



CARRIAGEGATE

June 11, 2019

Delivered By Hand

City of Burlington
Department of City Building
426 Brant Street
P.O. Box 5013
Burlington, ON L7R 3Z6

COPY

Attention: Heather MacDonald, Director of City Building

Dear Heather:

**Subject: Redevelopment of 2069 Lakeshore and 383-385 Pearl Street
Official Plan and Zoning Amendments – 2nd Submission
City File Nos. 505-06/18 and 520-08/18**

Please accept this letter and the attached as our second submission in respect of the above-noted applications. The applications were submitted to the City on October 23, 2018 well in advance of the passing of the interim control by-law ("ICBL") for the downtown.

While the City has circulated our applications for comment, the City has indicated that it is unable to provide planning and urban design comments at this time as a consequence of the ICBL.

In the absence of planning and urban design comments, we have been provided with technical comments from all other commenting agencies and City departments. This resubmission is made in response to the comments that we have received to-date.

General Summary of Comments & Responses:

Region of Halton:

The Region of Halton has reviewed the proposed applications and has indicated that it has no objection. The Region has advised that "these applications are generally consistent with the PPS". In addition, the Region has indicated that "this application will assist in achieving the managing growth and Urban Growth Centre policy directions of this Plan (2017 Growth Plan) and generally conform to the policies of the P2G Plan (Places to Grow)".

These comments from the Region of Halton confirm the appropriateness of the Urban Growth Centre designation and the manner in which the proposed development not only

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complies with and implements these policies but further that the Urban Growth Centre policies are in place and supersede Major Transit Station Area policies for the downtown that may or may not be reviewed by the City.

It is also important to recognize that the Region of Halton has also confirmed that while section 81 of the Region's Official Plan provides policy direction for the Urban Growth Centres, these areas have been defined as areas that are "to serve as a focal point for intensification and redevelopment".

Massing, Height & Functionality:

Please refer to the attached Planning Addendum prepared by Bousfields Inc., dated June 2019 and the June 5, 2019 memorandum from Turner Fleischer. These documents provide a comprehensive discussion of the design modifications that have been made in response to comments received to-date and minor adjustments that have been made to address various construction and market related circumstances. None of the comments received to-date from commenting agencies and City department indicate that the size, scale and magnitude of the proposed development is inappropriate.

Notwithstanding the above, there have been comments from the Region in respect of the configuration of the garbage collection facilities and Region of Halton design standards. Please note that the design of the garbage collection space has been revised to comply with the Region's standards. A further response to comments regarding the location and functionality of the loading bay on Pearl Street and access from Lakeshore Road is addressed in the June 5, 2019 memorandum from Paradigm Transportation Solutions that is included with this submission.

Heritage:

383-385 Pearl Street has been "listed" by the City of Burlington. This is significantly different from a property that has been "designated". Further to comments from the City's Heritage Committee, revisions have been made to the proposed development. For example, the design of the podium on Pearl Street has been revised to include an increased setback from Pearl Street and the elimination of residential uses that were originally proposed to be located above the heritage. Please refer to a memorandum dated June 5, 2019 prepared by our heritage consultant that addresses heritage related matters and the manner in which each of the heritage comments has been addressed. We are satisfied that the Heritage Committee comments have been addressed and responded to appropriately.

Burlington Downtown Business Association (BDBA):

While we recognize that BDBA is not a formal commenting agency, we have reviewed and considered the comments provided. Of primary concern to BDBA is the amount of commercial space to be provided, it must be recognized that the existing space, with the exception of the medical offices at 2079 Lakeshore have been vacant for several years. This confirms the inability of the existing space to satisfy the minimum requirements of contemporary businesses. As such, while we agree that there is un-used space at 2069 Lakeshore Road and 383-385 Pearl Street, we recognize that the functionality of this space is not such that it is attractive in the existing business environment.

Contemporary businesses require contemporary space that will best satisfy their existing and future needs. While we acknowledge that the amount of commercial space is less than currently exists, we also recognize that there is a significant need for contemporary space that will accommodate their business requirements. The commercial space proposed to be provided reflects the new reality of the commercial marketplace. Therefore, the amount and design of the proposed commercial space (including the live/work units on Pearl Street) respond positively to the needs of the business community.

Lastly, while we recognize that these properties are within the Urban Growth Centre, we also recognize that the City's expectation of extensive commercial space being provided within mixed-use buildings may be an unrealistic expectation and it fails to promote employment uses of an appropriate scale and magnitude in strategically located areas within the Urban Growth Centre. Therefore, we are of the opinion that the quantum of the proposed commercial space is not only appropriate but grade-related commercial uses will best serve the future needs of the community.

BDBA has also questioned the parking supply proposed to be provided. For clarity, it is proposed that the surface visitor parking is intended to be shared by both residential and retail visitors. The sharing of such parking spaces reflects well-established parking principles while at the same time promotes environmental responsibility. The City's emphasis should be on the expansion of the City's public transit system and alternative modes of transportation such that private automobile use is reduced and impacts on the environment are minimized. The parking rates proposed in our applications are also consistent with Provincial policy and recent planning approvals at 374 Martha Street and 421 Brant Street. Lastly, the parking rate proposed is consistent with and supports City's Council's recent climate emergency declaration. Therefore, we propose to not change the proposed parking rate. While this is a summary of our concerns related to increased parking supply, we will also refer you to a recent submission that we made to City Council on May 27, 2019 in respect of the City's parking study that is currently underway. Increased parking rates will:

- further promote environmental degradation;
- result in an over-supply of parking;
- promote auto-dependency;
- ignore the role and function of the Downtown;
- fail to promote the use of public transit and alternative forms of transportation;
- increase the cost of housing; and,
- disregard sound, well-developed planning principles that are generally accepted world-wide.

