

Recommendation Report Summary

SUBJECT: Official Plan and Zoning By-law Amendments at 2072 Lakeshore Road

TO: Committee of the Whole

FROM: Development and Growth Management
Community Planning

Report Number: DGM-25-25

Ward Affected: 2

Date to Committee: April 8, 2025

Date to Council: April 15, 2025

Recommendation

Direct staff to continue to process the submitted Official Plan Amendment and Zoning By-law Amendment applications for 2072 Lakeshore Road in an effort to bring forward a subsequent recommendation report. This report provides a description of the subject applications, an update on the technical review that is underway, and a summary of the technical and public comments received to date.

Executive Summary

Purpose of report:

- The purpose of this report is to provide background information to Committee and the public for a Statutory Public Meeting for the lands known as 2072 Lakeshore Road and to seek direction to continue to process the applications in an effort to bring forward a subsequent recommendation report.

Key findings:

- Through review of the development applications, Staff identified the need to have a consistent streetscape design along the north side of Lakeshore Road between Pearl Street to the west and Old Lakeshore Road to the east in order to implement the design principles and guidelines of the Downtown Streetscape design. At the time of writing this report, the need for a road widening and extent of such to achieve a cohesive streetscape along this stretch of Lakeshore Road had not yet been finalized. As such, it is recommended that Council direct Staff to continue to process the applications and work with the applicant to appropriately address the identified streetscape concerns.

- The site is trapezoidal in shape, with frontage along three municipal roadways including Lakeshore Road, Old Lakeshore Road and Pearl Street and is physically constrained with an approximate area of 0.15 hectares. Given this context, both Staff and the applicants need to have a complete understanding of the potential need for a road widening along Lakeshore Road, as any such widening along Lakeshore Road may have impacts on the proposed development including:
 - Overall building envelope and density;
 - Podium and tower setbacks to Lakeshore Road, Pearl Street and Old Lakeshore Road;
 - Tower design, size, massing and placement;
 - Below grade parking setbacks, design and number of parking spaces;
 - Unit configuration and number of units;
 - Location of indoor and outdoor amenity area including balconies and the 3rd storey outdoor amenity space;
 - Retail space configuration and size; and,
 - Potential wind and shadow impacts as these studies will need to be revised in order to determine the overall impact of the development.
- In principle, Staff is of the opinion that the Official Plan Amendment and Zoning By-law Amendment to permit increased height and density is generally consistent with and conforms to provincial, regional and local policy; however, given the current uncertainty as it relates to the potential need for a road widening, Planning Staff are seeking direction to continue to work on these applications and resolve the streetscaping matter. Additional time will allow the City to identify the need and extent for a potential road widening and provide the applicant sufficient time to evaluate the impact of any potential road widening requirements on their proposed development.

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|----------------------------|------------------------------|---------------------------------------------------------------|--------------|---|
| RECOMMENDATION: | | Continue to process application | Ward: | 2 |
| Application Details | APPLICANT: | Bousfields Inc. | | |
| | OWNERS: | Acamar Dwelling Corporation | | |
| | FILE NUMBER: | 505-01/25 and 520-01/25 | | |
| | TYPE OF APPLICATION: | Official Plan Amendment and Zoning By-law Amendment | | |
| | APPLICANT'S PROPOSAL: | 20 storey (including mechanical penthouse) mixed use building | | |

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|---------------------------|-------------------------------------------|---------------------------------------------------------------------------------------------------|
| Property Details | PROPERTY LOCATION: | South side of Lakeshore Road, |
| | MUNICIPAL ADDRESSES: | 2072 Lakeshore Road |
| | PROPERTY AREA: | 0.15 ha |
| | EXISTING USE: | 1-2 storey commercial building with surface parking |
| Documents | 1997 OFFICIAL PLAN Existing: | Downtown Mixed-Use Centre – Old Lakeshore Road Mixed Use Precinct |
| | 2020 OFFICIAL PLAN Existing: | Downtown Mixed-Use Centre – Old Lakeshore Road Mixed Use Precinct |
| | ZONING Existing: | Downtown Old Lakeshore Road (DLA) |
| | ZONING Proposed: | DLA-XXX (Downtown Old Lakeshore Road Zone) with site-specific exceptions |
| Processing Details | APPLICATION SUBMITTED: | December 23, 2024 |
| | APPLICATION DEEMED COMPLETE: | January 10, 2025 |
| | STATUTORY DEADLINE: | April 22, 2025 |
| | PRE-APPLICATION COMMUNITY MEETING: | March 24, 2024 |
| | STATUTORY PUBLIC MEETING: | April 8, 2025 |
| | PUBLIC COMMENTS: | At the time of writing this report, 27 written public comments were received out of 1169 notices. |

Recommendation Report

Background

On January 10, 2025, the City acknowledged that a complete application had been received for an Official Plan Amendment and Zoning By-law Amendment for 2072 Lakeshore Road. The purpose of this application is to amend the Official Plan and Zoning By-law to facilitate the development of a 20 storey (including mechanical penthouse) mixed use building.

