



SUBJECT: Information report for official plan and zoning by-law amendments for 2107 Old Lakeshore Road & 2119 Lakeshore Road

TO: Community Planning, Regulation & Mobility Cttee.

FROM: Community Planning Department

Report Number: PL-26-20

Wards Affected: 2

File Numbers: 505-02/20 & 520-03/20

Date to Committee: July 7, 2020

Date to Council: July 13, 2020

Recommendation:

Receive and file community planning department report PL-26-20 regarding official plan and zoning by-law amendments for 2107 Old Lakeshore Road & 2119 Lakeshore Road.

PURPOSE:

The purpose of this report is to provide information for a statutory public meeting concerning applications to amend the official plan and zoning by-law to allow the development of a 27-storey mixed use building at 2107 Old Lakeshore Road & 2119 Lakeshore Road.

Vision to Focus Alignment:

- Increase economic prosperity and community responsive city growth
 - Improve integrated city mobility
 - Building more citizen engagement, community health and culture
-

Executive Summary:

RECOMMENDATION:	None. Statutory Public Meeting.	Ward:	2
Application Details	<p>APPLICANT:</p> <p>OWNER:</p> <p>FILE NUMBERS:</p> <p>TYPE OF APPLICATION:</p> <p>PROPOSED USE:</p>	<p>Old Lakeshore Road Burlington Inc.</p> <p>Same as above</p> <p>510-02/20 & 520-03/20</p> <p>Official Plan Amendment and Zoning By-law Amendment</p> <p>27 storey apartment building with retail/commercial at grade</p>	
Property Details	<p>PROPERTY LOCATION:</p> <p>MUNICIPAL ADDRESSES:</p> <p>PROPERTY AREA:</p> <p>EXISTING USE:</p>	<p>Southwest corner of Lakeshore Road and Old Lakeshore Road</p> <p>2107 Old Lakeshore Road & 2119 Lakeshore Road</p> <p>0.2 ha</p> <p>Condo sales centre and medical office</p>	
Documents	<p>OFFICIAL PLAN Existing:</p> <p>OFFICIAL PLAN Proposed:</p> <p>ZONING Existing:</p> <p>ZONING Proposed:</p>	<p>Old Lakeshore Road Mixed Use Precinct</p> <p>Old Lakeshore Road Mixed Use Precinct with site specific policy change for increased height and density, and no road widening on Lakeshore Road</p> <p>Downtown Old Lakeshore Road (DL-A)</p> <p>Downtown Old Lakeshore Road with site specific exception (DL-A-XXX)</p>	
Processing Details	<p>APPLICATION RECEIVED:</p> <p>STATUTORY DEADLINE (120 days):</p> <p>NEIGHBOURHOOD MEETING:</p> <p>PUBLIC COMMENTS:</p>	<p>February 27, 2020</p> <p>Paused as of March 17, 2020 for duration of Provincial State of Emergency. (20 days elapsed between complete application and start of emergency.)</p> <p>September 26, 2019</p> <p>Notices mailed to 603 property owners/occupants; 23 comments received from 22 individuals</p>	

Background and Discussion:

General

On March 12, 2020 the Community Planning Department acknowledged that complete applications had been received as of February 27, 2020 for an Official Plan Amendment and Zoning By-law Amendment for 2107 Old Lakeshore Road and 2119 Lakeshore Road to support the development of the lands with a 27-storey building with retail/service commercial uses on the ground floor and residential uses above.

The purpose of this report is to provide an overview of the applications, an outline of applicable policies and regulations, and a summary of technical and public comments received to date. This report is intended as background information for the statutory public meeting.

Site Description

The subject site has an area of 0.2 ha, and approximately 74 m of frontage on Lakeshore Road, and 69 m of frontage on Old Lakeshore Road (see Figure 1, below). The subject site is triangular in shape, and is comprised of two parcels, municipally known as 2107 Old Lakeshore Road, and 2119 Lakeshore Road. The site is currently developed with a condominium sales centre (2107 Old Lakeshore) and medical office (2119 Lakeshore).

