



DATE: FINAL – June 20, 2018

TO: Lisa Stern, Senior Planner, Department of City Building

RE:	2421 and 2431 New Street, City of Burlington Ward 2
File Number(s):	505-02/18 and 520-02/18
Description:	Official Plan and Zoning By-law Amendment

Overall Recommendation: SDC supports the application with recommendations as noted.

The SDC reviews development applications in order to provide comments to encourage sustainable development. This mandate was approved by council in 1990. In order to implement sustainable building and design measures effectively, they should be considered at the earliest possible stage in the development process to ensure integrated design occurs and to reduce project costs. In addition, the committee is empowered to review applications based on Part II Section 2.3 policy b) of the 2008 Official Plan which states:

"The City will maintain a citizen's advisory committee to advise and assist Council and staff on the implementation of Principles and Objectives of Sustainable Development (see Appendix E), through the review of development applications and other matters of interest in accordance with the terms of reference adopted and periodically reviewed by Council."

In general, the committee also relies on the following sections of the official plan in its review of applications:

Part II Section 2.2 objective d) *To use Sustainable Development criteria for review of applications for development, and to ensure that new development is compatible with existing end uses,*

Part II Section 2.7.1 Principles a) *To the greatest extent possible, proposed development shall be consistent with the goals and objectives of Sustainable Development, and other policies in Part II Section 2.7 of the Official Plan.*

