



Ramsay Planning Inc.

(Email Only)

July 14, 2020

Ms. Melissa Morgan
Planning Department
City of Burlington 426 Brant Street
PO Box 5013
Burlington, ON L7R 3Z6

Dear Ms. Morgan:

**RE: Proposed Official Plan Amendment and Zoning By-law
Amendment – Valour Capital Inc., 418-422 Guelph Line,
Burlington, ON
City File Nos. 505-01/20 and 520-02/20
Our File No. 2016**

We are land use planning consultants retained by Paris Road Plaza Inc. (**“Paris Road”**) regarding the above-noted planning applications at 418-420 Guelph Line (the **“Subject Lands”**). On behalf of Paris Road we submit the following additional comments.

As you may be aware Paris Road are owners of property abutting the Subject Lands to the north and west (2430-2450 New Street). This site is currently occupied by the Roseland Square plaza. As well, Paris Road are the owners of three additional parcels located at the south-east corner of Guelph Line and New Street. These parcels are occupied by 1-storey commercial plaza building (415-425 New Street), a 2-storey retail and service commercial building (433 Guelph Line) and a 2-storey commercial office building (3014-3018 New Street). Collectively the Paris Road landholdings comprise approximately 1.0 ha.

We were approached by Paris Road to evaluate and provide a planning opinion on the appropriateness of the above-noted applications. The proposal by Valour Capital (**“Valour”**) seeks to amend the Official Plan and Zoning By-law to permit

the construction of a 13-storey residential building comprised 170 apartment units and a 3-storey podium. Access to the building will be provided from Guelph Line leading to 220 parking spaces located in the parking garage. The parking garage will provide parking spaces on the second floor, ground floor, and in the two underground levels of the building. The development proposes a total gross floor area of 13,802.20 m². The proposed development results in an overall density of 446 units per hectare and a 3.6 Floor Area Ratio (FAR).

In preparing our planning opinion we have undertaken an examination of the following:

- i) the neighbourhood context applicable to the subject property;
- ii) the policy context; and
- iii) the appropriateness of the application.

The following outlines our evaluation and conclusions in relation to these matters and concludes with the opinion, as professional planners, that the applications should not be approved.

1. Neighbourhood Character - from a planning point of view the most fundamental issue raised by the Valour application is its incompatibility with the well established character of the area. While the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe and the City's own Official Plan promote intensification, these planning documents also require new development to fit with the neighbourhood and context. For example, Burlington's Official Plan contains several objectives and policies that require new development to be compatible with the scale, urban design and community features of the neighbourhood. In evaluating intensification proposals the Burlington Official Plan indicates compatibility must be achieved with the existing neighbourhood character in terms of scale, massing, height, siting, setbacks, coverage, parking and amenity area so that a transition between existing and proposed buildings is provided.

The proposed Official Plan and Zoning By-law amendments, if approved, will facilitate an undesired change in the character of the area. For example:

- i) **Building Mass** – the Valour proposal represents an overdevelopment of the site. The proposed building has a floor area ratio¹ of 3.6:1. The proposed building will dwarf all of the existing nearby buildings within the immediate area. Provided below is a comparison of the FARs

¹ Floor Area Ratio is a measurement of the overall size of a building relative to the lot area and is calculated by taking the total floor area of all floors above grade as a ratio to the total lot area.

associated with nearby apartment buildings:

Apartment	FAR	Distance to Subject Lands	Storeys
384 St. Paul Street	0.7:1	40 m	5
390 Guelph Line	0.75:1	30 m	5
The Pine Terrace 511 Guelph Line	1.0:1	275 m	14
The Rosemount 2386 New Street	1.1:1	120 m	11
Stylewood Court 383 St. Paul Street	1.1:1	80 m	5
2411 New Street	1.2:1	230 m	11
Queensbury Court 3020 Glencrest Road	2.0:1	320 m	17

It should be noted that lands at 2421-2431 New Street were recently rezoned to permit an apartment building, retirement home along with community facilities. The building permitted under the approved zoning allows for a 3.6:1 FAR.

