

Taking a Closer Look at the Downtown: Final Report

June 2020



Prepared by:



Prepared for:



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1 Introduction



1.1 Why is the City Re-examining the Adopted Official Plan?

On February 7, 2019 Burlington City Council voted to re-examine the policies in the City's Official Plan which was adopted by Council on April 26th, 2018. The approved Council motion directs Staff to commence a process to re-examine the policies of the Official Plan in their entirety as they relate to matters of height and intensity and conformity with provincial density targets.

A Council workshop was held on March 18, 2019 to obtain further Council feedback on this direction. Council's further feedback resulted in focusing the work on the Downtown and on refinements to the Neighbourhood Centres policies. This report focuses on the Downtown only.

The outcome of this work are modified policies for the Downtown that will guide development in the Downtown until 2031, including the height and density of buildings. The modified policies have been informed by both public engagement and finalized technical reports. The policies are documented in this Final Report.

1.2 What is the purpose of this Report?

The purpose of this report is to introduce and describe the recommended modifications to the Downtown policies of the adopted Official Plan. The report also provides a summary of the process leading up to Council's endorsement of the preliminary preferred concept, a summary of the technical studies completed in support of the recommended modifications to the adopted Official Plan, a review of policy conformity and an overview of other recommendations for updating studies to implement the recommended modifications to the adopted Official Plan.

2 What Has Been Done to Date?



The work plan for re-examining the Official Plan policies was presented by City Staff to the Planning and Development Committee on May 21, 2019 and was approved by Burlington City Council on May 27, 2019. **Figure 1** provides a high-level timeline for this project.

Figure 1: Scoped Re-examination Milestones and Timing



Phase 1: Review and Background

As part of the Phase 1 work the City released:

[Taking a Closer Look at the Downtown Policies in the Adopted Official Plan Public Engagement Plan](#) prepared by the City of Burlington in July of 2019. This report provided the scope of the engagement and description of the public engagement plan for re-examining the adopted Official Plan for the Downtown.

[Taking a Closer Look at the Downtown; What You Need to Know](#), prepared by SGL in August 2019. This report introduced the City's re-examination of the Adopted Official Plan for the Downtown; provided an overview of the relevant land use policies; summarized the findings from the public engagements that informed the Adopted Official

Plan; described the policy framework that applies to the Downtown; and described how to provide input on in the project.

Public and Stakeholder Engagement

[Taking a Closer Look at the Downtown: Feedback Report](#) was prepared by the City of Burlington in September of 2019. This report summarizes the responses to an online and in-person survey, 17 pop-up events and to two Citizen Action Labs held in August 2019. These public engagement events focused on identifying what is important to the community about the Downtown. In addition, the report confirms the vision for the Downtown and provides information to help with the development and evaluation of alternative land use and built form concepts (hereafter referred to as the concepts).

Phase 2: Develop Land Use Scenarios

As part of the Phase 2 work the City released [Taking a Closer Look at the Downtown: Themes, Principles and Land Use Concepts](#), prepared by SGL, in October 2019. This report describes two alternative concepts for the Downtown and the precincts within the Downtown. The report also describes the thirteen themes of comments heard at the public engagement events and develops 23 principles that the City can use to guide change in the Downtown. These principles were then used to develop the concepts, evaluate the concepts and prepare policy and urban design guidelines. **Appendix A** lists the principles and documents which criteria, policies and urban design guidelines were informed by each of the principles. **Appendix A** also indicates specific policies and guidelines that reflect the principles and where they can be found in each of these documents.

The report also describes the supporting background studies that were completed including:

- A Downtown Burlington Traffic Overview,
- A Cultural Heritage Study,
- A Market Analysis,
- An Environmental Impact Study, and
- A Wind Shadow Study.

Public and Stakeholder Engagement

The two concepts were presented at a series of Citizen Action Labs and other public engagement events over the months of October and November and presented to Council on December 5, 2019. Taking a Closer Look at the Downtown: Second Feedback Report summarizes the public engagement process and input received during that process.

Phase 3: Develop Land Use Scenarios and Prepare Modified Policies

[Taking a Closer Look at the Downtown: Preliminary Preferred Concept](#) was prepared by SGL in January 2020. It documented the evaluation of the two concepts. The evaluation was prepared based on the study principles, background and initial technical reports (e.g. Heritage, Market Analysis, Environmental Impact Study), input from public engagement and input from City staff and the Planning and Development Committee. The principles that guided the evaluation are noted in **Appendix A**. Not all principles were used to inform the evaluation as they did not differentiate between the concepts but were used to inform the recommended modifications to the adopted Official Plan and to inform the draft Downtown Burlington Placemaking and Urban Design Guidelines.

The results of the evaluation were informed by the fall engagement, Committee and Staff input, and technical studies. Based on the results of the evaluation, a preliminary preferred concept plan was prepared and endorsed by Council on January 16th, 2020 with recommendations for further consideration of a number of precincts and sites.

This report represents the culmination of the study, which entails the preparation of recommended modifications to the adopted Official Plan. As part of this phase, a series of new or revised supporting reports have been prepared including:

- An Updated Area Servicing Plan;
- A Micro-Level Traffic Operations analysis;
- A Flood Hazard and Scoped Stormwater Management Assessment; and
- A Financial Impact Assessment.

3 What are the Modifications to the Precincts in the Land Use Plan?



Figure 2 illustrates the recommended modifications to the precincts and land use designations on Schedule D of the adopted Official Plan. The recommended modifications to Schedule D include renamed precincts, refinements to the boundaries of some precincts and new precincts.

A summary of the recommended modifications includes:

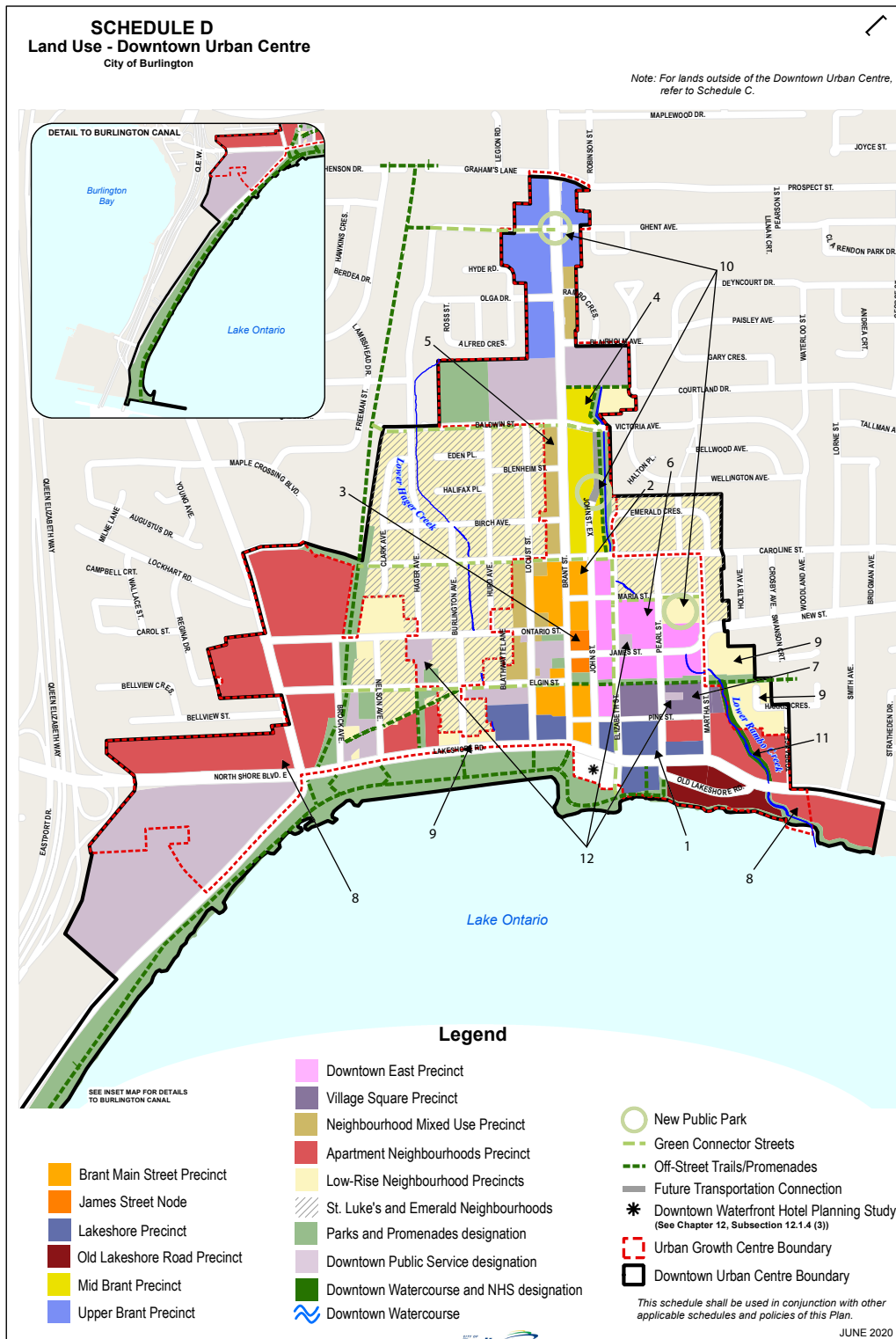
1. Creating a new Lakeshore Precinct;
2. Refining the boundary of the Brant Main Street Precinct to extend from Lakeshore Road to Caroline Street;
3. Creating a new James Street Node to recognize existing approvals;
4. Creating a new Mid Brant Precinct;
5. Renaming Bates Precinct to Neighbourhood Mixed Use Precinct and adding the former “S2” area on the east side of Brant Street north of Blairholm Ave. to this Precinct;
6. Creating a new Downtown East Precinct;
7. Creating a new Village Square Precinct;
8. Combining the Mid-Rise Residential and Tall Residential precincts into a new Apartment Neighbourhood Precinct;
9. Moving existing low rise areas from the Mid-Rise Residential Precinct to Low Rise Neighbourhood Precinct;
10. Additions to the Parks and Promenade designation with new park symbols and the delineation of off-street trails and Green Connector Streets;
11. Adding a Natural Heritage System designation; and
12. Adding additional sites to the Public Service designation.

These changes are highlighted on **Figure 2**.

Changes from the preliminary preferred concept endorsed by Council include:

- additional institutional sites designated Public Service which is discussed in Section 4;
- specific delineation of the St. Luke’s and Emerald neighbourhoods;
- delineation of a new park symbol on Lions Park;
- removal of precinct subcategories as the parameters of these subcategories are now addressed in a newly developed height schedule which is discussed in Section 4;

- more detailed direction on transition of height and density is addressed in Section 3.19 Built Form of the recommended modifications; and
- addition of site-specific policies representing approved developments.



1. Creating a new Lakeshore Precinct;
2. Refining the boundary of the Brant Main Street Precinct to extend from Lakeshore Road to Caroline Street;
3. Creating a new James Street Node to recognize existing approvals;
4. Creating a new Mid Brant Precinct;
5. Renaming Bates Precinct to Neighbourhood Mixed Use Precinct and adding the former "S2" area on the east side of Brant Street north of Blairholm Ave. to this Precinct;
6. Creating a new Downtown East Precinct;
7. Creating a new Village Square Precinct;
8. Combining the Mid-Rise Residential and Tall Residential precincts into a new Apartment Neighbourhood Precinct;
9. Moving existing low rise areas from the Mid-Rise Residential Precinct to Low-Rise Neighbourhood Precinct;
10. Additions to the Parks and Promenade designation with new park symbols and the delineation of off-street trails and Green Connector Streets;
11. Adding a Natural Heritage System designation; and
12. Adding additional sites to the Public Service designation.

Figure 2 – Recommended Modifications to Schedule D

4 What are the Recommended Policy Modifications?



The recommended policy modifications to the adopted Official Plan are contained in Appendix 2 to Staff Report PL16-20 . The modifications are shown as strike out and underlined text for deletions and additions respectively. The recommended modifications also contain a reorganization of the precincts and moving a number of policies into different sections.

The recommended modifications contain recommended built form and urban design policies. Additional urban design guidance will be provided in the draft Downtown Burlington Placemaking and Urban Design Guidelines. Those built form elements and urban design policies contained in the recommended modifications represent key design elements in the Downtown that are to be respected to ensure development fits into the planned function and intended built form character of each precinct.

This section describes the intent of each precinct shown on Schedule D and highlights some of the recommended policy modifications.

