



SUBJECT: Taking a Closer Look at the Downtown: Preliminary Preferred Concept

TO: Community Planning, Regulation & Mobility Cttee.

FROM: Community Planning Department

Report Number: PL-02-20

Wards Affected: all

File Numbers: 505-08-16

Date to Committee: January 16, 2020

Date to Council: January 27, 2020

Recommendation:

Receive the report titled "Taking a Closer Look at the Downtown: Preliminary Preferred Concept", January 2020, prepared by SGL Planning & Design and attached as Appendix A to community planning report PL-02-20; and

Endorse the recommended concept (also referred to as the preliminary preferred concept) as discussed in community planning report PL-02-20 and in the report titled "Taking a Closer Look at the Downtown: Preliminary Preferred Concept", January, 2020, prepared by SGL Planning & Design (Appendix A); and

Direct the Director of Community Planning to prepare detailed modifications to the Adopted Official Plan to implement the recommended concept as discussed in community planning report PL-02-20 and in the report titled "Taking a Closer Look at the Downtown: Preliminary Preferred Concept", January, 2020, prepared by SGL Planning & Design (Appendix A).

PURPOSE:

- To present the project as completed to date, related to the re-examination of the Downtown policies in the 2018 Adopted Official Plan.
- To present an overview of the various inputs that have influenced the preparation of the preliminary preferred concept for the Downtown including technical reports completed to date, feedback report and the reports prepared by SGL Planning and Design.

- To present the findings of the consideration of the Staff Direction and Councillor feedback from December 5, 2019.
- To present the rationale for the preliminary preferred concept.
- To describe how the themes and feedback not addressed directly by the preliminary preferred concept will be considered in the coming months.
- To describe the next steps in the project.

Vision to Focus Alignment:

- Increase economic prosperity and community responsive city growth
- Improve integrated city mobility
- Support sustainable infrastructure and a resilient environment
- Building more citizen engagement, community health and culture

Background and Discussion:

1.0 Adopted Official Plan, April 2018

An Official Plan Review was initiated by the City in 2011. In 2016 the Official Plan Review concluded with the recommendation that a new Official Plan was required. For a complete summary of the work related to the adopted Official Plan please reference section 3.0 of staff report [PB-04-18 titled “Revised proposed new official plan recommended for adoption”](#).

The policies in the adopted Official Plan for the Downtown Urban Centre were informed by the early stages of the Area Specific Plan (ASP) for the Downtown Mobility Hub. The policies included in the adopted Official Plan for the Downtown were high- level Official Plan policies and it was expected that at the completion of the Downtown Mobility Hub Area Specific Plan, more detailed policies would be introduced.

In April 2018, a new Official Plan was adopted by Council. The Region of Halton (Region) is the approval authority for the City’s Official Plan. In May 2018, the adopted Official Plan was sent to the Region of Halton for approval.

In December 2018, after reviewing the adopted Official Plan, the Region advised Council that there were a number of areas of non-conformity in the adopted Official Plan to the Region’s Official Plan which included:

- Proposed employment land conversions and permitted uses within the employment areas and lands;
- The identification of and permitted uses within Agricultural Lands;
- The identification of and permitted uses within the Natural Heritage System; and,
- Transportation matters, including road classifications.

Section 17(40.2) of the *Planning Act* gives the Region the ability to pause their review to allow time to address areas of non-conformity. The adopted Official Plan remains with the Region during this time as staff from the Region and the City work together to address the issues of non-conformity. For more information on the Region's Opinion of Non-conformity notice please refer to the [Council Information Package](#) dated December 14, 2018 (see item 1).

The Questions and Answers section of the notice included the following question and answer:

Can the City of Burlington make additional modifications to their Official Plan?

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.

Given the pause initiated by the Region, City Council identified an opportunity to re-examine the policies of the adopted Official Plan that currently rest with the Region for approval.

2.0 Scoped Re-examination of the Adopted Official Plan: work plan, resources, and timing

On February 7th Council voted to re-examine the policies of the adopted Official Plan. The approved motion reads in part:

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; and

Direct the Director of City Building to send a letter in respect of the Official Plan adopted by Council on April 26, 2018, (Adopted 2018 Official Plan) to the Region of Halton acknowledging receipt of the Region's Notice of Statement of Opinion of Non-Conformity with the Regional Official Plan dated December 4, 2018 and requesting sufficient time to address the conformity issues identified; and

...

Direct the Director of City Building to report back to the Planning and Development Committee meeting in March to provide a progress update on the Official Plan work plan with key milestone dates, public engagement plan, budget and resource requirements;

To review the entire motion please refer to the [Special Meeting of Council Minutes](#) from February 7, 2019.

On March 18, 2019 a Council Workshop was held in order to obtain further Council feedback on the staff direction.

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

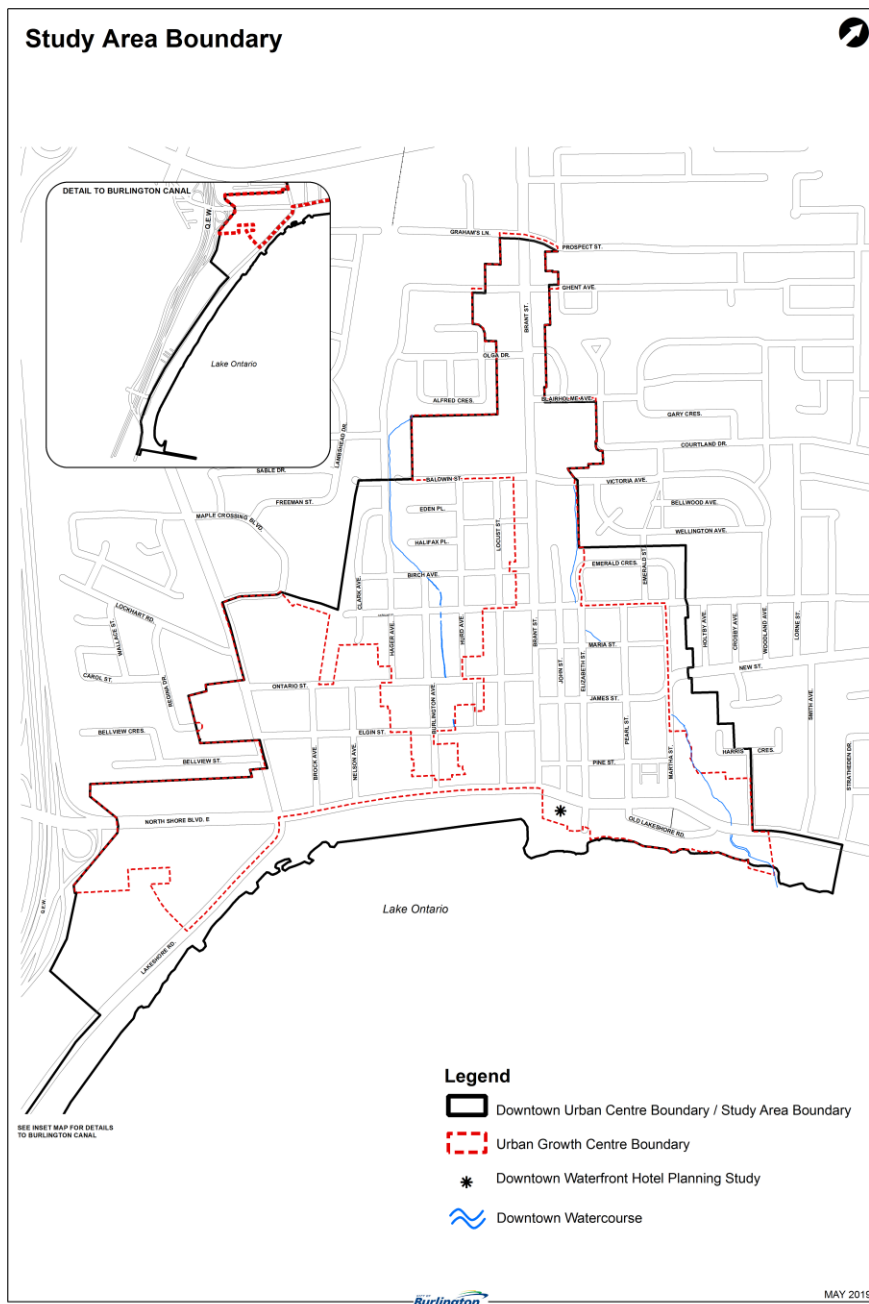
The Council Workshop was facilitated and was organized into a number of facilitated discussions. The workshop was live webcast, recorded, and the key notes were captured live.

