservation of public vistas and views, where practical.

Mixed use areas are locations where shopping, employment and residential uses will be developed in an integrated compact urban form at higher development intensities and will be pedestrian oriented and highly accessible by public transit. The policies allow the City to consider the use of reduced parking standards in mixed use areas in order to encourage greater reliance on non-automobile forms of transportation. The subject

lands are designated as Downtown Mixed Use Centre and are further specified as being within the Downtown Core Precinct designation.

The Downtown Mixed Use Centre, being an Urban Growth Centre, shall accommodate a significant share of population and employment growth within the City. The Downtown is to be a lively, vibrant “people place” with a wide variety of employment, shopping, leisure, residential and tourism opportunities. To encourage long-term investment in the Downtown, design excellence will be established creating a continuous, harmonious, safe and attractive environment through streetscape, building façade improvements and design of new buildings. New development shall be of high quality design to maintain and enhance the Downtown as an enjoyable, safe, pedestrian oriented place and designed and built to complement pedestrian activity and historical attributes as outlined in the Downtown Urban Design Guidelines while maintaining reasonable protection of views to the lake from public areas, such as streets and trails. Cultural heritage resources shall be preserved and integrated into new development where possible and any development close to cultural heritage resources shall be sensitive to the historic context of the street and not just the immediately adjacent buildings.

The objectives of the Downtown Mixed Use Centre are to create a compact Downtown city core with a mix of residential, commercial and other uses as an alternative to the car oriented shopping plazas and malls; to increase the resident population by providing a variety of housing types mainly at medium and high densities that will strengthen the live/work relationship and ensure the Downtown is used after business hours as well as creating a local market for convenience and service goods; and to ensure that density, form, bulk, height, and spacing of development is compatible with the surrounding area. The Downtown is to be re-developed through the infilling of existing surface parking lots, the rehabilitation of existing buildings and the intensification of under-utilized lands and buildings, in keeping with its role as a Provincial Urban Growth Centre, ensuring that development encourages transit use and that an adequate supply of parking is provided.

The objective of the Downtown Core Precinct is to designate the inner core of the Downtown for higher density development consistent with the role of Brant Street as a major spine of the Downtown Mixed Use Centre, to meet Provincial Growth objectives and to help support increased transit use. New development is required to provide a high standard of design in order to provide a sense of place, compatibility with existing development and a sense of pedestrian scale and comfort.

The Downtown Core Precinct designation permits commercial activities, high density residential apartment uses including upper storeys of commercial buildings, cultural uses, recreation and hospitality uses, entertainment uses and community facilities. The policies specify that there shall be a minimum density of 51 units per net hectare and a

minimum building height of 2 storeys within the Downtown Core Precinct. The maximum building height is 4 storeys; however, there is provision for taller buildings up to a maximum height of eight storeys and 29 m to be permitted where they provide compatibility with surrounding land uses and a sense of pedestrian scale by the use of terracing above the second floor. A maximum floor area ratio (FAR) for an individual site shall be 4.0:1 except higher FAR may be permitted in conjunction with the provisions above. Retail or service commercial uses are required continuously at grade along public streets in residential or office buildings and shall be constructed to the street line with no surface parking permitted. In addition, the policies do not require any on-site parking for non-residential uses.

The proposed development requires an Official Plan amendment as it exceeds the maximum permitted height and FAR with a proposed height of 29 storeys and a FAR of 10.2:1.

City of Burlington Adopted Official Plan

The proposed New Official Plan was adopted by Council on April 27, 2018 and has been developed to reflect the opportunities and challenges facing the City as it continues to evolve. Halton Region has identified areas of non-conformity, and as such, the adopted Official Plan will be subject to additional review and revision prior to its approval. Further, City Council has directed a new staff review and public engagement process to consider potential modifications, including a review of height and density provisions. As a result, no weight is placed on the policies of the adopted Official Plan in the review of this application at this time.

