



August 24, 2020

Heather MacDonald, MCIP, RPP
Executive Director, Planning, Growth and Mobility
City of Burlington
426 Brant Street
Burlington, ON
VIA EMAIL ONLY

Dear Ms. MacDonald:

RE: TAKING A CLOSER LOOK AT THE DOWNTOWN DRAFT REPORT

Niagara Planning Group (NPG) Inc. (NPG) has been retained by the owners of 789 and 795 Brant Street in the City of Burlington. We are working with the owners of these two properties to provide feedback and input to the City's review entitled "Taking a Closer Look at the Downtown" and the reports released in June 2020 (PL16-20 and associated appendices) as part of the review of Downtown Burlington. We have also reviewed Report PL33-20 regarding the City's request to move the Urban Growth Centre to Burlington GO MTSA.

We are writing to advise that there are unresolved issues related to the City's ongoing work. The two reports (PL16-20 and PL33-20) create questions that we believe need to be answered. We had submitted these questions to the City earlier this month. As a reminder, our questions are:

1. What is the City's boundary of the City's proposed Burlington GO UGC? How will this be communicated to property owners so that feedback may be provided?
2. If the City proceeds with the recommendations in Report PL33-20, what will be the status and next steps of Report PL16-20? Will the land use designations, heights, densities and policies remain as outlined in the report by SGL? Will those policies and mapping be carried forward into the City's Official Plan?
3. Will the results of the Taking a Closer Look at the Downtown review (PL16-20) be adopted to conform to the current UGC boundary and policies for downtown Burlington as identified in the Halton Region Official Plan (new question)?
4. If the City is removing the Urban Growth Centre designation from downtown Burlington as well the downtown Burlington MTSA designation, what will be the planned density for the current downtown area as defined in the City's Official Plan?

5. We understand there is a report being provided to City Council in September regarding the public consultation on the UGC boundary at Burlington GO related to the City's request. This is an important report will assist in providing some answers regarding the next steps in the public process.

Comments on Report PL16-20/SGL Report:

We have analyzed the SGL draft policies as they relate to our client's property. Our clients also submitted comments under their own signature in January, 2020 regarding the first draft of the SGL plan.

As a general comment, the property configuration on the east side of Brant Street between Prospect and Ghent is such that there are two opportunities for redevelopment: our client's two properties and the three properties to the south which we understand have been acquired for a comprehensive redevelopment of the three properties into one development. Our comments on the proposed SGL Report are based on the property ownership (two organizations) and property configuration.

We are supportive of the recommended density and height provisions for the Upper Brant Precinct. The Upper Brant Precinct is within 800m of the Burlington GO MTSA making it a key area for higher density development; the width of Brant Street in this location supports higher density and height; and the area is walkable to the Burlington GO MTSA. Whether the lands remain the downtown plan or are part of a revised Burlington GO MTSA boundary, the Upper Brant Precinct height and density approach should be retained and applied. We do have specific comments regarding certain policies of the Upper Brant Precinct in the following paragraphs.

Comment 1: Podium Separation Distance

We note that the City is proposing to increase the setback between tall buildings from 25m to 30m. The City's Tall Building Guidelines require an 11 m separation between the podium of tall buildings and a 25m separation between the tower portions of the tall buildings. The proposed 30m setback between towers does push the building placement further north and closer to lower height/density properties. Given the property ownership, property configuration, and our general comment above, the 15m setback could be adjusted to align with the City's Tall Building Guidelines of 12.5 m setback from the property line adjusted to the podium.

It is important to recognize that whether the separation is 25m or 30m, there will only be two redevelopment projects in this section of Brant Street because of the property configuration and ownership patterns. There is simply not enough property to add a 3rd tall building with the tower separation requirements. The 25m separation means the development of the properties, together with suggested changes below, improves the spatial relationship between the redeveloping properties and the adjoining properties/neighbourhoods. While the SGL Report recommends reductions in the 30m separation if there is a road intervening between

towers, given the property, ownership and site circumstances, a reduction to 25m is appropriate.