In May 2019, a staff report, [PB-47-19 titled “Work Plan for the scoped re-examination of the Adopted Official Plan”](#) was presented to recommend a work plan for the project. The report also provides the details of the Council Workshop including the key themes and the live typed notes. The report describes both the proposed study scope and the proposed work plan specific to the development of a modified precinct plan for the Downtown Urban Centre.

The work plan report confirmed the scope and objectives of the project. Specifically, the work plan and report scoped the work to contemplate the planning horizon to 2031, in conformity with provincial policy, and that the portion of the study area within the Urban Growth Centre boundary was to support achieving the target of 200 residents and jobs per hectare by 2031, or earlier.

The report also highlighted what the project would not influence or address (“project givens”). First, unlike the previous Mobility Hub Study, this project does not constitute an Area Specific Plan. Instead, the result of the project will be modified policies which will go beyond the high-level policies that are included in the current adopted Official Plan (April 2018) but will not constitute an Area Specific Plan. The report also confirmed that the project could not modify the Urban Growth Centre location as it is established in the Provincial Growth Plan for the Greater Golden Horseshoe and the Region of Halton Official Plan and any proposed modifications must conform to both of those plans. It also clarified that the Major Transit Station Area and Mobility Hub designation are similarly identified in the Region of Halton Official Plan and any proposed modifications must conform to the Region of Halton Official Plan.

The work plan included the following study area map:



The supporting information in the work plan and the staff report identified several areas and issues that are considered out of the scope of the project. These include:

- Undertaking a Neighbourhood Character study for the St. Luke's and Emerald precincts;
- The Old Lakeshore Road Precinct;

- The Waterfront Hotel Site;
- Revisions to the Downtown Public Service Precinct; and
- Developing parking rates for the Downtown.

For details related to the exclusion of these areas and issues from the scope of the project please refer to [Appendix B to PB-47-19](#) titled “Updates on Other Initiatives and General Timeframes”.

3.0 Process to date: June 2019 to September 2019

Milestone 1: Development of the Engagement Plan

The first step in developing the Engagement Plan for the project was to meet with Council in a Workshop setting to complete IAP2 “Public Participation for Decision Makers” training and to consider the engagement objectives for this particular project.

This workshop consisted of both training and a work session that established the engagement objectives of the project. The discussion at the workshop was instrumental in the development of a final decision statement and establishing the level of engagement to be achieved through each step along the project timeline. The discussion offered an opportunity to reinforce the givens and to help define the scope of the engagement.

After the Council Workshop staff were able to initiate the development of the engagement plan that would guide the project.

In July 2019, staff “pre-engaged” by meeting with a variety of key stakeholders and surveying citizen advisory committee members to gain input on how best to engage the public in the re-examination of the adopted Official Plan. The result of the pre-engagement period was a Public Engagement Plan released in August 2019. The comments received through pre-engagement are captured as an appendix within the Public Engagement Plan, including responses from staff. The Public Engagement Plan, attached as Appendix B to this report, will guide the public engagement component of the re-examination project from start to finish.

The final Public Engagement Plan includes the following decision statement, which represents the purpose of public engagement by outlining the decision that public input will influence:

By March 2020, Burlington City Council will vote to endorse changes to the policies in Burlington’s adopted Official Plan that guide development in the downtown, including the height and density of buildings. Any changes endorsed

by Burlington City Council will then be forwarded to Halton Region for review and approval.

The Public Engagement Plan also includes:

- Summary of stakeholders;
- Objectives of engagement;
- Project milestones and engagement level;
- Policies and factors that cannot be influenced (“givens”);
- Forms of engagement and communication to the public;
- How the City will collect and respond to feedback; and,
- Evaluating the public engagement process.

As noted above one of the key elements of the engagement plan is the identification of policies and factors that cannot be influenced. The following was included in the Public Engagement Plan released in August, 2019:

In every public engagement process, it is important to be aware of the things that cannot be influenced: either because they are beyond the City’s control (for example things that are required by regional or provincial policy or law), or because they are outside the scope of the project as set out in the Council-approved work plan.

In discussing the refinement of the downtown policies in the adopted Official Plan, the following aspects of the project are considered ‘givens’ and will not be included in engagement activities:

1. The re-examination is focused on the downtown only, not the whole city.
2. Planning policy is guided by various legislative requirements and policy documents, such as the Planning Act, Provincial Policy Statement, provincial plans, the Halton Region Official Plan, Bill 108, and the Metrolinx Regional Transportation Plan. These legislative requirements include policies for the Urban Growth Centre (UGC), Major Transit Station Areas (MTSAs), and Mobility Hubs. City Council has directed staff to report back on any changes to the Urban Growth Centre and Major Transit Area designations after the completion of the Official Plan and Interim Control By-law studies. This analysis will not form part of the current project.
3. The scope of work, timing and resources, including the terms of reference, has been approved by Council through staff report PB-47-19, including the development of two land-use concepts as a starting point for the conversation with the community. Please refer to the terms of reference and the work plan

report to understand what will not be discussed as part of this project, e.g. the Old Lakeshore Road precinct and the Downtown Waterfront Hotel.

4. Previous development approvals will not be revoked.
5. The proposed downtown plan and policies must be developed with the objective of being able to withstand possible appeals to the Local Planning Appeal Tribunal (LPAT).
6. The basis of the re-examination is the adopted Official Plan, not the current, in-effect Official Plan.
7. The Interim Control Bylaw (ICBL) Land Use Study and the Integrated Mobility Plan are separate studies, distinct from the re-examination of the adopted Official Plan. The Mobility Hubs study, also separate, is currently on hold.
8. Although City Council must endorse any modifications to the adopted Official Plan, Halton Region is the authority that will decide whether to grant final approval to any modifications endorsed by the City.
9. Modifications must be endorsed by City Council by March 2020.
10. The City does not have control over the speed of change related to development, e.g. property owners are guided by market forces and planning policies in deciding when and if they will redevelop their property.
11. The re-examination is a policy exercise and will not address the design of individual buildings.
12. Through policies and actions, the City of Burlington guides city building, however, it is property owners that construct the buildings and design the sites that support city-building objectives.

Please refer to Appendix B to PL-02-20 *Public Engagement Plan* for further details.

Milestone 2: Taking a Closer Look at the Downtown: What You Need to Know Report

The first deliverable prepared by SGL Planning and Design Inc., was the *Taking a Closer Look at the Downtown: What You Need to Know* report which was also released in August 2019 and is included in this report as Appendix C. The report provides a background guide to the City's Official Plan policies for the Downtown and outlines the process and timelines the City is undertaking to re-examine the Downtown Official Plan policies.

Please refer to the [Taking a Closer Look at the Downtown: What You Need to Know](#) report for further details, including background on the planning policy context, previous work and other relevant details.