4.1 Introductory Vision and Objectives

The recommended modifications include additional text to the introductory vision for the Downtown Urban Centre in Section 3 and the objectives of Section 3.1.

The recommended modifications note that the Downtown will be a focal area for investment in regional public service facilities, as well as commercial, recreational, cultural and entertainment uses and will serve as a high-density major employment centre in conformity with the Growth Plan. The modifications also recognize that the fine-grained street network supports the existing transit-supportive built form that contributes to a vibrant, walkable and cycling-friendly complete community. The introductory vision further notes that new development will also be compatible with the physical character within each precinct and provide a compatible transition to adjacent neighbourhoods.

The recommended modifications recognize that the Downtown is identified in the Region of Halton Official Plan as a Major Transit Station Area (MTSA) due to the location of the Burlington bus terminal within an Urban Growth Centre (UGC). As a result, the Burlington bus terminal is considered a major transit station; however, the bus terminal is not located on a Priority Transit Corridor as defined by the Growth Plan nor is it supported by higher order transit, nor by frequent transit within a dedicated right of way. Given the limited function of the bus terminal, the associated MTSA is not expected to be a significant driver for intensification beyond that which is required by the Downtown

UGC. Further, the recommended modifications recognize that the residents and jobs associated with development in the Downtown Burlington MTSA 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 Growth Plan.

The recommended modifications clarify that the objective of the Plan is to establish a precinct system that better recognizes areas with distinct character and sets policies for differences in land uses, height and built form, informed by historical development patterns and the planned function of each precinct.

It is also an objective of the Plan to permit building heights and *intensities* 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.

Additional objectives were added on enhancing streetscapes with street trees; encouraging office development; encouraging the integration of a wide range of housing types and tenures; ensuring the Downtown has adequate infrastructure and protecting significant natural heritages and protect life and property from natural hazards.

4.2 Precincts and Designations

The precinct policies in Section 8.1.1(3.3) through (3.16) largely reflect the preliminary preferred concept plan endorsed by Council with some refinements. The following describes the built form and land use intent of each precinct and the key policies. The policy number references in this section of the report are to Section 8.1.1 of the recommended modifications to the adopted Official Plan. For example, where the report indicates “(3.3)”, this is a reference to subsection 8.1.1(3.3) of the adopted Official Plan.

Brant Main Street Precinct, Section (3.3)

The Brant Main Street Precinct is intended to serve as a unique retail destination within the Downtown and city-wide. Development is to maintain and enhance the existing traditional low-rise, main street physical character along Brant Street.

The policies were modified to provide a clear direction for the intended built form. Along Brant Street, only low-rise buildings of 3 storeys or less are permitted, which could be in the form of individual low-rise buildings or in the form of a podium to a mid-rise development, where the mid-rise height is set back 20 metres from Brant Street.

Mid-rise buildings are permitted along John and Locust Streets within the precinct provided they are in a terraced built form above a 5 storey street wall to minimize the impact of the building height along John Street and Locust Streets.

The recommended built form adjacent to Brant Street maintains the low-rise, main street feel from the perspective of pedestrians, while still permitting a depth of approximately

30 metres for mid-rise buildings. It creates a balance between maintaining the low-rise character along Brant Street while accommodating intensification within an Urban Growth Centre. It is a made in Burlington solution that recognizes Brant Street and parts of Lakeshore Road are to be treated differently in order to maintain the low-rise main street feel on Brant Street which was a critical concern raised at the community engagements. Due to the importance of this issue to members of the community who participated in the engagement, the low rise requirement adjacent to Brant Street and parts of Lakeshore Road is specifically set out in policy to clearly indicate the planned built form and to be used as the basis upon which to evaluate development applications.

Brant Street is identified on Schedule D-1 as a Retail Main Street. Revisions to Schedule D-1 are described in Section 4.5 of this report. The Retail Main Street policies in Section 3.21 provide further direction to ensure that uses at grade are active and support and enhance the vibrancy of the Downtown. Residential and office uses are not permitted on the ground floor facing a Retail Main Street, while residential lobbies and access should be located on side streets or at the rear of the building where feasible. Retail Main Street requirements are further discussed later in this section.

James Street Node, Section (3.4)

The James Street Node was a site specific section in the adopted Official Plan. Development in the James Street Node is intended to contribute towards the enhancement of a civic node at the intersection of Brant Street and James Street. It is also intended that new public squares be created adjacent to the intersection to complement and expand the existing Civic Square. Tall buildings are permitted to facilitate an expanded civic square and to create an enhanced civic node through exemplary built form.

The adopted Official Plan policies were modified to reflect the development approval at 421 Brant Street.

Lakeshore Precinct, Section (3.5)

The Lakeshore Precinct is intended to serve as the gateway to the Waterfront with linkages between the waterfront trail and north-south green connector streets and off-street trails. Development is also to provide new public spaces befitting the significance of the area adjacent to the waterfront, ensure that public view corridors to the Brant Street Pier and Lake Ontario from north-south streets are maintained and enhanced, and achieve a high degree of architectural and urban design excellence.

Lakeshore Road through the precinct is delineated as a Retail Main Street and development is intended to enhance the vibrancy of this retail street.

Similar to Brant Main Street, development is to be in the form of low-rise buildings of up to 3 storeys within 20 metres of Lakeshore between Lower Hager Creek and Elizabeth

Street. West of Locust Street development is to be in the form of low-rise or mid-rise buildings beyond the 20 metres and east of John Street in the form of tall buildings. The maximum height of tall buildings is shown on Schedule D-2 and discussed below in this section of the report. The heights shown on Schedule D-2 reflect the heights of existing buildings and only a few blocks remain in the precinct that will be redeveloped up to the heights shown in the schedule.

Old Lakeshore Precinct, Section (3.6)

No changes have been made to the Old Lakeshore Precinct except for a few minor text clarification changes. This precinct and the Waterfront Hotel Site were outside of the scope of the Re-examination of the adopted Official Plan.

Mid Brant Precinct, Section (3.7)

The Mid Brant Precinct is intended to serve as a northerly extension of the low-rise, retail main street character along Brant Street. The precinct is also intended to contain a significant amount of retail space including the retention of a food store function serving the day-to-day and weekly shopping needs of Downtown residents. Unlike Brant Main Street Precinct, this precinct provides the opportunity to accommodate larger retail stores internal to the block and which do not front onto Brant Street. The policy modifications require providing at minimum 50,000 m² of retail and service commercial floor area in any redevelopment of the plaza.

The Mid Brant Precinct continues the low-rise built form along Brant Street similar to the Brant Main Street Precinct. However, where the development block is widest at the north part of the precinct, tall buildings are permitted provided they terrace away from Rambo Creek to create a transition of heights to the creek and the low-rise neighbourhoods on the east side of the creek.

It is also envisioned that the precinct contain a new public urban park and additional open space and a walking trail along the west side of Rambo Creek.

The modified policies require a comprehensive block plan be prepared prior to the approval of any development between Caroline Street and Victoria Avenue. Section 3.7.1 f) sets out the specific parameters that a block plan shall address in this precinct including:

- A transportation connection extending north from John Street to Victoria Avenue;
- An increased open space buffer along Rambo Creek
- An east-west pedestrian connection;
- A transition to adjacent low rise neighbourhoods;
- A new public urban park; and
- The location and configuration of the retail and service commercial floor area.

Section 4.3 of this report further describes the policy parameters for comprehensive block planning.

Upper Brant Precinct, Section (3.8)

The Upper Brant Precinct is intended to accommodate a variety of building heights proportional to parcel depth along Brant Street between Prospect Street and Blairholm Avenue, with the tallest buildings in the Downtown located along and north of Ghent Avenue. Development is intended to achieve a height and density that reflects the precinct's walking distance to higher-order transit at the Burlington GO Station while also achieving compatibility with adjacent residential-low density areas.

Despite the permission for tall buildings, the intent is for a low-rise feel to be maintained for pedestrians along Brant Street through setbacks above the third storey of buildings abutting Brant Street.

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

The requirement for a block plan for additional parkland that was proposed in the January 2020 report has been removed. Given that the main issue that the comprehensive block plan would address was the location of additional parkland, it was determined that an alternative policy approach would be sufficient. The policies require all applications on properties greater than 0.4 ha. to include a park concept plan to illustrate how an urban square or Privately Owned Publicly Accessible Open Space (POPS) could be provided and function on the site to help to achieve the objective of supporting new development with parks and open space.

Downtown East Precinct, Section (3.9)

The Downtown East Precinct is intended to serve as the pre-eminent destination for offices, post-secondary educational and other learning facilities and provide significant opportunities for residential uses within mixed-use developments. Retail and service commercial uses at grade will be encouraged along Mixed Use Streets, to serve the day-to-day needs of Downtown residents and employees. The precinct is also intended to be a focus for public parking to support retail and office uses.

Development is intended to primarily be in the form of tall buildings which are informed by historical development patterns and precedent within the precinct. The maximum

height of tall buildings is shown on Schedule D-2 and discussed below in this section of the report.

However, development will be expected to transition to, as well as achieve compatibility with, adjacent Low-Rise Neighbourhood Precincts. In addition, Policy 3.9.1c) requires that any building containing residential units above a mid-rise building height shall provide one floor of office space in a podium for every three additional floors to a maximum height of 17 storeys.

Village Square Precinct, Section (3.10)

The Village Square Precinct is intended to serve as a pre-eminent retail destination with predominantly mid-rise residential uses within stand alone or mixed-use buildings.

The Village Square retail development is envisioned to serve as the focal point of this precinct. It is to be maintained as a low-rise retail development and enhanced as a unique retail destination. Retail and service commercial uses are to be the predominant at grade uses 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.

Development is intended to be a mix of mid-rise and low-rise buildings of varying heights on adjacent properties. These heights are to transition to lower scale buildings along Martha Street to reflect the existing and planned heights along the street. Particular attention is required to ensure a sympathetic transition in height and massing adjacent to the existing townhouses on Martha Street to minimize impact of shadowing and overlook. Lands on the east side of Martha Street are designated with a site specific height permission that reflects the existing zoning permission of a maximum 22 metre building height. This height provides an appropriate transition from the tall building to the south in the Apartment Neighbourhood Precinct to the townhouses on Martha Street and the low-rise buildings to the north and east.

Neighbourhood Mixed Use Precinct, Section (3.11)

The Neighbourhood Mixed Use Precinct is intended to recognize and conserve the historic character of the Downtown along sections of Brant and Locust Streets, including the precinct's buildings, streetscapes and parcel fabric. It is intended that priority be given to the adaptive re-use of existing buildings including for offices, retail uses, restaurants and other service commercial uses.

Development is intended to be limited and 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.

Apartment Neighbourhood Precincts, Section (3.12)

The Apartment Neighbourhood Precincts are intended to accommodate limited infill development that fits into and respects the existing physical character of adjacent properties. Infill development within the precinct will be required to transition to, as well as achieve compatibility with, adjacent low-rise neighbourhoods both in and outside of the Downtown.

No maximum heights are proposed for the Apartment Neighbourhood Precinct, because the existing heights and built form of the Apartment Neighbourhood Precinct vary from low-rise to tall buildings. Instead the recommended policies require that new development is to fit into that varied physical character. The recommended policies for the Apartment Neighbourhood Precinct set out a series of policy criteria, in Section 3.12.1 c), to ensure that any proposed infill development is located, massed and designed to fit into and respect the existing physical character of adjacent properties. These policy criteria address: separation distances, overlook, transition, shadow, wind conditions, service areas, surface parking, indoor and outdoor recreation space and amenities, and relationship of the buildings to the street.

Low-Rise Neighbourhood Precincts, Section (3.13)

The Low-Rise Neighbourhood Precincts include the St. Luke's Neighbourhood and Emerald Neighbourhood Precincts as well as other low-rise residential areas. It is the intent of the Plan that the existing established residential and historic character of these low-rise neighbourhoods be maintained.

Limited development opportunities within the precinct will be compatible with the surrounding neighbourhood area and fit into the existing physical character. The maximum building height in the St. Luke's and Emerald Neighbourhoods is 2.5 storeys, while the Plan permits higher heights up to 4 storeys in other parts of the Low-Rise Neighbourhood Precincts due to existing heights. Within the Low-Rise Neighbourhood Precincts outside of the St. Luke's and Emerald Neighbourhoods, a variety of housing forms are permitted including townhouses and low-rise built apartments. These housing forms are largely already permitted within the zoning for these areas.

Parks and Promenade Designation, Section (3.14)

The Downtown Parks and Promenades 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 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.

