



Community Planning Department

SUBJECT: Planning Analysis for 2243, 2269 and 864 Drury Lane – Site Plan

TO: Blake Hurley, Assistant City Solicitor

FROM: Andreas Houlios, Planner II – Site Plan Review

Background:

On April 4, 2020 the Community Planning Department acknowledged that a site plan application had been received by Brookfield Properties, Inter Rent REIT and CLV Group Inc. (the “Applicant”) for Site Plan Approval for 2269, 2243 Fairview Street & 864 Drury Lane (the “Site”) to support the development of the Site with seven (7) residential towers on top of four (4) mixed-use podiums, with overall tower heights ranging between 29 and 37 storeys. However, the Site was located within an area that was the subject of an Interim Control By-law and related study, resulting in a development ‘freeze’ on lands within the study area. The Official Plan Amendment (“OPA 119”) and Zoning By-law Amendment (“ZBA 2020.418”) that resulted from the recommendations of the ICBL study were appealed, including by the Applicant, in February 2020. These appeals to ZBA 2020.418 had the effect of continuing the development ‘freeze’ on the Site, and resulted in no decision being made on the site plan.

On August 11, 2021, the Applicant appealed the site plan application to the Ontario Lands Tribunal based upon non-decision of the City within the required time period set out by the Planning Act.

On December 17, 2021 the Applicant submitted a Settlement Offer to the City for consideration. The Applicant is seeking a settlement of its appeals of OPA 119, ZBA 2020.418 and its site plan application. The Settlement Offer proposes a resolution of the appeals in which the Applicant would withdraw its appeal of OPA 119 and the City and the Applicant would seek approval from the Ontario Land Tribunal (“OLT”) for site-specific amendments to ZBA 2020.418 to permit the development contemplated in phase 1 of a phased site plan. These site-specific amendments would add to the regulations contained within ZBA 2020.418 to regulate the development proposed in phase 1 of the site plan,

as described below. The City and Applicant would also seek an Order from the OLT removing the Site from the ongoing development 'freeze' that applies to this area. The Settlement Offer proposes to resolve the site plan appeal by the City and the Applicant seeking approval from the OLT for site plan contemplating development of phase 1 of a multi-tower residential development on the Site. Future phases of the development of the Site would require Site Plan Approval from the City. Additionally, the Settlement Offer contemplates the City and the Applicant agreeing to certain parameters that would not only apply to Phase 1 of the development set out in detail in the Settlement Offer, but also to the future development of phase 2 that would be subject to a future site plan approval process by the City. Key parameters of the proposed site plan appeal settlement include:

- Phases 1 and 2 will each contain two towers of 33 and 37 stories (Phase 1) and 33 and 35 stories (Phase 2) in height;
- The four towers proposed in Phases 1 and 2 will all be purpose-built rental buildings, with 100% of units in the buildings being in rental tenure;
- Phase 1 will provide a total of 38 three (3) bedroom residential rental units, including 25 three (3) bedroom rental units contained within the two towers;
- When the Applicant seeks site plan approval for Phase 2, the towers will include at least 25 three (3) bedroom residential rental units;
- Provide a minimum 30m separation between proposed towers;
- The tower floor plates of the four towers in Phases 1 and 2 will have tower floor plates of up to 890 square metres;
- The Applicant will dedicate 0.171ha of parkland, in addition to providing cash-in-lieu of parkland in the amount of approximately \$13 million. Additionally, the Applicant will provide a privately-owned publicly accessible space ('POPS'), maintained in perpetuity at its expense, of 0.25ha located immediately adjacent to the dedicated parkland located along Fairview Street to function as one cohesive park that may be further expanded should lands to the west of the Site re-develop in the future.
- Phases 1 and 2 of the Site Plan (containing two levels of underground parking will address groundwater through a private permanent pumping stormwater management system discharged into the City's storm sewer system at regulated volumes and quality, with ongoing stormwater management system maintenance requirements registered on the title of the rental buildings. Future phase(s) of development on the Site will have separate underground facilities and stormwater management for those phases will be reviewed by the City in future applications for site plan approval.
- The Applicant will make a Municipal Consent application to bring permanent buried hydro to the entire site (Phases 1, 2 and 3). Should the applicant wish to install additional temporary overhead hydro, those drawings and details will be included with the Municipal Consent application, along with required fees and securities.