Milestone 3: Public Engagement, August and September 2019

The public engagement in August and September 2019 focused on understanding what matters most to the public about the downtown. Four engagement tactics made up the engagement period including:

- Action Labs
- Pop-up events
- Online and Paper Surveys
- Food for Feedback event

The detailed engagement findings from August to September are found in the [Feedback Report which was](#) released in September 2019 which is included in this report as Appendix D. The key output from that work is the identification of 13 themes. The following themes and associated descriptions represent the public engagement findings and examples of frequently heard comments. Themes are listed in no particular order.

- Green Space / Open Space / Parks
 - Protect existing parks and the waterfront and create more parks and green spaces
 - Protect existing trees, plant more trees and find better approaches to enhance the tree canopy
 - Protect and enhance natural heritage and environment
- Safer, More Useable and Inclusive Public Spaces
 - Inclusive public spaces for all members of the community
 - Public gathering spaces should be safe for everyone
 - Public space should be inviting and encourage people to visit
- Arts, Culture, Events, People & Amenities
 - Enhance the downtown's role as a year-round destination (tourism, culture, public art, shopping, leisure)
 - Diverse services for future residents
 - Festival and events and programming
- Walkability: Safer, More & Better Pedestrian Spaces that are Less Car-Centric with More Transit & Cycle Options & Infrastructure

- Walkability: safer, more & better pedestrian connections with a pedestrian priority area downtown
 - Improved public transit
 - Safer and more cycling Infrastructure
- Traffic Congestion
 - Improve traffic efficiency in the Downtown, especially on Lakeshore Road and Brant Street
 - Create mitigation strategies for future traffic that is generated as the Downtown grows
- Parking
 - Ensure that as development occurs, more parking is incorporated
 - Keep parking free/reduce costs
 - Parking should be limited in the downtown to allow for more green space and park space
- Preserving and Encouraging Places to Shop and Work
 - Retain and attract a wide variety of retail businesses (including small business)
 - Attract office space and generate employment opportunities
- Maintaining the Character of the Downtown/Heritage Conservation
 - Preserve the small-town charm and feel
 - Recognize Burlington's history and conserve its heritage buildings
 - Design buildings in a sensitive way
- Preservation of Connections to the Waterfront
 - Preserve physical and visual access to the Lake for all residents to enjoy
- Built Form, Height and Neighbourhood Transitions
 - New buildings should be mixed-use, integrate with the surrounding neighbourhoods and have appropriate setbacks from the street to ensure sunlight and character
 - Low and midrise is an appropriate built form for the Downtown
 - Height is not appropriate on Brant Street, south of Caroline Street and between Martha Street and Burlington Avenue. Height is more appropriate north on Brant Street.
- Variety of Housing Options and Affordability

- Protect existing and create more affordable housing
 - Increase diversity of housing types including options for families
- Design
 - Green building design and sustainable buildings that manage the impacts of climate change such as flooding and increasingly severe weather events
 - Cohesive design that maintains and compliments the current character of Downtown
 - Interesting architectural design that improves the quality and modernity of Downtown
- Vision
 - Create a long-term cohesive vision for the downtown
 - Increase the autonomy of local government and citizen engagement/empowerment

4.0 Process to date: October 2019 to December 2019

Milestone 4A: Prepare, release, and engage on two land use concepts

The identified themes were used to inform the development of two land use concepts for discussion with interested and affected groups about what the Downtown could look like in the future.

A key element of this milestone was the development of the [Taking a Closer Look at the Downtown: Themes, Principles and Land Use Concepts](#) report, October 2019, prepared by SGL Planning and Design Inc. The report provides details on the process to date, reflections on the findings from the public engagement in August and September, an overview of proposed changes to the Downtown precincts and an overview of the proposed land use built form concepts for the Downtown.

The report and the details within it formed the basis for engagement in the October to December period.

The report presented an overview of the Land Use Vision for the Downtown and also a map proposing a revised system of precincts to reflect the different context, needs, and opportunities of various parts of the downtown. These two elements (vision and revised precincts) were held constant and were the basis for both of the two concepts prepared for discussion.

The two concepts that were developed are distinct but both provide different ways of achieving the overall vision for the Downtown. As noted on page 13 of the report:

The development of the concepts is not starting from scratch. It was also necessary to take the following factors into account when developing the land use concepts: existing context; other related City policy; Provincial and Regional policy; and the directions given by Council for the re-examination including specifying 2031 as the planning horizon. (["Taking a Closer Look at the Downtown: Themes, Principles and Land Use Concepts"](#), SGL Planning & Design, 2019)

As highlighted in the Work Plan and subsequently confirmed in the Public Engagement Plan this phase of the project was meant to present two concepts for discussion.

The purpose of presenting the two concepts was to start a discussion to support the opportunity for the public to submit feedback on what they liked or what could be improved about the built form proposed through each concept. It was clarified that it was not a vote for one concept or another, rather a discussion to gather input to inform the development of a single concept to be presented to Council in January.

The report was supported by 3D modelling that visually illustrated the similarities and differences of the two concepts, to facilitate comparison based on shared understanding and informed discussion.

Milestone 4A: Public Engagement

The public engagement in October, November and December 2019 focused on understanding impressions and concerns related to the Vision, revised precincts and the two land use concepts for the Downtown as presented in the ["Taking a Closer Look at the Downtown: Themes, Principles and Land Use Concepts"](#) report. Seven engagement tactics were used during the engagement period:

1. Action Labs
2. Committee Outreach
3. School Outreach (P2H)
4. Walking Tour
5. Drop in sessions
6. Survey
7. Planning & Development Committee meeting on December 5th

The details of tactics 1-6 are outlined in Appendix E –“Feedback Report on October-December 2019 Engagement”. Tactic 7, the Planning and Development Committee meeting, is discussed in further detail below.

Milestone 4C: Committee Meeting

On December 5th, 2019, Council considered staff report PB-89-19, Taking a Closer Look at the Downtown Concept Discussion. Beginning at 9:30am, the Committee meeting began with a presentation from city staff and the project consultant, SGL Planning and Design. Staff and consultants explained the history of the project, reviewed the givens and scope of the work of the project and walked Council through the themes and two draft land use concepts. The session was open to the public and at 11am, three delegations were heard by Committee and any questions evolving out of the delegations were asked of staff. Following a break for lunch, the afternoon session of Committee, beginning at 1pm, focused on Council's questions and comments. The session allowed staff and the consultants to engage in a meaningful way with the material and the Councillors and resulted in a number of items for follow up and a staff direction to look at modifications to some key areas in a few of the precincts. In the evening session, beginning at 6:30pm, 6 delegations were heard by Committee and follow-up questions asked of staff.

The completion of the December 5th Committee Meeting represented the conclusion of the discussion with the public on the merits and drawbacks of the two concepts released for discussion seeking to understand what elements should form part of the recommended concept.

Milestone 4B: Public Engagement Findings

The public engagement findings are addressed in detail in Appendix E.

Some general findings across all forms of engagement are included in the following list of desires and priorities expressed by the public:

- Improve streets for pedestrians, widen sidewalks
- Make room for trees and green spaces, including green podiums
- Retain character and charm / conserve heritage buildings
- Enhance public spaces, including building setbacks
- Lower heights / allow fewer tall buildings than the amount shown in concepts 1 and 2
- Provide (more and better) retail at grade
- Emphasize the importance of transitions to neighbourhoods and to neighbouring precincts
- Address parking and traffic congestion / Ensure the provision of infrastructure to support growth
- Avoid or mitigate wind and shadow impacts

- Ensure a high quality of urban design to preserve the “feel” of the downtown; the details are important
- Facilitate or require the provision of affordable and diverse housing
- Provide/enhance opportunities for employment / Clarify expectations for jobs
- Plan for Downtown as a community
- Recognize special areas and plan for context-appropriate development

In addition to engagement tactics listed above, written submissions were also encouraged and received. The content of the written submissions varies widely.

