



SUBJECT: Statutory Public Meeting – 2085 Pine Street Official Plan Amendment and Rezoning Applications

TO: Planning and Development Committee

FROM: Department of City Building - Planning Building and Culture

Report Number: PB-63-19

Wards Affected: 2

File Numbers: 505-03/19 and 520-06/19

Date to Committee: September 10, 2019

Date to Council: September 23, 2019

Recommendation:

Receive and File Report PB-63-19 for Information.

Purpose:

The following objectives of the City's Strategic Plan apply:

A City that Grows

- Intensification
 - Burlington has a downtown that supports intensification and contains green space and amenities, has vibrant pedestrian-focused streets, is culturally active and is home to a mix of residents and businesses.

 - Focused Population Growth
 - Burlington is an inclusive and diverse city that has a growing proportion of youth, newcomers and young families and offers a price range and mix of housing choices.
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RECOMMENDATION:		None; information only	Ward:	2
Application Details	APPLICANT: OWNER: FILE NUMBERS: TYPE OF APPLICATION: PROPOSED USE:	<i>Glen Schnarr and Associates Inc.</i> <i>Pine Street Burlington Corp.</i> <i>505-03/19 & 520-06/19</i> <i>Official Plan and Zoning By-law Amendment</i> <i>11-storey residential building with ground floor commercial/office</i>		
Property Details	PROPERTY LOCATION: MUNICIPAL ADDRESSES: PROPERTY AREA: EXISTING USE:	<i>North side of Pine Street, west of Martha Street</i> <i>2085 Pine Street</i> <i>0.1 hectare</i> <i>1.5 storey dwelling, listed on Municipal Heritage Register with Registered Heritage Easement</i>		
Documents	OFFICIAL PLAN Existing: OFFICIAL PLAN Proposed: ZONING Existing: ZONING Proposed:	<i>Downtown Residential – Medium and/or High Density Precinct</i> <i>Downtown Residential – Medium and/or High Density Precinct with site specific policy</i> <i>Downtown Residential Medium-Density with site specific exception (DRM-472)</i> <i>Downtown Residential Medium-Density with site specific exception (DRM-XXX)</i>		
Processing Details	APPLICATION RECEIVED: STATUTORY DEADLINE: NEIGHBOURHOOD MEETING: PUBLIC COMMENTS:	June 10, 2019 October 8, 2019 August 22, 2018 Number of Notices Sent: 908 Number of Comments Received: 6 e-mails from 6 individuals as of the time of the writing of this report		

Background and Discussion:

On June 10, 2019, the Department of City Building acknowledged that a complete application had been received for an Official Plan Amendment and Zoning By-law Amendment for 2085 Pine Street. The purpose of these applications is to amend the Official Plan and Zoning By-law in order to facilitate a development consisting of one 11-storey residential building with commercial or office on the ground floor. The location of the subject lands is illustrated in “Appendix A”. A Detail Sketch of the development proposal is provided in “Appendix B”, and a rendering is shown as “Appendix C”.

A site specific rezoning application for a six storey condominium apartment with 15 units which includes one level of above ground parking was approved in October, 2017 for the subject site (File No. 520-05/15).

The purpose of this report is to provide an overview of the proposed application and provide an outline of the applicable policies and regulations as well as a summary of the technical and public comments received to date. This report is intended as background information for the Statutory Public Meeting.

Site Description:

The subject property is located on the north side of Pine Street between Martha Street and Pearl Street. The property has an area of 0.1 hectares (0.26 acres). The site currently supports a one and one-half storey dwelling which is listed on the Municipal Heritage Register and is proposed to be retained and incorporated into the development. Surrounding land uses include the following:

North: Utility Building

East: Three-storey townhouse units

South: Three-storey live-work townhouse units

West: Place of Worship, two-storey dance school

Discussion

Description of Application

The City of Burlington is in receipt of the following applications:

- 505-03/19 – Official Plan Amendment to re-designate the subject lands from “Downtown Residential – Medium and/or High Density Precinct” to “Downtown Residential – Medium and/or High Density Precinct” with a site specific policy to permit additional density; and,

- 520-03/19 – Zoning By-law Amendment application to rezone the subject lands from “Downtown Residential Medium-Density with site specific exception (DRM-472)” to “Downtown Residential Medium-Density with a new site specific exception (DRM-XXX)”.

The current Official Plan designation on the subject lands is “Mixed Use Centre” in accordance with Schedule “B” of the Official Plan and is further designated “Downtown Residential – Medium and/or High Density Precinct” in accordance with Schedule “E” of the City’s Official Plan. The current zoning is “Downtown Residential Medium-Density (DRM-472)”. The applicant is proposing to construct a new 11-storey building with commercial or office on the ground floor and residential units above. Site specific amendments to the Official Plan and Zoning By-law are required to facilitate the proposal.

