PLANNING JUSTIFICATION REPORT

Applications to Amend the City of Burlington Official Plan and Zoning By-law 2020
Reserve Properties Ltd.
Southeast Corner of Brant & James Streets
City of Burlington



January 2018

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INTRODUCTION

Wellings Planning Consultants Inc. has been retained by Reserve Properties Ltd. ("Reserve") to provide planning advice and prepare the required Planning Justification Report in support of applications to amend the City of Burlington Official Plan ("BOP") and Comprehensive Zoning By-law 2020 ("Zoning By-law").

The purpose of the applications is to facilitate the redevelopment of a block of land located south of James Street, east of Brant Street and west of John Street for a twenty-three (23) storey mixed use condominium apartment building. The proposed building will consist of ground floor commercial, above-grade residential consisting of 227 units, and five (5) levels of underground parking. The municipal addresses for the subject lands are 401, 403, 405, 409, 411 and 413 Brant Street; 444, 448 and 450 John Street; and 2002 and 2012 James Street.

Standard condominium and site plan applications will be filed at a later date to implement the proposed amendments to the BOP and Zoning By-law.

PROPERTY DESCRIPTION AND SURROUNDING LAND USES

The subject lands are situated in Downtown Burlington. The lands consist of nine (9) individual properties forming one (1) contiguous block of land bounded by James Street to the north; Brant Street to the west; John Street to the east; and City owned lands immediately south. The City owned lands consist of municipal parking and a multi-use path/linear parkette (i.e. Elgin Street Promenade). The subject lands contain existing businesses which include: Elizabeth Interiors (recently vacated and moved); Blossom City Chinese Restaurant; Kelly's Bake Shoppe; Albert L. Schmid Jeweller Watch & Clockmaker; and The Bent Scoop (Edible Raw Cookie Dough).

The subject lands are approximately 0.2 hectares (0.50 acres) in size. The lands have approximately 50.3 metres of frontage on James Street; 40.4 metres of frontage on Brant Street; and 40.35 metres of frontage on John Street. The location of the subject lands is shown on **Schedule 1** to this report.

The subject lands are surrounded by a variety of land uses consistent with a downtown area including commercial, residential and institutional uses. Burlington City Hall is located across from the subject lands on the west side of Brant Street. A six (6) storey office building (439 John Street and 440 Elizabeth Street) and surface parking lot are situated on the east side of John Street. The aforementioned City owned lands consisting of a parking lot and multi-use path/linear parkette (Elgin Street Promenade) are located to the south.

On November 13, 2017, Council endorsed the recommendations of Report PB-62-17 to approve a proposed 23 storey mixed use development by 421 Brant Street Inc. ("Carriage Gate") to the north situated at the northeast corner of Brant and James Streets. The Reserve proposal is intended to mirror the permissions granted to Carriage Gate given the proximity of the two parcels across from one another, and the consistency between the lands under the existing and proposed Official Plan policies and land use designations.

PROPOSAL

The Reserve proposal consists of ground floor commercial, consistent with the existing ground floor commercial uses. The proposed podium containing both commercial and residential uses ranges from one (1) storey for existing facades (i.e. Kelly's Bake Shoppe/Albert L. Schmid Jeweller), which are proposed for retention, to four (4) storeys for the new building. A total of 227 residential apartment units are proposed within the 23 storey building. Ingress/egress to the loading facilities and underground parking will be via John Street. There is no surface parking proposed under the proposed design. The main entrance to the building will be from Brant Street situated at the mid-point of the proposed building to a main lobby. A site plan package showing the proposed layout and configuration of the proposed condominium apartment building including floor and underground plans is included within **Schedule 2** to this report**.**

The proposed unit breakdown for the 227 apartment units is as follows:

- 1 studio;
- 51 one (1) bedroom;
- 71 one (1) bedroom plus den;
- 76 two (2) bedroom; and,
- 28 three (3) bedroom.

The breakdown provides for a broad range of accommodation for individuals, couples and families.

The building has been designed to reflect the permissions granted for the earlier mentioned Carriage Gate proposal. One of the key design features provides

enhanced setbacks to the abutting streets/road allowances where practical. This includes in most cases an additional setback of 3.0 metres from the property line to complement and widen the existing sidewalk. The larger setbacks will enhance the pedestrian experience along these frontages. Due to the preservation of the facades for 401 Brant Street and 444 John Street, the additional 3.0 metre setback is not possible for those frontages. In order to achieve a greater civic presence at the intersection of Brant and James Streets, a larger daylight setback has been provided. This includes a two (2) storey high open space area abutting the ground floor retail. This is consistent with the Carriage Gate proposal and will provide for the opportunity to complement the civic importance of this intersection across from Burlington City Hall.

The proposed parking will consist of five (5) levels of underground parking with a total parking complement of 212 parking spaces. The parking spaces within the P1 underground level will include resident and visitor parking while levels P2 - P5 consisting of 172 spaces will be for resident parking. It is expected and recommended by the Traffic Engineer (Paradigm Transportation Solutions) that the parking be “unbundled” where the purchase of a unit and parking space can be marketed separately. Reserve is also considering the provision of a car share program. A decision has not yet been finalized in this regard. There is no parking requirement for commercial in the Downtown Area. The entry to the underground parking garage and loading/utility areas has been located from John Street with the intent to limit exposure to the public realm. John Street has traditionally acted as a service road for properties between Brant and John Streets, and John Street is and will continue to be a major transit corridor to the John Street transit hub. All utilities servicing the proposed building will be located internal within the structure.

Internal bicycle parking has been provided at a ratio of 0.7 spaces per unit (i.e. 160 spaces). Bicycle parking is located within the underground parking on levels P2 – P5 with 40 spaces per level. A total of 3 ground floor spaces will be provided for the commercial component of the development.

PRE-CONSULTATION

A pre-consultation meeting with City and Regional staff was recently held on December 19, 2017 to discuss the proposed redevelopment of the subject lands. At the pre-consultation meeting, a number of plans, reports and studies were identified for the application submission which have been included as part of the application submission package.

BURLINGTON'S STRATEGIC PLAN 2015-2040

Burlington City Council approved the 2015-2040 Strategic Plan on April 11, 2016. The Strategic Plan captures the City's priorities over a 25 year period until 2040 and is "…a framework for critical decision-making and considers how we (City) manage our resources." The Strategic Plan contains a number of key objectives/directives aimed at economic growth, intensification and population growth, and transportation. Some of the key strategic objectives pertinent to the proposal by Reserve are as follows:

1.1.g Burlington's downtown is vibrant and thriving with greater intensification attracting both businesses and people to enjoy the quality of life.

1.2.a Growth is being achieved in *mixed-use areas and along main roads with transit service, including *mobility hubs, downtown and uptown.

1.2.b Mobility hubs are developed near each GO Station and in the downtown.

1.2.d New and transitioning neighbourhoods are being designed to promote easy access to amenities, services, recreation and employment areas with more opportunities for walking, cycling and using public transit.

1.2.g Intensification is planned so that growth is financially sustainable and so new infrastructure needed to support growth is paid using all financial tools available to have development pay for growth infrastructure.

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

1.2.i Architecture and buildings are designed and constructed to have minimal impact on the environment reflecting urban design excellence that create buildings and public spaces where people can live, work or gather.