The recommended policy modifications combine the former Downtown Waterfront policies into this designation. The recommended modifications also introduce the concept of urban squares which are small multifunctional open 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. These urban squares may be publicly owned or Privately-Owned Publicly Accessible Open Spaces (POPS).

The recommended policy modifications also introduce the concept of Green Connector Streets which 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.

Two new parks are proposed, one in Mid Brant Precinct and a second in Upper Brant Precinct, the latter of which may be one or more smaller parks as per the policy framework.

Lion's Park, which is a privately owned park, is identified on Schedule D as a future public park, and policy 3.14.1j) directs the City to consider acquiring the lands for a public park if the property is ever sold or proposed for redevelopment.

Public Service Designation, Section (3.15)

The Downtown Public Service designation is intended to accommodate current and future public service functions including public healthcare, education, emergency and protective services, cultural activities, civic administration and institutional uses. Institutional uses are defined in the Official Plan to include places of worship. In recognition of this permission and the importance of maintaining places of worship in the Downtown, the recommended modifications designate existing places of worship as Public Service on Schedule D: Land Use.

It is important to maintain the place of worship function in the Downtown. Even if a current faith group ceases operation, it is important to provide the opportunity for another faith group or other permitted use to occupy the place of worship building. If new faith groups cannot be found, the perspective purchaser is still able to apply for an Official Plan Amendment to change the designation. This approach is similar to the three school sites in the Downtown – Burlington Central High School, Central Public School and St. John Burlington Catholic Elementary School, which are designated Public Service.

No maximum heights are set out for the Public Service Designation as the physical character of each site and building within the designation is different. Although most are of a low-rise built form, some such as City Hall are much taller. Policy 3.15.1d) has therefore been added to permit limited infill development that fits into and respects the existing physical character and planned context of adjacent properties.

Private community facilities although included in the institutional definition are not designated on Schedule D: Land Use as Public Service as such services should be encouraged and supported to be located in the Downtown whether provided through municipal programmes or private programmes. These types of uses are well suited in commercial centres and in the podiums of tall and mid-rise buildings.

Downtown Watercourse and Natural Heritage System Designation, Section (3.16)

The adopted Official Plan had a Downtown Watercourse designation and illustrated the Watercourse locations on Schedule D: Land Use. Further work has delineated a significant woodland that is part of the Natural Heritage System. As a result, the name of the designation has been revised to recognize both the existing watercourses and the Natural Heritage System as one designation and recognizes that watercourses are part of the Natural Heritage System, but the boundary of the buffers associated with the watercourses are not yet mapped.

This section also recognizes that the lands adjacent to the watercourses may be subject to the Natural Hazards policies of Section 4.4.2(3) and requires a future Phase 2 Flood Hazard Study to be undertaken by the City to facilitate future development applications.

4.3 Schedule D-2: Height Schedule

A new schedule (D-2) has been created to illustrate maximum permitted building heights in each precinct and illustrate where there are variations in the precincts as shown in **Figure 3**. Schedule D-2 identifies maximum heights in three categories: low-rise, mid-rise and tall buildings. Low-rise is generally up to 4 storeys, mid-rise is up to 11 storeys and tall is 12 storeys or greater, with maximum heights delineated on the height schedule. While these height ranges delineate maximum permitted heights, existing and new buildings of lower heights are permitted in any of the height categories. As well, the maximum heights may not be able to be achieved in all instances. For example, the conservation of heritage resources and/or the transition from a tall or mid-rise building to adjacent low-rise residential neighbourhoods and designations among other site-specific considerations may necessitate lesser heights. The policy framework for cultural heritage resources and for built-form transitions are specifically discussed below.

In some circumstances, different maximum heights than set out in the three categories are permitted. These differences are set out in the policy text of the Official Plan and shown on Schedule D-2. For instance, the St. Luke's and Emerald neighbourhoods are indicated as low-rise on Schedule D-2, but the policy text and Schedule D-2 indicate that the maximum height in these neighbourhoods is 2.5 storeys.

Site-specific policies also set out different height requirements and are indicated with an asterisk on Schedule D-2.

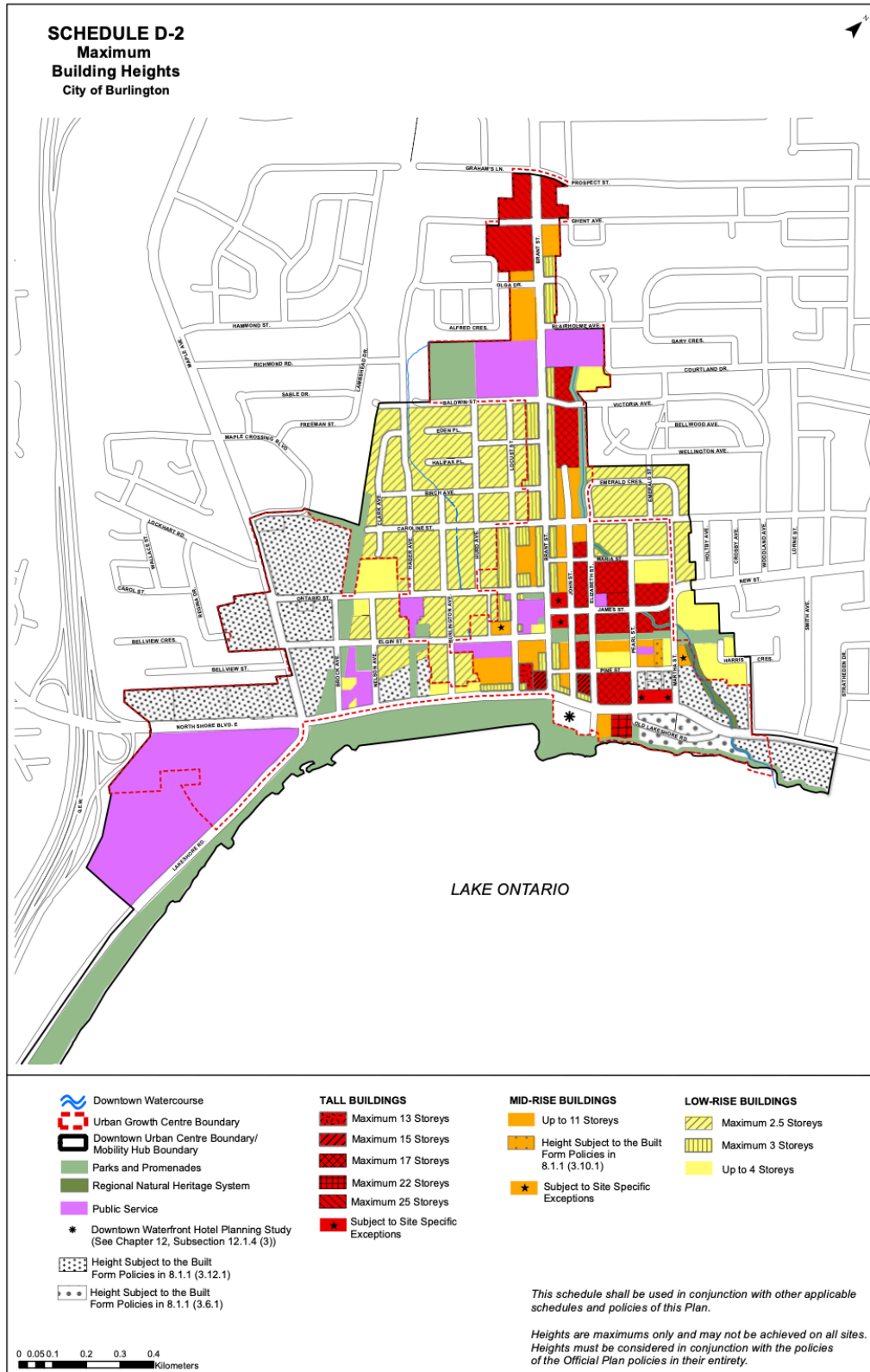


Figure 3 –Schedule D-2

The tall category has specific maximum heights delineated. The tallest heights are in the Upper Brant Precinct to recognize a location within the Urban Growth Centre close to the Burlington GO Station, which is a higher-order transit station on a priority transit corridor.

The maximum height in the Downtown East Precinct recognizes the existing character of tall buildings in that precinct. It was determined that 17 storeys is an appropriate maximum height in this precinct considering existing heights and the juxtaposition near low rise neighbourhoods and lower scale precincts. As well, the 17 storey height maximum can only be achieved in mixed use buildings which provide office space on two or more floors.

The Lakeshore Precinct also permits tall buildings. Many of the blocks in the precinct are already developed and the maximum heights recognize those existing heights. Remaining blocks that have not redeveloped have been assigned varying maximum heights that recognize the existing character as well as appropriate transitions to adjacent low-rise neighbourhoods and to adjacent lower scale buildings within and outside the precinct.

The study team was asked to specifically consider the appropriate height and built form for the site at the northeast corner of Lakeshore Road and Pearl Street (2069 Lakeshore Road), which is the subject of a development application. A separate letter to City staff from SGL provides a recommendation for an appropriate built form and height policy for the site (see **Appendix B**). The site is identified as subject to a site-specific policy in Section 3.5.2 b) which permits a maximum height of 22 storeys.

4.4 Urban Design Policies, Section (3.17)

The recommended policy modifications include updated and expanded urban design policies that have been added to Section 3.17. Further detailed design policies are set out in three sub-sections – Public Realm, Built Form, and Comprehensive Block Plans.

These urban design policies need to be read in conjunction with the design policies of Section 7 of the Official Plan and the draft Downtown Burlington Placemaking and Urban Design Guidelines and the Downtown Streetscape Guidelines and the Sustainable Building Design Guidelines.

Public Realm, Section 3.18

The Public Realm section sets out design policies regarding the public realm and requires both public and private development to contribute to an attractive and vibrant public realm.

Detailed policies are provided but in Section 3.18 and in the precincts on how to enhance streetscapes through public sector and private sector initiatives including wider

boulevards, street tree preservation, setbacks of mixed use buildings to create wider animated boulevards, and instituting flex streets.

Policies also provide detail on the design of parks and open spaces including design criteria for POPS.

Additional policies are provided on encouraging public art and maintaining public view corridors to Lake Ontario from the north-south streets.

Built Form, Section 3.19

The Built Form section sets out policies for the design of built form. Specific guidance is provided for mid-rise buildings and the nature of stepbacks above the streetwall heights. Tall buildings policies set out requirements for separation distance, maximum floor plates, minimum setbacks and podium heights.

The separation distance and floor plate requirements have not changed from the adopted Official Plan. The adopted Official Plan required a minimum separation distance of 30 metres between tall buildings. Balconies may extend into this separation distance. A Tower separation is important to maximize privacy and sky views and minimize overlook and cumulative shadow impacts. With 20 metre road rights of way in the Downtown and required tower setbacks from podiums, this separation distance is typically achieved where tall buildings are separated by a public road. Where the towers are not separated by a public road, a 30 metre separation is appropriate in the Downtown to mitigate cumulative impact on adjacent lower scaled residential buildings, parks and residential areas. However, there may be situations where it can be demonstrated that a lesser separation can minimize cumulative impacts. In such situations, a lesser separation distance may be entertained.

The maximum podium height of 3 storeys is a new policy. To maintain a low-rise feel for pedestrians, a maximum podium height of 3 storeys is recommended. Taller podiums create a greater sense of mass which does not fit with the current and planned character for Downtown Burlington, where lower rise buildings including heritage buildings are still predominant and valued by the community. To replicate the low-rise feeling with mid-rise buildings, the draft Downtown Burlington Placemaking and Urban Design Guidelines require a design change at the 4th storey to mimic this low-rise design element.

Transition

Transition policies are set out in Section 3.19.4. As well, specific transition policies are contained in some of the precincts to identify where a specific transition is required with reference back to the general transition policies of Section 3.19.4.

Transitions are intended to reduce the potential for shadowing, pedestrian-level wind impacts and overlook on neighboring properties.

A transition is required where:

- a tall building or mid-rise building is proposed adjacent to lots in a Residential Low-Density designation or a Low-Rise Neighbourhood Precinct;
- a tall building or mid-rise building is proposed across the road from a Residential Low-Density designation or a Low-Rise Neighbourhood Precinct; and
- a tall building or mid-rise building is proposed adjacent to a ground-oriented dwelling in the same precinct.

Although a transition is required in all of these situations, the strictest requirement is where the proposed tall building or mid-rise building abuts a lot in a Residential Low-Density designation or a Low-Rise Neighbourhood Precinct. In these circumstances, no portion of a tall building or mid-rise building shall extend beyond a 45 degree angular plane measured from the lot line abutting the Residential Low-Density designation or a Low-Rise Neighbourhood Precinct.

