

To: Hugo Rincon, City of Burlington Planning and Building Department

From: Caroline Cregan and Rowan Faludi

Date: 30 October 2013

Re: Commercial Stakeholder Meetings  
City File: 505-08-01

---

The following memo has been prepared to summarize the principal points of discussion identified by the stakeholder attendees at the City-Wide and Downtown Commercial Policy Workshops held on September 12, 2013. These two workshops involved the presentation of policy recommendations by the consulting team engaged by the City to conduct a Commercial Strategy Study and feedback from commercial developers, land owners and other stakeholders.

Consulting Team Members Present:

- Rowan Faludi, urbanMetrics inc. (RF)
- Jana Neumann, The Planning Partnership (JN)
- Caroline Cregan, urbanMetrics inc. (CC)

City Staff Organizers Present:

- Andrea Smith, Planning and Building Department (AS)
- Hugo Rincon, Planning and Building Department (HR)

The recommendations were presented at two stakeholder presentations held on 12<sup>th</sup> September 2013:

- City-Wide Strategic Recommendations – 9:30 to 12:00 at Burlington Art Centre
- Downtown Strategic Recommendations – 1:30 to 4:00 at City Hall

This memo addresses the policy recommendation items raised in the order of their presentation at the two meetings and should be read in tandem with the attached power point presentation. Other topics that were discussed throughout the presentations are also included under 'other issues raised'.

Team responses have been initialized by speaker as follows:

## 1 CITY-WIDE STRATEGIC RECOMMENDATIONS

---

The following policy recommendations were presented to the attendees:

1. A revised commercial hierarchy
2. Fine-grained dispersion of commercial uses
3. Restricting the scale and concentration of retail development
4. Incentives
5. Restricting auto-oriented land uses
6. Car parking supply
7. Bicycle parking supply
8. Urban design guidelines

For each of the recommendations, participants were asked:

- a) is the policy concept is appropriate for Burlington; and,
- b) how can the concept be improved?

### 1.1 A REVISED COMMERCIAL HIERARCHY

---

*Consider a new set of mixed use designations to replace the existing commercial hierarchy. The designations include Urban Core, Urban Centre, Urban Corridor, Neighbourhood Centres, Neighbourhood Corridors and Neighbourhood Nodes. The intent of the new designations is to facilitate a transition from segregated commercial areas to mixed use, pedestrian-friendly areas over the long term (i.e. 20 years).*

Issues raised by stakeholders:

- It will be achieved in 20 years but during this transition it will be difficult to achieve uptown.
- Is this pre-mature owing to Burlington's current population? What is the population to support this type of development?

- Will smaller format retail work in Burlington?
- Has feedback been solicited from the commercial market?
- References to Oakville and lack of uptake of live-work units.
- Reference to Aldershot – live-work units too small.
- Aldershot is underserved by retail.
- Walkability is achievable in downtown - but how will 'walkability' work in corridors?
- Need to consider how the uses proposed on the corridors can maintain the service delivery

Team responses:

- There are ways to ensure success of smaller format live-work units - separation of ground floor commercial units from residential for example (RF).
- Retail is spread too thin outside of the core – increasing density is a key to walkable communities (RF).
- These commercial policies will tie in with the completed mixed use corridor studies (AS).
- Not premature planning – if there is no vision there will be no achievement – the process needs to start at some point – many retailers are developing new urban formats (RF).
- Not premature planning – You need to set the policy framework now to facilitate a transition over the long term, so that when opportunities for change arise there are minimal obstacles to development (JN).
- The wording and specifics relating to the designations will be detailed in the next phase (JN).
- These policies are intended to be tools to guide transition (RF).
- There are ways to allow big trucks to support retailers in denser areas. Retailers are finding ways to adapt and they will make it work.

## 1.2 FINE-GRAINED DISPERSION OF COMMERCIAL USES

*Consider permitting convenience commercial and service commercial uses in close proximity to where people live and work, to foster a transition towards complete communities. To manage these new permissions, adopt conditions such as size restrictions and locational criteria.*

Issues raised by stakeholders:

- How will this work in existing sub-divisions for local convenience retail units – will this result in the conversion of existing residential units?
- Will the space taken by these units impact on the remaining space available i.e. the 160,000 sq. ft?

Team responses:

- The first step is to create a policy for opportunity - and monitor change. There is an opportunity for conversion of residential units subject to criteria (e.g. locational criteria) (JN).
- By-laws and conditions can regulate size (AS).