Figure 1: View of the building



Figure 2: Location of the building

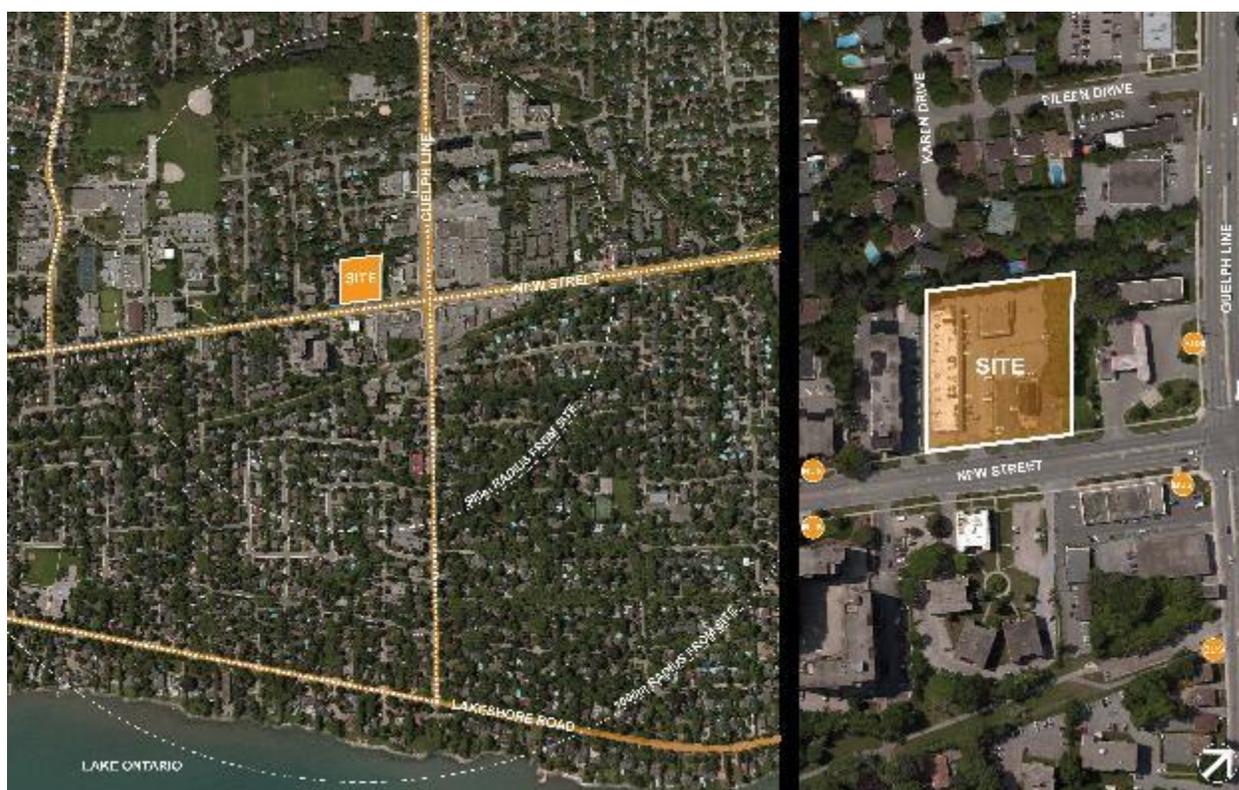
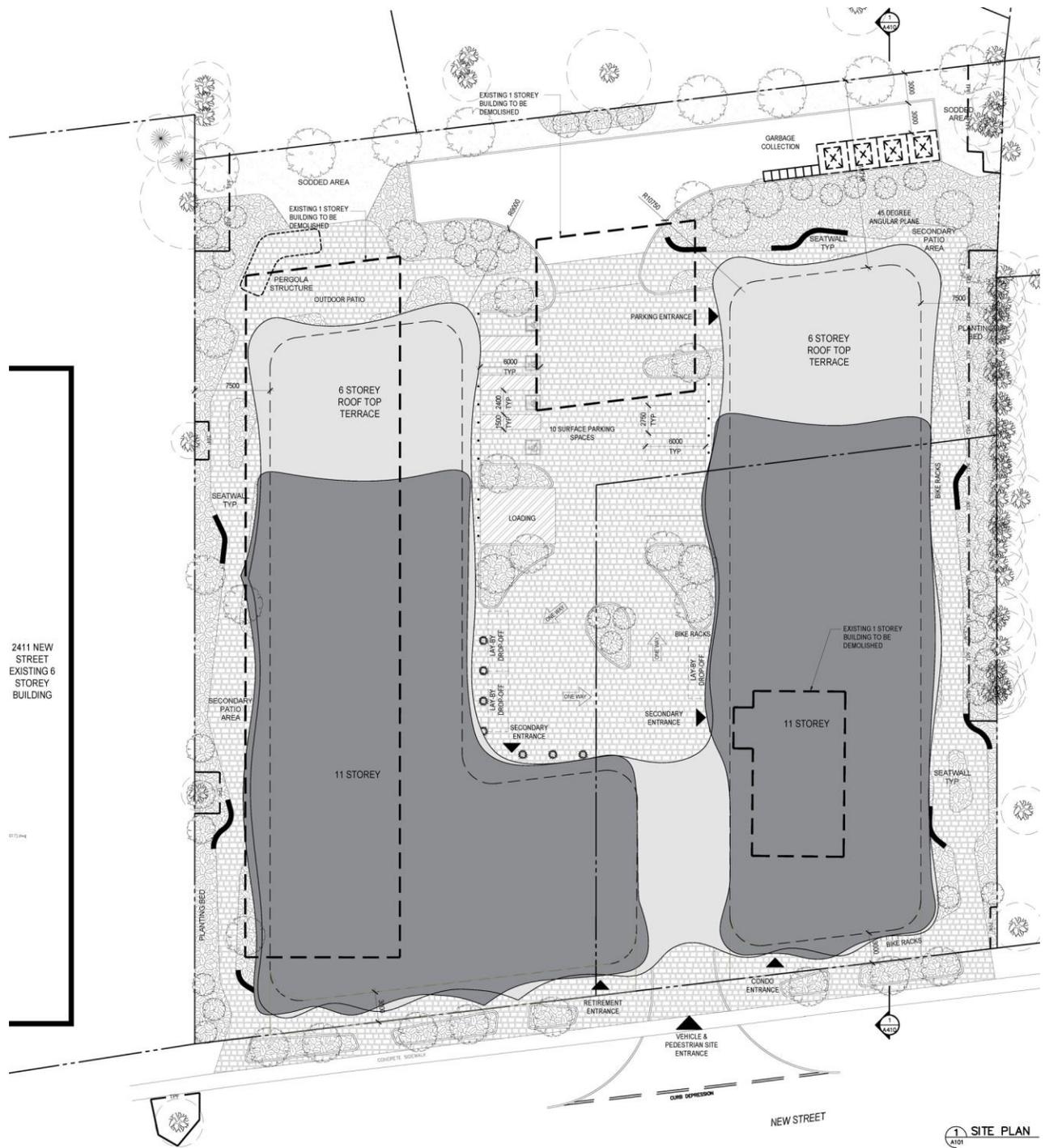


Figure 3: Site plan



Preamble:

Application Details

The purpose of the amendment is to permit a development consisting of two (2) 11-storey towers containing a residential condominium (139 units) and a seniors retirement residence (223 units, including 32 units for memory care), accommodating a total of 362 units with an overall density of 470 units per hectare and a FAR of 3.71:1.