In the other circumstances, a variety of built form and urban design tools can be used to provide the transition including reduced overall building heights, varied or terraced building heights, setback and step backs, intervening built form, smaller building and tower floorplates, separation distance, and placement and orientation on a lot. The draft Downtown Burlington Placemaking and Urban Design Guidelines provide additional direction and examples of possible built form and design elements that can be used to create a transition.

Comprehensive Block Plans, Section 3.20

A comprehensive block plan provides further guidance on planning and development within a Precinct. It is to be a non-statutory document considered by Council as part of the review of a development application.

It is meant to apply to multiple adjacent properties where comprehensive planning of all the properties together is important to ensure the objectives of the Plan are achieved. Comprehensive block plans will 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.

A series of matters that a comprehensive block plan may address is set out in Section 3.20.1 e). This list will be considered in conjunction with the policies of Mid Brant highlighted above.

The draft Downtown Burlington Placemaking and Urban Design Guidelines also set out further guidance for the development of a comprehensive block plan

4.5 Retail Streets, Section 3.21

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

Schedule D-1, as shown on **Figure 4**, has been revised to show only two classifications of retail streets: Retail Main Streets and Mixed Use Streets and to revise the streets that are subject to those classifications.

On Retail Main Streets, retail or service commercial uses are required at grade in buildings fronting onto public streets identified as a Retail Main Street. Along these streets, the Zoning By-law is to establish a maximum store frontage at grade of approximately 7 to 10 metres for individual retail and service commercial units in order to maintain the existing character of small shops. The Zoning By-law is also directed to establish a minimum floor area for new individual retail and service commercial units and to require varied storefront widths within a development.

Any new development along a Retail Main Street is also to replace the existing retail gross floor area.

Further policies require that retail buildings and the ground floor of mixed-use buildings should be designed to emulate the eclectic, small-shop look and feel along Retail Main Streets along with other design policies.

Greater flexibility is permitted along Mixed Use Streets where retail, service commercial and office uses are permitted and, in some cases, may be required by the Zoning By-law. Where a street is not identified on Schedule D1 retail, service commercial and office uses are permitted subject to the policies of the precinct.

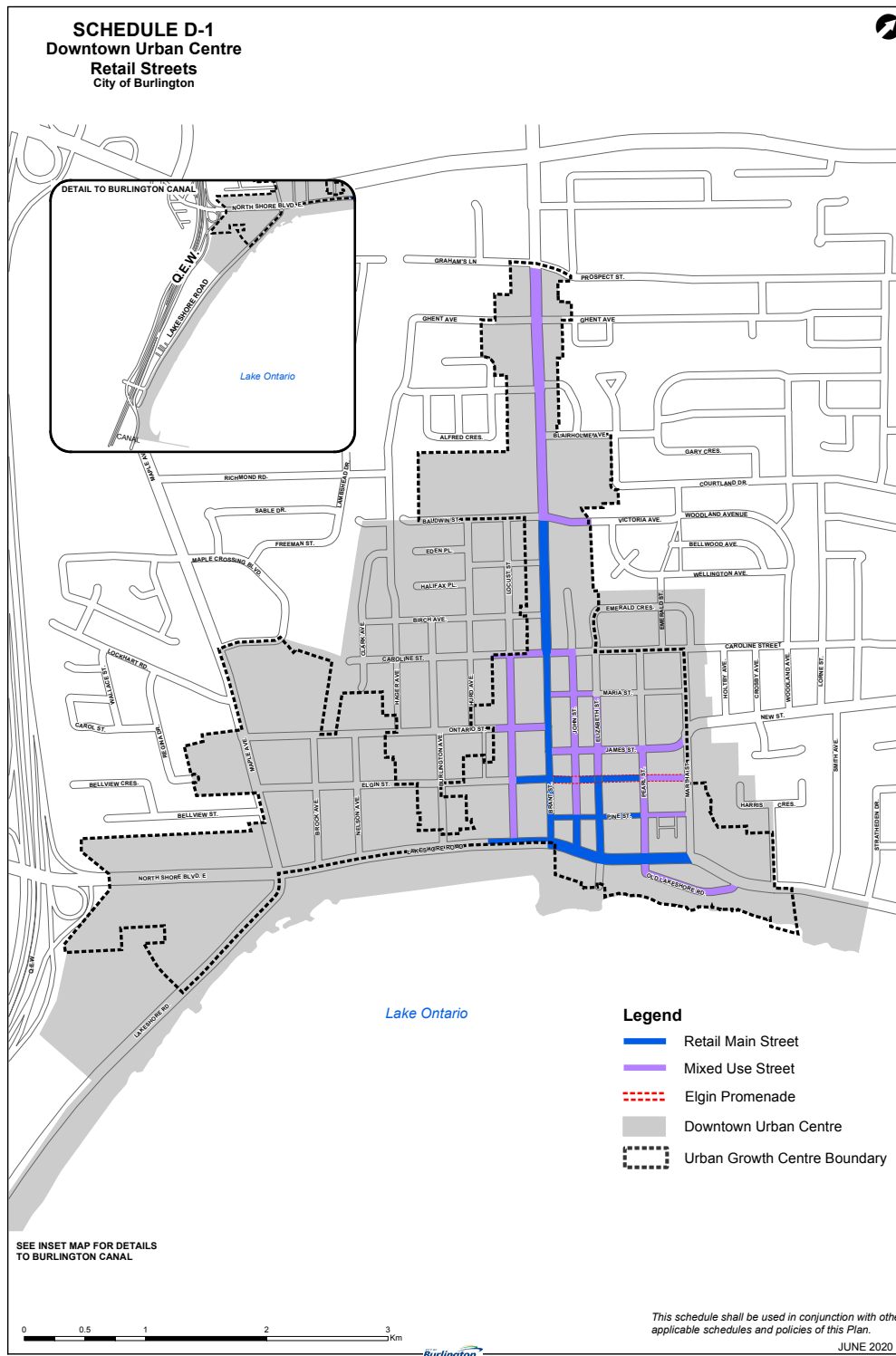


Figure 4 – Schedule D-1

4.6 Cultural Heritage Resources

The adopted Official Plan contains policies in Chapter 3, “Complete Communities” that guide the conservation of cultural heritage resources throughout the City, including Downtown. Additionally, the Downtown policies in Section 8.1.1 of the adopted Official Plan contained some downtown-specific policies for cultural heritage resources. The recommended modifications revise the policies in Section 8.1.1(3.23) to clarify that integration of cultural heritage resources into new development is the preferred means of conserving cultural heritage resources.

The Cultural Heritage Resource Assessment completed by ASI in September 2019 in support of the Scoped Re-examination of the adopted Official Plan identified several potential cultural heritage resources and potential cultural heritage landscapes within Downtown. In January 2020 (SD-02-20), Council directed staff to study these potential resources and landscapes, as a next step to build on the work of ASI. The recommended modifications to the adopted Official Plan include the introduction of a new policy in 8.1.1(3.23) that acknowledges the City’s intention to study these areas and provides guidance for any development proposals for these areas that may come forward prior to the completion of this study. The policy relies on the introduction of a new Official Plan Appendix H-2: Potential Cultural Heritage Study Areas: Downtown, which maps the areas of potential identified by ASI. The policy requires that prior to the completion of a Heritage Evaluation by the City, any development applications for the areas of potential mapped in Official Plan Appendix H-2 must be supported by a Heritage Impact Study (for a potential cultural heritage resource) or a Cultural Heritage Landscape Impact Assessment (for a potential cultural heritage landscape). These studies must be completed in accordance with the city-wide cultural heritage policies in section 3.5 of the adopted Official Plan, and approval of development will be subject to the implementation of the recommendations of the required studies.

5 How do the Recommended Modifications Conform to Provincial and Regional Policy?



Staff report PB-04-18, titled [Revised Proposed Official Plan Recommended for Adoption](#), included a series of appendices that discussed the adopted Official Plan and how the policies conformed with and were consistent with the relevant Provincial and Regional planning policy documents at the time. In large part, this assessment continues to appropriately describe how the overall adopted Official Plan conforms to these policy documents. Since that report, a new Growth Plan (2019) and new Provincial Policy Statement (2020) have been released. This section briefly describes how the recommended policy modifications for the Downtown conform to these policy documents.

5.1 Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) came into effect on May 1st, 2020. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas. The PPS also acknowledges that Municipal Official Plans are the most important vehicle for implementation of the Provincial Policy Statement and for achieving comprehensive, integrated and long-term planning.

Specific to the Downtown, section 1.1, calls for promoting the integration of land use planning, growth management, transit supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs.

The Taking a Closer Look at the Downtown study assessed the infrastructure required to support the intensification planned for the Downtown while also exploring alternative concepts for accommodating intensification. The recommended modifications provide for intensification that minimizes land consumption in line with infrastructure availability while also providing a scale of intensification appropriate for the vision of each precinct and compatible with adjacent low-rise neighbourhoods.

Section 1.1.3.2 requires land use patterns be based on densities and mix of uses which are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available.

As noted above, technical supporting studies have confirmed that infrastructure can support the densities and mix of uses proposed in the recommended modifications.

The recommended modifications also designate sites for public service facilities and encourage additional facilities as part of mixed use developments.

Section 1.1.3.2 requires land use patterns to minimize negative impacts to climate change, support active-transportation and be transit supportive, where transit is planned, exists or may be developed.

The recommended modifications are intended to create a vibrant, walkable downtown where the need for an automobile to obtain day to day needs is minimized. The recommended modifications also seek to enhance the pedestrian realm along Retail Main Streets, Mixed Use Streets, Green Connector Streets and the Elgin Promenade, which supports and encourages active-transportation. As well, the street pattern, land uses, and densities create a transit supportive downtown.

Section 1.1.3.3 directs planning authorities to identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Considerable planning has been undertaken to consider the appropriate locations and scale of intensification to achieve a transit supportive development in the Downtown, while taking into account existing and planned built form, appropriate transitions to low-rise neighbourhoods and the appropriate scale of development adjacent to key pedestrian streets and spaces and while also considering infrastructure capacity and projected needs. This planning is reflected in the differing vision, planned function and built form permissions in each precinct in the Downtown. As a whole, the Downtown is able to accommodate a significant supply and range of housing options.

Section 1.1.3.4 directs that appropriate development standards should be promoted, which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

The recommended modifications establish a policy framework that promotes intensification and compact form but does so with differing scales of development based on the existing context, characteristics and planned function of each precinct.

Section 1.1.3.5 directs that planning authorities 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 Downtown Urban Growth Centre is subject to the minimum provincial target of 200 people and jobs per hectare.

Section 1.4.3 requires planning authorities to provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs by: promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; requiring transit-supportive development and prioritizing intensification in proximity of transit; and establishing development standards for residential intensification which minimize the cost of housing and facilitate compact form.

As indicated previously, the recommended modifications promote appropriate densities within each precinct that facilitate compact form and create a range of housing opportunities supported by existing and planned infrastructure. The policies designate sites for public service facilities and promote additional public service facilities and enhance the pedestrian realm in the Downtown, and provide the opportunity for additional ground related retail and service commercial uses to support active transportation. The recommended modifications provide for increased densities in the Upper Brant Precinct, which is within proximity to the Burlington GO Station.

5.2 Growth Plan for the Greater Golden Horseshoe (2019)

In section 2.2.2.3, municipalities are to develop a strategy to achieve intensification by identifying strategic growth areas and by identifying the appropriate type and scale of development in these strategic growth areas and transition of built form to adjacent areas.

The Downtown as an Urban Growth Centre is a strategic growth area. However, even if the Downtown was not identified by the Province as an Urban Growth Centre, in our opinion, it would still logically be identified as a strategic growth area due to its mix of uses, compact built form and opportunities for infill and redevelopment.

Considerable analysis and engagement has been conducted during the study to determine the appropriate type and scale of development. The recommended modifications reflect this analysis with specific policies on the appropriate type and scale of development in each precinct of the Downtown. The recommended modifications also set out specific policies on transition of built form to adjacent low-rise neighbourhoods and to lower scale development within the same precinct.

