URBAN DESIGN BRIEF

535-551 BRANT STREET

CITY OF BURLINGTON

PREPARED FOR: RENIMMOB PROPERTIES LIMITED

NOVEMBER 2020

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1.0 INTRODUCTION

This Urban Design Brief has been prepared by Bousfields Inc. to describe the urban design vision, strategy and rationale for the form and pattern of development being proposed by Renimmob Properties Limited for the lands located at 535-551 Brant Street in the City of Burlington.

The Urban Design Brief is a companion document to the Planning Justification Report, also prepared by Bousfields Inc., which sets out the planning vision and rationale for the re-development of the Subject Site. From an urban design perspective, the Brief reviews the architectural design concept prepared by Turner Fleischer, and the landscape concept designed by Ferris and Associates for the proposed development and addresses the proposal's conformity with the urban design policies of the City of Burlington Official Plan, the Downtown Urban Design Guidelines and the Tall Building Urban Design Guidelines.

The development proposal is for a mixed-use development replacing the existing under-utilized lands with a 26-storey residential building with a 3-storey podium and retail uses at grade.

It our opinion that the form and pattern of development being proposed represent good urban design practice and are appropriate within the existing and emerging built form context and responds appropriately to its adjacencies. From an urban design perspective, the proposed development will improve the built form relationship and the streetscape along Brant Street, contributing to its function as the principal street of the Downtown and a primary retail and pedestrian corridor, within a built-up area surrounded by existing and planned municipal infrastructure and community facilities. The proposal will improve the interface with the public realm and provide a compact built form that is transit supportive and pedestrian oriented. Additionally, the development proposal fits within the existing and approved surrounding uses which range from high-rise/high-density to low-rise/low-density.

2.0 SITE AND SURROUNDINGS

2.1 Subject Site

The Subject Site is located on the east side of Brant Street mid-block between Victoria Street to the north and Caroline Street to the south. The Subject Site is generally rectangular in shape with an overall area of approximately 2,779.3 metres (0.69 acres) and has frontage of 54.3 metres along Brant Street and 54.0 metres along John Street Extension and a depth of 51.3 metres.

The Subject Site is currently occupied by a one and two storey multi-tenant commercial plaza with surface parking provided along the rear of the property. Access to the property is provided from the rear along John Street Extension and from a shared access driveway with adjoining property to the north along Brant Street. We note that the John Street Extension is not a municipal road at this time. The entire commercial plaza will be demolished in order to accommodate the re-development of the Subject Site. An approximate 6.0 metre boulevard is provided along Brant Street consisting of a paved surface with municipal sidewalk and light fixtures, while the rear of the Subject Site along the John Street Extension frontage has no sidewalk or curb condition provided to define the right-of-way. There is no vegetation on the Subject Site with exception of a small grassed area adjacent to the curb cut along Brant Street. Topographically, the Subject Site is generally flat with a slight slope (0.2 metres) from west to east.

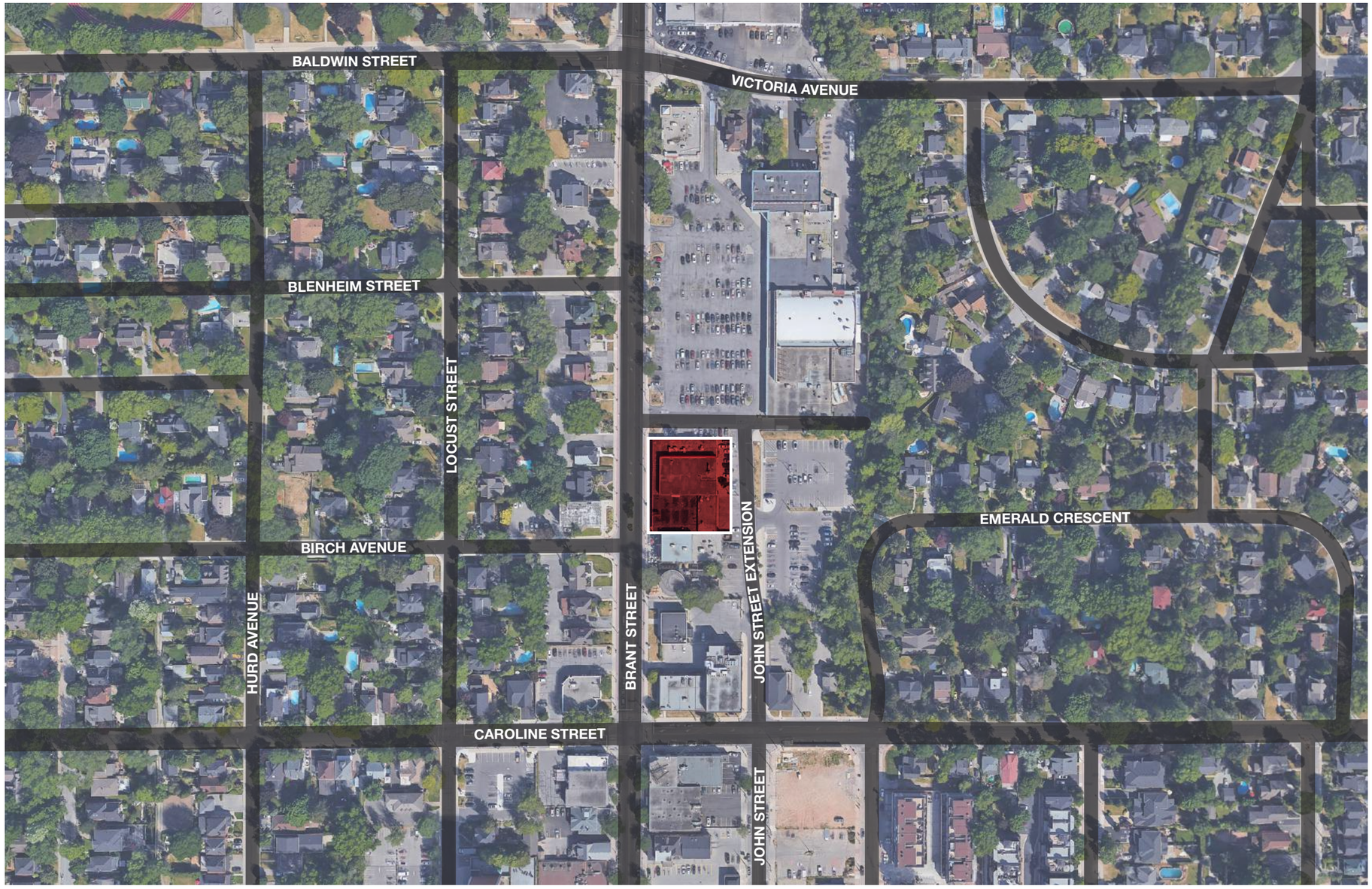


Figure 1 - Subject Site

2.2 Surroundings

As noted in the Planning Justification Report, also prepared by Bousfields Inc., the Subject Site is located within the City of Burlington's Downtown Urban Growth Center, identified in Schedule B of the in-force Official Plan. This area has generally consisted of low-rise commercial buildings along Brant Street from Victoria Avenue to Lakeshore Road with more commercial establishments along Lakeshore Road extending mostly from Maple Avenue to the west to Torrance Street to the east and taller residential apartment buildings clustered around the Brant Street and Lakeshore Road intersection with new or recently approved tall buildings being approved further south along Brant Street in the vicinity of James Street.

Despite the existing low-rise character along much of Brant Street, the 1997 Burlington Official Plan developed a policy framework that would see the portion of Brant Street from Victoria Avenue to Lakeshore Road change into a higher density form of development that would be the major spine of the Downtown Mixed Use Centre to meet provincial growth objectives and to help support an increase in transit use. As a result, mid- and high- residential and mixed use (commercial and residential) buildings have been developed, proposed, or approved along or adjacent to Brant Street, exchanging the existing underutilized low-rise commercial and low-rise residential uses for a more appropriate higher density land use, consistent with the developed policy framework for the Downtown core.

Development applications have been approved for 2025 Maria Street, 510 Elizabeth Street, and 2030 Caroline Street (17- storey mixed-use apartment building already constructed with adjoining 8- storey office building and 6- storey parking garage), 421-431 Brant Street (23- storey mixed use apartment building), 364 Martha Street (26- storey mixed use residential building), and 2042, 2048, and 2054 Lakeshore Road (22-storey mixed-use residential apartment and a 7- storey mixed-use residential apartment with an 8- storey hotel under construction). In addition to the already approved and/or under construction developments, recent developments that have been proposed include a 24- storey mixed use building located at 409 Brant Street, a 29- storey mixed use building located at 2069-2079 Lakeshore Road and 383-385 Pearl Street, a 27- storey mixed use residential building located at 2093-2101 Lakeshore Road and a 27-storey mixed-use residential building at 2107 -2119 Old Lakeshore Road. These buildings would already be accompanied by a number of already existing mid- to high- rise buildings located within the Downtown Urban Growth Centre, including a 15-storey building at Burlington Square Plaza (760 Brant Street) and 15- and 18-storey residential buildings at 477 Elizabeth Street and 478 Pearl Street respectively.

Based on the foregoing and on assessment of the surrounding land uses and built form character, it is our opinion that the Subject Site is located within an area of transition and one that is appropriate for tall buildings.

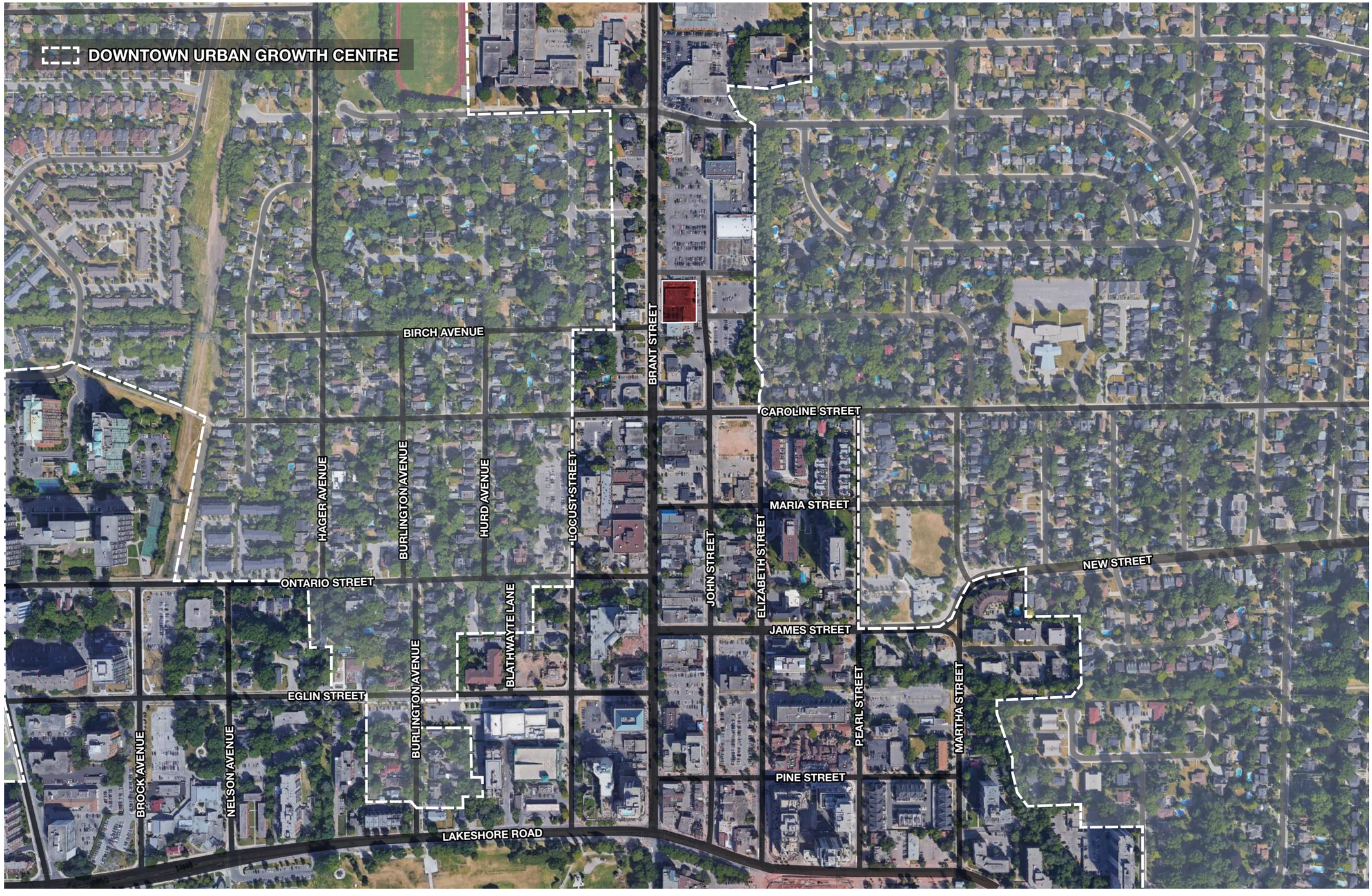


Figure 2 - Surrounding Area

2.3 Immediate Surroundings

Explanatory Note: While Brant Street follows a northwest-southeast orientation, for the purposes of this report and ease of description, we have assumed that Brant Street is oriented in a north-south direction.

East

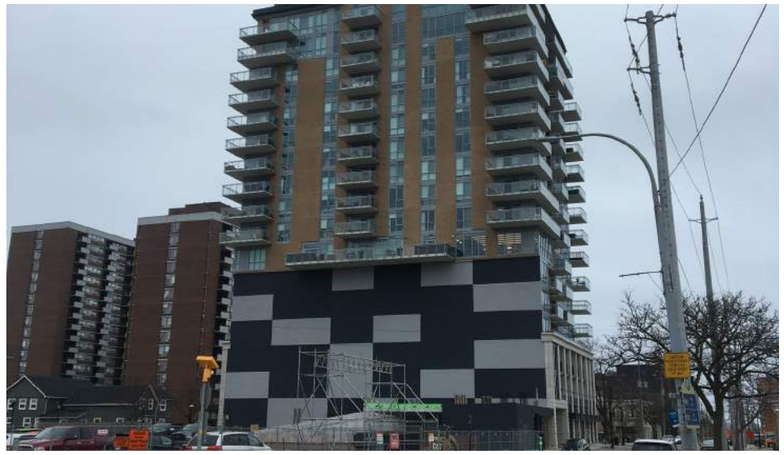
To the immediate east of the Subject Site on the opposite side of John Street Extension (the portion of John Street north of Caroline Street had not yet been dedicated as a municipal road), is a municipal surface parking lot known as John Street North Lot #3. Further east is a naturalized area and Rambo Creek. Beyond these uses further east is an established low-rise residential neighbourhood predominantly made up of 1- and 2- storey single detached dwellings. The residential neighbourhood is connected with the west side of the Creek with a pedestrian bridge at the west elbow of Emerald Crescent.



Looking East across the John Street Extension at municipal parking lot (533 Brant Street).



Looking east along Caroline Street from Emerald Crescent at low-rise residential houses.



Looking southeast from the intersection of the John Street Extension and Caroline Street towards the 17-storey mixed use building at 2025 Maria Street.



Looking southeast along Elizabeth Street towards the 15- and 18-storey residential towers at 477 Elizabeth Street and 478 Pearl Street.

West

To the west of the Subject Site on the west side of Brant Street are a variety of one to two- storey house-form and main street-type buildings which are occupied by commercial uses, with associated surface parking in the front and rear yards. On the northwest corner of Brant Street and Birch Avenue at 534 Brant Street is a 2-storey concrete commercial building with associated surface parking located in the rear yard. To the north, on the west side of Brant Street directly opposite the Subject Site are several house form buildings with commercial uses. Further west, beyond these properties is a low-rise residential neighbourhood that extends further west to the hydro corridor. Continuing south along Brant Street on both sides of the street are pedestrian oriented low-rise commercial buildings which generally continue past Caroline Street.



Looking west from the Subject Site towards commercial uses on the west side of Brant Street (534 and 540 Brant Street).



Looking southwest from the intersection Locust Street and Birch Avenue at the low-rise residential neighbourhood west of Brant Street.



View of Burlington Central School (1433 Baldwin Street) on the west side of Brant Street.



View of commercial uses on the west side of Brant Street (672 Brant Street).

South

To the immediate south of the Subject Site is a 2- storey commercial building occupied by a restaurant. Continuing south along Brant Street, on the east side, is another restaurant, a 1- storey building occupied by a bank, followed by a 1- and 2- storey building occupied by a telecommunications company at the northeast corner of Brant Street and Caroline Street. Further south is a cluster of tall buildings, including the recently built 17- storey mixed use building at 2025 Maria Street also known as "The Berkeley Condominiums", which will also include an 8- storey office building adjacent to Caroline Street and a 6- storey parking garage in the centre, and existing 15- and 18- storey slab -style residential buildings at 477 Elizabeth Street and 478 Pearl Street respectively.



View of low-rise commercial buildings immediately south of the Subject Site (519 and 527 Brant Street).



Looking south along Brant Street from the Subject Site.



View of commercial uses along Brant street, looking north from Ontario Street.



View along Elizabeth Street, looking south from Caroline Street at townhouse development and towers beyond.

North

Immediately north of the Subject Site, at 559 Brant Street is a large-scale multi-tenant retail plaza, currently anchored by a No Frills grocery store, setback from Brant Street with an associated surface parking lot fronting onto the street. Continuing north, on the north side of Victoria Avenue is a 2-storey commercial building currently occupied by a car dealership, followed by St. John Catholic Elementary School and St. John The Baptist Church all of which have large associated surface parking lots. East of these buildings is a low-rise residential neighbourhood containing two 4-storey residential apartment buildings, with 1- to 2-storey detached residential dwellings beyond.



View of low-rise commercial plaza and associated surface parking immediately north of the Subject Site (561-591 Brant Street).



View of low-rise commercial uses on the south side of Brant Street, north of the Subject Site (590 and 600 Brant Street).



View of low-rise commercial uses at the northeast corner of Brant Street and Victoria Avenue Subject Site (629 Brant Street).



View of Burlington Square Plaza and 15-storey residential building at 760 Brant Street.

2.4 Transportation Context

2.4.1 Road Network

Brant Street provides generally north and south vehicular connections, as well as direct access to other major road corridors including Lakeshore Road, Fairview Street and the Queen Elizabeth Way. Brant Street is identified as a minor arterial road on Schedule K – Classification of Transportation Facilities Downtown of the Official Plan. The right of way along this segment of the road consists of one travel lane in each direction and a central turning lane. Bicycle lanes and sidewalks are provided on either side of the road. Table 2 – Road Allowance Widths in the Official Plan indicates the planned right-of-way width for Brant Street is 26 metres from Caroline Street to Olga Drive.

