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**To:** Community Planning, Regulation, and Mobility Committee

**From:** Alison Enns, Project Manager – Official Plan  
Thomas Douglas, Senior Planner

**Cc:** Tim Commisso, City Manager  
Heather MacDonald, Executive Director of Community Planning, Regulation, and Mobility

**Date:** September 10, 2020

**Re:** Taking a Closer Look at the Downtown: Project Update and Responses to Submission (September, 2020)

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## 1.0 Purpose

This memo and its attachments are provided as an update to Staff Report PL-16-20 and constitute Appendix 21 to that report. The purpose of the memo is to:

- Provide project related updates from June to August
- Provide broader Downtown related updates from June to August
- Provide responses to comments received between March 20, 2020 and September 4, 2020
- Provide any further modifications including planning rationale to Appendices 2, 3 and 4

This memo has provided a project update to advise on relevant new information that has come forward since report PL-16-20 was released on June 8, 2020. This memo describes how staff are proposing to amend the appendices 2 and 3 of report PL-16-20 to respond to new information. On September 30<sup>th</sup> any required modifications to the existing recommendations found within PL-16-20, will be amended to incorporate the proposed modifications discussed within this memo. Any modifications to the recommendations will be considered by the Community Planning Risk and Mobility Committee meeting on September 30<sup>th</sup>.

Staff expect to receive further comments and continue discussions in advance of Committee's consideration of staff report PL-16-20: Taking a Closer Look at the Downtown: Recommended Modifications to the adopted Official Plan. The details and responses presented within this memo present a consolidated look at issues and information available to the project team as of September 9, 2020.

## 2.0 Project Updates

On June 8<sup>th</sup>, 2020, the Official Plan Project Team released the recommended modifications to the Downtown policies in the adopted Official Plan. At the time of the writing of the staff report, PL-16-20, it

was anticipated that there could be additional changes to be acknowledged or considered over the four-month period between release of the report and the public meeting on September 30.

## **2.1 New documents released**

Although initially expected for release in July, two documents were released on August 28<sup>th</sup>, 2020:

- Fiscal Impact Analysis, prepared by Watson and Associates, August 2020
- DRAFT Downtown Placemaking and Urban Design Guidelines, prepared by SGL Planning & Design Inc., August 2020

### Fiscal Impact Analysis

The Fiscal Impact Analysis (FIA) assesses the recommended modifications to the Downtown policies in the adopted Official Plan and measures the incremental net operating and capital costs associated with planned development and planned capital requirements in Downtown. It also considers the City's capital asset inventory and incremental growth-related capital requirements to quantify the estimated full lifecycle cost of investments in infrastructure. These net operating and capital costs of development are compared with current property tax revenues to determine the fiscal impact of development over the period to 2031. The FIA also identifies the capital needs incremental to the City's current funding sources (i.e.: development charges, parkland acquisition, local services) and measures the impact in the context of recent legislative changes arising from Bill 197 (COVID-19 Economic Recovery Act, 2020).

The Fiscal Impact Analysis is attached as Appendix 14 to report PL-16-20.

### DRAFT Downtown Burlington Placemaking and Urban Design Guidelines

The draft Downtown Burlington Placemaking and Urban Design Guidelines ("the draft guidelines") were prepared by SGL Planning and Design Inc. Design guidelines offer the means to achieve the policy objectives. Urban design principles and objectives were an integral part of the built form policies in the recommended modifications, and the draft guidelines were informed by the policies. The draft guidelines were prepared concurrently with the recommended policy modifications but the draft guidelines went through additional staff review over the summer and were therefore released after the policies.

The draft guidelines were released publicly on August 28, 2020 for the purpose of providing context to inform the discussion of the recommended policy modifications. The release of the draft guidelines allows members of Council, the public, and other stakeholders to see how Official Plan policies and design guidelines can work together to shape development in Downtown Burlington. Council is not asked to approve the draft guidelines at this time. Report PL-16-20 recommends that Council receive the draft guidelines and direct the Director of Community Planning to seek public and stakeholder feedback on the draft guidelines, and subsequently to bring a final version back to Council for approval. The draft guidelines are attached as Appendix 15 to report PL-16-20.

## **2.2 Engagement Updates**

Upon release of the reports, recommended policy modifications, and supporting materials on June 8, 2020, notification was provided through the following media:

- Media Release
- update to Taking a Closer Look at the Downtown project webpage on Get Involved Burlington (<https://www.getinvolvedburlington.ca/official-plan-2019>)
- Get Involved email newsletter to registered Get Involved users

- update to New Official Plan project webpage ([www.burlington.ca/newop](http://www.burlington.ca/newop))
- Constant Contact email newsletter to the New Official Plan project mailing list
- Social media promotion

In addition, notices were mailed to stakeholders who had requested notice by mail, and Councillor newsletters throughout the summer notified ward constituents of the release and the opportunity to provide comments.

On August 18<sup>th</sup>, in advance of the commenting deadline of August 28<sup>th</sup>, staff held a virtual Information Meeting. The session was hosted on the Microsoft Teams Live platform and was advertised in the Burlington Post, on social media, Get Involved Burlington, on Burlington.ca, on the city's online calendar, and through email newsletters to project subscribers via Get Involved newsletter and Official Plan subscribers via Constant Contact. The virtual meeting was an opportunity for members of the public to be oriented to the information that was released in June and to ask questions and to learn more about the recommended policy modifications. The format included a presentation and questions and answers. Some questions were pre-submitted and many questions were presented and answered live. A [recording of the session](#) is posted on the Get Involved Burlington page along with [a transcript](#) of the session and [links to more information](#) that was noted during the session. Approximately 50 people attended the virtual information meeting.

On September 16<sup>th</sup> staff will host a virtual open house to discuss the modifications to the adopted Official Plan in accordance with the work plan for the scoped re-examination of the adopted Official Plan. The Open House will consider both the Downtown modifications (PL-16-20) and the minor modifications developed to clarify the Neighbourhood Centres policies of the adopted Official Plan (PL-18-20).

Notice of the virtual Open House was provided through the Burlington Post, social media, the Get Involved project webpage, the New Official Plan webpage on Burlington.ca, on the City's online calendar, and through email newsletters to Get Involved users and via Constant Contact to New Official Plan subscribers.

On September 30<sup>th</sup>, reports PL-16-20 and PL-18-20 and their appendices will be presented to Community Planning, Regulation, and Mobility Committee in a virtual public meeting format. Any person may delegate to Committee at this meeting. Notice of the virtual public meeting was given in the Burlington Post on September 10<sup>th</sup>, 2020, and additional promotion occurred through social media, the Get Involved project webpage, the New Official Plan webpage on Burlington.ca, and through email newsletters to Get Involved users and via Constant Contact to New Official Plan subscribers.

Over the summer, staff attended three sessions with the HDLC (Halton Developers Liaison Committee), two of which were specifically dedicated to the downtown Official Plan project. At the first Downtown-specific HDLC meeting staff provided an orientation to the available materials including the recommended policy modifications and answered any questions related to the project.

Halton Region and technical agencies were circulated the information released in June and asked to provide comments. Further engagement with the Region occurred over the summer.

### **3.0 Downtown Updates**

Since the release of the recommended policies and the Final Report Council considered a Staff report (PL-33-20) recommending the removal of the MTSA and adjusting the Urban Growth Centre boundary

through the Region's Official Plan Review. For more details on this item please refer to section 4.4.2 below.

## **4.0 Submissions from March 20<sup>th</sup> to September 4<sup>th</sup>**

Staff requested that feedback be provided by a deadline of August 28<sup>th</sup> so that it could be incorporated into this Appendix and considered by staff in advance of the September 30<sup>th</sup> public meeting. Submissions that were received by Friday September 4<sup>th</sup> have been included in this memo. From March 20<sup>th</sup> to September 4<sup>th</sup> the City received 25 written submissions on the information released in June, including 7 submissions from residents, 1 from an advisory committee, 1 from a community organization, 13 from various property owners and members of the development industry, and 3 from technical agencies (including Halton Region).

The responses provided in this memo and its attachments may be the subject of further discussion and the basis for further delegations and submissions. The responses have been provided to continue the discussion and ensure that all submissions provided by September 4<sup>th</sup> have been considered and addressed. In some cases, further modifications to policies and schedules have been proposed to address comments.

### **4.1 Submissions: Response Table**

Appendix 21-A titled "Response Matrix for Mar-Sep 2020" summarizes the feedback received and provides a response to comments from residents, advisory committees, community organizations and property owners and members of the development industry.

### **4.2 Agency Comments**

Staff received agency comments from the Region of Halton, Conservation Halton, and Bell Canada. The Agency Comments did not identify any issues related to the recommended policy modifications, but made some comments on technical studies attached as appendices to report PL-16-20 and recommended to be received.

These comments sought clarification and requested some minor edits to the way information is presented. Staff will work with the agencies and the consultant team to address any concerns in advance of the September 30<sup>th</sup> public meeting of CPRM Committee. Given the nature of the comments staff can conclude that there are no implications to the recommended policies proposed.

### **4.3 Internal Staff Comments / Other Comments**

#### **a) Capital Works: Parks and Open Space comments**

Staff in Parks and Open Space have provided a number of comments on the policies that have resulted in minor changes to the recommended policies related to parks. The modifications clarify the expectations of the City with respect to public parks and to the role of Privately Owned Publicly accessible open Spaces (POPS) as enhancements or augmentations to public space. After the policies were developed and released in June 2020, Bill 197 (COVID-19 Economic Recovery Act, 2020) was introduced and received Royal Assent on July 21, 2020. No modifications are required to the recommended policies as a result of Bill 197. The effect of Bill 197 was to return the ability of the municipality to collect parkland dedication and/or cash-in-lieu of parkland. While this is a positive change at the time of writing this memo, uncertainty remains with respect to the remaining elements of

Bill 108 (More Homes, More Choice Act, 2019) as the regulations have not yet been released. The City will continue to review and evaluate options once the legislation has been proclaimed and associated regulations have been released.

#### **b) Transportation comments**

Transportation staff provided comments that have resulted in changes to recommended Streetscapes policies 8.1.1(3.18.2) (d) and (e). These policies relate to the possibility of certain Downtown streets or street segments being designed as flex streets or shared streets in future. The effect of the change has been to bring the policies more in line with the Council-approved Downtown Streetscape Guidelines (2019), and to reflect that future study will be required to confirm where flex streets or shared streets may be feasible and appropriate.

#### **c) Capital Works: Site Engineering comments**

Site Engineering staff provided comments emphasizing the need to consider utility servicing when planning and designing the Downtown built form and streetscape, to ensure that utilities such as hydro and gas can be provided in the Downtown in a co-ordinated and efficient manner. No changes are needed to the recommended policy modifications to address this comment, but this input will be considered in the ongoing development of draft Downtown Burlington Placemaking and Urban Design Guidelines.

#### **d) Burlington Urban Design Panel**

On August 18, 2020, staff attended the Burlington Urban Design Panel and gave a brief presentation providing an overview of the recommended urban design policies, schedule changes, and new height schedule. Staff highlighted for the panel that compared to the 2018 adopted Official Plan, the recommended policies include a new precinct plan with more precincts, and Brant Street and Lakeshore Road continue to form the main spine of the downtown. Brant Street has been broken up into multiple precincts but is intended to have a consistent feel. Enhanced urban design policies have been recommended, with sections about public realm, built form, transition policies, comprehensive block plans, and retail. Comprehensive block planning is a new tool being recommended for the area bounded by John Street, Brant Street, Victoria Avenue and Caroline Avenue.

The panel wanted to learn more about the vision and how it informed the heights proposed. The panel was generally supportive of the vision and enhanced design policies and supportive of the block plan process. The panel did raise some concerns that the policies needed more qualitative descriptions to ensure the objectives of the quantitative policies were not just met but also captured the overall vision and objectives of the precincts and it relates to design quality and feel. The panel agreed that the low rise, main street, “small town feel” can be achieved through excellent buildings, transitions, and streetscaping.

No specific modifications to the recommended policies have been made as a result of the advice from the Panel, however, it is expected that many of the areas highlighted in the discussion will be considered within the discussion of the Downtown Burlington Placemaking and Urban Design Guidelines in the future.

#### **4.4 Submissions: Out of Scope**

Elements of a number of submissions relate to issues outside of the scope of the Taking a Closer Look at the Downtown project. The following section provides background on four projects / initiatives outside the scope of Taking a Closer Look at the Downtown, to explain the current status of each and to identify the appropriate process for the consideration of each of the issues.

#### **4.4.1 Comments on the Interim Control By-Law**

##### *Background*

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

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

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

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

##### *Status*

On Jan. 30 at the Special Council Meeting, Council approved the revised recommendations from the findings of the Interim Control Bylaw (ICBL) Land Use Study, including approval of:

- proposed Official Plan Amendment (OPA) 119, and;
- proposed Zoning Bylaw Amendment (ZBLA) 2020.418.

Following this meeting, Official Plan Amendment 119 and Zoning By-law Amendment 2020.418 were appealed to the Local Planning Appeal Tribunal (LPAT) so the Interim Control Bylaw (ICBL) remains in effect.

##### *Process*

Currently under appeal to the LPAT: Case Number: PL200150

- File Number for ZBLA 2020.418: PL200150
- File Number for OPA 119: PL200151

#### **4.4.2 Removing the Major Transit Station Area designation and adjusting Urban Growth Centre boundary**

##### *Background*

In May 2019, at the time of consideration of report PB-47-19, Council directed staff as follows:

Direct the Director of City Building, after the conclusion of the studies conducted as part of (1) the scoped re-examination of the policies of the adopted Official Plan and (2) Interim Control By-law 10-2019 as amended (21-2019), to report on any changes to the Urban Growth Centre and Major Transit Station Area designations applicable to Burlington’s downtown and the Burlington

GO Station that could be recommended as a result of any proposed Official Plan and Zoning By-law amendments arising out of the studies.

Staff responded to this direction at the August 11, 2020 meeting of Community Planning, Regulation, and Mobility Committee, through report PL-33-20, which included a series of recommendations related to the Major Transit Station Area Designation in the Downtown and to the adjustment of the Urban Growth Centre boundary. As noted in PL-33-20 on page 9:

As it is the Region of Halton's responsibility to delineate the boundaries of MTSAs, staff will work with Regional planning staff to ensure the removal of the Downtown MTSA, the delineation of all other MTSAs, and the adjustment of the UGC boundary through its MCR process via Section 26 of the Planning Act. Should these be approved by the Region and Province, the City will then be able to update its Official Plan to conform to the Region's Official Plan (and Provincial policy).

Phasing the approval of the above-mentioned components of the MCR through Section 26 of the Planning Act would be beneficial to the Region and City. Early implementation of any adjustments to the UGCs across the Region and delineation of the MTSAs would support the subsequent work of the IGMS and the MCR in general. This phasing would have the effect of supporting the Region in considering employment conversions informed by the Regional Structure as well as finalizing the remaining elements of the MCR.

Lastly, once the boundaries of the adjusted UGC and the GO Station MTSAs have been defined, it would provide further guidance to inform the re-initiation of local implementation work such as the area-specific planning processes for the MTSAs equipped with new guidance from the Region. The City would then be in position to implement its vision for intensification while providing clarity in our expectations for growth within a new land use planning time horizon. Specifically, in the case of the adjusted UGC and the Burlington GO Station MTSA, the area specific plan will be scoped to ensure that the lands will be planned to develop as a complete community and to meet the Growth Plan and Regional Policy objectives related to UGCs.

### *Status*

On Aug. 24, 2020, Burlington City Council unanimously approved the recommendation of PL-33-20 to request that the Region of Halton, through its Municipal Comprehensive Review of the Regional Official Plan (MCR), adjust the boundary of the Downtown Urban Growth Centre (UGC) to generally align with the lands in proximity to the Burlington GO Station, and to remove the Major Transit Station Area (MTSA) designation from the Downtown.

### *Process*

The Region of Halton will consider a report at its September 16<sup>th</sup> Regional Council Meeting. Report LPS84- 20 titled "Advancing Key Planning Priorities of the Halton Municipalities through the Regional Official Plan Review" recommends an extension of the engagement period related to the 5 Discussion Papers until October 30<sup>th</sup>. The report also recommends that:

THAT Staff be directed to work with City of Burlington staff to develop a joint supplemental discussion paper that highlights proposed adjustments related to the Downtown Major Transit Station Area and Urban Growth Centre designations as outlined in Report No. LPS84-20.

Comments on the removal of the Downtown MTSA and any adjustment to the Downtown Burlington Urban Growth Centre may be directed to the Region of Halton for consideration through the Municipal Comprehensive Review.

### **4.4.3 Approval of the adopted Official Plan (2018) and resolution of identified conformity issues (December 2018)**

#### *Background*

On Dec. 4, 2018, the City of Burlington received notice from Halton Region regarding the city's Official Plan. The notice advised that the City's adopted Official Plan does not conform with the Regional Official Plan (ROP) in a number of respects related to policies and mapping, and among others, in the areas of:

- 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.

The notice included the following:

*Pursuant to subsection 17(40.4) of the Planning Act, the 210-day period does not begin to run until the Region of Halton confirms that the non-conformity with the ROP is resolved. As such no appeals under subsection 17(40) of the Planning Act may be filed at this time.*

#### *Status*

Work has continued between the City and Region which will result in the Region issuing a draft notice of decision containing all of the proposed modifications to the City's Official Plan. These modifications will be shared with the City and brought forward to City Council for consideration prior to Regional approval.

The work plan for the scoped re-examination of the adopted Official Plan (2018) included both the Taking a Closer Look at the Downtown project as well as a more minor set of modifications to clarify the Neighbourhood Centres policies. Once City Council has endorsed any modifications to the adopted Official Plan (2018) that are recommended as a result of the scoped re-examination, these will be sent to the Region for consideration for inclusion as modifications to the adopted Official Plan.

#### *Process*

As the approval authority for the new Official Plan, the Region may approve, modify and approve, or refuse to approve the new Official Plan. It is expected that the Region will be in a position to provide the draft decision on the adopted Official Plan, inclusive of the recommended modifications captured in the work plan for the scoped re-examination of the adopted Official Plan, in the coming months. The draft decision will be presented to City Council for endorsement and returned to the Region for approval.

Any person or public body that wishes to receive notice of decision of the new Official Plan by the Region of Halton must submit a written request to be notified of the decision to the Region of Halton at the following address:

Regional Clerk Regional Municipality of Halton  
1151 Bronte Road

#### 4.4.4 Regional Official Plan Review / Municipal Comprehensive Review to 2051

The Region of Halton initiated its Regional Official Plan Review (ROPR) several years ago and has now shifted into Phase 2 of the review. The Region's website and landing pages related to the ROPR provide details on the issues that the ROPR will cover and also provide information on how to get involved.

When the ROPR is completed, the City will conduct a conformity exercise to update the City's Official Plan as needed to conform with the newly updated policies of the Regional Official Plan, for example the new 2051 planning horizon.

#### 4.3 Council Questions and Responses

Over the course of the summer the project team met with the Mayor and members of Council to orient them to the information released in June and to provide an opportunity for Council to ask questions of the project team. The following is an amalgamated list of questions and their associated responses.

##### 1. How close is the Urban Growth Centre to achieving the 200 residents and jobs per hectare target established by the Provincial Growth Plan?

Please find attached as Appendix 21-D an updated Urban Growth Centre Density Analysis from 2020.

##### 2. What is the breakdown of housing unit types within the Downtown Urban Centre boundary? What is the average household size?

To understand the percentage share of unit types as well as average household size within the Downtown Urban Centre, data was compiled from Statistics Canada (2016 Census of Population) on occupied private dwellings by structural type of dwelling as well as average household size. The data compiled was based on 22 Dissemination Areas which are the smallest standard geographic area for which census data is disseminated. It is important to note that the Dissemination Area boundaries do not correspond with the boundary of the Downtown Urban Centre. As such, the data includes areas adjacent to the Downtown Urban Centre boundary within the adopted Official Plan.

Based on the data, the percentage share of dwellings by structural type are as follows:

- **23%** - Single detached\*
- **1.4%** - Semi detached
- **4.8 %** - Townhouse
- **70.8 %** - Apartments^

\* Single detached also includes other single-attached house.

^ Apartments include apartment or flat in a duplex, apartment in a building that has fewer than five storeys, and apartment in a building that has five or more storeys

Furthermore, based on the data, the average household size ranges from **1.4 to 2.6** with a median household size of **1.95**.



**4. Can you provide a table to share the changes between the existing Official Plan, the 2018 adopted Official Plan, and the current recommended modifications to the adopted Official Plan?**

Please find attached two appendices that take two different approaches to answering this question:

- Appendix 21-E titled “Official Plan Comparison Table by Issue” provides a comparison of the existing Official Plan, adopted Official Plan and the recommended modifications as it relates to the treatment of a number of specific issues.
- Appendix 21-F1 and -F2 titled “Official Plan Comparison Table by Precinct“ shares how the Precincts in the recommended Schedule D relate to the existing Official Plan and the adopted Official Plan (2018) with respect to guidance on height, built form, intensity and density. Appendix 21-F2 provides for easy reference the various schedules compared in the table.

**5. How many people and jobs (and units) are in the Downtown Urban Growth Centre currently? How many are in the pipeline, and how many additional people and jobs need to be delivered by 2031?**

Please find attached as Appendix 21-D an updated Urban Growth Centre Density Analysis from 2020.

**6. How many people and jobs will this Plan deliver beyond 2031?**

The scope of the study was to consider growth to 2031. The following studies and background provide details on what might be expected to 2031:

October 2019 SGL Report, “Taking a Closer Look at the Downtown: Themes, Principles, and Land Use Concepts”:

<https://www.getinvolvedburlington.ca/9250/widgets/36046/documents/20171>

Refer to Section 3.6, How Many Units and Employment Would Result from the Concepts and How does this compare to the Market Forecast?

June 2020 SGL Report, “Taking a Closer Look at the Downtown: Final Report”:

<https://www.getinvolvedburlington.ca/9250/widgets/36046/documents/35180>

Refer to Section 5.2 (SGL Final Report) – re conformity to the growth plan and how the plan will meet the targets outlined in the Growth Plan.

The Downtown Market Analysis is contained in Appendix 7 of report PL-16-20 and can also be found on the project webpage at:

<https://www.getinvolvedburlington.ca/9250/widgets/36046/documents/35184>

The Illustrative Economic Analysis provides further information that may be relevant to this question. It is contained in Appendix 8 of report PL-16-20 and can also be found on the project webpage at: <https://www.getinvolvedburlington.ca/9250/widgets/36046/documents/35173>.

**7. Are the recommended land use and built form permissions for Downtown Burlington economically feasible?**

The [Downtown Market Analysis](#) (Appendix 7 of PL-16-20) suggests that development from 6 to 8 storeys is feasible, however the study notes a number of concerns or unintended consequences of a lower height limit, as described in the following excerpt:

The City has the challenge of, on one hand, encouraging intensification in its core area, while on the other, guiding the physical shape of the community. A lower height limit of six to eight storeys – while feasible – comes with the following potential unintended consequences:

- Encourages developers to drive pricing higher to compensate for lack of density as has occurred in Downtown Oakville. This does not help in diversifying the population;
- Rental housing development at this density would not be feasible – except at the luxury end of the market;
- Allows lower density developments to compete for land; and,
- Delays investment.

Moving forward, the City should consider, from a physical planning perspective, the type and scale of built form that is appropriate throughout the Downtown. (Market Analysis, 8.1)

The NBLC report also indicated that “if the City were to pursue a regimented and defensible mid-rise approach” the pace of redevelopment activity might temper. The recommended policies permit a broad range of built forms and building heights in the differing precincts, as shown on Schedule D-2 Downtown Heights. As such the Downtown policies represent efficient development patterns which optimize the use of land, resources and public investment in infrastructure and public service facilities.

The recommended policies permit a range of housing types from low-rise to tall buildings depending on the existing and planned context for each individual precinct which in many precincts provides for additional built form permissions compared to the current Official Plan. The analyses considered feasibility and the ability to implement the policy direction on a general basis based on input from the consulting team.

#### **8. In terms of Gross Floor Area (GFA) is a slender 17 storey building the same as a bulky mid-rise building?**

Although it would depend upon the site characteristics and the specific design of a tall building versus a mid-rise building, it is possible to have a mid-rise building that has more GFA than a tall building.

### **5.0 Further Modifications to PL-16-20 Appendices**

This section of the memo describes how staff are proposing to amend the appendices 2 and 3 of report PL-16-20 to respond to new information.

#### **Appendix 2: SGL Planning & Design Recommended Policy Modifications to the adopted Official Plan, June, 2020**

Changes to the policies are captured in **grey highlight** in Appendix 21-B to clearly identify areas of change since the release of policies in June.

Changes have been made to:

- address concerns raised in written submissions from stakeholders;
- address concerns raised by City staff;
- correct minor errors.

Appendix 21-B is intended to replace Appendix 2 from PL-16-20.

**Appendix 3: Recommended modified Schedules to the adopted Official Plan**

Appendix 3 is changed by introducing a new version of Schedule D, dated September 2020. The new Schedule D corrects an error by reinstating the sector labels “WS”, “ES”, and “SS” in the Old Lakeshore Road Precinct that were mistakenly omitted from the June 2020 version of the Schedule.

The revised Schedule D is contained in Appendix 21-C. Appendix 21-C is intended to amend Appendix 3.

**Appendix 4: Recommended modifications to policies in other parts of the adopted Official Plan**

No changes proposed.

**Appendices 5 through 14: Technical Studies**

As discussed above under section X, agencies have submitted comments on some of the technical studies appended to report PL-16-20. If any minor edits to these technical studies are necessary to address the comments, these will be provided for receipt by Council at its October 7 Special Council Meeting.

**Appendix 15: DRAFT Downtown Burlington Placemaking and Urban Design Guidelines**

No changes proposed.

**Appendices 16-19: Engagement Information**

No changes proposed.

**Appendix 20: Other plans and projects 2020**

No changes proposed.

Respectfully submitted,

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Appendix 21-A: Response Matrix for Mar-Sep 2020

Appendix 21-B: Revisions to Recommended Policy Modifications

Appendix 21-C: Revisions to Recommended Schedule D

Appendix 21-D: Urban Growth Centre Density Analysis, 2020

Appendix 21-E: Official Plans Comparison Table by Issue

Appendix 21-F1: Official Plans Comparison Table by Precinct

Appendix 21-F2: Official Plan Comparison Table by Precinct - Reference Schedules

# Taking a Closer Look at the Downtown: Responses to Submissions Received March 20-September 4, 2020

All submissions have been reviewed and considered by the project team for the Taking a Closer Look at the Downtown project (the Re-examination of the Downtown Policies in the Adopted Official Plan). This appendix reproduces comments or excerpts of comments where appropriate for the purpose of summarizing and responding to the input received.

Within the table below, under the “Stakeholder Comment” column, comments are reproduced for reference. Where possible, comments have been summarized; in other cases, excerpts of comments have been quoted verbatim. Individual submissions have been split up so that different comments from the same letter can be sorted into different categories. The same submissions and submission authors therefore appear in multiple tables. Where appropriate, staff have addressed certain comments under the “Staff Response” column. Some submissions did not require a response because they were clear and could be applied to the project team’s work without the need for discussion; in these cases, only the words “comments noted” appear under the “Staff Response” column.

Throughout this appendix, the Taking a Closer Look at the Downtown Project (Scoped Re-examination of the Adopted Official Plan) is referred to as “the Re-examination” or “the project”.

Comments are organized into the following tables within this appendix:

- General Comments (GE)
- Brant Main Street Precinct Comments (BM)
- Lakeshore Precinct Comments (LA)
- Mid-Brant Precinct Comments (MB)
- Upper Brant Precinct Comments (UB)
- Downtown East Precinct Comments (DE)
- Village Square Precinct Comments (VS)
- Neighbourhood Mixed-Use Precinct Comments (NM)
- Apartment Neighbourhoods Precincts Comments (AN)
- Out of Scope Comments (OS)

The Out of Scope Comments section identifies submissions that spoke to matters outside the scope of the Taking a Closer Look at the Downtown project and explains why these submissions could not be applied to the project. For more information on project scope and givens, refer to the [Taking a Closer Look at the Downtown: Public Engagement Plan](#) and the SGL report “[Taking a Closer Look at the Downtown: What You Need to Know](#)”.

GENERAL COMMENTS				
Row #	Date Received (2020)	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
GE 1	May 20	Sharon Hutchinson	<ul style="list-style-type: none"> <li>a. Planning for a new normal. Concerned about over intensification of hi-rises creating the masses of people in areas that has no where for those people to escape.</li> <li>b. Planning for the Downtown needs serious thinking ensure that we are not creating overpopulation of people in such a cramped areas.</li> </ul>	<ul style="list-style-type: none"> <li>a) COVID-19 is likely to be influencing how we live over the coming years. Other novel strains of corona virus are likely to continue to impact our decisions and the circumstances we all face. Continuing to build compact and complete communities will support individuals in accessing their daily needs without having to travel widely. Compact built form also supports more active transportation. The recommended policies identify new ways to support active transportation and pedestrian connections with the identification of new parks and trails to support change in the Downtown.</li> <li>b) Comments acknowledged.</li> </ul>
GE 2	Jun 9	Alex Brooks-Joiner	<ul style="list-style-type: none"> <li>a. Do the traffic studies completed in support of the Re-examination provide “build-out” traffic flow and volume calculations?</li> </ul>	<ul style="list-style-type: none"> <li>a. The scope of the two traffic studies was to inform the development of policies to guide development in Downtown to the planning horizon of 2031. They do</li> </ul>

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<b>Row #</b>	<b>Date Received (2020)</b>	<b>From (Name/ Company/ Organization)</b>	<b>Stakeholder Comment</b>	<b>Staff Response</b>
			b. Concerns about existing traffic conditions on Hager Ave	<p>not assess a build-out scenario. The Micro-level study (appendix 12 of PL-16-20) found that the level of development anticipated by the preferred concept can be accommodated within the existing transportation network.</p> <p>b. Contact the City's Traffic Operations division regarding any concerns with existing conditions.</p>
GE 3	Aug 10	Denise Baker, Weir Foulds	a. Schedule D circulated does not identify "WS", "ES" or "SS" within the Old Lakeshore Road Precinct in accordance with the policies within 8.1.1(3.6.1).	a. The intent was not to change the extent to which those specific policies within the Old Lakeshore Road Precinct apply as shown within the adopted Official Plan (2018). The mapping has been corrected to address this comment. See APPENDIX 21-C.
GE 4	Aug 17	Geraldine Harvey	<p>a. How will the City cope with traffic impacts from new development?</p> <p>b. Concern about existing conditions, including "cut-through" traffic that uses local streets to bypass provincial highways when passing through Burlington.</p>	<p>a. The transportation studies contained in Appendices 11 and 12 found that traffic from planned levels of development can be accommodated within the existing transportation network, and made some recommendations for network improvements such as extending turn lanes.</p> <p>b. Contact the City's Traffic Operations division regarding any concerns with existing conditions.</p>
GE 5	Aug 26	Sustainable Development Committee	a. Recommendations should focus less on how Downtown can look and more on how Downtown can perform with respect to sustainability criteria such as GHG emissions, climate resilience, affordability, accessibility, green space and tree	a. Recommended policy modifications are based on a vision for Downtown as a complete community that supports active transportation, transit, and mixed uses in a sustainable compact built form. The vision is implemented through policies for land use as well as for built form and urban design.