Description of Subject Property and Surrounding Land Uses

The subject lands are trapezoidal in shape and have frontage on three municipal roads including Lakeshore Road, Pearl Street and Old Lakeshore Road. The subject lands have a total area of approximately of 0.15 hectare and contain a 1-2 storey commercial building and surface parking lot.

Surrounding uses are as follows:

- North: To the immediate north of the subject lands is Lakeshore Road and further north is an approved 26 mixed use building at 374 Martha Street and an approved 29 storey mixed use building at 2075 Lakeshore Road.
- East: To east of the subject lands is 2083 Lakeshore Road which currently contains a parking lot and is proposed to be redevelopment for a 27-storey mixed use building.
- South: To the immediate south of the subject lands is Old Lakeshore Road and further south is a 1-2 storey motel at 2076 Old Lakeshore Road and a 2-storey restaurant at 2084 Old Lakeshore Road. 2084 Old Lakeshore Road is a designated heritage property.
- West: To the immediate west of the subject lands is Pearl Street and further west is a 22-storey apartment building at 2060 Lakeshore Road (known as the Bridgewater).

There are six Burlington Transit bus stops within 300 metres of the subject lands located on Lakeshore Road with access to Route 3 (Guelph) and Route 11 (Sutton-Alton). Route 3 connects the John Street Downtown Bus Terminal to the GO 407 Carpool Parking Lot with stops along Lakeshore Road, New Street, Fairview Street, Upper Middle Road, Cavendish Drive and Dundas Street. Route 11 connects the Highway 407 GO Carpool Parking Lot to the Appleby GO Station with stops along Dundas Street, Haber Community Centre (Tim Dobbie Drive), Harrison Court, Sutton Drive and Upper Middle Road.

The site has access to the Queen Elizabeth Way from the Lakeshore Road onramp and Highway No. 403 from the Brant Street onramp located approximately 3 kilometers north of the site. The subject lands are approximately 450 metres southeast of the John Street Downtown

Bus Terminal, which provides connections to Routes 3 (Guelph), 4 (Central) and 10 (New-Maple).

Description of Applications

Bousfields Inc. has made an application on behalf of Acamar Dwelling Corporation to amend the Official Plan and Zoning By-law for the property located at 2072 Lakeshore Road. This application proposes an Official Plan and Zoning By-law Amendment to permit a 20-storey (including mechanical penthouse) mixed use building. The proposed development includes 582 m² of non-residential uses on the first and second floor, as well as a mix of one-, two- and three-bedroom residential units resulting in a total of 165 units. A total of 3,907 m² of amenity space (indoor and outdoor) and 162 parking spaces within 7 levels of underground parking is proposed.

Analysis

Policy Framework

The Official Plan Amendment and Zoning By-law Amendment, as proposed by the applications, are subject to review for conformity and consistency with the applicable land use framework as set out by Provincial, Regional and City policy documents and standards/guidelines.

A preliminary review of the applications with respect to the Provincial Planning Statement (2024); Region of Halton Official Plan; City of Burlington Official Plan (1997), as amended; City of Burlington New Official Plan (OP 2020); and City of Burlington Zoning By-law 2020 is included in report sections below.

Provincial Planning Statement (2024)

The PPS came into force and effect on October 20, 2024, and applies to decisions concerning planning matters occurring after this date. This replaces the Provincial Policy Statement (2020) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (The Growth Plan) (2019). The PPS provides broad policy direction on matters of provincial interest related to land use planning and development and supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The PPS directs that growth and development be focused in 'Settlement Areas' which include built-up urban areas where development is concentrated, and which have a mix of land uses and lands which have been designated in an Official Plan for development over the long term

Provincial policy promotes development and land use patterns, including the development of compact communities within settlement areas, with an emphasis on the efficient use of existing infrastructure and public service facilities, while maintaining appropriate levels of public health and safety, protection of the natural environment and significant built heritage resources.

Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.

Planning Staff note that the proposed development is generally consistent with the intensification and housing policies Provincial Planning Statement.

Region of Halton Official Plan ('ROP')

Section 44 of the Regional Official Plan (ROP) provides "broad policy directions on strategic matters such as management of land and natural resources, growth strategies, housing, economic development, water and wastewater services, solid waste management, transportation, and health and social services". The Planning Act requires that Burlington's Official Plan and Zoning By-law be amended to conform with the ROP.

In accordance with Map 1H – Regional Urban Structure of the ROP, as amended, the subject lands are designated 'Urban Area'. In accordance with Section 72, the Urban Area policies of the ROP identify that the goal of the Urban Area and the Regional Urban Structure is to manage growth in a manner that fosters complete communities, enhances mobility across Halton, addresses climate change, and improves housing affordability, sustainability, and economic prosperity.

The subject lands are in the area that is generally identified as a Secondary Regional Node on Map 1H of the ROP. The purpose of such identification is to promote growth in these areas through mixed-use intensification at a scale determined by the Area Specific Plans for the Regional Nodes.

