



Planning and Building Department

TO: Development and Infrastructure Committee

SUBJECT: Official Plan Review Old Lakeshore Road Precinct Study:
Implementation Analysis of Official Plan Policies Regarding Public Waterfront Assets
and Urban Design Objectives

Report Number: PB-43-13

File Number: 505-08-12

Report Date: May 6, 2013

Ward Affected: 1 2 3 4 5 6 All

Date to Committee: May 27, 2013

Date to Council: June 10, 2013

Recommendation: ENDORSE the Terms of Reference as contained in Appendix 1, dated May 1, 2013; and

AUTHORIZE the Director of Planning and Building to engage consultants through a Request for Proposal process to carry out the Study in accordance with the above noted Terms of Reference.

File: 505-08-12

Purpose:

- Address goal or action in strategic plan
- Establish new or revised policy or service standard
- Respond to legislation
- Respond to staff direction
- Address other area of responsibility

The purpose of the subject report is to obtain endorsement of the Terms of Reference for the *Old Lakeshore Road Precinct Study: Implementation Analysis of Official Plan Policies Regarding Public Waterfront Assets and Urban Design Objectives* (Study) and to obtain authorization to engage consultants through a Request For Proposal process.

Reference to Strategic Plan:

Vibrant Neighbourhoods
 Excellence in Government

Prosperity
 N/A

Vibrant Neighbourhoods

Ensure that neighbourhoods and commercial areas, including the downtown, are safe and accessible places to live and gather for activities by developing a plan to enhance the use of public spaces in neighbourhoods (1 (a)).

Prosperity

Ensure a welcoming, active and accessible waterfront by increasing public access to the waterfront, protecting views over the lake and bay from neighbourhoods, taking appropriate measures to protect the shoreline with partners (2 (g)).

1.0 Background:

In May 2012, Council directed staff to conduct a study of the Old Lakeshore Road Precinct as part of the Official Plan Review. In September 2012, Council approved the comprehensive work plan for the Official Plan Review (OPR) and since that time, staff has commenced with a series of consultant studies. The Old Lakeshore Road (OLR) Precinct Study (Study) is next to be commenced as part of the OPR work plan, subject to council endorsement of the proposed Terms of Reference.

The staff direction related to Old Lakeshore Road Precinct Study was formulated in relation to issues identified by the Burlington Waterfront Access and Protection Advisory Committee. The staff direction provided below has been identified as a component of the 2012 Official Plan Review:

The Director of Planning and Building be directed to review the planning policies for the Old Lakeshore Road Precinct in the context of the Official Plan Review with specific focus on the following matters:

- *A review of public waterfront access issues including consideration of access options and related City acquisition strategy;*
- *A review of planning policy and design approach to the public domain generally within the Precinct;*
- *A review and investigation of guidelines for the purpose of establishing consistency among public and private design*

elements based on the Council approved design guidelines for the Precinct.

It being understood that such review will proceed on the basis of a detailed work plan to be endorsed by Council. [May 7, 2012) (SD-22-12)]

The subject Terms of Reference constitute the detailed work plan referenced as part of the staff direction, subject to Council's endorsement.

2.0 Discussion:

In response to Council's staff direction pertaining to Old Lakeshore Road Precinct, staff has prepared Terms of Reference for a Study, as contained in Appendix 1. The purpose of the Study is to explore opportunities and constraints in achieving the vision for the OLR Mixed Use Precinct as articulated in the Official Plan by investigating potential for:

- Acquiring public waterfront assets including trails, windows-to-the-lake and views;
- Pedestrian linkages between the downtown and waterfront;
- Consistency of public realm urban design features between OLR and the downtown (e.g. street lighting and furniture);
- Modifications to the City's existing development application review process and requirements in order to collaborate meaningfully with private land owners to obtain urban design excellence for lands located in the private realm.

The fundamental inquiry to the study is to bring clarity to the following question:

Given the existing approved Official Plan policies and 2009 Council-adopted Urban Design Guidelines for Old Lakeshore Road Precinct, what are the opportunities and constraints in implementing the policies and guidelines with respect to fulfilling objectives related to enhancing waterfront assets (trails, windows-to-the-lake, views), and to achieving the urban design excellence for the precinct?