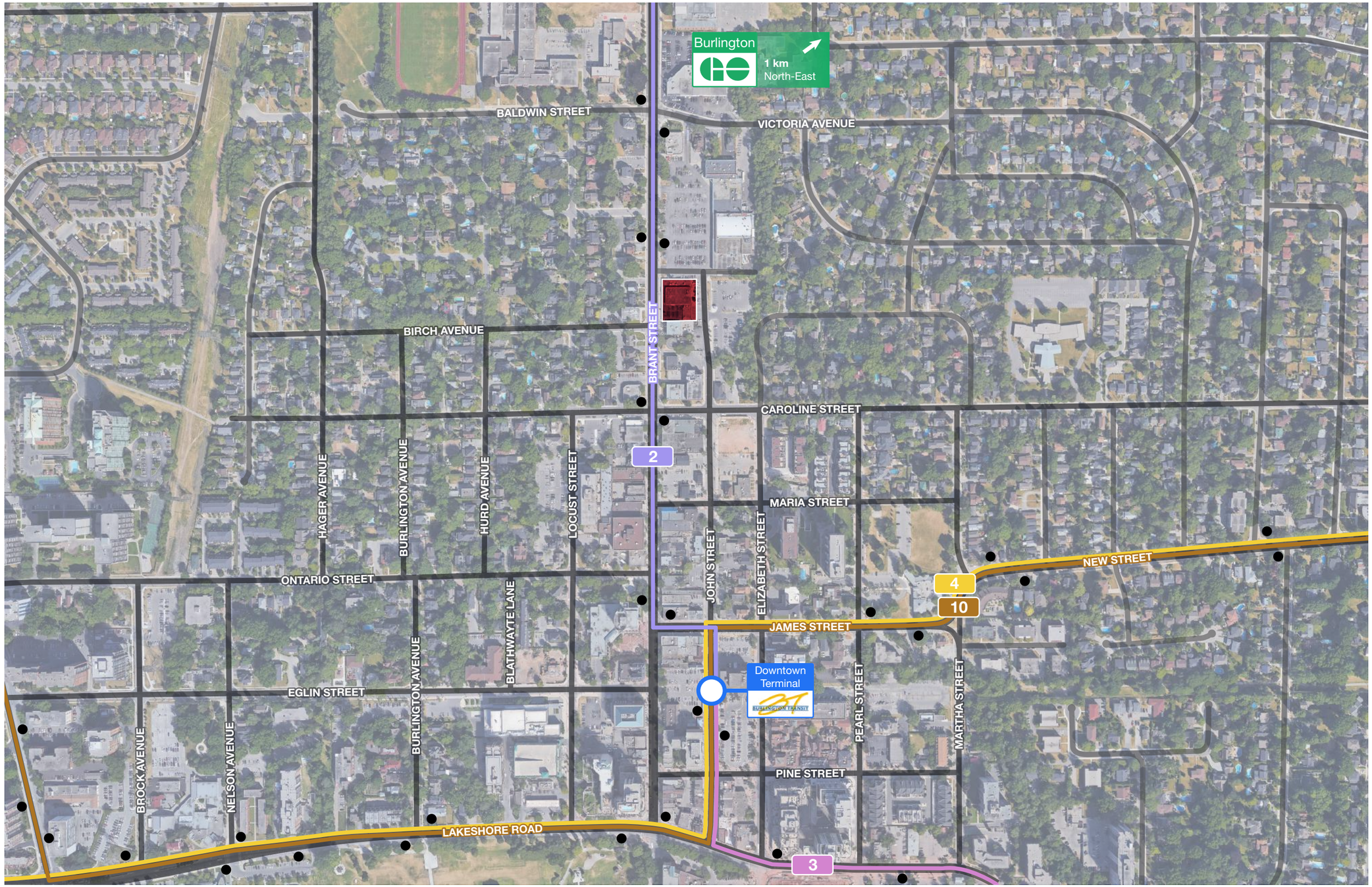
2.4.2 Transit Network

The Subject Site is well-served by public transit. Brant Street is served by the 2-Brant Downtown bus route which operates along Brant Street from Guelph Line to Brant Street from John Street to Dundas Street, with connections to the Burlington GO Station and Highway 407 GO Station. As a result of the Subject Site's location within 500 metres of the Downtown bus terminal, which is located north of Pine Street on the west side of John Street, the Subject Site benefits from convenient access to 6 additional bus routes that provide connections throughout the city and to neighbouring municipalities. These routes include:

- 3 Guelph-Downtown operating along Guelph Line from Lakeshore Road to Dundas Street and the Highway 407 GO Station.
- 4 Central operating from John Street to Appleby GO Station.
- 10 New-Maple operating along New Street from Appleby GO Station to Burlington GO Station.
- 50 Burlington South operating along North Shore Boulevard and Plans Road East from Burloak Drive to Maple Avenue.
- 52 Burlington Northwest which provides service along Brant Street and Guelph Line from Dundas Street in the north to New Street in the south.
- 300 Community Connection operating twice weekly at off-peak times and provides service to community facilities throughout the city.

In addition to the local bus services provided along and in the vicinity of Brant Street, the Subject Site is well situated for regional transportation connections as it is approximately 1.3 kilometres south of the Burlington GO Station on Fairview Street. This station offers regional connections to the west towards Niagara and to the east towards Toronto.

The in-force Official Plan, in particular, Appendix A – Schedule 1 – Long-Term Transit Service Network, identifies Brant Street as a Primary Bus Service route which is planned to provide peak period services frequencies of 15 minutes or better. With respect to the cycling network, on Appendix A – Schedule 2 – Long-Term Cycling Master Plan of the Official Plan, Brant Street is identified to have bike lanes west of Caroline Street and is identified as a bicycle priority street from Caroline Street to Lakeshore Road.



Subject Site
BUS STOP

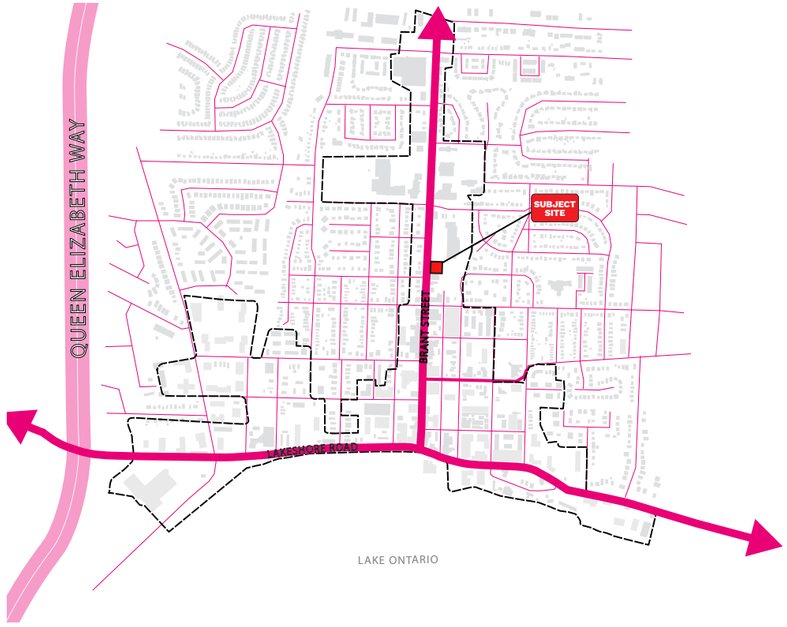
Figure 3 - Local Transit Network

2.5 Urban Design Context

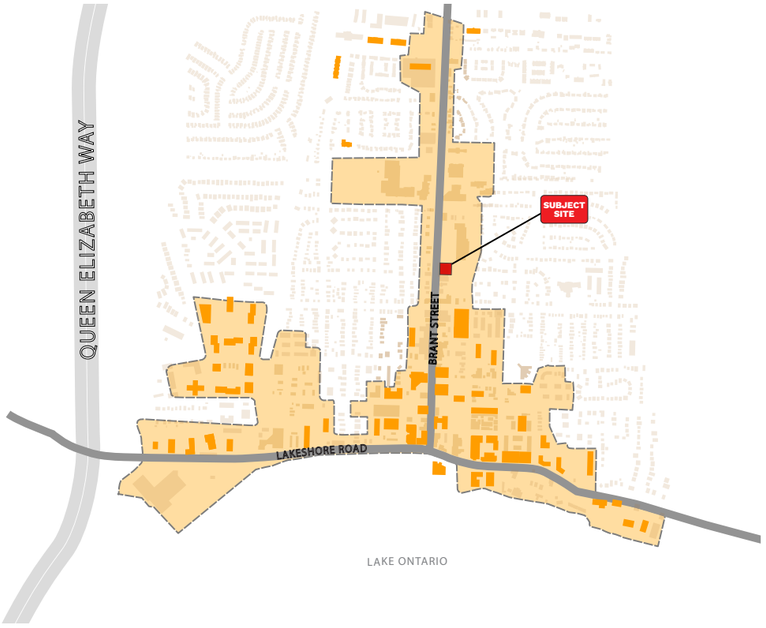
Within the context of the Downtown, Brant Street functions as the main street and primary north-south movement corridor for pedestrians, cyclists, transit users and automobiles. As one of the City's principal streets and essential organizing elements from an urban structure perspective, Brant Street serves as the spine of the Downtown Core. As such, Burlington's Downtown is characterized by the increase in density clustered along Brant Street which function's as the City's principal street, expanding east and west and closer to the water's edge. Much of the area outside the Downtown is characterized by low-rise residential uses, clearly delineating the boundary between these two urban structure elements. This corridor of taller buildings and denser development expands further outward, particularly on the east side of Brant Street, creating a larger separation between buildings which front onto Brant Street and the low-rise residential uses beyond the Downtown. Clusters of existing and emerging and recently approved tall buildings with heights of up to 23 storeys exist relatively irregularly along Brant Street to the south as well as to the east.

To the north, Brant Street connects to the Burlington GO station and to Highway 403 and the QEW. It terminates four blocks south of the Subject Site at Lakeshore Road, directly east of Spencer Smith Park, Brant Street Pier and the water's edge. Many of the buildings closer to the waterfront exhibit the traditional characteristics of a fine-grain Downtown "main street", including generally low-scale contiguous street wall consisting of commercial or mixed use buildings, broken up by diverse architectural treatments and styles that are reflective of the time period in which they were built.

North of Caroline Street, the east side of Brant Street is characterized by a mix of commercial buildings that rely on surface parking, fail to adequately frame the street and are not compelling architecturally. Along the west side of Brant Street is a collection of primarily house-form buildings occupied by commercial uses. Several parcels of land are left underutilized and occupied by surface parking, resulting in a disjointed and disconnected urban fabric and a streetscape that is generally unsuitable for the pedestrian oriented vision for the area. The street wall is not continuous as much of the street is lined with stand alone buildings. In this regard, the Subject Site is located along a stretch of Brant Street that provides an opportunity to improve the streetscape and promote a built form character that supports a walkable Downtown and responds well to the pedestrian-oriented built form pattern and streetscape character closer to the waterfront.



Movement



Urban Growth Centre
and Tall and Mid-Rise Building Locations



Mixed Use Corridors

Figure 4 - Urban Design Context

3.0 URBAN DESIGN VISION

Currently underutilized, the Subject Site presents an opportunity to introduce a development that has a more positive relationship with and brings prominence and vitality to the streetscape and public realm along Brant Street, the city's main street.

The vision for the proposal is to redevelop underutilized lands with a pedestrian-oriented and street-related built form that is suited for Brant Street's function as a primary pedestrian and retail corridor within the Downtown. The proposed development scheme will provide an urban design response that is respectful of the existing character of the streetscape with a well-considered approach to its general built form and architecture. Further, the proposal will create a public realm at grade supportive of its purpose by providing strong built form relationships to adjacent streets.

3.1 Urban Design Strategies

The following urban design strategies provide a basis for achieving the vision for redevelopment on the Subject Site:

Street-Related Built Form and Compact Urban Form



- Locating the base building parallel to Brant Street and John Street and providing a setback that responds to adjacent buildings as well as maintains and enhances the existing streetscape character.
- Massing and locating the base building such that it frames the street with good proportion.

Fit within Built Form Context



- Providing a complementary building design that responds appropriately, in both form and function, to the surrounding context.
- Locating, orienting and articulating the tower such that it mitigates perception of mass and respects the low-rise residential neighbourhood to the east, including stepping the tower back from the podium along both frontages.
- Siting the tower element to limit the effects of incremental increases in shadow on the public realm of nearby streets and properties in both extent and duration.

Enhanced Public Realm and Streetscape



- Locating and designing parking and service functions of the development to limit their impact on the public realm.
- Introducing a sidewalk along the John Street Extension frontage.
- Providing enhanced pedestrian amenities along the Brant Street frontage to improve the utility of the public realm.

Active Frontage



- Providing grade related uses including retail uses at grade that are directly accessible from the public realm along Brant Street.
- Creating human-scale and inviting building frontages that engage pedestrians and promote interaction with the public realm.

Connectivity



- Providing a site arrangement that successfully integrates with the existing connections and built form patterns and improves linkages for pedestrian, cycling, transit and vehicular circulation.

4.0 DESCRIPTION OF PROPOSAL

The proposed redevelopment, designed by Turner Fleischer Architects, provides for a 26-storey (85.55 metres including mechanical penthouse) mixed-use building fronting onto Brant Street. The building will have a total Gross Floor Area of 21,003.9 square metres, with a resultant Floor Area Ratio of 7.56.

In terms of land use, the development scheme proposes approximately 1,068 square metres of retail uses at-grade with 19,766.2 square metres of residential uses and 169.8 square metres of indoor amenity area. The development proposes a total of 248 units, including a mix of unit types and sizes.

The landscape concept plan, prepared by Ferris and Associates, demonstrates the program opportunities that are being contemplated as part of the redevelopment of the Subject Site. Landscaping elements are proposed along both frontages, including the planting of street trees along Brant Street and John Street. Further, the proposal will provide approximately 841.0 square metres of flexible and programmed common outdoor amenity space throughout Level 2, 4 and 26.

The overall massing of the proposed building has been articulated by a base building (podium), a building middle (tower), and a building top (mechanical penthouse).

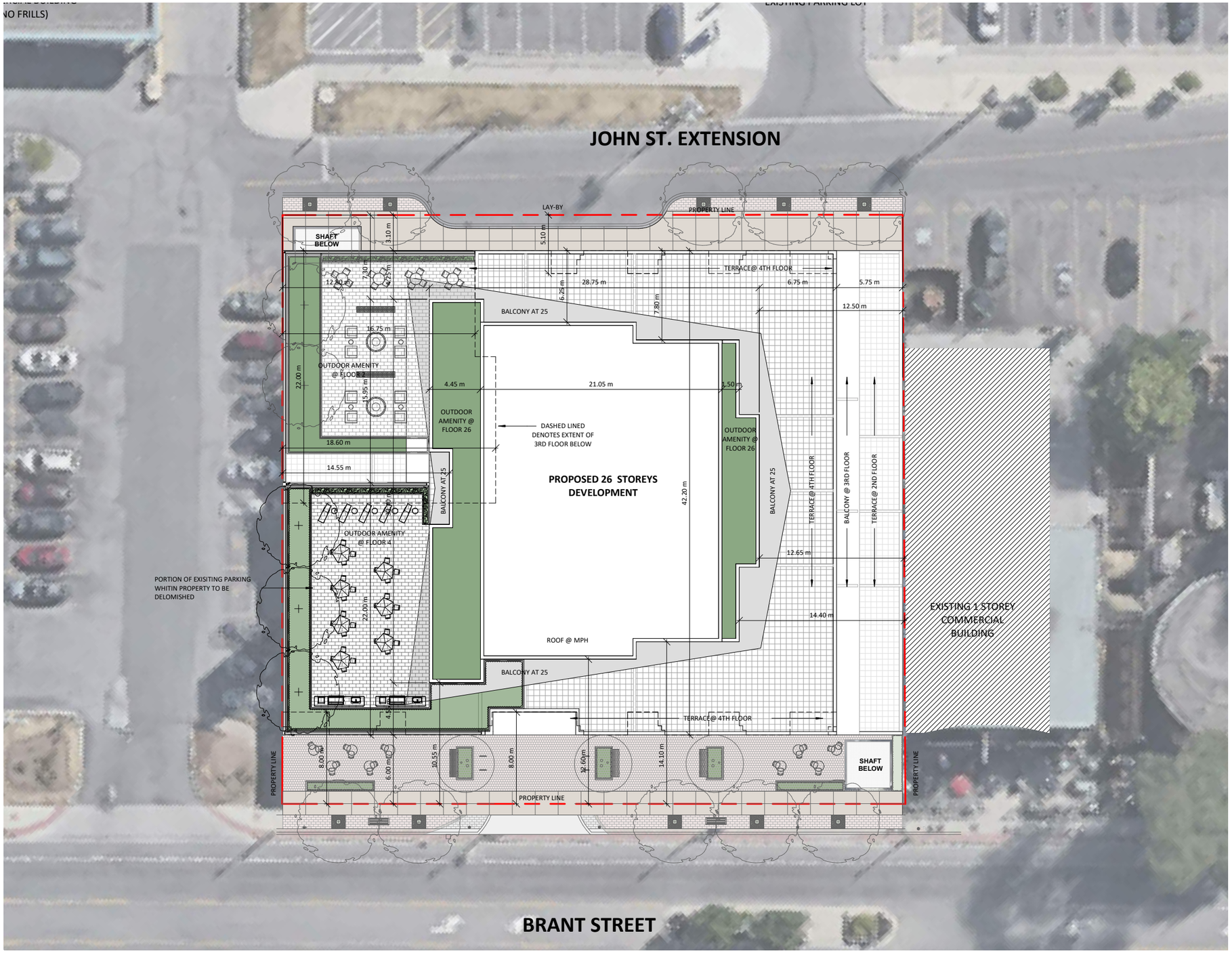


Figure 5 - Site Plan (Source: Turner Fleischer Architects)

4.1 Base Building

The proposal provides for a 3-storey street-related podium element with a total height of 13.75 metres. The ground floor will animate the Brant Street frontage with retail uses and a residential lobby. The lobby will be connected with John Street Extension through a corridor providing pedestrians with access along both frontages. The remainder of the ground floor consists of building services. Vehicular access/egress to the Subject Site is provided from the Brant Street frontage, providing access to the underground parking ramp and loading/servicing areas. The ground floor is generally set back 6.0 metres from the front lot line along Brant Street to provide boulevard width of approximately 8.0 metres. A 3.0 metre setback will be provided to the rear lot line along the John Street Extension and a pedestrian sidewalk will be introduced along this frontage. Setbacks of 0.0 metres are provided from the side lot lines to the (south and north) to provide a desirable contiguous street frontage along Brant Street.

The podium terraces down to two-storeys at its northeast corner to further articulate the base building and provide a transition to the adjacent low-rise area and accommodate a large outdoor amenity area. A 6.0 metre setback is also provided along the south lot line at the second storey, providing terraces and creating variety in the streetwall that responds well to the adjacent buildings.



Figure 6 - Rendering, View looking southeast (Source: Turner Fleischer Architects)

4.2 Tower

Above the 3-storey base building, the tower is a well-articulated and slender 23-storey element with an approximate floor plate of 793.7-797.0 square metres. The tower mass is broken up by various additive and subtractive articulations and balconies that create a geometric floor plate and dynamic silhouette. The tower element is set back a minimum of 4.55 metres from the podium along Brant Street, and 10.6 metres from the front property line at its closest point. Along the John Street Extension frontage, the tower is setback a minimum of 4.3 metres from the podium and 7.3 metres from the rear property line. Additionally, setbacks of 12.5 and 12.8 metres are provided from side property lines, to the south and north respectively.

4.3 Tower Top

The tower top consists of a well integrated mechanical penthouse with respect to the overall architectural treatment and massing configuration.



Figure 7 - Sections (Source: Turner Fleischer Architects)

4.4 Parking, Loading and Servicing

The development scheme proposes to locate all parking below-grade in 4 levels, providing a total of 253 parking spaces. Loading spaces are provided at-grade and are located within the podium. Access to the underground parking ramp as well as loading and servicing areas is provided from a consolidated vehicular entrance from Brant Street. Additionally, a lay-by is provided along the John Street Extension to provide a drop-off area for residents and visitors.