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			<p>population, active transportation and transit, and complete communities.</p> <p>b. Climate lens must be applied, with consideration for climate mitigation measures (such as district energy) and climate adaptation.</p> <p>c. Request that phase 2 flood hazard study identify and rank priorities with flood risk, predict impact of increased storm severity on flood risk, assess options for daylighting creek sections that are currently culverted, identify animal habitat and natural heritage areas.</p> <p>d. SDC supports green connectors and new parks in Mid Brant and Upper Brant. Suggest Upper Brant park not be located directly on Brant St.</p> <p>e. Suggest a target percentage of public green space in Downtown, with each development to provide open/green space. Suggest landscaping including new trees be provided in each new development</p> <p>f. SDC supports 3 storey podium and tower setbacks on Brant Street. At-grade setback should be required too.</p> <p>g. Surface parking should be permitted on an interim basis until transit is improved.</p> <p>h. Are there sufficient development opportunities in Downtown East to provide</p>	<p>b. Climate mitigation and climate adaptation are supported by recommendations for compact built form, mixed uses, and enhanced and expanded active transportation and transit networks, parks, open space, and natural heritage lands. Comprehensive Block Planning policies include consideration of sustainable best practices, 8.1.1(3.20).</p> <p>c. The Phase 2 Flood study terms of reference will be determined with input from Conservation Halton. This comment has been forwarded to Capital Works staff to be considered.</p> <p>d. Size and configuration of park in Upper Brant will be determined through review of site-specific development applications.</p> <p>e. Opportunities for public green space and trees vary across different development sites and will be assessed on a site-by-site basis. Recommended policies in 3.18 address design of public realm and provision of Privately Owned Publicly accessible open Spaces (POPS).</p> <p>f. Retail Streets policies address at-grade setbacks to enhance streetscape.</p> <p>g. New surface parking is discouraged throughout the Downtown.</p> <p>h. Employment uses, institutional uses, and parking are permitted in multiple precincts; Downtown East is identified as the pre-eminent destination for these uses.</p>

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			<p>adequate employment, institutional, and parking for Downtown?</p> <p>i. Residential development should use universal design principles</p>	<p>i. Universal design is promoted by urban design policies in Chapter 7 of adopted OP. Ontario Building Code applies to building design.</p>
GE 6	Aug 28	Burlington Green Environmental Association, Advocacy Team	<p>a. Burlington Green generally supports the recommendations, subject to following:</p> <p>b. Overall vision should focus on equitable and green recovery and create opportunities for new green-sector jobs, with regard for alignment of climate crisis, systemic racism, and COVID-19 pandemic.</p> <p>c. Future landscaping should remove invasive species, and plant diverse and native tree and plant species to support pollinators, nitrogen fixation, and biodiversity.</p>	<p>a. Comment noted</p> <p>b. The goal of creating a sustainable and equitable City for all is enshrined in provincial and regional policy and in Burlington’s Community Vision, contained in Chapter 2 of the adopted OP, which is based on Council’s Strategic Plan. The recommended modifications to Downtown policies support the achievement of this goal. Refer to row GE1 regarding COVID-19.</p> <p>c. Selection of native species is promoted through Chapter 4 of the adopted OP.</p>
GE 7	Aug 28	WE HBA Kirstin Jensen (includes 2 Consultant Reports- each listed separately below)	<p>a. Fiscal Impact Analysis or Urban Design Guidelines late and not available as committed.</p> <p>b. Confirm adjustment of Urban Growth Centre will not be a point of contention in this process.</p> <p>c. What information substantiates that the UGC has met the minimum growth target requirements?</p> <p>d. Policies are too rigid, inflexible and inappropriate.</p> <p>e. These overly prescriptive policies are indicative of an unachievable built form</p>	<p>a. Due to delays these two documents were posted on August 28<sup>th</sup>. The Urban Design Guidelines are draft at this stage and will be subject to future engagement. The Fiscal Impact Analysis is a background technical study. For more information please refer to the covering memo of Appendix 21.</p> <p>b. The Urban Growth Centre adjustment is expected to occur through the Region of Halton’s Municipal Comprehensive Review/ Official Plan Review. The recommended policies have been developed to conform to the existing Regional Official Plan.</p>

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			<p>with “the very real possibility of sterilizing lands from development altogether”.</p> <p>f. The ability to deliver adequate and affordable housing to meet the growth target demands is justifiably under question.</p> <p>g. Fail to provide sufficient justification or background that warrants need for additional Parkland.</p> <p>h. Prescriptive urban design policies (20 m. stepback and 30 m. tower separation) are inappropriate and have not been adequately considered as to their applicability in the actual construction of development.</p> <p>i. Potential development in the Downtown is being significantly overstated.</p> <p>j. Request a formal written response in reaction to the submission that we and our consultant have provided</p>	<p>c. See <a href="#">2019 Urban Growth Centre Density Analysis</a>. Please also find attached as Appendix 21 - D an updated 2020 Urban Growth Centre Density Analysis.</p> <p>d. The policies provide for a comprehensive vision for the Downtown which balances public input, provincial policy direction, appropriate urban design and consideration for the existing and planned context in each unique precinct in the Downtown. It is not a prescriptive one size fits all plan but rather provides for differing policy directions based on the differing characteristics of each precinct in the Downtown and the vision for those areas. The policies are intended to focus on built form rather than maximum density requirements in order to guide a built form appropriate for each unique area of the downtown.</p> <p>e. This is an Official Plan document. It is not customary to undertake site specific analyses for each property when preparing an Official Plan. It permits a range of housing types from low-rise to tall buildings depending on the existing and planned context for each individual precinct which in many precincts provides for additional built form permissions compared to the current Official Plan. We do not believe any policies sterilize development including along Brant Street. The analyses considered the feasibility of 20 metre stepbacks. Along Brant Street, the blocks are generally a minimum of 50 m depths which leaves approximately a 27-28 metre depth (considering a small setback on John Street) for a mid-</p>

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				<p>rise building which is more than sufficient. As well, the entire 50 m depths could be used to accommodate underground parking which is more than sufficient.</p> <p>f. Housing is a city-wide objective. The policies of the Downtown Urban Centre continue to permit a wide range of housing types. As noted in the staff report the policies of the adopted Official Plan reinforce the importance of accommodating a range of housing types, tenures and affordability levels throughout the city. The recommended policy modifications build on the housing policies in chapter 3 of the adopted Official Plan which emphasize the need to provide opportunities for more housing stock to be introduced while ensuring compatibility with existing neighbourhoods. The recommended policy modifications for Downtown allow for new housing in a range of built forms in different precincts as appropriate based on existing and planned context.</p> <p>g. The Downtown Urban Centre is a predominantly developed area of the City of Burlington. Intensification and redevelopment necessitate the consideration of public service facilities like parks to support planned growth. New parks have been identified to acknowledge areas of significant residential intensification.</p> <p>h. The policies establish specific guidance for development within the various areas of the Downtown.</p>

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				<p>i. The forecast prepared by Watson and presented in the October <a href="#">Themes, Principles and Land Use Concepts</a> report represents what might reasonably occur by 2031 from a market perspective along with 2019 information tracking approved developments.</p> <p>j. As with all responses, this document represents the formal written response in response to all submissions. City staff are always willing to discuss responses.</p>
GE 8	Aug 28	WE HBA Kirstin Jensen MHBC "Comments on City of Burlington Scoped Re-Examination of the Downtown Policies in Burlington's Adopted Official Plan and Proposed Modifications"	<p><b>Key Issues</b></p> <ul style="list-style-type: none"> <li>• The lack of evidence-based approach to inform, support and defend the formulated planning policies</li> <li>• The implications of the proposed prescriptive and detailed regulatory approach in achieving the Provincial and Regional intensification objectives and requirements</li> <li>• The implications of the proposed prescriptive policies in achieving market-based housing; and,</li> <li>• The lack of a comprehensive plan for the Downtown to support and appropriately implement the planning policies to achieve the minimum intensification targets and housing supply.</li> </ul>	<p><b>Individual Issues</b></p> <p>a. Due to delays these two documents were posted on August 28<sup>th</sup>. The Urban Design Guidelines are draft at this stage and will be subject to future engagement. The Fiscal Impact Analysis is a background technical study. For more information please refer to the covering memo of Appendix 21.</p> <p>b. Separate initiatives</p> <p>i) OPA 119 was an amendment to the existing Official Plan that formed part of a separate process (ICBL Land Use Study). As discussed in the course of Committee and Council's consideration of the OPA and ZBLA to implement the findings of the ICBL Land Use Study, it is the intent of staff to work with the Region to consider policy modifications reflective of the findings of the ICBL Land Use Study as part of modifications that will form part of Halton Region's draft notice of decision on the adopted Official Plan.</p>

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		August 27, 2020	<p>Provides a detailed and accurate summary of the timeline of the Official Plan work.</p> <p><b>Individual Issues</b></p> <ul style="list-style-type: none"> <li>a. The Fiscal Impact Analysis and the Urban Design Guidelines were late and were not available to support this submission.</li> <li>b. Separate initiatives in a disjointed manner makes it very unclear as to how or what work has been used to inform the recommended modified policies:               <ul style="list-style-type: none"> <li>i) ICBL It is unclear why OPA 119 only applied to the in-force Official Plan and not be introduced through policy modifications to the Adopted Official Plan as part of the City’s ongoing work through the scoped re-examination of the Downtown policies. The ICBL land use study included a growth analysis which has not been included in the supportive work to the scoped re-examination.</li> <li>ii) Removal of UGC</li> </ul> </li> <li>c. The process to achieve a successful Official Plan must include “ground truthing” and an assessment of the formulated policies to ensure they can achieve the direction</li> </ul>	<p>The recommended policy modifications were informed by the information presented throughout the project. In relation to the scoped re-examination of the Downtown page 16 of the report notes that “the key findings of that study have informed the development of the recommended modifications to the adopted Official Plan”.</p> <p>The growth analysis completed by Dillon as part of the ICBL Land Use Study was a full build out scenario based on the maximum building footprint permitted within the UGC and Burlington GO areas based on the land use designations in the <b>in force Official Plan</b> and a number of density assumptions. The information is not pertinent to the scoped re-examination which is based on the adopted Official Plan.</p> <p>For the detailed analysis, refer to Section 3.5 (page 76-77) of <a href="#">Appendix B to PL-01-20</a></p> <ul style="list-style-type: none"> <li>ii) In August, Council endorsed a recommendation to remove the Major Transit Station Designation and to adjust the Urban Growth Centre Boundary through the Region’s Official Plan Review. This issue is out of the scope of the recommended modifications currently under discussion. Further information and engagement on the issue of the removal of the MTSA and the adjustment of the Urban Growth Centre boundary will occur through the Region’s Official Plan Review Process.</li> </ul>

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			<p>provided and that they do not constrain the market from responding to growth needs.</p> <p>d. The Downtown is the only complete community within the City and will continue to attract a significant component of the City's high and medium density development in the future. This is completely contrary to recent statements by staff in their report on the adjustment of the UGC that states the Downtown has served its purpose.</p> <p>e. Highly prescriptive policies to control and limit redevelopment in response to the existing community's preferences. The policies do not reflect efficient or optimal development of land to achieve the required growth in the Downtown and the policies further divide the Downtown into detailed precinct policy areas which are to be further controlled through more detailed design guidelines, block plans and eventual zoning standards... The detailed policies, which are effectively zoning regulations result in what would be unprecedented building forms which have not been assessed for development feasibility simply to respond to public opinion.</p> <p>f. Leaving out certain precincts leaves questions of conformity and consistency</p>	<p>c. This is an Official Plan document. It is not customary to undertake site specific analyses for each property when preparing an Official Plan. The recommended modifications permits a range of housing types from low-rise to tall buildings depending on the existing and planned context for each individual precinct which in many precincts provides for additional built form permissions compared to the current Official Plan. However, the analyses considered on a general basis the ability to implement the policy direction based on input from the consulting team.</p> <p>d. Staff report PL-33-20 stated that: "(t)he UGC in its existing configuration has been a benefit to the City as it generated investments in amenities, culture, parks, and infrastructure to support intensification. The UGC is forecast to meet its growth target by 2031 and has served its original intended purpose..." (pg 7, PL-33-20). The Taking a Closer Look at the Downtown project proposes modifications that are based on the Urban Growth Centre in place.</p> <p>e. The policies provide for a comprehensive vision for the Downtown which balances public input, provincial policy direction, appropriate urban design and consideration for the existing and planned context in each unique precinct in the Downtown. It is not a prescriptive one size fits all plan but rather provides for differing policy directions based on the differing characteristics of each precinct in the Downtown and the vision for those areas. The policies are intended to</p>

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			<p>with current Provincial policy or why these critical areas were not studied.</p> <p>g. No detailed review of conformity with the PPS, 2020 and the Growth Plan, 2019.</p> <p>h. The policies preclude the ability to achieve the policies set out in the 2020 PPS with specific reference to PPS 2020 policy 1.1.3.5.</p> <p>i. Unclear what “considerable analysis and engagement” entails, given that WE-HBA, along with other landowners and professionals, have continued to provide comments throughout the process noting that the proposed concept and recommended modification are problematic in their applicability to actual development and noting that the level of prescription would render development infeasible from a market perspective... The only rationale provided in support of the regulatory policies and restrictions on development appears to be feedback received from residents stating that they prefer a low rise feel to the Downtown and do not want to see tall buildings in this area to keep Burlington’s “charm”.</p> <p>j. No population and employment yield appears to have been provided with this blended concept.</p>	<p>focus on built form rather than maximum density requirements in order to guide a built form appropriate for each unique area of the downtown. The final comment is an inaccurate and inappropriate characterization of the policies. The policies permit a broad range of built forms and building heights in the differing precincts that are not unprecedented building forms nor are they based solely on public opinion.</p> <p>f. The work plan for the scoped re-examination identified that the Old Lakeshore Road and the Waterfront Hotel were to be excluded from the scope of the study. Please refer to PB-47-19 for further details.</p> <p>g. Comprehensive conformity analysis was undertaken as part of the staff report related to PB-04-18. The analysis within the SGL Report and the Staff Report reflects on the existing analysis and focuses on the areas of change in both documents.</p> <p>h. The PPS policy cited (1.1.3.5) states: “Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions. However, where provincial targets are established through provincial plans, the provincial target shall represent the minimum target for affected areas.” The precinct plan and background information related to this project acknowledges that the Urban Growth Centre density target is a minimum target. The background information indicates “that the Downtown Burlington Urban Growth Centre could achieve a density of 213</p>

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			<p>k. Policies with respect to urban design related to built form should not be in the Official Plan in advance of the completion of the Placemaking and Urban Design Guidelines.</p> <p>l. In order to understand how an area would achieve a minimum density target and to understand the development feasibility analysis most municipalities prepare detailed massing and modelling work combined with an economic feasibility analysis. There is no evidence that any such work or analysis has been completed by the City. These concerns are further highlighted and supported by Altus Group.</p> <p>m. The preamble does not address that the direction in the Growth Plan that 200 people and jobs combined per hectare is a minimum to be achieved and that municipalities are encouraged to exceed this amount. Recommend deletion of a section of the preamble related to the Downtown MTSA contributing towards meeting the Urban Growth Centre density target .</p> <p>n. Brant Main Street precinct 3 storeys within 20 m of Brant Street. Not reflective of current built form in Downtown Burlington, either recent or older developments. The resulting built form is also not reflective of a feasible or marketable built form.</p>	<p>residents and jobs per hectare by 2031, which demonstrates that the Growth Plan target can be achieved by 2031.” (SGL Final Report pg 26).</p> <p>i. The Taking a Closer Look at the Downtown was guided by an overall Engagement Plan. The staff reports in January and the subject report and updated information detail the extensive engagement that was undertaken over the course of the project. The recommended policies balance resident demands for low density throughout the downtown with creating appropriate heights for each precinct which includes, low, mid-rise and tall buildings depending on the precinct. These include considerably more permitted heights than the current OP. Along Brant Street, the policies balanced residents desire for low rise feel while accommodating mid-rise buildings.</p> <p>j. The 2031 population is based on a market based forecast not a supply analysis. The potential supply far exceeds the market based forecast.</p> <p>k. Policy establishes the vision, while urban design guidelines offer the means to achieve the policy objectives. These two documents were prepared concurrently but the guidelines went through additional staff review over the summer but were informed on the policies. Urban design principles and objectives were an integral part of the built form policies in the recommended modifications.</p> <p>l. See response GE8, staff response c.</p>

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			<p>o. The overly prescriptive policy approach to height with the added mandatory regulatory design requirement has the unintended consequence of possibly sterilizing land from development altogether. Without the feasibility assessment of these constraints, the City has not demonstrated that the Regional and Provincial policy directions for the provision of housing, the efficient use of land and optimization of sites is achieved.</p> <p>p. No assessment of housing needs in relation to the prescriptive policies has been undertaken by the City...NBLC assumes no 3 bedroom units, however this is an area the City has clearly noted it is seeking in new development and is the direction in OPA 119.</p> <p>q. Requiring the replacement of existing retail gross floor area is problematic as it removes flexibility to address the changing retail market.</p> <p>r. The modified policies are inappropriate in so far as they require additional prescribed park space in the absence of any park needs study.</p> <p>s. There is no justification for 30 metre tower separation. The tall building guidelines require 25 m. It is unclear why the</p>	<p>m. Policy 8.1.1(3.2) b) addresses this issue. No change required.</p> <p>n. The development at Locust and Lakeshore is an example of this built form. The analyses considered the feasibility of 20 metre setbacks. Along Brant Street, the blocks are generally a minimum of 50 m depths which leaves approximately a 27-28 metre depth (considering a small setback on John Street) for a mid-rise building which is more than sufficient. As well, the entire 50 m depths could be used to accommodate underground parking which is more than sufficient.</p> <p>o. Not unreasonable to put a maximum height on a designation. Simply because the municipality is placing a maximum height limit based on a vision for a precinct and the existing and planned and context doesn't make it overly prescriptive. A diverse range of heights are contemplated within the Downtown. The NBLC analysis has confirmed that mid-rise heights are feasible in the Downtown. As such the Downtown policies represent efficient development patterns which optimize the use of land, resources and public investment in infrastructure and public service facilities.</p> <p>p. The reference in the comments is to a set of OPA criteria that would be applied in the case of considering an Official Plan Amendment for a development that includes a residential component. Similar OPA criteria exist in the adopted Official Plan. The OPA criteria are one of a number of considerations that would be applied at the time of consideration of an OPA. The</p>

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			<p>Downtown would be different from everywhere else.</p>	<p>criteria include a list of potential city building objectives, one among which is the provision of three bedroom units.</p> <p>The provision of housing is a city-wide objective. The policies presented in the precincts and within the urban design section all support opportunities for the development of a wide range of new housing with a clear focus on compatibility with the existing and/or planned context.</p> <p>q. Retail replacement is appropriate along identified retail main streets.</p> <p>r. The City has previously identified in its Parks, Recreation and Cultural Assets Master Plan and in staff reports on the Official Plan review, the need to accommodate additional park land in areas of intensification including the Downtown in order to support population and employment growth. This is simply good planning.</p> <p>s. As part of the adoption report <a href="#">Revised Proposed Official Plan Recommended for Adoption (PB-04-18)</a> a staff response was provided to a Council Motion (Table 1, Motion 4 on page 53). In that report staff noted that “(t)he increased tower separation of 30 m reflects the need to secure additional separation between towers to preserve availability and access to sunlight and privacy in an area planned to have a higher concentration of tall buildings than other parts of the City for which the broader City-wide guideline of 25 m may be more appropriate.</p>

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GE 9	Aug 28	WE HBA Kirstin Jensen Altus Group	<p>a. The Altus memo notes concerns with several assumptions used in the September 2017 and February 2018 BMI analyses, including the PPU (people per unit), unit size assumptions, GFA per Employee (Retail) and GFA per Employee (Office). Altus also outlines concerns with site-specific development assumptions. Some of these concerns include taller podiums than what would be permitted under the adopted OP, several buildings that seem to ignore the maximum 750 sqm floor plate, several buildings that do not conform to requirements for a 45-degree angular plane and some identified developable blocks may not be practical to build upon.</p> <p>b. Altus notes that the BMI Analysis significantly overstates the development potential of the identified sites within Downtown Burlington.</p> <p>c. Altus notes that the BMI analysis should be updated to reflect the latest version of the recommended OP modifications.</p> <p>d. NBLC indicate that a mid-rise approach to development in the Downtown would</p>	<p>a. The work complete in September 2017 and then updated in February 2018 by BMI was work completed to a full build out scenario, while the Re-examination of the Official Plan study is a planning exercise to the horizon of 2031. The Re-examination of the Official Plan project did not rely on the work completed by BMI.</p> <p>b. As noted in the Altus memo, both the September 2017 and updated February 2018 BMI memos advise that the potential development sites considered “factors such as property depth, underground parking areas requirements and allowable floorplates based on setbacks, stepbacks and other direction from the City’s Tall Building Design Guidelines.” At that time, the City’s Mid-rise Design Guidelines had not yet been developed, so BMI advised that they used performance standards from the City of Toronto’s Avenues and Mid-Rise Buildings Study. Further, staff note that the “Downtown Mobility Hub Concept Plans at Build-out” developed by BMI provided only one potential development concept of how the downtown could possibility develop over time to a “build out” state. The purpose of the BMI exercise was to ensure that there was capacity in the downtown to achieve a minimum of 200 people and jobs per hectare.</p> <p>c. As noted in the Altus memo, the February 2018 memo modified some of the assumptions used. Some updates were based on more up to date information. In the September 2017 memo, the GFA per employee</p>

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			<p>“temper” the pace of redevelopment contrary to the purpose of the Urban Growth Centre to act as a focal point for population and employment growth in the Region.</p>	<p>assumptions for both retail and office were based on Watson’s input to the City of Burlington’s 2015 Strategic Plan. In the February 2018 memo, those numbers were modified with more recent information as the GFA per employee assumptions were based on Watson’s 2016-2031 Non-Residential Growth Forecast by Fiscal Impact Study Development Type from their April 20, 2017 City of Burlington Fiscal Impact Study.</p> <p>d. The recommended policies and schedules provide a diverse range of heights within the Downtown. The NBLC analysis has confirmed that mid-rise heights are feasible in the Downtown. As such the Downtown policies represent efficient development patterns which optimize the use of land, resources and public investment in infrastructure and public service facilities. See also response GE8, staff response h).</p>
GE 10	Aug 27	Carriage Gate Homes	<p>a. Carriage Gate Homes owns several properties in Downtown and do not support recommendations on basis that they fail to implement provincial and regional policy and do not represent good planning.</p> <p>b. Concern that policies for urban design, building height, tower separation of 30m, and provision of new parks are unjustified and do not have regard for economic feasibility of projects</p> <p>c. Concern that block planning policies over-reach City’s planning approval authority</p>	<p>a. The recommended policy modifications represent good planning, and conform to provincial and regional policy. For more information, refer to report PL-16-20 and Appendix 1 SGL’s final report (June 2020).</p> <p>b. Refer to responses in Rows GE7, GE8, and GE9 above.</p> <p>c. Area-specific planning is within the City’s jurisdiction and is a typical planning approach where multiple adjacent properties need to be considered together to ensure the objectives of the Plan are achieved. In this case, the City has recommended a requirement for a comprehensive block plan to be considered through the review of a development application rather than a full</p>

**GENERAL COMMENTS**

Row #	Date Received (2020)	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
			<ul style="list-style-type: none"> <li>d. Concern that recommended policies diminish the planned significance, role, and function of the UGC and fail to encourage an enhanced role and function of the downtown bus terminal</li> <li>e. Concern that the needed growth to reach 2031 UGC targets has been incorrectly calculated due to exclusion of Spencer Smith Park</li> <li>f. Concern that requirement for all buildings to include non-residential uses will oversaturate the market and impact housing affordability, that demand for additional office and retail space has not been demonstrated, and that requirement for second-floor office might discourage reinvestment.</li> <li>g. Concern that Re-examination process included site-specific analysis of Carriage Gate’s site at 2069-2079 Lakeshore and 383-385 Pearl, which is subject of an active development application on which City staff have been unable to comment due to the ICBL.</li> </ul>	<p>Area-Specific Planning process. The comprehensive block plan is an appropriate mechanism to provide a framework for the distribution of development and provide design direction on streets and blocks, land use, parks and open space, building massing, building setbacks, public realm and streetscapes, parking and access, landscape, pedestrian connections, and cultural heritage conservation.</p> <ul style="list-style-type: none"> <li>d. The recommended modifications recognize the Downtown MTSA and UGC and reflect the existing and planned function of the bus terminal and that the Downtown is not located on a Priority Transit Corridor or served by higher-order transit.</li> <li>e. UGC density calculations correctly reflect the UGC boundary in the Regional Official Plan and the City’s adopted OP.</li> <li>f. Required uses vary by precinct. Recommended modifications were informed by a Market Analysis and Illustrative Economic Analysis and provide for an appropriate mix of uses throughout the Downtown.</li> <li>g. In January, Appendix B: Preliminary Preferred Concept Descriptions and Visions of PL-02-20 identified the need to undertake further analysis to determine the appropriate maximum height including a number of considerations. Site-specific analysis of 2069-2079 Lakeshore Rd and 383-385 Pearl Street was conducted to inform determination of appropriate built form and height for this site. Built form and height permissions in</li> </ul>

GENERAL COMMENTS				
Row #	Date Received (2020)	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
				the Lakeshore Precinct vary based on site-specific characteristics and constraints.
GE 11	Letter sent by mail, rec'd by City Sept. 3, 2020	Joan Turbitt	<ul style="list-style-type: none"> <li>a. Opposed to development of new tall buildings. Supportive of expansions to existing buildings.</li> <li>b. Concern about accessibility and affordability of new and existing housing stock.</li> <li>c. Concern about traffic impacts from future development (currently under construction, currently in application process, or not yet applied for)</li> </ul>	<ul style="list-style-type: none"> <li>a. Comment is acknowledged</li> <li>b. The Official Plan promotes development of new accessible and affordable housing. The OP cannot dictate detailed internal design of buildings as this is regulated by Ontario Building Code. The City is developing a Housing Strategy (refer to Appendix 20).</li> <li>c. Traffic impacts of planned growth have been assessed through two transportation studies (see Appendices 11 and 12). These studies found that traffic from planned growth can be accommodated within the existing transportation network.</li> </ul>

BRANT MAIN STREET PRECINCT				
Row #	Date Received (2020)	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
BM 1	Aug 24	Kelly Martel, MHBC, for Emshih Developments Inc	<ul style="list-style-type: none"> <li>a. Commenting with respect to properties at 372-380 Brant Street and 433-439 Brant Street.</li> <li>b. Concern with prescriptive and mandatory urban design regulations being provided in Official Plan policies, which impact redevelopment potential</li> </ul>	<ul style="list-style-type: none"> <li>a. Comment noted</li> <li>b. The recommended modifications include policies for urban design, built form, and transition, to ensure development respects the physical character of each precinct, while allowing for intensification. The policies provide for a comprehensive vision for the Downtown which balances public input, provincial policy direction, appropriate urban design and consideration for the existing and planned context in each unique precinct in the</li> </ul>

**BRANT MAIN STREET PRECINCT**

Row #	Date Received (2020)	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
			<p>of both sites and could make it nearly impossible to develop a viable mid-rise building on the site, contrary to provincial growth and housing objectives. Believe a flexible policy framework that allows site-specific assessment of each project is more appropriate.</p> <p>c. Particular concern with 20m setback for development above 3 storeys on Brant St. Believe angular plane and streetwall height are more appropriate.</p> <p>d. Particular concern with policies discouraging residential lobbies on Brant Street. Believe entrance at rear of site is not appropriate from land use and design principle perspective.</p> <p>e. Question how policies and built form concept are justified when companion urban design guidelines are not yet finalized or publicly available.</p>	<p>Downtown. It is not a prescriptive one size fits all plan but rather provides for differing policy directions based on the differing characteristics of each precinct in the Downtown and the vision for those areas. The policies are intended to focus on built form rather than maximum density requirements in order to guide a built form appropriate for each unique area of the downtown, while allowing flexibility for design within the built form parameters. Not every site will be able to develop to the maximum height limit permitted by its precinct, due to site-specific constraints.</p> <p>c. The recommended policy requirement for a 20m setback above the third storey is an appropriate mechanism to achieve the intended street wall height. An alternative approach of using an angular plane would not on its own achieve the intended low-rise feel on Brant Street. The analyses considered the feasibility of 20 metre setbacks. The development at Locust and Lakeshore is an example of this built form. Refer to responses in rows GE7 and GE8 for more information on this built form requirement.</p> <p>d. Brant Street is identified as a Retail Main Street, which requires retail or service commercial uses continuously at grade to preserve and enhance the eclectic retail character and function of these streets. Residential lobbies fronting on Retail Main Streets are to be restricted where possible per 8.1.1(3.21.1)(f).</p> <p>e. Urban design guidelines are intended to build on and implement policies and have been released for reference to inform discussion of recommended policy modifications.</p>