Staff received five written submissions during the August-September engagement period: three from residents, one from an advisory committee, and one from a representative of a property owner in the Downtown. These submissions are addressed in the September Feedback Report and informed the identification of the 13 themes of public input on what the public values about the Downtown.

During the October-December engagement period, which for the purpose of this report covers submissions up to December 5, staff received 29 written submissions, from various individual residents, community organizations, citizen advisory committees, landowners, developers, and development industry advocates. These submissions provided a wide range of feedback on the two Downtown concepts, as well as feedback on the project process, and some comments that are out of scope of the project.

Appendix F summarizes and responds to the feedback received and identifies how it has informed the development of the preliminary preferred concept, where applicable. The appendix also identifies feedback that was not applicable to the development of the preliminary preferred concept, but that will be applied to the development of detailed policies after Council has endorsed a concept. Lastly the appendix addresses feedback that is out of the project scope and explains why it cannot influence the current project.

For a full summary of the feedback received during this phase of the project please refer to Appendix E – Feedback Report on October - December Engagement and Appendix F Written Submissions and Responses Table.

A number of site-specific comments were submitted through the process to adopt the Official Plan in 2018. At the time site-specific comments related to properties within the Downtown were considered to be premature and staff identified that those comments would be considered at the time of the development of the more detailed policies of the Area Specific Plan that was underway at the time. Those site specific comments will be considered at the time of the development of detailed policies. To review the subject properties to which these comments please make reference to Appendix P to Staff Report PB-04-18, see page 8.

5.0 December 2019 to January 2020

5.1 Development of the Preliminary Preferred Concept

After the completion of the December 5th Committee meeting the City's planning consultants (SGL) proceeded with the evaluation of the two concepts while staff completed the Feedback Report and responses to the written submissions. The work to evaluate the concepts informed the development of the next deliverable prepared by SGL Planning and Design titled: "Taking a Closer Look at the Downtown: Preliminary Preferred Concept", January, 2020 attached as Appendix A.

SGL's report presents:

- Project background;
- A description of how the two concepts were evaluated;
- Details of the preliminary preferred concept; and
- A discussion of the next steps in the project.

The report is supported by two appendices: (A) the Evaluation Matrix, and (B) the Preliminary Preferred Concept Descriptions and Visions. The Evaluation Matrix appendix provides the results of the assessment of the two concepts using the criteria and measures established in the previously released "[Taking a Closer Look at the Downtown: Themes, Principles and Land Use Concepts](#)" report prepared by SGL Planning and Design.

The Preliminary Preferred Concept Descriptions and Visions appendix describes the preliminary preferred concept on a precinct-by-precinct basis and details how the precincts have evolved in response to public feedback received during the October-December 2019 engagement period.

Please note that some of the principles identified in SGL's October 2019 "Themes, Principles, and Land Use Concepts" report are not directly applicable to the development of the preliminary preferred concept, and are therefore not addressed in detail in the current SGL report. These principles continue to be important considerations in the project to re-examine the Downtown policies of the adopted Official Plan and will be addressed in greater detail during the development of detailed policies to which they are more directly applicable. For example, the themes of "Built Form, Height, and Neighbourhood Transitions" and "Preservation of Connections to the Waterfront" were directly applicable to the evaluation of the two initial concepts and the development of the preliminary preferred concept, and will also inform policy development in the next phase of the project. By contrast, the themes of "Design" and "Art, Culture, Events, People, and Amenities" cannot be reflected in the built form concepts and will not be applicable until the policy development stage.

SGL's report "Preliminary Preferred Concept" presents the recommendation from SGL.

Downtown Vision

The policies of the adopted Official Plan identify both the Downtown Urban Centre and the Uptown Urban Centre as areas which are intended to serve as city-wide destinations, be a focus for the provision of transit and include a wide variety of land uses, building types and densities design and oriented to support and facilitate transit and active transportation. The policy further describes in section 8.1.1 of the adopted Official Plan that Urban Centres:

will contain distinct and identifiable areas that together form a unique and distinctive neighbourhood. The design and development of Urban Centres provide opportunities to create and/or maintain a special community identity and a primary focal point for a wide variety of employment, residential, shopping, leisure and educational opportunities. Urban Centres will provide amenities and services closer to where people live or work with the objective of creating complete communities.

The policies of the adopted Official Plan include objectives and policies that apply to both of the Urban Centres. In section 8.1.1(3) the adopted Official Plan provides a preamble and a set of objectives and policies specific to the Downtown Urban Centre. The preamble describes the current role and function of the Downtown and provides a long term vision for the area. It emphasizes the unique qualities that set the Downtown apart from all other areas of the city and that contribute to its distinct identity.

As was noted in the [Taking a Closer Look at the Downtown: Themes, Principles and Land Use Concepts](#) report prepared by SGL Planning and Design:

The public's vision for the Downtown is to provide for a walkable, accessible, vibrant Downtown which is similar to that set out in Section 8.1.1 of the Adopted Official Plan.

A number of modifications to the policies of 8.1.1 will be considered through the policy development stage to align with the preliminary preferred concept. Among a range of others modifications, the following key policy areas will be strengthened:

- The need to maintain and add new green spaces and trees, while providing additional space for year-round activities and festivals;
- To reinforce, support and enhance the character of Brant Street as the “retail main street” of Burlington with its eclectic mix of shops, meeting places and culture;
- To identify Lakeshore Road as an important pedestrian precinct to support connections to the waterfront to ensure the Downtown’s sense of place is preserved;
- To strengthen the concept of the Downtown as a complete community; and
- To reinforce sustainability policies.

The modifications to the policies in section 8.1.1 will be presented in Spring of 2020.

5.2 Technical Studies

A number of technical studies have been completed to date and are available on the project webpage at Get Involved Burlington. Technical study findings have informed the development of the preliminary preferred concept in some cases and all will also inform policy development after a concept is endorsed by Council.

- Archaeological Assessment
- Cultural Heritage Resource Assessment
- Market Analysis
- Illustrative Economic Analysis Memo
- Traffic Overview
- Environmental Impact Study (EIS)
- Area Servicing Report
- Flood Study Report

The above-listed studies, and a summary of their purposes, are available online at <https://www.getinvolvedburlington.ca/official-plan-2019>.

After Council endorses a land use vision and built form concept for the Downtown, additional studies will be undertaken on the basis of the Council-endorsed concept, to inform policy development. These include:

- Fiscal Impact Analysis of recommended concept
- Detailed Transportation Analysis of recommended concept

The technical reports posted to date will be reviewed by appropriate agencies and further refined, as needed. Completed studies will be transmitted to Council as part of SGL's final report in the Spring of 2020.

5.3 Staff Direction

On December 5th, 2019 staff received the following Staff Direction:

Direct the Director of Community Planning, Regulation and Mobility that, in planning the recommended concept for the downtown based on good planning principles and practices, consideration be given to reducing the heights in the Brant Street Corridor, downtown east side, Locust Street and the foot of Lakeshore Road/Burlington Avenue; and that the overall densities more closely align with the minimum target of 200 people or jobs per hectare; and that the calculations of people/jobs per hectare (total and density) for the preferred concept be included in the final report, including estimations of Old Lakeshore Road and Waterfront Hotel (based on current Official Plan permissions).

Staff have considered the staff direction by working with SGL to develop the Preliminary Preferred Concept and by assessing the details of the Preliminary Preferred Concept against the Staff Direction. The responses are discussed below and are organized into two categories: reducing heights; and, overall densities more closely aligned with the minimum density target.