In section 2.2.3, the Growth Plan sets out policies related to the Urban Growth Centre. These policies are largely unchanged from the 2017 Growth Plan. Downtown Burlington is an Urban Growth Centre. The Growth Plan states that Urban Growth Centres will be planned:

- a) as focal areas for investment in regional *public service facilities*, as well as commercial, recreational, cultural, and entertainment uses;

The recommended modifications acknowledge existing public service facilities and establish a policy framework to support new public service facilities. The recommended modifications also maintain and enhance opportunities for commercial uses and indicate that the Downtown is to be the centre for cultural facilities, civic occasions and social interaction.

- b) to accommodate and support the transit network at the regional scale and provide connection points for inter- and intra-regional transit;

The recommended modifications acknowledge that Downtown as it exists today has transit supportive densities, a fine grained street network, and compact built form. However, it also acknowledged that the Downtown is not located on a Priority Transit Corridor nor is it supported by higher order transit, nor by frequent transit within a dedicated right of way. The Upper Brant Precinct, however, is within 800 metres of a higher order transit station on a Priority Transit Corridor.

- c) to serve as high-density major employment centres that will attract provincially, nationally, or internationally significant employment uses;

The recommended modifications support the continued role of the Downtown as an employment centre by permitting office uses within the Downtown and specifically encouraging additional office space in the Downtown East Precinct.

- d) to accommodate significant population and employment growth.

The recommended modifications support opportunities for intensification of a variety of built forms appropriate for the precinct and setting in which they are located.

These intensification opportunities will result in significant population and employment growth and provide the ability to achieve the minimum density target of 200 persons and jobs per hectare by 2031.

Section 2.2.3.2 requires Urban Growth Centres to be planned to achieve, by 2031, a minimum density target of 200 residents and jobs per hectare in Downtown Burlington. The ability to achieve the Urban Growth Centre target by 2031 was addressed in detail in the Phase 2 report [Taking a Closer Look at the Downtown: Themes, Principles and Land Use Concepts](#). That report found that based on the 2016 population and employment, recently completed buildings, buildings under construction, approved buildings and market forecasts until 2031, the Downtown Burlington Urban Growth Centre could achieve a density of 213 residents and jobs per hectare by 2031 which demonstrates that the Growth Plan target can be achieved by 2031.

Section 2.2.4.8 requires that all major transit station areas will be planned and designed to be transit-supportive.

The Downtown is considered to be a major transit station area due to the presence of a bus depot in the Urban Growth Centre. As well, a substantial part of Upper Brant

Precinct is likely within a major transit station area as it is within 800 metres of the Burlington GO Station. However, as an Urban Growth Centre, the Downtown is already required to be transit-supportive and accommodate significant population and employment growth. The recommended modifications facilitate the opportunity to achieve a minimum density target of 200 residents and jobs per hectare which is a transit supportive density.

In section 2.2.4.9, within all major transit station areas, development will be supported where appropriate by planning for a diverse mix of uses, providing alternative development standards and prohibiting land uses and built form that would adversely affect achievement of transit-supportive densities.

The recommended modifications plan for a diverse mix of land uses appropriate for a Downtown as well as a diverse mix of built form. The policy modifications also provide alternative standards for encouraging office space and providing transition to adjacent low-rise neighbourhoods and sites and exploring opportunities for public-private partnerships to expand the supply of public parking. Further, this report recommends the City update the Zoning By-law, which can further incorporate alternative development standards.

The Downtown Urban Growth Centre contains existing areas of low-rise residential neighbourhoods as well as other low-rise mixed use areas and seeks to maintain and protect these areas. These low-rise areas are a key element of the character and stability of the Downtown. Maintaining these low-rise areas does not affect the achievement of transit-supportive densities in other parts of the Downtown or the achievement of the overall minimum density target for the Urban Growth Centre as a whole.

5.3 Halton Region Official Plan

Staff report PB-04-18 concluded that the adopted Official Plan was in conformity with the Halton Region Official Plan. The recommended modifications to the adopted Official Plan provide for greater detail on addressing the policy requirements of the Halton Region Official Plan. In policy 77(5), the Halton Region Official Plan requires that local municipalities prepare Area-Specific Plans for major growth areas such as the Urban Growth Centre and sets out a list of matters to be addressed in the Area-Specific Plan.

The recommended modifications address these Area-Specific Plan matters including statements on the intended character of the Downtown and each precinct; policies for protection of the Natural Heritage System and hazard lands; the target for the Urban Growth Centre; policies on creating mixed use, walkable, compact transit supportive development; locations of facilities for social, cultural, recreational, educational and religious purposes; policies on urban design; provision of local parks; promoting active transportation; and the location, type and scale of development. As well,

supporting technical studies have addressed transportation, storm water management, water and wastewater servicing and fiscal impacts.

6 What were the findings of the Supporting Technical Reports?



As noted in Section 2 of this report a number of background studies were prepared in Phase 3 in support of the recommended modifications to the adopted Official Plan. These reports are summarized in this section and contained in the appendices to Staff Report PL16-20, except for the Financial Impact Analysis which will be provided under separate cover.

6.1 Updated Area Servicing Plan (ASP)

The Updated Areas Servicing Plan (ASP) for Stormwater, Water and Wastewater: Downtown Burlington can be found in Appendix 13 to Staff Report PL16-20.

Wood Environment & Infrastructure Solutions (Wood) was originally retained to study four locations across the city previously referred to as Mobility Hubs now referred to as Major Transit Station Areas (MTSA), specifically Downtown Burlington, Burlington GO, Appleby GO, and Aldershot GO. Wood supported the City in the evaluation of flood risk as well as servicing needs through Area Servicing Plans (ASP). The work was refocused to look only at the Downtown Study area to a planning horizon of 2031.

The intent of the ASP is to document the servicing needs for storm, water and wastewater specific to the land use and built form recommendations contained in this report and also highlights the flood risks in the updated designated areas.

The report describes the riverine flood risk at sites primarily along Lower Rambo Creek and recommends appropriate flood mitigation and management strategies including floodproofing and potential culvert upgrades. However, the findings are subject to refinement based on the outcome from the City's investigations related to the Hager-Rambo Flood Control Study, as well as the future updates associated with the Phase 2 Study scope. The report recommended continuing to require a 6 metre buffer from identified floodplains along the Lower Hager and Lower Rambo Creeks.

Although the ASP did not consider other hazards related to erosion and shoreline impacts, it was recommended that they should be appropriately considered in future applications.

Storm Sewers were also addressed in the report. Areas with deficient simulated conveyance capacity were identified. It was also recommended that stormwater quality

control measures should be integrated with the recommendations of the City of Burlington's Downtown Stormwater Quality Control Plan.

With respect to wastewater, a series of upgrades to local sanitary sewers have been proposed, while no specific system upgrades were recommended for water supply.

The study recommended that a Region-wide study at a Master Servicing Plan scale, or another study focusing on the system-wide analysis is better suited to evaluate the complete impact of overall development to the Regional Infrastructure.

6.2 Flood Hazard and Scoped Stormwater Management Assessment

The Flood Hazard and Scoped Stormwater Management Assessment can be found in Appendix 10 A to Staff Report PL16-20.

Wood Environment & Infrastructure Solutions (Wood) was retained to prepare a series of flood hazard and scoped stormwater management assessments for each of the City of Burlington's four mobility hubs (now referred to as MTSAs) including the Downtown. This assessment focused on both Burlington GO and Downtown Burlington.

With respect to the Downtown, the report indicated that upper sections along Brant Street are expected to be impacted by potential spill flows from the Hager-Rambo Diversion Channel area. In response, a new integrated hydrologic/hydraulic dual-drainage model was developed to assess trunk storm sewer capacity, overland flow capacity, as well as the establishment of flows within the watercourse receivers. A 1-dimensional hydraulic model was developed to inform future re-developments of flood risk within the Downtown. Likewise, a general floodplain management strategy, a SWM strategy, and potential hydraulic structure upgrades have been proposed which may assist in further reducing floodplain extents.

The study recommends a further Phase 2 analysis to provide a more resolute level of detail to support future applications and incorporate LiDAR topographic data and land use information.

6.3 Micro-Level Traffic Operations

The Downtown Burlington Micro-Level Traffic Operations: Review of the Preferred Land Use Scenario can be found in Appendix 11 to Staff Report PL16-20.

CIMA+ was retained by the City of Burlington as a subconsultant to SGL to conduct a micro-level traffic operations analysis in support of the Scoped Re-Examination of the adopted Official Plan for Downtown Burlington. The objective of this report was to assess the impacts of the preliminary preferred concept on the traffic operations at key intersections within the Downtown while considering the City's proposed active transportation improvements. This report builds on their Downtown Burlington Traffic Overview report prepared in October 2019.

It was determined that future traffic demands associated with the preferred land use scenario could be reasonably accommodated within the existing transportation systems. The report proposed multiple recommendations to extend storage lengths but also noted that physical constraints would be unavoidable and could limit the city's ability to implement the recommended geometric improvements. Finally, it was established in the report that although the existing physical geometry (i.e., short block lengths) restricts increasing storage lengths to accommodate vehicular demands, the geometry is supportive of walking and cycling and is preferred from a transit perspective.

6.4 Financial Impact Assessment

The Financial Impact Assessment will assess the financial implications to the City from additional infrastructure and community facilities required to support development in the Downtown. At the time of preparing this report, the Financial Impact Assessment was not complete and is contained under separate cover.

7 What Other Recommendations are Required to Implement the Downtown Vision?



In addition to the recommended modifications to the adopted Official Plan, the study has also reviewed other implementation tools and future studies that may be required to implement the Downtown vision established through the modifications to the adopted Official Plan.

7.1 Downtown Placemaking and Urban Design Guidelines

Currently the City of Burlington has a set of Downtown Urban Design Guidelines and Heritage-Based Urban Design Guidelines for Downtown Burlington both dating from 2006. These guidelines are out of date and do not reflect either the recommended modifications to the adopted Official Plan nor best practices for high quality place making for Burlington's Downtown. The Mid-rise and Tall Building Guidelines are relatively recent and are applied City wide; however, they don't in all cases reflect the design vision set out in the recommended modifications to the adopted Official Plan for the Downtown. The Downtown is also an urban centre with a different character and different existing and planned conditions than other parts of the City.

As a result, it was recommended that new Downtown specific Urban Design Guidelines be prepared as part of this overall project. These new Downtown Burlington Placemaking and Urban Design Guidelines are now in process, and a draft of these guidelines will be provided in July under separate cover. These guidelines will be in addition to the existing Downtown Streetscape Guidelines and the Sustainable Building Design Guidelines.

This new set of guidelines will reflect the vision and policies of the recommended policy modifications to the adopted Official Plan and include appropriate urban design guidance specific for the Downtown to address many of the matters previously described in this report.

It is recommended that the draft Downtown Burlington Placemaking and Urban Design Guidelines be taken to a public consultation process, after Council endorsement of the modified policies, and that they be subsequently recommended for approval by Council.

Further it is recommended that when the Downtown Burlington Placemaking and Urban Design Guidelines are endorsed, the Tall Building Guidelines and Mid Rise Building Guidelines should be revised to indicate they do not apply to the Downtown. Further the Old Lakeshore Road Guidelines (2006), the Downtown Urban Design Guidelines (2006) and the Keeping Place Heritage-Based Design Guidelines for Downtown (2006) should all be repealed.

7.2 Zoning By-law Update

The recommended policy modifications to the adopted Official Plan set out a number of specific directions for the Zoning By-law to consider. In addition, the land use, building height, setback, step back, streetwall, podium heights and other built form requirements in the Official Plan should be established in the Zoning By-law. Where reference to a storey is used in the Zoning By-law, a differentiation should be made between the height of a residential storey versus the height of a commercial storey. It is recommended that the updated zoning provisions for the Downtown be an immediate priority.

7.3 Cultural Heritage Evaluation

As part of the technical work for the Taking a Closer Look at the Downtown study, a Cultural Heritage Resource Assessment was completed by ASI in September 2019. This study identified a number of potential cultural heritage resources and potential cultural heritage landscapes within the Downtown. The recommended modifications to the adopted Official Plan include a new policy and a new Appendix H-2 to address these areas of potential cultural heritage resources/landscapes. Appendix H-2 consists of a map that shows the locations of the potential resources/landscapes identified by ASI.

Section 8.1.1(3.23) d) of the recommended modifications to the adopted Official Plan indicates that 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. Those resources identified in Appendix H-2 of the Official Plan are to be prioritized. It is recommended that the City begin an evaluation of the priority list in Appendix H-2.

7.4 Flood Hazard Phase 2 Study

The Flood Hazard study recommended the completion of a Phase 2 study based on terms of reference being developed between the City and Conservation Halton including updated hydraulic modelling. The additional analyses from the Phase 2 study will be used to further refine the flood hazard parameters based on LiDAR topographic data.