Application Details	APPLICANT:	<i>Fairview LP</i>
	OWNER:	<i>Same as above</i>
	FILE NUMBERS:	<i>535-001/20</i>
	TYPE OF APPLICATION:	<i>Site Plan</i>
	INITIAL PROPOSED USE:	<i>Seven (7) residential towers on top of four (4) mixed use podiums</i>
	REVISED PROPOSAL:	<i>Same as above</i>
Property Details	PROPERTY LOCATION:	Northwest Corner of Fairview Street and Drury Lane
	MUNICIPAL ADDRESSES:	<i>2243,2269 Fairview Street & 864 Drury Lane</i>
	PROPERTY AREA:	<i>3.4 hectares</i>
	EXISTING USE:	Vacant garden centre, brewery, auto repair shop, dance studio and furniture store
Documents	OFFICIAL PLAN Existing:	Mixed Use Corridor – Commercial Corridor
	ZONING Existing:	Mixed Use Corridor (MXT)

Site Description and Surrounding Land Uses

The subject site has an area of 3.4 ha, and approximately 224 m of frontage along Fairview, and 143 m of frontage along Drury Lane. Access to the site is currently provided via both Drury Lane and Fairview Street. A vacant garden centre, brewery, auto repair shop, dance studio and furniture store are currently located on the Subject Lands. It is the intent that the existing buildings and structures be demolished prior to the site being redeveloped.

Surrounding the subject site are the following uses:

North: The Lakeshore West GO rail line is located adjacent to the Subject Lands directly to the north. A low-rise residential neighbourhood occupies the lands north of the rail line. An overpass pedestrian bridge at the north terminus of Drury Lane provides access over the rail line to the residential community to the north.

South: Fairview Street, low rise institutional and medical building consisting of the Halton Catholic District School Board and a medical clinic.

East: Drury Lane, and a number of low-rise service commercial and retail uses are located east of the Subject Lands, including an automotive repair and home store.

West: A car dealership is located adjacent to the Subject Lands directly west, followed by a creek and the Burlington GO Station. The Paradigm Condominium development, (5 tower and 24 storey residential condominium development) is located immediately west of the Burlington GO Station.

The Site Plan Application:

The Site Plan application that is the subject of the appeal includes 4 buildings with a total of 7 towers ranging in height from 29 to 37 storeys. The comprehensive development plan will provide 2,515 residential units of mixed type and tenure; 3,703 square metres of retail/commercial space; there will be shared amenity space between all buildings in a variety of forms, including indoor, rooftop and outdoor elevated amenity area; all proposed parking to be located within a combination of a 4-storey above-ground parking structure abutting the northern lot line or within 5 levels of underground parking abutting the southern property line. Each building is proposed as follows:

Building A will consist of a six storey podium and a 33 storey tower with 338 residential units.

Building B will consist of a five storey podium and two towers with 651 residential units. Tower B1 will be 29 storeys and tower B2 will be 34 storeys. Ten (10)

Townhouse style units are incorporated into the podium fronting onto Fairview Street.

Building C will consist of a four storey podium and two towers with 774 residential rental units. Tower C1 will be 33 storeys and tower C2 will be 37 storeys.

Building D will consist of a four storey podium and two towers with 752 residential rental units. Tower D1 will be 33 storeys and tower C2 will be 35 storeys.

Vehicular access to the proposed development will be provided primarily through an internal driveway through the site from Fairview Street to Drury Lane, similar to the driveway that presently exists on the Subject Lands. The parking structure will be accessed via Drury Lane and the internal east-west driveway, which will function as a private street. Access to the underground parking will also be provided through the internal driveway. A minimal amount of layby parking is proposed at grade. Parking is proposed as 1-5 levels of underground parking and 4 levels of parking in a structure at the rear of the site. In terms of parking rates, there are 2761 spaces for 2515 units (including visitor), 154 spaces for commercial and 34 spaces for maintenance. The total parking rate is 1.16 spaces per unit.