Secondary Regional Nodes are historic downtown areas or villages and are intended to be a focus for growth through mixed use intensification at a scale appropriate for their context. The identification of the downtown as a Secondary Regional Node acknowledges that the downtown has an existing development pattern supportive of active transportation and public transit and that the downtown is an area intended to be a focus for growth through mixed use intensification at a scale appropriate to its context. Growth and change will continue in the downtown.

Section 89(3), of the ROP requires all new development within the Urban Area is to be connected to the Region of Halton's municipal water and wastewater system. The applicant submitted a Functional Servicing Report which was reviewed by Region of Halton and Development Engineering Staff. The Region has concluded that the existing water system in

the area can accommodate the proposed development but advised that there is no remaining capacity at the Junction Street Wastewater Pumping Station. Further, this wastewater pumping station is nearing the end of its service life and will need to be replaced and upgraded before services can be allocated to the proposed building. Therefore, should the applications be approved, the Region is recommending a holding provision be placed on the property until such time as sufficient wastewater services are available and downstream sewer constraints that include the sanitary sewer pumping station shall be addressed and any upgrades and/or replacement for the station be constructed and in operation, or arrangements, satisfactory to Halton Region.

Section 147(17) of the ROP requires the applicant of a development proposal to determine whether there is any potential contamination on the site they wish to develop, and if there is, to undertake the steps necessary to bring the site to a condition suitable for its intended use. The applicant was required to submit an Environmental Site Screening Questionnaire (ESSQ), a Phase One Environmental Assessment (ESA) and Phase Two Environmental Assessment (ESA). The Phase Two ESA concluded that contaminants of concern were found within the earth fill on the property and a groundwater sample could not be collected for one of the monitoring wells resulting in a portion of the property not being fully assessed. Additional investigations, remediation/risk assessments (RA) may be required before a record of site condition can be filed for the property.

If these applications are to be approved by Council a holding provision is recommended to ensure adequate wastewater services, upgrades to the Junction Street Wastewater Pumping Station and a Record of Site Condition and any associated environmental documents including a remediation/risk assessment are submitted to the Region and City and deemed satisfactory.

Staff note that the development applications generally conform with the Regional Official Plan policies with the inclusion of a holding provision.

City of Burlington Official Plan (1997, as amended)

The City's Official Plan (1997, as amended) (the OP) outlines a long-term vision of the community and quality of life for Burlington residents and provides policy direction to the public and private sectors on land use, development and resource management matters to guide the future planning and development of the City towards the desired community vision.

The subject lands are designated as "Mixed Use Activity Areas" on Schedule A, Settlement Pattern, of the City's Official Plan (1997, as amended). "Mixed Use Activity Areas" provide locations where employment, shopping and residential land uses will be integrated in a compact urban form, at higher development intensities and be pedestrian oriented and highly accessible by public transit.

The subject lands are further designated 'Mixed Use Centre' on Schedule B, Comprehensive Land Use – Urban Planning Area and 'Downtown Mixed Use Centre – Old Lakeshore Road Mixed Use Precinct – West Sector' on Schedule E, Downtown Mixed Use Centre – Land Use Plan.

The intent of the 'Mixed Use Centre' designation is to permit mixed use developments on individual sites where residential, retail, office and other uses are located, or on different sites where residential, retail, office and other uses are located next to one another.

The Downtown Mixed Use Centre – Old Lakeshore Road Mixed Use Precinct designation permits high-density apartment residential uses, including the residential use of upper storeys of commercial buildings; among other uses. The West Sector Precinct permits a maximum building height of 10 storeys and 31.5 metres and a maximum density of 51 units per net hectare. Tall buildings may be permitted up to a maximum of 15 storeys and 47 metres where they provide compatibility with surrounding land uses and a sense of pedestrian scale by the use of building design incorporating a ground level, street-oriented podium, and subject to the community benefits provisions of Part VI, Section 2.3 of this Plan and the following details to the satisfaction of City Council:

- i. assembly of lands from the Martha Street alignment to Waterfront East consisting of lands within Area 'A', including the Old Lakeshore Road road allowance, and the westerly portion of Area 'C';
- ii. continuation of the Martha Street alignment to meet Old Lakeshore Road;
- iii. construction of and dedication to a public authority, a public waterfront access that provides a connection between the Pearl Street extension and Lakeshore Road in the vicinity of a Martha Street extension, in accordance with Part III, Subsection 5.5.7.2 (i);
- iv. closure of a portion of Old Lakeshore Road to achieve redevelopment and intensification;
- v. provision of a view corridor from Martha Street to Lake Ontario;
- vi. provision of enhanced public spaces;
- vii. preservation or relocation of significant cultural heritage resources within the precinct;
- viii. submission of an angular plane study, identifying visual, sun shadowing and wind impacts, and demonstrating how such impacts can be mitigated to acceptable levels.