Strategy/Process

The strategy and process of the Study are detailed in the Terms of Reference, as contained in Appendix 1. Following receipt of the consultant's study, staff will prepare a Directions report highlighting any policy recommendations.

3.0 Financial Matters:

Funds for the Old Lakeshore Road Study are estimated at \$60,000 and have been previously approved as part of staff report PB-53-12 (OPR Comprehensive Work plan) and are being drawn from the Council Approved OPR Capital Budget (OP0009).

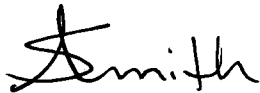
4.0 Communication Matters:

Public and stakeholder communication will be conducted in accordance with the Terms of Reference, as contained in Appendix 1.

5.0 Conclusion:

Specialized assistance from a consulting group is required to undertake the OLR Study, as part of the Official Plan Review. The attached Terms of Reference outline the proposed scope of the study, and are proposed to be used to call for proposals from qualified consultants.

Respectfully submitted,



Andrea Smith, MCIP, RPP
Acting Manager of Policy and Research
(905) 335-7600 Ext. 7385

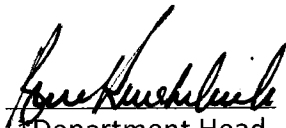
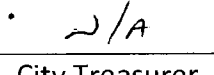
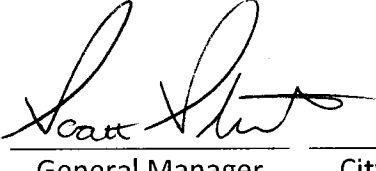
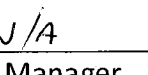
Appendices:

1. Terms of Reference: Old Lakeshore Road Precinct Study: Implementing Analysis of Official Plan Policies Regarding Public Waterfront Assets and Urban Design Objectives, May 1 2013.

Notifications:
(after Council decision)

Name	Mailing or E-mail Address

Approvals:
*required

Department Head City Treasurer General Manager City Manager

	To be completed by the Clerks Department
Committee Disposition & Comments	
	01-Approved 02-Not Approved 03-Amended 04-Referred 06-Received & Filed 07-Withdrawn
Council Disposition & Comments	<i>June 10 - Referred back to the Director of Planning and Building</i>
	01-Approved 02-Not Approved 03-Amended 04-Referred 06-Received & Filed 07-Withdrawn

**REFERRAL OF PROPOSED TERMS OF REFERENCE FOR OFFICIAL PLAN REVIEW
OLD LAKESHORE ROAD PRECINCT STUDY**

**Refer planning and building department report PB-43-13 back to the Director
of Planning and Building. (PB-43-13)**

TERMS OF REFERENCE

OLD LAKESHORE ROAD PRECINCT STUDY: IMPLEMENTATION ANALYSIS OF OFFICIAL PLAN POLICIES REGARDING PUBLIC WATERFRONT ASSETS AND URBAN DESIGN OBJECTIVES

CITY OF BURLINGTON

May 1, 2013

PART 1.0: STUDY FRAMEWORK

1.1 Purpose of the Terms of Reference

The purpose of the Terms of Reference for the *Old Lakeshore Road Precinct Study: Implementation Analysis of Official Plan Policies Regarding Public Waterfront Assets and Urban Design Objectives* (Study) is to identify the scope of work required as part of the Official Plan Review. The Study is in response to a staff direction by City Council pertaining to lands referred to as Old Lakeshore Road Precinct in the City of Burlington.

1.2 Old Lakeshore Road Precinct Study

The Terms of Reference apply to lands designated *Old Lakeshore Road Mixed Use Precinct* in the City of Burlington Official Plan, and as identified on attached Sketch No. 1.