City of Burlington Zoning By-law 2020

The subject lands are zoned 'Downtown Core (DC)', as shown in Appendix 1. The DC zone permits a range of retail/service commercial, office, community, hospitality, entertainment and residential uses. The ground floor of buildings at this location is to be used for *retail or service commercial uses*.

The proposed development requires a Zoning By-law amendment as it exceeds the maximum permitted height and FAR with a proposed height of 29 storeys and a FAR of 10.2:1. It also requests reductions to the setback from Lakeshore Road and the Downtown Residential Medium (DRM) zoning, landscape buffer and parking requirements.

The regulations for the DC zone are listed below. For comparison, Table 1 lists the DC zone requirements in the Zoning By-law compared to the requested amendments.

Table 1 – Zoning Regulations – Existing and Proposed

Zone Regulation	DC Zone Requirements	Requested	Relief Required
Minimum Lot Width	7.5m	37.6 m	No
Minimum Lot Area	No minimum	0.2 ha	No
Street Side Yard Pearl Street Lakeshore Road	0 m 2 m	.57 m 0m	No YES
Setback to DRM Zone	3 m	0.7m	YES
Building Height	4 storeys (15 m)	29 storeys (95 m)	YES
Floor Area Ratio	4.0:1	10.2:1	YES
Glazing of first floor elevation	60%		No
Landscape Buffer	3 m	0m	Not applicable
Amenity Area	20m ² per unit	20.9m ² per unit	No
Parking*	1.25 spaces per apartment unit	1 spaces per apartment unit	YES
Bicycle Parking	Minimum Retail, Service Commercial, Office, Institutional: 2 spaces plus 1 space / 1000m ² GFA	100	No
Visibility Triangle	6m x 6m	Not requested	To be determined
Below Grade Parking Structure Setbacks	An enclosed parking structure below grade shall be setback 3m from a street line	Not requested	Yes
<i>* Property located within Downtown Parking Exemption Area – Off-street parking and loading requirements only apply to residential uses</i>			

Staff acknowledge that site specific modifications may change dependant upon the resubmission of revised plans and additional review by staff. Staff will review any changes to the requested zoning which will be identified by staff in the future report to Committee.

Interim Control By-law

On March 5th, 2019, Council enacted Interim Control By-law (ICBL) 10-2019 to temporarily limit development within the City's Urban Growth Centre and the Burlington GO mobility hub area in order to complete a land use study assessing the role and function of these Major Transit Station Areas. The ICBL is in place for a period of one year which can be extended for a second year.

The Planning Act preserves the priority of zoning passed during the period of breathing created by Interim Control By-law and, if passed in that period, the prior zoning does not come back into effect unless the new zoning is appealed and is defeated on appeal. The effect of the interim control by-law is to permit existing uses only. The application is therefore premature, and it would not be appropriate to process it further, including providing any analysis or recommendations at this time.

Following the statutory public meeting, these applications will be held in abeyance until the ICBL is no longer in effect.

Technical Review

On January 7, 2019, staff circulated a request for comments to internal and external agencies, including Halton Region. Formal comments on the applications were not all received by the time this report was being finalized. Agency comments will be addressed in the subsequent recommendation report.

Burlington Economic Development Corporation (BEDC):

BEDC commented that they would like to see second floor office space as there is an extremely low office vacancy rate, especially for new space in the downtown. In addition, BEDC would like to see the applicant maintain the current GFA of existing commercial space.

Halton District School Board (HDSB)

HDSB has no objection to the proposed applications, as submitted. Students from this area are currently within the Lakeshore PS, Tom Thomson PS, Burlington Central Elementary School and Burlington Central High School catchments. According to the Board's projections the Lakeshore PS and Burlington Central Elementary and High Schools are projected to be at or under building capacity. As a result students generated from this development are expected to be accommodated in the respective elementary schools. Tom Thomson PS is projected to be above building capacity, students would be accommodated with the addition of portables at this school.

Halton Catholic District School Board

HCDSB has no objection to the proposed applications, as submitted. If the development was to proceed today, elementary students generated from this proposal would be accommodated at St. John (Burlington) Catholic Elementary School. Secondary school students would be directed to Assumption Catholic Secondary School.