The applicant is proposing a 20-storey (including mechanical penthouse) mixed use building with 582 m² of non-residential uses on the first and second floor and a total of 165 units. The applicants have submitted an application to amend the Official Plan and Zoning By-law to permit the proposed development.

Planning Staff recognize that this area of Downtown Burlington has not developed in accordance with the policies of the Burlington Official Plan because of previous Ontario Land Tribunal decisions for properties in the East Sector (2093-2101 Old Lakeshore Road and 2069-2100 Lakeshore Road and 2107 Old Lakeshore Road). Due to these decisions and the

surrounding development context some of the policies noted above are no longer achievable for the West Sector properties including:

- Assembly of lands from the Martha Street alignment to Waterfront East consisting of lands within Area 'A', including the Old Lakeshore Road road allowance
- Martha Street alignment to meet Old Lakeshore Road;
- Construction of and dedication to a public authority, a public waterfront access that provides a connection between the Pearl Street extension and Lakeshore Road in the vicinity of a Martha Street extension;
- Closure of a portion of Old Lakeshore Road to achieve redevelopment and intensification.

Although these policies are no longer achievable for this site, Staff note that a view corridor from Martha Street to Lake Ontario, provision of enhanced public spaces and the preservation of significant cultural heritage resources were achieved through the East Sector properties and the West Sector properties will provide enhanced public spaces through the implementation of the Downtown Streetscape for Lakeshore Road.

Residential Intensification

The City of Burlington Official Plan encourages new residential development and residential intensification within the Urban Planning Area in accordance with provincial growth management objectives while balancing with other planning considerations such as infrastructure capacity, compatibility and integration with the natural environment, active and public transportation use and housing opportunities in proximity to employment areas.

The Housing Intensification policies of the Official Plan encourage residential intensification as a means of increasing the amount of available housing stock (including, rooming, boarding and lodging houses, accessory dwelling units, infill, re-development and conversions within existing neighbourhoods), provided that development is compatible with the scale, urban design and community features of the neighbourhood.

Staff have completed a preliminary review of the proposed development against the residential intensification criteria and determined that the proposal is meeting most of the housing intensification criteria except for adequate wastewater services, shadow and wind impacts, but note that these criteria could be addressed through a holding provision. Staff will provide a full analysis of the housing intensification policies in the June recommendation report.

Should Council approve these applications, Staff recommend that these outstanding requirements be addressed through a holding provision.

Transportation and Roads

Part II, Subsections 3.0 and 3.3 of the Official Plan contain policies and objectives for the City's Transportation System and Roads. The City's transportation system is an essential part of the plan for urban development, and influences both the land uses and the quality of life in the City. The transportation system includes the following: roads for use by automobiles, trucks, bicycles and buses; rail lines for the movement of goods and passengers; sidewalks, walkways and trails for pedestrians; and bikeways for cyclists. Some of the main objectives of the transportation system is to provide facilities to serve existing and future pedestrians, cyclists, transit riders and automobile users and to encourage alternative travel by creating an urban environment that encourages walking, cycling and transit use and increases opportunities to live close to work and satisfy day-to-day needs locally without relying on the automobile.

Further, some of the main objectives under Subsection 3.3.1 (Roads) are to protect adequate public road rights-of-way to meet future needs and to provide more pedestrian oriented streetscapes. As noted throughout the report, Transportation Planning Staff have identified that a road widening may be required to implement the Downtown Streetscape Guidelines for Lakeshore Road. The provision of a road widening will ensure that the goals and design principles of Downtown Streetscape is achieved for Lakeshore Road, enhance the public realm and create a unified streetscape along Lakeshore Road.

City of Burlington New Official Plan (OP 2020)

On November 30, 2020, the Region of Halton issued a Notice of Decision approving OP 2020. The new Official Plan has been developed to reflect the opportunities and challenges facing the City as it continues to evolve. The new OP is subject to appeals. Appeals are currently before the Ontario Land Tribunal (OLT).

The property is within a 'Mixed Use Intensification Area' in Schedule B (Urban Structure). The subject lands are designated 'Urban Centre' on Schedule C (Land Use – Urban Area) and 'Old Lakeshore Road Precinct' on Schedule D (Land Use – Downtown Urban Centre).

As noted above in the Burlington Official Plan 1997 section, the Downtown Mixed Use Centre – Old Lakeshore Road Mixed Use Precinct designation permits high-density apartment residential uses, including the residential use of upper storeys of commercial buildings; among other uses. The West Sector Precinct permits a maximum building height of 10 storeys and 31.5 metres and a maximum density of 51 units per net hectare. Taller buildings may be permitted up to a maximum of 15 storeys subject to site specific policies of the Official Plan.

Downtown Streetscape Guidelines (September 2019)

The Downtown Streetscape Guidelines (2019) establish a new vision, framework, and a set of design principles and strategies, which will provide guidance for the consistent application and renewal of the various downtown streetscapes. This may include the reconstruction of surface

works such as sidewalks, curbs, crosswalks, and roadways together with the replacement or refurbishment of streetscape elements such as street trees, streetlighting, and furnishings (e.g. benches, waste receptacles, bike racks, bus shelters, and bollards). The guidelines are intended to help enhance and strengthen the public realm and contribute to the Downtown as an accessible, cohesive, identifiable, and vibrant destination within the city.