- The 160,000 sq. ft is not a cap to be used to deter needed neighbourhood commercial uses or uses to support mixed-use areas (RF).
- 

## 1.3 RESTRICTING THE SCALE & CONCENTRATION OF RETAIL DEVELOPMENT

*GFA and percentage limits are used to prevent the proliferation of car-oriented large-format retail uses and an over-concentration of large retail uses in one area. GFA limits/composition caps are already applied to Community Commercial Areas and Mixed Use Areas and should be extended to all mixed use areas.*

Issues raised by stakeholders:

- Current size restrictions that establish a GFA cap are not an issue on smaller sites - but have the potential to be problematic on larger sites The current size restrictions/ GFA caps are too small for larger sites.
- Space restrictions should be linked to land parcel size – can there be scaled restrictions?

Team responses:

- Valid comment regarding parcel size. Restrictions should take into consideration the scale of development on each site (RF).

## 1.4 INCENTIVES

*Incentives can be used to encourage developers to build the type and form of development that is desired by the City to meet its planning objectives. The City's planning objectives include promoting mixed use development within a development site, encouraging the development of food stores, and attracting office uses. Potential incentives include reduced parking requirements, increased commercial floor space limits, increased density, and other tools..*

Note: Discussion on incentives became more focused on parking standards. Limited discussion on actual incentives for achieving desired built forms/land use mix.

Issues raised by stakeholders:

- Total requirements for parking spaces relating to 'mixed use development', as compared to the individual land uses, do not always seem to make practical sense.
- Residential units sizes are changing but parking standards are not (Richmond Hill and Vaughan cited as examples of where parking for units under a certain size are not required) – occupiers of smaller residential units do not always require a parking space.
- Multi-storey car parking expensive to provide (\$40,000/ space).
- Why is office desired downtown – the QEW corridor is where office development is occurring?
- How can potential office development downtown compete with the lower cost of providing QEW surface parking lots for office?

Team responses:

- Economic development incentives can play an important role in creating jobs (RF).
- In terms of the form of development desired by the City, mixed use development is a key objective (AS).
- Some commercial operators want more parking (AS).
- The Mixed Use Corridor study from the previous Official Plan Review recommended maximum parking standards (AS).
- Hopefully some reduction in car parking spaces can be implemented (AS).
- Owing to the expense of multi-storey parking development, could it be useful to lower parking standards as an incentive tool – could this be used as a measure to attract a food store downtown for example (RF).
- Could it be useful to have incentives related to vertical phasing of land uses (as opposed to traditional horizontal) (AS).
- Important to remember that the type of office desired downtown is distinct from that on QEW corridor – i.e. Downtown should attract more local serving office activities e.g. health/wellness, financial services, real estate, government services, etc.(RF).
- Use of shared parking between commercial and residential is worth exploring (RF).

## 1.5 RESTRICTING AUTO-ORIENTED LAND USES.

*“By their very form and function, auto-oriented land uses such as drive-throughs, car washes, car dealerships, detract from the walkability of places”.*

Issues raised by stakeholders:

- There is confusion about the definition of automotive oriented uses.
- Why are car dealers any different from Wal-Mart etc in terms of land-use?
- Car dealers feel like they are being pushed into industrial backwaters – car dealers are still a retailer and require visibility too. They want to be in a retail area.
- What about the creation of an auto-mall? And where would it be located?
- What exactly is meant by car wash - all descriptions of car washes included (e.g. in bay/ tunnel automatic, self-service coin operation etc)?

Team responses:

- The difference between car dealerships and big box retailers, is in relation to site design and function – historically car dealerships have not been conducive to the creation of pedestrian pleasing environments (JN).
- Car dealers have been invited to a separate meeting to be held later this month and further details can be discussed then (RF).
- The intent of policy change is to discourage auto-oriented uses in specific areas where we want to include mixed use pedestrian friendly places (JN).
- This is a long term vision - not asking that car dealers move tomorrow – anticipating that many dealerships will look at future opportunities to sell their site and relocate (RF).
- Areas transition over time (look at Plains Rd) – the Fairview Corridor is part of the intensification area and as a result the City want to focus on mixed use in these areas (AS).
- The auto-mall is an idea that should be explored (RF & AS).