1.3 Background and Context

The staff direction related to Old Lakeshore Road Precinct (OLR) was formulated in relation to issues identified by the Burlington Waterfront Access and Protection Advisory Committee. The staff direction provided below has been identified as a component of the 2012 Official Plan Review:

The Director of Planning and Building be directed to review the planning policies for the Old Lakeshore Road Precinct in the context of the Official Plan Review with specific focus on the following matters:

- *A review of public waterfront access issues including consideration of access options and related City acquisition strategy;*
- *A review of planning policy and design approach to the public domain generally within the Precinct;*

- *A review and investigation of guidelines for the purpose of establishing consistency among public and private design elements based on the Council approved design guidelines for the Precinct.*

It being understood that such review will proceed on the basis of a detailed work plan to be endorsed by Council. [May 7, 2012) (SD-22-12)]

1.4 Study Integration and Alignment

The OLR Precinct Study will be prepared as part of the Official Plan Review and is linked to the staff review of waterfront access best practices. Also, the Study will address relevant Ontario Municipal Board decisions pertaining to lands located in the OLR Precinct.

PART 2.0: STUDY PURPOSE AND SCOPE

2.1 Study Purpose

The purpose of the Study is to explore opportunities and constraints in achieving the vision for the OLR Mixed Use Precinct as articulated in the Official Plan by investigating potential for:

- Acquiring public waterfront assets including trails, windows-to-the-lake and views;
- Pedestrian linkages between the downtown and waterfront;
- Consistency of public realm urban design features between OLR and the downtown (e.g. street lighting and furniture);
- Modifications to the City's existing development application review process and requirements in order to collaborate meaningfully with private land owners to obtain urban design excellence for lands located in the private realm.

The fundamental inquiry to the study is to bring clarity to the following question:

Given the existing approved Official Plan policies and 2009 Council-adopted Urban Design Guidelines for Old Lakeshore Road Precinct, what are the opportunities and constraints in implementing the policies and guidelines with respect to fulfilling objectives related to enhancing waterfront assets (trails, windows-to-the-lake, views), and to achieving the urban design excellence for the precinct?

2.2 Study Scope and Phasing

Phase I: Opportunities and Constraints Analysis

Public Waterfront Access

1. Investigate public land acquisition methods to optimize public waterfront access by considering:
 - strategic land acquisition; and
 - securement of public lands through the development application process including assessment of options in either full public ownership or public/private partnership.
2. Evaluate the pros and cons of the land acquisition methods identified above.
3. Determine the viability of establishing waterfront assets (e.g. trails, window to the lake) by assessing policy and regulatory requirements and physical site characteristics and identify any alternatives.

Development Application Processing

4. Investigate the development application review process methods to identify any opportunities to improve the City's ability to influence the urban design of development within the private realm by considering:
 - modification to existing development application process steps;
 - additional development application requirements such as urban design briefs;
 - modification of development application evaluation criteria;
 - establishment of design review panels;
 - area-specific application fees;
 - potential modifications to parkland acquisition policy; and
 - potential modifications to Section 37 criteria.

5. Map out the development application process and compare with potential alternatives to identify pros and cons of either approach with respect to:
 - Public engagement opportunities;
 - Ability to control urban design within the private realm;
 - Ability to secure public waterfront assets;
 - Cost perspective (e.g. application fees and cost recovery of processing development applications);
 - Time perspective (e.g. length of time to process development applications); and,
 - Implications identified through consultation with private land owners.
6. Identify any relevant changes to the policy and regulatory context related to Conservation Halton jurisdictional interests since the previous Official Plan policies were approved and the *Old Lakeshore Road Precinct Phase II: Urban Design Guidelines* were adopted.

Public and Stakeholder Consultation

7. Engage with public and stakeholders to explore opportunity and constraints with respect to access and the development application review process.

Phase II: Formulation of Recommendations

8. Provide recommendations to improve the implementation of the OP policies, Urban Design Guidelines (UDG) and potential public realm capital improvements.
9. Provide recommendations to update, if warranted, the *City of Burlington Old Lakeshore Road Precinct Phase II: Urban Design Guidelines, 2009* with respect to: public waterfront access guidelines; development application evaluation criteria for development within the private realm; and public realm improvements.

2.3 Study Deliverables

There are two deliverables expected from the study:

1. Opportunities and constraints analysis report on securing public waterfront assets and achieving urban design excellence for the OLR Precinct.
2. Recommendations report on securing public waterfront assets and achieving enhanced urban design for the OLR Precinct.