5.3.1 Reducing Heights

The staff direction identifies four areas to consider reducing height within the concepts. The discussion below is organized by these four areas:

- Brant Street Corridor
 - Brant Main Street Precinct
 - Mid-Brant Mixed-Use Precinct
 - Upper Brant Mixed-Use Precinct
- Downtown East Mixed-Use Precinct
- Locust Street
- Lakeshore Road / Burlington Avenue

Based on SGL's evaluation of the two concepts and the development of the Preliminary Preferred Concept, a number of specific areas are recommended for reduced heights and different built forms from the adopted Official Plan. These changes arise from revisions to precinct boundaries, identification of sub-areas within precincts, introduction of new transition provisions, changes to the vision and description of certain precincts, and the introduction of one new precinct.

For complete details related to the preliminary preferred concept please refer to Appendix A: "Taking a Closer Look at the Downtown: Preliminary Preferred Concept", January, 2020. The section below satisfies the staff direction.

Brant Street Corridor

Brant Main Street Precinct

In general, the preliminary preferred concept with respect to the Brant Main Street Precinct reflects the approach developed as part of Concept 1. That is, low-rise development is focused along Brant Street, with mid-rise development permitted beyond 20 m from the street.

There are two additional changes proposed that impact height and development potential in the Brant Main Street Precinct.

The redesignation of a number of parcels along the east side of Locust Street from Elgin Street to Caroline Street to the Neighbourhood Mixed Use Precinct has reduced the development depth of parcels from the full block to half of the block. The result is that the properties on the west side of Brant Street in the Brant Main Street Precinct just south of Caroline Street would not have sufficient depth to accommodate more than 6 storeys. The properties removed now are located in the Neighbourhood Mixed Use Precinct, which is more reflective of the existing and valued built form context.

While the mid-rise height limit is still proposed, the recommended concept also introduces the requirement of a 45 degree angular plane from the centerline of John Street above 5 storeys. This requirement has the effect of minimizing the bulk and height of the building along John Street. From a pedestrian perspective, only the first 5 storeys will be visible from the John Street sidewalks creating a more comfortable pedestrian realm.

One further modification is the addition of a James Street node which recognizes an existing tall building under construction as well as an existing approved tall building, currently under appeal at the Local Planning Appeals Tribunal (LPAT). By distinguishing this node, the policy framework clarifies that the permissions in the James Street node are not consistent with the built form direction for the remainder of the Brant Main Street Precinct.

The preliminary preferred concepts has included the northeast corner of Lakeshore and Brant in the Brant Main Street Precinct. Extending the Brant Main Street Precinct to Lakeshore reinforces the connection to the waterfront from Brant Street and responds to feedback provided through engagement.

Staff support the preliminary preferred concept which ensures low-rise development adjacent to Brant Street. These refinements clarify the extent of the Brant Main Street Precinct itself to support transition to the existing low-rise neighbourhood to the west and provide guidance for the shape of built form on John Street.

Mid-Brant Mixed-Use Precinct

The preliminary preferred concept for Mid-Brant Mixed-Use Precinct is again based on Concept 1. Aligning the John Street extension alongside the Rambo Creek corridor and proposed creek side trail and additional open space reinforces the public nature of the trail connection and enhances the transition to the existing neighbourhood to the east. The inclusion of the John Street

extension also supports the reinforcement of the pedestrian realm and the priority for pedestrians along the east side of Brant Street.

Tall buildings up to 17 storeys may be permitted in the Mid-Brant Mixed-Use Precinct. The preliminary preferred concept has maintained the low-rise built form along Brant Street and now reinforces a low-rise interface to the existing low-rise neighbourhood across the creek to the east. The recommended concept further states that the development on the parcel will be subject to a 45 degree angular plane from western property line of the creek block adjacent to the low-rise Emerald neighbourhood to the east of the precinct.

A Block Plan Study will be required prior to applications within the block from Caroline Street to Victoria Avenue to identify the size, location, and configuration of the public park; the boundary of the open space along Rambo Creek; the configuration of the John Street extension and the siting of all buildings among other things.

Staff support the preliminary preferred concept which limits tall buildings to the centre of the precinct and requires low-rise built form closest to Brant Street and to the existing low-rise neighbourhood to the east. This supports the continuous, low-rise built form treatment at the street that will define the entire Brant Street corridor as a unique and important place in the City.

Staff support the changes to the Mid-Brant Mixed-Use Precinct which have resulted in some special transition guidance and built form provisions being incorporated into the preferred concept.

Upper Brant Mixed-Use Precinct

The concepts presented in the Fall of 2019 maintained the permissions detailed within the adopted Official Plan for the Upper Brant Mixed-Use Precinct. In considering the comments submitted, the preliminary preferred concept provides more direction to address transition to adjacent low-rise neighbourhoods in the Upper Brant Mixed-Use Precinct.

The preliminary preferred concept proposes two main modifications that have the effect of reducing height permissions in the Upper Brant Mixed Use Precinct area.

The first modification is that the requirement for low-rise built form within the first 20 metres of Brant Street, similar to the Mid-Brant and Brant Main Street Precincts, has been continued north through the Upper Brant Mixed Use Precinct in the preliminary preferred concept. Staff support the continuation of the low-rise

treatment of the Brant Street corridor from Prospect Street to Lakeshore Road. This continuous, low-rise built form treatment at the street will define the entire Brant Street corridor as a unique and important place in the City and replicate a condition which currently exists in portions of Brant Street from Lakeshore to Ghent Avenue today.

The second modification was to identify three sub-areas (U1, U2, and U3), similar to the “sector” approach taken in the adopted Official Plan based on the need for a transition to adjacent low-rise neighbourhoods. The sub-areas have been refined from those in the adopted Official Plan and acknowledge that this area abuts existing low-rise neighbourhoods to the east and west and must accommodate transitions to those neighbourhoods within the precinct boundary.

U1 and U2 limit development to mid-rise and identify the requirement of a 45 degree angular plane from the property line adjacent to the existing low-rise development similar to the approach in the adopted Official Plan. U3 acknowledges that there are a few areas that can accommodate tall buildings to a maximum height of 25 storeys.

The preliminary preferred concept also recommends a Block Study to be completed to identify the appropriate location for a future park.

The Upper Brant Mixed-Use Precinct expectations are similar to those set out in the adopted Official Plan. The modifications identify the specific context of the various blocks that make up the Upper Brant Mixed Use Precinct and set out clear areas where tall buildings will not be permitted.

Staff support the preliminary preferred concept which proposes a context-based approach to detail where, due to the need to transition appropriately to existing development, a maximum of mid-rise development may be permitted in U1 and U2 specifically.

Downtown East Mixed-Use Precinct & The new Village Square Precinct

The preliminary preferred concept for the Downtown East Mixed-Use Precinct is again based on Concept 1 with mid-rise buildings contemplated generally south of the Elgin Promenade. Since this character south of Elgin Promenade is much different from the character north of Elgin Promenade, a separate precinct is proposed for the majority of the lands south of the Elgin Promenade.

Village Square is maintained in a low-rise built form with the remainder of the Village Square Precinct permitted to have a mid-rise built form. This built form is a significant reduction from the 12 to 17 storeys permitted in the adopted Official Plan and is reflective of public input. An additional recommended change is to

require low-rise development along Martha Street to transition to the low-rise neighbourhoods to the east.

The remaining Downtown East Mixed-Use Precinct permits tall buildings and establishes a requirement for mixed-use residential / office development.

Staff support the preliminary preferred concept which identifies a new Village Square precinct to acknowledge a distinct area within the previous Downtown East Precinct.

Locust Street

Both of the concepts presented in the Fall of 2019 included all of the lands on the east side of Locust Street from Caroline Street to Elgin Street in primarily the Brant Main Street Precinct, with the exception of the City Hall lands.