2.1.b Mobility hubs are being developed and supported by intensification and built forms that allow walkable neighbourhoods to develop. Metrolinx will have worked with the city to ensure the creation of hubs aligns with intensification and built form objectives.

2.1.g Walkability and cycling has guided the development of new and transitioning neighbourhoods and the downtown so that people rely less on automobiles.

* Denotes defined terms in Strategic Plan

The proposal put forth by Reserve will achieve a number of these key strategic

objectives and/or initiatives of the Strategic Plan.

PLANNING FRAMEWORK

Provincial Policy Statement 2014 ("PPS")

The policies of the PPS address building strong healthy communities; the wise use and management of resources; and protecting public health and safety.

The PPS states that healthy, liveable and safe communities are sustained by a number of features including "accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons)," as well as employment, institutional and open space to meet long term needs [Policy 1.1.1 b)]. The proposed development achieves the policy objective of adding to and providing a range and mix of residential housing types.

The redevelopment also represents a reasonable intensification of the subject lands in accordance with the Region and City Official Plans; an efficient development and land use pattern; a cost-effective development pattern; and an efficient use of land and existing infrastructure [Policies 1.1.1 a), e) and g) and 1.1.3.2 a)].

Settlement areas shall be the focus of growth and development [Policy 1.1.3.1]. Land use patterns within settlement areas shall be based on efficient use of land and infrastructure; minimize negative impacts to air quality and climate change; and be supportive of active transportation and public transit. Additionally, a range of uses and opportunities for intensification and redevelopment shall be provided [Policy 1.1.3.2 a) and e)]. Planning authorities shall identify appropriate locations (e.g. Mobility Hubs) where intensification and redevelopment can be accommodated [Policy 1.1.3.3].

The PPS also promotes development standards which facilitate intensification, redevelopment and a compact form of development as well as the establishment of minimum density targets within built-up areas. New development in designated growth areas should occur adjacent to built-up areas and shall have a compact form, mix of uses and densities that allow for efficient use of land and infrastructure [Policy 1.1.3.6]. Planning authorities shall establish phasing policies to ensure specified targets for intensification and redevelopment and the orderly progression of development within designated growth areas [Policy 1.1.3.7]. The subject lands are situated within a designated growth area (i.e. Downtown Urban Growth Centre).

There are no sensitive environmental features on the subject lands nor do the subject lands contain significant habitat of endangered and threatened species.

Based on a comprehensive review of the PPS, it is my opinion that the proposed

high-density mixed-use development on the subject lands is consistent with the policy directives of the PPS. The redevelopment represents appropriate intensification in a designated growth area, takes advantage of existing infrastructure, is transit supportive, and adds to the mix and range of housing types in the Downtown Area. The redevelopment also maintains commercial opportunities through the provision of ground floor commercial.

Growth Plan for the Greater Golden Horseshoe ("Growth Plan")

The recently updated Growth Plan for the Greater Golden Horseshoe ("Growth Plan") dated May 2017 continues to provide policies for the management of population and employment growth and to guide municipal decisions on a variety of issues such as transportation, infrastructure planning, land-use planning, urban form, housing, natural heritage and resource protection.

The Guiding Principles (Section 1.2.1) of the Growth Plan support the following relevant principles:

- Complete communities designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime;
- Prioritize intensification and higher densities to make efficient use of land and infrastructure and support transit viability; and,
- Support a range and mix of housing options including second units and affordable housing to serve all sizes, incomes and ages of households.

These Guiding Principles have been implemented in specific policies contained in Section 2 (Where and How to Grow). The Growth Plan emphasizes building of compact and complete communities that are well-designed, offer transportation choices and use of active transportation, accommodate people's needs throughout an entire lifetime and have an appropriate mix and range of housing, jobs, local services and public service facilities.

The subject lands are located within the City's Built Boundary and form part of a designated growth area. Schedule 4 of the Growth Plan identifies Downtown Burlington as an "Urban Growth Centre". The policies of the Urban Growth Centre (Section 2.2.3) identifies Urban Growth Centres as focal areas for investment in public services and transit that are intended to accommodate significant population and employment growth. The Growth Plan has established a minimum density target of 200 residents and jobs combined per hectare for Downtown Burlington.

The proposed development will assist in achieving the policies of the Growth Plan/Urban Growth Centre by contributing to a complete community with additional housing and commercial choices and providing a density of development that is transit supportive.

In my opinion, the proposed development of the subject lands for a high-density

mixed-use development conforms to the guiding principles and policies of the Growth Plan. The development is located within an Urban Growth Centre (i.e. Downtown Burlington) where significant population and employment growth is expected. Further, the proposal will add to the range of housing and commercial choices for the Downtown Area and is in close proximity to existing commercial, recreational, cultural and entertainment uses all of which make up a complete community.

I have reviewed the Growth Plan in its entirety and in my opinion the Reserve proposal conforms thereto.

Halton Region Official Plan/Amendment No. 38 ("ROPA 38")

Urban Area Policies

The subject lands are designated "Urban Area" on Map 1 – Regional Structure by the Halton Region Official Plan as amended by Regional Official Plan Amendment No. 38 ("ROPA 38"). Map 1 also identifies Downtown Burlington as a "Mobility Hub". The Urban Area objectives and policies in ROPA 38 are generally contained within Sections 72 through 77 inclusive.

Policies within Part III, Land Stewardship Policies (Urban Area and Housing policies) and Part IV, Healthy Communities Policies are applicable to the proposed redevelopment.

Table 2 to ROPA 38 indicates that a minimum of 8,300 new housing units are to be added to the Built-up Area of Burlington, between 2015 and 2031. The time period for achieving these forecasts is broken down in Table 2A (Regional Phasing) of ROPA 38 as follows: 2012-2016 – 2,525 units; 2017-2021 – 2,758 units; 2022-2026 – 2,669 units and 2027-2031 – 2,659 units. These are minimum intensification and density targets.

Section 72 of ROPA 38 sets out some of the key objectives of the Urban Area designation. These objectives are paraphrased as follows:

- Support a form of growth that is compact and transit supportive and reduces the dependence on the automobile;
- Encourage complete communities which afford maximum choices for residence, work and leisure;
- To ensure growth takes place commensurately both within and outside Built Boundary; and,
- Identify an urban structure that supports development of Intensification Areas and promotes intensification and increased densities.

Section 77(2.1) of ROPA 38 states that it is a policy of the Region to "direct, through Table 2 and Table 2A, to the *Built-Up Area* a minimum of 40 per cent of new

residential *development* occurring annually within *Halton* in 2015 and every year thereafter." [Words in italics are defined in ROPA 38].

As previously noted, the subject lands are located within the Built-up Area of the City of Burlington. The proposed redevelopment will satisfy the intensification policies and contribute toward the growth targets of both the Region and the City.

Intensification Areas is defined by ROPA 38 as follows:

> "means lands identified by the *Region* or its Local Municipalities within the Urban Area that are to be the focus for accommodating *intensification*. *Intensification Areas* include *Urban Growth Centres*, *Major Transit Station Areas (*including Metrolinx-designated *Mobility Hubs)*, *Intensification Corridors*, and Mixed Use Nodes". (underline added)

The subject lands and proposed development are located within a designated Urban Growth Centre (Growth Plan and City Official Plan), a Mobility Hub (Regional Plan) and within the Downtown Mixed Use Centre (City Official Plan). As per the definition above, these lands are situated within an Intensification Area.