Surrounding Land Uses

Surrounding the subject site are the following uses:

- **North:** Across Lakeshore Road, immediately north of the subject site, is a seven-storey apartment building (2121 Lakeshore Road). Northwest of the subject site, at the northeast corner of Martha Street and Lakeshore Road, is a five-storey retirement home (2109 Lakeshore Road). Further to the northwest, on the northwest corner of Martha/Lakeshore, is a vacant parcel that was approved by the Ontario Municipal Board in 2018 for a 26-storey building (374 Martha Street; also known as “Nautique”). Further north on Martha Street are three-storey mixed-use buildings, and a 12-storey apartment building (395 Martha Street).
- **South:** Across Old Lakeshore Road, south of the subject site, are one and two-storey commercial buildings. Southwest of the site, at 2100 Old Lakeshore Road, is a property listed on the City’s Municipal Heritage Register (“Stewart-Williamson-Peck House”).
- **East:** Southeast of the site are two-storey townhouses (2136 Lakeshore). Further east along Lakeshore Road is a 15-storey apartment building (360 Torrance Street), and an 18-storey apartment building (2160 Lakeshore).
- **West:** West of the site are one and two-storey commercial buildings. Immediately west of the site, at 2101 Old Lakeshore Road, is a two-storey building listed on the City’s Municipal Heritage Register (“The Chrysler Carriage House”) and currently

used as a restaurant. 2101 Old Lakeshore Road, along with four other contiguous properties to the west, are currently the subject of an Official Plan Amendment and Zoning By-law Amendment application for a 27-storey apartment building (2101, 2097, 2093 Old Lakeshore Road & 2096 & 2100 Lakeshore Road; city file nos. 505-04/19 & 520-08/19). Further west, at the southwest corner of Pearl and Lakeshore Road is a 22-storey apartment building currently under construction.



Figure 1 – Air photo (2019) with the subject property outlined

Description of Application

As shown on Sketch No. 2 (Appendix A), the applicant proposes to develop the lands with a 27-storey mixed-use building containing 598 m² of retail space on the ground floor, outdoor common amenity areas on the second floor and rooftop, 150 residential units on Floors 3-27, and five levels of underground parking with 150 parking spaces.

The proposed building form consists of a one-storey podium with a 27-storey tower. The proposed linear height of the building is 105 m, including mechanical penthouse. The proposed Floor Area Ratio of the development is 10.5:1, and the proposed density is 750 units/ha.

The residential component of the building is proposed to be comprised of the following unit mix: 25 one-bedroom-plus-den units, 25 two-bedroom units, 50 three-bedroom units, and 50 three-bedroom-plus-den units.

Access to the underground parking garage is proposed via Old Lakeshore Road. A one-way service driveway from Lakeshore Road to Old Lakeshore Road is also proposed.

To facilitate this development, the applicant has applied to amend the Official Plan to increase the height permitted on this site, and requests that a road widening not be taken along Lakeshore Road for this development.

The applicant has also applied to amend the City's Zoning By-law 2020 to establish site-specific regulations for building height, floor area ratio (FAR), building and underground parking garage setbacks, parking rates, and bicycle space dimensions. An overview of the proposed zoning is provided on page 9 of this report.

Supporting Documents

The applicant has submitted the following materials in support of the applications:

- Cover Letters from the Applicant, dated [December 19, 2019](#) and [February 26, 2020](#)
- [Site Plan, Waste Management Plan, Floor Plans, Sections and Elevations](#), prepared by Graziani + Corazza Architects Inc., dated December 16, 2019
- [Planning Justification Report](#), prepared by MHBC Planning, dated December 18, 2019
- [Draft Official Plan Amendment](#) and [Draft Zoning By-law Amendment](#) with [Covering Letter](#), prepared by MHBC Planning, dated January 28, 2020
- [Urban Design Brief](#), prepared by Bousfields Inc., dated December 2019
- [Sun/Shadow Study](#), prepared by R. Bouwmeester & Associates, dated November 1, 2019
- [Pedestrian Wind Study](#), prepared by NovusSLR, dated December 16, 2019
- [Heritage Impact Assessment Report](#), prepared by MHBC Planning, dated November 15, 2019
- [Traffic Impact Study, Parking Study and TDM Options](#), prepared by Paradigm Transportation Solutions Ltd., dated February 2020 and [Letter from Consultant](#), dated January 20, 2020
- [Boundary, Topographic and Adjacent Building Height Survey](#), prepared by A.T. McLaren Ltd., dated October 24, 2019
- [Waste Management Plan](#), prepared by Graziani + Corazza Architects inc., dated November 20, 2019
- [Arborist Report](#), prepared by Ferris + Associates Inc., dated June 18, 2019
- [Conceptual Landscape Drawings](#), prepared by Ferris + Associates Inc., dated September 16, 2019
- [Environmental Site Screening Questionnaire](#), completed by Owner on December 17, 2019

- [Phase 1 Environmental Site Assessment Report](#), prepared by Terraprobe, dated January 12, 2017
- [Phase 2 Environmental Site Assessment Report](#), prepared by Terraprobe, dated July 8, 2019
- Letters of Reliance to [Halton Region](#) and [City of Burlington](#), from Terraprobe dated November 11, 2019
- [Geotechnical Investigation and Engineering Design](#), prepared by Terraprobe, dated December 21, 2016
- [Hydrogeological Report](#), prepared by Terraprobe, dated January 12, 2017
- [Response to Geotechnical and Hydrogeological Comments](#), prepared by Grounded Engineering, dated January 20, 2020
- [Confirmation email from Conservation Halton](#), sent by Conservation Halton on October 10, 2019
- [Functional Servicing Report](#), prepared by S. Llewellyn & Associates Ltd., dated January 2020, and [Memo to City of Burlington](#) dated January 22, 2020
- [Environmental Noise Study](#), prepared by NovusSLR, dated December 16, 2020
- PIN Reports (Three documents: [1](#), [2](#), and [3](#))
- [Economic Analysis](#), prepared by Altus Group Economic Consulting, dated December 17, 2019
- [Construction Management Plan](#), prepared by BA Group, dated December 16, 2019

All of the supporting documents have been published on the City's website for the subject applications, www.burlington.ca/2107OldLakeshore.

Interim Control By-law

On March 5, 2019, Council enacted Interim Control By-law (ICBL) 10-2019 to temporarily limit development within the City's Downtown Urban Growth Centre and the lands in proximity to the Burlington GO Station for a period of one year in order to complete a land use study assessing the role and function of the Downtown bus terminal and Burlington GO Station as major transit station areas.

The recommendations from the findings of the study, including approval of Official Plan Amendment (OPA) 119 and Zoning By-law Amendment (ZBA) 2020.418, were approved by City Council on January 30, 2020. However, the City has received appeals for both OPA 119 and ZBA 2020.418. As a result, the ICBL will remain in effect until the Local Planning Appeal Tribunal (LPAT) has issued a final decision on each appeal of ZBA 2020.418.

While the City awaits the LPAT process to conclude, new applications, including the subject applications, are being circulated for comment to relevant departments and agencies and statutory public meetings are being held to receive public input. No planning analysis is being undertaken and recommendation reports are not being

prepared until the LPAT has issued decisions on the aforementioned ZBA 2020.418 appeals. Following the Statutory Public Meeting, the applications will be held in abeyance until the ICBL is no longer in effect.

Policy Framework

The proposed Official Plan Amendment and Zoning By-law Amendment are subject to the following policy framework: Provincial Policy Statement (2014), A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019), Region of Halton Official Plan, City of Burlington Official Plan, and the City of Burlington Zoning By-law 2020. A discussion of conformity with these documents will be addressed in a subsequent recommendation report. The following is an overview of the land use designations and policy directions provided in these documents.

Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) provides broad policy direction on land use planning and development matters of provincial interest. All planning decisions must be consistent with the PPS. The PPS promotes appropriate development and land use patterns that make efficient use of land and infrastructure, protect public health and safety, facilitate economic growth, and conserve significant built heritage resources. The PPS directs that growth and development be focused in settlement areas. Land use patterns in settlement areas are to be based on densities and a mix of land uses which efficiently use land, resources, infrastructure and public service facilities, prepare for the impacts of a changing climate, and support active transportation and transit.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019

The Growth Plan for the Greater Golden Horseshoe provides a policy framework for managing growth in the Greater Golden Horseshoe. The policies of the Growth Plan are intended to support the achievement of complete communities that feature a diverse mix of land uses and range of housing options, provide for a more compact built form and vibrant public realm, increase the use of transit and active transportation, and mitigate and adapt to climate change. The Growth Plan directs growth and development to settlement areas, with a focus on strategic growth areas, including urban growth centres. The subject site is within a provincially designated urban growth centre.

Halton Region Official Plan (ROP)

The subject lands are designated “Urban Area” and located within the Intensification Areas (Urban Growth Centre and Major Transit Station Area) overlay in the Halton Region Official Plan (ROP). The ROP states that the range of permitted uses within the Urban Area shall be in accordance with local official plans and zoning by-laws. However, all development is subject to the policies of the ROP, including the specific objectives and policies for Intensification Areas and Urban Growth Centres. Objectives of Intensification Areas include: to provide an urban form that is complementary to

existing developed areas; to provide diverse, vibrant pedestrian-oriented urban environments; to support active transportation and transit for everyday activities; and to generally achieve higher densities than the surrounding areas.

City of Burlington Official Plan

The subject lands are designated “Old Lakeshore Road – Area B (East Sector)” and are also subject to a site-specific policy (Part III, 5.5.7.2 k) in the City’s Official Plan.

Uses permitted in the Old Lakeshore Road designation include high-density apartment residential uses, as well as commercial, cultural, and recreation uses. High-density residential uses are defined in the Official Plan as housing uses with a density ranging between 51 and 185 units per net hectare.

Objectives of the Old Lakeshore Road designation include to provide an area in the Downtown for high-intensity mixed use development that is pedestrian-oriented, transit supportive, compatible with existing development, and of a high standard of design, and to provide for a transition from the highest density mixed-use area in the Downtown (Wellington Square Mixed Use Precinct) to the more residential areas to the east. Retail or service commercial uses are required continuously at grade along public streets in residential buildings, and buildings are to be constructed close to the street line with no surface parking permitted, except for loading and emergency vehicles.

In the East Sector, a minimum density of 51 units per net hectare is required for residential buildings. On the subject site, a maximum building height of 10 storeys and 31.5 m is permitted. Taller buildings up to 12 storeys and 37 m may be permitted on the subject site, “*where they provide compatibility with surrounding land uses and a sense of pedestrian scale by use of building design incorporating a ground level, street-oriented podium*”, and subject to community benefit provisions and considerations regarding: the realignment of Old Lakeshore Road to form an intersection at Martha Street and Lakeshore Road; preservation or relocation of significant cultural heritage resources within the precinct; and submission of studies demonstrating how visual, shadow and wind impacts can be mitigated to acceptable levels (Part III, 5.5.7.2 k).

The applicant proposes to amend the Official Plan to allow a maximum building height of 27 storeys and 105 m including mechanical penthouse on the subject lands.

Lakeshore Road Deemed Width

The City’s Official Plan identifies the deemed width of Lakeshore Road to be 30 m (Part VII, Table 2). The Official Plan requires that the identified road allowance widths be protected and secured through the development process of the approval for rezonings, and states that road widenings may not be required for the full widths identified. The applicant proposes to amend the Official Plan to clarify that a road widening along Lakeshore Road shall not be required on the subject lands.