The preliminary preferred concept removes lands along the east side of Locust Street that either have an existing character of house-form buildings, or are currently municipal parking lots, and places them in the Neighbourhood Mixed-Use Precinct. These changes support the role of Locust Street as a transition to the adjacent Low-Rise Neighbourhood Precinct that immediately meets this area at the intersection of Caroline Street and Locust Street. These changes are also consistent with the vision and description of the Neighbourhood Mixed-Use Precinct which emphasizes the maintenance of low-rise built form and recognizes the historic lotting pattern and physical character of the Downtown along Locust and Brant.

Staff support the shift to recognize several parcels as Neighbourhood Mixed-Use Precinct rather than Brant Main Street Precinct and believe that this change will support the Downtown by reinforcing the importance of transition to the existing low-rise neighbourhoods.

Lakeshore Road at Burlington Avenue

The basis of the concepts presented in the Fall of 2019 was that the lands at the intersection of Burlington Avenue and Lakeshore Road were part of the Apartment Neighbourhood Precinct. This precinct was developed to acknowledge many areas in the Downtown that are already almost completely developed and permit the consideration of limited infill development in these areas, in a form consistent with the existing context, including the cultural, natural, physical, and surrounding built form. The Apartment Neighbourhood Precinct included existing low-rise, mid-rise and tall buildings and required that the existing built form context on adjacent sites should inform any limited infill development within this area.

The preliminary preferred concept removes these lands from the Apartment Neighbourhood Precinct and redesignates them as part of the Low-Rise Neighbourhood Precinct, specifically the St. Luke's Neighbourhood area to recognize that the existing single detached homes and townhomes in this area are a built form extension of the low-rise neighbourhood precinct.

Staff support the shift to recognize that these lands currently form part of the low-rise neighbourhood and any development here should be in keeping with the low-rise nature of Burlington Avenue.

5.3.2 Overall Densities more closely align with the minimum target of 200 residents and jobs per hectare.

The Provincial Growth Plan delineates Downtown Burlington as an Urban Growth Centre (UGC). The policies of the Provincial Growth Plan establish that UGCs will be planned to be areas where investments are made in public services and commercial, recreational, cultural and entertainment uses, where the transit network is accommodated and supported, to be major employment centres and to be planned to accommodate of significant population and employment growth.

The Provincial Growth Plan also establishes that Urban Growth Centres will be planned to achieve, by 2031 or earlier, a minimum density target. This target in the case of Downtown Burlington is 200 residents and jobs combined per hectare. This minimum density target is measured across all lands to which the target applies. The target is not measured on a site by site or precinct by precinct basis. It is important to note that the target is a minimum. Provincial policy states that the targets established are minimum standards and municipalities are encouraged to go beyond these minimum targets, where appropriate, except where doing so would conflict with policies of the Growth Plan, the *Provincial Policy Statement* or any provincial plan.

As stated in the "Taking a Closer Look: What You Need to Know Report" (Appendix C to this report):

The Growth Plan is not just about achieving target densities. Applying the policies of the Growth Plan is intended to support the achievement of complete communities. Complete communities contain a diverse mix of land uses; they offer convenient access to stores, services and public services; they provide for a mix of housing options; they provide parks, trails and recreational facilities; they provide for more compact built form and they provide for a vibrant and active

public realm. The Growth Plan's objective is not to achieve higher densities above all else. Rather the Growth Plan requires municipalities to develop a strategy to identify the appropriate type and scale of development in Urban Growth Centres...and the appropriate transition of built form to adjacent areas.(pgs 15-16)

The December 5th staff direction asked staff to bring forward a recommended concept “based on good planning principles and practices”. Planning only to meet the minimum density target as prescribed by the Provincial Growth Plan, in the professional opinions of staff and our consultants, would not constitute good planning principles and practices for the following reasons:

- Developing a defensible plan for the Downtown, which includes the lands identified within the Urban Growth Centre, is not just about reaching a number; rather, it requires looking at the Downtown in a fine-grained way to determine for each area of the plan:
 - The vision;
 - The rationale related to the function of the area;
 - The appropriate built form; and,
 - The fit with the existing context
- Given that this project has a timeframe to 2031, an assumption about what the market might deliver by 2031 was provided in SGL's Land Use Concepts Report. Using a market approach to determine what might occur by 2031 is a practical and reasonable approach to understanding what change could look like for the next 11-year time frame, and reflects a probable growth assumption.
- Based on input from the City's market consultants Watson Associates, total persons and jobs of 22,360 at a density of 213 people and jobs is what is likely to occur by 2031. This figure includes the Old Lakeshore Road precinct and the Waterfront Hotel as it is a market based analysis.
- Focusing solely on the achievement of the UGC target is also not in keeping with many of the themes identified through engagement including for example, maintaining the character of the Downtown/heritage conservation or achieving affordable housing.

For the reasons provided above, the preliminary preferred concept as proposed, is based on good planning principles and practices.

6.0 Staff Position

Staff support the preliminary preferred concept presented in the *Taking a Closer Look at the Downtown: Preliminary Preferred Concept*, January 2020 attached as Appendix A. The preliminary preferred concept addresses and responds to key themes highlighted and reiterated through the public engagement findings.

The preliminary preferred concept treats the existing and approved context of the Downtown appropriately and identifies further areas to protect and further areas that require more detailed policy guidance for transition.

In many respects the preliminary preferred concept strives to acknowledge and retain existing built form, while establishing the potential for change in the Downtown that is reasonable and more consistent with the public's vision for Downtown

The preliminary preferred concept will support the achievement of the Urban Growth Centre target by 2031 or earlier.

The preliminary preferred concept represents a vision for land use and built form, on the basis of which detailed policies can be developed. Feedback has been received that the concept and the vision did not consider all of the themes identified through the early engagement on the project (described in September 2019 Feedback Report and SGL's October 2019 "Themes, Principles, and Land Use Concepts" report). Staff acknowledge that some of the 13 themes are not directly applicable to the work completed to date to develop a preliminary preferred concept. Staff commits that all 13 themes remain important considerations in the overall project and will be fully addressed at the time of the development of detailed policies. Staff further acknowledges that more detailed policies beyond the vision and descriptions for the precincts are needed to address the feedback and concerns raised through engagement and to represent good planning principles.

The release of the modifications to the policy framework (Milestone 8B) will be the opportunity to understand the final vision and policies for the Downtown. At the time of considering the modifications, Council and interested and affected stakeholders will have another opportunity to understand how each of the themes are reflected and how the policy framework will set the stage to deliver on the vision and its elements for the Downtown.

Comparison: adopted Official Plan with the preliminary preferred concept

For the purpose of comparison a number of key themes describing the difference between the adopted Official Plan policies in the Downtown as compared with the preliminary preferred concept are presented below.

Unique Areas

The preliminary preferred concept divides the Downtown area into more distinct precincts acknowledging context on a finer scale to support the land use and built form vision. The preliminary preferred concept has more precincts than the adopted Official Plan. The previous Downtown Core, a single precinct in the adopted Official Plan is now divided into four precincts: Lakeshore Mixed-Use Precinct; Downtown East Mixed-Use Precinct; Village Square Precinct; and Mid- Brant Mixed-Use Precinct. The new precincts reflect that these areas are distinct and merit unique treatment. This approach focuses on smaller pieces of the larger system to determine the context, vision, role and built form guidance for each of these precincts.

Stable Neighbourhood Areas

The preliminary preferred concept proposes nuances to the transitions to existing low-rise neighbourhoods and proposes to add a number of key areas to be acknowledged as forming part of those existing neighbourhoods found within and around the Downtown. These changes recognize new boundaries of the stable neighbourhoods that form an important part of the downtown community.