The policies under Section 81 of ROPA 38 direct development with higher densities and mixed uses to Intensification Areas and require local municipalities to prepare detailed Official Plan policies or an Area-Specific Plan for Intensification Areas. Section 81(7.2) states as follows:

> "Consider *intensification* and *development* of *Intensification Areas* as the highest priority of urban *development* within the *Region* and implement programs and incentives, including Community Improvement Plans under the Planning Act, to promote and support *intensification*."

Housing Policies

Housing policies are contained in Sections 84 through 86 inclusive of ROPA 38.

Both the Urban Area and Housing policy objectives in ROPA 38 include facilitating and promoting intensification and increased densities. Section 86(6) in ROPA 38 partially states: "Adopt the following housing targets:

a) That at least 50 per cent of new housing units produced annually in *Halton* be in the form of townhouses or multi-storey buildings (underline added); and,

Section 86(11) of ROPA 38 states:

> "Permit *intensification* of land use for residential purposes such as infill, redevelopment, and conversion of existing structures provided that the physical character of existing neighbourhoods can be maintained."

Both the Urban Area and Housing objectives and policies set out in ROPA 38 facilitate and promote intensification.

Healthy Community Guidelines

I have also reviewed the Region's Healthy Communities Guidelines. These guidelines address: the built environment; mobility; the natural environment and open space; human services; sustainable design; the economy and community food supply.

The Healthy Community Guidelines state that a number of built environment elements can contribute to a healthy community such as compact development. The proposed redevelopment of the subject lands represents, in my opinion, a compact form of development within an existing walkable, well-connected and complete community. The proposal will also add to the current housing options and provide commercial opportunities for existing and future residents in the Downtown.

The proposed residential development has been designed to be safe, efficient, pedestrian oriented and attractive.

In my opinion, the proposed development satisfies the Healthy Community Guidelines.

In summary, I have reviewed the policies of the Regional Plan/ROPA 38 in their entirety and in my opinion, the proposed redevelopment conforms to the Urban Area and Housing policies. Policies throughout ROPA 38 include the facilitation and promotion of intensification, especially within Intensification Areas, with a greater percentage of higher density units; transit supportive development; and development that contributes to complete communities.

City of Burlington Official Plan ("BOP")

Mixed Use Activity Areas

The subject lands are designated "Mixed Use Activity Areas" on Schedule A – Settlement Pattern to the BOP. Policies associated with the "Mixed Use Activity Areas" designation are found in Section 5.0, Part III – Land Use Policies – Urban Planning Area of the BOP. Mixed Use Activity Areas are intended to:

> "…provide locations where *employment*, shopping and residential uses will be developed. *Employment*, shopping and residential land uses will be integrated in a compact urban form, at higher *development* intensities and will be pedestrian-oriented and highly accessible by public transit."

The BOP provides several principles and objectives associated with Mixed Use Activity Areas. The principles include providing an alternative to suburban development and encouraging efficient use of municipal services; create a special community identity and focal point; and address demand for higher intensity residential, commercial and employment development.

The stated objectives of the Mixed Use Activity Areas are:

"a) To *encourage* comprehensively planned mixed use *employment*, shopping and residential areas that provide for the integration of uses such as retail stores, offices, hotels, institutional and *entertainment uses* with residential uses, *community facilities*, cultural facilities, institutions and open space in a compact urban form, while retaining *compatibility* with nearby land uses.

b) To ensure Mixed Use Activity Areas are developed in a compact urban form, are pedestrian-oriented and highly accessible by public transit, and foster community interaction.

c) To direct the phasing and/or expansion of municipal *infrastructure* and services to ensure the timely and orderly *development* of Mixed Use Activity Areas."

Mixed Use Centre

Schedule B – Comprehensive Land Use Plan for the Urban Planning Area further designates the subject lands "Mixed Use Centre" within the boundary of the Downtown Urban Growth Centre. Policies applicable to lands within the Mixed Use Centre are contained within Sections 5.4 to 5.6 of Part III of the BOP.

The objectives of the Mixed Use Centre in the Downtown Area (Section 5.4.1) is to serve as areas of mixed use development consisting of medium and high density residential and to encourage higher intensity, transit supportive and pedestrian-oriented development. The objectives also seek to ensure development is designed to promote public safety and a more diversified transportation system that includes public transit, pedestrians and cyclists.

The policies in Section 5.4.2 (Mixed Use Centre) of the BOP provide for the consideration of medium and high density residential uses with a range of intensities and building heights. Such consideration would be subject to compatibility which is defined in the BOP. Redevelopment must co-exist in harmony with existing/proposed development in the area and not create a physical or functional adverse impact on existing/proposed development. The proposed redevelopment must also not pose an unacceptable risk to the environment and/or human health. In my opinion, the proposed redevelopment will co-exist in harmony with the existing surrounding development in the area which includes a mix of land uses. Section 5.4.2 g) identifies a number of site plan considerations/factors to

ensure compatibility. These have been achieved by the current proposal as follows:

- The proposed main entrance to the building will face Brant Street and the building is located in close proximity to existing transit services. There are various transit routes that serve the downtown area. The design will provide a sense of "human comfort" and pedestrian scale and interest;
- The proposed development has been appropriately integrated with surrounding land uses and promotes a safe, convenient and barrier-free pedestrian travel within the site and to transit stops;
- Off street parking and loading will be situated underground and will not be visible from the public realm. Parking and loading is located below grade with five (5) levels of underground parking proposed with access to the underground parking garage from John Street;
- The site plan promotes convenient access to public transit services. Transit stops are located across from the site on the north side of James Street and on the west side of Brant Street in front of City Hall; and,
- The loading and servicing will be from a singular access from John Street serving as a service entrance in order to minimize and/or avoid any conflict with pedestrians. This provides a more attractive streetscape from the public realm and reduces any conflict with existing and proposed residential.

Intensification Analysis

The policies of Section 5.4.2 k) of the BOP require that proposals for intensification shall be evaluated on the basis of the objectives and policies of Part III, Section 2.5 of the BOP. Subsection 2.5.2 of the BOP contains criteria that must be considered when evaluating proposals for housing intensification within established neighbourhoods. The applicable intensification criteria are shown below in bold. A response to each criterion is provided below in italics.

(i) adequate municipal services to accommodate the increased demands are provided, including such services as water, wastewater and storm sewers, school accommodation and parkland;

A Functional Servicing Report (FSR) was prepared by S. Llewellyn & Associates Limited Consulting Engineers dated December 2017 to address water, sanitary sewer and stormwater management. The FSR concludes that the subject lands and proposed development can be serviced to meet the requirements of the City of Burlington and Region of Halton. A private storage vault will be incorporated in the underground parking garage to provide stormwater storage.

Parkland for Downtown Burlington is provided largely by Spencer's Smith Park. There is also a multi-use path to the south of the subject

lands (i.e. Elgin Street Promenade) which connects to a bicycle path to the east. The schools nearby include Central Public and Central High Schools. In my opinion, there are adequate school and park facilities to serve the proposed development.