The Site Plan in the Proposed Settlement

The Proposed Settlement contemplates a phased approach to the development of the Site, with site plan approval for phase 1 by the OLT, and subsequent phases of the development of the site to occur through future applications for site plan approval by the City. Phase 1 will consist of a four-storey podium and two towers with 774 residential rental units. Tower C1 will be 33 storeys and tower C2 will be 37 storeys. Phase 1 also includes the internal (private) east-west road and a public park. The OLT's approval of the Site Plan for phase 1 of the development would include conditions of Site Plan Approval that would apply to Phase 1, which consists of buildings C1 and C2 on the Site Plan. As noted above, the parameters of the settlement (such as height and floor plate size) would apply to Phase 2 (Buildings D1 and D2 on the proposed plan); however, a new Site Plan Application to the City would be required to be approved by the City, subject to conditions. Phase 3 on the Site Plan, which includes Buildings A and B to the south fronting onto Fairview Street remains independent from the settlement and will require separate review and subject to that review, may or may not be approved by the City in its current form.

Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) provides broad policy direction on land use planning and development matters of provincial interest. All planning decisions must be consistent with the PPS. The PPS promotes appropriate development and land use patterns that make efficient use of land and infrastructure, protect public health and safety, facilitate economic growth, and conserve significant built heritage resources. The PPS directs that growth and development be focused in settlement areas. Land use patterns in settlement areas are to be based on densities and a mix of land uses that efficiently use land, resources, infrastructure and public service facilities, prepare for the impacts of a changing climate, and support active transportation and transit.

Staff Analysis: The proposed Zoning By-law amendment and Phases 1 and 2 of the Site Plan are consistent with the policies of the Provincial Policy Statement.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019

The Growth Plan for the Greater Golden Horseshoe provides a policy framework for managing growth in the Greater Golden Horseshoe. The policies of the Growth Plan are intended to support the achievement of complete communities that feature a diverse mix of land uses and range of housing options, provide for a more compact built form and vibrant public realm, increase the use of transit and active transportation, and mitigate and adapt to climate change. The Growth Plan directs growth and development to settlement areas, with a focus on strategic growth areas, to make efficient use of land and *infrastructure* and support transit viability.

Staff Analysis: The proposed Zoning By-law amendment and Phases 1 and 2 of the Site Plan will conform with the policies of the Growth Plan and contribute to achieving the minimum intensification targets for Major Transit Station Areas.

Region of Halton Official Plan

The subject lands are designated “Urban Area” and located within the Intensification Areas (Urban Growth Centre and Major Transit Station Area) overlay in the Halton Region Official Plan (ROP). The ROP states that the range of permitted uses within the Urban Area shall be in accordance with local Official Plans and Zoning By-laws. However, all development is subject to the policies of the ROP, including the specific objectives and policies for Intensification Areas and Urban Growth Centres (UGC). Objectives of Intensification Areas include: to provide an urban form that is complementary to existing developed areas; to provide diverse, vibrant pedestrian-oriented urban environments; to support active transportation and transit for everyday activities; and to generally achieve higher densities than the surrounding areas.

On November 10, 2021, the Minister of Municipal Affairs and Housing approved Regional Official Plan Amendment No. 48 (ROPA 48). ROPA No. 48 implements part of the Regional Urban Structure to establish a hierarchy of strategic growth areas within the Regional Official Plan. Through the ROPA No. 48, Burlington's Major Transit Station Areas (MTSA) boundaries were delineated for the areas around the three (3) GO Station Areas. Further, the Downtown Burlington Urban Growth Centre boundary was adjusted to focus the designation more on the Burlington GO Station MTSA. The subject lands are identified as part of a Protected Major Transit Station and are found within the Downtown Burlington UGC / Burlington GO MTSA Strategic Growth Area within the Regional Official Plan. The Regional Official Plan also established a hierarchy of Strategic Growth Areas. The Downtown Burlington UGC/Burlington GO MTSA, given that the area includes both a delineated Urban Growth Centre and a Major Transit Station Area, is identified within the highest level of the hierarchy. ROPA 48 establishes a minimum density target of 200 residents and jobs combined per hectare for the Downtown Burlington UGC / Burlington GO MTSA.