**LAKESHORE PRECINCT**

Row #	Date Received (2020)	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
LA 1	Aug 28	Josh Neubauer and Lisa Ward Mather, Urban Strategies Inc, for Circle K	<ul style="list-style-type: none"> <li>a. Circle K owns 1447 Lakeshore Rd (“subject site”). Circle K opposes the recommended policy modifications and urges Council to reject in particular the height schedules land built form policies including 8.1.1(3.5)(c) and 8.1.1(3.19.3)(c,d),</li> <li>b. Urges council to reject the language in 8.1.1(3.2)(d) that provides density targets will not be applied on a site-by-site basis, or to amend the language to recognize importance of key sites in meeting averaged density targets.</li> <li>c. Concern that built form policies for subject site, and distribution of height permissions within Lakeshore Precinct, are arbitrary with no obvious relation to achieving Precinct goals, and will have effect of limiting scale of development in this area.</li> <li>d. Concern that required 20m tower setback from Lakeshore Rd is inappropriate for Lakeshore Rd context and will negatively impact development potential of subject site and ability to satisfy provincial policy targets</li> </ul>	<ul style="list-style-type: none"> <li>a. Comment noted</li> <li>b. Density targets are applied to the entire UGC in accordance with Growth Plan 2019 (as amended) policy 5.2.5.4.</li> <li>c. Recommended policy modifications provide varying built form and height permissions within Lakeshore Precinct based on the varying site contexts, characteristics, and constraints of remaining undeveloped parcels. The recommended height on this property fits within the established character of an 11 storey building to the west and 13 storey building to the east.</li> <li>d. The required 20m setback above the third storey is an appropriate built form on this section of Lakeshore Rd. The development at the northeast corner of Locust St and Lakeshore Rd is an example of this built form. As well, the property to the west of 1447 Lakeshore Rd has a 26 m setback from Lakeshore Rd. The analyses considered the feasibility of 20 metre stepbacks. 1447 Lakeshore Rd has an approximately 50 m depth which leaves sufficient space for a mid-rise building. As well, the entire 50 m depths could be used to accommodate underground parking which is more than sufficient.</li> </ul>

**MID-BRANT PRECINCT**

Row #	Date Received (2020)	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
MB 1	Aug 17	Weston Consulting, on behalf of Littlethree Ontario Ltd.	<p>a) Support that these lands are not included in the Block Planning process.</p> <p>b) 3.7.1 (e) requiring building height not to exceed 3 storeys within 20m of Brant Street would limit architectural design and flexibility by creating a uniform uninspired built form. Suggest step back be revised to 10m or to allow for protrusions, which will satisfy the general intent (main street feel).</p> <p>c) 3.7.1 e) iv) suggest 45 degree angular plane should be measured from the eastern limit of Rambo Creek block. Allow the planned trail and future John Street extension to provide added separation for privacy and shadow mitigation for the detached homes east of the creek</p> <p>d) Properties at 2052 and 2054 Courtland Drive have existing zoning permitting 6 storeys as of right. The block should be considered medium/high density in the draft Official Plan and any massing from the subject lands to this block should be reflective of the as of right 6 storey permissions. The required 45 degree angular plane should not apply.</p>	<p>a. Comment acknowledged.</p> <p>b. The subject property has sufficient depth to accommodate the 20m setback above third storey while still allowing for design flexibility. Balconies are permitted to protrude into the 20m setback from Brant Street.</p> <p>c. The 45 degree angular plane is proposed to be taken from the existing western property line of the creek block. Staff note that Rambo Creek is not contained within a separate creek block for the entire length of the Mid-Brant Precinct, and that recommended policy 3.19.4 indicates that “the transition shall entail a 45-degree angular plane applied from the rear property line directly abutting any Residential Low-Density designation. Staff agree that Rambo Creek provides a separation from neighbouring low-density neighbourhoods and low-rise precincts and that the intent of the transition policy can be achieved by measuring the 45 degree angular plane from the rear or side property line of the residential property lines on the east side of the creek. Refer to Appendix 21-B where staff have proposed a revision to the recommended policy 8.1.1(3.7.1)(e)(iv), to be consistent with policy 8.1.1(3.19.4).</p> <p>d. Notwithstanding the existing zoning permissions the recommended policies acknowledge the existing stable built form and are proposing to designate these lands as forming part of the Low-rise Neighbourhood Precinct. This recommendation acknowledges the existing built</p>

**MID-BRANT PRECINCT**

Row #	Date Received (2020)	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
				form in this area and the surrounding low-rise development. No change is recommended.
MB 2	Aug 17	Weston Consulting, on behalf of Victoria-Brant Ltd.	<ul style="list-style-type: none"> <li>a) Supportive of direction</li> <li>b) 3.1.1(3.8)h) (ii) object to requirement for 50,000 m2 of floor space for retail use. Suggest 5,000 m2 would be more appropriate.</li> <li>c) 3.7.1 a) iii) request wording specifying retail and service commercial at grade be revised to permit “non-residential” in order to allow for potential future institutional or office uses. Important if the John Street extension is not a public road.</li> <li>d) 3.7.1 f) support that the policies encouraging, but not requiring coordination with adjacent landowners.</li> <li>e) 3.7.1 (e) requiring building height not to exceed 3 storeys within 20m of Brant Street would limit architectural design and flexibility by creating a uniform uninspired built form. Suggest step back be revised to 10m or to allow for protrusions, which will satisfy the general intent (main street feel).</li> <li>f) 3.7.1 e) iv) suggest 45 degree angular plane should be measured from the eastern limit of Rambo Creek block. Allow the planned trail and future John Street extension to provide added separation for privacy and</li> </ul>	<ul style="list-style-type: none"> <li>a. Comment acknowledged.</li> <li>b. Agree that this policy requirement is a typo. <b>Staff recommend</b> that the policy be returned to the language within the adopted Official Plan.</li> <li>c. 3.7.1 a) iii) permits retail and service commercial uses are permitted only at grade. In addition, office uses, entertainment uses and recreation uses are explicitly permitted and public service are permitted within all land use designations. The requirement for retail or service commercial uses continuously at grade only applies to the portion of the property that has frontage on Brant Street. The policies are sufficiently flexible to allow for a range of non-residential uses at grade.</li> <li>d. Comment acknowledged</li> <li>e. The analyses considered the feasibility of 20 metre stepbacks. Along Brant Street, the properties have sufficient depth to allow for appropriately designed buildings.</li> <li>f. See row MB1, Staff response c)</li> <li>g. Comment acknowledged. Please note: the Cultural Heritage Resource Assessment by ASI identifies 2022 Victoria Ave as a cultural heritage resource already listed on the Municipal Register, and also identifies 2012 Victoria Ave as having potential cultural heritage value, to be confirmed through further study. Refer to tables 2 and 3 in the ASI study, attached as Appendix 6 of report PL-16-20. See also recommended</li> </ul>

**MID-BRANT PRECINCT**

Row #	Date Received (2020)	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
			<p>shadow mitigation for the detached homes east of the creek</p> <p>g) Acknowledge 2022 Vicotria Avenue contains a listed heritage building. Unable to comment on the ASI report. Will undertake a Heritage Impact Assessment in order to determine the cultural value of the structure.</p> <p>h) Happy to have discussion with staff or members of Council to review our comments in more detail.</p>	<p>modifications in Appendix 4 and the recommended policies of 8.1.1(3.23) in Appendix 2 of the staff report.</p> <p>h. Comment noted.</p>
MB 3	Aug 27	Renimmob Properties Ltd	<p>a. Renimmob owns 535-551 Brant Street and do not support recommendations on basis that they fail to implement provincial and regional policy and do not represent good planning.</p> <p>b. Concern that policies for urban design, building height, tower separation of 30m, and provision of new parks are unjustified and do not have regard for economic feasibility of projects</p> <p>c. Concern that block planning policies over-reach City's planning approval authority</p> <p>d. Concern that recommended policies diminish the planned significance, role, and function of the UGC and fail to encourage an enhanced role and function of the downtown bus terminal</p>	<p>a. The recommended policy modifications represent good planning, and conform to provincial and regional policy. For more information, refer to report PL-16-20 and Appendix 1 SGL's final report (June 2020).</p> <p>b. Refer to responses in Rows GE7, GE8, and GE9 above.</p> <p>c. Area-specific planning is within the City's jurisdiction and is a typical planning approach where multiple adjacent properties need to be considered together to ensure the objectives of the Plan are achieved. In this case, the City has recommended a requirement for a comprehensive block plan to be considered through the review of a development application rather than a full Area-Specific Planning process. The comprehensive block plan is an appropriate mechanism to provide a framework for the distribution of development and provide design direction on streets and blocks, land use, parks and open space, building massing, building setbacks, public realm and streetscapes, parking and</p>

MID-BRANT PRECINCT				
Row #	Date Received (2020)	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
			<p>e. Concern that the needed growth to reach 2031 UGC targets has been incorrectly calculated due to exclusion of Spencer Smith Park</p> <p>f. Concern that requirement for all buildings to include non-residential uses will oversaturate the market and impact housing affordability, that demand for additional office and retail space has not been demonstrated, and that requirement for second-floor office might discourage reinvestment.</p>	<p>access, landscape, pedestrian connections, and cultural heritage conservation.</p> <p>d. The recommended modifications recognize the Downtown MTSA and UGC and reflect the existing and planned function of the bus terminal and that the Downtown is not located on a Priority Transit Corridor or served by higher-order transit.</p> <p>e. UGC density calculations correctly reflect the UGC boundary in the Regional Official Plan and the City's adopted OP.</p> <p>f. Required uses vary by precinct. Recommended modifications were informed by a Market Analysis and Illustrative Economic Analysis and provide for an appropriate mix of uses throughout the Downtown.</p>

UPPER BRANT PRECINCT				
Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
UB 1	Aug 24	Niagara Planning Group (NPG) on behalf of the owners of 789 and 795 Brant Street	<p>a. Supportive of recommended density and height provisions for the Upper Brant Precinct – within 800 m 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</p>	<p>a. Comment acknowledged.</p> <p>b. As part of the adoption report <a href="#">Revised Proposed Official Plan recommended for adoption (PB-04-18)</a> a staff response was provided to a Council Motion (Table 1, Motion 4 on page 53). In that report staff noted that “(t)he increased tower separation of 30 m reflects the need to secure additional</p>

UPPER BRANT PRECINCT				
Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
			<p>boundary, the Upper Brant Precinct height and density approach should be retained and applied.</p> <p>b. For the following reasons (existing Tall Building Guidelines appropriate, 30 metre separation pushes towers further north, closer to low rise/neighbourhood) outlined in submission, suggests that a 25 m tower separation would be more appropriate given the property, ownership and site circumstances.</p> <p>c. Height and Building Setback from Brant although intended to recognize flexibility is an improvement, yet not fully sufficient. Propose 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 5 m. Achieves commitment to a pedestrian scale on Brant Street and respects the relationship between the redeveloping lands and the adjoining neighbourhoods.</p>	<p>separation between towers to preserve availability and access to sunlight and privacy in an area planned to have a higher concentration of tall buildings than other parts of the City for which the broader City-wide guideline of 25 m may be more appropriate.”</p> <p>c. The policies of the Upper Brant Precinct propose that flexibility may be considered through the review of development applications and provide the considerations that could be relevant in determining the contextually appropriate setback. The policies do not establish an alternative setback, rather the consideration through a development application process.</p>

DOWNTOWN EAST PRECINCT				
Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
DE 1	Aug 18	Glenn Wellings for	a. Concern with the City’s request for Halton Region to adjust the boundary of the Urban Growth Centre (UGC) through	a. This comment is out of scope. Please see Appendix 21 memo.

DOWNTOWN EAST PRECINCT				
Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
		Mattamy James Street Partnership	<p>report PL-33-20. Believe that adjusting the UGC boundary is outside the jurisdiction of the City and Region, and proposing an adjustment through an OPA is improper and arbitrary.</p> <p>b. Pleased to see permission for up to 17 storeys recommended in Downtown East Precinct. Concern with requirement for 2 storeys of office to be provided in order for 17 storey building to be permitted. Believe there is no planning rationale to require office on Mattamy lands or generally in all development in Downtown East. Believe 17 storeys is appropriate on Mattamy lands regardless of whether office provided.</p> <p>c. Seek clarification on requirement for Downtown East developments to apply angular plane from east side of Martha Street. Believe this is improper and inappropriate, especially in a UGC.</p>	<p>b. Downtown East Precinct is intended to be a pre-eminent destination for office uses, post-secondary educational uses, and other learning facilities, as well as providing significant opportunities for residential uses. The policy provides a feasible means of achieving mixed use development in line with Provincial policies.</p> <p>c. Refer to recommended policies 8.1.1(3.19.4)(e) and (g): the separation of the public road shall be considered in the extent of transition required. Transition may be achieved through various means and does not necessarily require an angular plane.</p>

VILLAGE SQUARE PRECINCT				
Row #	Date Received (2020)	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
VS 1	Aug 7	Don and Liz Wilson	<p>a. Why are 4 storeys recommended for low-rise portions of Village Square Precinct, where the preferred concept showed 3 storeys?</p> <p>b. Will the Downtown Burlington Placemaking and Urban Design</p>	<p>a. Lands identified for low-rise development on Schedule B-2 have been permitted up to 4 storeys in accordance with the Official Plan definition of low-rise. Lesser height maximums are identified for the St Luke's and Emerald Neighbourhoods and for the podiums of mid-rise and tall buildings on sections of Brant Street and Lakeshore Road.</p>

**VILLAGE SQUARE PRECINCT**

Row #	Date Received (2020)	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
			<p>Guidelines provide exact parameters for development in Village Square Precinct to restrict development impacts such as shadowing and overlook? (e.g.: will guidelines set an angular plane requirement for development in areas where the recommended policies do not?)</p>	<p>b. The draft Downtown Burlington Placemaking and Urban Design Guidelines (“draft guidelines”) provide guidance on how to implement the OP’s urban design and built form policies in a variety of contexts. The draft guidelines do not set out exact parameters for specific sites. This will be done through the development of new zoning regulations, either through a comprehensive review of the Zoning By-law to occur after the new Official Plan comes into effect, or through the review of site-specific development applications.</p>
VS 2	Aug 28	Karen Bennett, Glenn Schnarr and Associates Inc., for Pine Street Burlington Corp.	<ul style="list-style-type: none"> <li>a. Pine Street Burlington Corp. owns 2085 Pine Street (“subject property”)</li> <li>b. Note that 2085 Pine is the only property subject to Schedule D-2 overlay that references 8.1.1(3.10.1)</li> <li>c. Concern that transition policies depend on urban design guidelines that have not yet been released; suggest that policies that rely on guidelines should be informed by those guidelines.</li> <li>d. Cannot comment on policies without first reviewing the draft guidelines to which they refer.</li> </ul>	<ul style="list-style-type: none"> <li>a. Comment noted</li> <li>b. An overlay on Schedule D-2 applies to multiple properties between Pine Street and the Elgin Promenade and reflects the needs for mid-rise development on these lands to transition to adjacent existing or future low-rise development fronting on Martha Street.</li> <li>c. Policy establishes the vision, while urban design guidelines offer the means to achieve the policy objectives. These two documents were prepared concurrently but the guidelines went through additional staff review over the summer but were informed on the policies. Urban design principles and objectives were an integral part of the built form policies in the recommended modifications.</li> <li>d. Comment noted.</li> </ul>
VS 3	Sep 4	Gary Care and Don Wilson on	<ul style="list-style-type: none"> <li>a. Recommend modifying the “V2” sub-Precinct (as shown in January concept) to permit maximum 4-6 storeys, not 11</li> </ul>	<ul style="list-style-type: none"> <li>a. Staff have further considered the “V2” area as directed by staff in January 2020. Refer to section 4.3.1 of report PL-16-20 for more information.</li> </ul>

**VILLAGE SQUARE PRECINCT**

Row #	Date Received (2020)	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
		<p>behalf of Martha Street residents</p>	<p>storeys, with site-specific policy reflecting previous development approval for 5 storeys on 2085 Pine Street site.</p> <p>b. Pleased that 401-417 Martha Street site has site-specific permission for maximum 22 metres, in accordance with existing zoning</p> <p>c. Recommend minimum setback of 11.6 metres for 401-417 Martha Street, equivalent to 11.6 metre setback at 402-410 Martha Street townhouses.</p> <p>d. Architecture in Village Square Precinct should reflect the look and feel of existing Village Square and existing 2085 Pine heritage building (as Pine &amp; Pearl retirement home and mid-rise condo north of Village Square have done)</p> <p>e. Recommend streetscaping on Martha south of New/James Street to have village feel as eastern entrance to downtown from Centennial Bikeway, with street lamps and trees lining both sides and removal of hydro poles and wiring.</p>	<p>b. Comment noted</p> <p>c. Specific at-grade setbacks will be established through the Zoning By-law</p> <p>d. Recommended Official Plan policies guide urban design, built form, and transitions. The draft Downtown Burlington Placemaking and Urban Design Guidelines provide additional guidance.</p> <p>e. Council-approved <a href="#">Downtown Streetscape Guidelines</a> apply to Martha Street. The draft Downtown Burlington Placemaking and Urban Design Guidelines will build on the Downtown Streetscape Guidelines and provide additional guidance.</p>

**NEIGHBOURHOOD MIXED USE PRECINCT**

Row #	Date Rec eived (2020)	From (Name/ Company/ Org.)	Stakeholder Comment	Staff Response
NM 1	Aug 29	Bill Love	Commenter owns an office in a house on Locust Street in Neighbourhood Mixed Use Precinct. Current property taxes are so high that it is not feasible to preserve the existing building or to construct a new building within the permissions and parking requirements of the Neighbourhood Mixed Use Precinct. MPAC appeal of property tax assessment has been unsuccessful; therefore, City should permit greater intensification on site in line with MPAC assessment, or should give the property owner a property tax reduction and rebate.	The Neighbourhood Mixed Use Precinct is intended to preserve the existing physical character and prioritize the adaptive re-use of existing buildings. Land values are assessed by MPAC based on a range of factors that cannot be controlled by the Official Plan. Recommended policy 8.1.1(3.19.5)(f) allows the City to consider reduced parking rates on sites where cultural heritage resources are conserved. Tax rates and tax rebate programs are out of scope of the Official Plan.

**APARTMENT NEIGHBOURHOODS PRECINCTS**

Row #	Date Rec eived (2020)	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
AN 1	Aug 27	Tyler Grinyer, Bousfields Inc, for Spruce Partners Inc and Amico Properties Inc	a. Spruce-Amico own lands at 1161-1167 North Shore Blvd E and are generally pleased with policy direction but have concerns with built form policy 8.1.1(3.12.1) requirement for infill development in Apartment Neighbourhoods to fit within a 45 degree angular plane from rear property line of adjacent Low-Rise. Concern that this would not result in the most appropriate form of transition, would limit built form options, and potentially restrict a particular site's ability to fully optimize the site in accordance with provincial policy. Suggest that recommended policy be revised to allow greater flexibility in application of 45 degree angular lane	a. The Apartment Neighbourhood Precincts are intended to accommodate limited infill development that fits into and respects the existing physical character of adjacent properties. Compatibility and transition to adjacent Low-Rise Neighbourhood Precincts and Residential-Low Density Designations are key considerations in the design of new infill developments in Apartment Neighbourhoods. The subject property has depth to accommodate the required angular plane while allowing for design flexibility and

**APARTMENT NEIGHBOURHOODS PRECINCTS**

<b>Row #</b>	<b>Date Received (2020)</b>	<b>From (Name/ Company/ Organization)</b>	<b>Stakeholder Comment</b>	<b>Staff Response</b>
			either by removing reference to specific degree in Official Plan or by replacing 'shall' with 'encouraged' or something similar.	development that is in keeping with the physical character of the area.

**OUT OF SCOPE**

<b>Row #</b>	<b>Date Received</b>	<b>From (Name/ Company/ Organization)</b>	<b>Stakeholder Comment</b>	<b>Staff Response</b>
OS 1	Aug 24	Niagara Planning Group (NPG) on behalf of the owners of 789 and 795 Brant Street	<p>a) What is the City's boundary of the City's proposed Burlington GO UGC?</p> <p>b) If the City proceeds with the recommendations in PL-33-20, what will be the status and next steps of PL-16-20? 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?</p> <p>c) 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?</p> <p>d) If the City is removing the Urban Growth Centre designation from downtown Burlington as well the</p>	<p>a) Please see Appendix 21 memo.</p> <p>b) Please see Appendix 21 memo.</p> <p>c) Please see Appendix 21 memo.</p> <p>d) Please see Appendix 21 memo.</p> <p>e) Please see Appendix 21 memo.</p> <p>f) Comment acknowledged</p>

**OUT OF SCOPE**

Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
			<p>downtown Burlington MTSA designation, what will be the planned density for the current downtown area as defined in the City's Official Plan?</p> <p>e) 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.</p> <p>f) Request a meeting with City and Regional staff to obtain clarity on the issues raised in this letter and our letter to Mr. Benson.</p>	
OS 2	Aug 26	David Pitblado, Paletta Internation Corporation, Penta Properties Inc.	<p>a) What is the status of the City and Region addressing the four non-conformity issues highlighted in the Region's December 2018 Notice? There has been no engagement on these matters. We are unable to provide comments as this information has not been made available.</p> <p>b) How can the City produce an amended plan satisfactory to the Region of Halton that does not address much of what made the adopted Official Plan not conform in the first place?</p> <p>c) Non-conformity is more than just Downtown policies. The past two years have been focused on the</p>	<p>a) Please see Appendix 21 memo.</p> <p>b) Please see Appendix 21 memo.</p> <p>c) Please see Appendix 21 memo.</p> <p>d) Please see Appendix 21 memo.</p>

**OUT OF SCOPE**

Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
			<p>downtown area yet issues of non-conformity that impact the remainder of Burlington’s residents and businesses not located downtown have not even begun</p> <p>d) How is the City of Burlington addressing all the other issues of non-conformity identified by the Region of Halton? Would like an equal opportunity for public consultation and stakeholder engagement. There is much more work to be done.</p>	
OS 3	Aug 26	Sustainable Development Committee	<p>a. Parking facilities should have EV parking, carshare spaces, and pick-up/drop-off space, and bike parking.</p> <p>b. City should consider making a portion of Brant St south of Caroline pedestrian-only</p> <p>c. Support strengthening Sustainable Building and Development Guidelines, e.g.: require passive design elements and efficient building envelopes.</p>	<p>a. Specific amenities to be provided in parking facilities are out of scope of the Official Plan.</p> <p>b. Recommended streetscape policies promote consideration of opportunities for flex streets. Conversion of existing streets to pedestrian-only is out of scope of the Official Plan.</p> <p>c. Sustainable Building and Development Guidelines are under separate review and are out of scope of the Re-examination. Refer to Appendix 20.</p>
OS 4	Aug 28	Burlington Green Environmental Association, Advocacy Team	<p>a. Recommendations for transportation plan</p> <p>b. Question about removal of MTSA and Mobility Hub designations and adjustment of UGC – what will be the new location and size of these designations?</p>	<p>a. This comment is out of scope of the Official Plan and has been forwarded to Transportation Department staff for consideration</p> <p>b. Please see Appendix 21 memo for more details.</p>
OS 5	Letter	Joan Turbitt	<p>a. Concern about for-profit long-term care homes (with regard for news about these during pandemic)</p>	<p>a. Licensing of long-term care homes is a provincial matter and out of scope of</p>

**OUT OF SCOPE**

Row #	Date Received	From (Name/ Company/ Organization)	Stakeholder Comment	Staff Response
	sent by mail, rec'd by City Sept. 3, 2020		<ul style="list-style-type: none"> <li>b. Concern about existing traffic conditions Downtown, specifically in the area bounded by Lakeshore, Brant, James/New, and Martha. Request for additional signage to slow traffic at James-Martha intersection.</li> <li>c. Concern about existing pedestrian safety on sidewalks, parking lots, intersections, and off-street trails. Calls for proactive improvements to safety and accessibility of pedestrian infrastructure in advance of anticipated growth.</li> <li>d. Concern about safety on Centennial Bikeway due to presence of coyotes, lack of "eyes on the street", and the mix of bicycles, skateboards, dogs, and pedestrians using the same trail. Request for lighting, seating, and safety patrol staff along bikeway.</li> <li>e. Supportive of investment in Elgin Promenade.</li> <li>f. Supportive of Council's declaration of a Climate Emergency and supports proactive sustainability actions.</li> </ul>	<p>the OP. Long-term care homes are permitted throughout the City subject to policies for institutional uses in Section 3.3 of the adopted OP.</p> <ul style="list-style-type: none"> <li>b. Existing traffic conditions and signage are out of scope of the OP. This comment has been directed to Traffic Operations staff.</li> <li>c. This comment has been shared with Traffic Operations staff. The Council-approved Downtown Streetscape Guidelines (2019) guide future improvements to Downtown sidewalks, boulevards, and promenades.</li> <li>d. This comment has been directed to Parks and Open Space staff.</li> <li>e. Comment acknowledged.</li> <li>f. Comment acknowledged.</li> </ul>

**8.1.1(3) DOWNTOWN URBAN CENTRE**

The Downtown Urban Centre is a lively, vibrant "people place", with a wide variety of *employment*, shopping, leisure, residential, recreational and tourism opportunities. It is the *city's* centre for *cultural* facilities, public gatherings, festive and civic occasions, and social interaction. A large portion of the Downtown Urban Centre is within the Urban Growth Centre boundary; an area referred to in the ~~"Places to Grow"~~ Provincial Growth Plan for the Greater Golden Horseshoe, as an area that *shall* accommodate ~~a significant share of~~ population and *employment* growth ~~within the city~~. The Downtown Urban Growth Centre will be a focal area for investment in regional *public service facilities*, such as the hospital, as well as commercial, recreational, cultural and *entertainment uses* and will serve as a high-density major *employment centre*.

The Downtown will continue to be an area where specialty retail, community retail, *entertainment, cultural, public service facilities* and *institutional* facilities, and *offices*, as well as residential uses, *shall* be developed. The Downtown will continue to develop as the *city's* primary centre, taking advantage of the unique qualities that set it apart from all other areas of the *city* and that contribute to its distinct identity. These qualities include distinct precinct areas, the waterfront location and related activities, historic buildings, *streetscapes* and *development* pattern, views and vistas, *cultural* activities, pedestrian orientation, and recognition of the Downtown as a centre of business and civic activity.

Within the Downtown, there is a historic fine-grained grid street network which was established over a century ago. This street network supports the existing *transit-supportive* built form that contributes to a vibrant, walkable and cycling-friendly *complete community*.

New *development* will ~~be of high quality design to~~ maintain and enhance the Downtown's image as an enjoyable, safe, ~~bikeable,~~ walkable and cycling-friendly-transit-supportive place, and ~~built to be compatible with buildings and neighbourhoods and~~ complement the pedestrian activity and historical attributes of the area. New *development* will also be compatible with the *physical character* within each precinct and designation and provide a *compatible* transition to adjacent *low-rise* neighbourhoods.

The Downtown, ~~in general,~~ is identified generally in the Region of Halton's Official Plan as a *major transit station area*, through the Growth Plan for the Greater Golden Horseshoe and identified as an *Anchor Hub* through Metrolinx's Big Move.

The Downtown Burlington bus terminal functions as an intercity bus transfer point. Because it is a bus depot in an urban core or downtown, it was classified as a *major transit station*. However, it currently does not function as a major bus depot and this is likely to continue into the future, unless improvements and/or

enhancements are undertaken to strengthen its function as a major bus depot. The Downtown Burlington bus terminal is not located on a Priority Transit Corridor as defined by the Provincial Growth Plan nor is it supported by *higher order transit*, nor by *frequent transit* within a dedicated right of way.

The residents and jobs associated with *development* in the Downtown Burlington *major transit station area* will contribute towards meeting the Urban Growth Centre (UGC) density target of a minimum 200 residents and jobs combined per hectare, as identified in the Provincial Growth Plan. Given the limited function of the Downtown Bus Terminal, the *major transit station area* is not expected to be a *significant driver for intensification* beyond that which is required by the Downtown UGC.

Although the Downtown Urban Growth Centre is an *intensification area*, not all sites within the Urban Growth Centre will develop or redevelop to the same extent. The amount of height and density on any site depends on the site's location and context within the Downtown as set out in each precinct.

The City is committed to ensuring the ongoing success of Downtown by implementing the Core Commitment: Downtown Vision and Action Plan, as amended. This document is a strategic action plan for the Downtown which sets out a collective vision, principles and planned actions for the Downtown that go beyond the policies contained in this Plan.

~~*Development* in the Downtown will make the best use of the existing *infrastructure* and create a *sustainable* and *compact community* with a wide range of land uses and built forms.~~

### 8.1.1(3.1) GENERAL OBJECTIVES

- a) To establish the Downtown as a major centre for office, retail, *service commercial*, residential, *culture*, and *public service facilities*, including educational and *institutional uses* that contribute towards the Downtown's role as a unique destination and important source of identity for the city, consistent with Chapter 5: Economic Activity, of this Plan.
- b) To establish minimum density targets for the Urban Growth Centre contained within the Downtown in terms of residents and jobs, in accordance with the ~~"Places to Grow"~~ Provincial Growth Plan for the Greater Golden Horseshoe.
- c) To establish a precinct system that recognizes areas with a distinct common character and sets policies for differences in ~~for~~ objective ~~for~~ land uses, height and built form, which may be informed by historical *development* patterns and precedent and the planned function of each precinct.
- d) To ensure *development* incorporates effective transitions with adjacent

*development* and surrounding areas.