The proposed development would contain 39 units and have a density of 375 units per hectare, whereas the Official Plan permits a maximum of 185 units per hectare, and a Floor Area Ratio (FAR) of 5.3:1. Three levels of underground parking are proposed, having a total of 48 parking spaces. The proposal would be accessed from Pine Street, which would connect to the ramp to the underground parking. The applicant proposes to use local on-street parking to accommodate visitor parking, as there is no visitor parking proposed as part of the subject development. A total amenity area of 1010 square metres is proposed. The existing dwelling, which is the subject of a Municipal Heritage Easement and listed on the Municipal Register, is proposed to be incorporated into the development by being attached to the proposed building and incorporating a commercial/office component.

Technical Reports

The applicant submitted the following technical reports in support of the subject application to be reviewed by various departments and technical agencies.

- [Site Plan and Floor Plans](#), prepared by ATA Architects Inc., dated April 11, 2019.
- [Functional Servicing and Stormwater Management Report](#), prepared by Metropolitan Consulting, dated April 2019.
- [Geotechnical Investigation](#), prepared by Terraprobe, dated November 15, 2018.
- [Height Survey of Adjacent Properties](#), prepared by ATA Architects Inc.
- [Heritage Assessment, Heritage Impact Statement, Conservation Plan](#), prepared by ATA Architects Inc., dated April 11, 2019.
- [Landscape Development Plan and Details \(Part 2, Part 3\)](#), prepared by N.J. Sinclair, Landscape Architect, dated May 30, 2019.

- [Phase I Environmental Site Assessment](#), prepared by Landtek Limited Consulting Engineers, dated October 2018; and [Letter of Reliance for Phase I Environmental Site Assessment](#), prepared by Landtek Limited Consulting Engineers, dated April 22, 2019.
- [Environmental Noise Impact Study](#), prepared by dBA Acoustical Consultants Inc., dated April 2019.
- [Planning Justification Report](#), prepared by Glen Schnarr & Associates Inc., dated April 2019.
- [Urban Design Brief](#), prepared by ATA Architects Inc., dated April 11, 2019.
- [Excavation and Shoring Details](#), prepared by Sherwood Geotechnical Engineers.
- [Site Survey](#), prepared by Mackay Mackay & Peters Limited, dated January 14, 2019.
- [Transportation Impact Brief](#), prepared by Paradigm Transportation Solutions Limited, dated April 2019.
- [Tree Inventory and Preservation Plan Drawing](#), prepared by Kuntz Forestry Consulting Inc., dated February 2019.
- [Tree Inventory and Preservation Plan Report](#), prepared by Kuntz Forestry Consulting Inc., dated February 2019.
- [Waste Management Plan](#), dated June 2019.

Interim Control By-law

On March 5th 2019, Council enacted Interim Control By-law (ICBL) 10-2019 to temporarily limit development within the City's Urban Growth Centre and the Burlington GO Mobility Hub area in order to complete a land use study assessing the role and function of these Major Transit Station Areas. The ICBL is in place for a period of one year which can be extended for a second year.

The Planning Act preserves the priority of zoning passed during the timeframe created by the Interim Control By-law and, if passed in that period, the prior zoning does not come back into effect unless the new zoning is appealed and is defeated on appeal. The effect of the ICBL is to permit existing uses only. The application is therefore premature, and it would not be appropriate to process it further, including providing any analysis or recommendations at this time.

Following the Statutory Public Meeting, these applications will be held in abeyance until the ICBL is no longer in effect.

Technical Review

Comments Received

The Official Plan Amendment and Zoning By-law Amendment applications and supporting documents were circulated for review to internal departments and external agencies. In addition to the following, comments have been received by Canada Post, TransNorthern Pipelines, the Halton District School Board, the Halton Catholic District School Board, the Burlington Economic Development Corporation and the City's Finance, Fire and Emergency Services Sections; all of whom have provided standard comments.

Heritage Planning

Comments have been received from both the City's Heritage Planner and Heritage Burlington. The existing building is listed on the Municipal Heritage Register and is significant because it has strong ties to the history of Burlington and has served an important role in the community and its development. The building, although not unique, is a well-preserved representation of an Ontario Cottage vernacular, and it is considered a landmark in its surroundings as the only historic building on this subject portion of Pine Street.

As a result of the previous application, a heritage easement agreement was registered on title of the property to recognize the heritage resource. This easement continues to apply even if the ownership of the property changes, and does not preclude the possibility of designating the property in future. The agreement was written such that additional permits would be required if there were any changes in the scope of work that was outlined in the Heritage Impact Statement of the previous application.

Staff have no concerns with the relocation of the heritage dwelling to accommodate the proposed construction; the removal of the rear porch addition, the garage and the brick shed addition; and the proposed re-use of the building from residential to commercial. Heritage Burlington has indicated their concern that the design of the new building is significantly less successful in complementing the historical structure than the original design and recommend that the upper levels of the building be set further back to reduce the scale of its impact on the heritage dwelling.

Comments Forthcoming

Comments are still forthcoming from Halton Region, Hydro One, Union Gas, Bell, Burlington Hydro, the City's Capital Works, Landscaping, Transportation and Parks and Open Space sections.

Policy Framework:

The application is subject to the following policy framework: the Provincial Policy Statement 2014, the 2019 Growth Plan for the Greater Golden Horseshoe, the Halton Region Official Plan, the City of Burlington Official Plan and the City of Burlington Zoning By-law 2020. Consideration of applicable policies from these documents will be addressed in the subsequent recommendation report. Listed below is an overview of the land use designations and policy directions at the provincial, regional and local level.