Staff Analysis: The proposed Zoning By-law amendment and Phases 1 and 2 of the Site Plan generally conform with the ROPA 48 direction to accommodate intensification within one of Burlington's MTSA boundaries which is considered an intensification area under the Provincial and Regional Policy. The Site Plan is a transit-supportive development that contributes to achieving the minimum intensification and density targets, while providing a diverse mix of uses, additional residential units and a range of housing options.

City of Burlington Official Plan (1997)

The subject lands are subject to the "*Mixed Use Activity Area*" and "*Mixed Use Corridor – Commercial Corridor*" land use designations in the City's in-force Official Plan to which the zoning amendment and Site Plan proposed in the settlement must be assessed against and conform with. Site-specific Official Plan policy (Part 3, Section 5.3.2 a) iii) states:

"development and re-development of lands within a major transit station area, such as a GO transit commuter rail station, shall achieve a higher intensity of re-development and consist of transit supportive uses, as called for and defined in the Growth Plan for the Greater Golden Horseshoe." Notwithstanding Part III, Subsection 5.3.3 b) and e), those lands designated Mixed Use Corridor subject to the Commercial Corridor Policies of Subsection 5.3.3 and located within a major transit station area, shall permit only transit supportive uses, as defined in the Growth Plan for the Greater Golden Horseshoe, have a minimum floor space index of 0.5 and a minimum building height of two storeys.

Transit Supportive Land Use is defined in the 2019 Growth Plan for the Greater Golden Horseshoe as "*Relating to development that makes transit viable and improves the quality*

of the experience of using transit. It often refers to compact, mixed-use development that has a high level of employment and residential densities. Transit-supportive development will be consistent with Ontario's Transit Supportive Guidelines.

Staff Analysis: The proposed Zoning By-law amendment and Phases 1 and 2 of the Site Plan are supported by this policy direction and conform with the policies of the in-force Official Plan through the provision of an intensified, compact mixed-use development within a Major Transit Station Area (MTSA). Higher residential densities with a range of uses and housing options will be provided.

City of Burlington New Official Plan (2020)

The City's new Official Plan was adopted by City Council in April 2018 and approved, with modifications, by Halton Region on Nov. 30, 2020. One of the key modifications incorporated in the approval was the implementation of OPA 119. Although under appeal, the policies of Official Plan, 2020 are informative.

The New Official Plan establishes an urban structure where each element of the structures serves a unique function. The new Official Plan establishes a new Urban Structure which identifies the subject lands as a *Mixed-use Intensification Area*. The subject lands are included in the MTSA Special Planning Area. The subject lands are also identified as a *Primary Growth Area* within the City's Growth Framework. The Primary Growth Areas within the Growth Framework are distinct areas within the City that will experience the greatest degree of change. These areas will be the most appropriate and predominant location for new tall buildings in accordance with the underlying land use designations, or the policies of an area-specific plan. These areas are also identified as priority locations for City-initiated area specific planning and for investments in transit and other types of infrastructure and public service facilities. These areas also will support the City's identified frequent transit corridors and will accommodate compact, mixed use, pedestrian-oriented development.

The policies of the Official Plan acknowledge the role of the Region of Halton in delineating the MTSA boundaries and identifying minimum density targets through the municipal comprehensive review. At the time of the approval of the new Official Plan for the purpose of establishing policy to support the City Urban Structure the City identified MTSA Special Planning Areas the specific boundaries of which would be confirmed through the Region of Halton's municipal comprehensive review.

The subject lands are shown on Schedule F: Burlington GO MTSA Special Planning Area, which is identified as an MTSA on Regional Express Rail and located on a Priority Transit Corridor, as identified in the Growth Plan. The policies (8.1.2) state:

“...MTSAs on Priority Transit Corridors are important due to their relationship and position along a higher order transit route with planned frequent transit service by

way of Regional Express Rail (RER) within the Greater Toronto and Hamilton Area....It is anticipated that the majority of growth within the City's four MTSAs will occur in the three MTSAs located along higher order transit routes and with planned frequent transit service by way of RER."

Staff Analysis: The proposed development conforms with the general objectives and policies of 8.1.2 given their relationship and position along a higher order transit route (Burlington GO).