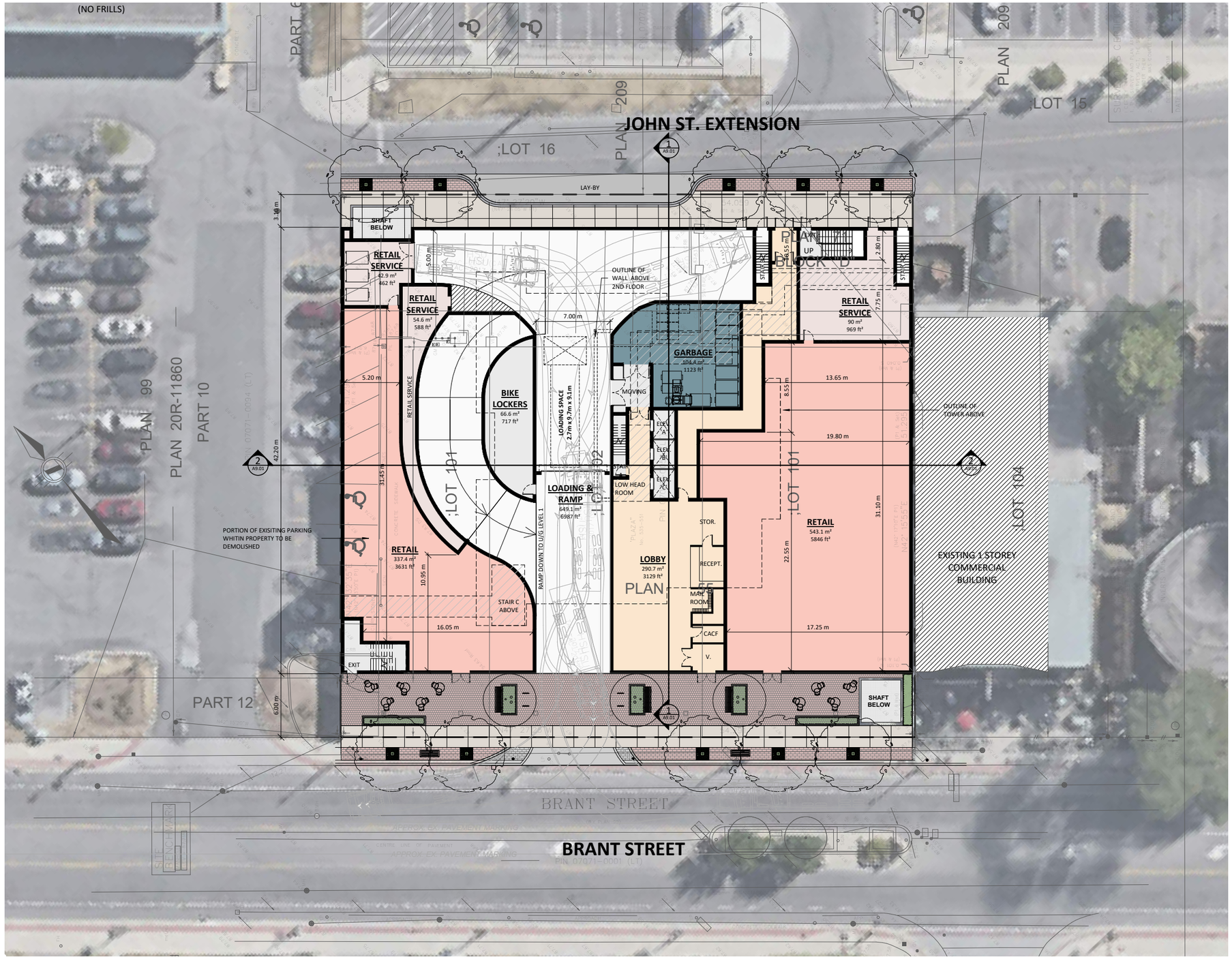


Figure 8 - Ground Floor Plan (Source: Turner Fleischer Architects)

4.5 Response to Burlington Urban Design Advisory Panel

In addition to consulting with the community, the applicant sought urban design advice from the Burlington Urban Design Advisory Panel (BUD) as part of the pre-application consultation process.

On June 23, 2020, the applicant's consultant team presented a conceptual proposal for the Subject Site to the Burlington Urban Design Advisory Panel. The proposal was for a 26-storey mixed use building with a 3-storey base building and a tower above. City Staff sought the Panel's advice on three main themes. Please see Appendix A for a complete copy of the BUD meeting minutes. The following is a summary of Staff's three questions and the Panel's advice:

Built Form

Tower

- The proposed height of the building is an issue.
- The tower feels very repetitive on all sides, the use of materials and shaping of the tower does not do enough to mitigate the massing and the shaping of the building will do enough to reduce the impacts of the repetition of the floors
- More interest is needed for a tower in this location
- The floor plate exceeds the maximum area and seems to be bulkier than necessary for this area due to the angles from the north. The unique shape of the building, how it is pinched does help to mitigate the massing, apart from the height;
- Although having the angled façade is helpful at grade, it also means that the north side of the façade coming down Brant Street will read larger than it may have to, although the shape is interesting, the building is too far away from the lake and there is another tower proposed in the Block Plan between the proposal and the lake that would disrupt some of the views.

Podium

- Concerned with the relationship to the street and creating an imbalanced street considering that the 2- to 3-storey built form on the west side of Brant Street will likely stay that way for quite some time due to the smaller lots with shallower depths on that side of the street.
- The treatment of the podium against Brant Street is successful architecturally. The use of brick in the base building ties in with the nature of the architecture across the street on Brant Street pulling that downtown feel that is further south on Brant Street up north to this area will improve the currently tired looking and inconsistent streetscape.

Given the comments noted above, the Panel recommended that the proposal apply a 45-degree angular plane from (at a minimum) the eastern property lines of the established residential properties that front onto Locust Street to respond appropriately in terms of scale and context. In terms of the proposal's relationship to the west side of Brant Street, it was recommended that a visual impact analysis be done.

Response:

The Subject Site is in an area that is planned for intensification and change. The proposed 26-storey height is appropriate within the emerging tall building context along Brant Street and aligns with the in-force Official Plan's vision of a high density, compact, and transit supportive Downtown. The proposal has been designed to be compatible with the surrounding existing and planned context, as outlined in the following sections of this Brief.

The in-force Official Plan and Tall Building Guidelines do not specify the location from which an angular plane should be applied. The proposed policy amendments to the new Official Plan provide that an angular plane should be applied from the western boundary of Rambo Creek. However, numerous in-force policies and guidelines speak to the intention to provide a transition to and minimize built form impacts (including access to sunlight and sky view) on low-rise areas and public spaces including sidewalks, parks and open spaces. As such, the height of the proposed building has been informed by an angular plane study, where a 45-degree angular plane was applied from the nearest low-rise residential property line on the east side of Rambo Creek.

With respect to the massing of the tower, the revised design provides additional articulation in the tower to add diversity in the elevations as recommended.

Public Realm

The Panel understands that the applicant's intent is to provide pedestrian access along the north side of the building. However, the Panel suggested that both the north and east edges of the development need to do more. Recognizing that the way the building meets the public realm is a bit of a challenge with the glass (i.e. false windows), the Panel felt that this is an area where the design can be improved to enhance the public realm. The Panel agreed that the way the building fronts on the future publicly accessible open spaces, particularly the 'potential park', is critical and they suggested that an enhanced façade and public realm treatment should be employed including streetscape improvements such as paving treatments.

Additionally, the Panel was concerned that the use of raised planters along Brant Street will sever the space and may not support the long-term success of the trees planted in them.

Response:

The north and east facades of the building do not front onto public streets. While they are visible from the public realm, the proposed design seeks to adequately address these frontages while maintaining prominence along Brant Street. Brant Street is the Downtown's main street and priority retail street, therefore the Brant Street frontage was treated as the primary frontage for the Subject Site. Articulation provided on the 2nd and 3rd floor to add visual interest to the east frontage while maintaining its functionality. Retail uses are provided along the north frontage. The main entrances are provided on Brant Street to give prominence to this frontage, while the north frontage will also incorporate glazing and horizontal and vertical articulation to help activate the frontage.

The revised design considers incorporating additional animation along the north and east elevations through the use of dynamic materials and through the provision of additional landscape elements.

Site Access

The Panel agreed that vehicular access from the John Street Extension is much preferred over Brant Street, to support a better pedestrian environment on Brant Street. The Panel understood from the applicant's perspective that the John Street Extension is challenging because the nature of its ownership and future design is currently unclear Accordingly, the Panel recommended encouraging the City to formalize the John Street Extension to allow the applicant to make it the primary vehicular access to the Subject Site to facilitate a quality pedestrian environment along Brant Street.

The Panel questioned why the internal driveway is designed the way it is, noting that it takes up a lot of area on the ground floor, and asked if it can be eliminated. If the access is moved to the John Street Extension and the proposed internal T-shaped driveway is reversed to face Brant Street, the Panel is concerned that this could negatively impact the ability to achieve the continuous retail function along Brant Street and thus an active frontage.

Response:

Access to the Subject Site is constrained to Brant Street, although the preference is to provide vehicular access from the future extension of John Street. The proposed design aims to minimize the interference between pedestrians and the vehicular entrance by screening the entrance and internalizing it within the podium. The interface with the public realm at grade will be enhanced through the use of flush pavers to provide a continuous streetscape and pedestrian environment.

The revised design reconsiders the ground floor and will aid in resolving the interface of the vehicular access to the building with the public realm. As such, an overhead door was removed from the facade along Brant Street and the entrance was redesigned to better screen the access driveway.

5.0 URBAN DESIGN POLICY CONTEXT

5.1 City of Burlington Official Plan (2017)

The City of Burlington Official Plan ("BOP"), office consolidation October 2017, was approved by the Ontario Municipal Board (now Local Planning Appeal Tribunal) on October 24th, 2008. The intent of the Official Plan is to guide the City's land-use strategy over the next 20 years to ensure that future planning and development will meet the specific needs of the community.

On Schedules A – Settlement Area and B – Comprehensive Land Use Plan, the Subject Site is identified as a Mixed Use Activity Area and Mixed Use Centre respectively. On Schedule E – Downtown Mixed Use Centre Land Use Plan, the Subject Site is located within the Downtown Urban Growth Centre and is designated Downtown Core Precinct, for which policies are laid out in Part III Section 5.5.8 of the BOP. For detailed discussion of the relevant land use policy, please refer to the Planning Justification Report also prepared by Bousfields Inc in support of this rezoning application.

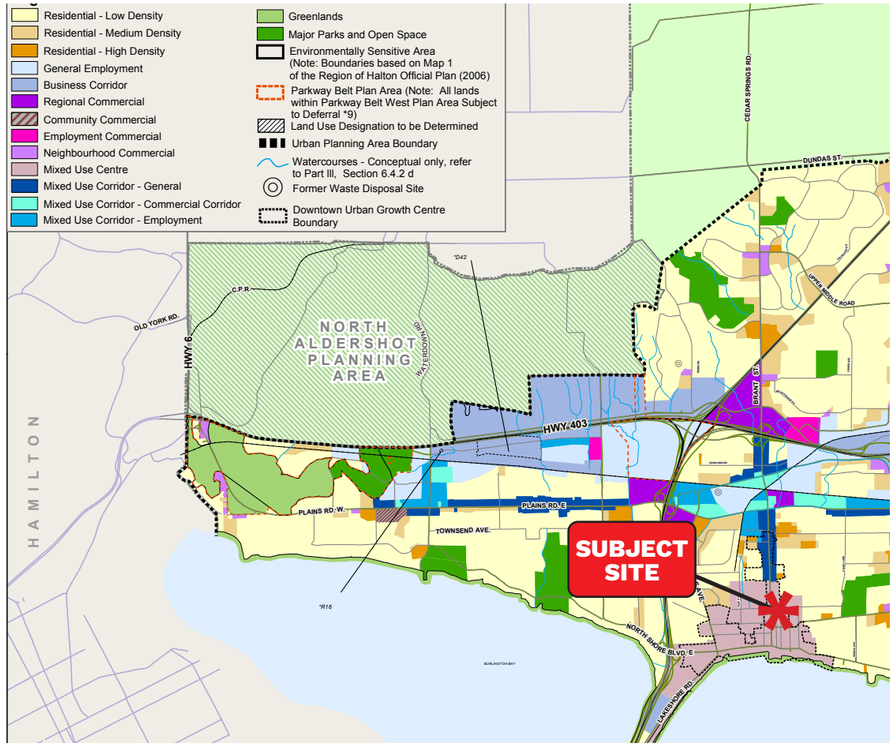


Figure 9 - Burlington Official Plan (2015) Schedule B

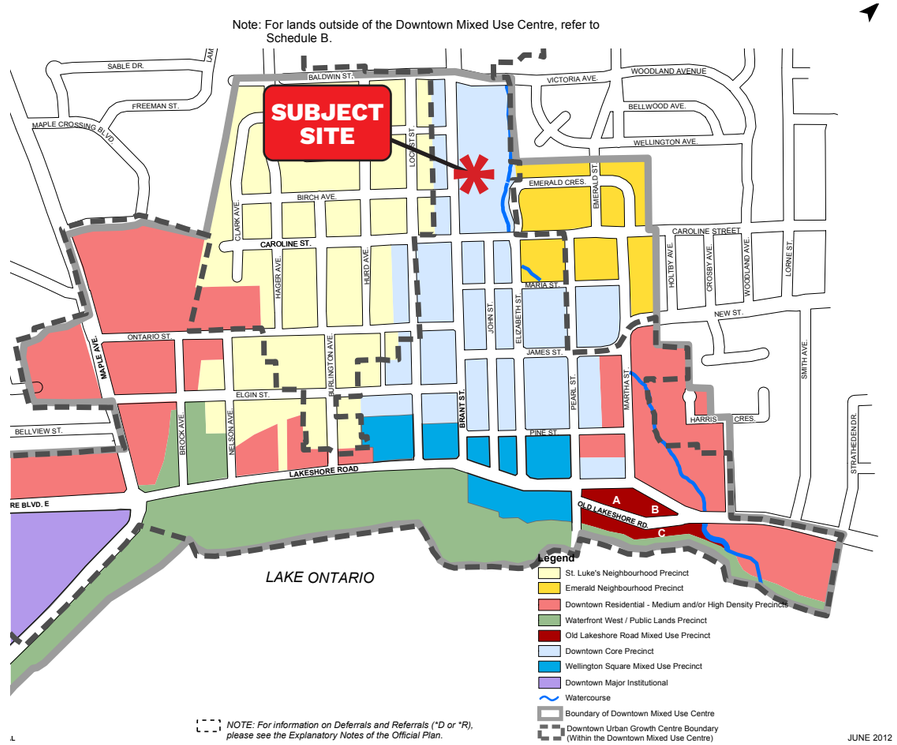


Figure 10 - BOP Schedule E

Part II

Part II of the BOP includes functional policies, in which there is guidance on the design of development within the City. Specifically, Section 6.0 emphasizes the increasing importance of design as an element of the planning process; an element that is necessary to achieve a cohesive visual character for development and the City as a whole. To that end, it is identified that the City of Burlington is committed to a high standard of design and architecture and will bring this significance to the approval process for all land uses. To achieve an efficient and attractive urban form, Policy 6.1 sets forth the City's design principle that:

"The tangible elements of the urban form, consisting of a combination of the built environment and open space that form the urban landscape, shall be designed in an efficient, attractive and compact manner to enhance the well-being of the residents of the community and to reflect the vision of this Plan".

Objectives set forth in Policy 6.2 include:

- To ensure that the design of the built environment preserves, enhances and connects natural features and landscapes.
- To ensure that the design of the built environment enhances heritage features.
- To ensure that the design of the built environment strengthens and enhances the character of existing distinctive locations and neighbourhoods and that proposals for intensification and infill within existing neighbourhoods are designed to be compatible and sympathetic to existing neighbourhood character.
- To ensure that the design of the built environment in new communities integrates with the natural setting and provides a diverse social setting that is well served by public transit, and by attractive and well-developed pedestrian environments.
- To achieve a high quality of design within the public realm.
- To ensure consistency, compatibility and quality in the built environment while allowing for a diverse design expression.
- To integrate urban design into the full range of decision-making activities to assist in achieving the design objectives of the Plan.
- To ensure that the principles of sustainable development are considered in the design of the built environment.

Response:

- The proposed development will provide enhanced streetscaping along Brant Street, suited to its function as a principle street. Along the John Street Extension, a sidewalk will be introduced to improve the interface with the public realm along this frontage.
- The proposal has been designed to be compatible and fit well with the existing built form character by incorporating a 3-storey street related podium. The podium also provides a setback along the Brant Street frontage that aligns with the adjacent building to the south. The tower is setback from all facades of the podium to differentiate it from the base building and allow the podium to establish a human-scale street wall that is appropriately scaled to fit within the context of the adjacent buildings.
- Pedestrian-scaled articulation within the podium in addition to the incorporation of glazing will activate the frontage at grade. The proposal will also introduce public realm improvements including landscaping and the planting of 10 street trees.
- The architectural design of proposal is complimentary to that of the existing context and the surrounding developments that have been recently approved. The building will be a high-quality addition to the Brant Street corridor through the use of materials and architectural articulation that reference the masonry of the existing low rise buildings in the podiums while incorporating a contemporary design treatment and a lighter materiality in the tower to create a positive contribution to the skyline.
- From an urban design perspective the proposed development considers sustainability objectives in a variety of ways including redeveloping an under-utilized, auto-centric site with a pedestrian-oriented built form typology that is supportive of transit and active transportation, providing bike racks, introducing landscaping at grade as well as 620.2 square metres of rooftop outdoor amenity space that incorporates softscaping.

Policy 6.3 deals with existing and new communities, emphasizing enhancements to existing community identities (Policy (a)), identification of gateways/ landmark locations (Policies (b) and (c)), requirements for design plans (Policy (d)) and the preference for compact development that is pedestrian-oriented and encourages the increased use of public transit (Policy (e)).

Response:

- The proposed development will enhance the community identity along Brant Street by providing a base building that appropriately frames and addresses the street and a tower that is stepped back and appropriately scaled in order to respect and provide transition towards the existing low-rise area to the east. Furthermore, the proposed building will fit well within the emerging tall building context along Brant Street and the existing tall building context within the Downtown.
- The proposal represents compact and transit-supportive built form. It introduces a pedestrian-scaled base building with active uses at-grade.

Policy 6.4 deals with public realm, encouraging the enhancement of public realm quality (Policy (a)), the introduction/improvement of linkages (Policy (d)) and streetscape improvements (Policy (e)) through design opportunities.

Response:

- The proposed development will provide an enhanced streetscaping along Brant Street and John Street Extension by providing wide pedestrian boulevards, landscaping and high-quality pedestrian amenities such as bike racks and benches.
- The proposed building will enhance the public realm by activating the street with pedestrian-scaled design elements and will introduce a sidewalk along the John Street Extension frontage to improve connectivity to the surrounding area.

General design guidance is contained in Policy 6.5 where the following is emphasized:

- The density, form, bulk, height, setbacks, spacing and materials of development are to be compatible with its surrounding area. (Policy (a))
- The compatibility of adjacent residential and non-residential development is encouraged through site design and buffering measures, including landscape screening and fencing. (Policy (b))
- The design of all buildings must recognize pedestrian scale, safety and the perception of safety and access and the preservation of public vistas and views. (Policy (c))
- The creation of a continuous, harmonious streetscape is encouraged with emphasis on maintaining the continuity of grade-related activity, both inside and outside of buildings. (Policy (d))
- All developments should be designed having regard for public transit accessibility in the Urban Planning Area, convenience and comfort, and access and parking for the physically challenged, and to ensure that the needs of persons with disabilities and other special needs groups are addressed. (Policy (e))
- Design plans that promote public safety and security, with adequate visibility and lighting and the avoidance of secluded areas, should be provided. (Policy (f))
- The location, amount, position and design of parking areas should be designed to minimize the quality of the public streetscape and lessen their visual impact. (Policy (g))
- The streetscape appearance of major, multipurpose and minor arterial roads and collector streets should be enhanced by encouraging the location of main entrances to buildings facing the streetscape with improved treatment (Policy (h))
- Reverse lotting patterns and blank walls facing the streetscape should be avoided. Additionally, side and end elevations of buildings facing major, multi-purpose and minor arterial and collector roads should be designed with an upgraded level of architectural treatment. Building setbacks from the street are to be minimized along pedestrian and transit-oriented streets. (Policy (i))
- Servicing, loading, waste and mechanical areas should be screened so as to minimize visual impact. (Policy (j))
- The impact of lighting associated with new development should be minimized to lessen the sky glow and the intrusion of unwanted lighting into adjacent properties. (Policy (k))
- All development shall be designed having regard for Sustainable Development considerations as set out in Part II, Subsection 2.7.3 of the Plan.

Response:

- The proposed development is compatible with the height, scale and form of the surrounding buildings. The Subject Site is located within the Downtown Mixed Use Centre and Urban Growth Centre along a corridor that has an existing and emerging high-rise character. The proposed building takes the form of a point tower atop a pedestrian scaled podium and is generally consistent with contemporary tower design practices.
- The proposal does not incorporate buffering measures between the adjacent commercial buildings and instead provides a contiguous street wall along Brant Street to maintain and enhance the character of the Downtown which is a more appropriate urban design response for the surrounding context.
- The building has been designed to incorporate a pedestrian-scaled 3-storey base building that is set back to align with the existing building to the east to preserve views up and down the Brant Street corridor. With respect to safety and access, the proposal locates loading and parking functions within the podium and away from the public realm.
- Retail uses are provided on the ground floor to line Brant Street with activity at grade and compliment the adjacent commercial uses.
- The proposed development has been designed with accessibility in mind and provides accessible walkways and entrances along both frontages.
- The proposed development incorporates transparent glazing and pedestrian-scaled lighting near its entrances to promote safety and security and the ground floor design does not provide secluded or obscured areas.
- The proposal locates all parking below grade and away from public view to limit visual impacts and allow for the provision of a pedestrian friendly streetscape.
- The main residential entrance is provided along the Brant Street frontage in order to support functions of the public realm and is clearly visible and accessible from the public sidewalk. The entrance also incorporates a canopy to provide weather protection and add articulation to the façade.
- The base building is setback 8.0 metres from the curb and 6.0 metres from the property line to maintain the setback of the existing buildings to the east and provide a wide sidewalk zone.
- Servicing, loading, waste and mechanical areas are located internally within the building and are therefore screened from the public realm.
- Ornamental lighting is not incorporated within the proposed tower design to minimize sky glow.
- The proposal encourage alternative transportation modes through built form and streetscape design strategies. Some of the potential elements to be implemented include:

- Promoting the use of transit and alternative transportation choices by providing transit-supportive density and uses. Short term and long term bicycle parking is provided to encourage cycling and reduce car dependency.
- Selecting plants that are native and drought-resistant and supportive of the ecological function of the Subject Site.