Provincial Policy Statement (PPS) 2014

The Provincial Policy Statement (PPS) provides broad policy direction on land use planning and development matters of provincial interest. The PPS provides policies for appropriate development based on efficient use of land and infrastructure, protection of natural resources, and supports residential and employment development including a range and mix of land uses. Through the PPS, growth and development are to be focused within the established settlement areas. Decisions affecting planning matters made on or after April 30, 2014 “shall be consistent with” the PPS.

Growth Plan for the Greater Golden Horseshoe

The updated Growth Plan for the Greater Golden Horseshoe came into effect on May 16, 2019 and provides a growth management policy direction for the defined growth plan area. The subject lands are located within an Urban Growth Centre as identified within the Growth Plan. Through this plan, growth is focused in the existing urban areas through intensification. The guiding principles of the Growth Plan include building compact, vibrant and complete communities, and optimizing the use of existing and new infrastructure to support growth in an efficient and well-designed form.

Halton Region Official Plan

The subject lands are designated “Urban Area” in accordance with the Halton Region Official Plan (ROP), and are located within an Urban Growth Centre. The Urban Area objectives promote growth that is compact and transit-supportive. This designation also encourages intensification and increased densities. The ROP states that permitted uses shall be in accordance with local Official Plans and Zoning By-laws and other policies of the Halton Region Official Plan.

City of Burlington Official Plan

The current Official Plan designation on the subject lands is “Mixed Use Centre”, in accordance with Schedule “B” of the Official Plan and the property is located within the Downtown Urban Growth Centre Boundary. Within the Downtown Mixed-Use Centre, the lands are further designated “Downtown Residential – Medium and/or High Density

Precinct” in accordance with Schedule “E” of the City’s Official Plan. This designation allows for ground and non-ground oriented housing units ranging between 26 and 185 units per net hectare; home occupations and cottage industries; neighbourhood parks and office uses. No height limit is specified in the Official Plan for this property. The applicant is proposing a residential building having a density of 375 units per net hectare, which is above the permitted maximum density of 185 units per hectare. As such, an Official Plan Amendment has been applied for.

According to Part III, Subsection 5.5.5 a) of the City’s Official Plan, the objective for the Downtown Residential Medium and/or High Density Precinct is *“to recognize the variety of the existing residential medium and/or high density development that currently exists within these precincts and to provide for future medium or high density residential development or redevelopment which is compatible with the existing development”*. The proposal will be assessed for compatibility with the surrounding area throughout the development application process.

In addition to the above and in keeping with Provincial requirements, Part III, Section 2.5.2 of the Official Plan contains policies pertaining to residential intensification. Intensification is defined in the Official Plan as *“Development or re-development of a property or site within an existing developed area which is proposed to be undertaken at a higher density or intensity than permitted under the existing zoning, and which may include re-development, (including the re-use of brownfield sites), development on vacant and/or underutilized lands, expansion or conversion of existing buildings, addition of dwelling units, or creation of new lots”*. The Official Plan’s evaluation criteria are used to evaluate land use compatibility for proposed intensification projects.

City of Burlington Adopted Official Plan, 2018

The proposed New Official Plan was adopted by Council on April 26, 2018 and has been developed to reflect the opportunities and challenges facing the City as it continues to evolve. Halton Region has identified areas of non-conformity, and as such, the adopted Official Plan will be subject to additional review and revision prior to its approval. Further, City Council has directed a new staff review and public engagement process to consider potential modifications, including a review of height and density provisions. As a result, no weight is placed on the policies of the adopted Official Plan in the review of this application at this time.

City of Burlington Zoning By-law 2020

The property is zoned “Downtown Residential Medium-Density with a Site Specific Exception (DRM-472)” in accordance with Zoning By-law 2020. The DRM-472 Zone permits an apartment building having a height of up to six storeys, and an accessory amenity building as a result of the recent rezoning approval for the subject lands. The

proposed development no longer complies with the requirements of this site specific exception. A Zoning By-law Amendment application is therefore required.

It should be noted that the proposal is not in keeping with the requirements of the base “Downtown Residential High-Density (DRM) Zone”, and a site specific exception will be required for such development standards as building height, density, amenity area, parking and setbacks. The following table outlines which requirements of the “Downtown Residential High-Density (DRM) Zone” will need site specific zoning exceptions. It should be noted that this chart is a preliminary review by staff of the current proposal. A more detailed review of the proposal will be undertaken by Zoning staff at a later stage in the process.