(ii) off-street parking is adequate;

Based on the recommendations of the project Traffic Engineer (Paradigm Transportation Solutions Limited), parking has been provided at a rate of 0.93 spaces per apartment unit (i.e. residents and visitors) for a total parking complement of 212 spaces. In addition, a car share program will be considered moving forward. The reduced parking requirement has been recommended by Paradigm for several reasons including proximity to the John Street bus terminal; TDM measures such as unbundling of parking, enhanced bicycle parking and car share; and availability of municipal parking including nearby parking lots and on-street metered parking.

The parking complement proposed is adequate for a site within the centre of downtown where the intent is to provide development that has less reliance on the automobile and is more transit supportive. The continued implementation of higher parking standards will discourage the use of transit and encourage the use of the automobile as the preferred mode of travel.

(iii) the capacity of the municipal transportation system can accommodate any increased traffic flows, and the orientation of ingress and egress and potential increased traffic volumes to multi-purpose, minor and major arterial roads and collector streets rather than local residential streets;

A Transportation Impact Study ("TIS") was prepared by Paradigm dated January 2018. Paradigm concludes that the proposed development will only result in minor increases in traffic in the study area and that the existing transportation infrastructure is adequate to accommodate traffic associated with the proposed development. No road improvements have been recommended.

(iv) the proposal is in proximity to existing or future transit facilities;

The subject lands are well served by Burlington Transit with several routes that pass by the subject lands and serve the downtown area. The subject lands are a short distance from the John Street bus terminal. There is an existing bus stop on west side of Brant Street in front of the cenotaph and on the north side of James Street east of Brant Street directly across from the site.

(v) *compatibility* is achieved with the existing neighbourhood character in terms of scale, *massing*, height, siting, setbacks, coverage, parking and *amenity area* so that a transition between the existing and proposed buildings is provided;

A number of redevelopment/intensification projects, similar to the proposed redevelopment, have been approved and constructed within the City's Downtown Area. This is consistent with objectives and policy directives of an Urban Growth Centre. The proposed Reserve development is situated at a prominent intersection of Downtown Burlington.

The general area is characterized by a mix of land uses consistent with a Downtown Area. The subject lands are bounded by James Street on the north, John Street on the east and Brant Street on the west. Further, the City owned lands are situated along the south property line. The municipal roads and City owned lands provide physical separation and/or serve as a buffer between the subject lands and adjacent properties.

Massing is defined in the Official Plan as: "The overall bulk, size, physical volume, or magnitude of a structure or project." The proposed built form is consistent with the current planning approach which identifies Downtown Burlington as an Urban Growth Centre with an expectation for intensified growth. The scale of growth is consistent with the aforementioned Carriage Gate proposal and in keeping with the intent of the proposed Precinct Plan/Draft Official Plan which identifies the Brant and James Street intersection as a Special Planning Area designation. *The Special Planning Area identifies the Brant Street/James Street intersection as a key hub for increased building heights and civic presence. It is my opinion that the proposed redevelopment is compatible therewith.*

The proposed building has been designed to provide a strong streetscape presence along all road frontages with Brant Street serving as the main entry to the building. The design internalizes the more utilitarian elements of the development such as loading, bicycle parking, stormwater, electrical and garbage/bulk storage away from the public realm and where possible within the underground parking structure.

In my opinion, the separation distances between existing development and the proposed building is adequate and typical in a downtown setting. While the consideration of existing development is important, it is equally important that existing, older development,

which will ultimately be redeveloped over the course of the updated BOP, not be used as a benchmark for new development within an Urban Growth Centre (Downtown Burlington). Otherwise, the key targets for growth and intensification will not be met. It is my opinion that the siting of the building and proposed built form will not cause adverse impacts. Appropriate noise control measures have been recommended for all the units.

Amenity Area, as defined in the Zoning By-law, means "the area situated within the boundaries of a project and intended for recreational purposes, which may include open spaces, patios, balconies, communal play areas, lounges, sundecks and roof decks but shall not include the area occupied at grade by the buildings, service areas, parking and driveways." As illustrated on ***Schedule 2,*** *indoor and outdoor amenity areas are provided on the 2nd floor and roof-top/mechanical penthouse.*

The character of the area consists of a range and mix of land uses typical in a Downtown Area. In my opinion, compatibility is achieved with the existing and planned neighbourhood, and there is a suitable distance between existing and proposed buildings to provide for a reasonable transition.

(vi) effects on existing vegetation are minimized, and appropriate compensation is provided for significant loss of vegetation, if necessary to assist in maintaining neighbourhood character;

An Arborist Letter was prepared for the proposed development by Strybos Barron King Landscape Architecture dated January 4, 2018. The letter assesses the species and condition of existing boulevard and site trees. The existing four (4) boulevard trees (i.e. Honey Locust and Chanticleer Pear) within the City road allowance are reported in fair to good condition. These trees will be preserved. The three (3) Tree of Heaven species located within the site are reported as immature and in fair to good condition. These trees will be removed to facilitate the proposed redevelopment.

(vii) significant sun-shadowing for extended periods on adjacent properties, particularly outdoor *amenity areas*, is at an acceptable level;

A Shadow Study was prepared by Graziani + Corazza dated January 17, 2018. The Study illustrates that the site and surrounding properties area are already impacted throughout the year by shadows based on the existing and approved (i.e. Carriage Gate) built form. This is not atypical of a site situated in the heart of the Downtown Area.

There is little to no impact from about mid to late morning to late afternoon in June. The impact is greater in March, September and December however the impact is tempered by existing shadow conditions. It is my opinion that such shadow impacts in a central downtown setting are both reasonable and typical in such a circumstance.

(viii) accessibility exists to community services and other neighbourhood conveniences such as community centres, neighbourhood shopping centres and health care;

The subject lands are located within the Downtown Area with short travelling distance to all community needs.

(ix) capability exists to provide adequate buffering and other measures to minimize any identified impacts;

As previously noted, the proposed building is surrounded by public roads on three (3) sides and the City owned lands to the south containing a parking lot and the Elgin Street Promenade. There is adequate buffer between the proposed building and the adjacent land uses. The buffering and setbacks provided are appropriate and reasonable at a major intersection at the centre of Downtown Burlington.

(x) where *intensification* potential exists on more than one adjacent property, any *re-development* proposal on an individual property *shall* demonstrate that future *re-development* on adjacent properties will not be compromised, and this *may* require the submission of a *tertiary plan*, where appropriate;

The subject lands consist of nine (9) individual properties which make up one (1) contiguous block of land for redevelopment purposes. As there are no remnant (i.e. hold-out) properties within the block, and the lands are bounded by public roads and the City owned lands immediately south, the redevelopment of the subject lands will not preclude or compromise the potential redevelopment of any adjacent properties.

(xi) natural and *cultural heritage* features and areas of natural hazard are protected;

The subject lands include two (2) listed heritage buildings located at 410 Brant Street (Kelly's Bake Shoppe) and 44 John Street (Albert L. Schmid Jeweller). While these buildings are not designated, the

intent is to maintain the heritage facades of the existing buildings and incorporate the same into the proposed building design.