Burlington Transit

Transit Route 3 passes by the property, servicing two different stops on the north side of the road within 100m of the property in either direction and a stop directly across the street. Burlington Transit staff do not recommended that stops be moved in front of this property. Given the proximity to transit, the John Street Terminal, and the high density of the development, Section 37 funds should be allocated to the growth of transit.

Canada Post

Canada Post has no objections and requests that the developer be notified that the building is to provide its own centralized mail receiving facility (lock box assembly) and provide Canada Post with access to the lock boxes. Street level businesses will receive mail delivery at centralized locations, not directly to their door.

Mobility Hubs

The creation of Area Specific Plans (ASPs) for each of Burlington's four Mobility Hubs was identified as a key priority for City Council through the development of Burlington's 2015-2040 Strategic Plan. The subject properties are located within the Downtown Mobility Hub Boundary.

Technical studies required as part of the Mobility Hub Area Specific Planning process, could assist in processing the subject applications. The technical studies will help to inform the following:

- Site-specific constraints;
- Heritage analysis;
- Phasing of development;
- Infrastructure capacity;
- Stormwater management including floodplains;
- Feasibility of future transportation connections;
- Additional sustainability measures;
- Implementation and incentive tools; and,
- Further area-specific design requirements.

Urban Forestry – Capital Works Department

Urban Forestry and Landscaping staff have no objection to the proposed rezoning subject to submission of the requested additional information and revisions. Staff also request submission of a letter of confirmation from the adjacent property owner that the

two (2) trees shown to be preserved on the neighbouring property at 374 Martha Street require protection, or whether they are being removed as part of the proposed development at 374 Martha Street. In addition, Council approval is required for the removal of City trees and removal shall not take place until approval is granted by Council and compensation as determined by the Manager of Urban Forestry or delegate has been provided.

Parks and Open Space – Capital Works Department

Parks and Open Space staff commented that parkland is available to accommodate this development as Lions Park, Apeldoorn Park & Centennial Multi Use Trail, are located within a 0.8km distance from the site for neighborhood parks and Spencer Smith Waterfront Park and Central Park are located within the 0.8km – 2.4km distance for a city/community park. As such, staff recommend cash-in-lieu of parkland dedication be applied for this development.

The waterfront park connection is located south of the proposed development on Old Lakeshore Road which will result in a greater number of pedestrians crossing to the west side of Pearl St. and south side of Lakeshore Rd from this site. To facilitate pedestrian convenience, comfort and safety, a visibility triangle is required at the Lakeshore Road/Pearl Street intersection.

In addition, staff noted that the Pearl Street setbacks should be increased to maintain a more accessible, viable public realm and streetscape along Pearl Street.

Site Engineering – Capital Works Department

Site Engineering staff require several revisions to the submitted documents in order to complete a full review and provide recommendations.

Staff have identified that additional information is required with respect to ground water monitoring, Phase II ESA, Functional Servicing Report, and Shoring design details for all sides of the building envelope. Site Engineering will also require the submission of a Construction and Mobility Management Plan for review and approval. Once the additional information has been received, Site Engineering may raise additional concerns, or request additional information upon receiving the requested information and upon further comprehensive review of its contents.

Accessibility – Capital Works Department

Accessibility staff comment that an accessible parking space is required for the at grade visitor parking, which must be a Type A – van accessible space. In addition, the accessible space located on the underground parking level 5 should be relocated closer to the elevator lobby.

Transportation Department

Transportation planning staff have reviewed the Traffic Impact Study, Parking Study and TDM Options Report (August 2018) and is satisfied with the traffic analysis and conclusions reached in the report. In addition to reviewing the traffic impact study for the proposed development, Transportation Planning staff have undertaken a more in-depth review of traffic operations within the Downtown. Given this review, Transportation Planning staff are of the opinion that traffic contributions associated with the proposed development can be satisfactorily accommodated within the existing transportation network. Traffic operations are continuously monitored and remedial measures, such as signal optimization, can be implemented, if required.