City of Burlington Adopted Official Plan, 2018

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 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 these applications at this time.

City of Burlington Zoning By-law 2020

The lands are zoned “Downtown Old Lakeshore Road (DL-A)” in the City’s Zoning By-law 2020. Permitted uses include retail commercial, service commercial, office, community institution, hospitality, entertainment, recreation, apartment buildings and retirement homes. The ground floor of apartment or retirement home buildings are required to be used only for retail or service commercial uses.

The proposed development is for an apartment building use with retail and service commercial uses on the ground floor. The applicant proposes to amend the Zoning By-law with a site-specific exception to allow alternative building height, Floor Area Ratio, setbacks, parking and bicycle stall size regulations.

Table 1 compares the requirements of the DL-A zone with the subject proposal, based on a preliminary review by staff of the submitted materials. It should be noted that the regulations of the Zoning By-law 2020 are required to be applied from the deemed street width, whereas the proposed site-specific regulations are based on the existing street width.

Table 1 – Comparison of Existing Regulations and Proposal
(**Bold Text** = site specific provision required)

Regulation	Required (min. unless otherwise specified)	Proposed
Deemed Street Width	“For the purposes of establishing building setbacks or for the application of any other provisions of this By-law, the streets listed in Table 1.2.9 “Deemed Street Widths” shall be deemed to be the width shown.” (Part 1, 2.27.1)	Building setbacks and other zoning provisions are established/applied based on the actual street width.
Lot width	7.5 m	>7.5 m
Lot area	No minimum	0.2 ha

Regulation	Required (min. unless otherwise specified)	Proposed
Yard Abutting Street	<p><u>Floors 1-2:</u> Lakeshore: <ul style="list-style-type: none"> • Minimum: 0.5 m • Maximum: 1.5 m Old Lakeshore: <ul style="list-style-type: none"> • Minimum: 1 m • Maximum: 2 m <u>Floors 3-8 (minimum):</u> Lakeshore: 2.5 m Old Lakeshore: 3 m</p>	<p><u>Floors 1-2:</u> Lakeshore: <ul style="list-style-type: none"> • Minimum: No change proposed • Maximum: 2.5 m Old Lakeshore: <ul style="list-style-type: none"> • Minimum: 0 m • Maximum: 7 m (east corner) <u>Floors 3+:</u> Lakeshore: No change proposed Old Lakeshore: 2 m</p> <p>(Note: Proposed setbacks are taken from measurements shown on submitted drawings, measured from edge of 2nd floor terrace, and edge of building walls (excluding balconies) on Floors 3+.)</p>
Rear & Side Yards	None required for lots abutting Lakeshore Road and Old Lakeshore Road.	No change proposed.
Balcony Encroachment into Yards	A balcony may project 1.6 m maximum into a required yard, provided that: (i) sum of projection lengths is less than one third of the permitted length of a building wall; (ii) the length of any one projection does not exceed 3 m.	“Balcony projections may extend beyond 3.0 m”
Enclosed Parking Structures	<ul style="list-style-type: none"> • An enclosed parking structure that extends more than 1.6 m above finished grade shall be subject to the same yard requirements as a principal building (i.e. Abutting Old Lakeshore Road: 1-2 m setback); • An enclosed parking structure below grade and up to 1.6 m above grade shall be set back 3 m from a street line. 	<ul style="list-style-type: none"> • 0 m above and below grade
Building Height	<ul style="list-style-type: none"> • Minimum: 2 storeys, 4.5 m per storey on 1st and 2nd storeys 	<ul style="list-style-type: none"> • 28 storeys and 105 m, including mechanical penthouse