There are four zones that play a role in contributing to a high-quality streetscape which are the marketing zone, clear path zone, furnishing zone, and edge zone. A description of the zones is as follows:

- The marketing zone functions as an extension or spill-out of the adjacent building and its uses, whether it is for signage, the display of goods or a café or restaurant patio. This zone is typically located on private property and encourages businesses to use this portion of the boulevard as part of the downtown experience. A minimum 2m wide marketing zone is encouraged along streets that require at-grade retail and service commercial uses.
- The clear path zone provides an unobstructed and accessible public path of travel dedicated for pedestrians. This zone ensures a safe and comfortable walking experience and should be a minimum of 1.8m wide [complying with the minimum Accessibility for Ontarians with Disabilities Act (AODA) standards for two-way travel for people using mobility devices]. This width should increase – where space permits – along streets with heavy pedestrian volumes.
- The furnishing zone defined as the section of the boulevard between the back of curb and the Clear Path Zone. This zone is where street furnishings, trees, and utilities are provided. Typical streetscape furnishings include, but are not limited to, benches, bike racks, bollards, bus shelters and transit stops, pedestrian and traffic signal poles and street lighting, newspaper kiosks, mailboxes, street trees, utilities, and waste receptacles. This zone may also include green infrastructure elements such as bioretention facilities. This zone should be a minimum of 1.2m wide.
- The edge zone defined as the area immediately next to the Furnishing Zone and edge of roadway. This zone may include a variety of different elements including curb and gutters, corner and mid-block bump-outs, curb extensions, parklets, pop-up installations, green infrastructure, flexible pedestrian spaces, parking, and/or cycling infrastructure. It varies in width depending on which of the above strategies are employed. For example, this zone will generally be a minimum of 0.5m to accommodate a standard or modified curb and wider when accommodating parking as part of a flexible street design.

At the time of writing this report, Staff are reviewing how to achieve and implement a uniform streetscape design for the properties along the north side of Lakeshore Road between Pearl Street to the west and Old Lakeshore Road to the east. Staff are working on determining the

need for a road widening and extent of such to achieve a cohesive streetscape along this stretch of Lakeshore Road and any implications on the proposed development.

Zoning By-law

The subject property is currently zoned 'Downtown Old Lakeshore Road Zone (DL-A)' in accordance with Zoning By-law 2020. The Downtown Old Lakeshore Road Zone (DL-A) zone permits various retail, service commercial, office, community, hospitality, entertainment and recreation and residential uses.

The application proposes to change the zoning to a site specific 'Downtown Old Lakeshore Road Zone (DL-A-XXX)'. The proposed development does not comply with some regulations, including density, building height, setbacks and residential parking. The following chart provides a comparison of the existing zoning and what is proposed by the applicant:

| Regulation | DL-A Requirement | Proposed |
|------------------------|--------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Yard Abutting a Street | <p>Floors 1-2 0.5-1 m minimum 1.5-2 m maximum</p> <p>Floors 3-8 2.5-3 m minimum</p> <p>Floors 8+ N/A</p> | <p><u>Lakeshore Road</u> Ground Floor, Mezzanine and 2nd Floor: 0 m Floors 3-19: 3 m Rooftop mechanical: 6 m Balconies (Floors 3-19): 1 m</p> <p><u>Old Lakeshore Road</u> Ground Floor, Mezzanine and 2nd Floor: 0 m Floors 3-19: 3 m Rooftop mechanical: 6 m Balconies (Floors 3-19): 1 m</p> <p><u>Pearl Street</u> Ground Floor, Mezzanine and 2nd Floor: 0 m Floors 3-19: 3 m Rooftop mechanical: 6 m Balconies (Floors 3-19): 1 m</p> |
| Rear and Side Yard | None required | <p><u>East Property Line</u> Ground Floor, Mezzanine and 2nd Floor: 0 m Floors 3-19: 12.5 m Rooftop mechanical: 12.5 m Balconies (Floors 3-19): 10 m</p> |
| Below Grade Structure | 3 m | <p>Lakeshore Road: 0 m Old Lakeshore Road: 0 m Pearl Street: 0 m East Property Line: 0 m</p> |

| Regulation | DL-A Requirement | Proposed |
|------------------|---------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| Floor Area Ratio | 4.5:1 maximum | 11.5:1 |
| Density | 51 units per hectare minimum No maximum | 1,100 units per hectare |
| Parking | 1.25/unit = 388 spaces | Occupant Parking: 0.98 spaces per unit Visitor/public parking: 0 spaces per unit Total: 162 spaces |
| Amenity Area | 20 m ² per unit = 3,300 m ² | 3,907 m ² (includes common indoor and outdoor amenity and private balconies) |
| Height | Minimum: 2 storeys Maximum: 10 storeys and 31.5 metres | 20 storeys and 72.5 metres plus rooftop mechanical equipment |

Technical Review

The application was circulated to internal departments and external agencies on January 14, 2025, for review. The following are the comments received that have been summarized below:

Canada Post – Detailed comments were provided that are to be implemented during Site Plan.