The subject lands are further identified on Schedule F-1: Burlington GO MTSA Special Planning Area as B-1. This area, given its location along a higher order transit route is a primary focus for transit-supportive development and intensification. In particular policy 8.1.2(4) states "[t]he lands bounded by Brant Street, Fairview Street, Drury Lane and the Rail corridor which are located closest to the GO Station and permit mixed-use development, present a significant opportunity to deliver transit-supportive development and the objectives of a complete community." The new Official Plan contains objectives and policies specific to the Burlington GO Major Transit Station Area in section 8.1.2(4). These policies were intended to guide development in advance of the completion of an area-specific plan for the Burlington GO MTSA. As previously mentioned, the following policies are informative and highlight some of the areas being advanced as part of the Site Plan.

Policy 8.1.2 (4.2) b) Development applications shall incorporate a variety of built forms, including mid-rise, and building podiums to provide a human scale experience at the street level.

Staff Analysis: A 4 storey podium is provided for both Phases 1 and 2.

Policy 8.1.2 (4.2) c) Development in the Burlington GO MTSA shall support the achievement of a complete community through a more compact built form that is supported by mix of uses, parks, green spaces, public service facilities, offices, other employment uses, including existing industrial, and institutions.

Staff Analysis: A variety of uses are provided through a more compact built form throughout the site. Complete communities also include the need to set out a full range of housing options. Phases 1 and 2 contribute to new rental supply with a full range of unit sizes.

Policy 8.1.2 (4.2) d) Development in the Burlington GO MTSA shall incorporate private pathways and complete streets elements that make development more accessible for pedestrians, cyclists and transit users and includes a fine grained, grid oriented and permeable active transportation network with multi-modal access to the GO Station.

Staff Analysis: The Site Plan will promote accessible linkages for pedestrians, cyclists, and transit users with multi-modal access to the Burlington GO Station.

Policy 8.1.2 (4.2) g) i) The Public Open Space network and street network shall be designed to create direct, multi-modal access to the Burlington GO Station.

Staff Analysis: The Site Plan supports direct multi-modal access to the Burlington GO Station via public sidewalks, roads, and a pedestrian bridge.

Policy 8.1.2 (4.2) g) ii) Tall buildings should provide a minimum separation distance of thirty metres (30m) from another tall building, measured above the podium and excluding balconies.

Staff Analysis: A 30m tower separation is provided.

Policy 8.1.2 (4.2) g) iii) Tall buildings should not exceed a maximum floor plate of 750 square metres above the podium, excluding balconies.

Staff Analysis: While the floor plates exceed the maximum 750m² floor plate size, the proposed zoning amendment and Site Plan provide purpose-built rentals with a wide range of unit sizes to accommodate a full range of housing options located near City and Inter-city transit options. The City's Housing Strategy recently released a Housing Needs and Opportunities Report. One of the key findings highlighted was that "demand for rental units continues to outpace supply. An increase in the number of rental units and rental housing affordability is required." As such, staff is of the opinion that the floor plates as proposed are acceptable in this instance in order to accommodate a significant amount of additional dedicated rental housing supply, including many 2 and 3 bedroom units that could accommodate families in some instances. This opinion also recognizes that the proposed towers in phases 1 and 2 of the proposed development implement a full 30 meter separation distance between each of the towers.

Policy 8.1.2 (4.2) g) iv) Development applications comprising of more than one tall building shall incorporate height variations amongst the tall buildings. Tall buildings shall be arranged so as to provide an appropriate transition in height within the site area and to adjacent areas.

Staff Analysis: The Site Plan provides a 4 storey podium and a variety of tower heights ranging from 33, 35 and 37 storeys (Phases 1 and 2).

Policy 8.1.2 (4.2) g) v) New public parks and open spaces shall be provided in each Area, including A, B-1 and B-2;

Staff Analysis: A new public park and open space is provided.

Policy 8.1.2 (4.2) g) vi) Public parks and open spaces shall be framed by low-rise buildings or podiums to minimize shadowing and create inviting human scale and pedestrian-friendly spaces;

Staff Analysis: Development adjacent to the new public park space will occur in future phases.