The subject property is municipally known as 2421 and 2431 New Street and is located on the north side of New Street, west of the intersection of New Street and Guelph Line. The subject property is generally rectangular in shape, has a total combined area of approximately 0.7 hectares (1.74 acres) and has approximately 80 metres of frontage on New Street.

- a) The subject applications propose intensification.
- b) The subject property is designated Residential Areas on Schedule A and further designated as Neighbourhood Commercial on Schedule B of the City of Burlington Official Plan. The Neighbourhood Commercial designation limits residential uses to the second and third storey of commercial buildings as dictated in Section 4.6.2 (b) of the City of Burlington Official Plan. The proposed development is not permitted within Neighbourhood Commercial areas.
- c) The subject property is identified as Mixed Use Nodes and Intensification Corridors on Schedule B; Secondary Growth Area on Schedule B-1; and Neighbourhood Centre on Schedule C of the proposed City of Burlington Official Plan.
- d) Based on the City of Burlington's new draft Official Plan, the subject property is proposed to be designated as Neighbourhood Centre, which permits apartment buildings up to eleven storeys. The proposed development is consistent with the proposed policies of the City's new Official Plan; however this document is not yet in force.
- e) This Official Plan Amendment is intended to redesignate the subject property from Neighbourhood Commercial to Residential – High Density. The Residential-High Density designation permits apartment buildings with a density between 51 and 185 units per net hectare.
- f) The proposed development consists of a residential condominium and seniors retirement residence with a density of 470 units per net hectare.
- g) The seniors retirement portion of the development includes 32 memory care (Alzheimer's/Dementia Care) units. Section 2.6 of the City of Burlington Official Plan speaks to assisted and special needs housing. Based on policy 2.6.2(h) of the Official Plan, special needs housing units may be excluded from the density provisions of the plan.

- h) The subject property is in close proximity to two neighbourhood commercial plazas, various community services and facilities and is directly serviced by Burlington Transit. The proposed development provides for densities similar to the surrounding area and is located in close proximity to Burlington GO and Downtown Mobility Hubs.

In summary, the applicant is requesting to redesignate the property from Neighbourhood Commercial to Residential – High Density to increase the height to 11 storeys. Further the applicant is requesting to increase the density (470 units per net hectare) and floor area ratio (a combined Floor Space Index of 3.71) as well as reducing the parking spaces and setbacks.

The above are the position of the applicant and SDC does not necessarily agree with it as noted below.

General

The SDC supports higher density development close to transit, retail and community services that will likely attract transit-oriented, environmentally focused residents and businesses. The proposed development seeks to redesignate the subject lands from Neighbourhood Commercial to Residential- High Density areas. The proposal exceeds the permitted Residential-High Density density of 185 units per net hectare. An Official Plan Amendment requested to increase the permitted density to 470 units per hectare/ FAR of 3.71:1.

Site Specific Considerations

The subject property is located on the north side of New Street between Guelph Line to the east and Beverly Drive to the west. The subject property is generally rectangular in shape, has a combined area of approximately 0.7 hectares (1.74 acres) and has approximately 80 metres of frontage on New Street. The subject property is currently occupied by three separate low-rise commercial/ retail buildings, one being a stand-alone restaurant on the southeast corner of the lot. The subject property has a relatively flat topography and no significant features on site that would prevent the proposed redevelopment of the subject property.

The proposed residential apartment building contains a total gross floor area of 11,428 square metres, including 2,790 square metres of amenity space. The residential condominium is proposing a unit mix of 97 one-bedroom units and 42 two-bedroom units. There will be no units on the 7th floor of the residential condominium building as this space will be occupied by the Memory Care living space, part of the senior's retirement residence. The proposed senior's

retirement residence building contains 223 Retirement Living units and a total gross floor area of 17,058 square metres, including 3,255 square metres of amenity space. There is an outdoor patio at the north end of the retirement living building on the ground floor, in addition to the 306 square metre rooftop terrace on the 6th floor. The development proposes a total gross floor area of 28,486 square metres resulting in a sitewide density of 4.05 times the area of the lot.

The City of Burlington Zoning By-law No. 2020 zones the subject property CN1 – Neighbourhood Commercial. The ‘CN1’ zone permits various uses including Retail, Service Commercial, Office, Community, Hospitality, Automotive, Entertainment & Recreation, Residential and Industrial uses. The proposed development seeks to rezone the subject lands to the RH4 – Residential High Density zone. The RH4 zone permits an apartment building as well as retirement home. A site-specific Zoning By-law Amendment is requested to permit certain development standards proposed, including relief to the required minimum setbacks (Front Yard: from 12.5m to 3m, Side Yard: from 21.3m to 7.5m, Back Yard: from 21.54m to 18.72m), the proposed parking count (from 385 spaces to 319 spaces), width of the landscape buffers (from 6m to 3m) and other development provisions.