Part III

Further design guidance relating to each land use designation in the Urban Planning Area is contained in Part III of the BOP.

Section 5.4 of the BOP provides the policy framework relating to lands designated Mixed Use Centre. Policy 5.4.1 states the objectives which relate to the Mixed Use Centre designation. These objectives include, amongst others, to provide locations at inter-municipal transit stations and the downtown that will serve as areas for mixed use developments consisting of medium and high density incorporating a mix of uses (5.4.1(a)); to encourage higher intensity, transit-supportive, and pedestrian-oriented development within Mixed Use Centres while retaining compatibility with nearby land uses (5.4.1(b)); and to permit mixed use developments on individual sites where residential, retail, office and other uses are located (5.4.1(c)), and to create an open space system incorporating both public and private lands which provide linkages to major open space areas (5.4.1(d)).

Relevant to urban design, Policy 5.4.2(g) provides site plan considerations that shall be considered in reviewing proposals for new and/or expanding Mixed Use Centre uses which include:

- Building should be located with their front face to the street, to provide a sense of human comfort and pedestrian scale and interest, and in close proximity to the street and transit services wherever feasible (i);
- The site plan for individual sites includes features to integrate the new development with surrounding uses (ii);
- The site plan promotes safe, convenient and barrier-free pedestrian travel within the site, between the side and adjacent uses, and to and from transit stops (iii);
- Off-street parking areas, loading areas, and service areas shall be screened and landscaped (iv);
- The site plan promotes convenient access to public transit services (v);
- Off-street parking areas shall be located in the side and rear yards (vii); and
- Loading areas and service areas are located to avoid conflict between pedestrian and vehicular traffic, and away from adjacent residential areas (ix).

Policy 5.4.2(h) provides that the design and development of Mixed Use Centres shall encourage the use of public transit, pedestrian and bicycle travel as an alternative to the car and shall maximize personal safety by incorporating the following features: buildings should be located with their front face to the street, to provide a sense of human comfort and pedestrian scale and safe and convenient access shall be provided for pedestrians between buildings and transit stops, parking areas, and other building facilities.

Policy 5.4.2(k) states that proposals for residential intensification shall be evaluated on the basis of the objectives and policies of Part III, Section 2.5. As such, those criteria relevant to urban design are as follows:

- Compatibility is achieved with the existing neighbourhood character in terms of scale, massing, height, sitting, setbacks, coverage, parking, and amenity area so that there is a transition between existing and proposed buildings (iii);
- Significant sun-shadowing for extended periods on adjacent properties, particularly outdoor amenity areas, is at an acceptable level; capability exists to provide adequate buffering and other measures to minimize any identified impacts (vii); and
- Where intensification potential exists on more than one adjacent property, any re- development proposals on an individual property shall demonstrate that future re-development on adjacent properties will not be compromised (xiii).

Policy 5.5.1 of Part III provides principles for the Downtown Mixed Use Centre. With respect to urban design, Policy 5.5.1 (g) outlines that New development shall be of high quality design to maintain and enhance the Downtown's image as an enjoyable, safe, pedestrian-oriented place, and designed and built to complement pedestrian activity and historical attributes as outlined in the Downtown Urban Design Guidelines.

Policy 5.5.8 of Part III is specific to the Downtown Core Precinct. Policy 5.5.8.1 (a) and (b) provide that the objectives for the Precinct are to designate the inner core area of the Downtown for higher density development consistent with the role of Brant Street as a major spine of the Downtown Mixed Use Centre, to meet Provincial growth objectives and to help support increased transit use, and to require a high standard of design for new buildings in order to provide a sense of place, compatibility with existing development and a sense of pedestrian scale and comfort.

With respect to height, Policy 5.5.8.2 (b) permits a maximum building height of up to 4 storeys and allows up to 8 storeys (29 metres) where they provide "compatibility with surrounding land uses and a sense of pedestrian scale by the use of terracing above the second floor and subject to the community benefits provisions of Part VI, Subsection 2.3 of this Plan". Policy 5.5.8.2 further provides that retail or service commercial uses are required continuously at grade along public streets in residential buildings, except where bordering residential precincts (5.5.8.2(d)); buildings shall be required to be constructed to the street line with no surface parking permitted, except for loading and emergency vehicles (5.5.8.2(d)); and on-site parking is not required for non-residential uses (5.5.8.2(f)). Policy 5.5.8.2 continues to provide that applications for increased building heights for mid to high rise buildings in the Downtown Core Precinct may be required to provide an angular plane study, identifying visual, sun shadowing, and wind impacts and demonstrating how such impacts can be mitigated to acceptable levels.

Response:

- The proposed development represents appropriate density and scale for the Downtown, particularly along the Brant Street corridor. The height permissions within the Official Plan are overly restrictive and are not reflective of the height and scale of development occurring within the Downtown and the Provincial intensification objectives. The Subject Site is centrally located and has a depth that provides for ad equate separation distance between the proposed tower and the low-rise residential uses to the north and south. Brant Street is an appropriate location for tall buildings given the existing and emerging built form pattern, which includes towers at various locations with heights of up to 23 storeys. The proposed building is comparable in height and scale to other recent tall building approvals within the area and is compatible the built form context of the Downtown.
- A Shadow Study was prepared by R. Bouwmeester and Associates dated September 11, 2020 to asses the shadow impact of the proposal on the surrounding properties and public realm based on the criteria outlined in the Shadow Study Terms of Reference June 2020. The study determined that there will be no unacceptable shadow impacts on key civic spaces, private outdoor amenity spaces, parks and open spaces, places where children play and public realm and sidewalks. With respect to the existing low rise residential neighbourhoods to the west (west of Brant Street) and to the east (east of Rambo Creek), the study indicates that there would be no shadow impacts throughout the year to the low rise residential neighbourhood to the west and minor incremental shadow impacts on the low rise residential neighbourhood would be limited to late afternoon in the spring and fall equinoxes generally at the boundary of the neighbourhood.
- A Wind Study was prepared by SLR Consulting and provides that pedestrian level wind conditions are adequate or could otherwise be mitigated through wind mitigation and screening measures.
- An Angular Plan Study was prepared by Bousfields Inc. to demonstrate the appropriateness of the increased building height. A 45-degree angular plane was applied from the nearest low-rise residential property lines. The proposed building fits within an angular plane applied from the low-rise residential property line east of Rambo Creek and provides adequate transition towards these properties.
- The proposed development provides a continuous retail frontage along Brant Street. Retail uses are not provided along John Street Extension as it is not presently considered a public street and functions more like a servicing road and therefore is generally less suitable for retail.
- The development proposal does not include any surface parking and locates loading and servicing within the podium and away from the public realm and street frontages.

With respect to the Subject Site, which is designated as Downtown Mixed Use Centre, Policy 5.5.12 provides the urban design policy framework for the Downtown, including the following relevant directives:

- Establish pedestrian corridors between retail areas in the Downtown (Policy (b))
- Active grade-related uses (Policy (c))
- Pedestrian scaled buildings and public areas, designed with regard for comfort, safety and access (Policy (d))
- Preservation of views to the Lake (Policy (e))
- Cohesive design and location of street furniture, lighting, decorative planting to link to the Downtown and the waterfront (Policy (i))
- Location of utilities underground so as to not visually detract from the Downtown (Policy (j))
- Improve the appearance of the streetscape and buildings along Brant Street (Policy (l))
- Attractive store fronts, open space and parking areas along pedestrian walkways to encourage pedestrian activity (Policy (n))
- Compatibility of new construction with cultural heritage resources and the existing streetscape to add to the area's character in the Downtown (Policy (q)).

Response:

- The proposed development enhances the existing pedestrian realm along Brant Street by providing streetscaping improvements and introducing an architectural treatment that provides inviting storefronts and entrances, incorporates glazing and pedestrian-scaled expressions that will activate the frontage. The proposal also provides a sidewalk along the John Street Extension frontage to help establish pedestrian connections which presently do not exist.
- The proposed development lines the Brant Street frontage with active grade-related uses including retail uses and a residential lobby.
- The proposed development preserves views to the lake by providing a 6.0 metre setback from Brant Street to the podium face that is consistent with the adjacent buildings, and setting the tower element back an additional 4.6 metres, at the closest point, to maintain lines of site down the Brant Street corridor towards the lake. Further, the tower element's south-north orientation limit impacts on sky view from the east and west perspective down Brant Street also helping to direct views towards the lake. The tower has a slender floor plate of approximately 797 square metres to further reduce impacts on sky view.
- The proposal provides a 3-storey pedestrian scaled base building to frame Brant Street and provide a contiguous street wall. Pedestrian comfort, safety and access have been addressed through the central placement of entrances, provision of weather protection and separation of pedestrian and vehicular circulation by locating all vehicular functions within the building.
- The street furniture, lighting and landscape design and location have been coordinated with the existing and planned streetscape improvements along Brant Street.
- The proposal screens all utilities and servicing functions from public view so as to not detract from the Downtown.
- While there are no listed or designated cultural heritage properties adjacent to the Subject Site, the proposed development is compatible with the surrounding heritage resources by incorporating heavy materials to ground the street-related podium, the use rhythmic recesses and projections at grade to create retail bays to reflect the fine-grain built form pattern found within the Downtown.

5.2 Burlington Official Plan (2018) Council Approved, Not In-force

The new Official Plan was adopted by Burlington City Council on April 26, 2018 and is currently subject to review and approval by Halton Region. In February 2019, Council approved a motion directing Burlington's Director of City Building to re-examine the policies of the Official Plan, in their entirety, related to matters of height and intensity and conformity with provincial density targets. In March 2019, a Committee of the Whole workshop was held to discuss the scope of the work for further study, which identified that while Council supports many of the policies in the adopted Official Plan, an area that requires targeted reconsideration is the Downtown Precinct Plan. Until the adopted plan is approved by the Region, and any subsequent appeals to the new Official Plan are dealt with, the City of Burlington Official Plan (2015) remains in full force and effect. Notwithstanding this, the new Official Plan (2018) represents City Staff and Council's current direction with respect to future development.

From an urban structure perspective, the Official Plan (2018) provides that the Subject Site is located within an Urban Centre and Mixed Use Intensification Area where a broad range and mix of uses in areas of higher, yet appropriate, intensity in relation to the surrounding neighbourhoods, will be provided for. Further, the Official Plan (2018) directs that the Downtown Urban Centre will continue to develop as the city's centre, taking advantage of the unique qualities that contribute to its distinct identity. The urban design policies promote the role of design excellence in new development, particularly as it relates to the public realm, a high-quality built environment and compatibility between new developments and existing and adjacent uses.

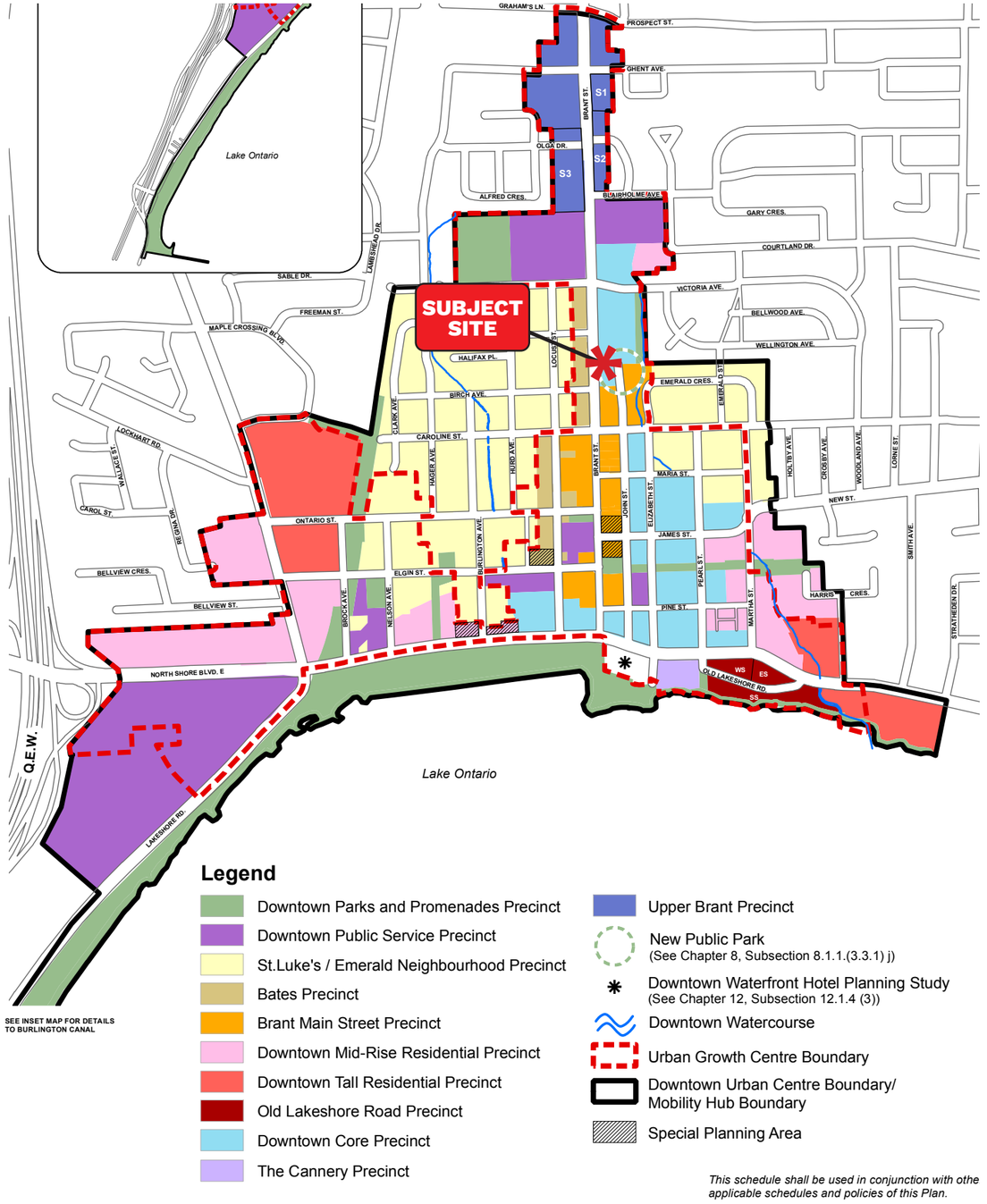


Figure 11 - Burlington Official Plan (2018) Schedule D

5.2.1 Taking a Closer Look at the Downtown Study (Ongoing)

Council approved a motion on February 7, 2019 to direct Burlington's Director of City Building to commence a process to re-examine the policies of the Official Plan (2018) in their entirety as they relate to matters of height and intensity and conformity with provincial density targets. SGL Planning and Design Inc.("SGL") was retained on the behalf of the City of Burlington conduct a study regarding these matters and prepare a series of reports, of which the outcome will be modified policies for the Downtown that will guide development in the Downtown until 2031, including the height and density of buildings.

Based on the preliminary and final reports prepared as part of the Study, on June 8, 2020, the City of Burlington released the recommended modifications to the downtown policies in the New BOP. On September 30th, 2020, staff presented their recommendations for consideration at a public meeting of the Community Planning, Regulatory and Mobility Committee of Council. Report PL-16-20 recommended new policies and mapping for the Downtown. On September 30th, Committee made 10 amendments to staff's recommendations for Downtown (PL-16-20), and on October 7th, 2020, City Council endorsed those recommendations of report PL-16-20, as amended. Council has now directed staff to submit the endorsed policy modifications to Halton Region for inclusion in the Region's approval of the adopted Official Plan.

A detailed account of the study process as it has progressed including chronological details is included in the accompanying Planning Justification Report as well as a detailed overview of the endorsed policies that would apply to the Subject Site. The following is a summary of the implications of the study on current urban design and built form policy framework as it stands at the time of this submission in November 2020.

It is anticipated that on Wednesday November 18th, 2020, the Region will issue a draft Notice of Decision, which will include modifications to the City's plan, and on Thursday November 26th, 2020, City Council will decide if they will endorse the Regional modifications to the adopted Official Plan.

The following provides a summary of the endorsed policies that would apply to the Subject Site:

The Subject Site is designated "Mid Brant Precinct" on Schedule D, Land Use – Downtown Urban Centre. The proposed modifications create a new Mid Brant Precinct, the policies of which are contained in Section 8.1.1(3.7), which state that the precinct will serve as a northerly extension of the low-rise, retail main street character along Brant Street; it will also serve as a mixed-use precinct with a significant amount of retail space and the retention of a food store function; development adjacent to Brant Street will achieve a low-rise built form, which could be in the form of individual low-rise buildings or in the form of a podium to a mid-rise or tall development, where the mid-rise or tall building height is set back from Brant Street 20 metres and terraced along Rambo Creek.

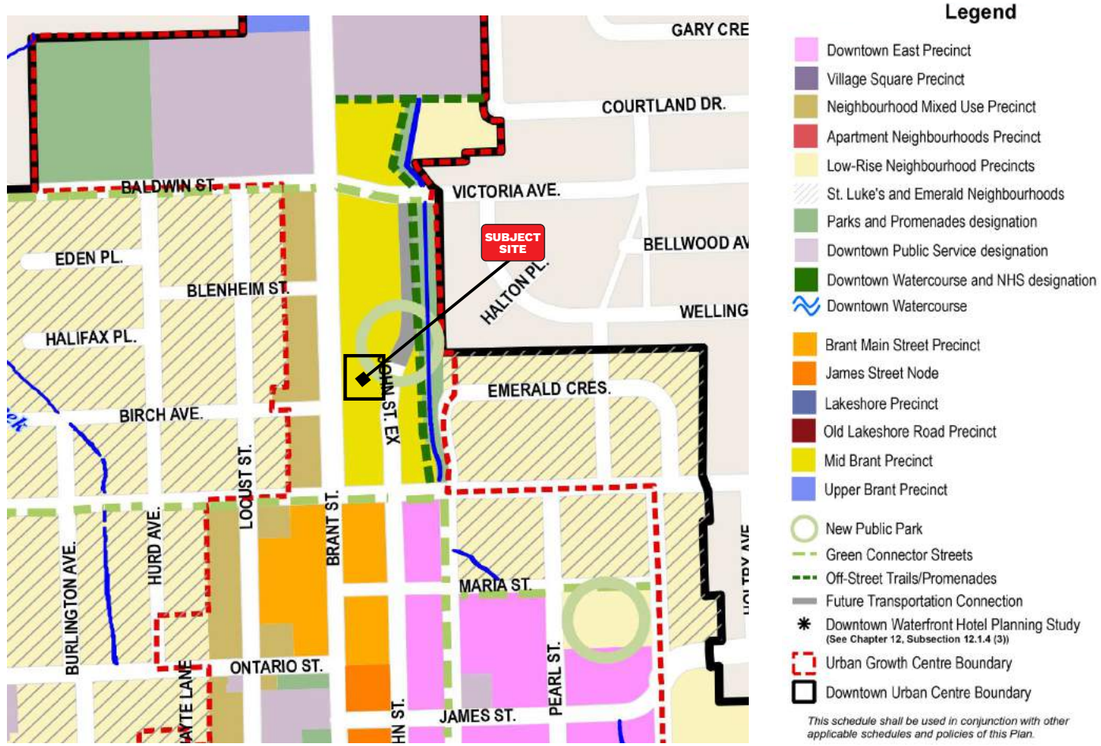


Figure 12 - Schedule D

The Subject Site is identified as "Maximum 3 Storeys" (along Brant Street) and "Up to 11 Storeys" on Schedule D-2, Maximum Building Heights. Specifically, Policy 8.1.1(3.7.1) e) states that development shall:

- Not exceed 3 storeys within 20 metres of Brant Street;
- Not exceed 11 storeys beyond 20 metres of Brant Street;
- Not exceed 17 storeys in other parts of the precinct;
- Create appropriate height transition to the neighbourhoods to the east and open space block along Rambo Creek through the use of a 45 degree angular plane.