Regulation	DRM Requirement	DRM-472 (Current) Requirement	Proposed
Density	30 units per hectare minimum 50 units per hectare maximum	150 units per hectare	375 units per hectare
Height	3 storeys up to 12 metres	22.8 metres (5 storeys)	40 metres (11 storeys)
Lot Width	30 metres	25.28 metres	25.28 metres
Front Yard Setback	3 metres	7.45 metres to proposed building 2.9 metres to existing dwelling	6 metres to proposed building 2.9 metres to existing dwelling
Rear Yard Setback	7.5 metres	0.4 metres	0.4 metres to proposed building
Side Yard Setback	1.2 metres	West: 0.4 metres to parking garage 1.2 metres to residential building East: 3 metres Floor 3: 3 metres to terrace, 5 metres to building Floor 4: 4.5 metres to terrace, 7 metres to	West: 1.4 metres to building East: Floors 1-3: 5 metres Floors 4 and above: 7 metres Mechanical Penthouse: 13.25 metres

Regulation	DRM Requirement	DRM-472 (Current) Requirement	Proposed
		building Floor 5: 4.5 metres to terrace, 7 metres to building	
Parking	Resident: 1.5 spaces per two-bedroom unit = 59 spaces for 39 units Visitor: 0.35 spaces per unit = 14 spaces for 39 units = 73 spaces	Resident: 1.3 spaces per unit = 20 spaces total for 15 units Visitor: 0 spaces for 15 units	Resident: 1.23 spaces per two-bedroom unit = 48 spaces for 39 units Visitor/Commercial: 0 spaces for 39 units
Amenity Area	35 m ² per two-bedroom unit for 39 units = 1,365 m ²	38.6 m ² per unit for 15 units	25.9 m ² per unit = 1,010 m ² for 39 units
Setback to Parking Structure	3 metres	Front: 9.5 metres Side: 0.4 metres Rear: 0.4 metres	Rear Yard: 0.6 metres West Side: 0.6 metres East Side: 1.85 metres

As mentioned above, those development standards shown on the chart above do not comply with the Zoning By-law requirements, and as such a Zoning By-law Amendment is being requested. The applicant is requesting to add a site-specific exception to the existing "Downtown Residential Medium-Density (DRM)" Zone.

Financial Matters:

In accordance with the Development Application Fee Schedule, all fees determined have been received.

Public Engagement Matters:

Public Circulation/Notification

The applicant posted a public notice sign on the property to reflect their submission on July 12, 2019. All of the technical studies and supporting materials for this development were posted on the City's website at www.burlington.ca/2085Pine. The application was

subject to the standard circulation requirements for Official Plan and Zoning By-law Amendment applications. A public notice with a request for comments was circulated to surrounding property owners in July 2019.

Burlington Urban Design Advisory Panel Meeting

The applicant met with the Burlington Urban Design Advisory Panel (BUD) on October 16, 2018. The panel indicated a number of concerns with the proposed building. This section will briefly summarize some of the comments concerns raised by BUD as well as changes that were made in response to some of these concerns.

BUD had indicated that the proposal is quite large for the site and creates a challenging and somewhat intrusive interface for adjacent residential development. There are concerns with the transition to medium-density residential development and the suggestion that a 45 degree angular plane be implemented. The height also creates concerns related to privacy and shadow impacts. BUD appreciates that proposed preservation of the heritage dwelling and the contrast between new development and the old heritage character.

Some of the changes that the applicant has implemented in response to these comments were the following:

- The top two floors have been revised to step further back on the east and south sides;
- The setback along the east property line has been slightly increased;
- Amenity area is now proposed on the first floor in order to establish a more positive relationship with adjacent townhouses;
- A view range analysis was done to show how the planting on the balconies works, to help reduce privacy impacts.

Pre-Application Consultation Meeting

The applicant conducted a pre-application neighbourhood open house for the proposal on February 1, 2019 at the Burlington Lion's Club that was attended by approximately 45 members of the public. Key concerns raised by the public were related to the height and size of the development; a lack of compatibility with the surrounding neighbourhood; a lack of visitor parking spaces and concern about damaging the existing heritage dwelling. In addition, residents expressed general disappointment to learn that applications had been submitted requesting almost double the height that was recently approved.

Public Comments

As a result of the public consultation, six written comments have been received from members of the public as of the time of the writing of this report. Should future comments be received, they will be considered and included within a future recommendation report. The comments received following the pre-application open house meeting highlighted the following themes and areas of concern about the development and are summarized below, and full comments are contained in Appendix “D” of this report.

- General opposition to proposed development;
- Parking issues will be exacerbated in the downtown as a result of no proposed visitor parking;
- The property is too small to accommodate this much development;
- The building is too high and would cast shadows and obstruct views;
- Too much development is occurring in Downtown Burlington;
- Previous rezoning was already too intense – further height and density should not be allowed.

Conclusion:

This report provides a description of the development application, an update on the technical review of this application and provides the public comments that have been received as of the writing of this report. Following the lifting of the Interim Control By-law, a subsequent report will provide an analysis of the proposal in terms of the applicable planning policies and will provide a recommendation on the proposed application.