The proposed development should address design elements to reduce the use of energy and minimize GHG emissions. As this iconic building will be in place for many years, it should help the City move towards its goal of being net carbon neutral.

We would welcome discussions with the applicant to consider how the sustainability of the building could be enhanced, including at the Site Plan stage. We encourage the applicant to review the Sustainable Building and Development Guidelines and enhance the sustainability aspect of the design.

Recommendations:

Our comments are based on the following Principles and Objectives of Sustainable Development, as developed by the committee, endorsed by Council and found in Appendix E of the City’s Official Plan:

SUSTAINABLE DEVELOPMENT PRINCIPLES	COMMENTS
1. Recognize the interdependence of humans and the rest of nature in a common ecosystem; seek to prevent and reverse degradation of the earth, air, water, plants and animals by human activity.	Use a Low Impact Design approach to stormwater management Use of sustainable practices to manage construction waste

SUSTAINABLE DEVELOPMENT PRINCIPLES	COMMENTS
<p>2. Recognize the urgency of climate change and take measures to reduce greenhouse gas emissions and to adapt.</p>	<p>The applicant has not provided information on design elements to encourage the conservation of energy. The building should be designed and built to help Burlington to achieve its goal of being net carbon neutral. SDC recommends:</p> <ul style="list-style-type: none"> • Construction of a very efficient building shell. The proposal to use a substantial amount of glass in the tower is of concern (R-value reduces over times with seals failing and provides a large solar heat gain) • Renewable energy generation • Incorporation of active and passive solar design elements • Reduction in the use of energy through efficient fixtures and appliances, and • Individual energy metering of each unit <p>A major goal of this development should be to encourage residents to use forms of transportation other than their automobiles, especially given the proximity to the Burlington GO Station and City of Burlington transit. SDC supports:</p> <ul style="list-style-type: none"> • Reduced parking spaces • Providing ample bike storage • Providing ample electric vehicle charging capacity • Providing an on-site vehicle sharing program • Incorporating a “lay-by” area in the site plan for transit
<p>3. Promote conservation, stewardship and responsible use of resources. Discourage processes and practices that result in natural resources being consumed at a rate faster than they can be replenished.</p>	<p>Would like to see reference to:</p> <ul style="list-style-type: none"> • Commitment to installation of energy efficient appliances (if provided) • Efficient use of water
<p>4. Discourage the production and use of persistent and harmful substances. Reinforce proper disposal practices for such substances</p>	<p>Use of bio-swales and detention basins along the property’s joint perimeter with gas station</p>
<p>5. Affirm and promote practices that provide a safe and healthy environment and build resilience, and engage our community in not only meeting the economic and social needs of all citizens but enhancing quality of life.</p>	<p>Creation of gardens for seniors. These gardens can contribute to low-impact development and stormwater management on site</p>

SUSTAINABLE DEVELOPMENT OBJECTIVES	COMMENTS
<p>a. Leadership: Take a leadership position on sustainability issue both within and outside the City of Burlington. Recognize that our local actions can have global implications.</p>	
<p>b. Protection and Enhancement of Natural Features: Protect and enhance Burlington’s natural features to ensure that shorelines, natural water courses, wetlands, flood plains, woodlands and forestry tracts, as well as notable landmarks such as the Niagara Escarpment, are preserved for future generations. Improve the connectivity of natural features to enhance the natural heritage system. Preserve habitat to maintain and increase biodiversity and protect species at risk.</p>	
<p>c. Protection of Natural Resources: Sustainably manage and protect natural resources such as water, minerals and fertile lands. Reverse degradation of natural resources when feasible.</p>	<p>This proposal will remediate the existing contaminated site which promotes health.</p>
<p>d. Responsible Use of Natural Resources: Reduce the consumption of natural resources and ensure users are responsible for the full local costs of services such as water, electricity and sanitary sewers. Provide educational programs to encourage conservation of natural resources and increase awareness of the full costs of services.</p>	<p>Provide fixtures and appliances that conserve water.</p> <p>Collected rainwater can be used to fill water features, irrigate gardens and maintain landscapes. Innovations in onsite water management technologies is encouraged.</p> <p>Green roofs act as a natural way of filtering runoff.</p>
<p>e. Waste Reduction: Reduce waste generation and increase resource recovery. Minimize waste in designing, building, operating, renovating, demolishing and re-purposing buildings.</p>	<p>The applicant should ensure that proper recycling methods and facilities are available for residential tenants. This should include organic waste through the green bin program.</p>
<p>f. Greening of the City: Promote the preservation, management and planting of trees and other vegetation on private and public property within the City. Encourage the use of native, non-invasive and diverse species.</p>	<p>The site allows for planting a significant number of trees. More trees should be provided to support the urban greenspace. Urban forests provide habitat and food sources for wildlife, cooler watercourses, mitigate noise and dust levels, improve air and water quality, absorb pollutants, sequester carbon and help conserve energy. The applicant should improve and clarify the proposed number of trees for this project.</p>