- ii) Density - the applicant is proposing a density of 446 units per ha. This represents a significant deviation from the maximum 100 units per ha permitted in the RH4 Zone and the 185 units per ha permitted under the Residential High Density designation of the Official Plan. It is our submission that a proposal with a nearly 5 fold increase in density will not maintain the established small, scale character of the area.
 - iii) Lot Coverage – the proposed building has a lot coverage of 74%. The high lot coverage is the greater than other apartment building in the immediate area and highlights the intensity of development proposed by the applicant.
2. Lack of Pedestrian Oriented Uses At Grade – the proposed building is located close to the front property line along Guelph Line. A setback of 2.65 m is shown on the site plan drawing. Normally, reduced front setbacks are encouraged in downtown and mainstreet locations to promote vibrancy along the street. However, the proposed design does not include any commercial uses such as restaurants, patios or shops that are typically found along downtown and mainstreet locations. Instead, the proposal includes parking as the principal use on the ground floor along with separate entrances to the parking garage, service vehicle area and the apartment lobby occupying the majority of the ground floor façade of the proposed building.

3. Parking – Valour is proposing two levels of underground parking and two levels of above grade parking. The location of parking on the ground floor and second floor levels highlights the overdevelopment of the site. Including all of the parking below grade could have the effect of reducing the overall building mass by reducing the building height by 2 storeys and/or providing increased setbacks/stepbacks or additional landscape areas. This style of parking garage is not common in residential developments in the City and specifically is not found in the surrounding area.
4. Commercial Uses - the applicant is proposing to redesignate the subject land from Neighborhood Commercial to Residential High Density. The proposal is for a single use residential building and does not include any provision for a mixed-use building with commercial uses located at grade. The implications of removing the Subject Lands from a commercial land use designation has not been analyzed in the context of the commercial needs of the surrounding area. This is particularly important since two other properties in the immediate vicinity have recently been redesignated from commercial to residential use.
5. Setbacks to 2430-2450 New Street - the applicant is proposing minimum setbacks of 2.6 m to the westerly and northerly property line abutting the Roseland Square site. Typical setbacks for an apartment building under Zoning By-law 2020, as amended, are equivalent to one-half of the building height or approximately 23 m in the case of the building height proposed. A reduction to a minimum 2.6 m is not appropriate and lacks sufficient transition between the proposed building and the adjacent properties. These reduced setbacks will impact the potential redevelopment of the Roseland Square plaza.
6. Service Area Entrance - the proposed site plan identifies an overhead door leading to a service area along the New Street façade, near the southerly end of the building. Within this service area waste receptacles will be stored along with other service and utility functions including loading and unloading facilities. It appears that waste collection trucks, moving vehicles and other service vehicles will enter the service area in a forward direction but must back out onto New Street as there is no ability to turn a vehicle around within the service area. This situation is not desirable and could lead to traffic and pedestrian safety issues.
7. Amenity Areas - the proposal lacks sufficient amenity areas. Under By-law 2020, as amended, the proposal requires a minimum of 4,625 m² of

amenity area. The Applicant is proposing 3,609 m² of amenity area located principally within 2 roof top terraces and private balconies. The proposal does not provide any at grade outdoor amenity space. For comparison purposes the proposed apartment building/retirement home complex at 2421-2431 New Street has approximately twice the number of units (342) and approximately three times the amenity space (10,000 m²).

8. Streetscape – the proposed building has a three-storey podium design with a minimum setback of 2.4 m from Guelph Line. Above the third storey the building has a stepback of 2.0 m with a further stepback of 3.5 m for the 13th storey. The proposed building will be the dominant feature along the Guelph Line streetscape which is defined by modest sized house form structures, 1- and 2-storey commercial plazas buildings and surface parking lots. The proposed building will not be well integrated into the streetscape but will stand out as an anomaly.
9. Conformity with the Existing Official Plan - the applicant's proposal does not conform with various policies of the City's Official Plan dealing with density (Part III, Section 2.2.2 c)) and the intensification criteria (Part III, Section 2.5.2 a)).

Official Plan Policy	
Part III, Section 2.2.1 (Objectives)	Comment
g) To require new residential development to be compatible with surrounding properties.	<ul style="list-style-type: none"> As discussed above, the proposed development is an overdevelopment of the site and is not compatible with surrounding properties that comprise predominantly 1-2 storey buildings.
Part III, Section 2.2.2 (General Policies)	Comment
c) Residential-High Density areas, either ground or non-ground oriented housing units with a density ranging between 51 and 185 units per net hectare shall be permitted.	<ul style="list-style-type: none"> The proposed density of 446 units per ha is significantly in excess of the maximum allowable density of 185 units per ha. Permitting densities of this nature has the potential to undermine the City's urban structure that is based on directing the highest densities to identified higher order hubs and nodes.