(xii) where applicable, there is consideration of the policies of Part II, Subsection 2.11.3 g) and m).

The policies of Part II, Subsection 2.11.3 g) are not applicable to the subject lands as there are no affected floodplain and valley lands. Section m) is only applicable to the South Aldershot Planning Area.

The proposed development satisfies the above-noted intensification criteria and represents an appropriate and compatible redevelopment of the subject lands.

Downtown Mixed Use Centre

The Downtown Mixed Use Centre is in response to the initial Provincial Growth Plan (2006). The principles of the Downtown Mixed Use Centre indicate that the area shall accommodate a significant share of population and employment growth within the City; take advantage of the unique qualities of the Downtown; create a lively, vibrant "people place" with a wide variety of opportunities; and create a hub for public gatherings and civic occasions, specialty retail, business office and entertainment and cultural facilities. Two (2) key principles of the Downtown Mixed Use Centre are as follows:

i) this area *shall* accommodate a significant share of population and *employment* growth within the City; and

ii) this area *shall* accommodate high density *employment*.

Some of the key objectives of the Downtown Mixed Use Centre in my planning opinion are as follows:

a) To establish the Downtown as a Mixed Use Centre composed of retail, service, office, public and residential uses while providing a focus and source of identity in the context of the City as a whole.

b) To establish minimum density targets for residents and jobs in accordance with the "Places to Grow" Growth Plan for the Greater Golden Horseshoe.

c) To establish a unique role for the Downtown so that it provides for certain uses such as offices, and residential, as well as unique opportunities such as independent, specialty retail activities and waterfront recreational opportunities.

d) To establish and maintain the Downtown's primary role as the City centre for cultural, governmental, civic and waterfront activities.

e) To create a compact Downtown city core with a mix of residential, commercial and other uses, as an alternative to the car oriented shopping plazas, malls and business corridors.

g) To increase the resident population and provide a variety of housing types mainly at medium and high densities that will strengthen the *live/work relationship*, ensure the Downtown is used after business hours, and create a local market for convenience and service goods.

l) To establish the concept of design excellence in the Downtown to *encourage* long-term investment.

m) To establish planning precincts within the Downtown, each with their own distinct character and specific planning policies.

n) To create a continuous, harmonious, safe and attractive environment through *streetscape*, building facade improvements and the design of new buildings.

o) To ensure that the density, form, bulk, height and spacing of development is *compatible* with the surrounding area.

q) To provide a balanced approach to transportation by increasing transit use and the pedestrian orientation and improving the pedestrian and bicycle linkages between the Downtown and other parts of the City.

r) To provide adequate and safe parking in the Downtown.

These key objectives are implemented through the policy framework of the BOP.

The General Policies for the Downtown Mixed Use Centre are contained in Section 5.5.3 of the BOP. The General Policies address a minimum density target of 200 residents and jobs per hectare for the Downtown Area in accordance with the Growth Plan; higher densities and intensities encouraged within certain precincts; and the consideration of community benefits.

<u>Downtown Core Precinct</u>

Schedule E - Downtown Mixed Use Centre Land Use Plan designates the subject lands “Downtown Core Precinct”. This designation currently permits “commercial activities” and “high density residential apartment uses, including the residential use of upper storeys of commercial buildings”. The minimum density and height is 51 units per net hectare and two (2) storeys respectively. The maximum height is four (4) storeys however taller buildings up to a maximum of eight storeys and 29 metres may be permitted if compatible with surrounding land uses and provided a

sense of pedestrian scale is achieved by the use of terracing above the second floor, and subject to community benefits. The maximum floor area ratio currently permitted for any individual site shall be 4.0:1 (Section 5.5.8.2 c)) although higher floor area ratios may be considered under the permissions noted above.

The proposed height (i.e. 23 storeys) and floor area ratio (i.e. approximately 10.0:1) necessitates an Official Plan Amendment under the current policy regime. This policy regime is presently under review with significant changes anticipated to the current policy framework.

Downtown Mobility Hub/Draft Precinct Plan

The subject lands are located within the Downtown Mobility Hub of the City of Burlington. As per the directions set out in the Strategic Plan, the City has clear plans to intensify lands within the Downtown Mobility Hub by providing for enhanced heights and densities to achieve their growth objectives. The City no longer has greenfield lands available for development to contribute to growth targets. Therefore, the municipality must rely on infill and/or intensification largely within the built boundary to achieve their planned growth targets. To date, the City has seen considerable growth and a resurgence of the Downtown Area with many developments planned and/or under construction with more growth expected.

The subject lands are located at a key intersection adjacent to Burlington City Hall. The significance of this site has been recognized in the draft documents released in support of the ongoing Official Plan Review. The prominence of the Reserve site in the heart of the downtown across from City Hall makes the subject lands a prime location for redevelopment. The built form, building design and how the building addresses the public realm are obviously crucial elements to assess the redevelopment of the subject lands.

The City is in the process of developing a policy framework for the Downtown Mobility Hub. Staff Report PB-68-17 was presented to Committee of the Whole on September 28, 2017 outlining key policy directions and seeking Council direction moving forward with a new Draft Precinct Plan. On October 10, 2017, Council unanimously endorsed the directions contained in Staff Report PB-68-17 for the new Precinct Plan. The subject lands were included within a Special Policy Area of the “Brant Main Street Precinct”.

The Draft Intention Statement of the Special Policy Area of the “Brant Main Street Precinct” is as follows:

“Draft Intention Statement for Special Policy Area:

Developments located on the east side of Brant Street and immediately adjacent to the intersection of Brant and James Streets will recognize and enhance the

civic and public gathering functions existing at this intersection including City Hall, Civic Square and the Burlington War Memorial (Cenotaph). Developments will be expected to contribute to the extension of Civic Square to the east side of Brant Street and ensure that view corridors from James Street to City Hall, Civic Square and the Burlington War Memorial are established. Provision of such public amenities will result in a modified built form and increased building height permissions relative to those otherwise permitted in the Brant Main Street Precinct."

The stated objective of the Special Policy Area is to create a civic node at the intersection of Brant and James Street which includes a view of City Hall. The key policy directions for this Special Policy Area are summarized as follows:

- Establishment of an enhanced civic node;
- A modified built form with increased building heights of approximately 17 storeys;
- A significant building setback to provide sightlines to key civic features; and,
- The creation of new public space at the intersection of Brant and James Streets to serve as a public extension of the civic square.

The Draft Precinct Plan notes an active development application within the Special Policy Area (i.e. Carriage Gate). The 23 storey mixed use development proposed by Carriage Gate was subsequently approved by Council following the adoption of the policy directions for the Draft Precinct Plan.

Draft City of Burlington Official Plan – November 2017

A further Draft Official Plan was released by the City for public comment in early November 2017. Schedule B-1 of the Draft Official Plan situates the subject lands within a Primary Growth Area consistent with the Downtown Urban Growth Centre designation. Schedule D of the Draft Official Plan identifies the subject lands within the "Downtown Urban Centre" and designates the subject lands "Brant Main Street Precinct" within a "Special Planning Area" which is consistent with the Draft Precinct Plan.