- e) To ~~protect significant public~~ maintain and where feasible enhance view corridors along public streets to Lake Ontario, the Brant Street Pier, City Hall/Civic Square and other landmarks.
- f) To provide space for retail and *service commercial* activities that serve the general needs of Downtown residents and employees as well as specialized functions for the entire *city*.
- g) To ensure that residents, employees and visitors of the Downtown have access to a range of public parks and open spaces including parkettes, urban plazas, playgrounds, promenades, trails and Privately-Owned Publicly Accessible Spaces (POPS) that allow for both passive and active recreational and social activities.
- h) To recognize the Lake Ontario waterfront as a major asset and local and regional destination within the Downtown for recreational, *cultural* and leisure activities.
- i) To expand public access to parks, open spaces and the Lake Ontario waterfront within the Downtown, where possible.
- j) To conserve *cultural heritage resources* and maintain character-defining areas *significant* to the Downtown and the *city*.
- k) To provide a continuous, harmonious, safe, active and attractive pedestrian-oriented environment along Retail Main Streets. ~~through high-quality streetscapes including enhanced greenery/landscaping,~~
- l) To enhance Downtown streetscapes with street trees and other greenery/landscaping where appropriate.
- m) ~~new developments which~~ To achieve urban design and architectural excellence in new developments.
- n) ~~and the retention and expansion of~~ To retain and expand cultural resources assets including public art.
- o) To permit building heights and *intensities* ~~within the~~ that support the designation of the Downtown as an Urban Growth Centre while protecting the predominant low-rise character of Brant Street and providing a transition to adjacent low-rise neighbourhoods that will support and enhance the City, Regional and Provincial significance of the Downtown and its role as a mobility hub.
- p) To require a mix of uses ~~within developments and~~ throughout the Downtown that reinforces the Downtown's role as a *complete community*.
- q) To ensure Downtown continues to have a strong *employment* base that will attract new businesses, services and amenities to support the long-term success of the Downtown.

- r) To concentrate the tallest *development* in those parts of the Urban Growth Centre that have the greatest ~~pedestrian access~~ proximity to *higher-order transit* ~~and which are located away from the Lake Ontario waterfront.~~
- s) To encourage office development through permission for tall buildings in specific areas of the Downtown.
- t) ~~€~~To increase affordability and attract a wide range of demographics and income levels to the Downtown.
- u) To encourage the integration of a wide range of housing types and tenures within the Downtown, including assisted and special needs housing, and rental housing.
- v) To mitigate future traffic congestion associated with growth through *transportation demand management (TDM)* measures and the provision of ~~frequent transit corridors~~ transit and active transportation.
- w) To support the creation of new and expanded pedestrian ~~priority~~ and cycling corridors.
- x) To encourage with adjacent active and supporting uses at grade along Retail Main Streets within the Downtown.
- y) To ensure ~~the Downtown has adequate lands to accommodate future community and government~~ *public service facilities and institutional uses* to support and serve current and future residents and employees.
- z) To ensure the Downtown has adequate infrastructure to support new development.
- aa) To maintain, restore and where possible enhance the long term ecological health, integrity and biodiversity of the Natural Heritage System and its ecological and hydrologic functions within the Downtown.
- bb) To protect life and property from natural hazards.

### 8.1.1(3.2) GENERAL POLICIES

- a) In addition to the objectives and policies of Subsection 8.1.1(3), Downtown Urban Centre, the objectives and policies of Subsection 8.1.2, *Mobility Hubs*, of this Plan, *shall* apply within the Downtown Urban Centre.
- b) Within the Urban Growth Centre Boundary as delineated on Schedule B: Urban Structure, and Schedule D: Land Use - Downtown Urban Centre, of this Plan, a minimum density target of 200 residents and jobs combined per hectare by 2031 or earlier is established, in accordance with the ~~“Places to Grow” Provincial Growth Plan for the Greater Golden Horseshoe.~~
- c) The residents and jobs associated with development in the Downtown Burlington MTSA shall contribute towards meeting the minimum density target of the Urban Growth Centre.
- d) The Urban Growth Centre target of a minimum 200 people and jobs per hectare shall not be applied on a site-specific basis, and shall only be

applied to the entire geography to which the target applies.

- e) The full extent of maximum *development* permissions stated within all Downtown Urban Centre precincts *may* not be achievable on every site within a precinct, due to site-specific factors including, but not limited to, *compatibility with adjacent development, negative environmental impacts, lands, transportation, stormwater management, cultural heritage resources* and/or *infrastructure capacity*, ~~currently under review through the Downtown Area Specific Plan.~~
- f) Major *entertainment, major office, cultural, institutional uses* and *public service facilities* including educational uses, *should be directed to and encouraged* to locate within the Downtown Urban Centre.
- g) *Development* will support and enhance the Downtown as a lively, vibrant and people-oriented place.
- h) *Development* will respect and be *compatible* with the existing built form character of adjacent *development* and provide appropriate built form transition.
- i) *Development* will support the achievement of the vision and function of the precinct within which it is located.

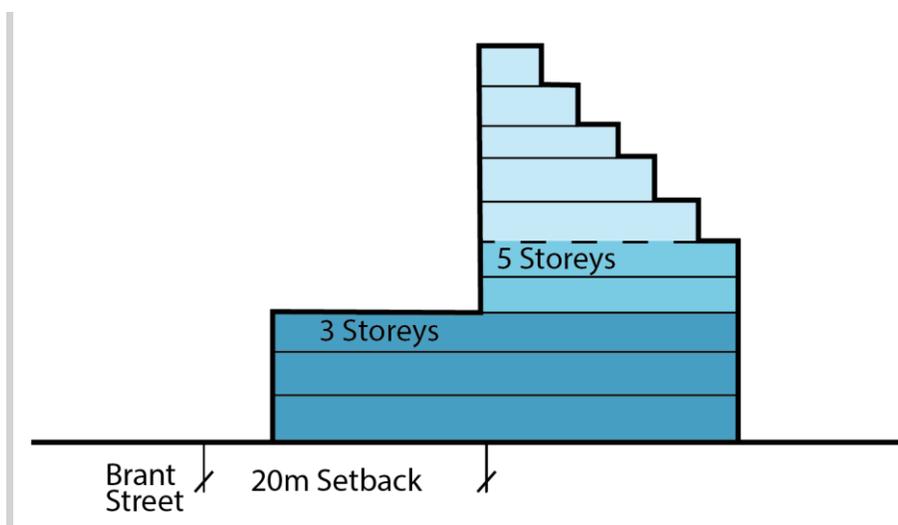
### 8.1.1(3.3) BRANT MAIN STREET PRECINCT

The Brant Main Street Precinct will continue to serve as a unique retail destination within the Downtown and *city-wide*. *Development* will maintain and enhance the existing traditional *low-rise, main street physical character* along Brant Street, ~~generally between Caroline and Pine Streets.~~ Along Brant Street, *low-rise* is considered 3 storeys or less. *Development adjacent to Brant Street* will maintain the existing ~~achieve~~ a low-rise built form, on Brant Street which could be in the form of individual *low-rise buildings* or in the ~~also~~ form of a *podium* to a *mid-rise development*, where *such* the *mid-rise* height is set back 20 metres from Brant Street above the third storey and terraced ~~away from Brant Street towards~~ along John and Locust Streets.

#### 8.1.1(3.3.1) POLICIES

- a) The following uses *may* be permitted within the Brant Main Street Precinct:
  - (i) residential uses ~~excluding with the exception of~~ single detached dwellings, semi-detached dwellings, ~~and~~ other forms of stand-alone *ground- oriented dwellings and dwelling units on the ground floor;*
  - (ii) *office* uses;
  - (iii) retail and *service commercial* uses;
  - (iv) hotel uses;

- (v) *entertainment uses*; and
  - (vi) *recreation uses*.
- b) *Development shall* contain a minimum of two permitted uses, as identified in Subsection 8.1.1(3.1.1) a) of this Plan and *should* contain three permitted uses, where feasible.
- c) Notwithstanding the permitted uses in Subsection 8.1.1(3.3.1 a), office uses shall not be permitted on the ground floor facing Retail Main Streets as shown on Schedule D-1: Downtown Retail Streets, of this Plan. Residential lobbies/access should be located on side streets or at the rear of the building where feasible.
- d) The portion of Brant Street and Lakeshore Road located within the Brant Main Street Precinct shall be considered Retail Main Streets and development shall be required to address the Retail Main Street requirements in Subsection 8.1.1(3.21).
- e) *Development shall:*
- (i) be in the form of *low-rise or mid-rise buildings* with a height not to exceed three (3) storeys ~~immediately adjacent to~~ within 20 m of Brant Street and Lakeshore Road as shown on Schedule D-2: Downtown Urban Centre Heights, of this Plan; and
  - (ii) be in the form of *low-rise buildings* or *mid-rise buildings* with a height not to exceed eleven (11) storeys immediately adjacent to John or Locust Streets and beyond 20 m of Brant Street and Lakeshore Road as shown on Schedule D-2: Downtown Urban Centre Heights, of this Plan; and
  - (iii) ~~achieve a terraced built form with building height between Brant Street and~~ achieve a terraced built form along John or Locust Streets above a 5 storey streetwall to minimize the impact of the building height along John Street and Locust Streets determined by, and not to exceed, a 45-degree angular plane measured from the centre of the Brant Street public right-of-way. The Downtown Burlington Placemaking and Urban Design Guidelines shall provide direction on achieving an appropriate terrace and step back along John and Locust Streets above the fifth storey.



Graphic 8-1. Cross section showing ~~45 degree angular plane from the centre of Brant Street~~ built form and transition to John Street and Locust Street.

- ~~b) Development within the Brant Main Street Precinct shall provide a three (3) storey podium for all portions of a building fronting a public right of way.~~

**8.1.1(3.4) JAMES STREET NODE BRANT MAIN STREET PRECINCT SPECIAL PLANNING AREA**

New development within the James Street Node Brant Main Street Precinct Special Planning Area will contribute towards the enhancement of a civic node at the intersection of Brant Street and James Street. Development will provide new public squares immediately adjacent to the intersection to complement and expand the existing Civic Square and achieve a built form, which will establish view corridors to Civic Square, the *City Hall* tower and the Burlington War Memorial from James Street. ~~Development providing such public amenities will be permitted additional height and/or density in exchange for these amenities~~ Tall buildings are permitted to facilitate an expanded civic square and to create an enhanced civic node with exemplary built form.

**8.1.1(3.4.1) POLICIES**

- a) ~~The intent and policies permitted uses of the Brant Main Street Precinct contained in Subsections 8.1.1(3.7) and 8.1.1(3.37.1) a) to d) of this Plan shall continue to apply, except where identified below.~~
- b) ~~V~~views from James Street to the Civic Square, the *City Hall* tower and the Burlington War Memorial ~~shall be~~ are maintained and enhanced to the satisfaction of the *City*; ~~and~~
- c) ~~An~~ an at-grade public plaza ~~shall be~~ is provided immediately adjacent to the intersection of Brant and James Streets to the satisfaction of the *City*.

*Development* may cantilever over a portion of the public plaza above the second storey a ~~minimum height of twenty (20) m~~, provided that the provisions of Subsection 8.1.1(3.4.1)(b)(3.7.2) b (i) of this Plan continue to be achieved.

### **8.1.1(3.4.2) SITE-SPECIFIC POLICIES**

- a) For the properties identified as 421 Brant Street, the following policies shall apply:
  - i) a maximum building height of 23 storeys (81 metres) shall be permitted; and
  - ii) the maximum floor area ratio shall be 9.45:1.
- b) For the properties identified as ~~additional clarity to Schedule D: Land Use – Downtown Urban Centre~~ of this Plan, properties located within the Brant Main Street Special Planning Area include: 401, 403, 405, 409, 411, 413, 421,425,427, 429 and 431 Brant Street; 2012 James Street; and 444 and 448 John Street the following policies shall apply:
  - i) Notwithstanding Subsection 8.1.1(3.7.1) c) of this Plan, development shall contribute to the creation of an enhanced civic node; and
  - ii) development may be permitted to a maximum building height of seventeen (17) storeys, provided that:

### **8.1.1(3.5) LAKESHORE PRECINCT**

The Lakeshore Precinct will serve as the gateway to the Waterfront with linkages between the waterfront trail and north-south Green Connector streets and Off-Street Trails as shown in Schedule D: Land Use – Downtown Urban Centre, of this Plan. Development will provide new public spaces befitting the significance of the area, ensure that public view corridors to the Brant Street Pier and Lake Ontario are maintained and enhanced, and achieve a high degree of architectural and urban design excellence.

Lakeshore Road will also act as a vibrant Retail Main Street as shown on Schedule D-1: Downtown Urban Centre Retail Streets, of this plan, extending the retail from Brant Street east and west along Lakeshore Road.

Development adjacent to Lakeshore Road, from Lower Hager Creek to Elizabeth Street, will maintain a low-rise built form, which could be in the form of individual low-rise buildings or in the form of a podium to a mid-rise or tall building. East of John Street, the Precinct will predominantly contain tall buildings but the permitted maximum building heights shall be context-specific for each block.

### **8.1.1(3.5.1) POLICIES**

- a) The following uses may be permitted within the Lakeshore Precinct:
  - i) residential uses with the exception of single detached dwellings, semi-detached dwellings and other forms of stand-alone ground-

oriented dwellings;

- (ii) office uses;
  - (iii) retail and service commercial uses at grade;
  - (iv) hotel uses;
  - (v) entertainment uses; and
  - (vi) recreation uses.
- b) Development shall contain a minimum of two permitted uses, as identified in Subsection 8.1.1(3.5.1) a) of this Plan and should contain three permitted uses, where feasible.
- c) Development shall:
- (i) be in the form of low-rise buildings with a height not to exceed three (3) storeys within 20 metres of Lakeshore Road from Lower Hager Creek to Elizabeth Street as shown on Schedule D-2: Downtown Urban Centre Heights, of this Plan;
  - (ii) be in the form of low-rise buildings or mid-rise buildings west of Locust Street, beyond 20 metres of Lakeshore Road as shown on Schedule D-2; and
  - (iii) be in the form of tall buildings east of John Street, other than for the area subject to Subsection 8.1.1(3.5.1) c) (i), with a height not to exceed heights shown on Schedule D-2.
- d) New development shall protect and enhance public views to the Brant Street Pier and/or Lake Ontario from the north-south streets and shall enhance public access to the waterfront through open space corridors and appropriate design considerations.

### 8.1.1(3.5.2) SITE-SPECIFIC POLICIES

- a) **374 and 380 Martha Street:** ~~The properties located at 374 and 380 Martha Street, shall be permitted: and identified in Appendix I of this Plan, may be the subject of a future site-specific amendment. The amendment may be incorporated at the time of approval of this Plan by the Region of Halton or as part of an Official Plan amendment associated with the implementation of an approved Downtown Area Specific Plan.~~
- i) a maximum building height of 27 storeys (88.75 metres); and
  - ii) a maximum floor area ratio shall be 13.3:1.
- b) **2069 Lakeshore Road:** The property located at 2069 Lakeshore Road shall be permitted:
- i) a maximum building height of 22 storeys;
  - ii) a minimum building setback of 12.5 metres from the northern property

line except for the existing heritage buildings on the site which shall be maintained for live-work purposes; and

- iii) balconies facing north shall be situated and designed to reduce overlook on the townhouses to the north.

### **8.1.1(3.12) THE CANNERY PRECINCT**

~~The Cannery Precinct establishes a major landmark location within the Downtown. Development within the precinct will establish a height maximum for the Downtown, outside of the Upper Brant Precinct. Development will provide new public spaces befitting the significance of the area, ensure that public view corridors to the Brant Street Pier and Lake Ontario are maintained and enhanced, and achieve a high degree of architectural and urban design excellence.~~

#### **8.1.1(3.12.1) POLICIES**

- a) ~~The following uses may be permitted within the Cannery Precinct:~~
- ~~(i) residential uses with the exception of single detached dwellings, semi-detached dwellings and other forms of stand-alone ground-oriented dwellings;~~
  - ~~(ii) office uses;~~
  - ~~(iii) retail and service commercial uses;~~
  - ~~(iv) hotel uses;~~
  - ~~(v) entertainment uses; and~~
  - ~~(vi) recreation uses.~~
- b) ~~Development shall contain a minimum of two permitted uses, as identified in Subsection 8.1.1(3.12.1) a) of this Plan and should contain three permitted uses, where feasible.~~
- c) ~~Development shall not exceed a height of twenty two (22) storeys, subject to the provision of the following to the satisfaction of the City:~~
- ~~(i) the protection and enhancement of public views to the Brant Street Pier and/or Lake Ontario; and~~
  - ~~(ii) the upper storeys of a building shall incorporate a variety of architectural elements to the building, including, but not limited to, step backs, material variations, lighting and other architectural elements.~~

### **8.1.1(3.6) OLD LAKESHORE ROAD PRECINCT**

The Old Lakeshore Road Precinct will provide for mixed-use *mid-rise buildings* consisting primarily of residential uses which are pedestrian-oriented and transit-supportive while also achieving a high standard of design. Modest *tall buildings*

which transition downward from the adjacent ~~Lakeshore~~ ~~Downtown Core~~ Precinct towards the waterfront may be accommodated where such *development* achieves strategic public and *city* building objectives, including the provision of public waterfront access and the creation of new uninterrupted view corridors to Lake Ontario, among others.

### 8.1.1(3.6.1) POLICIES

- a) The following uses *may* be permitted within the Old Lakeshore Road Precinct:
  - (i) residential uses with the exception of single detached dwellings, semi-detached dwellings and other forms of stand-alone *ground-oriented dwellings*;
  - (ii) *office uses*;
  - (iii) retail and *service commercial uses*;
  - (iv) hotel uses;
  - (v) *entertainment uses*; and
  - (vi) *recreation uses*.
- b) *Development shall* contain a minimum of two permitted uses, as identified in Subsection 8.1.1(3.6.1) a) of this Plan.
- c) Within the West Sector (Area ‘WS’) as identified on Schedule D: Land Use-Downtown Urban Centre, of this Plan:
  - (i) *development shall*:
    - a. achieve a minimum building height of two (2) storeys; and
    - b. not exceed a height of ten (10) storeys and thirty-one and a half (31.5) m, except where permitted in accordance with Subsection 8.1.1(3.6.1) c) (ii) of this Plan.
  - (ii) *development* not exceeding fifteen (15) storeys and forty-seven (47) m in height *may* be permitted within the West Sector, subject to the provision of the following to the satisfaction of the *City*:
    - a. assembly of lands within the Old Lakeshore Road Precinct between Pearl Street and the future Martha Street alignment and view corridor to the Waterfront (including all lands within the West Sector (Area ‘WS’), portions of the westerly portion of the existing Old Lakeshore Road public right-of-way and the westerly portion of the South Sector (Area ‘SS’) lands contained within the described area);
    - b. continuation of the Martha Street alignment to meet Old Lakeshore Road;
    - c. construction, and dedication to a *public authority*, of a public

- waterfront access that provides a connection between the Pearl Street extension and Lakeshore Road in the vicinity of a Martha Street extension, in accordance with Subsection 8.1.1(3.6.1) c) (ii) of this Plan;
- d. closure of the portion of Old Lakeshore Road identified in Subsection 8.1.1(3.6.1) c) (ii) a. of this Plan;
  - e. provision of a view corridor from Martha Street to Lake Ontario;
  - f. provision of enhanced public spaces;
  - g. *conservation* or re-location of *significant cultural heritage resources* within the precinct;
  - h. submission of an angular plane study, identifying visual, sun shadowing and wind impacts, and demonstrating how any adverse impacts can be mitigated to acceptable levels; and
  - i. community benefits.
- d) Within the East Sector (Area 'ES') as identified on Schedule D: Land Use – Downtown Urban Centre of this Plan:
- (i) *development shall*:
    - a. achieve a minimum building height of two (2) storeys; and
    - b. not exceed a height of six (6) storeys and nineteen and a half (19.5) m, except where permitted in accordance with Subsection 8.1.1(3.6.1) d) (ii) of this Plan.
  - (ii) *development* not exceeding eight (8) storeys and twenty-nine (29) m in height *may* be permitted within the East Sector, subject to the provision of the following to the satisfaction of the *City*:
    - a. Old Lakeshore Road is retained in the East Sector and realigned to form an intersection at Martha Street and Lakeshore Road;
    - b. *conservation* or re-location of *significant cultural heritage resources* within the precinct;
    - c. submission of an angular plane study, identifying visual, sun shadowing and wind impacts, and demonstrating how any adverse impacts can be mitigated to acceptable levels; and
    - d. community benefits.
  - (iii) notwithstanding Subsections 8.1.1(3.6.1) d) (i) and (ii) of this Plan, for the lands described as 2107-2119 Old Lakeshore Road and 2114 Lakeshore Road, the maximum height of buildings *shall* be ten (10) storeys and thirty-one and a half (31.5) m, except that buildings *may* be permitted up to a maximum height of twelve (12) storeys and thirty-seven (37) m, subject to the provision of the following to the

satisfaction of the *City*:

- a. Old Lakeshore Road is retained in the East Sector and realigned to form an intersection at Martha Street and Lakeshore Road;
  - b. *conservation* or re-location of *significant cultural heritage resources* within the precinct;
  - c. submission of an angular plane study, identifying visual, sun shadowing and wind impacts, and demonstrating how any adverse impacts can be mitigated to acceptable levels; and
  - d. community benefits.
- e) Within the South Sector (Area 'SS') as identified on Schedule D: Land Use-Downtown Urban Centre, of this Plan:
- (i) *development* will be constrained due to shoreline protection and applicable setbacks in accordance with Conservation Halton requirements;
  - (ii) existing buildings *may* be maintained, renovated or repaired if damaged, but *may* not be expanded;
  - (iii) notwithstanding Subsections 8.1.1(3.6.1) e) (i) and (ii) of this Plan, *should* shoreline studies be completed to the satisfaction of the *City* and Conservation Halton demonstrating that lands within the South Sector are developable, the lands located east of the Martha Street alignment *shall* continue to be subject to the policies of the East Sector contained in Subsection 8.1.1(3.6.1) d) of this Plan and lands west of the Martha Street alignment *shall* continue to be subject to the policies of the West Sector contained in Subsection 8.1.1(3.6.1) c) of this Plan.
- f) Within the Old Lakeshore Road Precinct, the preferred means of conserving significant cultural heritage resources ~~should be conserved and will be integrated into~~ new development. The re- location of *cultural heritage resources* within the precinct will be considered, including within a Conservation Halton setback from Lake Ontario, as an alternative to the removal of such buildings.
- g) The transfer of *development* rights to other lands within the Old Lakeshore Road Precinct is permitted for the following properties, subject to approval of such plans by the *City*, as a means of *conserving* in perpetuity the buildings identified below:
- (i) 2101 Old Lakeshore Road (The Chrysler Carriage House): A floor area of 320 sq. m. *may* be transferred to other lands in the East Sector once the building has been designated pursuant to Part IV of The Ontario Heritage Act and a *conservation* easement has been granted for the entire building, in favour of the *City* by the owner of the

- property;
- (ii) 2084 Old Lakeshore Road (former Estaminet): A floor area of 1,500 sq. m. *may* be transferred to other lands in the West Sector once the building has been designated pursuant to Part IV of The Ontario Heritage Act and a *conservation* easement has been granted for the entire building in favour of the *City* by the owner of the property.
- h) A holding zone *may* be used to specify the conditions of *development* that must be completed to achieve the higher density *development* outlined in Subsections 8.1.1(3.6.1) c) (ii) and d) (ii) of this Plan.
  - i) Notwithstanding Subsection 4.5.3(2) e) of this Plan, the following policies *shall* apply with respect to the provision of a waterfront trail:
    - (i) along the waterfront where the distance between the water and the public right-of-way will accommodate both the *development* and the Waterfront Trail, the proponent *shall* undertake the following as a condition of approval of a *development application* to the satisfaction of the *City*:
      - a. dedicate, free of charge to the *City*, *lands* below the *stable top of bank*, as identified by Conservation Halton and the *City*;
      - b. dedicate to the *City* as part of parkland dedication, a minimum fifteen (15) m wide strip of land above the *stable top of bank*. *Should* the value of this dedication exceed normal parkland dedication, the proponent would receive compensation for the difference (i.e. either payment or provision of community benefits) as a condition of approval;
      - c. carry out a survey, shoreline protection, and complete construction of the Waterfront Trail above the *stable top of bank*;
      - d. dedicate free of charge to the *City*, the completed Waterfront Trail and associated land; and
      - e. dedicate free of charge to the *City*, any required links to adjacent public open space, roadways and other properties.
  - j) The *City* will consider undertaking an *area-specific plan* for lands within the Old Lakeshore Road Precinct with respect to the review of existing height and density permissions and conditions for *development* as stated within this Plan, as well as other matters as determined by the *City*. The *area-specific plan shall* undertake such a review in terms of achieving key *city* building objectives including, but not limited to, the following:
    - (i) the creation of new public pedestrian connections and park spaces along the waterfront, including any potential *linkages* with adjacent *development* as well as areas designated Downtown Parks and

Promenades within this Plan;

- (ii) the creation of a new view corridor from Martha Street at Lakeshore Road to Lake Ontario including the establishment of any potential associated pedestrian connections; and
  - (iii) the undertaking of a detailed shoreline study to assess potential impacts on *development* potential within the precinct, to be undertaken in consultation with Conservation Halton.
- k) In the case of a *development application* preceding an *Area Specific Plan for the lands within the Old Lakeshore Road Precinct*, a special study for the entire Old Lakeshore Road Precinct *shall* be submitted and implemented based on a terms of reference completed to the satisfaction of the *City*. The special study *shall* demonstrate how the proposed *development* contributes towards, or does not impede the achievement of, the policy objectives for the Old Lakeshore Road Precinct identified in Policy 8.1.1 (3.6.1) a) through j). The special study will also demonstrate how the *development* is consistent with all applicable Official Plan policies and *design guidelines*.

#### **8.1.1(3.7) MID BRANT PRECINCT**

The Mid Brant Precinct will serve as a northerly extension of the low-rise, retail main street character along Brant Street. The Mid Brant Precinct will also serve as a mixed-use Precinct containing a significant amount of retail space including the retention of a food store function. The precinct will function as a major retail centre that serves the day-to-day and weekly shopping needs of Downtown residents. The Precinct offers the opportunity to accommodate larger retail stores internal to the block and which do not front onto Brant Street.

Development adjacent to Brant Street will achieve a low-rise built form, which could be in the form of individual low-rise buildings or in the form of a podium to a mid-rise or tall development, where the mid-rise or tall building height is set back from Brant Street 20 metres and terraced along the Rambo Creek.

It is intended that future development will result in the redevelopment of surface parking lots and the commercial plaza and result in the creation of a walkable Precinct.

#### **8.1.1(3.7.1) POLICIES**

- a) The following uses may be permitted within the Mid Brant Precinct:
  - (i) residential uses with the exception of single detached dwellings, semi-detached dwellings and other forms of stand-alone ground-oriented dwellings;
  - (ii) office uses;
  - (iii) retail and service commercial uses at grade;

- (iv) hotel uses;
- (v) entertainment uses; and
- (vi) recreation uses.
- b) Development shall contain a minimum of two permitted uses, as identified in Subsection 8.1.1(3.7.1) a) of this Plan and should contain three permitted uses, where feasible.
- c) Brant Street within the Mid Brant Precinct shall be considered a Retail Main Street and development shall be required to address the Retail Main Street priority requirements in Section 8.1.1(3.21).
- d) Notwithstanding the permitted uses in Subsection 8.1.1(3.7.1) a), residential and office uses shall not be permitted on the ground floor facing Retail Main Streets as shown on Schedule D-1: Downtown Retail Streets, of this Plan. Residential lobbies should be located on side streets or at the rear of the building where feasible.
- e) Development shall:
  - (i) be in the form of low-rise buildings with a height not to exceed three (3) storeys within 20 metres of Brant Street;
  - (ii) be in the form of low-rise buildings or mid-rise buildings with a height not to exceed eleven (11) storeys adjacent to existing John Street and beyond 20 m of Brant Street;
  - (iii) be in the form of tall buildings with a height not to exceed seventeen (17) storeys in other parts of the Precinct as shown on Schedule D-2 Downtown Urban Centre Heights, of this Plan;
  - (iv) create an appropriate height transition to the neighbourhoods to the east and the open space block along Rambo Creek through the use of a 45 degree angular plane measured from the rear or side property line of the residential properties on the east side of Rambo Creek and through intervening low-rise buildings or other built form transition to create a pedestrian scale adjacent to the open space block as determined through a comprehensive block plan.
- f) A comprehensive block plan, to the satisfaction of the City, shall be required prior to any development being approved between Caroline Street and Victoria Avenue. The parameters of the comprehensive block plan are set out in Policy 8.1.1(3.20) and shall provide for:
  - (i) A transportation connection extending north from John Street to Victoria Avenue along with an assessment of the function, ownership, cross-section, alignment and design of the transportation connection;
  - (ii) An increased creek block along Rambo Creek with a walking trail along

- the west side of the creek as set out in Subsection 8.1.1(3.14.1)(o);
- (iii) An assessment of the need for, and recommended location of, east-west pedestrian connections;
  - (iv) A transition to the adjacent Residential – Low Density or Low-Rise Neighbourhood Precinct, as identified on Schedule C: Land Use – Urban Area or Schedule D: Land Use – Downtown Urban Centre respectively, using the Rambo Creek and all associated setbacks and buffers, transportation connection and built form to provide the transition;
  - (v) A new public urban park within the Precinct including the size, location and configuration of the public park as set out in Section 8.1.1(3.14.1)(n); and
  - (vi) The location and configuration of the retail and *service commercial* floor area as required by Subsection 8.1.1(3.7.1)(h).
- g) Where a *key natural feature* or a *watercourse* feature separates a proposed *mid-rise building* or *tall building* from the adjacent Low-Rise Neighbourhood Precinct, as shown on Schedule D: Land Use – Downtown Urban Centre of this Plan, the 45-degree angular plane, required in Subsection 8.1.1(3.19.4) a), shall be measured from the original western boundary of the *key natural feature* or *watercourse*.
- ~~a) The City will encourage the development and retention of food stores in the Downtown Urban Centre, which are essential to serve the day-to-day shopping needs of current and future residents and employees and support the long term success of the Downtown as a complete community.~~
- h) The City shall require as part of any future redevelopment of 535, 559 and 601 Brant Street: The properties located at 535, 559 and 601 Brant Street shall, as part of any future development, retain the retention of the planned function of the property as a *major retail* centre that serves the day-to-day and weekly shopping needs of Downtown residents and employees which shall include including:
- (i) retaining, at minimum, all *existing* retail and *service commercial* and *office* floor area; and
  - (ii) retaining a food store function as part of the minimum floor area in (i).