SUSTAINABLE DEVELOPMENT OBJECTIVES	COMMENTS
<p>g. Natural Features and Green Space: Ensure natural features and greenspace are fundamental components of the City including new developments and redevelopments.</p>	<p>Insufficient green space has been incorporated into this development. Green roofs, rooftop gardens and/or terrace gardens should be considered.</p>
<p>h. Superior Neighbourhood Design: Make land-use decisions considering the natural features, site characteristics and location relative to employment, transportation and amenities. Apply an ecosystem approach to assess the impacts of development and ensure environmental integrity, diversity and resiliency. Create vibrant, equitable communities that are healthy, walkable and transit supportive.</p>	<p>The proposed development supports healthy and walkable neighbourhood design. However, landscaping is not incorporated to low-impact development.</p>
<p>i. Sense of community: Create sustainable and appropriate forms of development that reflect the human scale, promote a sense of community, and connect and integrate urban development natural surroundings.</p>	<p>The proposed density and setbacks are of concern. This is a high-density development. This growth, were it to be replicated across the neighbourhood and nearby areas, would not be sustainable in terms of traffic and in terms of services such as parking and transit without intensive upgrades to those services.</p>
<p>j. Neighbourhood Connectivity: Promote community development where residents can easily access necessities and amenities, such as housing, employment, locally produced food, retail, green spaces, education, recreation, and arts and culture through active transportation or transit.</p>	<p>The proposal does not include commercial space on the ground level. The design of the commercial spaces are encouraged and they can accommodate necessary businesses for seniors in the building and community.</p> <p>It is not clear through the current proposal how the development will “foster community interaction” (an objective of the BOP) and help to create a “complete community”. Memory Care living space at L-7 could help to promote a sense of community in the development.</p>
<p>k. Sustainable Transportation System: Prioritize walking, cycling and transit and make the best use of the existing road system for the safe movement of goods and people. Support multi-modal connectivity within the City and with neighbouring municipalities.</p>	<p>The area is very walkable and there is easy access to the bus stops.</p> <p>The applicant’s provision of bike storage promotes cycling and multi-modal transportation. A bike pump station within the development would further encourage personal bike use.</p> <p>SDC supports the applicant’s provision of limited parking space as it encourages the use of alternate modes of transport. A small portion of the parking is allocated for visitors.</p>

SUSTAINABLE DEVELOPMENT OBJECTIVES	COMMENTS
	The SDC encourages the applicant to provide an on-site car sharing program.
<p>l. Efficient Urban Design: Increase the efficiency of land use in the urban community with the goal of reducing greenhouse gas and other air emissions and provide efficient, well-connected route for active transportation and transit. Promote urban intensification and development policies, rather than suburban policies that generate sprawl.</p>	This proposal supports this objective.
<p>m. Natural Storm Water Management: Protect water courses in their natural state and encourage the restoration of water courses that have been degraded. Encourage low impact development design and use of best practices to improve storm water quality and reduce the quantity storm water sent to traditional storm water infrastructure.</p>	SDC supports LID measures, including cistern storage to allow reuse of storm water for irrigation. The applicant is encouraged to provide on-site retention basins.
<p>n. Energy Conservation, Efficiency and Generation: Promote net zero carbon energy generation and usage. Increase energy conservation through efficient land use planning and building design. Encourage sustainable local thermal and electrical energy generation and the supporting distribution network. Adopt low emission forms of transportation. Take all opportunities to switch from fossil fuel to renewable and electricity-based technologies.</p>	<p>The applicant has not provided information on design elements to encourage the conservation of energy. The building should be designed and built to help Burlington to achieve its goal of being net carbon neutral.</p> <p>SDC recommends:</p> <ul style="list-style-type: none"> • Construction of a very efficient building shell. The proposal to use a substantial amount of glass in the tower is of concern (R-value reduces over times with seals failing and provides a large solar heat gain) • Incorporation of active solar panels • Incorporation of passive solar design elements • • Reduction in the use of energy through efficient fixtures and appliances, and • Individual energy metering of each unit <p>The applicant should provide electric vehicle charging stations for residents and visitors.</p>
<p>o. Agriculture and Food: Promote policies that improve long-term food security with sustainable local agriculture in urban and rural communities. Increase the supply of local, accessible, affordable,</p>	The applicant should provide a terrace garden facility for residents.