Canadian National Railway – The subject lands are not within the circulation requirements of CN Rail.

Conservation Halton – The subject lands are outside of Conservation Halton's regulated area.

Development Engineering – comments are still outstanding and will be provided in the subsequent recommendation report.

Enbridge Gas – No objection, however, Enbridge Gas reserves the right to amend or remove development conditions.

Finance – A condition of Site Plan shall be "taxes must be paid on parcels associated with this file. This includes all outstanding balances plus current year taxes that have been billed but not yet due".

Halton Catholic District School Board – No objection; standard conditions will apply at the Site Plan Stage.

Halton District School Board – No objection; standard conditions will apply at the Site Plan Stage.

Halton Police – No concerns provided as the proposed development doesn't interfere with Halton Police line-of-sight radio system.

Halton Region – No objections to the proposed Official Plan and Zoning By-law Amendment application, but advise that should the applications be approved, a holding provision be placed on the property to address outstanding servicing concerns with the respect upgrades to the Junction Street Wastewater Pumping Station Private waste collection will be required for this development and details will be refined at the Site Plan stage.

Imperial Infrastructure – No Imperial Infrastructure in the vicinity of this location.

Metrolinx – The subject property falls outside of the designated Metrolinx review zones.

Parks – Cash in lieu of parkland at the rate in effect at the time of building permit issuance is required.

Rogers Communications – No comments.

Trans-Northern Pipeline – No infrastructure in the area.

Transportation Planning – comments are still outstanding and will be provided as part of the subsequent recommendation report.

Urban Forestry and Landscaping – No objections to the Official Plan and Zoning By-law Amendment applications. They advise that public tree permit will be required to remove City trees and that the remainder of their comments can be addressed at the Site Plan stage.

Zoning – Deficiencies in the Zoning By-law have been identified based on the current proposal. Zoning comments are subject to change if a revised proposal is received by Planning Staff.

Option 1: Approval as submitted (not recommended)

Benefits: The approval of the subject application would allow for the development of 20 storey (including mechanical penthouse) mixed use building with 165 residential units and 500 sq. m of non-residential uses without any ability for the City to require a road widening along Lakeshore Road.

Considerations: Staff do not currently have enough information to determine if a road widening is required and what the extent of any such widening would be. Approval of the application as is could compromise the City's ability to achieve a cohesive streetscape along this section of Lakeshore Road that would comply with the objectives of the Downtown Streetscape Guidelines and Transportation policies of the Official Plan.

Additional Information: The applicants have the ability to appeal Council's decision to the Ontario Land Tribunal (OLT).

Community Engagement and Communications: No further communication would be required, unless the decision is appealed. At this time, the Official Plan Amendment and Zoning By-law Amendment has provided multiple opportunities for engagement to the public. A Pre-Application Community Open House was held March 25, 2024. Notice of complete application were sent on January 10, 2025, a notice sign was placed on the property and a project website was set up at www.burlington.ca/2072lakeshore. Further, the Committee of the Whole meeting April 8, 2025, provides an opportunity for the public to delegate. Notices for the Committee of the Whole meeting were sent March 7, 2025 and posted in the Hamilton Spectator the same day.

Option 2: Approval with Modifications (not recommended)

Benefits: A modified approval of the subject applications would allow for the development of 20 storey (including mechanical penthouse) mixed use building with 165 residential units and 500 sq. m of non-residential uses with the required road widening.

Considerations: Planning Staff have considered modifying the proposed development but determined that a modified approval was not feasible at of the time of writing of this report, as the ultimate road widening width had not yet been finalized. There are also numerous modifications that would impact the overall design and implementation of the development. Staff would need to take into consideration and provide modifications for the following items without knowing the full extent of the road widening, revised drawings, plans and studies in order to bring forward a modified approval:

- Overall building envelope without knowing the full extent of the road widening as this is still be finalized by Transportation Planning Staff;
- Podium, tower, balcony, mechanical penthouse and below-grade parking structure setbacks to all property lines;
- Feasibility of the proposed building height and tower placement without revised site plans, elevations, renderings, Shadow Study and Wind Study;
- Final density for the site as the road widening will impact the site area;
- Impacts to the proposed retail units and whether they would need to be reduced or relocated in order to be feasible for the development;
- Number of parking spaces, configuration of the below-grade parking structure and possible need for additional levels of underground parking to accommodate the road widening;
- Impacts to the unit configuration and number of units and whether they would need to be reduced or relocated in order to be feasible for the development; and,
- Impacts to indoor and outdoor amenity areas including the location and size of balconies and the 3rd storey outdoor amenity space. Balconies along the Lakeshore Road frontage may need to be setback further from the property line, which will have impacts to the overall design of the tower and may require the tower or balconies to be

reduced in size. This may also impact the unit configuration, unit size and number of units. The indoor amenity areas may also need to be reduced in size if the podium and tower layout are impacted.