Policy 8.1.1(3.7.1) f) requires a comprehensive block plan prior to any development being approved between Caroline and Victoria Avenue and the block plan shall provide for:

- Transportation connection from John Street to Victoria Avenue;
- Increased creek block along Rambo Creek;
- An assessment of the need for east-west pedestrian connections;
- A transition to the adjacent Low Density or Low-Rise Neighbourhood Precinct;
- A new public urban park within the precinct; and,
- The location and configuration of the retail and service commercial floor area.

A comprehensive Block Plan is included in Section 6.0 of the this Brief.

Section 8.1.1(3.17) provides a new set of policies related to Downtown Urban Design. Policy 8.1.1(3.17.1) a) states that the City's Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings and the Tall Building Guidelines shall not apply in the Downtown.

Section 8.1.1(3.19) provides a new set of policies related to built form, which include, among others, ensuring buildings are designed and placed on a site to be compatible with adjacent development, cultural heritage resource, parks and open spaces and abutting streetscapes and provide for transitions in height and massing; adequate setbacks between buildings, the public realm and adjacent/abutting development; orient primary facades to face the public street; minimize appearance of parking and servicing areas and mechanical equipment.

Specific to tall buildings, Policy 8.1.1 (3.19.3) provides policies related to tall buildings, which provide that:

- Within the downtown, tall buildings are defined as 12 storeys in height or taller.
- Tall buildings shall consist of a base building (podium) a middle (tower), and a tower top, which should be designed as an integrated whole.
- Tall buildings within downtown shall be designed to:

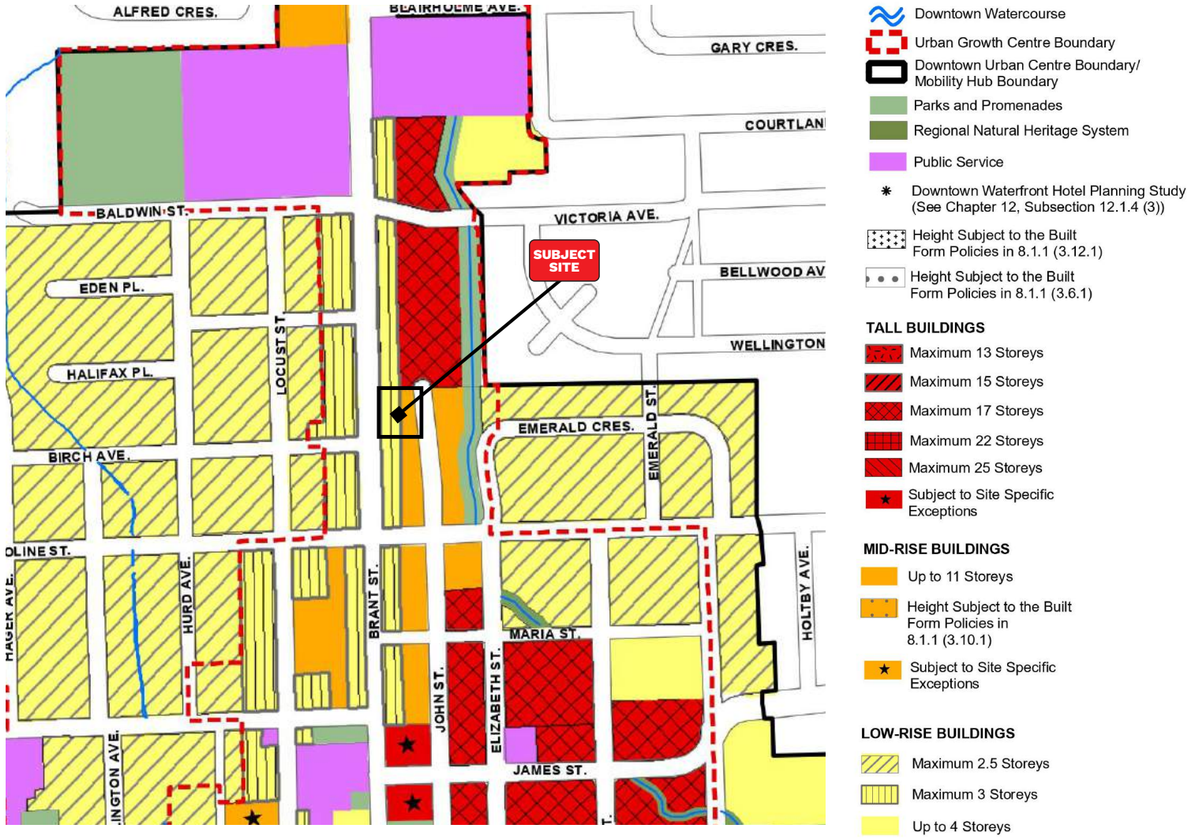


Figure 13 - Schedule D-2, Maximum Building Heights.

- Provide a minimum separation distance of 30 metres form another tall building (measured above the podium and excluding balconies);
- Not exceed a maximum floor plate of 750 square metres (excluding balconies);
- Provide outdoor amenity space on site;
- Articulate tall building towers with high-quality, sustainable building materials and finishes to promote design excellence, innovation and building life;
  - Provide a minimum tower stepback of 3 metres from the podium facing all street, park and open spaces frontages, except where more specific guidance is provided; and,
  - Provide a podium no higher than 3 storeys.

- The design of balconies should maximize usability, comfort and building performance will minimizing negative impacts.
- Sites that cannot provide the minimum tower separation distance may not be appropriate for tall buildings.
- In order to achieve an appropriate transition, a tall building may need to have lower heights than the maximum permitted.

Section 8.1.1 (3.19.4), outlines policies related to transition, including, but not limited to the following:

- Where a tall or mid-rise building is proposed adjacent to a lot in a residential low-density designation a transition is required to reduce the potential for shadowing, pedestrian-level wind impacts and overlook on neighbouring properties. The transition shall entail a 45-degree angular plane from the rear property line of abutting low rise neighbourhoods.
- Where a 45-degree angular plane is applied, no portion of the building shall extend into the angular plane, and new development shall utilize setbacks and step-backs to ensure any impacts are mitigated.
- Transitions may take the form of setbacks, step backs, reduced overall building heights from the maximum permitted, intervening built form, smaller building and tower floor plates, separation distance, placement and orientation on a lot, or through varying building heights and terracing. In some circumstances, assembly of additional properties may be needed.

Response:

The proposed and endorsed Official Plan (2018) policy amendments have yet to be approved and are not in-force. Although the proposed policy modifications and technical studies recognize that tall buildings are an appropriate form of development along the east side of Brant Street between Caroline Street and Victoria Avenue we do not agree with the specific numerical standards with respect to tower height, stepback and the location of angular plane to achieve transition to lower scaled residential areas east of Rambo Creek. The proposed setbacks and stepbacks would significantly restrict any redevelopment in a tower form. In our opinion, a taller building form can be achieved on the Subject Site while maintaining an appropriate transition to residential areas east of the creek, and a smaller stepback along Brant Street to adequately limit any potential sky view impacts. Our rationale is provided in the following sections.

The proposed policy modifications and technical studies provided in support of the proposed modifications did not provide any analyses indicating how the new precinct and height recommendations were derived. For example, portions of the Mid Brant Precinct, directly north of the Subject Site, are identified as having a maximum building height of 17 storeys. These areas have a similar context and relationship with “Low-Rise Neighbourhood Precincts” to the Subject Site, yet the Subject Site has been identified with a building height of up to 11 storeys.

5.3 Downtown Burlington Urban Design Guidelines (2006)

The City of Burlington Downtown Urban Design Guidelines were prepared by Brook Mcilroy Planning and Urban Design and were approved by Council on October 10, 2006. The Urban Design Guidelines were prepared as a result of the growing development activity in Downtown Burlington, particularly in the form of condominium buildings in addition to the ongoing improvements to the Burlington Waterfront. The Burlington Downtown Urban Design Guidelines ("Downtown UDGs") are intended to supplement the Official Plan and Zoning By-law by providing property owners, developers, and City staff with additional detail on what constitutes desirable built form in the Downtown. Furthermore, as the Downtown UDGs are not themselves a part of the Official Plan or Zoning By-law, they must be understood as a guiding document only without force of policy.

As provided by Section 1.3 – Existing Character of the Downtown UDGs, the intent of the guidelines is not to prevent all development, restrict development to low-rise buildings or make any new building adopt a "heritage style". Instead, the guidelines provide a set of recommendations to ensure that new development protects the most crucial aspects of Downtown Burlington's existing character including: the relationship of buildings to streets and open spaces; the articulation of facades; the relationships of buildings to one another; the protection of important views; the fine-grained pedestrian network with its shortcuts and urban paths; and the palette of materials.

As per Section 2.2 of the Downtown UDGs, the Subject Site is located within the Downtown Core Precinct. The following overview outlines how the proposed development responds to the applicable Downtown UDGs:

- Guideline 4.2.2 Furnishing Recommendations
  - Street furnishings including benches and bicycle racks are proposed along the Brant Street frontage adjacent to landscape features and near the residential and retail entrances.
- Guideline 5.3.1 Parking
  - The development scheme does not include surface parking and proposes 253 parking spaces located in 4 levels of below-grade parking. The ramp to the underground parking structure located within the interior of the building, away from the public interface to minimize any visual impacts.
- Guideline 5.3.2 Loading and Service Areas
  - Loading and servicing areas are located interior to the Subject Site within the podium at the ground level and will not be visible from the public view or create any visual impacts.
- Guideline 5.4.1 Setbacks
  - The proposed building provides an 8.0 metre setback from Brant Street (measured from the curb to the building face) which will allow for quality design of the boulevard and sidewalk that can accommodate a variety of soft and hard streetscapes.
- Guideline 5.4.2 Street wall
  - The street wall is designed with a high degree of architectural design and materials to relate to the human scale and pedestrian environment. Glazing will be used to promote visibility and improve the interface with the public realm.
- Guideline 5.4.3 Entrances
  - Canopies and/or overhang shall be provided for the main residential lobby and retail entrances to allow for weather protection.
- Guideline 5.4.4 Design of the first floor
  - The first floor of the building provides transparency and access which animates the ground floor and provides a 5.5 metre floor to ceiling height to accommodate a variety of retail uses.
- Guideline 5.4.5 Weather Protection
  - A canopy is provided over the main residential entrance on Brant Street to provide weather protection. Additionally, recessed bays are provided at grade to provide overhang for retail entrances and to add additional articulation to the façade at the pedestrian level.
- Guideline 5.4.6 Materials
  - The design of the podium incorporates "heavy" materials such as concrete and metal to add prominence to the street-related elements of the building and to provide contrast with the "lighter" translucent materials of the tower.
  - The use of glass will be prominent along the Brant Street and John Street frontages to allow for overlook and to activate the streetscape.
  - The selected materials reflect a variety of colours and textures to add diversity to the facades and create visual interest when viewed from the public realm.
- Guideline 5.6.2 Visual Angular Plane
  - The proposal has regard to the low-rise residential neighbourhood to the north and has incorporated 45-degree angular planes. In this regard, the tower is setback 10.6 metres from the Brant Street property line and 7.8 metres from the John Street property line.
  - While the proposed development does not fit within a 45-degree angular plane applied from the opposite side of Brant Street, the guideline does not accommodate a tower of any height and is overly restrictive.
- Guideline 5.5.3 Sun Angular Plane and 5.5.4 Shadowing Impact
  - A Shadow Study was prepared by R. Bouwmeester and Associates dated September 11, 2020 to asses the shadow impact of the proposal on the surrounding properties and public realm based on the criteria outlined in the Shadow Study Terms of Reference June 2020. The study determined that there will be no unacceptable shadow impacts on key civic spaces, private outdoor amenity spaces, parks and open spaces, places where children play and public realm and sidewalks.

- Guideline 5.5.5 Massing Stepbacks
  - The building proposes stepbacks at Level 2 after the ground floor retail along the eastern façade and again at Level 4 to differentiate the podium and the tower components.
- Guideline 5.6.6 Roofs
  - A total of 845.7 square metres of outdoor amenity space is provided on the roof of the podium at Level 2 and Level 4 and the roof of the tower at Level 26.
  - The mechanical penthouse is setback 3.3 metres from the south and 4.7 metres from the north of the tower top to mitigate perception of height and mass to limit its visual impact from the public realm.
- Guideline 5.5.7 Separation between Tall Elements
  - The tower is setback 12.5 to 12.8 metres from the side property lines to provide adequate separation should the adjacent properties redevelop into towers.
- Guideline 5.7.1 Design Principles
  - The building base achieves human scale as it proposes an appropriate podium height, mass and design, promotes pedestrian elements and a strong relationship to the street with entrances, canopies, and large areas of glazing, as well as active retail/commercial uses at-grade.
- Guideline 5.7.2 High Rise Building Massing
  - The proposed high-rise is compatible with existing and approved building heights in the Downtown area, proposes a 3- storey podium, setbacks and stepbacks are integrated into the design to mitigate against impacts such as views, wind and shadowing.
- Guideline 5.7.3 High Rise Building Articulation
  - High-rise building articulation has been carefully considered with the use of vertical and horizontal building elements, use of similar materials and colours, balcony placement, and a combination of glazing and spandrel glass.
  - The building incorporates articulation on all facades with an emphasis on activation of the Brant Street façade (the primary frontage) by incorporating substantial glazing at grade and throughout the podium design to activate the public realm.
- Guideline 5.7.4 High Rise Building Detailing
  - The proposed building seeks to achieve a unique expressive identity by creating a sense of arrival with clearly identified entrances, weather protection, window and balcony detailing, and use of amenity areas on multiple levels.
  - The design incorporating glazing to promote transparency and visibility, varying architectural materials and textures, rhythm of cohesive and complimentary architectural elements
  - Additional architectural detail specifications will be provided during Site Plan Approval.

Part II

Part II of the Downtown Urban Design Guidelines further provides Block Plan guidelines for the downtown. These guidelines are intended to provide the City with a detailed means of responding to development applications within the downtown. The Block Plan Guidelines address the public and private site design and through setbacks, building heights and massing, site plan, and landscaping recommendations, provide a comprehensive Downtown Urban Design vision. With respect to the proposal, the Subject Site falls within Block 1 which is bound by Brant Street to the south, the northern edge of No Frills property to the north, Victoria Avenue to the west, and Caroline Street to the east.

The study provides guidelines for both Brant Street and John Street Extension both of which the Subject Site has frontage on. In regards to John Street Extension, the Block Plan states that a key priority is the improvement of the street, both aesthetically and functionally, including, widening the sidewalks on both sides, becoming a narrow pedestrianized street where pedestrians have the right of way, and significant planting on both sides of the street with improved definition of edges. For Brant Street, the guidelines provide that, among others, the Brant Street frontage be improved with buildings that are close to the street, include landscaping and consistent streetscape. In the longer term, the Brant Street frontage could be entirely redeveloped with mid-rise buildings, retaining a supermarket use on the ground floor, with underground parking. The guidelines further suggest that the adjacent property at the corner of Victoria and Brant Street be a future redevelopment and should include a well-designed minimum 3- storey building; and that new buildings should be aligned with the Bell building.

The Block Plan for the area (Figure 14 - Block Plan 1) identifies potential build to lines, low-rise commercial/ mixed use zones, as well as locations for site access, mid-block pedestrian connections and enhanced streetscape treatments. As it relates to the Subject Site, potential streetscaping enhancements are identified along both the Brant Street and John Street frontages and potential site access is identified on John Street.

FIGURE 26 : *Block 1 Plan*

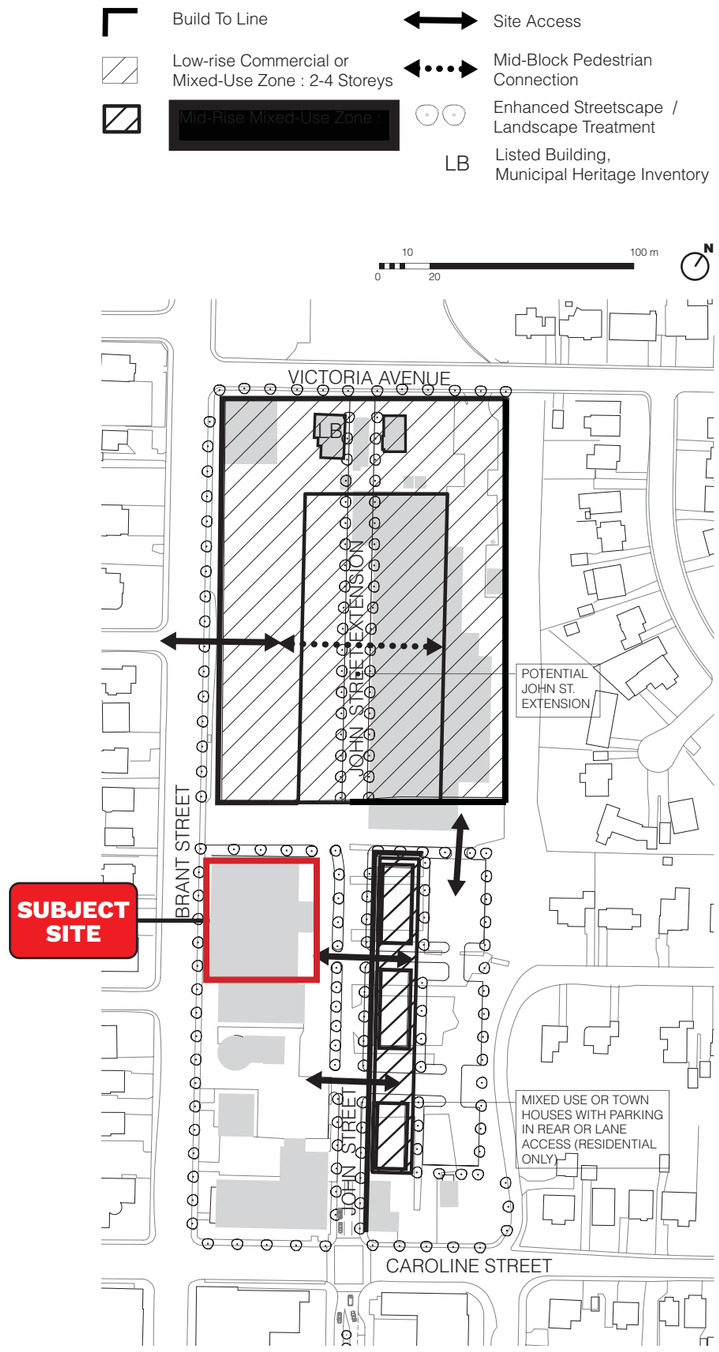


Figure 14 - Downtown Urban Design Guidelines Part II, Figure 26 -Block 1 Plan

5.4 Tall Building Design Guidelines (May 2017)

The City of Burlington, in conjunction with Brook Mcilroy, prepared the Tall Building Design Guidelines, dated August 2016 and approved by Council on October 3, 2016 as "interim guidelines". The purpose for the "interim" status was to accommodate further consultation with the public and development industry and to facilitate revisions, as needed, prior to enacting the guidelines on a permanent basis.

Following public and industry workshops in January 2017, revised Tall Building Design Guidelines were prepared in April 2017. A final roundtable discussion was organized by City staff with the development industry on May 15, 2017 which led to the preparation of the final Tall Building Design Guidelines, dated May 2017 and approved by City Council on July 10, 2017.

The intent of Burlington's Tall Building Design Guidelines is to provide guidance for developers and architects designing tall buildings in the City of Burlington and will be used by City staff as a tool in evaluating development applications. The guidelines are applicable to all tall buildings (over 11-storeys) across the entire City and are broken down by the components of a tall building which include: building base (podium); building middle (tower); and, building top.

Section 2.0 – Building Base (Podium)

The podium of a tall building anchors the tower and defines the pedestrian experience at the street. Its location and height should frame and create a positive relationship to the street. It should be carefully designed, including a mix of horizontal and vertical elements, to reinforce a human scale.