### 8.1.1(3.8) UPPER BRANT PRECINCT

The Upper Brant Precinct will accommodate *development* with a variety of building heights proportional to parcel size depth along Brant Street between Prospect Street and Blairholm Avenue, with the tallest *developments* in the Downtown located along and north of Ghent Avenue. *Development* will generally

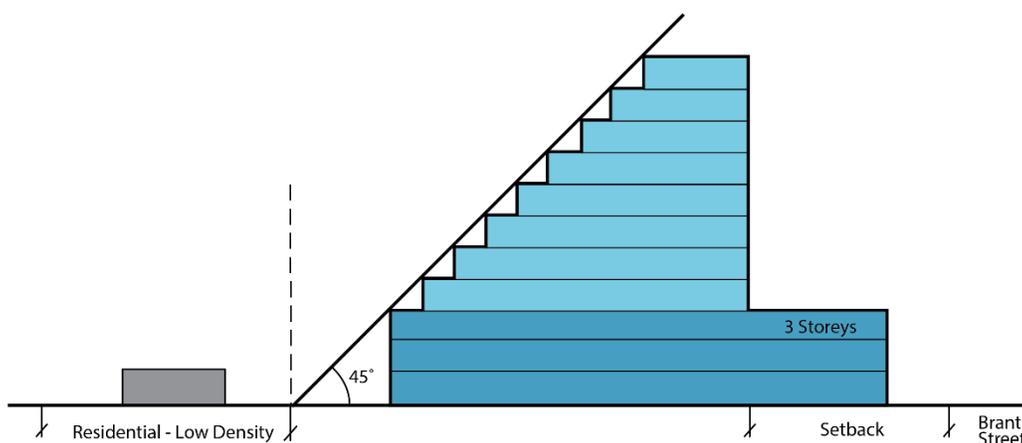
achieve a height and density that reflects the precinct's walking distance to *higher-order transit* at the Burlington GO Station and contributes to the creation of a transit, pedestrian and cycling oriented area while also achieving *compatibility* with adjacent ~~established Residential-low density residential~~ areas shown on Schedule C: Land Use – Urban Area, of this Plan.

A low-rise feel will be maintained for pedestrians along Brant Street through setbacks above the third storey for buildings *abutting* Brant Street. However, to balance the objectives of providing increased density within walking distance to the Burlington GO Station, providing for a transition to adjacent established low-rise residential areas and to provide for a setback along Brant Street above the third storey, flexibility *may* be considered in the depth of the setback from Brant Street above the third storey.

### 8.1.1(3.8.1) POLICIES

- a) The following uses *may* be permitted within the Upper Brant Precinct:
  - (i) residential uses with the exception of single detached dwellings, semi-detached dwellings and other forms of stand-alone *ground-oriented dwellings*;
  - (ii) *office* uses;
  - (iii) retail and *service commercial* uses;
  - (iv) hotel uses;
  - (v) *entertainment* uses; and
  - (vi) *recreation* uses.
- b) *Development abutting Brant Street shall* contain a minimum of two permitted uses, as identified in Subsection 8.1.1(3.8.1) a) of this Plan and *should* contain three permitted uses, where feasible.
- c) Notwithstanding the permitted uses in Subsection 8.1.1(3.8.1) a), residential uses shall not be permitted on the ground floor facing Mixed Use Streets as shown on Schedule D-1: Downtown Urban Centre Retail Streets, of this Plan. Residential lobbies/access should be located on side streets or at the rear of the building where feasible.
- d) New development shall generally be comprised of tall buildings at the northern end of the Precinct and mid-rise buildings at the south according to the maximum heights set out in Schedule D-2: Downtown Urban Centre Heights, of this Plan.
- ~~e) Development shall not exceed a height of twenty five (25) storeys except in the following sectors where maximum height shall be limited to one (1) storey for every four and a half (4.5) m of parcel depth or the following, whichever is less:~~
  - ~~(i) eleven (11) storeys within Sector One (Area 'S1') as identified on~~

- ~~Schedule D: Land Use – Downtown Urban Centre of this Plan;~~
- ~~(ii) seven (7) storeys within Sector Two (Area ‘S2’) as identified on Schedule D: Land Use – Downtown Urban Centre of this Plan; and~~
  - ~~(iii) seventeen (17) storeys within Sector Three (Area ‘S3’) as identified on Schedule D: Land Use – Downtown Urban Centre of this Plan.~~
- e) Buildings abutting Brant Street shall incorporate a setback above the third storey to provide a low-rise feel for pedestrians along Brant Street. The setback should be similar to the 20 m setback in the Brant Main Street and Mid Brant Precincts, but flexibility in the setback may be considered through the review of development applications due to the wider Brant Street right-of-way in this precinct and in order to provide a transition to the adjacent Residential-Low Density designations, shown on Schedule C: Land Use – Urban Area, of this Plan, as required in 8.1.1(3.8.1) g). Direction on the form of the step-back will be provided in the Downtown Placemaking and Urban Design Guidelines.
- f) Adjacent to ~~Mid-rise and tall buildings shall achieve a terraced built form with building height oriented toward Brant Street and away from areas designated Residential-Low Density on Schedule C: Land Use-Urban Area, of this Plan, mid-rise and tall buildings shall achieve a terraced built form with building height oriented away from the Residential-Low Density designations.~~ Terracing shall be in accordance with a forty-five (45)-degree angular plane measured from a property line shared with a property designated Residential-Low Density on Schedule C: Land Use-Urban Area of this Plan.



Graphic 8-2. Cross section showing built form and transition along Brant Street.

- g) ~~Within Sector Three (Area 'S3'), as identified on Schedule D: Land Use – Downtown Urban Centre of this Plan, Ground-oriented dwellings with a maximum height in accordance with Subsection 8.1.1(3.8.1) ~~of~~ of this Plan ~~shall~~ should be provided adjacent to a property line shared with a property designated Residential Low-Density on 'Schedule C: Land Use – Urban Area' of this Plan. Alternatively *ground-oriented dwelling units* could be incorporated into a *podium* of a mid-rise or tall building provided the *podium* meets the angular plane requirements of Policy 8.1.1(3.8.1) f).~~
- h) ~~The City's implementing Zoning By-Law will consider *physical character* including site orientation, building design, building height and establish a minimum rear yard setback requirement for *development* within Sector 2 (Area 'S2'), as identified on Schedule D: Land Use – Downtown Urban Centre of this Plan, which ensures a consistent and *compatible* separation distance is maintained between a *development* and the principal residential building located on an adjacent property designated Residential – Low Density on Schedule C: Land Use – Urban Area, of this Plan.~~
- h) Additional park space *shall* be provided in the precinct through one or more public urban squares and/or Privately Owned Publicly Accessible Open Spaces (POPS), that will create leisure opportunities for the residents of the precinct and surrounding areas, in accordance with the policies and objectives in Sections 3.3 and 8.1.1(3.14) of this Plan. *Development applications* on site larger than 0.4 ha *shall* provide a park concept plan to illustrate how a public urban square and/or POPS could be provided and function on the site.

### 8.1.1(3.9) DOWNTOWN EAST CORE PRECINCT

The Downtown ~~East Core~~ Precinct will serve as the pre-eminent destination for *office and major office* uses, post-secondary educational and other learning facilities and provide *significant* opportunities for residential uses within mixed-use *developments*. Retail and *service commercial* uses, ~~including food stores,~~ will be the predominant use at grade along Mixed Use Streets, as shown on Schedule D-1: Downtown Retail Streets, of this Plan to serve the day-to-day needs of Downtown residents and employees. In addition, the precinct will be a focus for the provision of public use parking to support retail and *office* uses throughout the Downtown.

*Development* will primarily be in the form of *tall buildings* which are informed by historical *development* patterns and precedent within the precinct. However, *development* will be expected to transition to, as well as achieve *compatibility* with, the adjacent Low-Rise Neighbourhood Precincts, as shown on Schedule D: Land Use – Downtown Urban Centre of this Plan. *Development* will support and enhance the Downtown as a lively, vibrant and people-oriented place and support the Downtown's role as a *major transit station area* and *mobility hub* within the city and region.

**8.1.1(3.9.1) POLICIES**

- a) The following uses *may* be permitted within the Downtown East Core Precinct:
- (i) *office* uses;
  - (ii) residential uses with the exception of single detached dwellings, semi-detached dwellings and other forms of stand-alone *ground-oriented dwellings*;
  - (iii) retail and *service commercial* uses;
  - (iv) commercial parking lots and structures;
  - (v) hotel uses;
  - (vi) *entertainment* uses; and
  - (vii) *recreation* uses.
- ~~b) Development shall contain a minimum of two permitted uses, as identified in Subsection 8.1.1(3.11.1) a) of this Plan and should contain three permitted uses, where feasible.~~
- b) *Development shall:*
- ~~(i) have a maximum height of twelve (12) storeys; or not exceed a maximum building height of seventeen (17) storeys as shown on Schedule D-2: Downtown Urban Centre Heights, of this Plan subject to policy 8.1.1(3.9.1) d), subject to a site-specific Zoning By Law Amendment, where additional floors provided above the twelfth (12<sup>th</sup>) storey are provided in accordance with the following:~~
    - ~~a. one additional storey for every 150 sq. m. of dedicated *office* floor space; or~~
    - ~~b. one additional storey for every eight (8) underground parking spaces dedicated for public use and which shall not be for the sole use of occupants or visitors of the *development*.~~
  - c) Any building containing residential units above the height of a *mid-rise building*, shall provide one floor of *office* space in a *podium* for every three additional floors to a maximum of 17 storeys.
  - d) The City shall explore opportunities to partner in the provision of underground parking spaces dedicated for public use.
  - e) Development shall transition to adjacent Low-Rise Neighbourhood Precincts, as shown on Schedule D: Land Use – Downtown Urban Centre of this Plan, and to the future public park between Pearl and Martha Streets north of James Street, as set out in Section 8.1.1(3.19.4) and the Downtown Placemaking and Urban *Design Guidelines*.

**8.1.1(3.9.2) SITE-SPECIFIC POLICIES**

- a) 2030 Caroline Street, 510 Elizabeth Street and 2025 Maria Street: The

property located at 230 Caroline Street, 510 Elizabeth Street and 2025 Maria Street, in keeping with the intent of the precinct, shall contain, in the northern mid-rise building, a substantial floor area of office development commensurate with the development of a 17 storey residential building and a mid-rise building on the site.

- a) ~~421 John Street:~~ The property located at 421 John Street, also referred to as ‘Municipal Parking Lot 4’, ~~should be the preferred location of a future Downtown transit terminal, subject to detailed functional and technical analysis by the City, as required.~~
- a) ~~374 and 380 Martha Street:~~ The properties located at 374 and 380 Martha Street, and identified in Appendix I of this Plan, ~~may be the subject of a future site-specific amendment. The amendment may be incorporated at the time of approval of this Plan by the Region of Halton or as part of an Official Plan amendment associated with the implementation of an approved Downtown Area Specific Plan.~~

### **8.1.1(3.10) VILLAGE SQUARE PRECINCT**

The Village Square Precinct will serve as a pre-eminent retail destination with predominantly mid-rise residential uses within stand alone or mixed-use buildings. The Village Square development, located at 415 Elizabeth Street, will serve as the focal point of this precinct and will be maintained and enhanced as a unique retail destination. Retail and service commercial uses will be the predominant use at grade along the Retail Main Street along Pine Street and along other Mixed Use Streets in the precinct to serve the day-to-day needs of Downtown residents and employees and as a city-wide retail destination.

#### **8.1.1(3.10.1) POLICIES**

- a) The following uses may be permitted within the Village Square Precinct:
- (i) residential uses with the exception of single detached dwellings, semi-detached dwellings;
  - (ii) retail and service commercial uses;
  - (iii) commercial parking lots; and
  - (iv) entertainment uses.
- b) Development within the Village Square Precinct shall be comprised of a mix of mid-rise and low-rise buildings on adjacent properties as shown on Schedule D-2: Downtown Urban Centre Heights, of this Plan.
- c) Development shall generally transition to a lower scale residential built form along Martha Street.
- d) ~~415 Elizabeth Street:~~ The property ~~The Village Square development~~ located at 415 Elizabeth Street, also referred to as ‘Village Square,’ ~~should, shall be maintained as a low-rise retail development and shall~~ as part of any future

*development:*

- (i) retain the existing façades located immediately adjacent to a public right-of-way;
  - (ii) ~~conserve~~ ~~retain~~ the *cultural heritage resources* at 415/417 Elizabeth Street, 423 Elizabeth Street and 416 Pearl Street; and
  - (iii) retain an open space element internal to the site which may be in the form of a Privately-Owned Publicly Accessible Space (POPS) and/or parkland dedication required under The Planning Act as part of a comprehensive development.
- e) Development abutting the townhouses on Martha Street shall incorporate an appropriate built form transition in height and *massing* to minimize the impact of shadowing and overlook. Although a 45 degree angular plane is not required, the transition shall include a *compatible* interface to the townhouses which may require the use of building setbacks, step backs, property consolidations, lower building heights than the maximum permitted for mid-rise buildings, building orientation to reduce afternoon shadow, balcony orientation to reduce overlook and other possible transition tools as further described in Section 8.1.1(3.19.4) and in the Downtown Placemaking and Urban Design Guidelines.

#### **8.1.1(3.10.2) SITE-SPECIFIC POLICIES**

- a) 401 to 417 Martha Street: The property located at 401 to 417 Martha Street shall be permitted a maximum building height of 22 metres and shall provide a built form transition to Martha Street and the Centennial Pathway.

#### **8.1.1(3.11) NEIGHBOURHOOD MIXED USE BATES PRECINCT**

The ~~Bates~~ Neighbourhood Mixed Use Precinct recognizes and *conserves* the historic character of the Downtown along sections of Brant and Locust Streets, including the area's buildings, *streetscapes* and parcel fabric. Priority within the precinct will be for the adaptive re-use of existing buildings. It is intended that development be limited opportunities for and where development existing occurs within the precinct, ~~it will be expected to~~ respect and maintain the existing historic character of the area's parcel fabric and buildings through the use of lotting patterns and building forms and materials currently existing within the precinct.

#### **8.1.1(3.11.1) POLICIES**

- a) The following uses *may* be permitted within the ~~Bates~~ Neighbourhood Mixed Use Precinct:
  - (i) residential uses;
  - (ii) ~~secondary dwelling~~ additional residential units, subject to Subsection 8.7.2 of this Plan;

- (iii) *office uses;*
- (iv) *retail and service commercial uses; and*
- ~~(v) *hotel uses; and*~~
- (vi) *recreation uses.*
- b) Notwithstanding the definition of *low-rise buildings* and the height categories shown on Schedule D-2: Downtown Urban Centre Heights, of this Plan, development shall not exceed a building height of three (3) storeys.
- c) Notwithstanding Section 8.1.1(3.21.1)a)i), *office uses* are permitted at grade in buildings fronting on Retail Main Streets within this precinct.
- ~~d) A maximum *lot area* for sites within the Bates Precinct shall be established through the ~~Downtown Area Specific Plan~~ to ensure the historic lotting pattern of the area is maintained.~~
- d) *Development shall be designed in a manner that respects and maintains the predominant physical character within the precinct, including, but not limited to, building setbacks, roof articulation and building materials.*

#### 8.1.1(3.11.2) ~~BATES PRECINCT SPECIAL PLANNING AREA SITE-SPECIFIC POLICIES~~

~~The Bates Special Planning Area will recognize and continue to permit an undeveloped, approved *development* with a building height greater than that permitted by the Bates Precinct.~~

- ~~a) For additional clarity to Schedule D: Land Use — Downtown Urban Centre of this Plan, properties located within the Bates Precinct Special Planning Area include: 1437 and 1445 Elgin Street and 452 Locust Street. The intent and policies of the Bates Precinct contained in Subsection 8.1.1(3.6) and 8.1.1(3.6.1) of this Plan shall continue to apply, except where identified below.~~
- ~~b) Notwithstanding Subsection 8.1.1(3.6.1) b) of this Plan, *development* within the Bates Special Planning Area shall be permitted up to a maximum height as approved by the City through a site-specific Official Plan Amendment application.~~
- a) 1437 and 1445 Elgin Street and 452 Locust Street: For the properties identified as 1437, 1445 Elgin Street and 452 Locust Street the following policies shall apply:
  - i) notwithstanding the policies contained in 8.1.1(3.2) d) ii), only retail or *service commercial* uses are permitted along Locust Street.
  - ii) notwithstanding the height policies contained in 8.1.1(3.13.1) b), a maximum building height of 7 storeys shall be permitted with the use of terracing above the fourth storey *abutting* the north property line; and

- iii) the maximum floor area ratio shall be 4.6:1.

### 8.1.1(3.12) APARTMENT NEIGHBOURHOOD ~~DOWNTOWN MID-RISE RESIDENTIAL~~ PRECINCTS

The Apartment Neighbourhood ~~Downtown Mid-Rise Residential~~ Precincts are intended to accommodate limited infill *development* that fits into and respects the existing physical character of adjacent properties ~~will primarily accommodate existing residential development consisting of eleven (11) storeys or less, in predominantly residential areas of the Downtown.~~ Infill Limited development opportunities existing within the precinct will be required ~~expected~~ to transition to, as well as achieve *compatibility* with, adjacent the St. Luke's and Emerald Low-Rise Neighbourhood Precincts, as shown on Schedule D: Land Use – Downtown Urban Centre of this Plan, as well as with other established residential neighbourhoods outside of the Downtown. Infill development will also be expected to enhance the street-level experience for pedestrians.

### 8.1.1(3.12.1) POLICIES

- a) The following uses *may* be permitted above the first storey of a *development* within the Apartment Neighbourhoods ~~Downtown Mid-Rise Residential~~ Precinct:
- (i) residential uses.
- b) The following uses *may* be permitted within the first storey of a *development* within the Apartment Neighbourhood ~~Downtown Mid-Rise Residential~~ Precinct:
- (i) entrances and lobbies of residential buildings ~~uses~~;
  - (ii) grade-related dwelling units;
  - (iii) retail and *service commercial* and *office* uses ~~in accordance with Subsection 8.1.1(3.21) and Schedule D 1: Downtown Urban Centre Commercial and Office Streets, of this Plan;~~ and
  - (iv) *recreation* uses.
- ~~c) Development shall be in the form of mid-rise buildings with a minimum height of five (5) storeys and a maximum height not to exceed eleven (11) storeys.~~
- ~~e) Notwithstanding 8.1.1(3.8.1) c), low-rise buildings in the form of townhouses and multi-residential apartments may be permitted where located on the same site as a mid-rise building.~~
- c) Infill development within Apartment Neighbourhoods shall be located, massed and designed to:
- (i) be compatible with, fit into and respect the physical character, including height and massing, of existing building(s) on and adjacent to the infill site;

- (ii) provide appropriate separation distances between buildings on and adjacent to the site (including podiums and towers), so as to achieve access to natural light for interior spaces and outdoor amenity spaces, maximize opportunities for landscaped open space between buildings, and ensure privacy;
- (iii) limit overlook to adjacent Low-Rise Neighbourhood Precincts as shown on Schedule D: Downtown Urban Centre, of this Plan and Residential - Low Density designation as shown on Schedule C: Land Use – Urban Area, of this Plan;
- (iv) provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this Plan, through means such as providing setbacks from, and/or a stepping down of heights towards the Low-Rise Neighbourhood Precincts as shown on Schedule D: Downtown Urban Centre, of this Plan and the Residential Low-Density designation as shown on Schedule C: Land Use – Urban Area, of this Plan;
- (v) adequately limit shadow impacts on properties in adjacent Established Neighbourhood Areas as shown on Schedule B1: Growth Framework, of this Plan, and the public realm;
- (vi) fit entirely within a 45 degree angular plane measured from the rear property line(s) of adjacent Low-Rise Neighbourhood Precincts as shown on Schedule D: Downtown Urban Centre, of this Plan and the Residential Low-Density designations as shown on Schedule C: Land Use – Urban Area, of this Plan as set out in Subsection 8.1.1(3.19.4);
- (vii) frame the edge of streets and parks with buildings at an appropriate height and mass to maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- (viii) locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences;
- (ix) consolidate and, where achievable, relocate surface parking where it is not visible from streets, and parks;
- (x) provide indoor and outdoor recreation space for building residents in mid-rise and tall residential developments;
- (xi) provide ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces, such as commercial uses and grade-related dwelling units with front stoops and porches that take direct access from public sidewalks; and
- (xii) maintain or replace and improve any existing indoor and outdoor residential amenities on the site.

- d) The criteria in 8.1.1 (3.12.1 d) shall be used to assess development applications in the Apartment Neighbourhoods.

### ~~8.1.1(3.8.2) DOWNTOWN MID-RISE RESIDENTIAL PRECINCT SPECIAL PLANNING AREA~~

~~Development within the Downtown Mid-Rise Residential Precinct Special Planning Area will recognize the area's function as a gateway to the established, low-density St. Luke's neighbourhood from Lakeshore Road along Burlington Avenue. Development will incorporate sensitive transitions that respect the built form, historic and physical character of adjacent properties and the broader Burlington Avenue streetscape through building terracing, a reduced maximum height relative to that otherwise permitted by the Downtown Mid-Rise Residential Precinct and the incorporation of ground-oriented dwelling units.~~

~~For additional clarity to Schedule D: Land Use – Downtown Urban Centre of this Plan, properties located within the Downtown Mid-Rise Residential Precinct Special Planning Area include: 1383-1397, 1407, 1415 and 1421 Lakeshore Road.~~

- a) ~~The intent and policies of the Downtown Mid-Rise Residential Precinct contained in Subsections 8.1.1(3.8) and 8.1.1(3.8.1) of this Plan shall continue to apply, except where identified below.~~
- b) ~~Notwithstanding Subsection 8.1.1(3.8.1) c) of this Plan, development shall:~~
- ~~(i) terrace height away from Burlington Avenue and any adjacent property located within the St. Luke's and Emerald Neighbourhood Precinct. Building terracing shall be in accordance with a forty-five (45) degree angular plane as measured from any property line shared with the Burlington Avenue public right-of-way and adjacent properties located within the St. Luke's and Emerald Neighbourhood Precinct, as identified on Schedule D: Land Use – Downtown Urban Centre of this Plan, to a maximum height which shall not exceed six (6) storeys; and~~
  - ~~(ii) provide a building podium containing units oriented towards Lakeshore Road to be consistent with the physical character of the area. The height of the building podium shall not exceed two and half (2.5) storeys; and~~
  - ~~(iii) provide a minimum building step back from the podium to the remaining portions of the building above the podium element of three (3) m.~~

### ~~8.1.1(3.9) DOWNTOWN TALL RESIDENTIAL PRECINCT~~

~~The Downtown Tall Residential Precinct will primarily accommodate existing residential developments consisting of twelve (12) storeys or more in predominantly residential areas of the Downtown. Limited development opportunities existing within the precinct will be expected to enhance the street-~~

~~level experience for pedestrians through the incorporation of building podiums and street-oriented uses.~~

### **8.1.1(3.9.1) POLICIES**

- ~~a) The following uses may be permitted above the first storey of a development within the Downtown Tall Residential Precinct:
 
  - ~~(i) residential uses.~~~~
- ~~b) The following uses may be permitted within the first storey of a development within the Downtown Tall Residential Precinct:
 
  - ~~(i) residential uses;~~
  - ~~(ii) retail and service commercial and office uses in accordance with Subsection 8.1.1(3.2) and Schedule D 1: Downtown Urban Centre Commercial and Office Streets, of this Plan; and~~
  - ~~(iii) recreation uses.~~~~
- ~~c) Development shall be in the form of a tall building with a minimum height of twelve (12) storeys and a maximum height not to exceed twenty one (21) storeys.~~
- ~~d) Notwithstanding 8.1.1(3.9.1) c) of this Plan, mid-rise buildings and low-rise buildings in the form of townhouses and multi-residential apartments may be permitted where located on the same site as a tall building.~~

### **8.1.1(3.13) THE ST. LUKE'S AND EMERALD LOW-RISE NEIGHBOURHOOD PRECINCTS**

The Low-Rise Neighbourhood Precincts include the St. Luke's Neighbourhood and Emerald Neighbourhood Precincts and other low-rise residential areas as shown on Schedule D: Land Use-Downtown Urban Centre, of this Plan. This Plan will maintain the existing established residential and historic character of these low-rise neighbourhoods. These neighbourhoods which contain predominantly single-detached housing forms, but also contain existing semi-detached, duplex, townhouse and low-rise apartment buildings.

Limited *development* opportunities ~~existing~~ within the precinct will be *compatible* with the surrounding neighbourhood area and ~~respectful of fit into~~ the existing *physical character*. ~~Enhanced cycling and pedestrian connections will allow for non-vehicle-oriented travel to key destinations within the Downtown.~~

### **8.1.1(3.13.1) POLICIES**

- a) The following uses *may* be permitted in the St. Luke's and Emerald Low-Rise Neighbourhood Precincts:
  - (i) single-detached and semi-detached dwellings;
  - (ii) townhouses, low-rise apartments and other ground-oriented, multiple

- unit housing outside of the St. Luke’s and Emerald Neighbourhoods;
- (iii) existing townhouses, apartments and other existing uses within the St. Luke’s and Emerald Neighbourhoods;
  - (iv) duplexes;
  - (v) *group homes;*
  - (vi) ~~secondary dwelling~~ additional residential units, subject to the policies of Subsection 8.7.2 of this Plan;
  - (vii) day care centres, subject to the policies of Subsection 8.3.10 of this Plan: and
  - (viii) *offices* in *existing* buildings, subject to the policies of Subsection 8.3.8 of this Plan.
- b) Notwithstanding the definition of low-rise buildings and the height categories shown on Schedule D-2: Downtown Urban Centre Heights, of this Plan, development in the St. Luke’s and Emerald Neighbourhoods shall not exceed a maximum height of two and a half (2.5) storeys; however, the Plan recognizes higher heights for legally existing buildings within these neighbourhoods.
- c) On lands ~~designated~~ within the St. Luke’s and Emerald Neighbourhoods, development shall be permitted to a maximum density of twenty-five (25) units per net hectare or the density legally existing on a site, or a portion of a site, on the date of the approval of this Plan, whichever is greater. In other parts of the Low-Rise Neighbourhood Precincts, as shown on Schedule D: Land Use – Downtown Urban Centre of this Plan, the maximum density is set out in the zoning by-law.
- d) The *development* of semi-detached dwellings, within the St. Luke’s and Emerald Neighbourhoods, shall ensure that:
- (i) the built form and design elements, architectural features, building separations, *lot coverage, scale, floor area ratio*, and landscape qualities and characteristics that are prevalent in the neighbourhood are considered;
  - (ii) attached garages are not permitted; and
  - (iii) detached garages are located in the rear yard.

### 8.1.1(3.14) DOWNTOWN PARKS AND PROMENADES DESIGNATION PRECINCT

The Downtown Parks and Promenades ~~Precinct~~ designation identifies current and future parks, promenades and green spaces within the Downtown, including key *linkages* between parks as well as new or expanded opportunities for public access to the waterfront and nature. Lands within the Parks and Promenades ~~Precinct~~ designation will primarily serve the residents and employees of the Downtown as well as provide parks of a *scale* that will serve as *significant* destinations for city-

wide and regional events and activities.

### 8.1.1(3.14.1) POLICIES

- a) The objectives and policies of Section 3.3, Parks, Recreation and Open Space, of this Plan, *shall* apply on lands designated as Downtown Parks and Promenades.
- b) The following uses *may* be permitted within the Downtown Parks and Promenades ~~Precinct~~ designation:
  - (i) *existing uses*;
  - (ii) municipal parks and related facilities;
  - (iii) outdoor recreation uses;
  - (iv) non-intensive recreation uses;
  - (v) temporary retail and service commercial kiosks;
  - (vi) outdoor entertainment facilities; and
  - (vii) ~~Lands within the Downtown Parks and Promenades Precinct shall provide for recreational opportunities that may include special events including festive, cultural and ceremonial activities.~~
- c) ~~Lands within the Downtown Parks and Promenades Precinct include~~ †The Burlington Beach Regional Waterfront Park is included in the Downtown Parks and Promenades designation but ~~are~~ it is not intended to form part of the Urban Area.
- d) ~~The Downtown Area Specific Plan shall identify opportunities for new parks and promenades within the Downtown Urban Centre in the approximate locations identified on Schedule D: Land Use – Downtown Urban Centre, of this Plan.~~
- e) The identification of lands within the Downtown Parks and Promenades designation ~~Precinct~~ which are currently privately owned and/or do not serve a public function *shall* not imply that such properties are available or open to public use.
- f) New public parks spaces for public use as identified on Schedule D: Land Use- Downtown Urban Centre, of this Plan, *shall* be provided as part of the future *development* of a property with preference given for the acquisition of such lands by the *City* through the parkland dedication process.
- g) Privately-Owned Publicly Accessible Open Spaces (POPS) may be used to augment public space but shall not be used as a replacement to public parkland dedication.
- h) A new public park, ~~including the creation of new pedestrian linkages connecting Birch Avenue to Emerald Crescent,~~ *shall* be planned within the area generally located north of Caroline Street between Brant Street and

the Rambo Creek as represented on Schedule D: Land Use – Downtown Urban Centre, of this Plan. The exact location, size and function of the park and associated implementation policies *shall* be established through a comprehensive block plan as set out in Sections 8.1.1(3.7.1) f) and 8.1.1(3.20) the Downtown Area Specific Plan.