7.5 Core Commitment Update

Core Commitment, Burlington's Downtown Vision and Action Plan was originally approved by Council in 2005 and was revised in 2013. The Downtown Vision and Action Plan sets out a collective vision, principles and planned actions for the Downtown that go beyond the policies contained in the Official Plan and help to bring together and achieve the recommendations of the various other initiatives underway that impact the Downtown. The Downtown Vision and Action Plan established key strategic initiatives to be undertaken to ensure the health and vibrancy of the Downtown. The original Core Commitment initiatives are largely completed, and the next iteration of a Downtown

Action Plan is critical in coordinating actions to support the recommended modifications to the Downtown policies and achieving the broader vision for the Downtown

Some of the aspects to consider in an updated Downtown Strategic Action Plan include implementation of a flex street on Brant Street between Lakeshore Road and Caroline Street, a strategy to retain and expand public service facilities, a business attraction strategy to help achieve a vibrant mix of businesses and services in the Downtown, a public parking strategy, a strategy to promote office development in the Downtown, Downtown streetscape improvements including implementation of the Green Streets and Elgin Promenade extension, Downtown animation initiatives, including sidewalk activities, programming, and temporary kiosks in Downtown parks associated with special events and festivals, as well as other strategic initiatives to continue to foster the unique sense of place Downtown Burlington.

7.6 Business Strategies

The City and the Burlington Economic Development Corporation (BEDC) have undertaken a number of studies and strategies related to the work on the Downtown. BEDC has developed a City wide investment attraction strategy as well as a Post-Secondary Institution Attraction Strategy. Along with the Burlington Downtown Business Association (BDBA), BEDC completed an Office and Retail Market Study looking at how to attract and maintain businesses within the Downtown.

The recommended modifications to the adopted Official Plan provide the foundation to further these strategies and target opportunities presented by the recommended modifications.

The recommended policy modifications require replacement of retail and service commercial floor space in redevelopment projects and require retail and service commercial uses on the ground floor of new buildings along retail main streets. As well, the Zoning By-law may require retail, office and service commercial uses on the ground floor of new buildings along mixed use streets. The recommended policy modifications encourage offices and post-secondary institutions to the Downtown East Precinct and allow new mixed use tall buildings in the precinct provided a minimum of two floors of offices are provided in the podium. Tall buildings with exclusive office or post-secondary educational uses are also permitted in the precinct.

These policy directions provide an opportunity to further refine the business strategies for the Downtown and ensure that the opportunities for retail, office and service commercial uses are promoted to the industry.

Appendix A: Principles



Principles	Evaluation	OP	Draft Urban Design Guidelines **
1. Create additional parks, trails and open spaces.	<ul style="list-style-type: none"> • Ability to incorporate new parks and trails into the existing urban fabric • Ability to enhance and create safe and inclusive public gathering places • Improve walkability of the Downtown 	<ul style="list-style-type: none"> • 8.1.1(3.1) General Objectives • 8.1.1(3.5) Lakeshore Precinct • 8.1.1(3.8) Upper Brant Precinct • 8.1.1(3.14) Downtown Parks and Promenades Designation • 8.1.1(3.16) Downtown Watercourse and Natural Heritage System Designation • 8.1.1(3.17) Downtown Urban Design • 8.1.1(3.18.3) Parks and Open Spaces • 8.1.1(3.19) Built Form • 8.1.1(3.20) Comprehensive Block Plans 	<ul style="list-style-type: none"> • Brant Main Street Precinct Guideline 12. • Lakeshore Precinct Guideline 2. • Mid Brant Precinct Guidelines 2 and 14. • Upper Brant Precinct Guideline 11. • Village Square Precinct Guideline 8. • Public Realm Guideline 5.1 Streetscape • Public Realm Guideline 5.6 Urban Squares, Green Connectors and Promenades • Private Realm Guideline 6.7 Privately Owned Public Spaces - POPs
2. Provide opportunities to enhance the urban forest		<ul style="list-style-type: none"> • 8.1.1(3.1) General Objectives • 8.1.1(3.5) Lakeshore Precinct • 8.1.1(3.8) Upper Brant Precinct • 8.1.1(3.14) Downtown Parks and Promenades Designation • 8.1.1(3.16) Downtown Watercourse and Natural Heritage System Designation • 8.1.1(3.18.3) Parks and Open Spaces • 8.1.1(3.19) Built Form 	<ul style="list-style-type: none"> • Brant Main Street Precinct Guideline 12. • Lakeshore Precinct Guideline 2. • Neighbourhood Mixed Use Precinct Guidelines 4 and 6 • Low-rise Neighbourhood Precinct Guideline 2 • Public Realm Guideline 5.6 Urban Squares, Green Connectors and Promenades • Private Realm Guideline 6.1 Building Placement • Public Realm Guideline 6.6 Private Outdoor Amenity Space
3. Enhance and create safe inclusive public spaces	<ul style="list-style-type: none"> • Ability to incorporate new parks and trails into the existing urban fabric • Ability to enhance and create safe and inclusive public gathering places • Improve walkability of the Downtown 	<ul style="list-style-type: none"> • 8.1.1(3.1) General Objectives • 8.1.1(3.4) James Street Node • 8.1.1(3.6) Old Lakeshore Road Precinct • 8.1.1(3.14) Downtown Parks and Promenades Designation • 8.1.1(3.17) Downtown Urban Design • 8.1.1(3.18) The Public Realm • 8.1.1(3.18.3) Parks and Open Spaces • 8.1.1(3.19) Built Form • 8.1.1(3.20) Comprehensive Block Plans • 8.1.1(3.21) Retail Streets 	<ul style="list-style-type: none"> • Brant Main Street Precinct Guidelines 11, 12 and 14. • Lakeshore Precinct Guideline 2. • Mid Brant Precinct Guidelines 2 and 14. • Village Square Precinct Guideline 8. • Retail & Mixed Use Building Guideline 4.1. • Public Realm Guideline 5.1 Streetscape • Public Realm Guideline 5.6 Urban Squares, Green Connectors and Promenades • Private Realm Guideline 6.7 Privately Owned Public Spaces - POPs
4. Create spaces for year-round activities and festivals in the public and private realms	<ul style="list-style-type: none"> • Ability to incorporate new parks and trails into the existing urban fabric • Ability to enhance and create safe and inclusive public gathering places • Improve walkability of the Downtown 	<ul style="list-style-type: none"> • 8.1.1(3.1) General Objectives • 8.1.1(3.3) Downtown Parks and Promenades Designation • 8.1.1(3.4) James Street Node • 8.1.1(3.14) Downtown Parks and Promenades Designation • 8.1.1(3.17) Downtown Urban Design • 8.1.1(3.18.3) Parks and Open Spaces 	<ul style="list-style-type: none"> • Lakeshore Precinct Guideline 2. • Public Realm Guideline 5.4 Streetscape • Public Realm Guideline 5.6 Urban Squares, Green Connectors and Promenades • Private Realm Guideline 6.7 Privately Owned Public Spaces - POPs
5. Enhance pedestrian priority areas		<ul style="list-style-type: none"> • 8.1.1(3.1) General Objectives • 8.1.1(3.14) Downtown Parks and Promenades Designation • 8.1.1(3.17) Downtown Urban Design • 8.1.1(3.18.3) Parks and Open Spaces • 8.1.1(3.19) Built Form • 8.1.1(3.20) Comprehensive Block Plans • 8.1.1(3.21) Retail Streets 	<ul style="list-style-type: none"> • Brant Main Street Precinct Guidelines 1, 2, 3, 11, 12 and 14. • Lakeshore Precinct Guideline 2. • Retail & Mixed Use Building Guideline 4.1. • Retail & Mixed Use Building Guideline 4.2 Character and Compatibility • Public Realm Guideline 5.1 Streetscape • Public Realm Guideline 5.4 Streetscape • Private Realm Guideline 6.7 Privately Owned Public Spaces - POPs
6. Provide a road network that allows for efficient and safe travel through Downtown Burlington	• Capacity of road network	<ul style="list-style-type: none"> • 8.1.1(3.1) General Objectives • 8.1.1(20) Comprehensive Block Plans 	<ul style="list-style-type: none"> • Public Realm Guideline 5.1 Streetscape • Public Realm Guideline 5.4 Streetscape
7. Ensure availability of parking		<ul style="list-style-type: none"> • 8.1.1(3.18) The Public Realm • 8.1.1(3.19.5) Parking, Loading and Service 	<ul style="list-style-type: none"> • Private Realm Guideline 6.4 Vehicular Access
8. Enhance and create vibrant places and streetscapes to encourage businesses to locate downtown	• Provide a range of employment opportunities	<ul style="list-style-type: none"> • 8.1.1(3.1) General Objectives • 8.1.1(3.5) Lakeshore Precinct • 8.1.1(3.7) Mid Brant Precinct • 8.1.1(3.18) The Public Realm • 8.1.1(3.20) Comprehensive Block Plans • 8.1.1(3.21) Retail Streets 	<ul style="list-style-type: none"> • Brant Main Street Precinct Guidelines 1, 2, 3, 4, 5, 11, 12 and 14. • Mid Brant Precinct Guidelines 1, 2, 3, 5, 7 and 14. • Village Square Precinct Guidelines 4, 5, 6 and 8. • Retail & Mixed Use Building Guideline 4.1. • Retail & Mixed Use Building Guideline 4.3 Retail Entrances • Public Realm Guideline 5.1 Streetscape • Public Realm Guideline 5.6 Urban Squares, Green Connectors and Promenades • Private Realm Guideline 6.7 Privately Owned Public Spaces - POPs
9. Plan for office and other employment opportunities	• Provide a range of employment opportunities	<ul style="list-style-type: none"> • 8.1.1(3.1) General Objectives • 8.1.1(3.15) Downtown Public Service Designation • 8.1.1(3.6) Old Lakeshore Road Precinct • 8.1.1(3.21) Retail Streets • 8.1.1(3.12) Downtown East Precinct 	<ul style="list-style-type: none"> • Private Realm Guideline 6.9 Built Form Typologies
10. Protect the Village Square for retail space	• Provide a range of employment opportunities	<ul style="list-style-type: none"> • 8.1.1(3.13) Village Square Precinct 	<ul style="list-style-type: none"> • Village Square Precinct Guidelines 5 and 6. • Public Realm Guideline 5.6 Urban Squares, Green Connectors and Promenades
11. Protect and integrate heritage buildings		<ul style="list-style-type: none"> • 8.1.1(3.1) General Objectives • 8.1.1(3.6) Old Lakeshore Road Precinct • 8.1.1(3.11) Neighbourhood Mixed Use Precinct • 8.1.1(3.13) Low-rise Neighbourhood Precincts • 8.1.1(3.21) Retail Streets • 8.1.1(3.23) Downtown Cultural Heritage Resources 	<ul style="list-style-type: none"> • Village Square Precinct Guideline 1. • Neighbourhood Mixed Use Precinct Guidelines 1, 2 and 3. • Retail & Mixed Use Building Guideline 4.2 Character and Compatibility • Private Realm Guideline 6.8 Cultural Heritage Resources • Private Realm Guideline 6.9 Built Form Typologies
12. Enhance and maintain the "small town" identity of Brant Main Street Precinct	<ul style="list-style-type: none"> • The character elements of Brant Street are maintained. • The built form on Brant Street maintains Low-Mid-rise height. 	<ul style="list-style-type: none"> • 8.1.1(3.3) Brant Main Street Precinct 	<ul style="list-style-type: none"> • Brant Main Street Precinct Guidelines 1, 3, 4, 8, 9, 10, 11, 12 and 14. • Retail & Mixed Use Building Guideline 4.1. • Retail & Mixed Use Building Guideline 4.2 Character and Compatibility • Retail & Mixed Use Building Guideline 4.3 Retail Entrances • Public Realm Guideline 5.1 Streetscape • Public Realm Guideline 5.6 Urban Squares, Green Connectors and Promenades • Private Realm Guideline 6.7 Privately Owned Public Spaces - POPs
13. Maintain public views of waterfront and pedestrian connections	• Public views of waterfront are maintained.	<ul style="list-style-type: none"> • 8.1.1(3.1) General Objectives • 8.1.1(3.6) Old Lakeshore Road Precinct 	<ul style="list-style-type: none"> • Brant Main Street Precinct Guideline 11. • Lakeshore Precinct Guidelines 4 and 5. • Public Realm Guideline 5.8 Views
14. Maintain low to mid-rise built form on Brant Street	<ul style="list-style-type: none"> • The character elements of Brant Street are maintained. • The built form on Brant Street maintains Low-Mid-rise height. 	<ul style="list-style-type: none"> • 8.1.1(3.3) Brant Main Street Precinct • 8.1.1(3.7) Mid Brant Precinct • 8.1.1(3.8) Upper Brant Precinct • 8.1.1(3.19) Built Form 	<ul style="list-style-type: none"> • Brant Main Street Guidelines 5, 6, 7, 8 and 11. • Private Realm Guideline 6.2 Building Height, Massing and Transition • Private Realm Guideline 6.9 Built Form Typologies
15. Provide appropriate transition to low rise neighbourhoods	<ul style="list-style-type: none"> • The built form adjacent to existing low-rise neighbourhoods allows for appropriate transitions. • Greater heights are permitted in northern part of the Downtown. • Additional Tall buildings are limited on Lakeshore Road. 	<ul style="list-style-type: none"> • 8.1.1(3.17) Downtown Urban Design • 8.1.1(3.19) Built Form • 8.1.1(3.19.4) Transition • 8.1.1(3.20) Comprehensive Block Plans 	<ul style="list-style-type: none"> • Upper Brant Precinct Guidelines 1, 3, 4 and 5. • Downtown East Precinct Guidelines 1 and 2. • Village Square Precinct Guidelines 2 and 3. • Private Realm Guideline 6.2 Building Height, Massing and Transition • Private Realm Guideline 6.9 Built Form Typologies
16. Permit greater heights in the northern part of the Downtown	<ul style="list-style-type: none"> • The built form adjacent to existing low-rise neighbourhoods allows for appropriate transitions • Greater heights are permitted in northern part of the Downtown • Additional Tall buildings are limited on Lakeshore Road 	<ul style="list-style-type: none"> • 8.1.1(3.1) General Objectives • 8.1.1(3.19) Built Form • 8.1.1(3.19.4) Transition 	<ul style="list-style-type: none"> • Upper Brant Precinct Guidelines • Private Realm Guideline 6.2 Building Height, Massing and Transition • Private Realm Guideline 6.9 Built Form Typologies