- The point was emphasized that this is also about drive through banks and restaurants too (RF).
- By-law should be relied upon to define car wash (JN).

## 1.6 PARKING SUPPLY

---

*Reduced car parking requirements can minimize the negative impact of parking on walkability and the design of commercial areas. Consideration should be given to allowing developers to apply for reduced parking standards in exchange for TDM measures in all commercial and mixed use areas. It should also be determined whether maximum parking standards would be useful in any areas.*

Note – see also comments on “Incentives” (Section 1.4)

Issues raised by stakeholders:

- How are these policies aligning with mobility and transportation studies?
- An opinion expressed in total opposition of maximum standards.
- There is a need for larger retail parking spaces (i.e. to accommodate families with young children) which impacts the number and cost of spaces that can be developed.
- Walkability makes sense in downtown but how does this apply to corridor areas?
- Should the Official Plan instead concentrate more on macro level policies and not this level of detail?
- Are institutional uses included in the definition of commercial for this policy review?

Team responses:

- Transportation Demand Measures (TDM) explained (JN).
- This policy is focused more on mixed use and not just on large format retail (RF).
- Policy will aim to be area specific (RF).
- While downtown is the obvious example of where a policy relating to reduced parking requirements in exchange for TDM measures might work, there are other nodes and corridors that can be identified where this policy can apply.
- The specific nodes and corridors will be identified in the later phase of this review (JN).
- This is not a fine grained-level policy-for example it will not be looking at zoning (parcel) level detail (JN).
- In areas such as mixed use corridors it is important to get the mix of uses right in order to increase ridership to these areas for multi-function trips that are not car dependent (AS).
- A review of places of worship will also form part of the OP review (AS).

## 1.7 BICYCLE PARKING SUPPLY

---

*“Mandatory bicycle parking requirements can be used to off-set the need for car parking and encourage cycling as a viable mode of travel for employees, visitors, and residents”.*

Issues raised by stakeholders:

- Will this be credited towards the landscaped area or will it be a structure?
- Relates to a small proportion of people - is it important?
- Does this include electric bike parking?
- General support expressed by stakeholders for bicycle parking.

Team responses:

- Point acknowledged. We will have to look into the details of how bicycle standards will be accommodated on the site (AS).
- Relates to the creation of secure parking (i.e. for overnight use by residents) and bicycle racks for short-term use by visitors/customers (JN).
- While it may relate to only a small proportion of population now, cycling is becoming more and more popular, particularly among the younger generations who place less value on car ownership. (JN).
- Important to include bicycle parking requirements now to anticipate future trends. In a recent Canada-wide study we found that mandatory bicycle parking standards are becoming the norm in municipalities of all sizes across the country (JN).
- Important to support this advancement of change (RF).
- Municipalities have the authority to pass by-laws relating to e-bikes (these must have pedals). In terms of parking, however, the bicycle parking spaces would not be intended to be used by scooter-style e-bikes. Large e-bikes would have to be accommodated the same way motorcycles and scooters are (JN).

## 1.8 URBAN DESIGN GUIDELINES

*Urban design policies and guidelines provide additional guidance for development within the public and private realm. Consideration should be given to developing policies that encourage transitions in scale and intensity between high, medium and low density areas, and stronger policies for parking lot design to create safe and walkable commercial and mixed use areas.*

Issues raised by stakeholders:

- Opinion expressed relating to not being a fan of guidelines, often attributed to the costs of implementing the guidelines.
- Urban Design Guidelines can represent additional costs to the developer.
- Forcing form and function that does not work.
- Not always consistent with retail tenant requirements.
- Question was asked could incentives be applied if design guidelines aspects were implemented – such as Development Charge reductions for both new and redeveloped properties.

Team responses:

- Acknowledgement that some aspects of urban design guidelines are not are not always effective in changing how places function (e.g. creating a false street frontage that is not used) – but that there are also successful examples of using design guidelines to improve

the look, feel and function of commercial places in suburban areas. Our team has extensive experience developing design guidelines that are effective. (JN).

- In respect of incentives – the question was posed by RF regarding a tradeoff between required parking spaces and achieving urban design standards: positive response from attendees. Referred to City of Toronto and Ajax as examples where DC and tax incentives have been used to generate higher density commercial development.
- Shared and multi-function parking could also be worth exploring (RF).