Parks, open space, connections to the Lake

The preliminary preferred concept presents a more comprehensive vision for the networks that connect public spaces, improves walkability and support the connections to the waterfront and access to the Lake. The concept schedule describes the existing trails and connections that exist and that can be planned for in the future to not only improve connections within the Downtown but also improve and enhance connections to the rest of the City.

Key Areas of Height Permission Changes from the Adopted Official Plan to the Preliminary Preferred Concept

The purpose of this table is to identify key shifts from the policies of the adopted Official Plan to the preliminary preferred concept plan. This table only describes discrete areas where changes to the precinct, height and built form directions have changed what could be developed. In all cases, development will also be guided by the City's approved Urban Design Guidelines and applicable Official Plan policies.

Area description	Adopted OP Designation	Adopted OP Height Permission	Preliminary Preferred Concept Precinct	Preliminary Preferred Concept Precinct (associated visual)
Burlington Avenue and Lakeshore Road	Downtown Mid-Rise Residential Precinct: Special Policy Area	Maximum 6 storeys	Low-rise Neighbourhood Precinct – St. Luke's / Emerald	Maximum 2.5 storeys
A portion of the East side of Brant Street north of Blairholm Avenue	Upper Brant Precinct, Sector 2 (S2)	Maximum 11 storeys. Requires terraced built form at 45 degree angular plane measured from a property line shared with lands designated Residential Low-Density.	Neighbourhood Mixed-Use Precinct	Maximum 3 storeys
West side of Brant Street at Olga Drive	Upper Brant Precinct, Sector 3 (S3)	Maximum 17 storeys. Requires terraced built form at 45 degree angular plane measured from a property line shared with lands designated Residential Low-Density and ground oriented dwellings required along the shared property line with lands designated Residential Low-Density.	Upper Brant Precinct (U1)	Maximum of 3 storeys within 20 metres of Brant Street. Maximum 11 storeys with a 45 degree angular plane from the west property line adjacent to the neighbourhood.
Brant St from Ghent Avenue	Upper Brant Precinct	Maximum 25 storeys. Requires terraced built form	Upper Brant Precinct (U3)	Maximum of 3 storeys within 20

north to Prospect Street		at 45 degree angular plane measured from a property line shared with lands designated Residential Low-Density.		metres of Brant Street. Maximum 25 storeys. Requires terraced built form at 45 degree angular plane measured from a property line shared with lands designated Residential Low-Density.
Locust Street and Caroline Street	Brant Main Street Precinct	3 storeys at Brant, maximum of 11 storeys adjacent to John/Locust. Requires terraced built form with 45 degree angular plane from the centre of Brant Street.	Neighbourhood Mixed-Use Precinct	Maximum 3 storeys
Block bounded by Elizabeth Street, Pine Street and Lower Rambo Creek and the Elgin Promenade	Downtown Core Precinct; Downtown Mid Rise Residential Precinct	Downtown Core Precinct: Maximum 12 storeys. Additional height up to a maximum of 17 storeys with the provision of specified office floor space or underground parking provided. Downtown Mid Rise Residential Precinct: Maximum 11 storeys.	Village Square Precinct (V1 and V2)	V1: Existing Village Square area and Martha Street Maximum 3 storeys. V2: Requires a 45 degree angular plane above 80% of the street width. Maximum 11 storeys.

Lakeshore Road and Brant Street	Downtown Core Precinct	Maximum 12 storeys. Additional height up to a maximum of 17 storeys with the provision of specified office floor space or underground parking provided.	Brant Main Street Precinct	Maximum of 3 storeys within 20 metres of Brant Street. Maximum 11 storeys. On John Street requires terraced built form at 45 degree angular plane above the 5 th storey measured from the centre of John Street.
Northwest corner of Lakeshore Road and Locust Street	Downtown Core Precinct	Maximum 12 storeys. Additional height up to a maximum of 17 storeys with the provision of specified office floor space or underground parking provided.	Lakeshore Mixed Use Precinct (L1)	Maximum 3 storeys within 20 metres of Lakeshore. Maximum 11 storeys.
Lakeshore Road, John Street, Pine Street and Elizabeth Street	Downtown Core Precinct	Maximum 12 storeys. Additional height up to a maximum of 17 storeys with the provision of specified office floor space or underground parking provided.	Lakeshore Mixed-Use Precinct (L2)	Maximum 3 storeys within 20 metres of Lakeshore. Maximum 15 storeys with maximum 750 m ² floor plate above 3 storeys.
Townhomes south of Pine Street from Pearl to Martha	Downtown Mid-Rise Residential Precinct	Maximum 11 storeys.	Apartment Neighbourhood	Height of new buildings should be based on the surrounding context within the Precinct.

Northeast corner of Pearl Street and Lakeshore Road	Downtown Core	Maximum 12 storeys. Additional height up to a maximum of 17 storeys with the provision of specified office floor space or underground parking provided.	Lakeshore Mixed-Use Precinct (L3)	Further analysis is required to determine the appropriate maximum height.
East side of Brant Street north of Caroline Street extending to the first property north of Victoria Ave	Downtown Core Brant Main Street	Downtown Core: Maximum 12 storeys. Additional height up to a maximum of 17 storeys with the provision of specified office floor space or underground parking provided. Brant Main Street: 3 storeys at Brant, maximum of 11 storeys adjacent to John/Locust. Requires terraced built form with 45 degree angular plane from the centre of Brant Street.	Mid Brant Mixed Use Precinct	Maximum 3 storeys within 20 metres of Brant. Maximum 3 storeys abutting Rambo Creek. Maximum 17 storeys in the centre of the block subject to a 45 degree angular plane from the western property line of the creek block.
Block generally bounded by Caroline Street, John Street, Elgin	Downtown Core Precinct	Maximum 12 storeys. Additional height up to a maximum of 17 storeys with the provision of	Downtown East Precinct	Maximum 17 storeys with two levels of office space required within the podium.

Promenade and Martha Street.		specified office floor space or underground parking provided.		
Area south of New Street, east of Martha Street and north of the Elgin Promenade / Centennial Path	Downtown Mid-Rise Residential Precinct	Maximum 11 storeys.	Low-rise Neighbourhood Precinct – St. Luke's / Emerald	Maximum 3 storeys
Existing Buildings: Courtland Drive and Harris Crescent	Downtown Mid-Rise Residential Precinct	Maximum 11 storeys.	Low-rise Neighbourhood Precincts – St. Luke's / Emerald	Maximum 3 storeys
Existing mid-rise and tall building areas (western edge and eastern edge)	Downtown Mid-Rise Residential; Downtown Tall Residential Precinct	Maximum 11 storeys. Maximum 21 storeys.	Apartment Neighbourhood Precinct	Height of new buildings should be based on the surrounding context within the Precinct

For a complete picture of the policies for the Downtown please refer to the adopted Official Plan (April 2018). For the details related to the preliminary preferred concept plan please see Appendix A.

7.0 Next Steps

The project is at milestone 5A during which a concept is recommended to Council. The next steps in the project are detailed below, including the expected timeframe of the work. These timeframes may be subject to change.

Milestone	Description	Timeframe
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5B	Report back to the public about Council's decision	After January 27 th , 2020 Council Meeting
6	Finalize Technical Work, which can only begin after a concept is endorsed by Council in milestone 5A	January – March 2020
7	Prepare changes to the adopted Official Plan	January – March 2020
8A	Present changes to the adopted Official Plan to Council for endorsement.	April 2020
8B	Report back to the public about Council's decision	After Council Meeting
9	Forward the proposed modifications to the adopted Official Plan that were endorsed by City Council to Halton Region.	After Council Meeting
10	Report back to the public about Halton Region's decision and next steps for the adopted Official Plan.	After Draft Decision on the adopted Official Plan is provided to City Council for endorsement.