Policies relating to the Brant Main Street Precinct Special Planning Area are contained within Chapter 8 of the Draft Official Plan. Development within this designation will:

> *"...contribute towards the enhancement of a civic node at the intersection of Brant Street and James Street. Development will provide new public squares immediately adjacent to the intersection to complement and expand the existing Civic Square and achieve a built form which will establish view corridors to Civic Square, the City Hall tower and the*

Burlington War Memorial from James Street. Development providing such public amenities will be permitted additional height and/or density in exchange for these amenities".

With respect to the specific policies applicable to this Special Planning Area, development may be permitted a maximum height of seventeen (17) storeys, and presumably higher in exchange for public amenities, provided that:

> "(i) views from James Street to the Civic Square, the City Hall tower and the Burlington War Memorial are maintained and enhanced to the satisfaction of the *City*; and
>
> (ii) an at-grade public plaza is provided immediately adjacent to the intersection of Brant and James Streets to the satisfaction of the *City*. *Development may* cantilever over a portion of the public plaza above a minimum height of twenty (20) m, provided that the provisions of Subsection 8.1.1.(3.7.2) a) (i) of this Plan continue to be achieved."

Tall Building Guidelines – May 2017

On July 10, 2017, City Council adopted the Tall Building Guidelines ("TBG") as modified in May 2017. The TBG provide guidance to developers and architects and are a tool used by City staff to evaluate development applications. The TBG apply to buildings over 11 storeys and will ensure new "tall buildings" promote design excellence, support vibrant streets and provide a positive addition to the City's skyline. The podium of a tall building anchors the tower and defines the pedestrian experience. The tower enhances the skyline and provides a defining landmark throughout the City. The objectives of the TBG is to provide best practices related to building design, transitions, sun/shadow and building articulation.

We have reviewed the TBG with the project architect (Graziani + Corazza). The proposal satisfies the TBG and achieves the following objectives:

2.0 Building Base (Podium)

2.1 Podium Location

a) A 4 storey podium wraps around both corners to frame all streets while allowing for an enhanced daylight triangle at the Brant and James Street intersection.
b) Proposed 1 storey podium to align with existing buildings at 401 Brant Street and 444 John Street to reinforce the existing street wall.
c) Proposed 6.0 metre boulevards wrap around Brant, James and John Streets and transition to the proposed 1 storey street wall on the south where 3.0 metre boulevards will be maintained for existing buildings.

d) N/A.
e) Proposed 5.5 metre setback to the unit windows along the south edge of the 3rd and 4th floors. Proposed 3.0 metre setback to the indoor amenity windows along the south edge of 2nd floor.
f) Podium cantilevered above the daylight triangle at the corner of Brant and James Streets to provide weather protection for the open space and retail entrance at grade.

2.2 Podium Height and Massing

a) Proposed 4 storey podium to frame the streetscape and reinforce the human scale.
b) Proposed podium height is approximately 15.5 metres which satisfies the minimum 10.5 metres.
c) Proposed podium is approximately 15.5 metres which satisfies the maximum 16 metres (80% of 20 metre Brant Street right-of-way)
d) Proposed ground floor-to-ceiling height is 4.5 metres.

2.3 Shadows/Sky Views

a) Proposed height and massing of the podium will have no impact on the opposite side of the street.
b) Proposed height and massing of the podium does not introduce any shadow impact to the public open space in front of City Hall.

2.4 Podium Design and Articulation

a) see below.
b) Brick is proposed as the predominant materials on the podium to reinforce the pedestrian scale and warmth which is in contrast to tower which will be more light/reflective.
c) See above 2.4(b).
d) N/A - no outdoor amenity is proposed on the 5th floor.
e) Awnings are proposed above large windows to emphasize the retail components on the ground floor.
f) N/A.
g) Proposed main retail entrance is located at the corner of Brant and James Streets. Proposed main residential entrance is located along Brant Street south of the retail entrance mid-point to building.
h) See above 2.4(e) - proposed canopy to provide weather protection to the residential entrance.
i) See above 2.4(e) - the proposed 1 storey podium to align with existing buildings are clear-glazed.
j) See above 2.1(a) - ground and 2nd floor at the corner of Brant and James Streets are chamfered to provide a more spacious open space.

k) See above 2.1(f) and 2.4(e).
l) See above 2.1(f) and 2.4(e)(h).
m) Proposed inset balconies along Brant Street and Juliette balconies along James and John Streets.

2.5 Site Design, Open Space and Streetscaping

a) All parking is located underground with servicing/loading activities are located internally.
b) Proposed parking/loading entrance located along John Street. Entrance is inset within the façade and covered to further reduce its dominance along the street wall.
c) It is anticipated that public accessibility will be provided within enhanced boulevards and daylight triangle at the intersection of Brant and James Streets.
d) Acknowledged.
e) N/A.
f) N/A.

3.0 Building Middle (Tower)

3.1 Tower Location

a) N/A.
b) A minimum 25 metre separation will be provided between proposed Reserve and Carriage Gate towers.
c) Proposed tower is setback 12.5 metre from the south property line.
d) Proposed tower is setback from the podium a minimum of 3.0 metres to differentiate between the podium and tower. It is further enhanced by the contrasting materials employed on the podium and tower.
e) N/A.

3.2 Tower Height and Massing

a) Proposed tower height is similar to the planned/approved 23 storey Carriage Gate development located to the north at 421 Brant Street.
b) Proposed tower plate size is 750 square metres.
c) The Pedestrian Level Wind Study prepared does not identify any adverse wind impacts.

3.3 Shadow/Sky Views

a) Proposed height and massing of the tower are similar to the planned/approved development by Carriage Gate at 421 Brant Street for 23 storeys, hence the proposed shadow impact is greatly reduced.

b) Proposed height and massing of the tower does not introduce any shadow impact to the public open space in front of the City Hall.
c) See above 3.3(a).
d) Shadow Studies have been provided with the submission.

3.4 Tower Design and Articulation

a) Physical break is provided between the wrapped around balconies to enhance the slender/vertical appearance and prevent the massing from appearing bulky.
b) See comment below.
c) Glass is proposed as the dominant material on the tower to minimize the perceived mass which is in contrast to the podium which will consist of more heavy materials.
d) N/A.
e) See above 3.4(a).

4.0 Building Top

4.1 Rooftop Design and Articulation

a) The mechanical penthouse is setback from the tower plate to distinguish it from the remainder of the building.
b) N/A.
c) N/A.
d) Proposed outdoor amenity terrace located on the roof of building.
e) N/A.

Downtown Urban Design Guidelines (2006)

The Downtown Urban Design Guidelines ("UDG") were adopted by City Council on October 10, 2006. The UDG will need to be updated to reflect the ongoing Downtown Mobility Hub work. The UDG identify the subject lands within the "Downtown Core Precinct". Brant and John Streets are identified as "A – High Quality" streets with high animation, landscaping or view. James Street at this location is identified as a "B – Average Quality" street with "normal condition". The building heights and suggested locations of low and medium rise and tall buildings is outdated under the current planning regime and needs to be updated to reflect the latest Mobility Hub work.

We have reviewed the UDG with the project architect (Graziani + Corazza). An analysis of the UDG is as follows:

5.0 Built Form Guidelines

5.3 Vehicular Access

5.3.1 Parking

- All parking is located underground with the proposed parking entrance located along John Street. It is inset within the façade and covered to further reduce its dominance along the street wall.