## 1.9 OTHER ISSUES RAISED

---

- Question regarding what future population forecasts are being used – are they accounting for population increases as a result of certain development applications.
- It was explained by the Team (AS) that the City can only work with the population and employment growth allocated by the Region based on Provincial projections. The five year term of OP allows constant revisiting of population forecasts.
- Other issues relating to the need for faster processing of development applications and zoning issued were raised. AS stated that there will be a review of the zoning by-law following the Official Plan Review at which time these issues can be addressed.

## 2 DOWNTOWN STRATEGIC RECOMMENDATIONS

---

The following policy recommendations were presented to the attendees:

1. New retail structure
2. Minimum density targets
3. Mixed use targets
4. Incentives for office development
5. Enhanced design guidelines for commercial uses

For each of the recommendations, participants were asked:

- a) is the policy concept appropriate for Burlington; and,
- b) how can the concept be improved?

### 2.1 NEW RETAIL STRUCTURE

---

*Like food stores, retail and service-related uses help Downtown residents meet their daily needs by foot, and should be permitted more broadly throughout all areas of Downtown. Consideration should be given to de-linking retail permissions from the Downtown precinct designations and introducing*

*new “retail priority street” designations where different forms of retail may either be required, permitted, or prohibited at grade.*

Issues raised by stakeholders:

- Are there certain precincts that won't include retail as a result of de-linking?
- Has a traffic study been prepared to look at these new categories and their impact?
- Will parking standards need to be revisited as a result of these designations?
- As Brant Street is the *de facto* Main Street, will these policies result in stimulating commercial activity away from Brant Street if they were implemented tomorrow?
- Concern about existing retail function as well as future retail.

Team responses:

- Commercial uses are not currently permitted in most Downtown precincts. Some areas will continue to not include retail - retail permissions will not be linked to precincts, they will be linked to streets (JN).
- Retail designations will be addressed at street level (AS).
- Think of retail designations in the same way we categorize roads and traffic arteries – a system of lines - a character that we can anticipate (AS).
- Dispersion away from Brant Street is important and long term balance is the key. Part of this balance will be ensuring there is residential development to support retail (JN).
- Dispersion of uses means having small corner stores in residential areas – alongside a strong commercial core (JN).
- In terms of form, it will likely be one lot with a commercial use in residential areas (RF).
- A Transportation Master Plan is one of a number of studies that the City is preparing and will be considered as part of their overall OP review (RF, confirmed by AS).
- Mobility hub and linkages between downtown bus station and GO terminal are all part of this overall process (AS).
- In terms of parking standards, downtown does not require parking for commercial uses at present so standards are not an issue (JN).
- A number of retail islands do not work as well as a cluster of space in a downtown (RF).

## 2.2 MINIMUM DENSITY TARGETS

*The Official Plan incorporates the Provincially-mandated minimum density target of 200 people and jobs per hectare for the Downtown Burlington urban growth centre. To operationalize the density target and achieve appropriate density distributions, consideration should be given to establishing minimum density targets for different areas of the Downtown – and if/how those targets can be integrated with existing precinct designations.*

Note: limited discussion was raised on this topic.

Issues raised by stakeholders:

- Developers need to comment on these targets.

Team responses:

- Point acknowledged (JN).

## 2.3 MIXED USE TARGETS

*“Mixed use development is essential to achieving a vibrant downtown, 24-7, 365 days a year.”*

Issues raised by stakeholders:

- Message needs to filter down from Mayor regarding how vibrant the downtown is.
- Do ‘jobs’ relate to all job type including retail?
- Jobs to Residents ratio – if jobs are coming from office based development who is paying for parking?

Team responses:

- The consultant’s recommendations are to develop a clear plan for dispersing the projected growth targets on the Urban Growth Centre across the different precincts (AS).
- Achievement of these targets should be monitored within development application process (JN).
- Focus on office based employment and commercial and residential – all three – can lead to vibrancy. (AS).
- In relation to ‘jobs’, the targets do relate to all job types – not to be confused with the different definition of ‘jobs’ that is used when referring to employment lands (JN).
- These targets are important to generate a mix of people and vibrancy which leads to the critical mass that supports transit (JN).