Regulation	Required (min. unless otherwise specified)	Proposed
Note: Part 16 - Definitions of Zoning By-law 2020 defines "Height, Building" as being inclusive of structures for mechanical equipment if the area of the structure exceeds 9 m ² .	<ul style="list-style-type: none"> • Maximum: 10 storeys, 31.5 m • The floor area of the second, third and fourth storeys of a building containing more than one storey must be at least 50% of the floor area of the first storey. 	<ul style="list-style-type: none"> • Floor area of second, third and fourth storeys of a building containing more than one storey must be at least 40% of the floor area of the first storey.
Floor Area Ratio (FAR)	Maximum 4.5:1	Maximum 10.5:1 (Excludes underground garage areas that are typically required to be included in FAR calculation.)
Density	51 units/ha	750 units/ha
Amenity Area	20 m ² / unit = 3,000 m ²	4,780 m ²
Parking (In effect)	<u>Residential:</u> 1.25 spaces/unit = 188 spaces <u>Non-Residential:</u> Off-street parking is not required for sites within the 'Downtown Parking Exemption Area' (Part 1, 2.25.1)	<u>Residential:</u> 0.99 spaces/unit = 155 spaces <u>Non-Residential:</u> None proposed. Site is within 'Downtown Parking Exemption Area'.
Accessible Parking	3% of required parking = 6 spaces of required 188 spaces	6 spaces
Bicycle Parking	<ul style="list-style-type: none"> • 2 spaces + 1 space/1000 m² GFA of retail = 3 bicycle spaces • Bicycle parking space size: 0.6 m x 1.8 m 	<ul style="list-style-type: none"> • 77 bicycle spaces on site • Vertical bicycle parking space: 0.6 m x 1.2 m • Stacked bicycle parking space: 0.45 m x 1.5 m

City-Wide Parking Standards Review

In 2017, City Council received and approved the *City of Burlington City-Wide Parking Standards Review* prepared by IBI Group. The review included a systematic and comprehensive study of the City's existing parking standards, over 400 surveys of parking usage in the city, and a comparison of parking rates in comparable municipalities. Among IBI's recommendations were new visitor parking and maintenance vehicle parking rates and a lower minimum occupant parking rate for apartment buildings in intensification areas in comparison to the City's current parking

rates. Table 2 below outlines the parking requirements of the Zoning By-law 2020, the relevant recommended rates of the IBI study, and the applicant’s proposal.

Table 2 – Comparison of Parking Requirements and Proposal

In-Effect Zoning	City-Wide Parking Study	Proposed
<ul style="list-style-type: none"> • 1.25 spaces/unit 	<ul style="list-style-type: none"> • Occupant: 1 space/unit = 150 spaces • Visitor: 0.25 space/unit = 38 spaces • Maintenance: 1 space/75 units = 2 spaces 	<ul style="list-style-type: none"> • 0.99 spaces/unit
188 spaces	190 spaces	155 spaces

In 2019, City Council approved amendments to the Zoning By-law 2020 to update non-residential and residential parking rates, in accordance with City-Wide Parking Study. However, the approved rates do not include IBI’s recommended rates for intensification areas because further work on the official plan review and mobility hubs is required before those rates are finalized. Also, the Council approved rates are under appeal at the LPAT. Nevertheless, staff are of the opinion that the intensification area parking rates warrant consideration in evaluating the subject development applications.

Technical Comments

The subject applications were circulated to internal staff and external agencies for review. At the time of writing this report, not all comments had been received for these applications. The following is a summary of the comments that have been received to date. Staff will address technical concerns submitted by all staff and agencies in the recommendation report.

Transportation Services

The submitted traffic impact study was reviewed by Transportation Planning staff. The study concludes that the additional traffic generated will be accommodated by the surrounding road network. The proposed development, under the worst-case scenario, is anticipated to generate 61 two-way vehicle trips during the AM Peak Hour and 85 two-way vehicle trips during the PM Peak Hour. Staff concurs with this assessment and does not have any concerns with the trip generation from the proposed development.

Additional comments from Transportation staff include:

- Lakeshore Road Widening: A 2 m widening is required on Lakeshore Road, which is consistent with other recent developments in this area of Lakeshore Road.
- Vehicular Parking: 190 parking spaces (150 parking spaces for occupants, 38 parking spaces for visitors, and 2 parking spaces for maintenance vehicles) are required for this development, in accordance with the Council-approved City-Wide Parking Study.