Official Plan Policy	
Part III, Section 2.5.1 (Housing Intensification, General Policies)	Comment
<p>a) To encourage residential intensification as a means of increasing the amount of available housing stock including rooming, boarding and lodging houses, accessory dwelling units, infill, re-development and conversions within existing neighbourhoods, provided the additional housing is compatible with the scale, urban design and community features of the neighbourhood.</p>	<ul style="list-style-type: none"> • The proposed development is not compatible with scale, urban design and community features of the neighbourhood. The lands clustered around the New Street and Guelph Line provide for retail and service commercial uses for the surrounding area. While the area includes some residential high density developments they typically comprise smaller buildings, smaller building masses and lower density buildings. While residential development may be appropriate on the site the applicant's proposal represents a significant overdevelopment of the site.
Part III, Section 2.5.2 a) (Housing Intensification, General Policies, Evaluation Criteria)	Comment
<p>(i) adequate municipal services to accommodate the increased demands are provided, including such services as water, wastewater and storm sewers, school accommodation and parkland.</p>	<ul style="list-style-type: none"> • Municipal services are adequate.
<p>(ii) off-street parking is adequate;</p>	<ul style="list-style-type: none"> • The proposal does not include any, at grade, visitor parking. The absence of such parking will potentially lead to ad hoc parking along nearby side streets and on adjacent commercial properties.
<p>(iii) the capacity of the municipal transportation system can accommodate any increased</p>	<ul style="list-style-type: none"> • The Applicant's Traffic Impact Study has forecasted eastbound left turns from New Street to

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traffic flows, and the orientation of ingress and egress and potential increased traffic volumes to multi-purpose, minor and major arterial roads and collector streets rather than local residential streets;	Guelph Line will be operating at Level of Service F with a v/c ratio of 1.00 in 2024. Improvements to signal timing and a phasing plan have been recommended so that the intersection can operate at an acceptable Level of Service and v/c ratio.
(iv) the proposal is in proximity to existing or future transit facilities;	<ul style="list-style-type: none"> • Transit services are available in close proximity to the site.
(v) compatibility is achieved with the existing neighbourhood character in terms of scale, massing, height, siting, setbacks, coverage, parking and amenity area so that a transition between existing and proposed buildings is provided;	<ul style="list-style-type: none"> • The proposed apartment building is not compatible with the well established character of the existing area. The proposed building has an overall building mass that will dwarf the nearby commercial and residential buildings. • As noted above, the proposal raises compatibility issues with respect to massing, setbacks, coverage, density and amenity area. • The proposal does not achieve an appropriate transition between existing low rise buildings and the proposed apartment building.
(vi) effects on existing vegetation are minimized, and appropriate compensation is provided for significant loss of vegetation, if necessary to assist in maintaining neighbourhood character;	<ul style="list-style-type: none"> • The proposed development will not result in significant loss of vegetation.
(vii) significant sun-shadowing for extended periods on adjacent properties, particularly outdoor amenity areas, is at an acceptable level;	<ul style="list-style-type: none"> • Our client is considering undertaking a detailed review of the Applicant's sun-shadowing study. Additional comments may be provided under separate cover.
(viii) accessibility exists to community	<ul style="list-style-type: none"> • The proposed development is

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services and other neighbourhood conveniences such as community centres, neighbourhood shopping centres and health care;	within close proximity to community services and other neighbourhood conveniences.
(ix) capability exists to provide adequate buffering and other measures to minimize any identified impacts;	<ul style="list-style-type: none"> • As noted above, the proposed development includes a density, built form and building setbacks that may result in adverse impacts on adjacent properties.
(x) where intensification potential exists on more than one adjacent property, any re-development proposals on an individual property shall demonstrate that future re-development on adjacent properties will not be compromised, and this may require the submission of a tertiary plan, where appropriate;	<ul style="list-style-type: none"> • The applicant is proposing significant reductions in setbacks to the abutting Roseland Square property. The implications of the proposed development on the potential redevelopment of the Roseland Square property has not been assessed.
(xi) natural and cultural heritage features and areas of natural hazard are protected;	<ul style="list-style-type: none"> • The proposed development will not affect cultural heritage or natural heritage features in the immediate area.
(xii) where applicable, there is consideration of the policies of Part II, Subsection 2.11.3, g) and m); and	<ul style="list-style-type: none"> • Not applicable.
(xiii) proposals for non-ground oriented housing intensification shall be permitted only at the periphery of existing residential neighbourhoods on properties abutting, and having direct vehicular access to, major arterial, minor arterial or multi- purpose arterial roads and only provided that the built form, scale and profile of development is well integrated with the existing neighbourhood so that a transition between existing and proposed	<ul style="list-style-type: none"> • While the proposal has access to a minor arterial road it is not located at the periphery of an existing residential neighborhood. • The built form, scale and profile of the proposal will not be well integrated with the surrounding area. It lacks transition with adjacent low rise developments.