5.3.2 Loading and Service Areas

- All servicing/loading activities are located internally and screened from the public realm.

5.4 Quality of Frontage

5.4.1 Setbacks

- Proposed 6.0m boulevards wrap around Brant, James and John Streets and transition to the proposed 1 storey street wall with 3.0m boulevards for existing buildings (i.e. listed heritage buildings).

5.4.2 Street Wall

- The podium façade is articulated/broken in to smaller portions to alleviate the sense of a long continuous wall by introducing rhythmic pattern brick pillars. The awnings also enhance the pedestrian scale along the street wall by breaking up the ground floor and those floors above.

5.4.3 Entrances

- Proposed main retail entrance is located at the corner of Brant and James Streets with a spacious open space area (i.e. enhanced daylight triangle). It is also covered by the building above to emphasize its prominence. Proposed main residential entrance is located along Brant Street south of the retail entrance and is covered by a canopy to enhance its identity.

5.4.4 Design of first floor

- Although brick is proposed as the predominant material on the podium, the ground floor façade is mostly glazing to emphasize the retail components and residential entrance. Proposed 1 storey podium to align with existing buildings are all clear-glazed in contrast with the brick rhythm to transition to the existing buildings.

5.4.5 Weather Protection

- Weather protection measures are provided through the use of canopies, awnings and cantilever of the building itself.

5.4.6 Materials

- A mix of complementary materials is proposed for the development. Brick and glass are native to the surrounding context and will be

continued in the proposed built form. Appropriate use of materials is integral to ensure the longevity and character of the built form.

5.5 A Note on Heritage

- Refer Heritage Impact Statement for details.

5.6 Heights and Massing

- The proposed development consists of a 4 storey podium that steps into the tower portion up to 23 storeys similar to the planned/approved Carriage Gate development at 421 Brant Street.
- Both the podium and tower introduce acceptable shadow impacts in a Downtown context.

5.7 High-rise Design and Architectural Quality

- Proposed 4 storey podium with predominantly brick provides a solid base to the more light/reflective upper portion of the tower. The articulation with key elements such as canopies, awnings and glazing further enhances the public realm.
- Proposed tower is setback from the podium to differentiate between the base and upper portions of the building. It is further delineated by the contrasting materials employed on the podium and tower.
- Physical break between the wrapped around balconies to enhance the slender/vertical appearance and prevent the massing from appearing bulky.

6.0 Urban Design Sustainability

The proposed development plans incorporate a series of environmentally conscious measures to minimize energy consumption and impact to the natural environment. With a development of this scale, opportunities are great in contributing to the local environment through green initiatives. The built form begins by incorporating energy efficient envelopes and mechanical equipment as to reduce energy consumption and the production of greenhouse gases. The location of the building in the Downtown supports alternative transportation uses due to its location and access to public transit and amenities. The interior portions of the building also benefit by maximizing natural daylight in order to reduce supplementary lighting.

City of Burlington Zoning By-law 2020 ("Zoning By-law")

The subject lands are currently zoned DC (Downtown Core) Zone by the current Zoning By-law. The DC Zone permits a range and mix of residential and commercial uses including permission for an apartment building. The DC Zone

requires that any residential permission for the subject lands include retail or service commercial uses on the ground floor.

In terms of the current residential permissions, the DC Zone permits a maximum building height of 4 storeys/15 metres and a maximum floor area ratio of 4.0:1. These existing permissions are not consistent with the proposed planning regime for Downtown Burlington. Once the Official Plan policies has been updated, a comprehensive review of the Zoning By-law will be necessary.

The Reserve proposal proposes a height of 23 storeys and a floor area ratio of approximately 10.0:1 which requires an amendment to the current zone permissions.

DRAFT OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS

We have prepared Draft Official Plan ("OPA") and Zoning By-law ("ZBA") Amendments in support of the applications.

The Draft OPA is attached as **Schedule 3** to this report. The Draft OPA proposes to maintain the current "Downtown Core Precinct" designation with a site-specific permission for the proposed height (i.e. 23 storeys) and floor area ratio (i.e. 10.0:1) to facilitate the proposed development.

The Draft ZBA appended as **Schedule 4** to this report proposes to rezone the subject lands from the current DC (Downtown Core) Zone to a site-specific DC (Downtown Core) Zone. Given the outdated status of the DC Zone provisions, several exceptions are required to the DC Zone.

It is anticipated that further discussions with City Planning staff will be required on the draft documents prior to finalization.

TECHNICAL REPORTS IN SUPPORT OF THE APPLICATIONS

In support of the applications, a number of studies/reports have been prepared. These studies/reports form part of, and are integral to my planning opinion on these applications. A brief overview of the technical reports is as follows.

Urban Design Brief

An Urban Design Brief ("UDB") was prepared by Bousfields dated January 2018. The UDB describes the urban design character of the proposed building, and assesses its fit within Downtown Burlington and conformity of the building to the City's urban design policy framework including the TBG.

Bousfields concludes that the form and character of development represents good urban design and notes that it closely mirrors the recently approved 23 storey Carriage Gate proposal across the street. These two buildings will frame views to and from City Hall and the Civic Plaza. Also, the preservation of the two existing building facades (i.e. 401 Brant Street and 444 John Street) will add architectural interest to the development. Bousfields concludes that the amendments to the Official Plan and Zoning By-law for increased height and density are warranted.

Heritage Impact Statement

A Heritage Impact Statement ("HIS") was prepared by Goldsmith Borgal & Company Ltd.("GBCA") dated January 17, 2018. The HIS assesses impacts on heritage resources which includes two (2) listed heritage properties located at 401 Brant Street and 444 John Street. GBCA advises that the removal of the listed heritage buildings would represent a loss of heritage fabric and context within the City.

GBCA recommends a conservation strategy which includes the preservation of the listed heritage attributes at 401 Brant Street and 444 John Street and incorporating portions of the buildings (i.e. facades) into the overall development scheme. GBCA recommends restoration to an earlier period with specific heritage improvements. GBCA concludes that "...the development balances the requirements and intents of applicable planning policies as they relate to heritage issues and is sensitive to the existing built fabric of the locality".

Functional Servicing and Stormwater Management Report

A Functional Servicing Report was prepared by S. Llewellyn & Associates Limited ("Llewellyn") dated December 2017. There are presently water and sanitary sewer services available to the site. With respect to stormwater management, an underground storage vault is recommended to be incorporated into the underground parking garage (P1 Level) to provide stormwater storage. The proposed development does not require stormwater quality control as stormwater runoff will be captured from the rooftops of the proposed building. The stormwater discharge rates will not exceed pre-development conditions.

Llewellyn concludes that the proposed development can be constructed to meet the servicing requirements of both the City and Region. Erosion control measures will be implemented in accordance with the standards of the City of Burlington.

Transportation Impact Study

A Transportation Impact Study, Parking Study and TDM Options Report ("TIS") was prepared Paradigm Transportation Solutions Limited dated January 2018. The traffic analysis conducted by Paradigm indicates that the development will result in minor increases to the surrounding study area intersections under peak

conditions. Their analysis indicates that the existing transportation infrastructure is adequate to accommodate traffic from the proposed development. Paradigm has also recommended a number of TDM measures including the unbundling of parking, access to a car share vehicle for future residents and distribution of information packages to residents outlining sustainable travel information.