SUSTAINABLE DEVELOPMENT OBJECTIVES	COMMENTS
culturally diverse and nutritious food. Protect agricultural land from loss and fragmentation.	
p. Healthy Lifestyles: Promote and support healthy and active lifestyles through the development of complete neighbourhoods, active transportation infrastructure, recreational facilities and parks.	
q. Community Engagement: Seek and encourage public participation and education, and, consider public input in city decision-making. The economic, environmental and social aspects of proposed developments should be considered. Decisions should address all aspects and build consensus among stakeholders.	This proposal supports Assisted Housing.
r. Evaluation of Development: Continuously monitor and evaluate community development to assess its sustainability in relation to social, environmental or economic impacts.	The city should consider the potential impact of this building on nearby street and residential buildings during the construction phase.
s. Sustainability Assessment: To assess progress towards sustainability, the City of Burlington should prepare a performance review of the entire municipality at regular intervals and develop and implement an action plan based on the findings.	

Summary of Above Discussion and Recommendations/Action Items:

The proposed density and setbacks are of concern. This is a high-density development with 362 units over ~0.7 ha. This growth, were it to be replicated across the neighbourhood and nearby areas, would appear to not be sustainable in terms of traffic and in terms of services such as parking and transit without intensive upgrades to those services. The community benefits provided by the applicant in the Planning Justification Report to justify exceeding the density and height limits are not sufficient and should be improved. The applicant is requesting two levels of intensification combined (CN1 to RH4 and RH4 to higher) which is 11 times the exiting density. The applicant should clarify if and how this development responds to affordable housing as this option may justify the above-noted intensification.

The proposed development has positive components within the current proposal e.g.:

- The proximity to transit, walkable streets
- Bicycle storage on site
- Creating some lay-by space to allow for pick up/drop off of residents (who will rely less on using private vehicles)
- Reduced parking

The proposed development should be further enhanced by addressing issues such as:

- Design elements to reduce the use of energy and reduce GHG emissions:
 - There is a lot of glass (R-value reduces over times with seals failing and provides a large solar heat gain)
- Proposal for vehicle sharing program
- Integration of a bike lane into the proposal
- Inclusion of 3-bedroom units that can accommodate families
- Increasing the amount of commercial space to increase the opportunity for employment
- Widening the sidewalk area around the building and including more landscaping
- Providing for more outdoor amenity space (e.g. garden areas) for residents

The applicant has an opportunity to create a building that can set a standard for new development within the greater context by incorporating sustainable practices and LEED level components such as:

- Use of recycled building materials
- Use of heat pumps
- The use of effective recycling and waste facilities on-site

Future Site Plan & Building Permit Considerations:

The City of Burlington has approved the Sustainable Building and Development Guidelines. The committee recommends that the applicant consider the guidelines in this application. Many of the items identified in the guidelines are implemented through site plan and/or building permit approval, after a development proposal has received an Official Plan amendment and/or zoning by-law amendment, however, to ensure the design of sustainability features can be incorporated, we recommend these items are given consideration at this stage in the process. A full copy of the guidelines can be downloaded at:

https://www.burlington.ca/en/services-for-you/resources/Planning_and_Development/Official_Plan/sm_UPDATE-for-web---18-044-PB-Sustainable-Building-and-Development-Guidelines.pdf

Appendix C of PB-05-19

The Sustainable Development Committee requests a response from the applicant related to the above recommendations. The committee would be pleased to meet with the applicant to discuss these comments in further detail.

Note: This report was reviewed and approved by the Sustainable Development Committee on June 20, 2018.

Respectfully Submitted,

Jillian Gorbold and Glenn Portch (P&D Sub-committee Co-Chairs)

Burlington Sustainable Development Committee (SDC)

cc: Tim Park, Lynn Robichaud, Leah Smith