- i) Additional public park space shall be planned within the area generally located near the intersection of Brant Street and Ghent Avenue as represented on Schedule D: Land Use – Downtown Urban Centre, of this Plan. The exact location, size and function of the park space shall be determined through the review of development applications as required by Section 8.1.1(3.8.1)h).
- j) The Lions Club Park is a privately owned facility. If the property is ever sold or proposed for redevelopment, the City shall consider acquiring the northern part of the site for public parkland.
- k) Public amenities will be *encouraged* on utility corridors located within the Downtown Parks and Promenades designation Precinct which serve the recreation and *active transportation* needs of residents and employees and which are *compatible* with the lands' primary purpose as a utility corridor. Public amenities *may* include, but are not limited to, *community gardens*, multi-use pathways and/or off-leash dog parks.
- l) Notwithstanding the policies of Section 6.3, Utilities, of this Plan, surface parking areas *shall* be prohibited within a utility corridor except where existing or approved as of the date of approval of this Plan.
- m) Connections between parks and open spaces shall provide linkages with and the surrounding precincts and neighbourhoods shall be provided through Off-Street Trails/Promenades and Green Connector Streets as delineated on Schedule D: Land Use – Downtown Urban Centre, of this Plan. in a manner that promotes efficient pedestrian and/or cycling access to, from and within the Downtown Urban Centre. Such linkages shall be identified as part of the Downtown Area Specific Plan.
- n) Green Connector Streets are public streets that incorporate enhanced pedestrian and /or cycling facilities within the street right of way and contribute to achieving an inter-connected network of parks, promenades and open spaces in the Downtown. Green Connector Streets differ from promenades which comprise off-street public open space lands. Enhanced landscaping within the public right-of-way, limitations on driveways and differing setbacks may be considered along Green Connector Streets. The Downtown Placemaking and Urban Design Guidelines provide additional direction on the enhanced facilities.
- o) Connections shall be provided to Spencer Smith Park and Burlington

Beach Regional Waterfront Park as delineated on Schedule D: Land Use – Downtown Urban Centre, of this Plan ~~shall establish linkages with the Downtown.~~ Opportunities for creating additional open space and new linkages connections along the waterfront will be ~~established~~ assessed as part of any development proposal. ~~the Downtown Area Specific Plan and will include assessment of opportunities which may arise as a result of the Waterfront Hotel Planning Study and the development of the lands described as 2060 Lakeshore Road, also referred to as ‘Bridgewater’.~~

- p) In addition to those lands designated Downtown Parks and Promenades ~~Precinct~~ on Schedule D: Downtown Urban Centre, of this Plan, new ~~greenery/landscaping,~~ parks and open spaces ~~shall be provided as part of new development~~ within the Downtown, which *may* include, but are not limited to, dedication of parkland, and/or Privately-Owned Publicly Accessible Spaces (POPS) and/or greenery/landscaping located between a public right-of-way and a building, to be provided to the satisfaction of the City.
- q) Along Rambo Creek north of Caroline Street, the City may require dedication of additional open space along Rambo Creek beyond that required for natural heritage system dedication and hazardous lands dedication as set out in Sections 4.2.5 and 4.4.2(3) of this Plan respectively in order to create a linear open space block and off-street trail. The extent and configuration of the open space shall be delineated through the Comprehensive Block Plan.
- r) Through development applications, the City shall identify opportunities to accommodate small urban squares, generally of 0.1 to 0.5 hectares, which are publicly accessible open spaces. Urban squares are part of the parkette category of parks, as described in Section 3.3.2, but designed as urban spaces. Urban squares shall be multifunctional, flexible spaces that contribute to placemaking and may contain sitting areas, landscaping, public art and other features that allow for passive use, special events and social interaction. Urban Squares should be framed by buildings with ground floor uses that provide activity throughout the day and should abut a public right-of-way.
- s) Urban squares may consist of public parkland or as Privately-Owned Publicly Accessible Open Spaces (POPS). Where an urban square is to remain in private ownership it shall be built and maintained by the landowner to the satisfaction of the City. An easement or other agreement with the City may be required to ensure that the urban square is open and accessible to the public at all times or as identified in the agreement.

### **8.1.1(3.17) – DOWNTOWN WATERFRONT**

- t) A continuous waterfront promenade *shall* be developed along the entire

Lake Ontario frontage within the Downtown Urban Centre. The promenade *may* be achieved in conjunction with the necessary shoreline protection.

- u) Public access *shall* be provided to the Lake Ontario waterfront within the Downtown ~~Urban Centre~~, where feasible.
- ~~v) Within the Downtown Urban Centre, public view corridors to the waterfront shall be provided, where feasible.~~
- v) All lands adjacent to the Lake Ontario Waterfront *shall* be subject to the policies of Section 4.5, Waterfront, of this Plan.

### 8.1.1(3.15) DOWNTOWN PUBLIC SERVICE DESIGNATION ~~PRECINCT~~

The Downtown Public Service designation ~~Precinct~~ will accommodate current and future public service functions within the Downtown including public healthcare, education, emergency and protective services, *cultural* activities, ~~and~~ civic administration and institutional uses such as places of worship, among others. This designation does not comprise all lands owned by public authorities but rather buildings and properties currently providing a public service that *should* be maintained in the Downtown. Places of worship, although privately owned, provide a public service that *should* be maintained in the Downtown. Lands identified as public service will accommodate such functions, as required, either wholly or in conjunction with private development through a public/private partnership.

#### 8.1.1(3.15.1) POLICIES

- a) The following uses *may* be permitted in the Downtown Public Service designation Precinct either in conjunction with a public service facility and/or infrastructure use or where such uses have been determined not to be required in accordance with 8.1.1(3.4.1) c) of this Plan:
  - (i) Accessory residential uses with the exception of single detached, semi-detached and other stand-alone ground-oriented dwellings;
  - (ii) public service facilities;
  - (iii) *office* uses;
  - (iv) accessory retail and *service commercial* uses;
  - ~~(v) hotel uses;~~
  - (vi) *entertainment* uses;
  - (vii) *institutional* uses; and
  - (viii) *recreation* uses.
- b) Public/private partnerships for the purpose of providing *public service facilities* ~~and/or infrastructure~~ as part of a mixed use ~~development~~ will be encouraged.
- c) Where an Official Plan Amendment ~~a development proposal~~ is

submitted to redesignate a Downtown Public Service designation for uses other than ~~does not include~~ a public service facility and/or institutional infrastructure use, the City shall provide notification to all public authorities as to the potential use of the lands for public use prior to City approval of the development.

- ~~d) — Development permissions with respect to height and density for individual sites within the Downtown Public Service Precinct shall be established through the Downtown Area Specific Plan.~~
- d) Development applications for building additions and limited infill development in the Downtown Public Service designation may be considered provided the development application fits into and respects the existing physical character and planned context of adjacent properties.

**8.1.1(3.4.2) SITE-SPECIFIC POLICIES**

**8.1.1(3.16) DOWNTOWN WATERCOURSE AND NATURAL HERITAGE SYSTEM DESIGNATION**

Lands within the Downtown Watercourse and Natural Heritage System Designation include lands delineated on Schedule D: Land Use - Downtown Urban Centre as Natural Heritage System and Watercourse.

Lands delineated on Schedule D as Natural Heritage System include natural heritage features and areas, and the linkages and inter-relationships between them. The Downtown Natural Heritage System forms a part of the broader City and Regional Natural Heritage System. A significant woodland associated with Lower Rambo Creek has been designated Natural Heritage System.

There are two watercourses within the Downtown, which are considered part of the Natural Heritage System but are delineated as Watercourse on Schedule D, and include Lower Rambo Creek and Lower Hager Creek. These areas have been identified as Watercourse to reflect that hazardous lands and / or other elements of the Natural Heritage System are associated with these watercourses but the boundaries are not mapped.

**8.1.1(3.16.1) POLICIES**

- a) The policies of Section 8.4.1 of the Burlington Official Plan shall apply.
- b) Notwithstanding Subsection 8.4.1(2) c), the following uses may be permitted in areas identified as Downtown Watercourse and Natural Heritage System designation on Schedule D: Land Use-Downtown Urban Centre, of this Plan:
  - (i) existing uses;
  - (ii) non-intensive recreation uses including pedestrian and/or cycling trails or promenades;
  - (iii) forest, wildlife and fisheries management;

- (iv) archaeological activities;
  - (v) essential linear infrastructure; and
  - (vi) essential watershed management and flood control projects carried out or supervised by a public authority.
- ~~e) The Downtown Watercourse designation shall be designated as part of the City's Natural Heritage System in accordance with the outcomes of the Downtown Area Specific Plan.~~
- d) The precise limits of the Downtown Watercourse and Natural Heritage System designation including required buffers/setbacks/allowances shall be determined by the City, in consultation with Conservation Halton, at the time of a development application and/or through the Downtown Area Specific Plan.
- e) All lands within the Downtown Watercourse and Natural Heritage System designation are subject to the policies of Subsection 4.4.2(3), Natural Hazards and Watercourses, and where applicable, Section 4.2, Natural Heritage System, of this Plan. Lands subject to a flooding hazard are identified on Appendix E, of this Plan.
- f) The City will undertake a Phase 2 Flood Hazard Study using more detailed topographical survey data to facilitate future development applications. Amendments to this Plan may be required to implement the findings of the study, as determined by the City, in consultation with Conservation Halton.

### 8.1.1(3.17) DOWNTOWN URBAN DESIGN

Good urban design contributes to the economic vitality and health of a downtown. It also requires a partnership between the private and public sector to deliver innovation and high-quality design and spaces for Burlington's Downtown.

Burlington's Downtown is defined by the pattern of development established by streets, blocks, built form, public realm and private open spaces. As development occurs within the Downtown, the role of urban design will be critical in guiding development in line with the intent and policies of the Precincts.

The Design Excellence objectives and policies in Chapter 7 will be used to inform the development of the public and private realms in the Downtown. In addition to that section, the policies of Sections 8.1.1 (3.17) to 8.1.1 (3.21) shall also apply with particular focus on:

- pedestrian-friendly retail and mixed-use streets;
- vibrant people places along the street and in parks and open spaces;
- public art;
- public view corridors;
- comfortable pedestrian environments;

- appropriate height and density;
- compatible built form within each precinct;
- appropriate mix of uses;
- compatibility with the surrounding Precincts; and
- comprehensive block planning.

### **8.1.1(3.17.1) GENERAL POLICIES**

- a) Development will be designed and built in accordance with the policies in Chapter 7 and Section 8.1.1 (3) as well as Burlington’s Downtown Placemaking and Urban Design Guidelines, Downtown Streetscape Guidelines, Sustainable Building and Development Guidelines and any other applicable polices and guidelines. The City’s Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings and the Tall Building Guidelines shall not apply in the Downtown.
- b) The City shall achieve design excellence through the actions set out in Section 7.1.2 in order to achieve in the Downtown:
  - (i) vibrant people places that support the sense of identity of the Downtown through placemaking;
  - (ii) pedestrian-friendly streets; and
  - (iii) high-quality building design and compatible built form.

### **8.1.1(3.18) THE PUBLIC REALM**

Safe, accessible and comfortable public spaces add to the vibrancy, health and sustainability of the Downtown with particular emphasis on walkable streets and people places. The public realm within the Downtown consists of the publicly accessible spaces including the streets, sidewalks and boulevards and the parks and open spaces including urban squares, both publicly and privately owned, that provide places of shared use and a place for community interaction and gathering.

Public art can enhance the public realm. Public art can reflect community values, enhance our environment, transform a downtown or landscape, heighten our awareness, or make us question our assumptions. Public art is for all, and when placed in public sites it forms a collective community expression. Public art can also help tell the story of Burlington’s Downtown and the history of the city.

Protecting public views from public spaces to features such as Lake Ontario enhances the public realm. However, the Official Plan does not protect private views to the lake or other natural features.

### **8.1.1(3.18.1) GENERAL POLICIES**

- a) The design of new development shall contribute to an attractive, sustainable and vibrant public realm and shall incorporate the following elements into the

design of the Downtown that may fall both on publicly and privately owned land:

- (i) linkages to the street network that are accessible to people of all ages and abilities;
- (ii) streetscapes that are safe and attractive;
- (iii) well-designed public and private open spaces; and
- (iv) enhanced landscaping and tree planting.

### **8.1.1(3.18.2) STREETS CAPES**

- a) In accordance with the City's Downtown Streetscape Guidelines and the Downtown Burlington Placemaking and Urban Design Guidelines, development shall enhance streetscapes along existing streets and blocks and create well-designed streetscapes along any new streets and blocks by addressing:
  - (i) pedestrian comfort and safety through wider boulevards, where feasible;
  - (ii) activity on the street;
  - (iii) pedestrian and cycling amenities;
  - (iv) street tree preservation, planting and landscaping as set out in Section 4.3.2; and
  - (v) traffic calming and on-street parking.
- b) Mixed-use buildings should be set back at grade sufficient to create wide boulevards that accommodate pedestrians, street trees and active at-grade uses. The Downtown Placemaking and Urban Design Guidelines shall provide direction on the extent of building setback from the curb along Retail Main Streets and Mixed Use Streets.
- c) Development and re-development should provide for street tree preservation and planting in accordance with Section 4.3.2 and the Downtown Streetscape Guidelines to ensure:
  - (i) the preservation and placement of trees and significant vegetation are accommodated on public and private lands; and
  - (ii) the requirements for placement and optimal growing conditions for street trees are addressed.
- d) The City may explore opportunities to design segments of Brant Street as a flex street or shared street where appropriate and feasible in order to support special events and pedestrian movement.
- e) Additional streets in the Downtown may be designed as a flex street or shared street in accordance with the Downtown Streetscape Guidelines.

### **8.1.1(3.18.3) PARKS AND OPEN SPACES**

- a) The design and development of parks, urban squares, promenades and other

- open spaces will be guided by the policies of this Section as well as Sections 3.3 and 8.1.1(3.14) of this Plan.
- b) The parks and open space system will include public and private open spaces that are well designed, connected and publicly accessible.
- c) Parks and open spaces within the Downtown will be planned and designed to:
- (i) integrate the Natural Heritage System and *key hydrologic features*;
  - (ii) integrate *cultural heritage resources*;
  - (iii) promote high visibility with prominent frontage on a public street, where appropriate;
  - (iv) improve pedestrian and cycling access within the community;
  - (v) accommodate active and passive recreation opportunities;
  - (vi) protect and enhance the *urban forest* as per Section 4.3; and
  - (vii) create safe and comfortable settings for community events and individual use.
- d) Privately Owned Publicly Accessible Open Spaces (POPS) provided as part of a *development shall* be designed to contribute to the parks and open space network of the Downtown by:
- (i) including connections and through routes and features such as widened sidewalks, urban squares, courtyards, plazas and places for informal community uses;
  - (ii) reinforcing a strong public open space character;
  - (iii) providing for year round use;
  - (iv) using durable materials and elements of interest such as special landscape features or public art; and
  - (v) providing for a maintenance and management regime that is covered by the owner of the POPS.
- e) Hard and soft landscape elements within urban squares and POPS *should* be designed to define and articulate activity areas, circulation, entry points, seating and gathering areas, as well as the relationship between adjacent buildings and the *streetscape*.

#### **8.1.1(3.18.4) PUBLIC ART**

- a) As per Section 3.4.3, public art is *encouraged* as part of all large scale private *developments* and capital projects.
- b) In addition to locations within the Downtown identified within the Public Art Master Plan, the *City* will support the inclusion of public art along the waterfront, in parks, urban squares and POPS and in highly visible and publicly accessible locations to promote a sense of place.

**8.1.1(3.18.4) PUBLIC VIEW CORRIDORS**

- a) Public view corridors are the views along the north-south streets to Lake Ontario. Any *development* on the south side of Lakeshore Road shall maintain a public view corridor to Lake Ontario.
- e) ~~Development along Lakeshore Road and Old Lakeshore Road shall be terraced in a manner to preserve and frame public view corridors to Lake Ontario and Burlington Bay, to the satisfaction of the City.~~

**8.1.1(3.19) BUILT FORM**

A vibrant downtown is often the result of interesting and diverse buildings. The shape, size, quality and detailing of buildings have a *significant* impact on the character of an area. The built form of buildings can also have an impact on the compatibility with adjacent areas with differing built form. The policies contained in this section provide guidance for new *development* to ensure that it fits into the existing *physical character* and planned context of a precinct, is *compatible* with adjacent built form makes a positive contribution to the downtown.

*Mid-rise buildings* are the ‘in between’ scale of building with a good relationship to the street. Mid-rise defines or creates walls to the street that are tall enough to provide an urban feel to the street, but low enough to let the sun in and open the view to the sky from the street. They support a comfortable pedestrian environment, and can animate the street by lining the sidewalk with doors and windows with active uses including stores, restaurants, services, grade related apartments, and community uses.

The *development* of *tall buildings*, particularly within the Downtown, comes with more responsibility and obligations than a *mid-rise buildings* or *low-rise buildings*. *Tall buildings* have a greater potential to change the skyline, impact adjacent lower scale buildings and their outdoor *amenity areas* and impact the pedestrian experience along the street. Existing and planned context informs the appropriate fit for a tall building to limit any impacts to the adjacent and surrounding lands.

Built form transitions are important to ensure compatibility between buildings of different heights and densities particularly adjacent to the Residential Low-Density designations and the Low-Rise Neighbourhood Precincts.

**8.1.1(3.19.1) GENERAL POLICIES**

- a) ~~All buildings within the Downtown Urban Centre, with the exception of *low rise buildings*, and properties located within the Brant Main Street Precinct or Downtown Mid-Rise Residential Special Planning Area, shall incorporate a *podium* element as part of a building’s overall built form that:~~
- a) Buildings shall be designed and placed on a site to be *compatible* with adjacent *development*, cultural heritage resource, parks and open spaces and *abutting streetscapes* and provide for:

- (i) transitions in height and *massing*;
  - (ii) adequate setbacks between buildings, the *public realm* and adjacent or *abutting development*;
  - (iii) comfortable microclimatic conditions including sunlight access and pedestrian-level wind conditions;
  - (iv) public safety, and adequate privacy conditions for residential buildings and their outdoor *amenity areas*;
  - (v) reduced light pollution through the implementation of dark-sky principles; and
  - (vi) safe connections to pedestrian and cycling routes and convenient access to public transit.
- b) Development should be designed to:
- (i) incorporate architectural detailing and features to increase comfort, add interest and achieve a strong relationship with the street and adjacent *development*;
  - (ii) orient primary facades and locate pedestrian entrances to face the public street and on corner *lots* to face the corner of the *lot* or the public street with a higher priority for pedestrian access as determined by the *City* except along Retail Main Streets where the size and appearance of residential lobbies are to be minimized as per Policy 8.1.1(3.21)i)(vii);
  - (iii) encourage human interaction and activity at the street level and avoid blank facades along public streets and public spaces;
  - (iv) allow space for activities such as vending and outdoor seating along commercial frontages;
  - (v) provide security and privacy for residential units at street level through increased setbacks and separation from the *public realm* by landscaping, low walls, porches and other design elements;
  - (vi) minimize the appearance of parking garage entrances and provide screening of parking along public streets;
  - (vii) provide screening of service areas, service building elements and utilities;
  - (viii) provide design elements and treatments to minimize bird strikes; and
  - (ix) minimize the appearance of rooftop mechanical equipment by screening mechanical penthouses ~~shall be screened~~ and incorporated them into the overall design of a building.
- c) Development shall incorporate measures to mitigate impacts with respect to building overlook and privacy where the site is adjacent to a property located within an area designated Residential – Low Density or within the ~~St. Luke's and Emerald Low-Rise~~ Neighbourhood Precinct, as identified on Schedule C: Land

Use – Urban Area or Schedule D: Land Use – Downtown Urban Centre, of this Plan, respectively.

### **8.1.1(3.19.2) MID-RISE BUILDINGS**

- a) Where retail at grade is not required, residential uses on the ground floor shall provide adequate public/private transition, through a minimum setback from the property line as set out in the zoning by-law.
- b) The streetwall height of a mid-rise building shall not exceed 80% of the width of the adjacent street right-of-way. Where the property abuts two streets, the streetwall height shall be based on the width of the narrower street. The streetwall height of mid-rise buildings in the Downtown shall not exceed 6 storeys; and
- c) Additional setbacks above the streetwall height shall be provided to minimize the perception of building mass from the sidewalk. The Downtown Placemaking and Urban Design Guidelines shall provide direction on the nature and extent of setbacks.
- d) In order to achieve an appropriate transition as described in Section 8.1.1(3.19.4), a mid-rise building may need to have lower heights than the maximum permitted.

### **8.1.1(3.19.3) TALL BUILDINGS**

- a) Within the downtown, tall buildings are defined as 12 storeys in height or taller.
- b) Tall buildings shall consist of a base building (podium), a middle (tower), and a tower top, which should be designed as an integrated whole.
- c) Tall buildings, within the downtown, shall be designed to:
  - (i) ~~Tall buildings should~~ Provide a minimum separation distance of thirty (30) m from another tall building, measured above the podium and excluding balconies;
  - (ii) ~~Tall buildings should~~ Not exceed a maximum floor plate of 750 sq. m. for the tower portion above the podium, excluding balconies;
  - (iii) Provide outdoor amenity space on site;
  - (iv) Articulate tall building towers with high-quality, sustainable building materials and finishes to promote design excellence, innovation and building life;
  - (v) Provide a minimum building tower setback from the remaining portions of a building above the podium element of three (3) m from the podium facing all street, park and open space frontages, except where more specific guidance on setbacks are provided in this plan. Tower setbacks of greater than three (3) m are encouraged and may be required for tall building to fit harmoniously within the surrounding physical

character, including sites that contain or are adjacent to cultural heritage resources; and

- (vi) ~~Provide a podium is equal in height to no higher than 3 storeys. the width of the public right-of-way immediately adjacent to the façade. Where more than one public right-of-way is immediately adjacent to a building façade, the podium may be a consistent height equal to any of the public rights-of-way present.~~
- d) The design of balconies should maximize usability, comfort, and building performance, while minimizing negative impacts on the buildings mass, public realm, and natural environment by:
  - (i) Avoiding placement that significantly increases the physical and apparent massing of the building; and
  - (ii) Providing for appropriate minimum depths that offer privacy and comfort.
- d) Sites that cannot provide the minimum tower separation distance of thirty (30) m or greater may not be appropriate for tall buildings.
- e) Where an office building is proposed, the built form requirements of Subsection 8.1.1(3.19.3) c) ii) for a maximum floor plate of 750 m<sup>2</sup> shall not apply to the office building component.
- f) In order to achieve an appropriate transition as described in Section 8.1.1(3.19.4), a tall building may need to have lower heights than the maximum permitted.

### **8.1.1(3.19.4) TRANSITION**

- a) Where a tall building or mid-rise building is proposed adjacent to a lot in a Residential Low-Density designation shown on Schedule D: Land Use – Downtown Urban Centre, of this Plan or a Low-Rise Neighbourhood Precinct shown on Schedule D: Land Use – Downtown Urban Centre of this Plan, a transition is required to reduce the potential for shadowing, pedestrian-level wind impacts and overlook on neighboring properties. The transition shall entail a 45-degree angular plane applied from the rear property line directly abutting any Residential Low-Density designation or Low-Rise Neighbourhood Precinct.
- b) Where a 45-degree angular plane is applied, no portion of the mid-rise building or tall building shall extend into the 45-degree angular plane, and the new building form shall utilize setbacks and step-backs to ensure any impacts related to the change in height, overlook, shadowing, and pedestrian level wind impacts are mitigated.
- c) Notwithstanding Subsection 8.1.1(3.19.4) b), ground-oriented dwellings up to 3 storeys in height, located on site with mid-rise buildings and/or tall buildings,

- may extend into the 45-degree angular plane provided the *ground-oriented dwellings* are setback at least 7.5 metres from the rear *lot* line.
- d) Where an angular plane is not required, transitions between different built forms *should* be achieved through various built form and urban design elements set out in 8.1.1(3.19.4) g) and the *Downtown Placemaking and Urban Design Guidelines*.
- e) Where a *tall building* or *mid-rise building* is separated by a public road from a Residential – Low Density designation as shown on Schedule C: Land Use – Urban Area or a Low-Rise Neighbourhood Precinct as shown on Schedule D: Land Use - Downtown Urban Centre, a transition *shall* also be required although the separation of the public road *shall* be considered in the extent of transition required. The *Downtown Placemaking and Urban Design Guidelines* *shall* provide greater direction on the means of transition.
- f) A transition *should* also be considered between a proposed *tall building* or *mid-rise building* and a *ground-oriented dwelling* in the same precinct although use of a 45-degree angular plane will not be required. The *Downtown Burlington Placemaking and Urban Design Guidelines* *shall* provide greater direction on the means of transition.
- g) Transitions required in Subsections 8.1.1(3.19.4) d) e) and f) *may* take the form of setbacks, step backs, reduced overall building heights from the maximum permitted on Schedule D-2: Downtown Urban Centre Heights, of this Plan, intervening built form, smaller building and tower floorplates, separation distance, placement and orientation on a *lot*, or through varying building heights and terracing. In some circumstances, assembly of additional properties *may* be needed in order to provide an appropriate transition.
- h) Where there is a transition from a tall building to a mid-rise building, adequate separation *should* be provided between the tower component of a *tall building* and the nearest part of the *mid-rise building* to minimize overlook, shadowing and pedestrian-level wind impacts as set out in the *Downtown Placemaking and Urban Design Guidelines*.
- i) The *City's* implementing Zoning By-law *shall* establish appropriate regulations to guide *development* which:
- i) considers *physical character* including site orientation, building design and building height; and
  - ii) ensures a consistent and *compatible* separation distance is maintained between a *development* and lands within a Low-Rise Neighbourhood Precinct shown on Schedule D: Land Use – Downtown Urban Centre, of this Plan or Residential – Low Density designation shown on Schedule C: Land Use – Urban Area.

### **8.1.1(3.19.5) PARKING, LOADING AND SERVICE**

- a) The *City* will explore opportunities for public-private partnerships to expand

the supply of public parking in the Downtown within existing or proposed *developments*.

- b) Parking will be *encouraged* to be located underground, or in well-designed parking structures, or where required at grade to support street related retail and *service commercial* uses, it *may* be permitted in a side yard or rear yard
- c) Service, loading and garbage storage areas will be internal to the building or, if that is not feasible, located at the rear or side of the building and screened from public view.
- d) Where parking is located in structures above ground, active uses *shall* be provided at the ground level facing the street or the Pedestrian Promenade and adequate screening *shall* be provided of vehicles on floors above grade.
- e) Vehicular access to underground parking *shall* not be located on a Retail Main Street and *should* be avoided where possible on a Mixed Use Street and a Green Connector Street.
- f) The City *may* consider reduced parking requirements for uses located within a *conserved built heritage resource* where it is demonstrated through a site-specific Zoning By-law amendment or minor variance application that the parking reduction would support the *cultural heritage resource conservation* objectives of Sections 3.5 and 8.1.1(3.23) of this Plan and where the City is satisfied that the parking reduction can be accommodated without causing unacceptable impacts on adjacent properties.

#### **8.1.1(3.19.6) MICROCLIMATE (WIND AND SHADOW)**

- a) Within the Downtown, *tall buildings* and *mid-rise buildings* can have an effect on the micro-climate (wind and shadows) and pedestrian experience of the *public realm*. To mitigate adverse impacts on the downtown *public realm*, applicants for *development* *shall* be required to submit a shadow study and a pedestrian-level wind study, demonstrating how any adverse impacts can be mitigated to acceptable levels.
- b) Shadow and pedestrian-level wind studies *should* comply with the requirements in the *Shadow and Pedestrian Level Wind Study Guidelines* and terms of references.

#### **8.1.1(3.20) COMPREHENSIVE BLOCK PLANS**

Comprehensive block plans will provide further guidance on planning and *development* within a Precinct and provide more detailed resolution for a *Precinct*. A comprehensive block plan is a non-statutory document considered by Council in the context of a *development* approval. It further articulates the policies of this Plan and the identity of a precinct by outlining specific *development* principles and guidelines at a level of detail that *may* not be appropriate at the broader Official Plan level.

#### **8.1.1(3.20.1) POLICIES**

- a) Comprehensive block plans shall provide a framework for the distribution of development and provide design direction on streets and blocks, land use, parks and open space, building massing, building setbacks, public realm and streetscapes, parking and access, landscape, pedestrian connections and heritage integration.
- b) A comprehensive block plan will be prepared for lands within the Mid Brant Precinct as required by Subsection 8.1.1(3.7.1) f).
- c) The comprehensive block plan shall be completed and approved prior to the approval of any development application within the block plan area.
- d) Landowners within a block plan area are encouraged to work together to complete the comprehensive block plan, but an individual landowner may complete the comprehensive block plan for the entire block plan area if other landowners decide not to participate.
- e) A comprehensive block plan and accompanying document prepared in accordance with an approved terms of reference may include, among other things, the following:
  - (i) Precinct identity and character;
  - (ii) the proposed layout of streets, lanes and development blocks;
  - (iii) the transportation and active transportation network, including pedestrian, cycling and transit stops;
  - (iv) the location of required parks and open spaces and any public service and/or institutional uses;
  - (v) the appropriate mix of land uses;
  - (vi) the protection of the natural heritage system in accordance with Section 8.1.1(3.5);
  - (vii) Stormwater management;
  - (viii) conservation of cultural heritage resources in accordance with Sections 3.5 and 8.1.1(3.19);
  - (ix) the distribution of height and density having regard for transition to existing low-rise neighbourhoods and appropriate relationships between built form, streets and open spaces;
  - (x) the location of publicly accessible walkways and vehicular access driveways, including mid-block connectors and potential surface parking areas;
  - (xi) the size and location of privately owned publicly accessible open spaces (POPs);

- (xii) the identification of existing landmarks or locations for new landmarks and any special requirements for building orientation architectural features and public art;
- (xiii) sustainable best practices;
- (xiv) other specific urban design issues that will be addressed in implementing plan(s) of subdivision, zoning standards and site plan approvals, based on the Downtown Burlington Placemaking and Urban Design Guidelines; and
- (xv) phasing of development including all relevant information required to evaluate the phasing plan.

### **8.1.1(3.21) RETAIL STREETS**

Retail Streets places shall be designed to cater to pedestrians and create a vibrant street life where pedestrians spend time for both leisure and shopping. The design of the public realm and the built form must respond to the primacy of pedestrians and create a safe, welcoming and comfortable environment for high volumes of pedestrians in all seasons.

Redevelopment and changing tenants along Retail Streets, need to maintain and support the character and continuity of the retail street. Built form on these streets should respect the existing physical characteristics of the street, respond to changing markets, and promote community identity and character.