Additionally, several holding provisions would be required to ensure that the proposed development meets the Region and City's policies and standards with regards to wastewater servicing, environmental contaminants, shadow and wind.

Therefore, based on the above Staff are not supportive of a modified approval as the impacts of the road widening are not fully understood and there are too many variables that could impact the overall implementation of the development including the final Official Plan Amendment and Zoning By-law Amendment.

Additional Information: The applicants have the ability to appeal Council's decision to the Ontario Land Tribunal (OLT). A future minor variance application may be required if Staff does not capture all the required Zoning By-law modifications contemplated by the applications due to the road widening requirements and a lack of revised plans, drawings and studies.

Community Engagement and Communications: No further communication would be required, unless the decision is appealed. At this time, the Official Plan Amendment and Zoning By-law Amendment has provided multiple opportunities for engagement to the public. A Pre-Application Community Open House was held March 25, 2024. Notice of complete application were sent on January 10, 2025, a notice sign was placed on the property and a project website was set up at www.burlington.ca/2072lakeshore. Further, the Committee of the Whole meeting April 8, 2025 provides an opportunity for the public to delegate. Notices for the Committee of the Whole meeting were sent March 7, 2025 and posted in the Hamilton Spectator the same day.

Option 3: Refusal (not recommended)

Benefits: Council would be able to render a decision before the April 22, 2025, statutory timeline and the applicant could not appeal for non-decision.

Considerations: Staff is of the opinion that the outstanding issues associated with the road widening could be resolved with Council granting additional time to work with the applicant. Further, Planning Staff recognize that the 1997 and 2020 Official Plan and Zoning By-law permits a mixed-use development up to 10 storeys and in some cases 15 storeys, subject to site specific policies on the property and based on the preliminary review of the application materials would not be in a position to recommend refusal based on the proposed development.

Additional Information: The applicant could appeal that decision to the OLT.

Community Engagement and Communications: Notice of refusal would be sent to the public within 120 metres of the subject lands.

Option 4: Direct Staff to Continue to Process the Application (recommended)

Benefits: Planning and Transportation Planning Staff would have additional opportunities to work with the applicant on an appropriate streetscape design along Lakeshore Road. This would allow for Transportation Planning to finalize any potential road widening width, the full implementation of the Downtown Streetscape for Lakeshore Road in a matter that is feasible and meets City policy and guidelines.

Additional Information: If a Council decision is not rendered by April 22, 2025, the applicant has the ability to appeal to the OLT on the basis of non-decision.

Community Engagement and Communications: New notices to the public would need to be sent for a future meeting.

Recommendation Details

- Direct Staff to continue to process the submitted Official Plan Amendment and Zoning By-law Amendment applications for 2072 Lakeshore Road in an effort to bring forward a subsequent recommendation report. This report provides a description of the subject applications, an update on the technical review that is underway, and a summary of the technical and public comments received to-date.

Key Dates & Milestones

- Pre-application community meeting: March 25, 2024
- Application submitted: December 23, 2024
- Application deemed complete: January 10, 2024
- Statutory public meeting: April 8, 2025
- Statutory deadline: April 22, 2025

Implications

Financial

- All application fees have been received in accordance with the Development Application Fee Schedule.

Climate Implications

In February 2020, City Council approved the City of Burlington Climate Action Plan to support the City's path towards a low-carbon future, focusing on mitigating greenhouse gases and reducing energy consumption. The Plan identifies seven implementation programs, including, programs to enhance energy performance for new and existing buildings; increase transit and active transportation mode shares; encourage the adoption of electric mobility and equipment through personal and commercial vehicles and other currently gas-powered equipment; and support waste reduction and diversion.

As part of the Official Plan Amendment and Zoning By-law Amendment application, the applicant was required to provide consideration to the Sustainable Building and Development Guidelines (2018) which provide an overview of the required and encouraged sustainable design measures for new development across the City. The applicant submitted a Sustainable Building and Development Guidelines Checklist which includes consideration to the guidelines. A detailed review of the Sustainable Building guidelines will be included in the future Staff recommendation report.

Engagement Matters

The applicant held a hybrid Pre-Application Community Consultation Meeting on March 25, 2024, prior to the submission of the application. The applicant, Mayor Meed Ward, Councillor Kearns, and Planning Staff also attended the meeting.

Notice signs were posted on the subject lands on January 24, 2025. A public notice of the Official Plan and Zoning By-law Amendment application was mailed to 1169 addresses, which includes all property owners within 120 metres of the subject land.

A webpage was created on the City of Burlington website, accessible at <https://burlington.ca/2072lakeshore>. This webpage provides information about the subject application including dates of public meetings, links to supporting studies, and contact information for the applicant's representative and Community Planning Department.