Respectfully submitted,

Melissa Morgan, MCIP RPP
Planner II – Development Review
905-335-7600 extension 7788

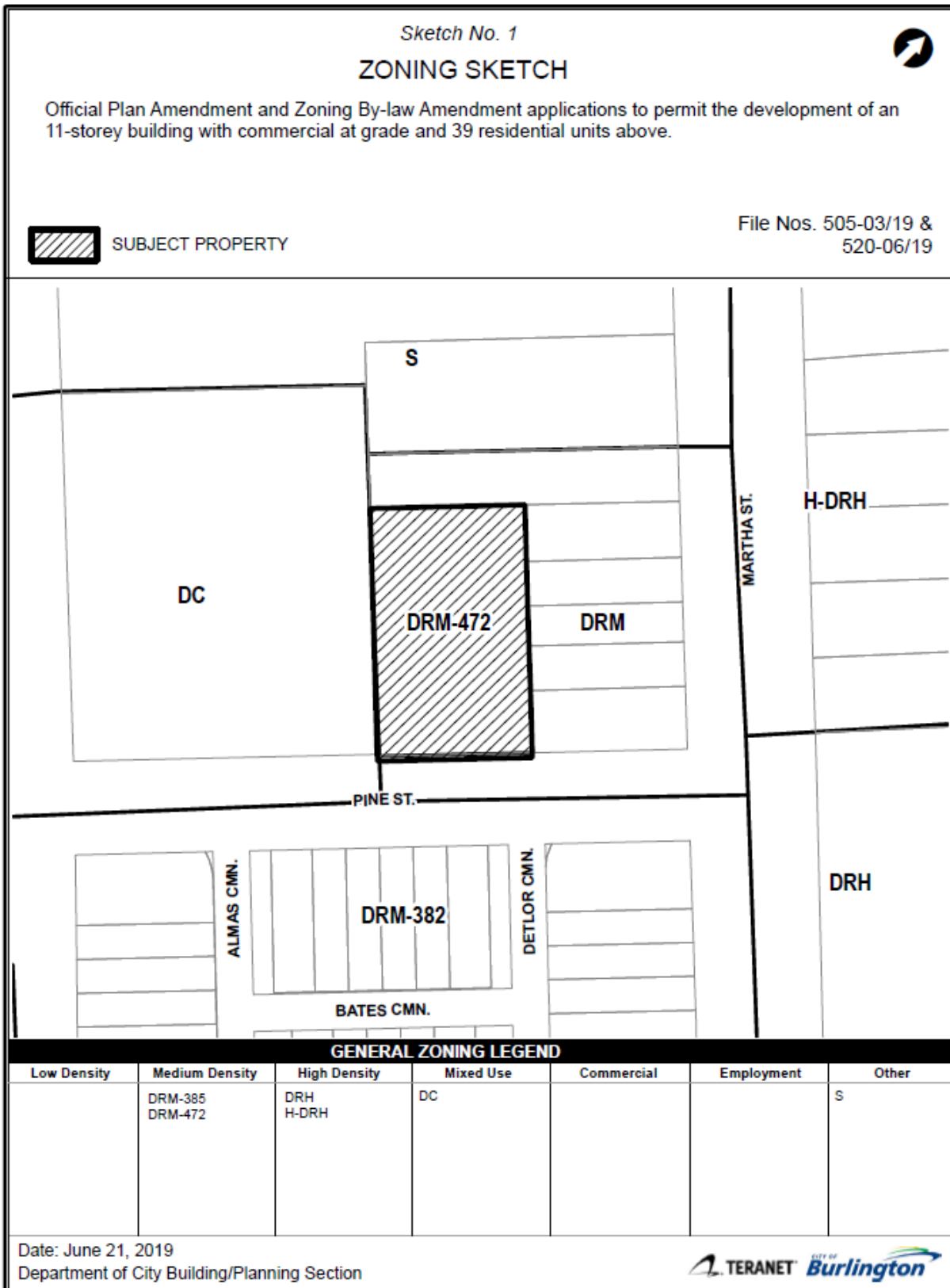
Appendices:

- A. Location/Zoning Sketch
- B. Detail Sketch
- C. Elevation Sketch
- D. Public Comments