Transportation Planning have reviewed the Parking Study component of report and staff note that the proposed development is deficient in parking spaces and needs to be consistent with the parking rates from the *Burlington City Wide Parking Standards Review*.

Bike parking will need to be needs to be conveniently located and should be near main entrances to the buildings.

A visibility triangle is required at the intersection of Pearl Street & Lakeshore Road as well as a 2 m widening along the frontage of Lakeshore Road.

Heritage Planning

Heritage planning staff note that the subject properties include a non-designated, municipal register-listed heritage building that has cultural heritage value and is worthy of designation under the Ontario Heritage Act. Provincial, Regional, and City legislation and policies require the conservation of this resource and require the applicant to demonstrate that the proposed development will not adversely impact the heritage value of the resource.

At this time, heritage planning staff have requested additional information in order to as confirm whether the proposed development conforms to the required legislation and policies.

Halton Region

At the time of writing this report, comments from Halton Region had not been received.

Financial Matters:

In accordance with the Development Application Fee Schedule, all fees determined to date have been received.

Public Engagement Matters:

Public Circulation

The application was subject to the standard circulation requirements. A public notice and request for comments were circulated in January 2019 to 804 surrounding property owners / tenants. Notice signs were also posted on the property, which depicted the proposed development. All technical studies and supporting materials were posted on the City's website at www.burlington.ca/2069lakeshore .

Neighbourhood Meeting

A neighbourhood meeting was held on January 29, 2019 at the Art Gallery of Burlington and was attended by approximately 125 members of the public, the Ward Councillor Wards 3 and 6 Councillors, the Mayor and staff.

Comments are summarized:

- Traffic & safety;
 - Increase in traffic volumes, existing traffic congestion on Lakeshore Road;
 - Conflicts with 2 access driveways/trucks turning on Pearl-can they be linked;
 - Driveway access should be off Pearl Street
 - Left turn lane is a problem
- Inadequate parking spaces to accommodate residents and visitors
 - Should be no on-street parking on Pearl as loading for existing buildings create visibility hazards
- Concern with building height;
 - Building height is over existing and new OP
 - Building height should be maximum 8 storeys;
- Doesn't meet Official Plan
- Don't want development; not needed to meet Urban Growth Centre and Mobility Hub targets
- Concern regarding stormwater management and flooding
- What kind of community benefits will the City get?
- Concern about wind
 - Wind and safety on Lakeshore Road
 - Can't use balcony during wind event
 - Wind is bad on Pearl Street as well until you turn onto Pine Street or Lakeshore Road;
- Is there a loss of commercial business space? How many jobs?

Public Comments

Since the subject applications were submitted in December 2018, staff have received correspondence from members of the public regarding the proposed development. To

date, staff have received 36 emails from 29 individuals and/or households and 4 unknown, 11 neighbourhood meeting comment sheets with 7 from individuals and/or households and 4 unknown, and three letters. The public comments received to date are included in Appendix D. The identified impacts are summarized below:

- Traffic & safety;
 - Increase in traffic volumes;
 - Truck loading and construction
 - Concerns about existing visibility issues on Pearl Street/ Eliminate on-street parking on Pearl Street;
 - Connection of accesses between Pearl Street and Lakeshore Road;
 - Traffic congestion could impact EMS access and reliability;
 - Downtown congestion during highway closures;
 - Access should not be off Lakeshore Road
- Inadequate parking spaces to accommodate residents and visitors
 - Not sufficient parking downtown now.
 - Need to construct new parking garage in east end downtown
- Concern with excessive building height/overdevelopment;
 - Impact of shadows – extend beyond Pine Street
 - Blockage of daylight/sun
 - Blockage of views
 - Tower should be more discreet
 - Setback from townhouse to north should be greater
- Unit sizes should be larger
 - Need more affordable housing
- Concern about the potential wind impacts;
 - Existing wind tunnels will be made worst
- Concern with stormwater management/flooding
 - Impact of 5 levels of underground parking
- Concern regarding construction and waste management;
- Noted change to the character and feel of the quaint and charming downtown core;
- Support the proposal as high rise and density should be downtown close to commercial space and activities.