PART 3.0 – STUDY ORGANIZATION

3.1 Project Management

The Study is to be undertaken by a consultant with the assistance of City staff. The Manager of Policy and Research is responsible for overall project administration, and the Senior Planner will act as Project Manager responsible for managing communication and data exchange with the consultant.

3.2 Steering Committee

The Steering Committee will consist of City staff including:

- Manager of Policy and Research;
- Senior Planner – Policy;
- Co-ordinator of Site Plan and Urban Design;
- Co-ordinator of Site Engineering;
- Special Business Area Coordinator;
- Executive Director – Corporate Strategic Initiatives;
- Manager of Development & Environmental Engineering;
- Senior Engineer – Asset Management; and
- Manager of Parks and Recreation.

The Steering Committee will liaise with key staff resources in the departments of Planning and Building, Legal, Transportation, Roads and Parks Maintenance, and staff at the Region of Halton and Conservation Halton.

Also, the Steering Committee will provide guidance and assistance to the consultant. It is expected that the Steering Committee will meet with the consultant to: initiate the project; prepare for public and stakeholder workshops; and review draft recommendations.

3.3 Committee/Council Consideration

A staff report will be prepared for the consideration of Committee/Council upon completion of the Study. It is expected that the Consultant will attend the Committee Meeting.

3.4 Public Consultation

The consultant will engage with the public and stakeholders throughout the three phases of the project. It is anticipated that a series of two (2) meetings will be required as part of the Study:

Meeting No. 1: Community meeting to initiate the Study (Objective: to provide information of the study purpose, process and scope, and to consult on issues and findings related to the opportunities and constraints analysis, and to explore solutions).

Meeting no. 2: Community meeting (Objective: to consult on potential recommendations to improve the implementation of Official Plan policy and objectives of the Urban Design Guidelines).

Meeting No. 3: Stakeholder Meeting (Objective: to consult with private property owners; to inform of the project; to consult as part of the opportunity/constraints analysis; and on potential recommendations).

The consultant will lead and conduct the engagement events. City staff will prepare communication materials related to the engagement event (e.g. newspaper and email notices), and make logistical arrangements (e.g. room bookings).

3.5 Ontario Municipal Board

It is expected that the consultant would be in a position to defend the reports, including the methodology and findings before the Ontario Municipal Board, or other tribunal if needed. Arrangements for such work would be under separate contract, as warranted.

3.6 Proposal Costing

As per staff report PB-53-12, the estimated study cost is \$60,000. The Consultant shall provide a costing breakdown by Phase as identified in Section 2.2 and by public and stakeholder meeting. The consultant should include hourly rates for additional work. Any work arising from a change of project scope will be reviewed and confirmed by the City for authorization.

3.7 Costing of Deliverables

The proposal cost shall include five (5) copies of each of the deliverables. In the set, one copy shall be the master copy, unbound and suitable for reproduction purposes (note: any colour images should be reproducible in black and white copy). The set should also include a digital version of the master copy which may be provided by email or uploaded to FTP site. Any supporting analytical or tabulated data in digital form shall be provided in MS Excel.

3.8 Study Timing

It is intended that the study would commence upon award of the consulting contract estimated in Q2 2013. Completion of the study is expected by Q1 2014.

3.9 Invoicing

Upon invoicing the City for services/deliverables rendered, the Consultant shall correlate the invoice item to the deliverable outlined or meeting, as identified in Section 2.3 of the subject Terms of Reference.

3.10 Available Background Information

- Staff Report PB-53-12: 2012 Official Plan Review: Comprehensive Workplan
- City of Burlington Official Plan, as amended
- Zoning By-law 2020, as amended
- City of Burlington Strategic Plan
- City of Burlington Downtown Urban Design Guidelines, October 2006
- City of Burlington Old Lakeshore Road Precinct Phase II: Urban Design Guidelines, July 2009
- Official Plan Review Transportation Master Plan Study (Pending Completion)
- City of Burlington ESRI ArcGIS mapping and orthoimagery
- Core Commitment (adopted)
- Core Commitment (draft strategic directions and OP policy considerations)
- Waterfront Best Practice Review (pending completion)
- Relevant Board Decision (TDL, Carriage Gate)

Sketch No. 1 Old Lakeshore Road Precinct Official Plan and Urban Design Study



 **AREA AFFECTED**