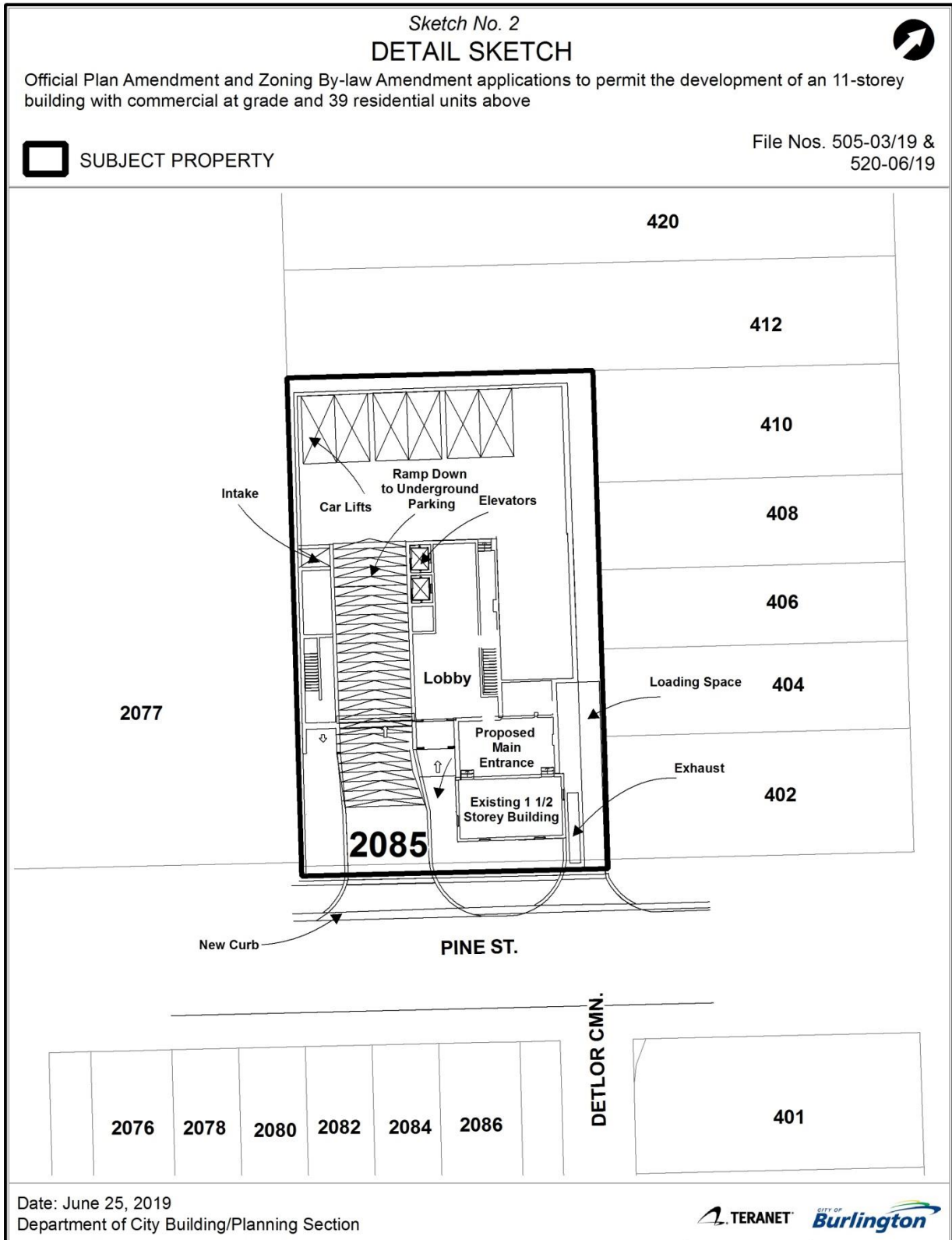
Report Approval:

All reports are reviewed and/or approved by Department Director, Director of Finance and Director of Legal. Final approval is by the City Manager.

APPENDIX A



APPENDIX B



APPENDIX C



APPENDIX D

#	Comments
1	<p>Hello Melissa,</p> <p>I hope this email finds you well. I am writing to you regarding the proposed land development for Site Address - Ward 2; 2085 Pine Street.</p> <p>My name is Cora and my husband and I own a small business at the corner of Martha and Pine. We have been here for over a year and a half; and have observed many changes in the area that have not necessarily been positive for our clientele.</p> <p>I am not sure if the words that follow will be taken seriously, or if the City of Burlington is simply trying appease its residents and occupants by making it look like our voices are being heard, but I will speak freely.</p> <p>Before I continue, I would like to clearly and candidly state:</p> <p>I am <u>very much against</u> building yet another high density residential property in the Downtown Burlington area.</p> <p>Enough is enough already.</p> <p>Our clients and our staff have very limited parking options available as it is and building more residential units will only <i>further</i> exacerbate the problem. Please STOP!</p> <p>My husband and I moved our business to the Downtown Burlington area in the hopes that we would be able to foster a healthy business in a vast community, that still retains the charm of a small-town.</p> <p>With all of these condominium proposals and developments, the City of Burlington is systematically killing the small-town charm of which I speak. You are turning Burlington into the mirror image of Toronto, and we <u>do not</u> need another one of those - believe me, I lived there for 10 years.</p> <p>Why has the City of Burlington <u>still</u> not addressed the issue of parking downtown? Why do you drag your feet on providing more spaces and thus better accessibility to the visitors of the core? Is it because there is no money in developing another parking lot? Is <i>that</i> your bottom line?</p> <p>Have you considered that if there was <u>more</u> parking downtown that more people would actually visit Downtown Burlington and spend their time, energy, and money supporting the businesses in this area?</p> <p>In continuing to bring forth these proposal suggestions without doing <u>anything</u> to improve the parking situation, you are very clearly telling the Burlington community that our opinions do not matter; and that you have no interest in maintaining the small-town charm that once made Burlington so attractive.</p> <p>Instead, you are very clearly stating that these developments have nothing to do with maintaining our beloved community, but are just a way to make more money money money!</p> <p>Now Melissa, I ask you to honestly consider the parking situation in Downtown Burlington. <u>Please</u> provide more spaces for the small businesses and visitors of the core!</p> <p>It is time to listen! It is time to realize what is best for the current residents and occupants of the Downtown area, <u>not</u> your bottom line.</p>