As such, the following guidelines regarding the podium apply to the Subject Site:

As such, the following guidelines regarding the podium apply to the Subject Site:

- Guideline 2.1 – Podium Location
  - Brant Street is identified as a retail street where a strong street wall exists. As such, the podium has been massed and located to frame the street and reinforces the established street wall by incorporating 6.0 metre setback from the south (front) lot line to align with the adjacent building to the east and to accommodate an 8.0 metre boulevard measured from the curb to the building face. A 6.0 metre setback from the east lot line is provided above the first storey to accommodate windows and provide the appropriate separation distance from the adjacent building.
- Guideline 2.2 – Podium Height and Massing
  - The proposed height of the podium (13.75 metres) occupies just over 50% of the adjacent right-of-way width and is less than the recommended maximum of 20 metres;
  - The podium is built to the south and north lot lines to provide for a contiguous street wall. A 6.0 metre setback is provided above the first storey along the south lot line to create terraces;
  - The proposed street wall provides a height greater than the required minimum of 10.5 metres and provides 3- storeys that relates well to the established street wall height, frames the streetscape and reinforces a human scale;
  - The proposed floor-to-ceiling height of the ground floor is 5.5 metres which exceeds the minimum recommended 4.5 metres to accommodate internal servicing/loading and active commercial uses at-grade.
- Guideline 2.3 – Shadows/Sky Views
  - As demonstrated by the shadow study prepared by R. Bouwmeester and Associates, the height and massing of the podium allow for sunlight on the opposite side of Brant Street after 9:00am and on the opposite side of the John Street Extension before 3:00pm;
  - The podium will provide a minimum of 5 consecutive hours of sunlight over more than 60% of the potential future park east of the John Street Extension during the equinoxes.
- Guideline 2.4 – Podium Design and Articulation
  - All sides of the podium have been designed with a high-quality architectural expression and materials;
  - The podium proposes materials such as brick cladding, that anchor the building and complement the established character of the street;
  - The portion of the podium roof on Level 4 proposes outdoor amenity area to provide interesting views from and to the street;
  - The mixed-use podium is visually broken up into smaller components through the use of vertical expressions to reflect the proposed active retail/commercial spaces at-grade and visually reinforce the traditional narrow lot widths of the downtown;
  - The main building entrances are clearly distinguished and framed with architectural elements and canopies;
  - The articulation and materiality of the podium will create diversity and highlight individual units;
  - The ground floor retail podium consists of predominantly clear-glazing (with brick accents) to provide visual connections between the public and private realm;
  - The ground floor provides multiple entrances with canopies to provide weather protection for pedestrians;
  - Inset balconies within the podium have been proposed.

- Guideline 2.5 – Site Design, Open Space, and Streetscaping
  - All parking is located below grade and therefore screened from view;
  - The proposed loading spaces are proposed internally and are screened away from the street;
  - Access to parking and servicing is provided from Brant Street through an entrance that is well integrated into the building frontage. While John Street Extension is planned to be extended further north beyond the Subject Site, currently, the segment of John Street Extension that the Subject Site fronts onto is not a public road. As such, vehicular access is proposed to occur from Brant Street to allow access.

Section 3.0 – Building Middle (Tower)

The tower is the most substantial and impactful component of a tall building as it enhances the skyline and provides a defining landmark throughout the City. The towers design and massing should be carefully considered to minimize adverse impacts on adjacent neighbourhoods, parks, and open spaces, and to maximize sky views and access to sunlight through slender floor plates and setbacks.

As such, the following guidelines apply to the Subject Site:

- Guideline 3.1 – Tower Location
  - The proposed tower provides a 12.5 metre and 14.5 metre setback from the adjacent properties which equals and exceeds the recommended 12.5 metre setback in order to provide for an appropriate separation distance of 25.0 metres from future towers adjacent to the Subject Site;
  - The tower is setback from the podium a minimum of 4.5 and 6.25 metres along the Brant Street and John Street Extension frontages respectively to differentiate between the building and podium and respect the existing streetwall.
- Guideline 3.2 – Tower Height and Massing
  - The proposed height of the tower will provide a gradual and appropriate transition in height to help mitigate potential impacts on the adjacent planned context which supports tall buildings. The Subject Site is an appropriate location for a tall building since it is located within the Downtown Core, along Brant Street and is near other high-rise buildings. Adequate transition is provided to the low rise residential neighbourhoods to the east through a combination of physical separation distance, tower location and orientation, as demonstrated by the Angular Plane Study (Figure 21);
  - The proposed floor plate of 797 square metres only marginally exceeds the recommended 750 square metres and is still relatively slender. Small floor plate tower design promotes opportunities for sky view, minimizes shadow impacts and reduces perceived adverse visual impacts of height. In our opinion, the proposed floor plate size is consistent with the intent of this guideline. The slight increase of approximately 7 percent will not result in increased shadow impact and wind impacts and will have no effect in terms of light, view and privacy to surrounding streets, parks, open spaces, and properties and built form impacts. Further the proposed floor plate is contextually appropriate and comparable to other recently approved buildings in close proximity to the Subject Site, which also provide for towers of similar floor plate sizes, including 421 Brant Street (799 square metres) and 2025 Maria Street (855 square metres).
  - The massing of the tower and its relationship to the building base, including the provision of relatively generous tower setbacks provided above the podium (ranging from 4.55 to 14.55 metres) mitigate adverse wind impacts, as demonstrated in the accompanying wind study.
- Guideline 3.3 – Shadow/Sky Views
  - The design and placement of the tower has been carefully considered to reduce the impacts of shadowing on the surrounding streetscape and low-rise uses as shown in the Shadow Study submitted as part of the application package. The tower has been designed with a slender floor plate and has been located centrally on the Subject Site at a location that is interior to the block to provide increased separation from the low-rise neighbourhood to the east and a setback from the primary streetscape along Brant Street.
- Guideline 3.4 – Tower Design and Articulation
  - The tower design and materials incorporate horizontal and vertical accents to create visual interest and distinguish the building from others in the downtown skyline, specifically along Brant Street. To that end, the design also incorporates angular balconies to give the tower a geometric silhouette;
  - The tower design incorporates glazing to minimize the perceived mass with heavier accents (brick) to define elements of the building;
  - Balconies ranging in size from 1.55 metres to 2.15 metres are proposed to provide additional articulation and useful amenity space for individual units.

Section 4.0 – Building Top

The top of the building defines the tower while further distinguishing a unique and interesting skyline. Roof top amenity areas are recommended to create activity at the upper levels and it is important to consider how the mechanical penthouse integrates into the theme of the building so as not to be visible from the ground level.

As such, the following guidelines apply to the Subject Site:

- Guideline 4.1 – Rooftop Design and Articulation
  - The mechanical penthouse has been stepped back from the tower portion of the building along the south and north façades building to reduce the building profile;
  - The mechanical penthouse has been designed to appear as an extension of the principal tower.
- Guideline 4.2 – Mechanical Penthouse
  - The mechanical penthouse has been designed, located to be screened from view in order to protect or enhance views from other buildings and the public realm;
  - The mechanical penthouse has been stepped back from all sides of the building facade.

Response:

- In our opinion, the proposed tall building, and its various base, tower, and top building elements, achieves the intent and purpose of the Tall Building Design Guidelines as described above and further expanded in Section 7.0 of this report.

5.5 Streetscape Design Study for Downtown (2019)

On September 23, 2019, Burlington City Council approved the new streetscape guidelines for downtown Burlington, replacing the previous 1981 streetscape guidelines. The guidelines established a new vision, framework, and a set of design principles and strategies that provide guidance for a consistent redevelopment and renewal of downtown Burlington's streetscape. These guidelines are intended to enhance the public realm and contribute to the Downtown as an accessible, cohesive, identifiable, and vibrant destination within the city.

The Study provides design principles that support the creation of an accessible, walkable, and attractive public realm that integrates with the existing urban fabric. These principles are based on key strategic directions of a city that moves, a healthy and greener city, and an engaging city, which were established by the City of Burlington through its Strategic Plan:

- Pedestrian – First Focus: Design streetscapes to be safe and comfortable for all users
- Green and Sustainable: Improve environmental quality through living assets and responsible design.
- Easy to Use and Equitable: Design streetscapes for all ages, abilities, and modes of travel.
- Long Lasting: Provide for a high quality of design using durable materials and construction practices.
- Connect and Integrate: Design streetscapes to be context-sensitive and reflect the character of the street.

Section 2.3 of the guidelines organizes the Downtown into four Character Areas. The Subject Site is located within the Mixed-Use Commercial District. Section 3.4 further provides that the Mixed-Use Commercial District offers a mix of uses including cultural, entertainment, residential, and commercial retail and includes key transit access to the Downtown and features the Village Square.

Section 3.0 presents design guidelines for streetscape development within the Study Area, which include, among others, accessibility; pedestrian crossings; mid-block bump outs; transit stops, tree planting and placement; and colour and finishes. The guidelines suggest that tree spacing will vary depending on the desired size and form and species of trees. In addition, the study recommends that the minimum widths of a boulevard within the Mixed-Use Commercial District is 1.8 metres for the clear path zone, 1.2 metres for the furnishing zone, and a typical size of 0.4 metres for the edge zone. Notwithstanding the above, the Downtown Streetscape Guidelines outline additional preferential locations for other streetscape elements such as waste receptacles, bike racks, bollards, seating, and lighting, all of which will be reexamined in finer detail during the Site Plan Control stage of the development process.

Response:

- The proposal provides a mix of residential and commercial uses. The building will line the Brant Street frontage with retail uses to activate the street at grade and provide residential uses above.
- Streetscape elements including landscaping, tree planting, benches and other pedestrian amenities will complement the design and location of existing streetscape elements.
- The proposed base building is set back 6.0 metres from the property line along Brant Street to provide a wide pedestrian boulevard, measuring approximately 8.0 metres from the curb to the building face.
- Curbs and a sidewalk will be introduced along the John Street Extension that can extend to the adjacent properties and provide a north-south pedestrian connection in the future. Streetscaping elements such as street trees will also be provided along this frontage.

6.0 BLOCK PLAN

The Subject Site is located on a block that mostly consists of underutilized lands including surface parking and a pattern of built form that fails to adequately frame the street. This block is located on the main street of the Downtown and has an in-force policy framework that supports intensification at a greater scale and height than presently exists. As such, the larger block has strong potential to redevelop as a series of smaller redevelopment blocks divided by new streets and pedestrian connections.

The block is bounded by Caroline Street to the south, Victoria Avenue to the north, Brant Street to the west and Emerald Crescent, and the eastern edge of Rambo Creek to the east.

The Subject Site is the first property on the block that are proposed to be redeveloped, however it is important to note that future development will likely occur on the adjacent lands. This development will be coordinated in order to provide an appropriate site arrangement for the block so as to not limit the redevelopment opportunities of adjacent landowners and to improve connectivity across the larger block. It is important to recognize that the character of the surrounding area is evolving, intensifying and becoming more pedestrian and transit-supportive. This block presents an opportunity to introduce new private and public spaces that will enhance the Downtown and bring vitality to the area.

The Block Plan included in this report demonstrates a potential scenario for the build-out and redevelopment of the block, focusing on site arrangement. The block plan includes tall and mid-rise building elements located parallel to Brant Street with north-south mid-block connections, a potential public park and provides opportunities for enhanced public realm and open spaces.

The Block Plan has been prepared with regard for the urban design policies and guidelines for the Downtown in addition to the evolving built form context. The Block Plan was prepared using the following parameters:

- Providing linkages between John Street and Victoria Avenue in the form of a new east-west road and pedestrian connections
- Providing a new public park
- Providing a transition in height and scale to the adjacent low-rise neighbourhood, applying a 45-degree angular plane from the low-rise residential properties to the east of Rambo Creek;
- Providing mid-rise buildings with an appropriate street wall height that responds to the width of the right-of-way and the surrounding context, and additional stepping towards adjacent low-rise buildings;
- Providing tall buildings in a point-tower form that include a street-related base building and a tower that is appropriately stepped back from the faces of the podium;
- Providing appropriate setbacks from existing and potential future roads and public parks; and
- Providing appropriate separation distances between building elements, including a minimum of 15 metres between mid-rise buildings and a minimum of 25 metres between towers.

Based on this analysis, the lands fronting onto Brant Street are a suitable location for tall buildings with low-rise podiums that are compatible with the existing built form character along the street. The provision of a new network of north-south and east-west streets will create additional frontage for mid-rise buildings that facilitate a transition in height and scale towards the adjacent low-density residential neighbourhood, naturalized areas and open space.

The development proposal represents an appropriate urban design response with adequate regard for the context of the Subject Site and the block as well as consideration of its role within the Downtown core. The proposed development does not inappropriately restrict the development potential of the remaining properties on the block and future redevelopment of these lands can accommodate additional tall and or mid-rise buildings as demonstrated by the Block Plan (Figure 15).

LEGEND

- URBAN GROWTH CENTRE BOUNDARY
- BLOCK BOUNDARY
- SUBJECT SITE
- POTENTIAL TOWER WITH PODIUM BUILDING
- POTENTIAL MID-RISE BUILDING
- POTENTIAL PARK
- POTENTIAL OPEN SPACE
- EXISTING NATURAL AREAS
- POTENTIAL PEDESTRIAN CONNECTION
- EXISTING PEDESTRIAN CONNECTION



Figure 15 - Block Plan

7.0 URBAN DESIGN ANALYSIS

7.1 Site Organization

The general approach to the site arrangement and the architectural scheme is based upon the prominence of Brant Street and reinforcing it as the main street, creating an urban edge that appropriately responds to the existing and planned character along the corridor. The proposed building has been sited and oriented such that it frames Brant Street in good proportion, respects the existing streetwall and maintains the view corridor towards Lake Ontario. The site arrangement focuses on ensuring an improved relationship between the proposed building and the public realm. To achieve this, at the ground level the podium is designed to allow for an enhanced public realm condition with a 6 metre setback and a 3-storey height which relates to the scale of existing street related buildings along Brant Street. Setbacks are provided at grade including a marketing zone for seating and tables, as well as accent planting followed by a 2.1 metre sidewalk zone and a 1.2 metre furnishing zone along the curb with tree grates, benches and bike rings between trees.

At the rear, along the John Street Extension, the proposal contemplates a furnishing zone and a 2.1 metre sidewalk zone to provide a wide pedestrian boulevard where no sidewalk currently exists. Vehicular access is provided along Brant Street as this is currently the only public street frontage for the Subject Site.

In addition, uses have been located such that they respect the existing character or the street with the primary retail frontage located on Brant Street to reinforce its existing character as a main street promenade in accordance with the policies set out for the precinct in the Official Plan.

7.2 Built Form

7.2.1 Massing

The proposed building has been designed as a point tower setback from a pedestrian-scale and street-related podium and generally complies with the provisions of the Tall Building Guidelines.

The proposed base building contributes to the creation of a continuous pedestrian-scaled streetwall, lined with active uses at grade to animate the streetscape. The scale of the podium facilitates an appropriate transition to the existing low-rise buildings adjacent to the Subject Site. The podium has been situated such that a 6.0 metre setback is provided along Brant Street to allow for a wider sidewalk, including a marketing zone to accommodate additional pedestrian amenities, while a 3.0 metre setback is provided along the John Street Extension to provide a street edge condition that reflects the streetscape typology of the local road. Brant Street has a relatively consistent existing streetwall with varying heights from 1 to 3 storeys, the 3-storey podium of the proposal reflects its general scale and frames the respective right-of-ways in good proportion.

Siting a taller building with a low scale podium allows the proposal to appropriately address the existing character of Brant Street and transition to the residential neighbourhood to the east. Above the height of the podium, the tower steps back to create a 10.5 setback from Brant Street. The setback is intended to ensure that the podium creates the primary street edge condition. The floor plate of the tower is designed to maximize views of the lake to the south, to give the building articulation and to ensure that the building contributes positively to the City's skyline.

7.2.2 Height

From an urban structure perspective, the Brant Street corridor and the broader Downtown Mixed-use Centre are identified as areas for intensification where tall buildings currently exist, have been approved and are under construction. Buildings along the Brant Street corridor are continuing to evolve into an urban corridor with tall-buildings framing the street with active uses at-grade. In addition, the Subject Site is well-served by public transit and is located within 500 metres of the Downtown Burlington Bus Terminal and as such, is appropriate for compact development in a transit-supportive form. Further, the significant separation distance from the nearest low-rise residential neighbourhood areas east Rambo Creek and west of the Brant Street corridor along Locust Street affords the Subject Site the opportunity to achieve a tower form without causing undue impacts on the residential properties. In this regard, the Subject Site is a contextually appropriate location for a tall building.

The height of the proposed building has also been informed by the emerging high-rise built form context of the Downtown, which includes heights of up to 24 storeys on Brant Street (See Figure 16 -Height Map). Although the proposed development exceeds the height limits prescribed by the Official Plan, it is in keeping with the existing and emerging tall building context and the emerging built form context as a result of recent high-rise approvals in the surrounding area. An additional cluster of tall buildings exists further south near Lakeshore Road including approved and under construction towers up to 26 storeys in height.

Within the current policy framework, additional height can be permitted where it can be provided to be compatible with surrounding land uses, the respective shadow, wind and angular plane studies demonstrate that the increased height of the building and its impacts on the surrounding public spaces and properties are mitigated to an appropriate level. In this regard, the Shadow Study, Wind Study and Angular Plane Study submitted as part of the application package provide that the proposal adequately limits undue adverse impacts on the surrounding lands.

In addition to the in-force policy, the new City adopted Official Plan permits development up to 12- storeys or up to 17- storeys, subject to a site-specific Zoning By-law Amendment, where additional criteria have been met. This further acknowledges that the City has recognized that additional height and density could be accommodated within the Downtown Core Precinct.



Figure 16 - Height Map

7.2.3 Contextual Fit

The urban context is comprised of the scale and character of the public realm at grade, the scale of the podium element and how it addresses the street; the size and height of the tower and the visual effect of the tower within the skyline and the micro-climatic impacts that it has on adjacent sites and the public realm of the larger area. From an urban design perspective, the proposed design and massing has been developed to be compatible with its existing and planned urban context. The Downtown In Focus Study in addition to the Tall Building Guidelines, represents the general position and framework established by the City of Burlington for built form and height provisions that will shape redevelopment within the Downtown Core, both of which recognize development at a taller height than what is currently permitted is appropriate.



Figure 17 - Rendering, View looking northwest. (Source: Turner Fleischer Architects)

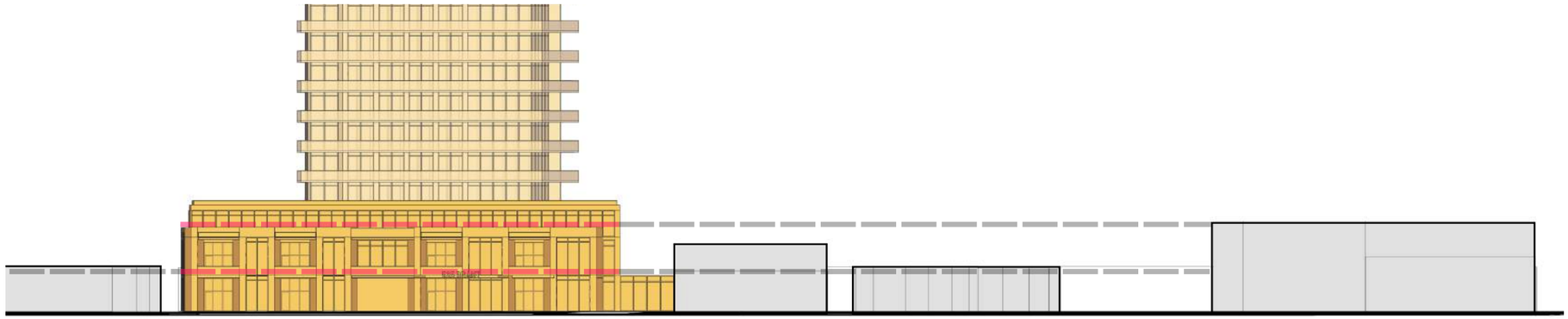


Figure 18 - Podium Compatibility - Streetwall

Podium

Existing buildings along Brant Street have street wall heights of between one and three storeys. The proposed podium is massed and scaled at 3 storeys to reinforce and enhance the existing street-related character of the 'main street' buildings along Brant Street. At grade, the podium creates an enhanced interface with the existing sidewalk and street frontage along Brant Street. The building will be animated with grade related retail units and will include a residential lobby for the condominium units. In addition to its low-rise scale, the architectural articulation and materiality of the façade of the podium break up its mass and create a fine-grained rhythm compatible with the surrounding buildings. Further, the proposed architectural treatment will improve upon the existing condition of the Subject Site and inconsistent streetscape by including brick and other heavy materials, as it ties in with the architectural styles of the buildings on the west side of Brant Street and further south.