Policy 8.1.2 (4.2) g) vii) Development applications containing residential uses should include a portion of units with three (3) or more bedrooms;

Staff Analysis: The Site Plan satisfies this policy by proposing a total of 81 three-bedroom units in buildings C1, C2, D1 and D2.

OPA 119 and ZBA 2020.418

On March 5, 2019, City Council passed Interim Control By-law No. 10-2019. After passing the Interim Control By-law the City undertook a study for the purpose of:

- (i) assessing the role and function of the downtown bus terminal and the Burlington GO station on Fairview Street as Major Transit Station Areas;
- (ii) examining the planning structure, land use mix and intensity for the lands identified in the study area; and,
- (iii) updating the Official Plan and Zoning By-law regulations as needed for the lands identified in the study area.

Upon completion of the land use study, Official Plan and Zoning amendments were prepared. On January 30, 2020, a revised proposed Official Plan Amendment and a revised proposed Zoning By-law Amendment were presented to City Council for its consideration. Council adopted the Official Plan Amendment, which was identified as Official Plan Amendment No. 119, and it also passed Zoning By-law Amendment No. 2020.418. The amendments:

- Strengthen the integration between land use and transit by introducing policies related to transit-supportive development;
- Introduce the concept of Major Transit Station Areas and a policy framework;
- Introduce development criteria for development applications within the study area;
- Update or add definitions to the Official Plan to align with Provincial policy documents and/or assist in the interpretation of Official Plan policies; and,

- Introduce additional permitted uses and heights on lands in proximity to the Burlington GO Station.

Staff Analysis: OPA 119 and ZBA 2020.418 are currently the subject of appeals the OLT and are not approved and in-force as a result. They are however informative to the consideration of whether the proposed amendments to the Zoning By-law and Phases 1 and 2 of the Site Plan should be approved. Staff is of the opinion that the proposed settlement generally conforms with OPA 119 and ZBA 2020.418. The Site Plan is transit-supportive and aligns with the provincial policy directive to locate residential intensification near Major Transit Station Areas.

Other Ongoing City Policy Initiatives

Housing Strategy

The City of Burlington's Housing Strategy recently released a Housing Needs and Opportunities Report. One of the key findings highlighted was that "demand for rental units continues to outpace supply. An increase in the number of rental units and rental housing affordability is required." The following is a summary from the report:

"The results of the background research completed to date suggest that there will be a shift in preference toward rental housing options over the longer-term, and at least 200 rental units will need to be added to the City's supply on an annual basis...An adequate supply of rental housing also attracts young adults who are just starting their careers, and it provides opportunities for people who may not want to purchase a house for various lifestyle reasons. Focus should be placed on increasing the purpose-built rental supply..."

Staff Analysis: Phases 1 and 2 will be 100% purpose-built rental units, will provide a range unit sizes consisting of one, two and three bedroom units, and will contribute to the City's rental supply.

Downtown Burlington UGC/ Burlington GO MTSA Area-Specific Planning Process

In 2021, the City moved forward with the MTSA Area-Specific Planning Project. The project will build upon and advance the work undertaken through the Mobility Hubs Study. The subject lands are included in the Drury Node. The Interim Report prepared by Dillon Consulting provides the following description of the Drury Node Precinct:

"The Drury Node precinct is an entryway into the Burlington Junction UGC/MTSA from the northwest along Fairview Street and from the northeast of Drury Lane and the railway crossing. The precinct is surrounded by the railway corridor, existing creek block, existing low-rise neighbourhoods north of the rail line, and the Mid-Rise Residential precinct. This mixed-use precinct will provide a wide

range of housing options with a variety of building heights. An appropriate built form should be provided to respond to the surrounding context and the maximum heights will be determined through subsequent stages of the project.”

City Policy Planning staff is currently working on the details of the secondary plan for this MTSA area, and the Plan will consider the findings of the Interim Report by Dillon Consulting, as well as the proposed settlement should it be approved. Policy Planning staff have confirmed that the development contemplated in the Offer to Settle generally conforms with what is being contemplated in the preparation of the secondary plan.