Comment 2: Height and Building Setback from Brant Street

We note that the June 2020 version of the SGL Report provided a minor wording adjustment relative to this policy. The following is the extract from the report:

“However, the recommended policy modifications recognize the need to balance the objectives in this precinct of providing increased density within walking distance to the Burlington GO Station, providing for a transition to adjacent established low-rise residential areas and providing for a setback along Brant Street above the third storey. The policies also recognize the wider width of Brant Street influences the ability to provide flexibility in the setback. As a result, policy 3.8.1e) allow for flexibility in the depth of the setback from Brant Street above the third storey through the review of development applications.” (page 11)

The proposed policy is to limit height to 3 storeys for 20m from Brant Street. We appreciate that policy wording was added to recognize “flexibility” in the 20m provision from Brant Street. It is our submission, based on our detailed analysis of the policies and the two properties, that the revised wording is an improvement yet not fully sufficient. Our analysis shows that the proposed 25 storey height can be achieved on the site with the tower portion in the easterly half of the property (i.e. more than half the property depth along Prospect Street). This pushes the tower portion closer to the interior of the neighbourhood and closer to the properties on the north side of Prospect Street. As an observation, the 20m/3 storey provision for all areas with the 25-storey height limit for the Upper Brant Precinct means the tower portion is located closest to the interior neighbourhood areas. We believe there is a better design approach that supports development of the properties in accordance with the higher density and height provisions, implements the City’s Tall Building Guidelines, recognizes the width of Brant Street in the Upper Brant Precinct, and provides better separation between the redeveloped properties and the adjoining neighbourhoods. This means bringing the tower portion closer to Brant Street, committing to a maximum 3 storey podium height, and reducing the setback of the tower from 20m to 5m from the podium face. This design approach achieves all of the City’s proposed objectives and planning for the Upper Brant Precinct, achieves the commitment to a pedestrian scale on Brant Street, and respects the relationship between the redeveloping lands and the adjoining neighbourhoods.

The 20m/3 storey setback from Brant Street reduces the tower portion of the development to just under 400m² in area or close to half the maximum tower floor plate in the City’s Tall Building Guidelines. Our analysis has concluded that every development option for this property results in a tower floor plate of less than the maximum in the City’s Tall Building Guidelines with the 3 storey/20m provision. This reduces the number of units of housing that can be built to support the City’s growth plan.

As indicated earlier, the revised SGL Report does include flexibility in the 20m/3 storey setback provisions. Flexibility is not defined and subject to interpretation. We believe it is prudent to provide more clarity and thus request the following specific policies for our client's lands:

1. A confirmation that the separation distance between towers will be 25m consistent with the Tall Building guidelines.
2. Confirmation of the 3-storey height of the podium.
3. Maximum 3 storeys for 5m from Brant Street.

Comment 3: Downtown Urban Design and Placemaking Guidelines

We note from the City's project website and Get Engaged Burlington that this document is to be released in August 2020. As of the writing of this letter, we have not seen the release of this document. The SGL report recommends that the Downtown Urban Design and Placemaking Guidelines supercede the Tall Building Guidelines and Urban Design Guidelines for Downtown Burlington. Given the significance of this new document, we may provide additional comments when it is released. At minimum, the City needs to retain the applicability of the Tall Building Guidelines in Downtown Burlington until a full public review has taken place of the proposed new guidelines.

Comment 4: Halton Region Urban Structure Review, Burlington GO MTSA Boundary

We have submitted a letter on behalf of our clients regarding this document, the boundary of the Burlington GO MTSA and the proposed relocation of the Urban Growth Centre to Burlington GO. We are requesting a review of the boundary as it relates to our client's property. What is not clear, as indicated above, are the implications of the SGL Report, the development density and the design guidelines for our client's property should the properties be included in the Burlington GO MTSA/Potential UGC, and what the path forward for the revised development policies/standards for our client's properties would be. We believe there is a conversation that could help achieve clarity based on our questions in this letter and our letter to Mr. Benson of Halton Region. Given the substantive policy and urban structure changes proposed to Burlington, we request a meeting with City and Regional staff to obtain clarity on the issues raised in this letter and our letter to Mr. Benson.

It is our submission that the revisions as requested in this letter provide a development on this site that places the building closer to Brant Street where there is less impact on the adjoining neighbourhood buildings; is consistent with the City's Tall Building Guidelines; provides new housing opportunities in walking distance to the Burlington GO MTSA; and supports the planned redevelopment of the Upper Brant Precinct.

Finally, we request notification of all public meetings/open houses under the Planning Act as well as notices of decision by City Council under the Planning Act.

Sincerely,



John Henricks, MCIP, RPP
President, Niagara Planning Group (NPG) Inc.

Copies: Clerk, City of Burlington (for distribution to members of City Council)
Thomas Douglas, MCIP, RPP, City of Burlington
Curt Benson, MCIP, RPP, Region of Halton
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