- Transportation Demand Management (TDM): At least 75 long term bicycle parking spaces and 8 short term bicycle parking spaces should be provided. A TDM Plan will be required to be submitted at the site plan stage, with measures to reduce vehicular demand and encourage the use of public transit, cycling, and walking, including providing pre-loaded PRESTO cards, transit schedule and maps, and cycling maps to residents, and secure bicycle parking and bike maintenance tools on site.
- Additional Information Required: Additional information is required regarding the proposed lay-by parking spaces, gateway signage, alternate bicycle stall sizes, top of the underground parking ramp, width of loading bay and entrance radius dimensions to ensure that they are safe, appropriate and contribute to a pedestrian-friendly environment. Staff note that the proposed width of the loading bay only allows for one vehicle to be parked, and that it blocks the driving aisle. Staff will not support vehicles reversing onto Lakeshore Road.
- Construction Management Plan: City Traffic Operations staff have sight line concerns with the proposed hoarding and covered walkway on the east corner of the site, and with traffic control activity on Lakeshore Road due to the curvature of the road. Downtown Parking staff comment that there are also concerns with trades parking in public parking spaces in the area, as there is limited parking provided on site and limited availability in municipal lots surrounding the site. Staff note that there is room in lots on the other side of downtown, and that there is opportunity for the companies involved to arrange private shuttle service.

Site Engineering – City Site Engineering staff comment that all plans and the Functional Servicing Report must be revised to reflect the required 2 m road widening along Lakeshore Road. No development or private infrastructure is permitted within the road widening and all setbacks must be established from the new property line. The submitted plans and reports are also required to be revised to confirm that the proposed development will meet City and Provincial standards in terms of stormwater quality control, functional servicing, grading, boulevard restoration, shoring and excavation design, construction and mobility management, and noise impacts of neighbouring properties on the proposed development.

Site Engineering staff also comment that the Phase II Environmental Site Assessment is acceptable. The assessment report notes that there are locations on the subject site where the soil and groundwater contain contaminants that exceed provincial standards. Staff agree that following the removal of contaminated soil from the site, the groundwater is to be sampled to determine if ground water impacts remain. If groundwater is confirmed to be impacted, a remedial action plan will be required to the satisfaction of the Director of Capital Works. If site remediation is required prior to the development of the subject property, a Holding Provision or a Residential Development Agreement will be required to be registered on title as a condition of approval of the subject Official Plan and Zoning By-law Amendment applications.

Accessibility – The City’s Accessibility Coordinator comments that the proposed plan includes 5 barrier free parking spaces in reasonable locations to the elevator lobby (one Type A on each underground parking Levels 2-4, and two Type B spaces on underground parking Level 1). Based on a parking requirement of 190 spaces, 7 barrier free spaces (3 Type A; 4 Type B) are required under the *Accessibility for Ontarians with Disabilities Act*. Staff note that the barrier free access aisles are not dimensioned on the plans. Also, the three proposed pick-up and drop-off spaces on Old Lakeshore Road should be dropped curb with bollards to ensure that each lay-by parking space can be used by someone using a personal mobility device to access the sidewalk.

Parks & Open Space – City Parks & Open Space staff comment that cash in lieu of parkland will be required, based on legislation in effect at time of approval. Moreover, the proposed 0 m setbacks and lay-by parking along Old Lakeshore Road do not provide adequate space to create a pedestrian scaled, comfortable public realm. The lay-by parking should be provided on the subject site and not on the public road allowance.

Finance – Property taxes must be paid, including all installments levied.

Burlington Transit – Given the high density proposed, Burlington Transit (BT) seeks funds to upgrade the three nearby stops (stop #800, #2, #3) to BT’s current Bus Stop Design Standards, which includes new landing pads and shelters. The applicant should also consider, as a TDM measure, providing transit information and pre-loaded PRESTO passes to new residents to promote the use of public transit.