	<p>Thank you for your time and I look forward to your response.</p> <p>Cora</p>
2	<p>Hello Melissa,</p> <p>I feel like a fool writing this. I know we're (the residents of the DT Burlington core) are being toyed with. We're given the 'opportunity' to voice our complaints and that's ALL we're given!!</p> <p>None of our concerns are being heard and the profiteers, will continue on with the building and building and building.</p> <p>Can you please help me to understand the point of it all?</p> <p>The point of the incessant building WHERE THERE IS NO ROOM; the point of my writing this email when those with the power and money continue to do what they like; the point of why 'those people' are allowed!!</p> <p>LT</p>
3	<p>Good Afternoon,</p> <p>I currently reside at 406 Martha Street, the 5 unit townhouse complex directly beside the proposed building and have for 10 years. I strongly disagree with the development of the structure proposed.</p> <p>The height of this building would completely obstruct the view from our back patio door & balcony. We would never see the sun from that side again. Residents of that building would be looking either directly across or down to our backyard or balcony – a complete invasion of privacy.</p> <p>The footprint of the proposed site is much too small to accommodate such a large building. Parking for the residents and visitors is a tremendous concern being the downtown is already at capacity for parking.</p> <p>On Martha Street alone there is this proposed apartment building, the building at the corner of Martha & Lakeshore, another building at the corner of Martha & James and eventually there will be another structure built directly across the street from us...where last week they just bulldozed a second house in the string of 5. Where does it end for the residents who purchased their homes seeking out the downtown Burlington as it once was. I understand Burlington needs to grow but not at the rate it has been.</p> <p>The downtown core has been under siege with construction for the last three years. As Ms. Meed Ward indicated, let's just take a step back & re-assess the development of downtown.</p> <p>Please add my e-mail for future information regarding the building proposals downtown.</p> <p>Thank you,</p> <p>Michelle Kachur</p>

4	<p>Hi Melissa,</p> <p>I am a resident of downtown Burlington and I've just received the notice that an application was put forth for a development at 2085 Pine street. I believe this application should be refused.</p> <p>The current population of downtown Burlington far exceeds the capacity of the infrastructure. There is simply not enough room for an additional 39 units. The people who currently live downtown already struggle getting in and out of their homes and buildings due to traffic. I know the longest part of my commute is trying to turn on or off of lakeshore. The downtown simply cannot keep up with this kind of development. I know there is a rush to move people out of Toronto and into surrounding cities but the reality is these cities are already at capacity. Development needs to move north, not downtown where we are already struggling with our single lanes.</p> <p>Please consider refusing this application. Thank you for taking the time to read about my concerns.</p> <p>Kindest regards, Olivia Kirkland</p>
5	<p>Files: 505-03/19 & 520 – 06/19</p> <p>Attention: Melissa Morgan</p> <p>As concerned citizens, we believe that this building should not be approved and passed by City Council:</p> <ul style="list-style-type: none">Original proposal rejected on Thursday, February 21st 2019 by concerned downtown citizens at a Public Open House at the Burlington Ontario Lions Club. Mayor Marianne Meed Ward spoke as did City Councillor for Ward 2 Lisa Kearns about the previous proposal zone which had been approved for 6 units only plus a penthouse roof top. Not for a 11- storey mixed use building. They were the concerns:<ul style="list-style-type: none">Traffic issues infrastructureSafety for pedestriansNoise pollutionNote: 4 buildings are already being built in a 3 kilometer radius of the downtown core. <p>These are my concerns.</p> <p>Yours sincerely, Norman & Charlene Cheng</p>

	<p>Downtown Resident</p> <p>Burlington ON L7R 1G4</p>
6	<p>August 6, 2019</p> <p>To: The Corporation of the City of Burlington Melissa Morgan Planner II Brynn Nheiley, Manager of Development Planning Heather MacDonald, Director of the Department of City Building Lisa Kearns, Ward 2 Councillor Marianne Meed Ward, Mayor</p> <p>From: Gary Care, Sylvia Christie 402 Martha Street Jim Shaw and Beth Shaw 404 Martha Street Joe Donnell 406 Martha Street Josh Lindsay 408 Martha Street Don Wilson, Liz Wilson 410 Martha Street</p> <p>cc: Engaged Citizens of Burlington</p> <p>Re: <u>2085 Pine St - Application, Glen Schnarr & Associates/-Developer York Trafalgar Corp. Files: 505-03/19 & 520-06/19</u></p> <p><u>Previous Approval File No . 520-05/15 (PB-02/17) Approval -October 2017</u></p> <p>As residents in the townhouses on Martha St that includes five homes (402-410) located to the immediate east and adjacent to the 2085 Pine property, are writing this Memorandum to clearly indicate that the proposed Application is completely unacceptable in all respects due to;</p> <p>1) After 5 years of countless meetings, studies, intensive negotiations and at the emotional expense of the adjacent Martha Street Residents and at substantial cost to the City and taxpayers, on October 17th, 2017 The City of Burlington's Mayor and Council passed a resolution to substantially alter the previous zoning bylaws governing the 2085 Pine St property as to height, mass and setbacks. Disregarding the resident's plea to maintain the current guidelines under 2.5.4 Infill Development b. "<i>New infill development shall be compatible with the surrounding development in terms of height, scale, massing, siting, setbacks, coverage and amount of open space;</i>" the site zoning was approved for "downtown residential medium density with site specific exemption (DRM-472)"</p> <p>2) This new zoning by-law designation resulted in the City approval of a 5 storey plus 1 storey parking structure. At approximately twice the height of the then existing zoning bylaws the approval allows for double the height of the immediate surrounding buildings, namely the 3 storey Martha Street townhouses adjacent and the Pine St townhouses directly across the street. <i>This approval process required numerous amendments in order to accommodate the mass and scale on a lot that is inappropriate in size for the original 5 storey proposal.</i> At the time it was clearly understood and stated by all participants, including City officials, as well as the engineering representative of the developer at the time, that the 5-storey structure was far too large a scale for the 2085 property size.</p>