#### **8.1.1(3.21.1) POLICIES**

- a) Retail, *service commercial* and *office* uses at-grade *may* be developed in the Downtown Urban Centre in accordance with Schedule D-1: Downtown Retail Urban Centre Commercial and Office Streets, of this Plan, and in accordance with the following:
  - (i) along Retail Main Street Retail Streets, retail or *service commercial* uses *shall* be required continuously at grade in buildings having frontage on to public streets and the Elgin Promenade pedestrian pathways;
  - (ii) along Mixed Use Major Streets, retail, *service commercial* or *office* uses *shall be permitted and may* be required in the zoning By-law continuously at grade in buildings having frontage on to public streets and pedestrian pathways; and
  - (iii) ~~along General Mixed Use Streets, retail, *service commercial* and *office* uses *may* be permitted at grade in buildings having frontage on to public streets and/or pedestrian pathways.~~
- b) The Zoning By-law shall establish Development along Main Street Retail Streets and Mixed Use Major Streets shall be required to provide a minimum floor-to-floor height at the ground floor, as established in the Downtown Area Specific Plan and/or Zoning By-law, to support retail and service commercial uses at grade and to facilitate land use flexibility and

adaptability overtime.

- c) ~~Development along General Mixed Use Streets may be required to provide a minimum floor to floor height, as established in the Downtown Area Specific Plan and/or Zoning By-law, to facilitate land use flexibility and adaptability over time.~~
- d) ~~Development along Main Street Retail Streets, Mixed Use Major Streets and General Mixed Use Streets may be required to provide a minimum floor to floor height at grade, as established in the Downtown Area Specific Plan and/or Zoning By-law, to support retail and service commercial uses at grade, where permitted, and facilitate land use flexibility and adaptability overtime.~~
- c) The Downtown Area Specific Plan and/or Zoning By-law may shall establish a maximum frontage at grade of approximately 7 to 10 metres for floor area and a maximum floor area at grade per individual retail and service commercial units, along Retail Main Streets based on such considerations as planned commercial function, built form, and contribution to in order to maintain the existing character of small shops along the Retail Main Streets and to achieving a vibrant, active and walkable animated built environments in the Downtown Urban Centre. Despite this maximum frontage, a retail or service commercial operation could occupy more than one individual retail and service commercial unit.
- d) The Zoning By-law shall also establish a minimum floor area at grade for new individual retail and service commercial units to ensure the unit size is viable for a range of retail and service commercial uses.
- e) ~~In development containing both retail and/or service commercial uses at grade and residential uses above the first storey, office uses and/or uses or amenities accessory to the residential use should be required as an intermediary function between floors containing retail and/or service commercial uses and residential uses to minimize the potential adverse effects of noise and vibration that may be generated by some types of retail or service commercial uses.~~
- e) Along Retail Main Streets, the existing retail GFA shall at a minimum be replaced in any new development.
- f) Retail buildings and the ground floor of mixed-use buildings should be designed to:
  - (i) Emulate the eclectic, small-shop look and feel, especially along Retail Main Streets through distinct design of each individual retail and service commercial unit;
  - (ii) Maintain a fine grain of entrances along the street edge that reflects the character and rhythm of the street
  - (iii) Contain clear glazing on windows and doors along front facades to ensure active store frontages;

- (iv) Increase setbacks adjacent to the street in order to expand the pedestrian realm and provide opportunities for patios and pedestrian amenities;
- (v) Restrict, where possible, residential lobbies along Retail Main Street frontages and direct them to side streets or rear entrances;
- (vi) Provide servicing, loading and parking access from a rear public lane, shared private lane and/or shared driveways where possible and not from the Retail Main Street frontage;
- (vii) Support walkability, social interaction strong retail visibility and space for retail display in the interface between the building and sidewalk;
- (viii) Articulate storefront window treatments;
- (ix) Provide articulation with awnings, arches, canopies and colonnades where appropriate; and
- (x) Accommodate different space needs of changing retail and *service commercial* tenants including restaurants with minimal re-construction.

#### **8.1.1(3.22) DOWNTOWN MOBILITY TRANSPORTATION TRANSIT AND PARKING**

- a) ~~Policies to support the achievement of a twenty-eight (28) percent modal split target within the Downtown Urban Centre shall be established through the Downtown Area Specific Plan. Development will support the achievement of the multimodal transportation objectives and policies of Section 6.2.1 of this Plan.~~
- e) ~~The City will identify the Brant Street public right-of-way between Caroline and Pine Streets as the preferred location for a *flex street*, including through future plans and programs of City departments.~~
- d) ~~A publicly accessible pedestrian connection between Brant Street and John Street shall be established and located in general alignment with the terminus of Ontario Street at Brant Street. The pedestrian connection may be provided in the form of a Privately Owned Publicly Accessible Space (POPS) and/or as part of a parkland dedication required under The Planning Act in conjunction with a comprehensive development.~~

#### **8.1.1(3.23) DOWNTOWN CULTURAL HERITAGE RESOURCES**

- a) The protection and conservation of cultural heritage resources shall be in accordance with the policies of Section 3.5 of this Plan and the following policies.
- b) The integration of cultural heritage resources into any new development shall be the preferred means of conserving cultural heritage resources. The Downtown's cultural heritage resources should be conserved by being integrated into new development where possible.

- c) Any *development* located in close proximity to *cultural heritage resources* shall be *sensitive* to the *cultural heritage* context of the street and not just of the immediately adjacent buildings, to maintain the character of those areas.
- ~~a) The transfer of additional *intensity* to a *development* equal in gross floor area to that of a *cultural heritage resource* may be permitted in the Downtown, with the exception of the Bates and St. Luke's and Emerald Neighbourhood precincts, provided that:~~
- ~~(i) the *cultural heritage resource* is listed on the City's Municipal Heritage Register and/or designated under The Ontario Heritage Act;~~
- ~~(ii) the *cultural heritage resource* is retained as part of the *development*;~~
- ~~(iii) the *cultural heritage resource* is located on the same site as the *development* receiving the transfer; and~~
- ~~(iv) a *heritage conservation* easement is granted for the *cultural heritage resource* in favour of the City by the property owner and ultimately designated pursuant to Part IV of The Ontario Heritage Act.~~
- d) The City will undertake a cultural heritage evaluation of potential *cultural heritage resources* and potential *cultural heritage landscapes* in the Downtown to determine if any *should* be listed on the Municipal Register and/or designated pursuant to The *Ontario Heritage Act* and/or protected through amendments to the City's Official Plan or *design guidelines*.
- (i) The City may prioritize the cultural heritage evaluation of potential *cultural heritage landscape* study areas and potential *cultural heritage resources* identified in Appendix H-2: Potential Cultural Heritage Study Areas: Downtown.
- (ii) In the case of a *development application* within lands identified as potential *cultural heritage resource*, as identified in Appendix H-2: Potential Cultural Heritage Study Areas: Downtown, prior to the completion of a Cultural Heritage Evaluation of the same lands by the City, the proponent of the *development application* shall be required to submit a Heritage Impact Study as part of a complete application, in accordance with Policy 3.5.2(5) of this Plan.
- (iii) In the case of a *development* application within lands identified as potential *cultural heritage landscape* study areas, as identified in Appendix H-2: Potential Cultural Heritage Study Areas: Downtown, prior to the completion of a Cultural Heritage Evaluation of the same lands by the City, the proponent of the *development* application shall be required to submit, as part of a complete application, a *Cultural Heritage Landscape Impact Assessment* in accordance with the policies of 3.5.2(5.1) of this Plan.

- (iv) Approval of *development* on lands identified as potential *cultural heritage resources* or potential *cultural heritage landscape study areas* as identified in Appendix H-2: Potential Cultural Heritage Study Areas: Downtown *may* be subject to the implementation of the recommendations of a Heritage Impact Study or *Cultural Heritage Landscape Impact Assessment* completed in accordance with 8.1.1(3.23)(d)(ii) or (iii).

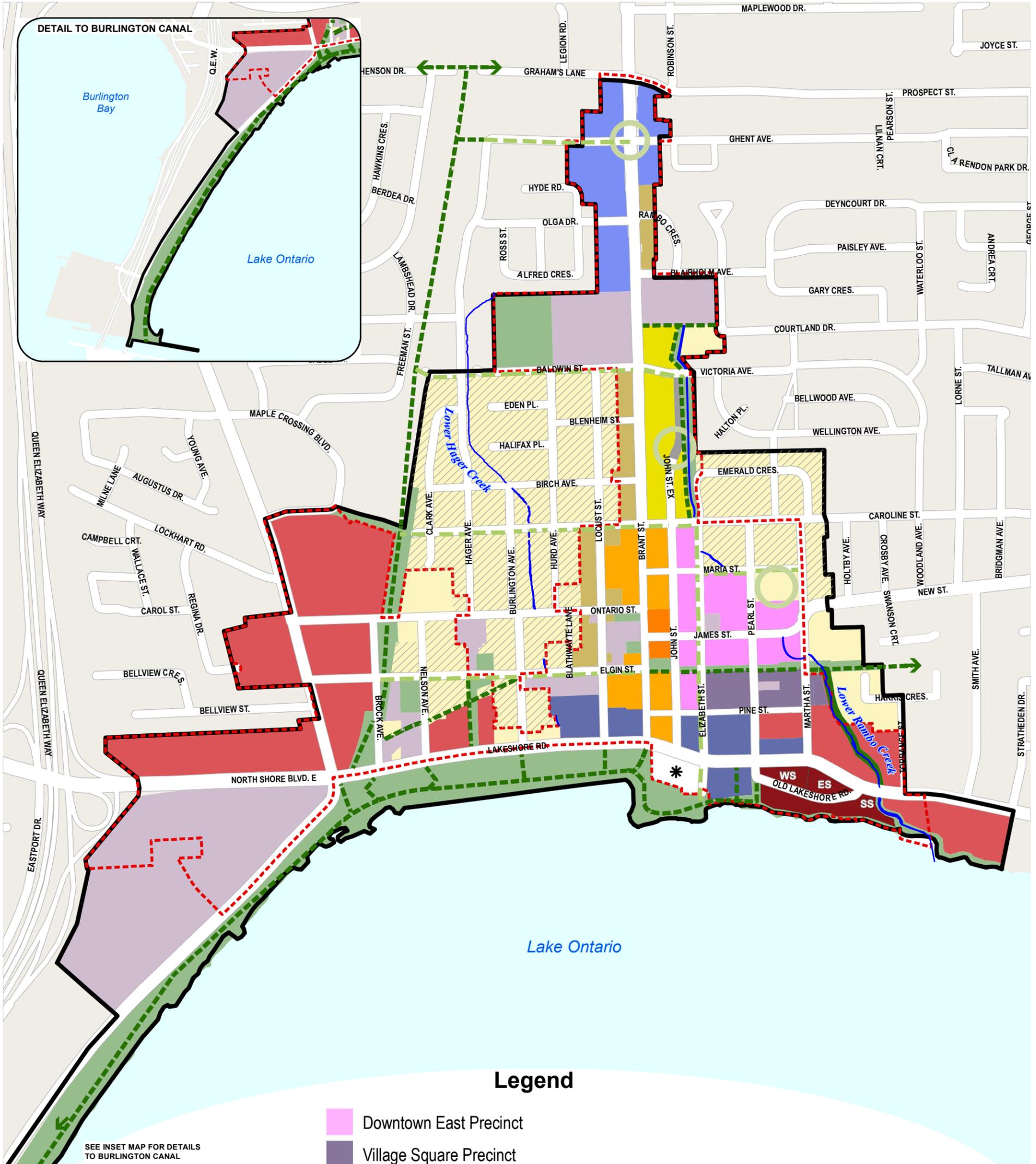
### **8.1.1(3.24) COMMUNITY BENEFITS**

- a) Height, density and/or *intensity* permissions stated within all Downtown Urban Centre precincts, ~~with the exception of the Bates and St. Luke's and Emerald Neighbourhood precincts,~~ *shall* be inclusive of the provision of any and all community benefits which *may* be required as part of the approval of a *development* to the satisfaction of the *City*.
- b) Community benefits *shall* not be required for infill *development* within any Low-Rise Neighbourhood Precinct.
- c) The identification of specific community benefits to be provided as part of a *development shall* be based on the needs and objectives of ~~individual precincts and/or~~ the Downtown Urban Centre as a whole, ~~which and~~ *shall* be determined established by the *City* staff on a case-by-case basis or through a *city wide* and/or *Downtown specific study* through the ~~Downtown~~ and ~~which~~ *may* be implemented through agreements and/or *development* conditions required as part of the approval of a *development application*.
- d) Where the Province establishes a *specific standard* and process for determining community benefits, the standard *shall* be applied to the approval of a *development application* instead of the process set out in Policy 8.1.1(3.24) c).

# SCHEDULE D Land Use - Downtown Urban Centre City of Burlington



Note: For lands outside of the Downtown Urban Centre, refer to Schedule C.



SEE INSET MAP FOR DETAILS TO BURLINGTON CANAL

## Legend

- Brant Main Street Precinct
- James Street Node
- Lakeshore Precinct
- Old Lakeshore Road Precinct
- Mid Brant Precinct
- Upper Brant Precinct
- Neighbourhood Mixed Use Precinct
- Apartment Neighbourhoods Precinct
- Low-Rise Neighbourhood Precincts
- St. Luke's and Emerald Neighbourhoods
- Parks and Promenades designation
- Downtown Public Service designation
- Downtown Watercourse and NHS designation
- Downtown Watercourse
- New Public Park
- Green Connector Streets
- Off-Street Trails/Promenades
- Future Transportation Connection
- \* Downtown Waterfront Hotel Planning Study (See Chapter 12, Subsection 12.1.4 (3))
- Urban Growth Centre Boundary
- Downtown Urban Centre Boundary

This schedule shall be used in conjunction with other applicable schedules and policies of this Plan.



# . . . *Memo*

To: Heather MacDonald, Executive Director of Community Planning,  
Regulation and Mobility

From: Laura Daly, Planner II

Date: September 3, 2020

**Re: Burlington Urban Growth Centre Density Analysis (August 2020)**

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This memo presents an updated analysis of Burlington's Urban Growth Centre (UGC) population and job density (refer to Appendix 1). This update represents the third version of the density analysis, with the initial analysis completed in August 2017, followed by an updated analysis in June 2019.

The intent of the density analysis is to outline:

1. Population and job density within the UGC as of 2016 to demonstrate how the City is tracking against the planned UGC growth target; and
2. Population and job density resulting from recently completed, approved and proposed development projects to estimate new growth between 2016 and 2031. This analysis informs how these projects will assist the City in achieving its planned growth targets.

The density analysis relies on key figures and assumptions from a variety of sources, as the basis for the analysis. Furthermore, the development data relied on for the analysis reflects development projects at various stages of the planning and development process, captured at a point in time. As such, the density analysis continues to evolve as new information and data becomes available.

To estimate projected growth in the UGC development projects are grouped based on their development/application status. For each development an estimate of the total people and jobs is calculated using data on residential unit counts and/or the non-residential area component together with the applicable assumption. Then the total people and jobs estimate for the group is derived into a density calculation based on the area of the UGC. For the purposes of the analysis, these estimates and overall density are rounded to whole numbers. It should be also be noted that the height data provided for each development is for information purposes only and is not a factor in any of the calculations.

The density analysis completed in June 2019, estimated 19,670 people and jobs in the UGC based on total people and jobs as of 2016 and adding the people and jobs associated with developments recently completed or under construction, developments with draft site plan approval and developments which had received approval (but no site plan approval). This resulted in an approximate density of 188 people and jobs per hectare in the UGC.

The August 2020 density analysis estimates a very similar number of people and jobs (19,650) and resulting density in the UGC (188 people and jobs per hectare). The main reason for this is that over the last year, as a result of the Interim Control Bylaw, there have been no new development approvals in the UGC. There were, however, a few developments that moved into the draft site plan approvals category (from the development approvals category) with revised development data, which resulted in the slight drop in the total number of people and jobs.

It should be noted that the density calculation identified in the analysis that was derived by adding together the density (p&j/ha) of the UGC as of 2016 and the resulting densities (p&j/ha) from developments recently completed or under construction, developments with draft site plan approval and developments which had received approval (but no site plan approval) is slightly higher. This is simply a result of rounding the densities in each of the respective categories.

Although there have not been any new development approvals in the UGC within the last year, development applications continue to be submitted to the City. As a result, when development applications under consideration are factored into the density analysis, this could potentially increase the density of the UGC to approximately 217 people and jobs per hectare, which is an increase from the 2019 analysis (209 people and jobs per hectare).

If you have any questions, please feel free to contact me.

Sincerely,

Laura Daly, MCIP, RPP  
Planner II, Policy and Research  
Community Planning Department

Approved By:

Jamie Tellier, MCIP, RPP  
Interim Director of Community Planning  
Community Planning Department

## Urban Growth Centre Density Analysis:

August 2020

The purpose of this document is to report on the ongoing monitoring of the population and job density in Burlington's Urban Growth Centre (UGC) by estimating projected population and job density based on current developments and proposed development applications. Specifically, the analysis will outline:

1. Population and job density within the UGC as of 2016 demonstrating how the City is tracking against the planned UGC growth target; and
2. Population and job density resulting from recently completed, approved and proposed development projects to estimate new growth since 2016. This analysis informs how these projects will assist the City in achieving its planned growth target.

The analysis within this document will continue to evolve as new information becomes available. Staff will monitor new data, as well as periodically report on how Burlington is tracking to the UGC growth target.

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### **Key Assumptions**

The Density Analysis is based on the following figures and assumptions:

- Urban Growth Centre (UGC) Area = 104.6 ha<sup>1</sup>
- City of Burlington UGC minimum density target = 200 residents and jobs per hectare<sup>2</sup>
- To achieve the minimum density target, the City will need 20,920 people and jobs in the UGC by 2031.
- Persons per Unit (PPU)<sup>3</sup>:
  - Low Density = 3.42
  - Medium Density = 2.31
  - High Density = 1.58
- Employment<sup>4</sup> :
  - Commercial=1 employee/40sqm;
  - Office= 1 employee/30sqm;
  - Institutional= 1 employee/37sqm;
  - Hotel=1 employee/hotel room<sup>5</sup>

<sup>1</sup> Based on the Halton Region Official Plan and the City of Burlington Adopted New Official Plan.

<sup>2</sup> In accordance with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019).

<sup>3</sup> Derived from Statistics Canada 2016 Census (15-year Average).

<sup>4</sup> Based on the City of Burlington 2019 Development Charges Background Study.

<sup>5</sup> Based on assumption outlined in Planning Report for 374 Martha Street (PB-23-15).

## Existing Growth

### Baseline Density of UGC as of 2016:

- Population of UGC = 9,217<sup>6</sup>
- Jobs in the UGC = 7,162<sup>7</sup>
- Total Population and Jobs = 16,379
- Density of UGC = 157 people and jobs /ha

## Projected Growth

### Projects Completed or Under Construction:

The following developments have been recently completed or are currently under construction. These developments result in an additional 2,068 people and jobs in the UGC. This would increase the density of the UGC to approximately 177 people and jobs per hectare.

Project	Residential Units	Non-Residential Component	Total People and Jobs
<b>Carriage Gate: Berkeley/Medica One</b> (2025 Maria St. / 510 Elizabeth St. / 2030 Caroline St.)  <i>(Residential Building - 17 storeys; Office Building – 8 storeys; Parking Garage – 6 storeys)</i>	120 (high density)	Commercial:2,329sqm Office:8,147sqm	520
<b>Bridgewater</b> (2050 Lakeshore Rd.)  <i>(Condo Buildings - 22 storeys &amp; 7 storeys; Hotel – 9 storeys)</i>	150 (high density)	Commercial:1,677sqm Hotel:151 rooms	430
<b>Saxony Development</b> (452 Locust St.)  <i>(7 storeys)</i>	60 (high density)	Commercial:444sqm	106
<b>M. Wellens</b> (514 Pearl St.)  <i>(2 storeys)</i>	1 (low density)	-	3
<b>Joseph Brant Hospital Expansion</b> (1230 North Shore Blvd.E)  <i>(7 storeys)</i>	-	Institutional:37,031sqm	1,000

<sup>6</sup> Based on 2011 Statistics Canada custom data set plus Statistics Canada population growth by Dissemination Areas (2011-2016) which includes the UGC and portions of adjacent neighbourhoods. This assumes that all new growth over the 2011-2016 timeframe occurred in the UGC.

<sup>7</sup> Based on Halton Region 2016 Employment Survey.

M&G Eade (616 Brant St.)  (3 storeys)	4 (high density)	Commercial:104sqm	9
-	-	-	<b>2,068 p&amp;j</b> <b>20 p&amp;j/ha</b>

Notes: Numbers may not add up due to rounding. Heights specified are inclusive of rooftop mechanical, where applicable.

### Draft Approved Site Plans:

The following site plans, which have received draft site plan approval, would yield an additional 922 people and jobs in the UGC. This would increase the density of the UGC to approximately 186 people and jobs per hectare.

Project	Residential Units	Non-Residential Component	Total People and Jobs
Cherish Homes (730-760 Brant St.)  (4 storeys)	146 (high density)	Commercial:685sqm	248
Adi Development Group (374 Martha St.)  (27 storeys)	240 (high density)	Commercial:389sqm	389
421 Brant St. Inc. (421- 431 Brant St.)  (23 storeys)	156 (high density)	Commercial: 935sqm Office:488sqm	285
-	-	-	<b>922 p&amp;j</b> <b>9 p&amp;j/ha</b>

Notes: Numbers may not add up due to rounding. Heights specified are inclusive of rooftop mechanical, where applicable.

### Development Approvals (No Site Plan Approval):

The following developments, which have received some form of approval (but no site plan approval), would yield an additional 285 people and jobs in the UGC. This would increase the density of the UGC to approximately 189 people and jobs per hectare.

Project	Residential Units	Non-Residential Component	Total People and Jobs	Status
Roman Home Builders (2085 Pine St.)  (6 storeys)	15 (high density)	-	24	Approved by Council

Molinaro Group (490-492 Brock Ave. / 1298 Ontario St.)  (22 storeys)	162 (high density)	Commercial:186sqm	261	Approved by Council
-	-	-	<b>285 p&amp;j 3 p&amp;j/ha</b>	

Notes: Numbers may not add up due to rounding. Heights specified are inclusive of rooftop mechanical, where applicable.

### Development Applications under Consideration:

The following development applications, which have not received Council approval, or have been appealed to LPAT, could yield an additional 2,891 people and jobs in the UGC. This could **potentially** increase the density of the UGC to approximately 217 people and jobs per hectare.

We acknowledge that not all applications will receive approval and that the residential and non-residential components are subject to change.

Project	Proposed Residential Units	Proposed Non-Residential Component	Proposed Total People and Jobs	Status
Reserve Properties Ltd. (401-413 Brant St., 444-450 John St. & 2002 & 2012 James St.)  (18 storeys)	161* (high density)  *Unit count is an estimate	Commercial: 760 sqm* Office:365sqm*  *GFAs are estimates	285	Approved by Council <b>Appealed to LPAT</b>
Mattamy (2082-2090 James St.)  (17 storeys)	164 (high density)	Commercial:345sqm	268	<b>Appealed to LPAT</b>
Spruce Partners Inc. and Amico Properties Inc. (1157-1171 North Shore Blvd East)  (17 storeys / 12 storeys & 6 storeys)	419 (high density)	180 jobs*  *As per development application	842	<b>Appealed to LPAT</b>
Carriage Gate (2069-2079 Lakeshore Rd. and 383-385 Pearl St.)  (29 storeys)	276 (high density)	Commercial:666sqm	453	<b>Appealed to LPAT</b>
Better Life Retirement Residence (441 Maple Ave.)  (11 storeys)	153 (high density)	-	242	No Decision

Pine Street Burlington Corporation (2085 Pine St.)  (11 storeys)	24* (high density) *Net new unit count <sup>8</sup>	Commercial:112sqm	41	No Decision
Core Development Group (2093-2021 Old Lakeshore Rd. and 2096-2100 Lakeshore Rd.)  (27 storeys)	310 (high density)	Commercial:707sqm	508	<b>Appealed to LPAT</b>
Old Lakeshore Burlington Inc. (2107 Old Lakeshore Rd. and 2119 Lakeshore Rd.)  (27 stories)	150 (high density)	Commercial:598sqm	252	No Decision
-	-	-	<b>2,891 p&amp;j</b> <b>28 p&amp;j/ha</b>	-

Notes: Numbers may not add up due to rounding. With the exception of the Reserve Properties Ltd. development, the heights specified are exclusive of rooftop mechanical (subject to further planning review).

<sup>8</sup> The net new unit count represents the additional units proposed for this property. The property already has approval for a 15 unit development which is included in the Development Approvals (No Site Plan Approval) table.

**Treatment of various issues in the existing Official Plan, Adopted Official Plan (2018) and the Recommended Modifications to the Adopted Official Plan (2020).**

Treatment of various issues	Existing, in-effect Official Plan	Adopted Official Plan (2018)	Recommended Modifications to Adopted Official Plan (2020)
Precincts	7 Precincts 1 Designation	11 Precincts	10 Precincts 3 Designations
Parks	Called Waterfront West / Public Lands Precinct. Focused on Spencer Smith and Beachway Parks	Called Downtown Parks and Promenades. Includes the identification of “New Public Parks”. Still includes Spencer Smith and Beachway Parks, but now adds Existing Parks, the Elgin Promenade, and identifies a new Park where Downtown Core and Brant Main Street Meet.	Called Parks and Promenade Designation, also identifies “New Public Parks”. In addition includes future Green Connector Streets (identifying their role in connecting pedestrians to Parks and Open spaces). Includes New Parks in Upper Brant, Mid Brant, and identifies the long-term vision for making Lion’s Park a City owned park.
Heritage	Downtown cultural heritage resources shall be preserved and new development shall integrate on-site heritage resources and be sensitive to nearby heritage resources (Part III, 5.5).	Downtown cultural heritage resources shall be conserved and new development shall integrate on-site heritage resources and be sensitive to nearby heritage resources . City-wide heritage policies in section 3.5 also apply. Transfer of additional intensity in certain areas – where cultural heritage resources are retained on the same site and is reliant upon the Municipal Heritage Register and/or designation under the Heritage Act .	Downtown cultural heritage resources shall be conserved and new development shall integrate on-site heritage resources and be sensitive to nearby heritage resources. City-wide heritage policies in section 3.5 also apply. Identification of Potential Cultural Heritage Study Areas in new Appendix H-2 to the Official Plan. Rely on new appendix to identify priority City Study. In advance of City Study require, at the time of a development application, the specific study set out in policy.
Height	Some designations establish maximum heights in OP, some	Clear height maximums established in policy, inclusive of community benefits. All designations establish a maximum height in the Official Plan policies.	Clear height maximums established in policy and supported by detailed Height Schedule that forms part of the Official Plan (Schedule D-2).

Treatment of various issues	Existing, in-effect Official Plan	Adopted Official Plan (2018)	Recommended Modifications to Adopted Official Plan (2020)
	<p>rely upon Zoning By-law (ZBL). Many designations establish a maximum height and also include a wide range of height permissions given a series of considerations.</p>		<p>The exceptions are the Apartment Neighbourhoods Precinct and Public Service Designation which do not have a maximum height established in policy, rather the policies set out criteria to determine an appropriate height based on surrounding context through the review of a site-specific development application.</p>
Urban Design Policies	<p>The existing Official Plan policies were careful to ensure that active street frontages were achieved in key areas of the Downtown. Considerations of compatibility are found throughout.</p>	<p>New Chapter 7 – Design Excellence in the adopted Official Plan elevates the consideration of Urban Design issues within the City. The chapter sets out important considerations for development within existing community areas dealing with compatibility, transition and a wide set of considerations. The Downtown Policies established an Urban Design section that relied upon the Design Excellence chapter and added Downtown specific guidance.</p>	<p>New Chapter 7 – Design Excellence in the adopted Official Plan (as stated). New sections relating to Urban Design very specifically related to the Downtown: Built Form including policy guidance for specific building types, Public Realm, Transition, among other issues.</p>
Special Policy Areas	<p>Existing approved Official Plan Amendments (OPAs) within policies.</p>	<p>Included Special Planning Areas to provide specific guidance in certain areas.</p>	<p>Some designations include site-specific policies. Recommended policies rely upon the height schedule to set out specific height permissions, and flag areas for specific consideration.</p>
Retail		<p>Schedule D-1 identifies three categories of retail street, each with its own policies to support the viability and function of retail and service commercial uses.</p>	<p>Provides specific policy and design direction around main street retail. Schedule D-1 has been updated to identify two classifications of retail streets: Retail Main Streets and Mixed-Use Streets, each with its own associated policies to support the viability,</p>

Treatment of various issues	Existing, in-effect Official Plan	Adopted Official Plan (2018)	Recommended Modifications to Adopted Official Plan (2020)
			function, and character of Downtown's retail and service commercial uses.

NOTES: the differences among the policy frameworks with respect to Height, Intensity or Density guidance prepared below are oriented to the recommended precinct plan released for discussion in June 2020. Precincts within the existing Official Plan and adopted Official Plan are explained everywhere the new Recommended Precinct Plan's geographic area covered a previous proposed or existing policy framework. All three precinct schedules and the proposed Downtown Height Schedule are all provided for context in Appendix 21 F-2.