School Boards - Halton District School Board students generated from the proposed development are expected to be accommodated at Lakeshore Road Public School (PS), Tom Thompson PS, Burlington Central PS and Burlington Central High School with minimum impact to the facilities. Halton Catholic District School Board students will be accommodated at St. John (Burlington) Catholic Elementary School and Assumption Catholic Secondary School. Neither school boards have objections to the subject application.

Halton Regional Police – No concerns as the proposed building does not interfere with Halton’s line of sight communications system.

Bell Canada – No conditions and/or objections to the subject applications at this time.

Financial Matters:

The applications are being processed in accordance with the required development application fees. Any additional financial matters will be addressed in the future recommendation report.

Climate Implications

In Canada, buildings generated approximately 13% of the country's greenhouse gas emissions in 2018 in their heating and cooling. Passenger transportation and municipal landfills accounted for approximately 14% and 2%, respectively¹. In February 2020, City Council approved the *City of Burlington Climate Action Plan* to support the city's path towards a low-carbon future, focusing on mitigating greenhouse gases and reducing energy consumption. The plan identifies seven implementation programs, including programs to enhance energy performance for new and existing buildings; increase transit and active transportation mode shares; electrify city, personal and commercial vehicles and other currently gas-powered equipment; and support waste reduction and diversion. A discussion of the climate implications of the proposed development will be provided in the future recommendation report.

Engagement Matters:

The applicant held a Neighbourhood Meeting on September 26, 2019 at Burlington Central Arena, prior to submission of the applications. Approximately 50 residents, Ward 2 Councillor Kearns, and City Planning and Transportation staff attended the meeting.

The applications were subject to the standard circulation requirements for a property in the urban area. A public notice and request for comments were mailed on March 20, 2020 to all property owners and tenants within 120 m of the subject site. 603 property owners/occupants were circulated. Notice signs were posted on the property on May 6, 2020.

A webpage was created on the City of Burlington website, accessible at www.burlington.ca/2107OldLakeshore. This webpage provides information about the subject applications, including dates of public meetings, links to supporting studies and contact information for the applicant's representative and the Community Planning Department.

Public Comments

In response to public circulation staff received 23 comments from 22 individuals on the subject applications. A copy of the public comments received is attached as Appendix B to this report. The general themes of the written comments are summarized below:

- Concern that the proposed development, its construction, and future building maintenance will worsen existing traffic congestion on Lakeshore Road;

¹ Government of Canada. 2020. *National Inventory Report 1990-2018: Greenhouse Gas Sources and Sinks in Canada*. Retrieved online from: <https://unfccc.int/documents/224829>

- Concern that amount of parking is insufficient and will cause overflow parking on public streets and neighbouring properties;
 - Concern that proposed building is much taller than existing buildings and what is currently permitted by the Official Plan and Zoning By-law;
 - Suggestions that proposed building height be lowered so that building acts as a transition to taller buildings to the west;
 - Concern about noise and privacy impact of the proposed second storey outdoor terrace and balconies, and concern about noise impact of garbage/recycling trucks on the existing apartment building to the north at 2121 Lakeshore Road;
 - Suggestion that the second floor terrace be oriented to the south or designed with barriers to mitigate noise and visual impact on existing buildings to the north;
 - Concerns that proposed building and other tall buildings in the vicinity will create uncomfortable and hazardous wind conditions and shadowing at the street-level for pedestrians and cyclists;
 - Concern about loss of sunlight and views to the lake for residents to the north of subject site.
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Conclusion:

This report provides a description of the subject applications and an update on the technical and public review that are underway. A subsequent report will provide an analysis of the proposal in terms of applicable planning policies and will provide a staff recommendation on the proposed applications.

Respectfully submitted,

Rebecca Lau, MCIP RPP

Planner II

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Appendices:

A. Sketches

B. Public Comments Received to Date

Notifications:

Mark Bales, Old Lakeshore Road Burlington Inc.

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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.