3) As a direct consequence of the previous developer's (Roman Homes) inability to achieve viable results on the 2085 Pine St location, the small irregular 1/4-acre property was then sold to York Trafalgar Corp. The new developer, represented by Glen Schnarr & Associates Ltd, is now proposing an 11 storey plus structure. Upwards of 44 meters in height, the proposal is approximately double the height of the currently approved 5 storey's and 3 1/2 times the height of the existing townhouses and the (original) zoning bylaw DRM Zoning of 12 meter in height.

4) **Density**- The site proposal also increased density significantly from current exemption which allows for 15 units/150 UPH to the extreme mixed-use plus 39 units resulting in density of 375 UPH, exceeding both the maximum of both DRM and DRH, 50 UPH and 185 UPH respectively.

Official Plan

2.5 Intensification -2.5.2 General Policies

v. Compatibility is achieved with the existing neighborhood character in terms of scale, massing, height, siting, setbacks, coverage, parking and amenity area so that a transition between existing and proposed buildings is provided.

Zoning By-law

5.5.5 Downtown Residential Medium and/or High Density Precincts

c. All Development and re-development shall be compatible with the existing character of these precincts and the neighboring precincts with respect to heights, setbacks, massing, and design and community features.

5)Therefore, it is our expectation, and with trust in elected officials, that the City, the Mayor, Council and staff, will make every attempt to discourage such a proposal. Turn down the 11 Storey Application in its entirety and redirect-the developer to work within the current 5 Storey DRM site exemption, approved less than two years ago, which allows the permanent retention of the Nelson Ogg-Jabez Clark House as part of the development along with the requirement that the developer to designate the house as a Heritage Home.

6) To be clear, we ask the City, the Mayor and our Councillors, under no circumstances, to allow a structure greater than the 5 storeys as approved on October 17, 2019. The currently approved development already impacts our backyard living area's and our quality of life significantly

SUMMARY

ZONING HISTORY			
	PRIOR TO OCTOBER 17 2017 DOWNTOWN RESIDENTIAL MEDIUM DMR ORIGINAL ZONING	OCTOBER 17 2017 APPROVAL DOWNTOWN MEDIUM DENSITY SITE SPECIFIC DMR-472	JULY 2019 PROPOSED APPLICATION
HEIGHT	12 M	22.3 M	40 M
NUMBER OF STOREYS	3	5 PLUS 1 GARAGE	11
DENSITY PER HECTOR MAXIMUM	50 UNITS	150 UNITS	ACTUAL 375 UNITS
PARKING RESIDENTS SPACE PER UNIT	1.25	1.6	1.2

This recent proposal is most discouraging as it is significantly out of character for the immediate neighborhood which is part of a *corridor of pleasant character and is close to and leading into Downtown, Village in the Square and Spencer Smith Park.*

Sincerely


 Gary Care


 Don Wilson

Per the Martha St. Residents
(The Martha St. Residents have agreed and support the content herein.)



905-335-7600 ext. 7413
905-335-7675
jo-anne.rudy@burlington.ca

July 19, 2019

Melissa Morgan, Planner
Department of City Building
City of Burlington

Dear Melissa,

I write with respect to the revised design for the proposed development at 2085 Pine Street. Heritage Burlington has reviewed the new design and has the following comments:

- The Committee continues to commend the developer for preserving the heritage building on the site and are confident that the developer's efforts to relocate the building and then return it to its original location will be successful.
- The Committee is disappointed that the design of the new building is significantly less successful in complimenting the historical structure than the original six story design. We feel that the taller and more modernistic design is jarring in relation to the smaller house. This effect is compounded by the much larger scale of the new proposal.

Heritage Burlington recommends that City staff work with the proponents of the development with a view to improving the complimentary nature of the development. Without attempting to prejudice any discussions, the Committee suggests the following opportunities:

- The incorporation for some traditional elements into the façade of the lower floors of the new building to soften the hard edges of the modernist design vs-a-vis the heritage home's elements. This was a positive aspect of the previous design proposal.
- A setback of the upper stories of the new building to reduce the scale of its impact on the heritage home.

I would be happy to participate in any future dialogue on this proposal that City staff deems appropriate.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Bohan".

Howard Bohan
Chair, Heritage Burlington