As noted above, the proposed expanded sidewalks on Brant Street and the new sidewalk along John Street will provide an improved pedestrian realm in accordance with both the Downtown Urban Design Guidelines and Tall Building Guidelines. The near-continuous retail frontage proposed around the first floor of the building is highly compatible with the existing character of Brant Street as a shopping promenade.

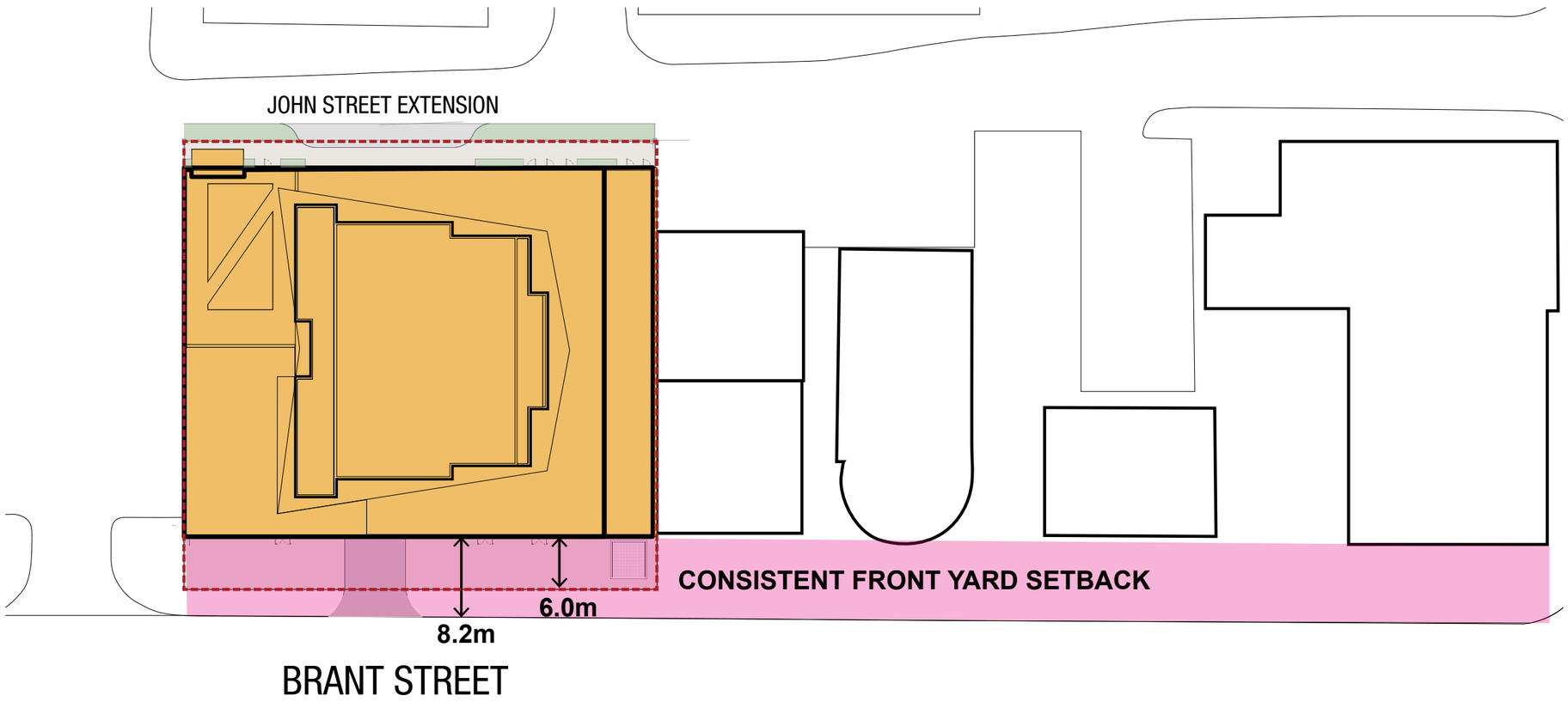


Figure 19 - Podium Compatibility - Front Yard Setback

Tower

Skylines develop over time and are typically comprised of a range of building heights and forms, which create the unique character of a place. At 26 storeys, the proposed building will be in range of other existing and approved tall buildings in the City's Downtown. In our opinion, the proposed height steps down from taller building heights further to the south within the context of the City's already emerging tall building skyline. The location of the building within the Downtown Core context helps visually define the centrality of the Downtown Core Precinct in Burlington. The fact that it has a relatively small floor plate and is not built close to other buildings means that it accentuates sky view and does not block it, like many of the existing lower, but bulkier, slab buildings within the Downtown. Accordingly, its proposed design is visually attractive and fits well within the context of the evolving Downtown as it will be joined by approved 23-storey and 18-storey (up to 24-storeys dependant upon LPAT proceedings) buildings along Brant Street (at 421 and 409 Brant Street respectively).

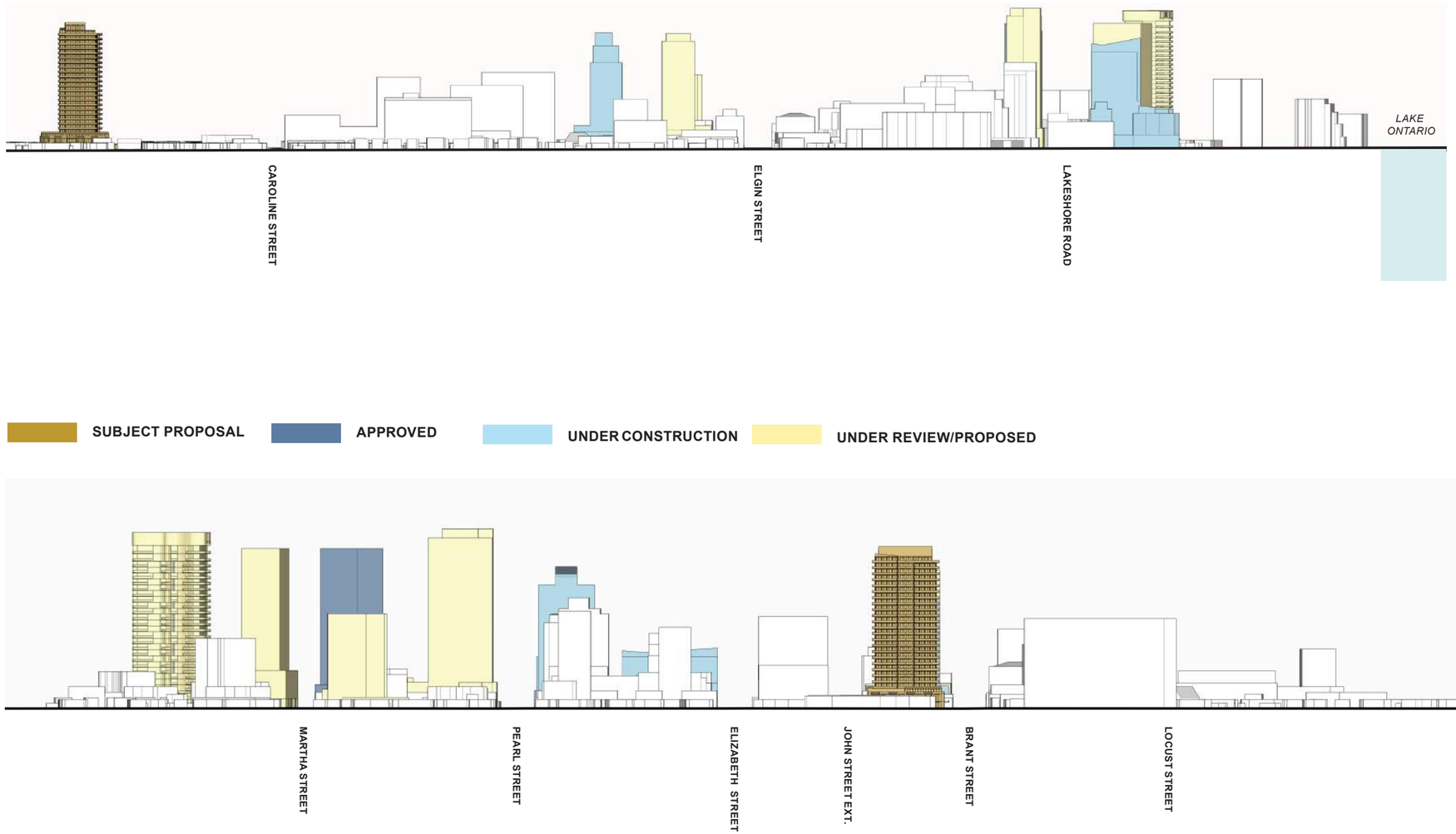


Figure 20 - Skyline Illustration, View Looking South

7.2.4 Transition

Transition is achieved through a combination of spatial separation, building orientation, the use of setbacks and stepbacks of building mass and the application of angular planes. The proposed development provides a street-related, human-scaled base building which is compatible with the height and scale of the existing built form along Brant Street. The tower is setback from the podium and has been located, massed and scaled such that it fits beneath a 45-degree angular plane taken from the property line of the nearest low-rise residential properties to the east to achieve an appropriate transition to a lower scaled area (See Figure 21 - Angular Plane Study).

With respect to tower height stepping, the Subject Site is located in the wider transitional Downtown context, which includes a number of tall and mid-rise buildings. It also contains a number of underutilized sites, such as parking lots and one-storey commercial uses, which may in future be replaced by tall buildings. As the context changes, a stepping pattern can be achieved.

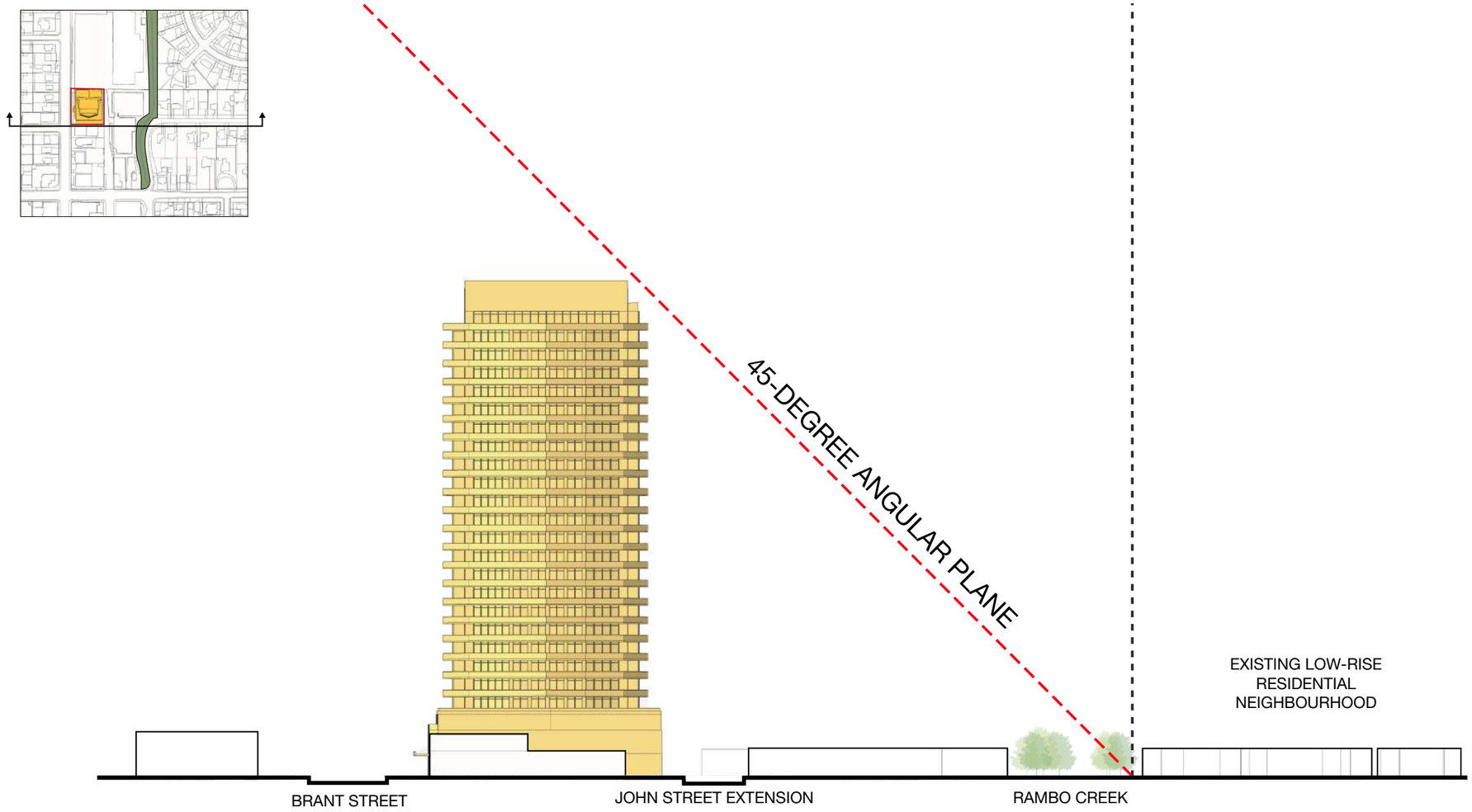


Figure 21 - Angular Plane Study

7.3 Architectural Articulation

The proposed building has been visually divided into a hierarchy of building volumes consisting of the street-related base building and the stepped back point tower.

The base building incorporates a mix of opaque and transparent materials at-grade to activate the frontage and respond to the masonry of the surrounding buildings. Further, the first through third storeys of the building provide recessed elements that visually resemble the fine-grain built form pattern found further north along Brant Street. A pattern of windows and doors is established to break up the length of the façade throughout the rest of the podium.

The proposed tower is articulated with a rhythm of vertical and horizontal expressions throughout the façades of the tower. A diverse yet cohesive mix of materials and textures have been used to distinguish the tower and podium elements. The tower element is treated with highly transparent materials to help mitigate perception of mass. Further, the tower is massed with geometric floor plate to maintain access to light, views and privacy between units and further articulate the tower mass. Projecting balconies are provided in an angular arrangement that helps create a dynamic silhouette that breaks up the mass vertically.



Figure 22 - Rendering, View of Brant Street Frontage (Source: Turner Fleischer Architects)



Figure 24 - Rendering, View looking southeast (Source: Turner Fleischer Architects)

Medium Brick Material Precedent





Figure 23 - Rendering, View looking southwest (Source: Turner Fleischer Architects)

Green Wall Precedent



7.4 Public Realm

Brant Street is the main street within the Downtown. It is identified as a Pedestrian Priority Street and a Retail priority street. Introducing a compact built form with retail uses at grade will provide opportunity for increased pedestrian activity along the street. The architectural treatment of podium reinforces pedestrian scale as the 3-storey podium will frame the right-of-way of Brant Street, urbanize and activate the frontage. The podium is setback approximately 8.0 metres from the edge of the curb to provide for an extended pedestrian zone and respond to the setback of the adjacent existing buildings. The proposed setback and podium height respond to the setbacks and heights of the buildings on the opposite side of Brant Street to frame the street in good proportion at a height that relates well to the width of the right-of-way. These built form and urban design decisions lay the groundwork for improving the experience for pedestrians within the public realm. A combination of pedestrian amenities including benches, bike racks, landscape features, and weather protection canopies will be provided to further enhance the public realm along Brant Street.

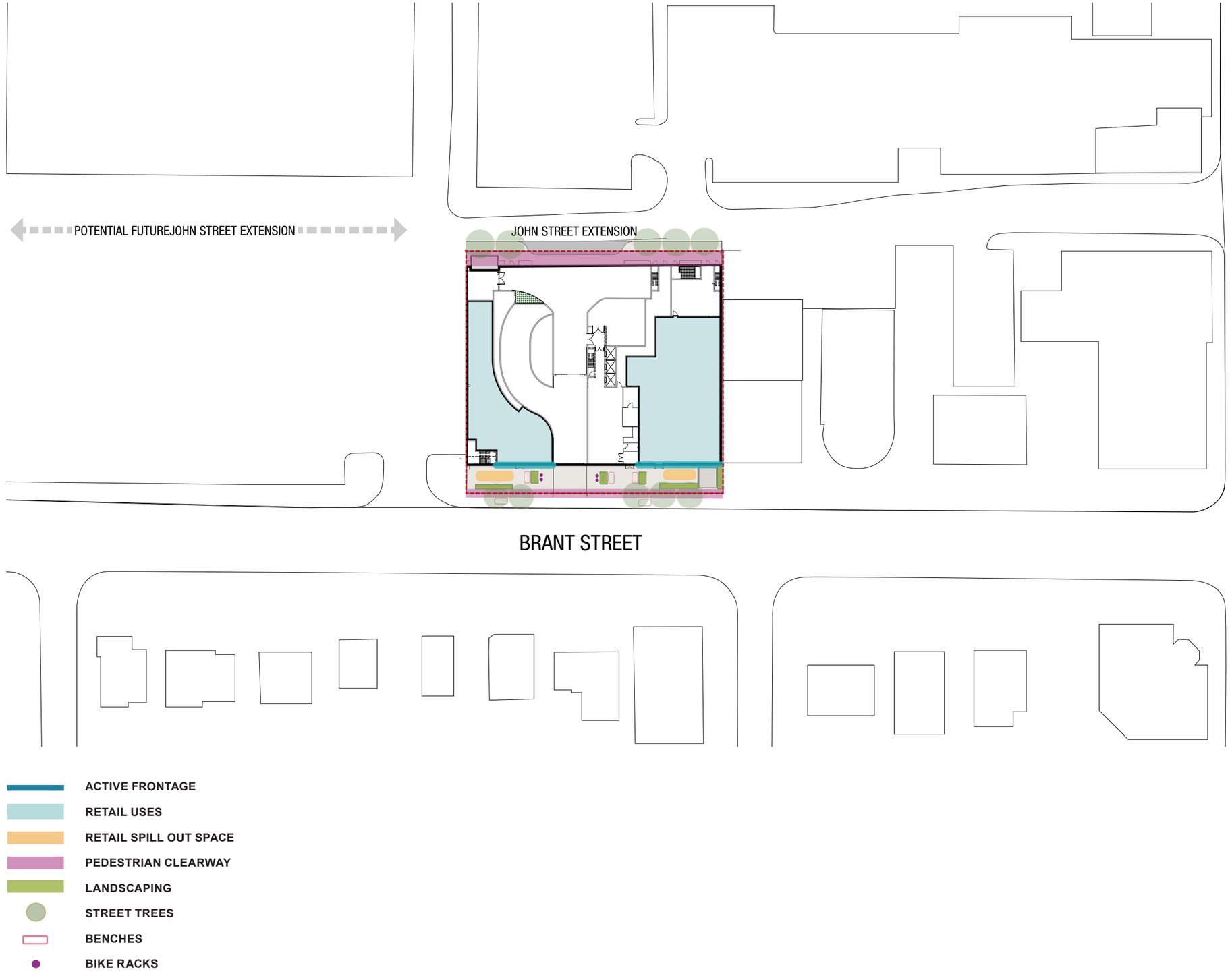


Figure 25 - Public Realm Diagram



Furnishing Zone
1.2m wide with tree planting in City of Burlington tree grates, unit paving and improved soil volumes. City benches, lighting and bike ring parking between tree planting. Completed by additional 0.5m Edge Zone in concrete.

Pedestrian Zone
2.1m wide Concrete Continuous

Marketing Zone
4.9m wide in unit paving complete with raised planters, built in seating, movable seating and tables for retail patios, ornamental tree and accent planting, and bike parking.

Pedestrian Zone
2.1m wide Concrete Continuous Walk

Furnishing Zone
1.2m wide with tree planting in City of Burlington tree grates, unit paving and improved soil volumes. City benches, lighting and bike ring parking between tree planting. Completed by additional 0.5m Edge Zone in concrete.

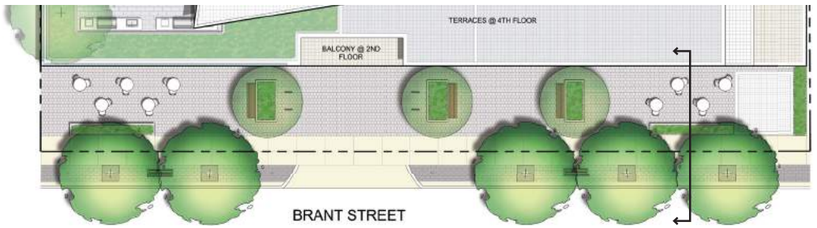




Figure 26 - Landscape Plan (Source: Ferris and Associates)

7.5 Circulation

7.5.1 Pedestrian Circulation

In addition to the streetscape and public realm enhancements discusses above, the proposed development will improve the pedestrian experience on the Subject Site by proposing to introduce a sidewalk along John Street at the rear of the Subject Site. As the surrounding block redevelops in the future, this sidewalk will create a link between the Subject Site and the adjacent properties and improve overall pedestrian circulation.