PL-16-20 Appendix 21-F1

<b>A Comparison of Precincts within the Recommended Modifications to the Adopted Official Plan (2020), the adopted Official Plan (2018) and the existing Official Plan.</b>					
<b>RECOMMENDED 2020</b>		<b>ADOPTED OFFICIAL PLAN (2018)</b>		<b>EXISTING OFFICIAL PLAN</b>	
<b>Precinct (Recommended new Schedule D, Sept. 2020)</b>	<b>Height Guidance in Policy, depicted in recommended Schedule D-2</b>	<b>Adopted Official Plan Precinct(s) (Adopted Schedule D)</b>	<b>Height and Intensity Guidance in Policy</b>	<b>Existing Official Plan Precinct(s) (Existing Schedule E)</b>	<b>Height, Density and Intensity Guidance in Policy</b>
<b>Brant Main Street Precinct</b>	3 storey max within 20m of Brant St, up to 11 storeys.	Brant Main Street Precinct	Maximum 3 storeys immediately adjacent to Brant; stepping back to 11 storey maximum within 45 degree angular plane measured from centre of Brant Street.	Downtown Core Precinct	Minimum 2 storeys, maximum 4 storeys. Taller buildings up to 8 storeys may be permitted subject to tests in policy. Minimum density of 51 units per net ha. Max Floor Area Ratio (FAR) 4.0:1
		Downtown Core Precinct	Development up to 12 storeys permitted. Height in excess of 12 storeys to a maximum 17 storeys may be permitted through a Zoning By-law amendment, subject to provision of office floor area and/or underground public parking.	Wellington Square Precinct	Minimum 2 storeys, maximum 8 storeys. Taller buildings up to 14 storeys may be permitted subject to tests in policy. Minimum density of 51 units per net ha. Max FAR 5.0:1
<b>James Street Node</b>	Tall Buildings permitted. Northeast corner of Brant and James: Maximum 23 storeys  Southeast corner of Brant and James: Maximum 17 storeys	Brant Main Street – Special Policy Area	Special Policy Area (421 Brant and 409 Brant) Maximum Height 17 storeys	Downtown Core Precinct	Minimum 2 storeys, maximum 4 storeys. Taller buildings up to 8 storeys may be permitted subject to tests in policy. Minimum density of 51 units per net ha. Max Floor Area Ratio (FAR) 4.0:1
<b>Lakeshore Precinct</b>	3 storey max within 20m of Lakeshore Rd from Hager Creek to Elizabeth St,  Low or mid-rise west of Locust St beyond 20 m of Lakeshore Rd, per Schedule D-2;  Tall buildings east of John Street per Schedule D-2.	Downtown Core Precinct	Development up to 12 storeys permitted. Height in excess of 12 storeys to a maximum 17 storeys may be permitted through a Zoning By-law amendment, subject to provision of office floor area and/or underground public parking.	Downtown Core Precinct	Minimum 2 storeys, maximum 4 storeys. Taller buildings up to 8 storeys may be permitted subject to tests in policy. Minimum density of 51 units per net ha. Max Floor Area Ratio (FAR) 4.0:1
		Cannery Precinct	22 storeys, reflects height of Bridgewater Development, currently under construction	Wellington Square Precinct	Minimum 2 storeys, maximum 8 storeys. Taller buildings up to 14 storeys may be permitted subject to tests in policy. Minimum density of 51 units per net ha. Max FAR 5.0:1 Site Specific permissions for Bridgewater site, 360 on Pearl site.
<b>Old Lakeshore Precinct</b>	Same as adopted Official Plan	Old Lakeshore Road Precinct	See Existing Official Plan details.	Old Lakeshore Road Mixed Use Precinct	6 to 15 storeys  Area A (West Sector): minimum height two storeys, maximum height 10 storeys. Taller buildings up to 15 may be permitted per policy.

NOTES: the differences among the policy frameworks with respect to Height, Intensity or Density guidance prepared below are oriented to the recommended precinct plan released for discussion in June 2020. Precincts within the existing Official Plan and adopted Official Plan are explained everywhere the new Recommended Precinct Plan's geographic area covered a previous proposed or existing policy framework. All three precinct schedules and the proposed Downtown Height Schedule are all provided for context in Appendix 21 F-2.

					<p>Area B (East Sector): minimum height two storeys, maximum height 6 storeys. Taller buildings up to 8 storeys may be permitted per policy.</p> <p>Area C (South Sector): if these lands are determined to be developable, they will be subject to respective West Sector or East Sector policies.</p> <p>2107-2119 Old Lakeshore Road and 2114 Lakeshore Road: maximum 10 storeys, taller building up to 12 storeys may be permitted per policy</p>
<b>Mid Brant Precinct</b>	3 storey max within 20m of Brant St, up to 11 storeys in South and up to 17 storeys in North, as shown on Schedule D-2	<p>Downtown Core Precinct</p> <p>Brant Main Street Precinct</p>	<p>Development up to 12 storeys permitted. Height in excess of 12 storeys to a maximum 17 storeys may be permitted through a Zoning By-law amendment, subject to provision of office floor area and/or underground public parking.</p> <p>Maximum 3 storeys immediately adjacent to Brant; stepping back to 11 storey maximum within 45 degree angular plane measured from centre of Brant Street.</p>	<p>Downtown Core Precinct</p> <p>Mixed Use Corridor General</p>	<p>Minimum 2 storeys, maximum 4 storeys. Taller buildings up to 8 storeys may be permitted subject to tests in policy Minimum density of 51 units per net ha. Max Floor Area Ratio (FAR) 4.0:1</p> <p>Maximum 6 storeys (see existing <a href="#">Schedule B</a> for lands north of Victoria Ave)</p>
<b>Upper Brant Precinct</b>	3 storey max within 20m of Brant St, with flexibility  Up to 11 storeys in South and up to 25 storeys in North, as shown on Schedule D-2	Upper Brant Precinct	<p>Maximum 25 storeys, with the following special height policies in certain areas as shown on Schedule D (2018):</p> <p>S1- 11 storey maximum S2- 7 storey maximum S3 – 17 storey maximum</p>	Mixed Use Corridor General	Maximum 6 storeys (see existing <a href="#">Schedule B</a> for lands north of Victoria Ave)

NOTES: the differences among the policy frameworks with respect to Height, Intensity or Density guidance prepared below are oriented to the recommended precinct plan released for discussion in June 2020. Precincts within the existing Official Plan and adopted Official Plan are explained everywhere the new Recommended Precinct Plan's geographic area covered a previous proposed or existing policy framework. All three precinct schedules and the proposed Downtown Height Schedule are all provided for context in Appendix 21 F-2.

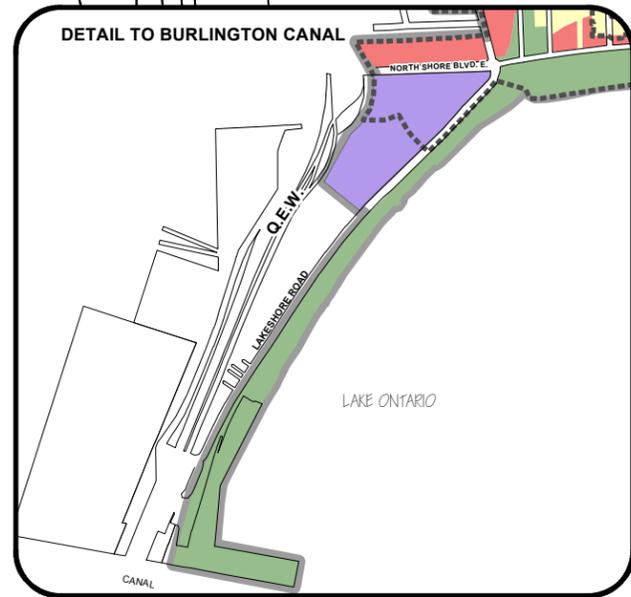
<b>Downtown East Precinct</b>	Mid-rise buildings up to 11 storeys, or tall buildings up to 17 storey maximum with provision of office.	Downtown Core Precinct  Downtown Mid-Rise Residential Precinct  Downtown Public Service Precinct	Development up to 12 storeys permitted. Height in excess of 12 storeys to a maximum 17 storeys may be permitted through a Zoning By-law amendment, subject to provision of office floor area and/or underground public parking.  Maximum 11 storeys  N/A	Downtown Core Precinct  Downtown Residential – Medium and or High Density Precincts	Minimum 2 storeys, maximum 4 storeys. Taller buildings up to 8 storeys may be permitted subject to tests in policy Minimum density of 51 units per net ha. Max Floor Area Ratio (FAR) 4.0:1  26 to 185 units per net hectare No height maximum stated in policy.
<b>Village Square Precinct</b>	As shown on Schedule D-2: some areas permit low-rise buildings up to 4 storeys, some areas permit mid-rise buildings up to 11 storeys, subject to transition policies.  East of Martha St: Maximum 22 m height, per site specific exception	Downtown Core Precinct  Downtown Mid-Rise Residential Precinct	Development up to 12 storeys permitted. Height in excess of 12 storeys to a maximum 17 storeys may be permitted through a Zoning By-law amendment, subject to provision of office floor area and/or underground public parking.  Maximum 11 storeys	Downtown Core Precinct  Downtown Residential – Medium and or High Density Precincts	Minimum 2 storeys, maximum 4 storeys. Taller buildings up to 8 storeys may be permitted subject to tests in policy Minimum density of 51 units per net ha. Max Floor Area Ratio (FAR) 4.0:1  26 to 185 units per net hectare No height maximum stated in policy.
<b>Neighbourhood Mixed Use Precinct</b>	Maximum 3 storeys	Bates Precinct  Upper Brant Precinct, S2  Brant Main Street Precinct	Maximum 3 storeys  S2: 7 storey maximum  Maximum 3 storeys immediately adjacent to Brant; stepping back to 11 storey maximum within 45 degree angular plane measured from centre of Brant Street.	Mixed Use Corridor General  Downtown Core Precinct	Maximum 6 storeys  Minimum 2 storeys, maximum 4 storeys. Taller buildings up to 8 storeys may be permitted subject to tests in policy Minimum density of 51 units per net ha. Max Floor Area Ratio (FAR) 4.0:1
<b>Apartment Neighbourhoods</b>	Appropriate built form for each site is to be determined through site-specific applications based on criteria in policy	Downtown Mid-Rise Residential Precinct  Downtown Tall Precinct	Maximum 11 storeys  Maximum 21 storeys	Downtown Residential – Medium and or High Density Precincts	26 to 185 units per net hectare No height maximum stated in policy.
<b>Low-Rise Neighbourhood Precincts</b>	Within St. Luke's and Emerald Neighbourhoods: 2.5 storeys	St. Luke's / Emerald Neighbourhood Precinct	Maximum height 2.5 storeys	St. Luke's Neighbourhood Precinct	Maximum density of 25 units per net hectare; maximum building height of 2.5 storeys

NOTES: the differences among the policy frameworks with respect to Height, Intensity or Density guidance prepared below are oriented to the recommended precinct plan released for discussion in June 2020. Precincts within the existing Official Plan and adopted Official Plan are explained everywhere the new Recommended Precinct Plan's geographic area covered a previous proposed or existing policy framework. All three precinct schedules and the proposed Downtown Height Schedule are all provided for context in Appendix 21 F-2.

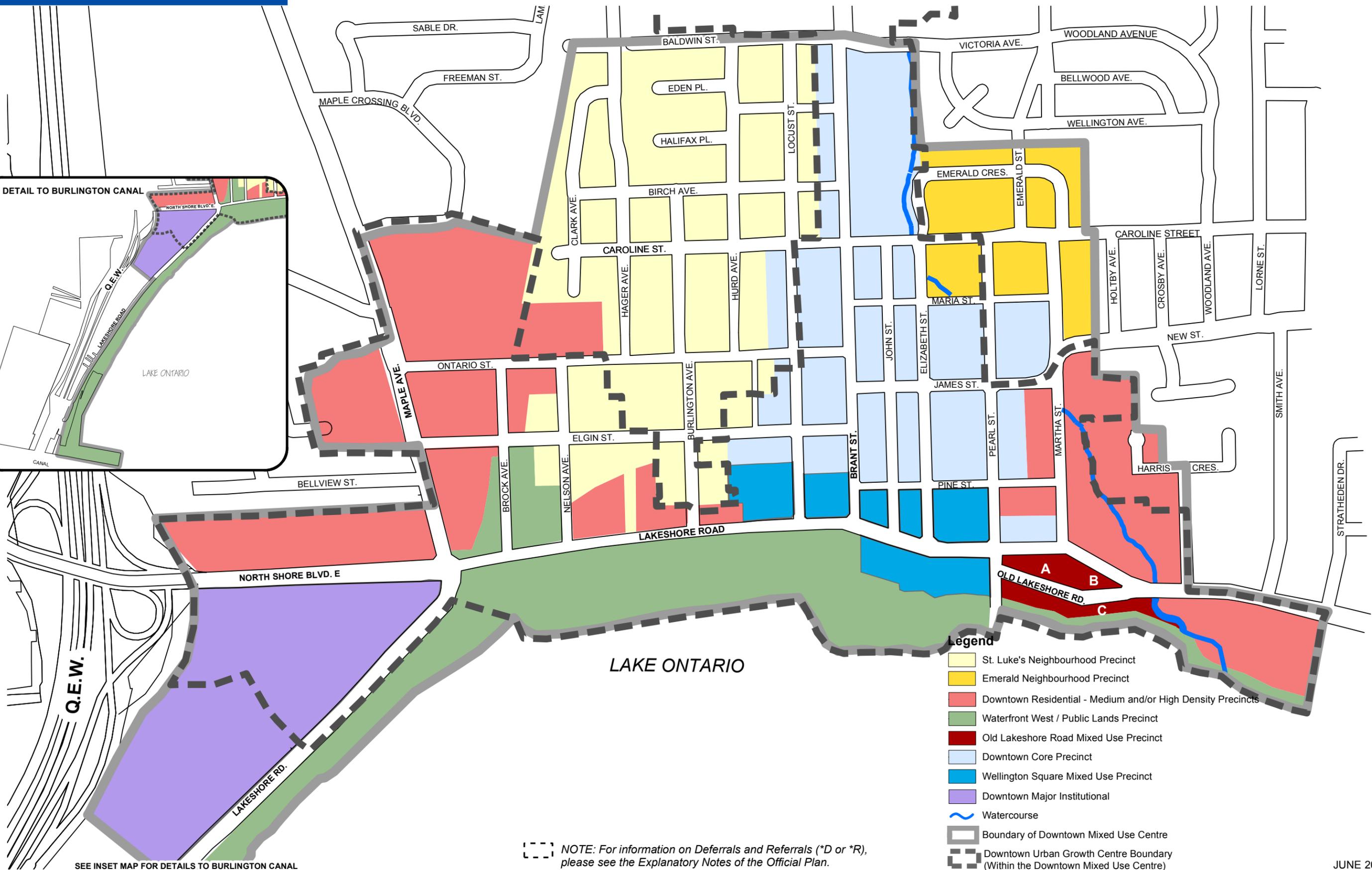
	Outside St. Luke's and Emerald Neighbourhoods: 4 storeys maximum	Downtown Mid-Rise Residential Precinct	Maximum 11 storeys	Emerald Neighbourhood Precinct  Downtown Core Precinct  Downtown Residential - Medium and or High Density Precincts	Maximum density of 25 units per net hectare; maximum building height of 2.5 storeys  Minimum 2 storeys, maximum 4 storeys. Taller buildings up to 8 storeys may be permitted subject to tests in policy Minimum density of 51 units per net ha. Max Floor Area Ratio (FAR) 4.0:1  26 to 185 units per net hectare No height maximum stated in policy.
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**SCHEDULE E  
DOWNTOWN MIXED USE CENTRE  
Land Use Plan**

Note: For lands outside of the Downtown Mixed Use Centre, refer to Schedule B.



SEE INSET MAP FOR DETAILS TO BURLINGTON CANAL



- Legend**
- St. Luke's Neighbourhood Precinct
  - Emerald Neighbourhood Precinct
  - Downtown Residential - Medium and/or High Density Precincts
  - Waterfront West / Public Lands Precinct
  - Old Lakeshore Road Mixed Use Precinct
  - Downtown Core Precinct
  - Wellington Square Mixed Use Precinct
  - Downtown Major Institutional
  - Watercourse
  - Boundary of Downtown Mixed Use Centre
  - Downtown Urban Growth Centre Boundary (Within the Downtown Mixed Use Centre)

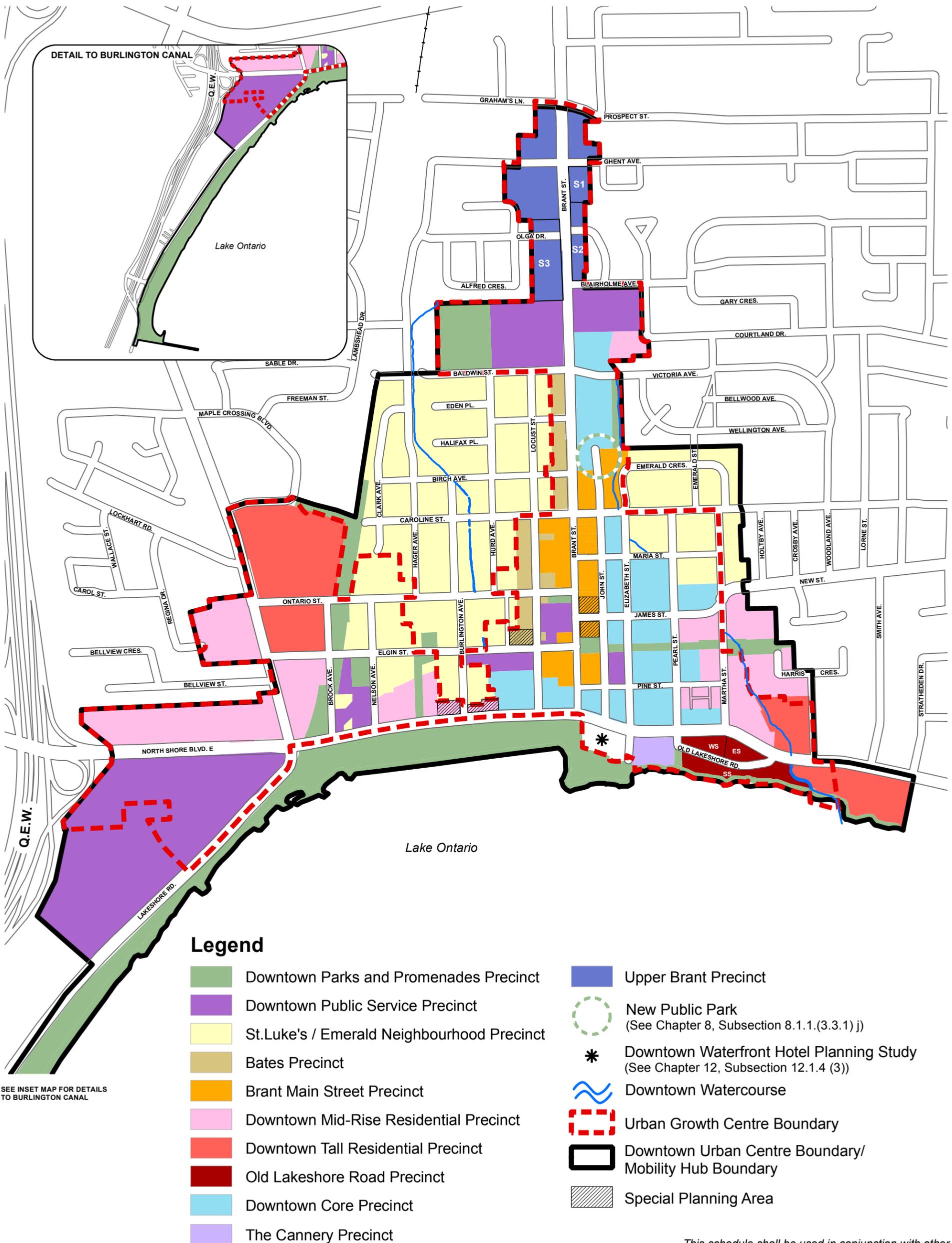
NOTE: For information on Deferrals and Referrals (\*D or \*R), please see the Explanatory Notes of the Official Plan.

# SCHEDULE D

## Land Use - Downtown Urban Centre

City of Burlington

Note: For lands outside of the Downtown Urban Centre, refer to Schedule C.



SEE INSET MAP FOR DETAILS TO BURLINGTON CANAL

- Legend**
- Downtown Parks and Promenades Precinct
  - Downtown Public Service Precinct
  - St. Luke's / Emerald Neighbourhood Precinct
  - Bates Precinct
  - Brant Main Street Precinct
  - Downtown Mid-Rise Residential Precinct
  - Downtown Tall Residential Precinct
  - Old Lakeshore Road Precinct
  - Downtown Core Precinct
  - The Cannery Precinct
  - Upper Brant Precinct
  - New Public Park (See Chapter 8, Subsection 8.1.1.(3.3.1) j)
  - \* Downtown Waterfront Hotel Planning Study (See Chapter 12, Subsection 12.1.4 (3))
  - Downtown Watercourse
  - Urban Growth Centre Boundary
  - Downtown Urban Centre Boundary/ Mobility Hub Boundary
  - Special Planning Area

This schedule shall be used in conjunction with other applicable schedules and policies of this Plan.

APRIL 2018

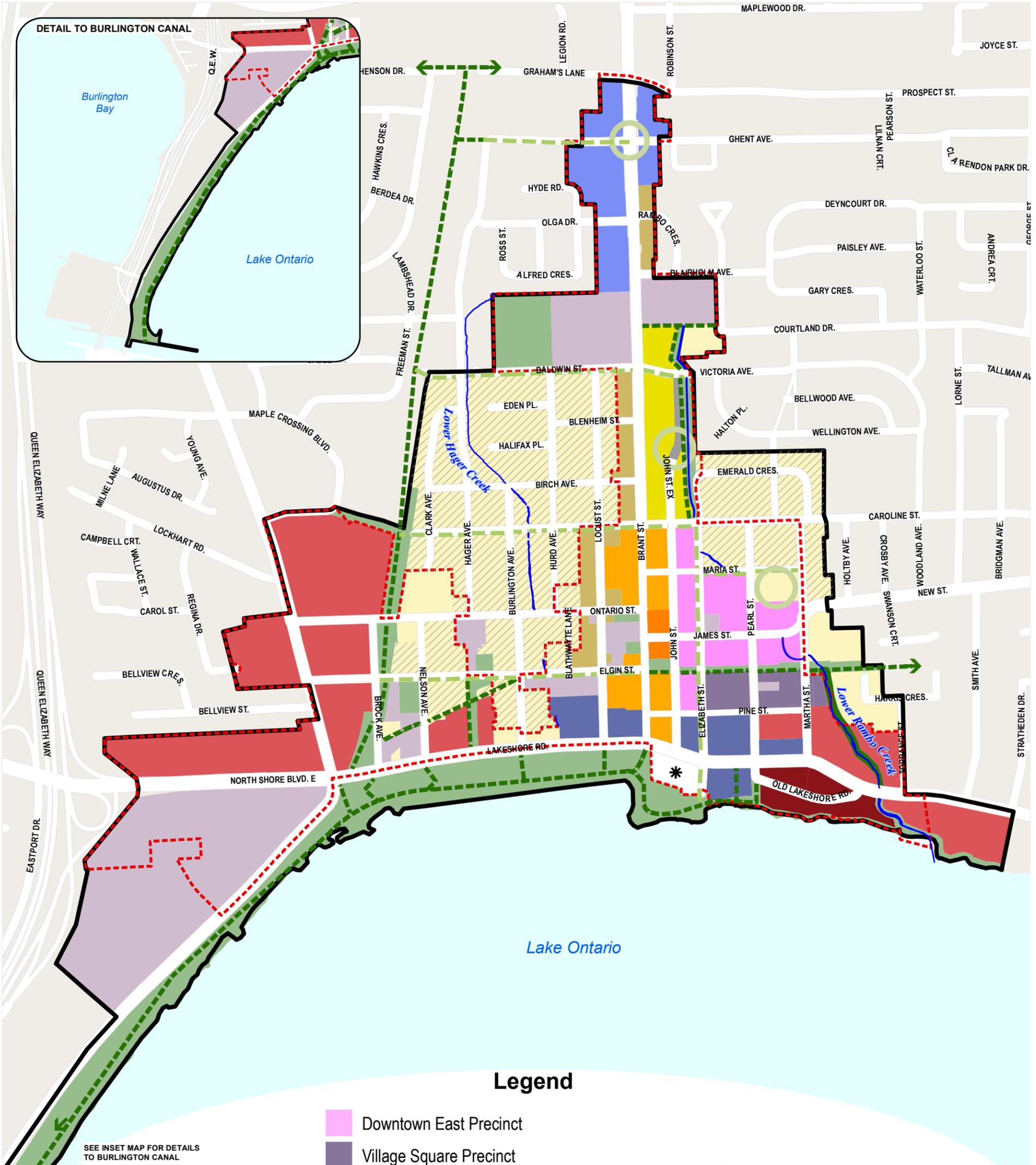
# SCHEDULE D

## Land Use - Downtown Urban Centre

City of Burlington



Note: For lands outside of the Downtown Urban Centre, refer to Schedule C.

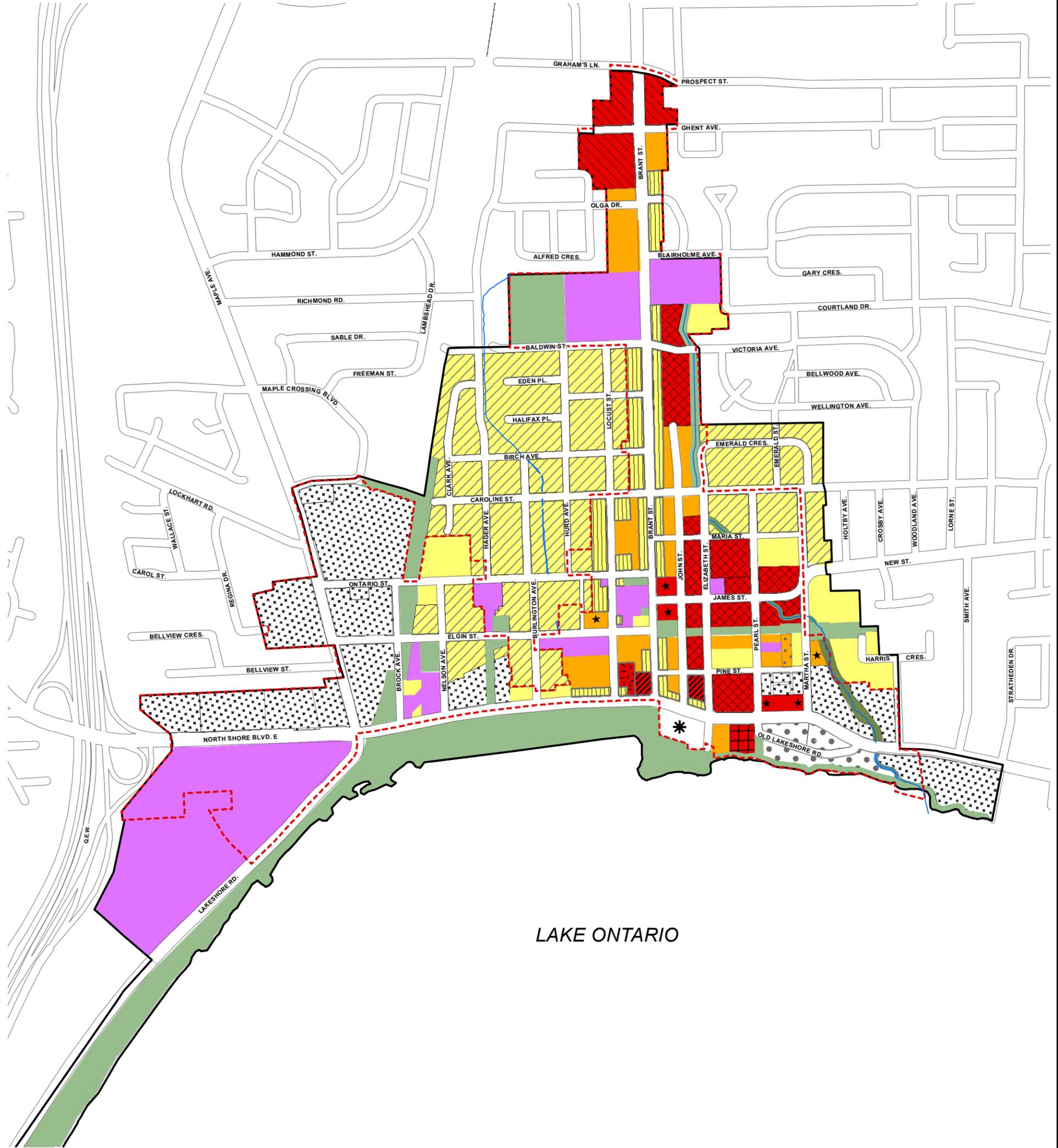


### Legend

- |  |  |  |   |
|--|--|--|---|
|  | Downtown East Precinct                   |  | New Public Park   |
|  | Village Square Precinct                  |  | Green Connector Streets   |
|  | Neighbourhood Mixed Use Precinct         |  | Off-Street Trails/Promenades  |
|  | Apartment Neighbourhoods Precinct        |  | Future Transportation Connection  |
|  | Low-Rise Neighbourhood Precincts         |  | Downtown Waterfront Hotel Planning Study<br>(See Chapter 12, Subsection 12.1.4 (3)) |
|  | St. Luke's and Emerald Neighbourhoods    |  | Urban Growth Centre Boundary  |
|  | Parks and Promenades designation         |  | Downtown Urban Centre Boundary  |
|  | Downtown Public Service designation      |  |   |
|  | Downtown Watercourse and NHS designation |  |   |
|  | Downtown Watercourse                     |  |   |
|  | Brant Main Street Precinct               |  |   |
|  | James Street Node                        |  |   |
|  | Lakeshore Precinct                       |  |   |
|  | Old Lakeshore Road Precinct              |  |   |
|  | Mid Brant Precinct                       |  |   |
|  | Upper Brant Precinct                     |  |   |

This schedule shall be used in conjunction with other applicable schedules and policies of this Plan.

# SCHEDULE D-2 Maximum Building Heights City of Burlington



LAKE ONTARIO

Downtown Watercourse	<b>TALL BUILDINGS</b>	<b>MID-RISE BUILDINGS</b>	<b>LOW-RISE BUILDINGS</b>
Urban Growth Centre Boundary	Maximum 13 Storeys	Up to 11 Storeys	Maximum 2.5 Storeys
Downtown Urban Centre Boundary/ Mobility Hub Boundary	Maximum 15 Storeys	Height Subject to the Built Form Policies in 8.1.1 (3.10.1)	Maximum 3 Storeys
Parks and Promenades	Maximum 17 Storeys	Subject to Site Specific Exceptions	Up to 4 Storeys
Regional Natural Heritage System	Maximum 22 Storeys		
Public Service	Maximum 25 Storeys		
Downtown Waterfront Hotel Planning Study (See Chapter 12, Subsection 12.1.4 (3))	Subject to Site Specific Exceptions		
Height Subject to the Built Form Policies in 8.1.1 (3.12.1)			
Height Subject to the Built Form Policies in 8.1.1 (3.6.1)			

*This schedule shall be used in conjunction with other applicable schedules and policies of this Plan.*

*Heights are maximums only and may not be achieved on all sites. Heights must be considered in conjunction with the policies of the Official Plan policies in their entirety.*