17. Limit additional tall buildings on Lakeshore Road	<ul style="list-style-type: none"> The built form adjacent to existing low-rise neighbourhoods allows for appropriate transitions Greater heights are permitted in northern part of the Downtown Additional Tall buildings are limited on Lakeshore Road 	<ul style="list-style-type: none"> 8.1.1(3.5) Lakeshore Precinct 8.1.1(3.19) Built Form 	<ul style="list-style-type: none"> Private Realm Guideline 6.2 Building Height, Massing and Transition Private Realm Guideline 6.9 Built Form Typologies
18. Provide opportunities for a variety of housing options		<ul style="list-style-type: none"> 8.1.1(3.1) General Objectives 8.1.1(3.11) Neighbourhood Mixed Use Precinct 8.1.1(3.12) Apartment Neighbourhood Precinct 8.1.1(3.13) Low-rise Neighbourhood Precincts 	<ul style="list-style-type: none"> Private Realm Guideline 6.9 Built Form Typologies
19. Land use vision provides for cohesive long-term plan		<ul style="list-style-type: none"> 8.1.1(3) Downtown Urban Centre 8.1.1(3.1) General Objectives 8.1.1(3.2) General Policies 8.1.1(3.20) Comprehensive Block Plans 	<ul style="list-style-type: none"> Section 1.2 Objectives of the Guideline Section 2 Vision and Principles
20. Land use vision is defensible	<ul style="list-style-type: none"> Land use plan is defensible Land Use Concept is economically viable 	<ul style="list-style-type: none"> 8.1.1(3) Downtown Urban Centre 8.1.1(3.1) General Objectives 8.1.1(3.2) General Policies 8.1.1(3.17) Downtown Urban Design 8.1.1(3.20) Comprehensive Block Plans 	<ul style="list-style-type: none"> Section 1.2 Objectives of the Guideline Section 2 Vision and Principles
21. Design that fits with the existing built form and provides transitions to the new built form		<ul style="list-style-type: none"> 8.1.1(3.17) Downtown Urban Design 8.1.1(3.19) Built Form 8.1.1(3.20) Comprehensive Block Plans 	<ul style="list-style-type: none"> Brant Main Street Precinct Guidelines 1, 6, 8 and 11. Private Realm Guideline 6.3 Façade Design
22. Encourage sustainable building design		<ul style="list-style-type: none"> 8.1.1(3) Downtown Urban Centre 	<ul style="list-style-type: none"> Retail and Mixed Use Building Guideline 4.2 Character and Compatibility Retail and Mixed Use Building Guideline 4.3 Retail Entrances
23. Encourage buildings with interesting architectural design that improves the quality and modernity of Downtown		<ul style="list-style-type: none"> 8.1.1(3) Downtown Urban Centre 8.1.1(3.1) General Objectives 8.1.1(3.2) General Policies 8.1.1(3.5) Lakeshore Precinct 8.1.1(3.17) Downtown Urban Design 8.1.1(3.19) Built Form 8.1.1(3.20) Comprehensive Block Plans 	<ul style="list-style-type: none"> Public Realm Guideline 5.10 Public Art Private Realm Guideline 6.3 Façade Design

** Draft Urban Design Guidelines will be released in July for review and comment. Some Guideline references may be revised or added based on input received through consultation.

Appendix B: Letter from SGL Re: Recommended Building Height for 2069 & 2079 Lakeshore Road and 383 & 385 Pearl Street



May 29, 2020

Project: DP-BU

VIA EMAIL

Alison Enns
Project Manager, Official Plan
Community Planning Department,
City of Burlington
426 Brant Street,
Burlington, ON, L7R 3Z6

Re: Recommended Building Height for 2069 & 2079 Lakeshore Road and 383 & 385 Pearl Street for Official Plan Amendment and Zoning By-Law Amendment applications

At the request of the City, SGL Planning and Design Inc. has prepared this letter for 2069 & 2079 Lakeshore Road and 383 & 385 Pearl Street as part of the Scoped Re-examination of the adopted Official Plan and included within the Taking a Closer Look at the Downtown: Final Report. The purpose of the analysis is to provide a recommendation for an appropriate built form and height policy for this site to be included in the recommended modifications to the adopted Official Plan. This site is currently the subject of an OPA and ZBLA, which have been appealed to the LPAT for non-decision. In support of developing our recommendation for the modified policies, we have reviewed the following documents submitted as part of the proposal by Bousfields Inc. on behalf of Lakeshore (Burlington) Inc.:

- Planning and Urban Design Rationale prepared by Bousfields and dated August 2018;
- Planning Addendum prepared by Bousfields and dated June 2019;
- Planning Peer Review by MHBC and dated October 15, 2019;
- Revised Architectural Plans and accompanying memo prepared by Turner Fleisher and dated June 5, 2019;
- Angular Plane Study prepared by Turner Fleisher and dated August 8, 2018;
- Pedestrian Wind Study prepared by Novus dated December 13, 2018; and
- Sun/Shadow Study prepared by Ralph Bouwmeester dated July 4, 2019.

Provided below is a summary of our review of key building design elements identified within the above reports and include tower setbacks, separation and floor plate, angular plane, the

podium, and sun/shadow with our opinions and recommendations and finally our summary opinion on the recommended building height and changes to the building design.

Tower Setbacks, Separation and Floor Plate

Section 3.0 - Building Middle (Tower) of the City's Tall Building Guidelines (2017) states the importance of minimizing the impact of the Tower on the surroundings. The guidelines highlight that the design and massing should minimize adverse impacts on adjacent neighbourhoods, parks and open spaces. The tower should maximize sky views and access to sunlight through slender floorplates and spacious setbacks between towers.

Tower Setbacks

As defined in the Tall Building Guidelines - *Tower Setbacks* refers to the distance between a property line and the front, side or rear of a building.

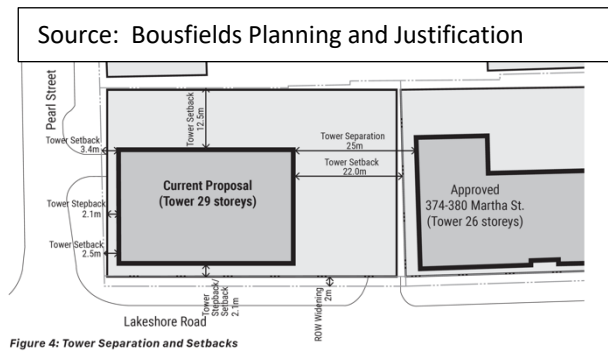


Figure 4: Tower Separation and Setbacks

Figure 4: Tower Separation and Setbacks, provided as part of the Planning and Justification Addendum indicates that the Tower Setback from the north property line is 12.5m. This setback does not include balconies. According to the Planning Justification Addendum, the intent of the 12.5 metre setback is to allow a future tower to be developed at a minimum 25 metre tower separation and minimize overlook between

towers as well as minimize shadow and increase sky views. Figure 4 also indicates an inconsistent tower setback along Pearl Street and Lakeshore Road that does not meet the Tall Building Guidelines requirement for a minimum 3 metre setback.

In our opinion, the intent of a 12.5 metre setback for a future tower setback is not relevant for this site as the townhouses to the north will not be replaced with a tower during the lifetime of this plan. However, the 12.5 metre setback does help to mitigate the impacts of the proposed tower on overlook and sky-views. Even with a setback of 12.5m from the property line of the existing three storey townhouses, overlook will still be an issue from the lower levels of the proposed tower particularly for those townhouses located close to the property line. Careful consideration should be given to mitigating the impacts of balconies on the lower levels of the tower. In addition, the proposed tower setback along Pearl Street and Lakeshore Road is insufficient and City staff should consider a greater setback as part of the application approval.

Tower Separation

Tower separation is an important design issue. The intent is to maximize privacy and sky views and minimize cumulative shadow impacts. Although the current Official Plan contains no

general policies on tower separation, Policy 8.8.1(3.14) b) of the adopted Official Plan (2018) states:

Tall Buildings should provide a minimum separation distance of thirty (30)m from another tall building, measured above the podium and excluding balconies;

Even though the City's Tall Building Guidelines provides for a minimum separation distance of 25 metres, the guidelines also provide for stepbacks and setbacks that are to be used together to confirm if a tall building is appropriate on a site. For this site, the cumulative impacts of two tall towers beside each other is a concern for the townhouses to the north in terms of cumulative shadowing, overlook and sky views. The separation of the tower from the townhouses should be maximized to reduce cumulative impacts of overlook. Also, the separation of the proposed tower from the approved tower to the east is important to reduce both cumulative shadow and the impact on sky views. In this circumstance, a 30 metre separation of the towers is appropriate to help mitigate the impact of cumulative shadows, privacy and sky views between two tall towers side by side.

It is our opinion that the tower separation be a minimum 30 metre building face to building face, excluding balconies (i.e., balconies may be provided within this separation distance provided they do not excessively contribute to a building's massing). The current application proposes a 25 metre tower separation excluding balconies.

Tower Floor Plate

Tall buildings should be as slender as possible to help reduce the shadow impact on the surrounding properties and public realm. A slender tower will also improve access to sky view, the views between buildings, and contribute to a more attractive skyline. Towers with smaller floor plates can also make interior climate control more energy efficient and increase daylighting within the building which is an important contributor to sustainability and liveability. Section 3.2 b) of the Tall Building Guidelines states that, *the tower portion of a tall building should be slender and should not exceed 750 square metres, excluding balconies* and Policy 8.1.1 (3.14) c) of adopted Official Plan states that, *Tall Buildings should not exceed a maximum floor plate of 750 square metres above the podium, excluding balconies.*

There is conflicting information from the applicant regarding the proposed size of the tower. The Planning and Justification and Urban Design Report Addendum notes the gross floor area of the tower floor plate *has been reduced from 773.8 square metres to 755.4 square metres*. The architecture memorandum outlining the revisions to the architectural plans state the *typical floor plate has been reduced from 815.1 m² to 796.3 m² and specifically for Sheet RZ 2.10 - Typical floor plate has been reduced from 815.1 m² to 796.3 m² and Sheet RZ 2.11 - Typical floor plate has been reduced from 782.6 m² to 766.4 m²*. None of these meet the maximum 750 square meters.

A slender tower on the site with small floor plates will reduce the cumulative impact of shadowing on the townhouses to the north as well as on Village Square through a smaller, slender shadow that has a shorter shadow duration on any specific spot. It will also improve access to sky view and the views between tall buildings along Lakeshore Road. Due to these impacts, a maximum 750 square meter tower floor plate is recommended.