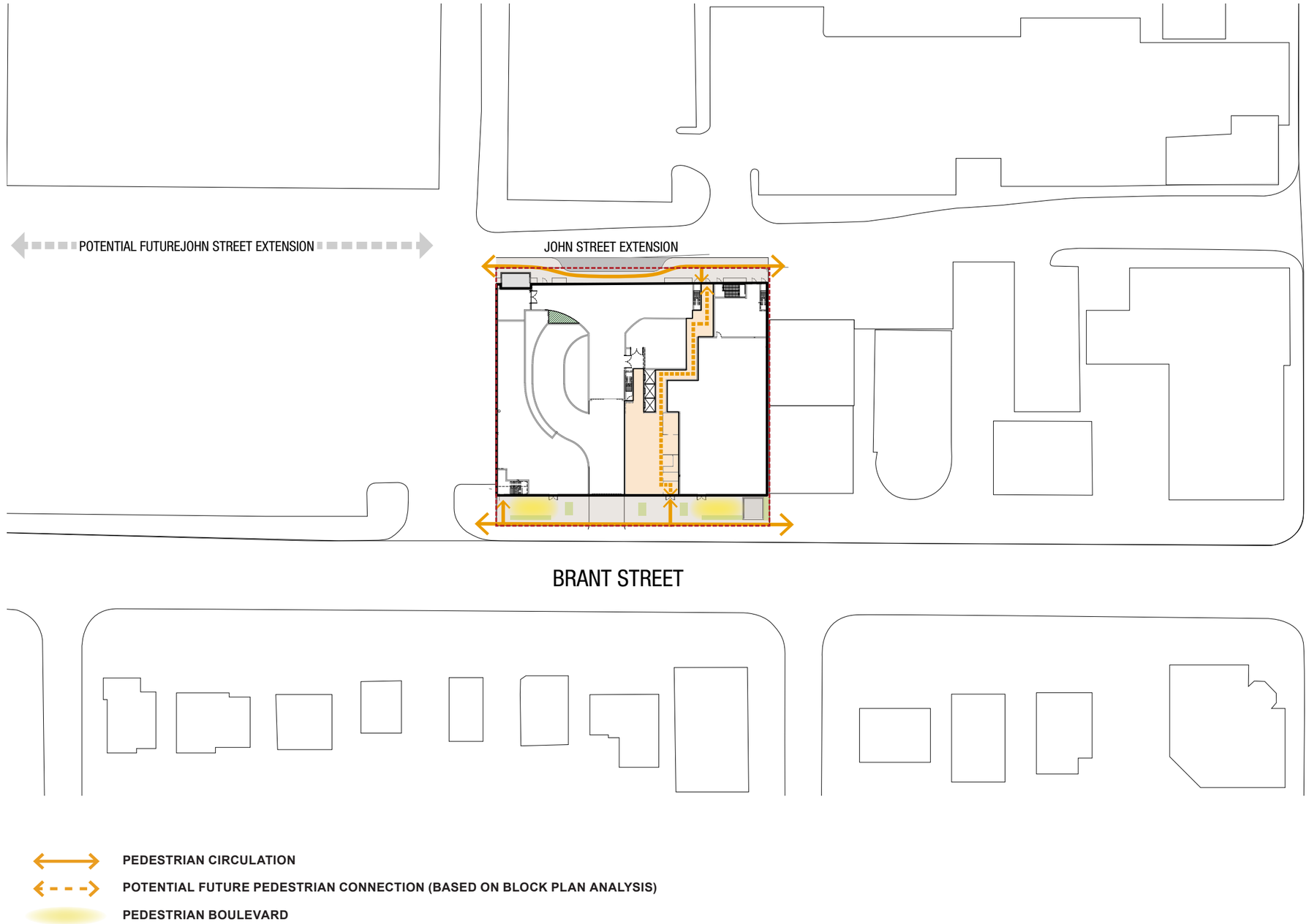


Figure 27 - Pedestrian Circulation Diagram

7.5.2 Vehicular Access, Parking, Loading and Servicing

The proposed development will improve the parking, loading and servicing functions on the Subject Site by removing the surface parking that exists on the site and locating all parking underground to screen it from public view and emphasize the pedestrian-oriented nature of Brant Street. Further, the proposed development scheme will internalize loading and servicing functions as well as the ramp to below-grade parking, allowing John Street to develop a pedestrian oriented streetscape character that will continue to connect the Subject Site to the adjacent blocks with the eventual extension of the road.

While John Street is planned to be extended further east beyond the Subject Site, currently, the segment of John Street that the site fronts onto is not a public road. As such, vehicular access is proposed to take place from Brant Street to improve accessibility. As such, the vehicular access area has been designed with careful consideration for the pedestrian-oriented function of the streetscape along Brant Street. The driveway will be treated with paving materials that are consistent with the hardscaping treatment of the pedestrian boulevard within the of the setback zone along Brant Street. The continuous hardscaping treatment along the frontage will integrate the driveway with the streetecape in a congruent manner that maintains its the pedestrian-oriented function.

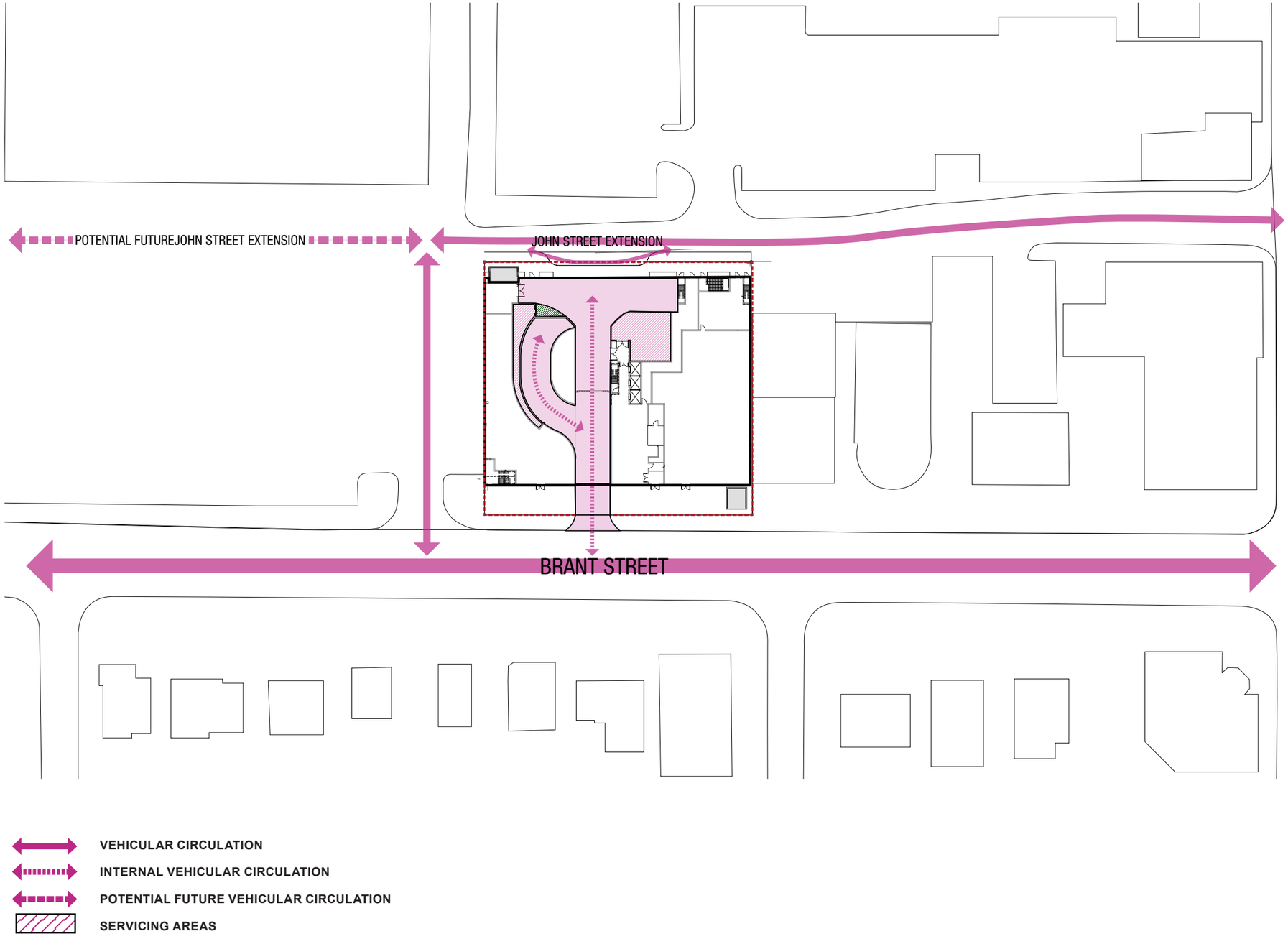


Figure 28 - Vehicular Circulation and Servicing Diagram

8.0 CONCLUSION

In our opinion, the form and character of development represents good urban design. The proposed built form appropriately fits within the surrounding context of the Downtown, along its principal street. The mixed-use proposal of residential combined with retail uses brings additional vitality and complementary activity to its downtown and will be highly compatible with adjacent land uses.

The podium's low-rise frontage creates a high quality and contemporary retail facade wrapping the length of the Brant Street façade and extending around the podium's west façade. Although substantially glazed, the facade is framed by a masonry element that is suggestive of traditional main street buildings. Widened sidewalks provide sufficient space for streetscape improvements. The tower is well set back from the podium edge to establish a pedestrian-scaled street wall, mitigate shadow and wind impacts and provide separation and transition to the surrounding low-rise uses. Key views are enhanced, and the building effectively frames a key segment of Brant Street.

The proposal conforms to the Burlington Tall Buildings Guidelines and is reflective of the broad aims of the Official Plan urban design policies, and the public realm elements of the Downtown Urban Design Guidelines.

For the reasons set out in this Brief, it is our opinion that the Official Plan and Zoning amendments for its proposed height and density are warranted and should be approved.

APPENDIX A

City of Burlington Urban Design Advisory Panel Meeting Minutes

Community Planning Department
Burlington Urban Design Advisory Panel (BUD)

MINUTES

June 23, 2020, 1:45 pm
Virtual (Online) Meeting

Members of BUD

	present	absent / regrets
Ken Coit (Chair)	✓	
Jana Kelemen (Vice Chair)	✓	
Alexandru Taranu	✓	
Jackie VanderVelde	✓	
Jessica Hawes		regrets
LeAnn Seely	✓	
Matt Reid	✓	
Michael Barker	✓	
Nigel Tai	✓	

Item #1: 535 Brant Street

Design Review: First Review

Application: Official Plan and Zoning By-law Amendments

Presentations:

City Staff: Todd Evershed, Urban Designer, Community Planning

Design Team: Raza Mehdi and Michele Gucciardi, Turner Fleischer Architects Inc.
Kay Laidlaw, Ferris + Associates Inc.



Disclosure of conflict-of-interest

None.

City Staff Overview

City staff outlined the project details, planning framework and existing and future context. Staff are seeking the Panel's advice on the following key issues:

1. **Built Form**
   Does the tower shape do enough to visually reduce the building massing and respond to its existing and planned context including the immediate streetscape character on the west side of Brant Street, the 'potential park' to the east, and neighboring established low-rise residential areas?

2. **Public Realm**
   Please comment on the public boundary treatments, particularly the design of the north edge of the development should the future condition be a publicly accessible open space (i.e. a 'potential pedestrian connection'); and

3. **Site Access**
   Please comment on the location and design of the proposed site access from Brant Street versus John Street or the existing shared access to the site from the north.

Design Team Presentation

The project architect provided an overview of the proposal, including a description of the subject lands, surrounding context and details of the proposed development. They walked the Panel through the proposed floor plans and stated that the rationale for the primary site access (for vehicular, loading, and servicing) from Brant Street is because it is the only access the subject property has to a municipal road. It was noted that ground floor retail is focused along Brant Street to promote animation, which is supported by a 6 m setback to allow for an enhanced landscape design. Additionally, it was noted that the second and fourth floor plans provide common outdoor amenity areas adjacent to the northerly property limits, and that the building significantly steps back at the fourth floor into a tower form to create a distinctive 3-storey podium with a strong streetwall along Brant Street. The proponent noted that they are working closely with the neighbour to the north to come up with a conceptual block plan (the "Block Plan") that reflects the aspirations of both property owners while accommodating what they think are the primary design characteristics that the city would like to promote and maintain. It was noted that these conversations with the landowner to the north (the No Frills plaza) and their planning consultants resulted in an understanding that the proposal will provide a minimum tower setback from the north property line of 12.5 m for the subject site to ensure all towers within the Block Plan area maintain at least a 25 m facing distance.

The project design director provided an overview of the design intent for the proposal, including an explanation for the proposed building's scale, shape, and materiality. It was commented that the design objective is to maximize views to the lake while minimizing the tower's presence and making the tower appear slenderer by creating the arrowhead like shape. In terms of the podium design, it was commented that the proposal is trying to create a series of returns and setbacks within the building base to breakup it's mass. They also recessed the balconies into the podium mass to increase a three-dimensional feel and create visual interest. In terms of materiality, brick is used predominantly in the podium given the immediate context and existing residential houses nearby, while glazing is used in the tower; using glass in the tower and choosing the right level of reflection is intended to disguise its perceived height and massing.

The design team's landscape architect walked the Panel though the design strategy for the conceptual landscape plan related to the streetscape designs and outdoor amenity spaces (i.e. terraces).

Panel Questions:

The Panel asked the following questions of clarification:

- Are we missing the Block Plan? Help us understand where the Block Plan (included in the submission package) came from;
- Did the discussion with the landowners to the north factor in the mid-block connection you are showing (as a 'potential pedestrian connection' on the Block Plan) and is there an agreement at this stage for that to happen entirely on their property?

- The submitted shadow studies indicate test times of 9:30am,12:30am, and13:30am, are there test times missing? Why were those times selected versus something later in the afternoon or the evening?
- Could you speak to the design treatment on the John Street side of the building at street level and to what the character along there would be? Would the ground floor include false windows?
- How soon is the 'potential park' shown (on the Block Plan) to the east (of the subject site) going to be developed?
- Does this Block Plan align with any of the city policies?
- From an urban design perspective, what is the rationale to have this cluster of four tall buildings?
- What is the area of the tower floor plate and is it in line with the City's Tall Building Guidelines?
- Why not consider a 45-degree angular plane from the west side of Brant Street, given the existing stable historic low-rise residential area?
- From an urban design perspective, what is the height of this building accomplishing? Why 25-/26-storeys here?
- To the north of the subject site, is there another building of this scale until you get to the Burlington GO Station area lands north of Fairview Street?

Panel Advice:

Question #1: *Built Form – Does the tower shape do enough to visually reduce the building massing and respond to its existing and planned context including the immediate streetscape character on the west side of Brant Street, the 'potential park' to the east, and neighboring established low-rise residential areas?*

The Panel agreed that the proposed height of the building is an issue. Aside from height, the Panel provided the following comments with respect to the overall mass of the tower:

- Based on the renderings, the tower feels very repetitive on all sides – there is not much to differentiate one floor from the other for all 21-storeys of the tower on all four sides;
- The use of materials and shaping of the tower does not do enough to mitigate the massing;
- The Panel is not convinced that the shaping of the building will do enough to reduce the impacts of the repetition of the floors being all the same;
- More interest is needed for a tower in this location;
- The floor plate exceeds the maximum area and it seems to be bulkier than necessary for this area due to the angles from the north;
- The unique shape of the building, how it is pinched does help to mitigate the massing, apart from the height;
- Having the tower setback and angled away helps to add some interest;
- The submission of a Block Plan is much appreciated, but a strong design argument for a tall building on this site is lacking (e.g. being within an MTSA, at a major intersection, or a landmark);
- Concerned with the relationship to the street and creating a disbalanced street considering that the 2- to 3-storey built form on the west side of Brant Street will likely stay that way for quite some time due to the smaller lots with shallower depths on that side of the street.
- Although having the angled façade is helpful at grade, it also means that the north side of the façade coming down Brant Street will read larger than it may have to.

Additionally, with respect to the podium design the Panel commented that the treatment of the podium against Brant Street is successful architecturally. The Panel agreed with the choice of brick in the base, as it ties in with the nature of the architecture across the street on Brant Pulling

that downtown feel that is further south on Brant Street and pulling it up north to this area will improve the currently tired looking and inconsistent streetscape.

From a design perspective the Panel was uncomfortable with the height and the justification for the tower. They agreed that the tower is not developed enough, and although the shape is interesting, they felt it is too far away from the lake and noted that there is another tower proposed in the Block Plan between the proposal and the lake that would disrupt some of the views. Given the comments noted above, the Panel recommended that the proposal apply a 45-degree angular plane from (at a minimum) the eastern property lines of the established residential properties that front onto Locust Street to respond appropriately in terms of scale and context. In terms of the proposal's relationship to the west side of Brant Street, it was recommended that a visual impact analysis be done.

Question #2: *Public Realm – Please comment on the public boundary treatments, particularly the design of the north edge of the development should the future condition be a publicly accessible open space (i.e. a 'potential pedestrian connection').*

The Panel understands that the applicant's intent is to provide pedestrian access along the north side of the building. However, the Panel suggested that both the north and east edges of the development need to do more. Recognizing that the way the building meets the public realm is a bit of a challenge with the glass (i.e. false windows), the Panel felt that this is an area where the design can be improved to enhance the public realm. The Panel agreed that the way the building fronts on the future publicly accessible open spaces, particularly the 'potential park', is critical and they suggested that an enhanced façade and public realm treatment should be employed including streetscape improvements such as paving treatments.

Additionally, the Panel commented that they appreciate the setback and marketing zone along Brant Street, which helps to animate the street. However, the raised planters shown in the landscape design traditionally play the role of protecting the safety of people when the sidewalk is interrupted by vehicular traffic. In this case, the Panel is concerned that the planters sever the space and may not support the long-term success of the trees planted in them. If there is a future park opposite the John Street frontage, then this frontage would benefit from the addition of a marketing zone as well. It was also noted that the 'proposed pedestrian connection' along the north is critical to pull people along that edge to John Street, and therefore both the north and east sides of the development should be animated at the street level.

Question #3: *Site Access – Please comment on the location and design of the proposed site access from Brant Street versus John Street or the existing shared access to the site from the north.*

The Panel agreed that a vehicular access from the John Street Extension is much preferred over Brant Street, to support a better pedestrian environment on Brant Street. The Panel commented that the proposed site access from Brant Street is problematic and would drastically negate all the positive aspects of the proposed Brant Street streetscape as it interrupts the public realm with a driveway.

The Panel understood from the applicant's perspective that the John Street Extension is challenging because the nature of its ownership and future design is currently unclear Accordingly, the Panel recommended encouraging the City to formalize the John Street Extension to allow the applicant to make it the primary vehicular access to the site to facilitate a quality pedestrian environment along Brant Street.

Furthermore, the Panel commented that once the vehicular access is removed from Brant Street (in favor of the John Street Extension) there is an opportunity to put continuous retail along Brant

Street, consistent with the vision that the City is bringing forward. It was also suggested that providing a continuous retail function along Brant Street provides the potential to locate the residential lobby on the north side of the building.

Notwithstanding the site access off Brant Street, the Panel agreed that what the podium design can do for the public realm is quite well done. The Panel agreed that the material choice is great and that the inset balconies – creating depth – is fantastic and will provide adequate privacy for the residents when they are so close to the street.

The Panel questioned why the internal driveway is designed the way it is, noting that it takes up a lot of area on the ground floor, and asked if it can be eliminated. If the access is moved to the John Street Extension and the proposed internal T-shaped driveway is reversed to face Brant Street, the Panel is concerned that this could negatively impact the ability to achieve the continuous retail function along Brant Street and thus an active frontage.

The Panel reiterated that the podium on Brant Street is architecturally very well done and they recommended keeping the continuous retail façade along Brant Street without the vehicular driveway/entrance.

End...Item #1

Meeting Adjourned

BOUSFIELDS INC.

PLANNING | DESIGN | ENGAGEMENT