Zoning By-Law 2020

The lands are zoned “Mixed Use Corridor (MXT)” in the City’s Zoning By-law 2020. The MXT zone permits the development of mixed-use residential apartment buildings, as well as the inclusion of retail and office uses. There is no Maximum Permitted Height for the MXT zone, and there is also no Maximum Permitted Density. The Council adopted zoning by-law amendment (2020.418) provides for a 6 storey maximum for lands within 10 meters of Fairview Street. The purpose of the amendment was to provide for an appropriate transition to adjacent areas through a mid-rise, pedestrian-scale built form along Fairview Street, Brant Street and Drury Lane and provide built form continuity with the Fairview Street Mixed Use Corridor which permits buildings up to 6 storeys in height.

Staff Analysis: The proposed Zoning By-law amendment and Phases 1 and 2 of the Site Plan meets the general intent of the MXT Zone and the existing regulations within ZBA 2020.418.

Urban Design

With re-development and intensification being the dominant form of new development in the City of Burlington, a thorough review of proposed building design and site design is recognized as an important component of the evaluation of development applications.

Part II, Section 6 of the City’s Official Plan provides specific reference to ensuring that the design of the built environment strengthens and enhances the character of existing distinctive locations and neighbourhoods, and that proposals for intensification and infill within existing neighbourhoods are designed to be compatible and sympathetic to existing neighbourhood character. The objectives of this section of the Official Plan also include a commitment to the achievement of high-quality design within the public realm. Consideration of urban design is to be integrated into the full range of activities by Planning Staff.

Proponents are expected to have regard to the relevant design guidelines when preparing their development proposals. The City of Burlington Tall Building Guidelines are applicable across the City wherever tall buildings are permitted, and for the purposes of

the guidelines, include any buildings over 11-storeys in height. Phase 1 will consist of a four storey podium and two towers. Tower C1 will be 33 storeys and tower C2 will be 37 storeys. Phase 2 will consist of a four storey podium and two towers. Tower D1 will be 33 storeys and tower C2 will be 35 storeys.

Staff Analysis: The Site Plan (Phase 1) is generally consistent with the intent of the *Tall Building Guidelines*. The proposed floor plates in Phases 1 and 2, although exceeding the maximum floor plate size recommended by the Guidelines, are supported in this instance. The impact of the floor plate size is mitigated by the 30 meter tower separation distances between each tower. Furthermore, the proposed towers will accommodate a range of purpose-built rental units (including 3 bedroom units), which are encouraged through new Official Plan policy and the City's Housing Study.

Technical Review

The revised application was circulated with various internal staff and external agencies for review and comment. The following is a list of internal departments and external agencies that will be completing their review and generating conditions applying to Site Plan Approval for Phase 1. As previously discussed, Phase 2 will require a new Site Plan Application and separate conditions but will be within the parameters of this Settlement proposal.

Internal Staff (Burlington)

- Zoning
- Site Engineering
- Forestry and Landscape
- Transportation
- Accessibility
- Parks & Open Space
- Burlington Transit
- Burlington Fire
- Urban Design

External Agencies

- Ministry of Transportation
- Metrolinx / CN
- Halton Region
- Halton Police
- Halton District Catholic School Board (HCDSB)
- Halton District School Board (HDSB)

- Conservation Halton
- Enbridge Pipelines
- Canada Post
- Hydro One
- Burlington Hydro
- TC Energy

Conclusion:

The revised development has been reviewed in accordance with the applicable Policy Framework, and staff are of the opinion that the revised proposal is consistent and conforms with these documents and represents an appropriate intensification and development of the subject lands.

Since the time of appeal of the application, the plans were revised to address technical concerns typically associated with the Site Plan review process. Staff are supportive of the Site Plan for Phase 1 and the zoning amendments necessary to implement that plan.

The Site Plan will provide a transit-supportive development that contributes to achieving the minimum intensification and density targets for the City of Burlington. The Site Plan meets the general intent of the Zoning by-law and conforms with the policies of the Official Plan, Regional Official Plan and provincial policy directive through the provision of higher residential densities in a mixed-use format, with a range of uses and housing options within a Major Transit Station Area.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Andreas Houlios', with a horizontal line underneath.

Andreas Houlios, MCIP RPP
Planner II – Site Plan Review

Attachment- Proposed Site Plan