It is our opinion that the proposed tower floor plate be a maximum of 750 square metres excluding balconies. If balconies are proposed to extend beyond the 750 square meter floor plate they need to be carefully planned and integrated as part of the building design. The balconies should not contribute to the mass of the building or create additional shadow impacts.

Angular Plane Study

Transition between changes in built form, particularly significant changes, is extremely important. There are different ways to determine an appropriate transition between two different built forms. One practice is using a 45 degree angular plane measured at or above the adjacent property line. This practice is typically used when lower scaled buildings are adjacent to taller scaled buildings. In this case, the practice of using a 45 degree angular plane is not required by policy between different scale buildings within the same precinct. As part of the application submission, an angular plane analysis was submitted.

Source: Turner Fleischer Angular Plane Study



The applicant's Angular Plane Study shown above and prepared by Turner Fleischer does not show the proposed building in its entirety and takes the angular plane from the edge of the mid-block of townhouses, as noted in the key plan above, not from the north property nor from

the townhouses abutting Pearl Street. A typical 45 degree angular plane analysis is measured at or above the adjacent property line.

It is our opinion that a 45 degree angular plane analysis in this context is not appropriate, not required by policy between different scale buildings within the same precinct and is not effective in providing guidance for determining the appropriate height of the proposed building, but it does demonstrate the impact that will occur on the townhouses to the north.

Podium

The height and massing of the podium is important for creating an appropriate streetwall along Lakeshore Road, creating an appropriate transition to the existing heritage houses that form part of this proposal at 383 and 385 Pearl Street and the existing townhouses to the north at 389-405 Pearl Street, 2076-2086 Pine Street, 2090-2098 Almas Common, 384-400 Martha Street and beyond, and minimizing shadow on the public realm along both Pearl Street and Lakeshore Road. A 4 storey (14.57 metres) podium is proposed. The existing podium to the west at 360 Pearl Street is 2 storeys; across the street at 2080 Lakeshore Road it is 2 storeys and to the east at 374 Martha Street the podium is 3 storeys along Lakeshore Road with a mezzanine to the north part of the podium (13.2 metres). The 3 storey plus mezzanine podium at 374 Martha Street is lower and does not have the same height as this proposed 4 storey podium.

The City's Tall Building Guidelines state that where no established streetwall exists, the minimum height of the podium shall be 10.5 meters. The guidelines also state that the maximum height of the podium shall be 80% of the width of the adjacent right of way to a maximum height of 20 metres. The intent of these guidelines is to ensure the podium of a tall building fits within the existing context and reinforces a human scale at street level. The applicant's Planning Justification Addendum provides a rationale for a 4 storey podium. The report states that the 14.57 metre podium height meets the 10.5 20 metre range by applying the measurement of 80% of the right of way to help determine the podium height. While this is true, the report does not address the existing surrounding streetwall, the adjacent 2 storey podiums which are quite recent and the abutting heritage houses at 383 and 353 Pearl Street. In our opinion, when considering these other existing contexts, a 4 storey podium at 14.57 metres in height is not appropriate.

With regards to minimizing shadow on the public realm, the applicant's Sun/Shadow Study provides a summary indicating that the incremental ground level shadowing over and above the existing shadows is reasonable given the downtown context and the primary commercial uses. It also notes that the shadow conditions on Pearl Street already do not satisfy the minimum 5 hours of sunlight and the proposed building does not significantly reduce sunlight availability further. Pearl Street is identified as a Mixed Use Street in both the adopted Official Plan and in the recommended modifications. As well, the existing shadow on Pearl Street is in the afternoon whereas the shadow from the proposed building will be in the morning. In our

opinion, it is not appropriate, regardless of the land use or already existing shadows to compound the shadow issues with a building that will add incremental shadow to the public realm as well as additional new shadow.

It is our opinion given the context and location of this building that a 3 storey podium is more appropriate for transition, fit and reducing cumulative shadows along Pearl Street abutting the existing heritage houses, close to the 3 storey townhouses, opposite a two storey podium on Pearl Street and along Lakeshore adjacent to the other 2 storey podiums. Regardless of the land use, sun and shadow along Pearl Street are important. The proposed building will further exasperate morning shadow on the public realm along Pearl Street.

Sun/Shadow Study

Sun and shadow impacts on the downtown should not be reviewed in isolation of existing and proposed developments and should not only address shadow impacts on adjacent residential properties but also the impact on pedestrian sidewalks. In our opinion, the submitted sun/shadow study does not sufficiently analyze and address cumulative shadow with the approved 26 storey building to the east. As such, we have prepared an additional sun/shadow analysis of the proposed 29 storey building as well as analyses of an alternative 17, 20, 22, 26 and modified 29 storey building (See Appendix A).

These building heights were chosen to reflect the existing context of the surrounding buildings. The building footprints and location on the site, for the 17, 20, 22, 26 and modified 29 storey buildings, meet the recommended separation, setbacks and maximum floor plate size and are detailed in our analysis and attached as part of Appendix A. Our analysis shows that both a 29 and 26 storey building have the most net new shadows cast on the ground as well as on rooftops for March and September. The cumulative shadow on the townhouses to the north in the morning hours is significant and reaches the Village Square development. The least amount of new shadows is for a 17 building. The 20 and 22 storey building alternatives have incremental increased shadow but provide less shadow on the townhouse complex. When the net new shadows or cumulative impacts are considered, the proposed 29 storey building has a considerable impact on the neighbouring townhouses and their outdoor amenity spaces whereas a 17 building has the least shadow impact.

It is our opinion that the applicant's sun/shadow study does not provide enough analysis to address why a 29 storey building and not a lower tower would be appropriate based on new net shadows.

Summary Opinion

The applicant's Planning Justification Addendum makes an excellent point regarding the Tall Building Guidelines, that the guidelines do not specifically identify tall building sites, but rather provide guidance in terms of tall building form. Although the guidelines address best practice for tall buildings, they are not site or context specific. The appropriateness of a proposed

development and what constitutes good planning and design must take into consideration Provincial, Regional and City policies, guidelines, best practices, neighborhood character and site context and the cumulative impact created by the proposed development.

In the context of Provincial and Regional policy and the existing and planned context, we support greater height and density than permitted in the current Official Plan. However, the appropriateness for greater height and density must be tempered by the existing context of low rise townhouses to the north and a lower scale of development in the adjacent Village Square Precinct. Good urban design, appropriate transition, setbacks, separation, massing and consideration of the context provide the basis for any analysis that confirms the amount of height and density that is appropriate.

This portion of the Lakeshore Precinct is an appropriate location for a taller building. In our opinion, a mid-rise building occupying a greater portion of the site with a larger floorplate will have a greater impact on the townhouses to the north than a slender, tall tower. However, in our opinion a building as tall or taller than the OMB approved 26 storey tower to the east at 274 Martha is also not appropriate on this site.

Both the Ontario Municipal Board approved 26 storey development at 274 Martha and this proposed 29 storey building have impacts on the surrounding neighbourhood, particularly the existing townhouses to the north. Regardless of any precedent or future context the 26 storey building may have, it is important that additional negative impacts be mitigated to the extent possible particularly the cumulative impact that two adjacent tall towers may have on the townhouse residents to the north.

To mitigate the impacts discussed in this review in terms of shadowing, overlook and sky views, in our opinion, a building no taller than 22 storeys with a maximum 750 square metre floor plate from the tower at 274 Martha Street would help to mitigate the shadow impacts of a tall tower on the townhouse complex to the north, Village Square and the shadow on the public sidewalks while providing for an appropriate transition between the 26 storey building to the east at 374 Martha, the 15- 17 storey buildings to the west at 360 and 390 Pearl Street and the 22 storey building to the southwest at 2080 Lakeshore.

The impacts will be further mitigated by the proposed 12.5 metre setback to the north property line, a 30 metre tower separation with the building to the east, a maximum 750 m² tower floor plate and a podium height of up to 3 storeys.

It is our opinion that a 29 storey building is not appropriate, given the location, context and impacts created on the adjacent townhouse and streets. It is our opinion that a building with a maximum 22 storeys, a maximum tower floor plate of 750 square metres, appropriate tower setbacks along Pearl Street and Lakeshore Road, a 12.5 metre setback to the north property line, a 30 metre tower separation with the building to the east and a podium of 3

storeys is appropriate and would mitigate the cumulative impacts of a tall building in this location.

Yours very truly,
SGL PLANNING & DESIGN INC

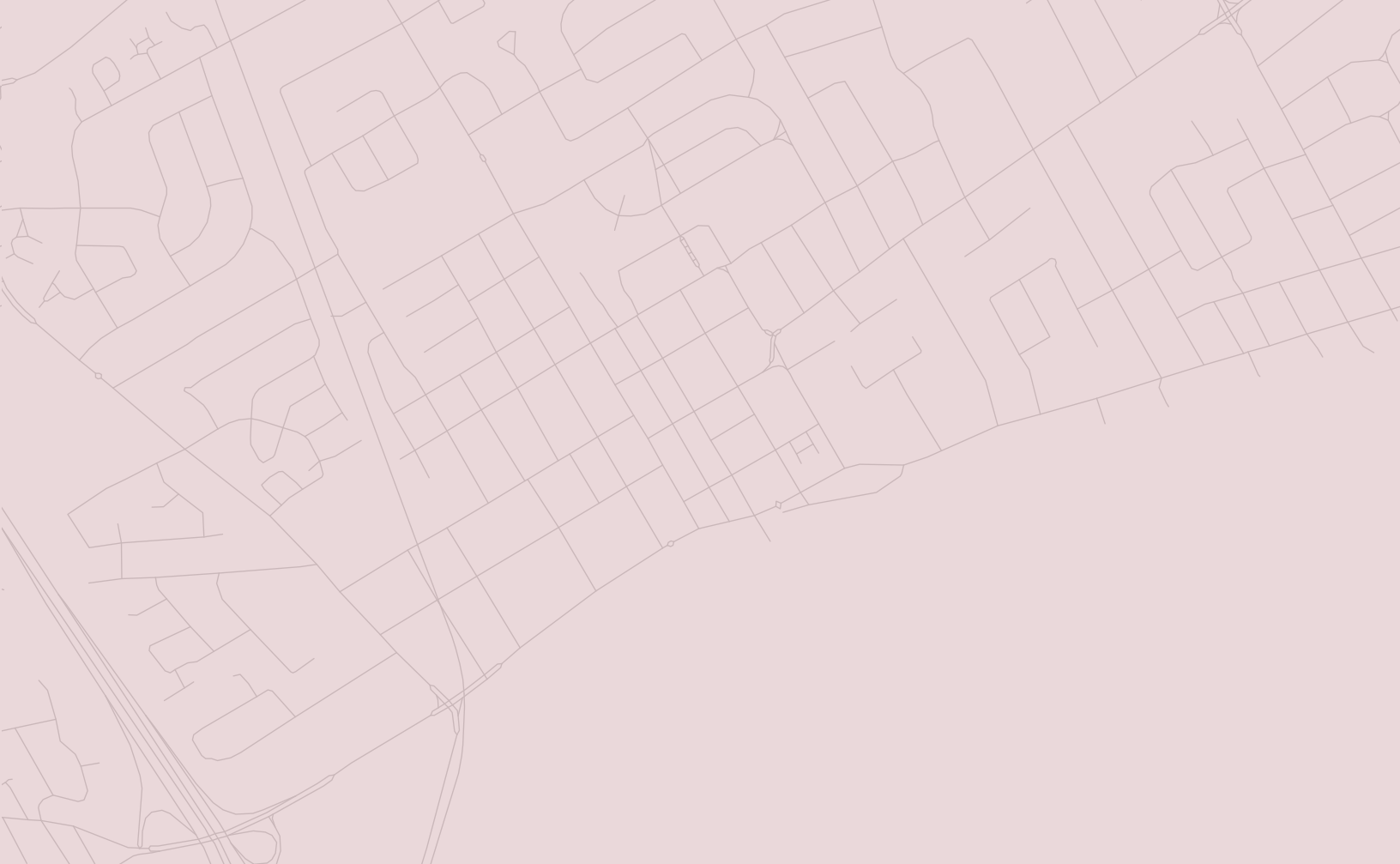


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/Volumes/SGL Server Data/Projects/DP.BU Downtown OP update Burlington/Team Reports/L3 - Lakeshore and Pearl Review/SGL Height review:recommendation Letter/DP.BU L3 - height recommendation letter May 29, 2020.docx



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