Strategy/process

8.0 Strategy/process

8.1 Connections to Interim Control By-law Project

The scoped re-examination of the adopted Official Plan is being undertaken at the same time as the Interim Control By-law Land Use Study. The findings of the Interim Control By-Law Land Use study were released in late December 2019 (PL-01-20) and will be presented to the Community Planning, Regulation and Mobility Committee on January 14, 2020. A Council decision on the ICBL is anticipated for January 30, 2020.

The ICBL Land Use Study proposes an Official Plan amendment to the existing in-force OP and a Zoning By-Law amendment to strengthen the integration between land use and transit by introducing policies related to transit-supportive development; strengthens the concept of Major Transit Station Areas into the Official Plan; establishes a policy framework including an MTSA typology distinguishing the GO Station MTSA's from the Downtown Bus Terminal; introduces development criteria for development applications within the ICBL study area; updates or adds definitions to the OP to align with Provincial policy documents and/or assist in the interpretation of OP policies; and, introduces additional permitted uses and heights on lands in proximity to the Burlington GO Station.

The findings of the Interim Control By-law Land Use Study and the Council approved OPA will inform the development of the modifications to the adopted Official Plan for the Downtown.

For more detail related to the findings of the Interim Control By-law Land Use Study please refer to: <https://www.burlington.ca/en/services-for-you/interim-control-bylaw-icbl.asp>.

8.2 Project Timeframe

It is critical that the re-examination of the Official Plan is completed and approved by the Region by Q2 of 2020.

Regional Approval of adopted Official Plan (April 2018)

As noted above in December 2018 the Region provided an Opinion of Non-conformity related to the adopted Official Plan submitted for approval (see section 1.0 of this report for more details). The effect of this tool is to stop the clock on the *Planning Act* timeframe expectations for approval.

As was noted at the December 5th session this provision has provided staff at the Region and staff at the City the opportunity to work together to address the Region's outstanding issues while being sheltered from the risk of appeal of non-decision on the matter. It is important to be respectful of the intent of establishing the pause and to move to quickly resolve the outstanding issues from the Region's perspective. At this time the short list of remaining issues continues to be worked on by Regional and City staff. The expected completion of this project and the resolution of the remaining conformity issues with respect to the adopted Official plan will align closely. It is critical that the modifications to be proposed as an outcome of this project are delivered as expeditiously as possible.

Alignment with Vision to Focus

The Vision to Focus document highlights this project as a key action related to Focus Area 1: Increasing Economic Prosperity and Community Responsive Growth Management. The Key Action states:

Determine the future vision for the downtown by completing the review of the Official Plan policies and the Interim Control Bylaw land use study with a focus on reasonable growth, not over development, that reflects the community's vision for Burlington...

The sooner this framework is in place the sooner City staff will be able to apply the framework to the consideration of future development applications.

Growth pressures exist in the Downtown. Growth and development represent a key opportunity to support the City in achieving broader objectives like enhancing green spaces and open spaces, enhancing active transportation infrastructure and improving the experience of active and sustainable transportation in the Downtown.

The critical deliverable of the re-examination is delivering a policy framework that plans for growth and ensures that development applications conform to the broader vision for the Downtown. This framework is needed to ensure that every development application demonstrates how it incrementally supports the vision for the downtown and the achievement of the vision of each of the precincts, including the achievement of important community and city-building objectives stated in Council's Strategic Plan and in the City's Official Plan.

Absent this Downtown vision, development may not be achieving the key goals and objectives of the Official Plan, Places to Grow and Council's Strategic Plan.

Options Considered

This report and its attachments have carefully documented the project findings to date reflecting two land use concepts for discussion which have shaped the preliminary preferred concept.

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, including the scoped re-examination of the adopted Official Plan.

Climate Implications

In accordance with the Growth Plan for the Greater Golden Horseshoe (2019), planning in Burlington must have as a guiding principle the need to "integrate climate change considerations into planning and managing growth such as planning for more resilient communities and infrastructure – that are adaptive to the impacts of a changing climate – and moving towards environmentally sustainable communities by incorporating approaches to reduce greenhouse gas emissions" (Growth Plan 2019, s.1.2.1).

This report recommends a land use vision and built form concept which will shape the physical environment of Downtown Burlington to the year 2031 and beyond. The preliminary preferred concept proposes a more sustainable form of development:

- Higher densities will make more efficient use of land and resources including infrastructure and community services;
- Higher densities and transportation network improvements will support transit usage and active transportation (including walking and cycling) as alternative modes of travel to reduce reliance on private motor vehicles and reduce greenhouse gas emissions;
- A mix of land uses will provide increased opportunities for people to live, work, shop, study, and play in Downtown Burlington, reducing residents' need to travel long distances on a daily basis;
- Opportunities for increased and enhanced green spaces will protect the Downtown's creeks, streams, and waterfront, mitigate the urban heat island effect, and improve climate resiliency;
- Intensification within the Downtown protects our rural and Greenbelt lands from urban sprawl by directing growth to an existing built-up area of the City.

The Climate Change lens will also be considered as detailed policies are developed to support the achievement of the recommended concept.

Enterprise Risk:

- Financial Sustainability
 - Climate Change
 - Growth & Affordability
 - Transportation
 - Legislative Changes
-

Engagement Matters:

The project has been guided through its stages by a Public Engagement Plan, included in this report as Appendix B that was developed in consultation with key stakeholders. The Public Engagement Plan identifies key milestones and objectives. For details of engagement refer to the Public Engagement Plan and the details provided of the Project Milestones throughout this report.

Conclusion:

As is noted in the report "Taking a Closer Look at the Downtown: Preliminary Preferred Concept" attached as Appendix A the preliminary preferred concept was built upon the

basis of Concept 1 with a number new elements and a number of elements from Concept 2 as released in SGL's October 2019 report "[Taking a Closer Look at the Downtown: Themes, Principles and Land Use Concept](#)" which was informed by the [findings of the first phase of public engagement](#). The preliminary preferred concept is reflected in SGL's January 2020 report "Taking a Closer Look at the Downtown: Preliminary Preferred Concept" attached as Appendix A which refines precinct boundaries, develops transition guidance and built form direction, defines the green space, open space and active transportation networks through the Downtown informed by the findings from public engagement and comments, technical studies, the evaluation of the concepts and planning considerations. The preliminary preferred concept establishes an overall vision that will be supported by the development of detailed modifications to the adopted Official Plan policies in spring 2020.

The recommended concept represents a vision that acknowledges context and identifies what should be achieved incrementally over time to deliver the important themes identified throughout the public input and engagement stages and supports the achievement of the vision for the Downtown.

Respectfully submitted,

Alison Enns
Project Manager – Official Plan
905-335-7600 ext. 7787

Jenna Puletto
Senior Policy Planner-Official Plan
905-335-7600 ext.7445

Thomas Douglas
Policy Planner- Official Plan
905-335-7600 ext. 7811

Appendices:

- A. Taking a Closer Look at the Downtown: Preliminary Preferred Concept, prepared by SGL Planning & Design Inc., January 2020.
- B. Taking a Closer Look at the Downtown Policies in the Adopted Official Plan: Public Engagement Plan
- C. Taking a Closer Look at the Downtown: What You Need to Know, prepared by SGL Planning & Design Inc., August 2019.

- D. Feedback Report on August to September 2019 Engagement
- E. Feedback Report on October-December 2019 Engagement
- F. Written Submissions and Responses Table August to September and October to December

Notifications:

Curt Benson, Region of Halton

Agency Notification List

OP Mailing List (email)

Project Mailing List (email)

Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Council. Final approval is by the City Manager.