## 2.4 INCENTIVES FOR OFFICE DEVELOPMENT

*To optimize the use of transit and strengthen the area’s economic base, one of the objectives for the Downtown is to attract more office and institutional land uses. Consider identifying a Primary Office/Institutional Core Area and providing incentives for office development, such as reduced parkland dedication requirements. Also consider a linkage requirement, whereby approval for residential development is tied to the inclusion of non-residential development within the development site.*

Issues raised by stakeholders:

- What is Council’s position on incentives for office?
- Mixing office and residential on the one site can be challenging from a site design perspective – how implementable is this policy?
- Difficult to attract office to downtown area when competing with QEW corridor –additional costs of locating downtown are numerous and ongoing.
- Economic Development might have more answers on what are the appropriate incentives for inclusion.
- Opinion expressed that transit to downtown workplaces is key - particularly for young people who cannot afford a downtown condominium.

Team responses:

- It is likely that there are office tenants who will want to locate downtown – attractiveness of unique setting, walking distance to services, waterfront access, etc. , and no need for a car should not be understated(RF).
- Should find measures to make office development in the downtown area more affordable and this may be linked with the issue of parking related incentives (RF).

## 2.5 ENHANCED DESIGN GUIDELINES FOR COMMERCIAL USES

*Commercial uses are distinct from other types of uses, and urban design guidance can be used to ensure commercial development contributes to a pedestrian-oriented Downtown. To build on the city's existing design guidelines for the downtown, consider adding guidance for area-specific retail (e.g. main streets), specific retail format types (e.g. medium and large format retail), and optimal retail space design (i.e. to support retail at grade in mixed use buildings).*

Issues raised by stakeholders:

- What is the intention of the retail guidelines?
- The size of the retail space could be flexible when combined with residential uses above

Team responses:

- The recommendation is for the City to further develop the existing urban design guidelines for downtown to better create pedestrian oriented environments as the downtown is redeveloped over the coming years (JN).

## 2.6 OTHER ISSUES RAISED

- Vacancy Rate – if we refer to the vacancy rate of 11.6% found last year – what is a reasonable target to aim for in five years time?
  - 7.5% to 10% (RF)
- Stated opinion regarding that the downtown may need at least three times the level of residential density now in order to create vibrancy.
  - Agreed that high residential densities support retail (RF)
  - Densities must align with growth allocation from the Province and Region – intensification strategy aligns to these allocations – if growth allocations are increased in the future there will be an opportunity to discuss increasing residential densities in downtown (AS)
- What is Rowan's view on the importance of having a downtown transit hub?
  - Mass transit is very important in larger urban areas. – Successful transit that links into downtowns results in attracting a higher grade of retailer. Burlington's ridership is low at the moment. Also, Burlington's transit ridership is based more on serving the needs of those who may not have an alternative means of travelling, as opposed to those who are looking for an alternative travel mode to the car.

# MEMORANDUM

Retail strategy needs to think about transit linkages in the long term as people look for alternatives to the car (RF).

- Will the entire 200,000 sq .ft identified for downtown be included within the downtown boundary as defined by the City today?
  - Yes. In the form of intensification. Brant Street is not expected to accommodate all of this space. The downtown strategy has noted the loss of neighborhood serving space. Identifying commercial nodes where this space is needed presents an opportunity (RF).
- How do we deal with the condition of existing space (office above retail for example) – can the downtown attract tenants with the current inventory?
  - RF acknowledges that there is a challenge with the existing buildings. We need to look at redevelopment of sites and development of new sites as a way forward.
- But if we are developing new sites, does this not mean that our vacancy space will stay the same?
  - Yes and no. If you attract new retail through redevelopment you will improve the vacancy rate overall. People don't drive downtown to shop – need to create reasons to come downtown and be downtown, such as through intensification of residential; new office development; new recreational opportunities and create waterfront to downtown linkages. For example, a supermarket could act as a downtown anchor with the spin off bringing increased foot traffic downtown. Without this new activity there would be no change (RF).
  - This is a long term vision – we need to focus on attracting people downtown and getting more feet on the street (AS).
- Live-work units – it is a struggle to find uses that are suitable.
  - Now looking at alternatives to traditional form – stratifying floor uses and having flexibility in uses (RF).
  - Also worth noting that in some communities, the commercial component of live - work units are restricted for use only by the person living in the unit, which impacts on the marketability of the unit – careful attention needed in by-law wording.
- Institutional uses – are these being considered?
  - Yes, institutional (educational) and office are being considered together.
  - The primacy in hierarchy of institutional uses is important to downtown locations e.g. a performance art centre in downtown core.