Sustainable Development Committee (SDC)

The SDC reviewed the development application and support the proposal with a number of modifications/conditions. The SDC supports higher density development close to transit, retail and community services that will likely attract transit-oriented, environmentally focused residents and businesses. However, the committee sees opportunity in this development for improved plans for transportation alternatives, an

energy efficient building envelope, more employment, place making, affordable and accessible housing, a more detailed plan for trees, and construction waste management, as detailed in the comments attached as Appendix E.

The SDC states that the proposed development should address design elements to reduce the use of energy and minimize GHG emissions. As this building will be in place for many years, it should help the City move towards its goal of being net carbon neutral. The inclusion of retail/commercial uses within the ground floor of the building provides compatibility with surrounding uses and provides convenient access for residents of the buildings and surrounding community. These uses should be carefully selected to best serve the neighbourhood. Additional space (e.g. commercial/retail spaces in the base) would help to generate employment.

The SDC encourages the developer to review the Sustainable Building and Development Guidelines in addition to the Tall Building Guidelines and seek to implement these as best practices.

Burlington Downtown Business Association (BDBA)

The BDBA supports new mixed-use developments that maximize the amount of commercial space in the building envelope and provide, at a minimum, the same amount of commercial floor area that existed prior to redevelopment of the property.

The BDBA encourages development that is self-sufficient for parking and as such supports the 1.25 spaces per unit parking ratio and the addition of parking for maintenance vehicles. The BDBA notes that consideration should be given to provision of additional visitor parking spaces, dedicated maintenance/service vehicle parking spaces and consideration as a candidate for a public/private parking partnership.

The BDBA is pleased that the development proposal seeks to maintain a portion of the listed heritage building on Pearl Street which are to be adaptively reused with a live/work function. The BDBA comments are attached as Appendix E.

Heritage Burlington (HB)

Heritage Burlington appreciates that the developer acknowledges the historical significance of the building on the site and commends its efforts to preserve aspects of the building in its development plans; however, the Committee has concerns with two features of the plan. First, while preservation of the façade of an historical building has been effective in some locations, in this instance HB believes that retaining only the façade would not preserve the historic character of the building, specifically the roof line and side profiles. HB recommends that City staff work with the developer to preserve the entire roof, front and sides of the historic structure.

Second, HB feels that the close proximity of balconies and other structures directly over the historic building would materially detract from the building's presence. HB

recommends that City staff seek to have the developer retain the historic building's airspace, and if that is not possible, to retain sufficient height between the historic building's roof and overhanging structures so that there is no visual connection.

A full Heritage Impact Assessment is required with details speaking to the relationship of the new development and the historic property. Heritage Burlington's comments are included in Appendix E.

Conclusion:

This information report provides a description of the development applications, an update on the technical review of this application and advises that public comments have been received. Once the Interim Control By-law is no longer in effect, a subsequent report will provide an analysis of the proposal in terms of applicable planning policies and will provide a recommendation on the proposed applications.

Respectfully submitted,

Lola Emberson, MCIP, RPP
Senior Planner – Development Review
905-335-7600 ext. 7427

Appendices:

- A. Location/Zoning Sketch
- B. Detail Sketch
- C. Building Elevation Rendering
- D. Public Comments
- E. SDC, BDBA and HB Comments

Notifications:

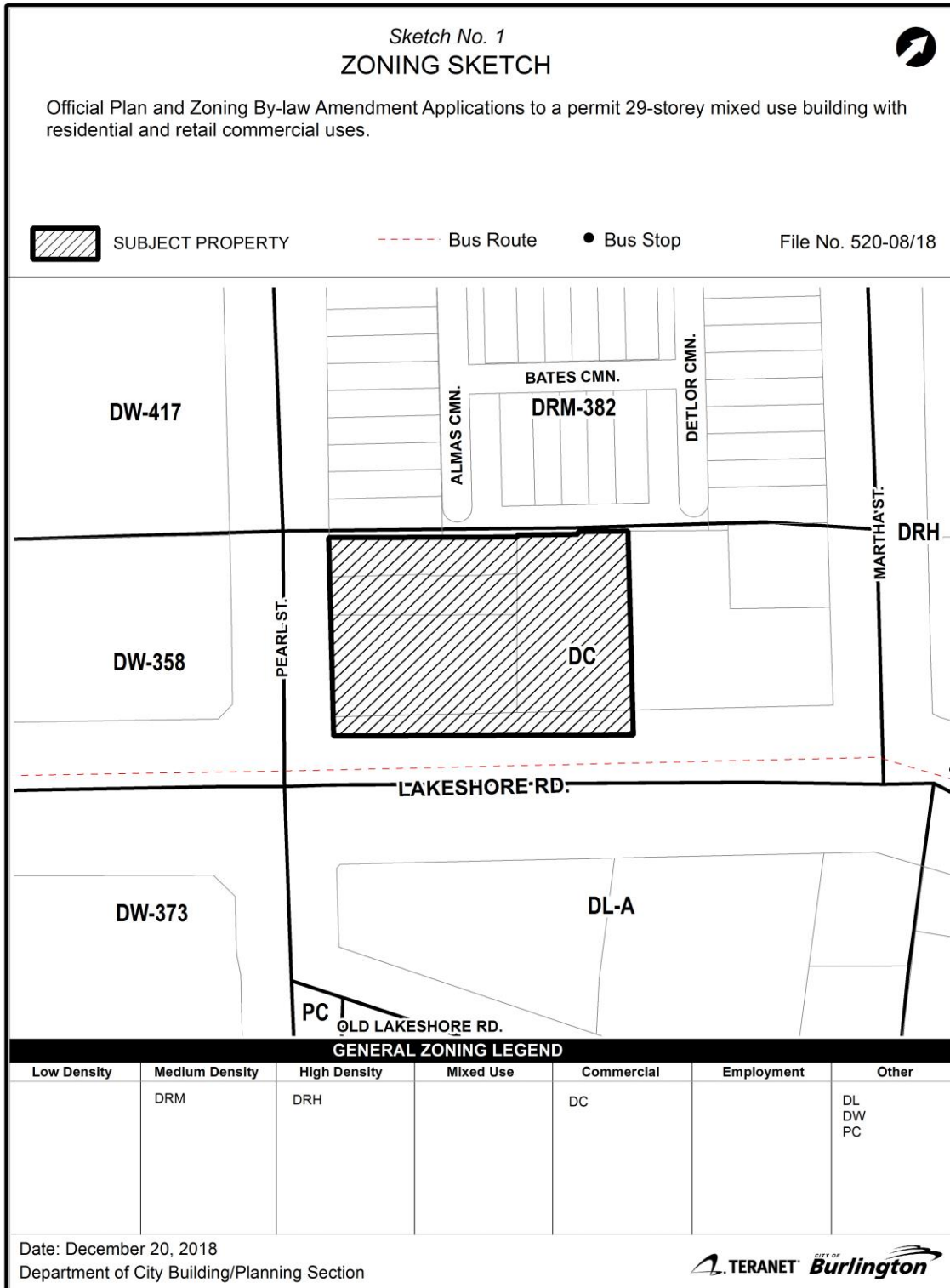
Mark Bales

mark@carriagegatehomes.com

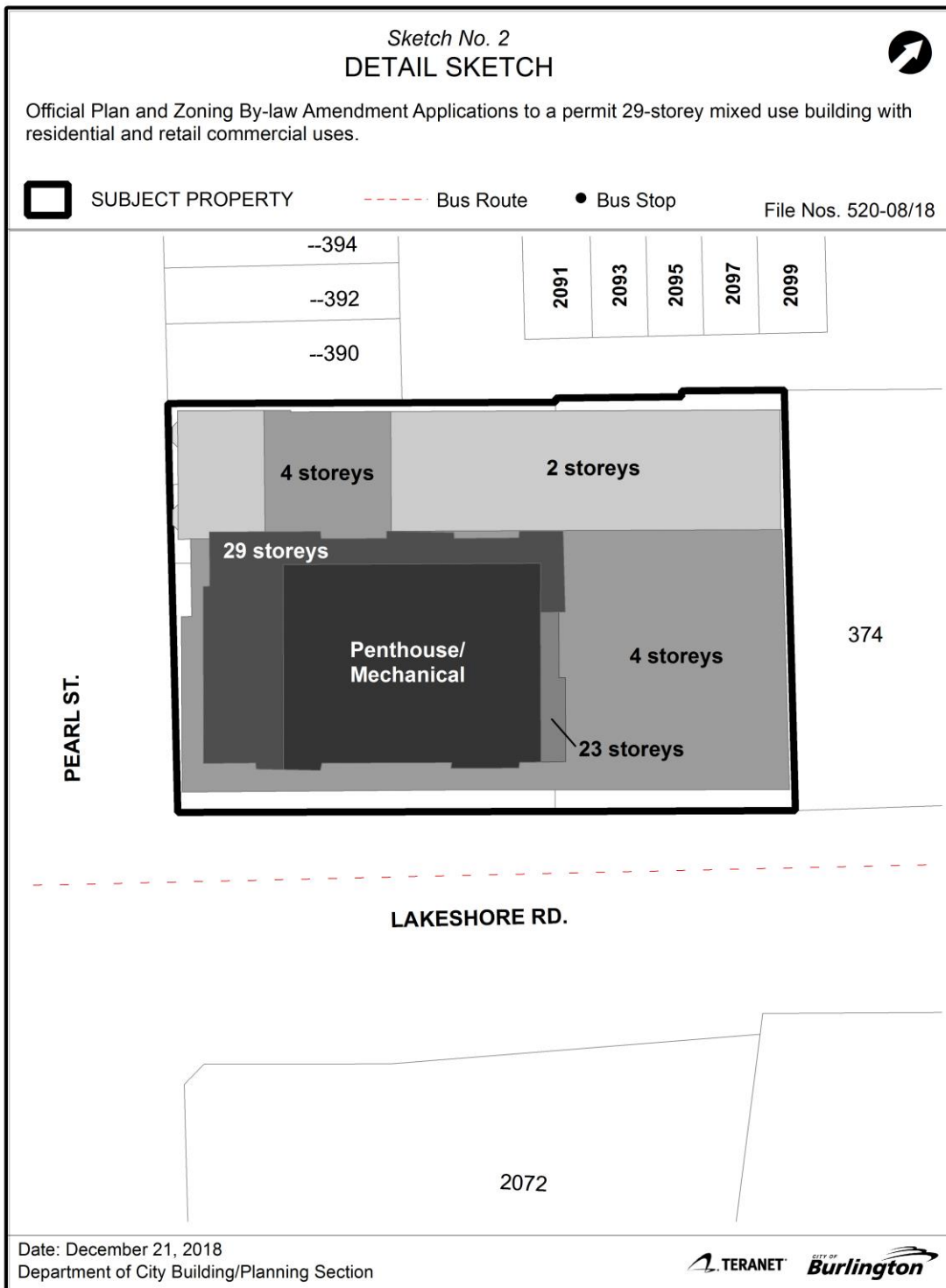
Report Approval:

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

APPENDIX A – Location Sketch



APPENDIX B – Detail Sketch



APPENDIX C – Building Elevation Sketch

Sketch No. 3
ELEVATION SKETCH

Official Plan and Zoning By-law Amendment Applications to permit a 29-storey mixed use building with residential and retail commercial uses.

File Nos. 505-06/18,
520-08/18



Date: February 25, 2019
Department of City Building/Planning Section