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residential buildings is provided.	

10. Conformity with Burlington Tall Building Guidelines - the applicant's proposal does not maintain several provisions of the City of Burlington Tall Building Guidelines.

Tall Building Guideline	
Part 2, Building Base	Comment
2.1 b) On retail streets (i.e. Brant Street), and other streets where a strong streetwall exists, the location of the podium should reinforce the established streetwall.	<ul style="list-style-type: none"> • Guelph Line in the vicinity of the Subject Lands does not have an established streetwall. The existing streetscape is defined by modest sized house form structures, 1- and 2-storey commercial plaza buildings and surface parking lots. Building setbacks along Guelph Line range between 2.5 m to 40 m. and within the immediate vicinity of the Subject Lands the setbacks from Guelph Line are: 6.5 m, 9.8 m and 23.5 m. • The proposed 2.4 m setback does not reinforce an established streetwall condition.
Part 3, Building Top	Comment
3.1 c) Where no towers currently exist, proposed towers should be set back 12.5 metres from adjacent property lines to protect for a future 25 metre separation distance (split between each property).	<ul style="list-style-type: none"> • The proposal does not provide a 12.5 m setback to the abutting property to the north and west (Roseland Square) which would effectively eliminate a similar redevelopment option for these lands.
3.1 d) The tower should be stepped back at least 3 metres from the podium to differentiate between the building podium and tower, and to ensure usable outdoor amenity space (i.e. patios).	<ul style="list-style-type: none"> • The tower is stepped back only 2.0 m rather than the 3.0 m established in the guideline. The reduced stepback contributes to the increased massing of the building by bringing the tower closer to the

Tall Building Guideline	
3.2 c) The tower portion of a tall building should be slender and shall not exceed 750 square metres, excluding balconies.	<p>streetline.</p> <ul style="list-style-type: none"> • The tower exceeds the maximum tower floor plate of 750 m². The applicant is proposing tower floor plates of: <ul style="list-style-type: none"> - Floors 4-11: 1,375.67 m² - Floor 12: 1,060.55 m² - Floor 13: 971.21 m² • The nearly doubling of the floorplate size results in a building having an overall building mass that is incompatible with the surrounding area.
2.1 b) On retail streets (i.e. Brant Street), and other streets where a strong streetwall exists, the location of the podium should reinforce the established streetwall.	<ul style="list-style-type: none"> • As discussed above, the proposed development is an overdevelopment of the site and is not compatible with surrounding properties that comprise predominantly 1-2 storey buildings.

11. Destabilize the Neighbourhood - approval of the application will undoubtedly have a destabilizing effect on the area. Approval of the application could create a precedent for overdevelopment on nearby lands and the degradation of the function of the neighbourhood commercial area. In our opinion this an undesirable circumstance and not something envisaged by the policies of the Official Plan.

Conclusions

The proposed development is not compatible with the existing nature of the area. Though compatibility does not necessarily mean “same”, it also does not mean vastly different or out-of-step with a stable environment. The built-form with it’s comparatively large mass, height, and minimum setbacks is a major change to this area.

The tower exceeds the maximum tower floor plate of 750 m² established in the City’s Tall Building Guidelines. The applicant is proposing tower floor plates of:

- Floors 4-11: 1,375.67 m²
- Floor 12: 1,060.55 m²

- Floor 13: 971.21 m²

The nearly doubling of the floorplate size results in a building having an overall building mass that is incompatible with the surrounding area.

The City's existing planning policies do not support intensification of this extent in areas such as this. As well, the City's emerging policies have not identified this as either a primary or secondary area for intensification.

The implications of the proposed development on the potential redevelopment of the Roseland Square property has not been assessed.

I have been instructed by the Paris Road to offer assistance and to work with the City and/or applicant to devise a plan that is more in keeping with the character of the area.

Yours truly,



Allan Ramsay, MCIP, RPP
Principal,
Allan Ramsay Planning Associates Inc.