Capital Works - Parks & Recreation:

S. Llewellyn and Associates has prepared two (2) separate responses dealing with City Works comments. Please refer to the attached June 10, 2019 letter and June 7, 2019 Technical Memorandum that collectively respond to the comments we have been provided.

Transportation and Parking:

Comments from City Transportation staff dated March 1, 2019 have been thoroughly reviewed and considered. Please refer to the attached June 5, 2019 response from our transportation, traffic and parking consultant – Paradigm Transportations Solutions Limited. You will note that as per standard application submission protocol, we attended a pre-submission consultation meeting with City and Regional staff. We were advised by City staff at this meeting that combined automobile and track access/egress from Pearl Street was not preferred and further that automobile access/egress should be restricted to Lakeshore Road and loading and service vehicles restricted to Pearl Street. This is the configuration that we have proposed and continue to propose. The design of the service/loading bay on Pearl Street is consistent with other recent planning approvals issued by the City of Burlington and provides a superior design solution. We also encourage the City to consider the use and function of the service/loading bay on Pearl Street. This bay is not heavily used. Loading and service bays are generally used at off-peak hours. Courier and delivery services remain consistent with the original submission and are proposed to be provided within the rear courtyard area. A daylight triangle of 5m by 5m is proposed at the corner of Lakeshore and Pearl. This is consistent with the approvals for 374 Martha Street. In conjunction with the increased podium setback from Pearl Street and the widening of the right-of-way on Lakeshore, we are satisfied that visibility and pedestrian safety has been adequately addressed.

Capital Works Department - Civil Engineering:

Please note that the requested Phase 2 ESA was submitted to the City and is current being reviewed by the City and the Region of Halton. It is recognized that a record of site condition (RSC) will need to be completed prior to the issuance of the first building permit issued by the City of Burlington. This is standard protocol. The City of Burlington has also requested that additional groundwater sampling and analysis be completed. This work has been completed and was submitted to the City in April 2019. At the time of writing this response to the City, we have not received updated comments from Capital Works.

S. Llewellyn and Associates has prepared two (2) separate responses dealing with City Works comments. Please refer to the attached June 10, 2019 letter and June 7, 2019 Technical Memorandum that collectively respond to the comments we have been provided.

In respect of the City's comments regarding excavation works, until such time as the principle of development and its details are confirmed, it is premature to request detailed shoring and excavation drawings. The excavation and shoring details will be confirmed once the principle of development has been confirmed.

Similarly, the City has requested the completion of a construction management plan at this time. Again, until such time as the principle of development has been established and the general configuration of the development confirmed, we are not in a position to provide a meaningful response to this request. The request from the City at this time is premature. Past experience has demonstrated that construction management plans

are prepared at the site plan approval stage with final revisions being made at the building permit stage when contractor needs and requirements have been determined. It is unreasonable to expect that this level of certainty and detail can be achieved this early in the development process.

School Boards:

Comments received from both of the school boards indicate that they have no objection to the approval of these applications provided a series of standard conditions are satisfied. We have no concerns with the proposed conditions from each of the school boards.

Urban Forestry and Landscaping:

It has been recommended that cash-in-lieu of parkland dedication be applied to this development. We concur with this. To address the matters related to daylight triangle and the accommodation of a wider streetscape, please refer to the Planning Addendum from Bousfields Inc. dated June 2019 and the updated architectural plans prepared by Turner Fleischer that are also included with this re-submission.

Sustainable Development Committee and the Environment:

Detailed comments from the Sustainable Development Committee have been provided to us. While we note that many of the comments extend beyond the purview of this committee, there are also many comments pertain most specifically to site plan matters and not official plan and zoning amendments. We thank the Committee for the detailed comments and confirm our intention to appropriately consider these comments at the site plan design stage.

Enclosed, please find the following resubmission materials:

- Planning Addendum, 2069 & 2079 Lakeshore Road and 383 & 385 Pearl; Street, Burlington, prepared by Bousfields Inc., dated June 2019;
- Updated architectural plans prepared by Turner Fleischer Architects, dated June 5, 2019;
- Updated landscape plans and details prepared by Ferris+Associates Inc., dated June 7, 2019;
- Memorandum prepared by Turner Fleischer Architects Inc., dated June 5, 2019;
- Letter dated June 10, 2019 from S. Llewellyn & Associates Limited responding to technical civil engineering comments;
- Technical Memorandum prepared by S. Llewellyn & Associates Limited, dated June 7, 2019 responding to comments regarding stormwater management, sanitary sewer servicing, domestic and fire water supply servicing and fire flow demand;
- June 5, 2019 letter from Paradigm Transportation Solutions Limited addressing site access and visibility triangle to be provided;
- June 5, 2019 letter from MHBC Planning, Urban Design & Landscape Architecture in response to heritage related matters; and,

- Drawing review and Addendum Letter prepared by Novus Environmental in response to comments related to perceived wind impacts.

We trust that you will find this resubmission in order and we look forward to continuing to work with City staff as this project moves forward.

Should you have any further comments or concerns, please contact the undersigned.

Yours truly,
Lakeshore (Burlington) Inc.

A handwritten signature in cursive script that reads "Mark Bales".

Mark Bales, MCIP, RPP

Enclosures