As of the writing of this report, 26 written public comments have been received by Planning Staff with respect to the subject application in objection to the proposal and 1 public comment has been received in support of the application. The public comments received to date are included in Appendix C. Below is a summary of the comments received to date:

- Concerns with increased height and density;
- Concerns with increased traffic and the number of resident and visitor parking spaces;

- Concerns with shadows cast by the building on surrounding developments and greenspaces;
- Concerns regarding inadequate infrastructure including services and road network;
- Proposed development will impact views to the lake;
- Concerns with the increase construction noise; and,
- The subject applications should be circulated to all properties fronting the Lakeshore and not just within 120 metres of the property line.

These comments and any additional comments received through the resubmission review and at the April 8, 2025, Public Meeting, will be addressed through the future Staff recommendation report.

References

The applicant submitted the following materials in support of the subject applications:

1. [3D model](#), prepared by Graziani + Corazza Architects, dated December 19, 2024
2. [Angular Plane Study](#), prepared by Graziani + Corazza Architects, dated December 19, 2024;
3. Application Form, prepared by Bousfields Inc., dated December 23, 2024
4. [Arborist Report and Tree Inventory and Preservation Plan](#), prepared by Ferris + Associates, dated May 1, 2024;
5. [Architectural package](#), prepared by Graziani + Corazza Architects, dated December 19, 2024
6. [Cover letter](#), prepared Bousfields Inc., dated December 23, 2024
7. [Draft Official Plan Amendment](#), prepared by Bousfields;
8. [Draft Zoning By-law Amendment](#), prepared by Bousfields;
9. [Environmental Noise Assessment](#), prepared by Valcoustics Canada dated, December 20, 2024;
10. [Environmental Site Screening Questionnaire](#) (signed and commissioned);
11. [Functional Servicing and Stormwater Management Report](#), prepared by S. Llewellyn & Associates, dated December 2024;
12. [Geotechnical Report](#), prepared by Grounded Engineering, dated December 19, 2024;
13. [Hydrogeological Report](#), prepared by Grounded Engineering, dated December 19, 2024
14. [Landscape Plan](#), prepared by Ferris + Associates, dated December 13, 2024;
15. [Letter of Reliance](#), prepared by Grounded Engineering dated, December 20, 2024;
16. [Phase One Environmental Site Assessment](#), prepared by Grounded Engineering, dated December 19, 2024;
17. [Phase Two Environmental Site Assessment](#), prepared by Grounded Engineering, dated December 12, 2024;
18. [Planning Rationale](#), prepared by Bousfields Inc., dated December 2024

19. [Renderings](#), prepared by Graziani + Corazza Architects, dated December 12, 2024;
20. [Site Grading, Erosion Control, and Site Servicing Plans](#), prepared by S. Llewellyn & Associates, dated December 19, 2024;
21. [Shadow Study](#), prepared by Bousfields, dated December 2024;
22. [Survey](#), prepared by Krcmar Surveyors, dated January 16, 2023
23. [Sustainable Building and Development Guidelines Checklist](#), prepared by Acamar Dwelling Corporation;
24. Synchro Files for the Transportation Impact Assessment, prepared by LEA Consulting;
25. [Transportation Impact Study](#), prepared by LEA Consulting, dated December 2024;
26. [Urban Design Brief](#), prepared by Bousfields Inc., dated December 2024
27. [Waste Management Plan](#), prepared by GHD, dated December 19, 2024;
28. [Wind Impact Study](#), prepared by RWDI, dated June 3, 2024; and,
29. [Wind Impact Study Revision Letter](#), prepared by RWDI, dated December 20, 2024.

Application materials are posted on the project website, <https://burlington.ca/2072lakeshore>

Conclusion

This report provides an overview of the applications, previous and recent public consultation and engagement that has occurred in advance of and throughout the circulation of this development planning applications and to seek direction to continue to process the applications in an effort to bring forward a subsequent recommendation report.

Through review of the development applications, Staff have identified the need to have a consistent streetscape design along the north side of Lakeshore Road between Pearl Street to the west and Old Lakeshore Road to the east in order to implement the design principles and guidelines of the Downtown Streetscape design. At the time of writing this report, the need for a road widening and extent of such to achieve a cohesive streetscape along this stretch of Lakeshore Road had not yet been finalized.

Therefore, Staff are recommending that Council direct Staff to continue to process the applications and work with the applicant to appropriately address the identified streetscape concerns.

Strategic Alignment

- ☒ Designing and delivering complete communities
- ☒ Providing the best services and experiences

- ☒ Protecting and improving the natural environment and taking action on climate change
 - ☐ Driving organizational performance
-

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Appendices:

- A. Location Plan
- B. Concept Plan
- C. Public Comments

Draft By-laws for Approval at Council:

- A By-law will be brought forward as part of the future Staff recommendation report.

Notifications:

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Report Approval:

All reports are reviewed and approved by the Commissioner, Head of Corporate Affairs, Chief Financial Officer, and Commissioner of Legal and Legislative Services/City Solicitor.