Paradigm did acknowledge deficiencies at the Brant Street/Elgin Street intersection that are projected to occur with Downtown growth independent of the Reserve development. Paradigm recommends that the City consider restricting left turn movements for vehicles travelling eastbound on Elgin Street. This restriction would be during weekday PM peak periods. This improvement would address capacity deficiencies and potential delays. It is noted that there is presently a similar restriction for left turn movements onto Brant Street from Ontario Street.

With respect to parking, Paradigm concluded based on their review that a parking ratio of 0.93 spaces per unit was appropriate for the proposed development. Their conclusions were based on the study of other similar developments (i.e. Strata and 360 on Pearl), and consideration of a number of other factors including proximity to the John Street bus terminal, overall transit availability, provision of bicycle parking/facilities and availability of nearby municipal and on-street parking.

Environmental Noise Feasibility Study

An Environmental Noise Feasibility Study was prepared by Valcoustics Canada Ltd. ("Valcoustics") Limited dated December 21, 2017. Valcoustics identified Brant, James and John Streets as significant noise sources. In order to meet the applicable MOECC noise guideline limits, Valcoustics recommends that all residential dwellings be equipped with mandatory air conditioning and that exterior wall construction meet a Sound Transmission Class (STC) rating of 45 and exterior windows a STC rating of 32. Sound barriers are not required for the rooftop amenity for noise control purposes. Valcoustics has also recommended a number of warning clauses to inform prospective owners/occupants.

Valcoustics concludes that "...with appropriate acoustical design of the development, a suitable acoustical environment can be provided and the applicable MOE(CC) noise guideline requirements met".

Wind Study

A Pedestrian Level Wind Study was prepared by Gradient Wind Engineering Inc. ("GWE") dated December 21, 2017. Based on their test results, interpretation, and experience with similar type developments, GWE concludes as follows:

- all areas at grade within and surrounding the development site will be acceptable for the intended pedestrian uses on a seasonal basis.

- that surrounding sidewalks, building access points, the nearby transit stop and restaurant patio, and City Hall Civic Plaza will experience calm and acceptable wind conditions throughout the year.
- the level two exterior amenity area will experience comfortable conditions for sitting and more sedentary activities.
- the majority of the upper rooftop amenity space will experience comfortable conditions for sitting during the summer months.
- A small area of the western portion of the rooftop terrace is predicted to become uncomfortable and occasionally hazardous during the colder seasons.

To increase comfort conditions, GWE recommends a 1.8 metre tall wind barrier along the west perimeter of the terrace continuing 8 metres along both the north and south perimeters of the terrace area.

Phase I and II Environmental Site Assessments

Phase I and II Environmental Site Assessments ("ESA") were prepared by Golder Associates ("Golder") both dated November 2017. The Phase I ESA identified a number of potential environmental concerns based on former uses on the subject lands. These concerns triggered the need to move forward with a Phase II ESA.

The Phase II ESA assessed the soil and shallow groundwater quality in the vicinity of the areas of potential environmental concern. Based on the additional investigative work, Golder concludes that the site is suitable for redevelopment. Prior to obtaining a Record of Site Condition ("RSC"), Golder recommends the upper 0.5 metres of fill material be removed along with the removal of any isolated groundwater impacts.

PLANNING OPINION AND CONCLUSIONS

Based on our review of the pertinent planning documents and the aforementioned technical studies, and in anticipation of forthcoming policy changes arising from the Mobility Hub/Official Plan Review, it is my opinion that the proposed redevelopment of the subject lands for a mixed-use development consisting of twenty-three (23) storeys with ground floor commercial and 227 residential apartment units is appropriate, compatible and represents good planning. The subject lands are located at a key and perhaps the most important intersection within Downtown Burlington. Downtown Burlington is situated within a designated Urban Growth Centre where higher intensity development is expected. As such, a high-density proposal at the intersection of two (2) major transportation corridors represents a reasonable and appropriate level of intensification and built form for the subject lands. Both Brant Street and James Street are classified as "Minor Arterial" roads by the BOP which is the highest order of road within Downtown

Burlington. The only other Minor Arterial Road in the Downtown Area is Lakeshore Road.

The recently endorsed City's Strategic Plan reflects the current thinking of City Council. The Strategic Plan provides clear direction on the redevelopment of the Downtown Area as a Mobility Hub with greater intensification, vibrant and pedestrian focused streets, and producing development that is transit supportive. The Strategic Plan emphasizes the importance of walking and cycling with less reliance on the automobile which lends support to the parking reduction being requested. The proposed Reserve development is consistent with the key directives of the City's Strategic Plan.

With respect to Provincial and Regional policies, there is clear direction to promote intensification, especially within the Downtown Urban Growth Centre/Mobility Hub (i.e. minimum density target of 200 residents and jobs per hectare), provide a mix and diversity of housing types, and achieve a specified level of growth within the Built-Up Area (i.e. 40%). The proposed development is consistent with the PPS (2014) and conforms to the Growth Plan (2017) and the Halton Region Official Plan as amended by ROPA 38.

The policies of the current BOP are in the process of being updated through the ongoing Official Plan Review. Significant changes are expected to the current policy regime in order to develop a policy framework that conforms to and is consistent with current Provincial and Regional policies and reflective of the directives set out in the City's Strategic Plan and the Draft Precinct Plan recently adopted by Council. The proposed redevelopment satisfies a number of policy objectives and directives of the present BOP. The goals, objectives and policies of the present BOP provide for the consideration of higher density development on the subject lands.

From a technical perspective, the various technical reports and studies prepared in support of the proposed development do not raise any technical concerns.

In conclusion, the submitted applications to amend the Official Plan and Zoning by-law to facilitate the redevelopment of the subject lands represents good planning and should be approved for the following reasons:

1. The proposed redevelopment is consistent with the 2014 PPS and conforms to the Provincial Growth Plan (2017). The proposal achieves a number of Provincial policy directives, including intensification within an Urban Growth Centre, utilization of existing infrastructure, providing transit supportive development and producing a diversity and range of housing types.

2. The proposed redevelopment conforms to the Halton Region Official Plan as amended by ROPA 38 and fulfills various goals, objectives and policies related to intensification within the Built-up Area.

3. The proposed development is consistent with several of the key strategic objectives of City's Strategic Plan 2015-2040.

4. The proposed redevelopment satisfies the goals, objectives and policy direction of the anticipated changes to the BOP in terms of intensification, built form, and compatibility of development.

5. The proposed redevelopment of the subject lands for a mixed use, high-density apartment at a prominent intersection central to Downtown Burlington is desirable, appropriate, and compatible with the planned intent (i.e. Special Planning Area). Further, the proposal is consistent with the 23 storey Carriage Gate proposal opposite the subject lands at the northeast corner of Brant and James Streets.

6. The various supporting technical reports and studies undertaken conclude that the proposed redevelopment is appropriate and there are no technical or policy issues.

7. The proposed redevelopment will complement the Downtown Area by providing a high-quality, high-density building with additional civic presence as anticipated by the proposed policy framework.

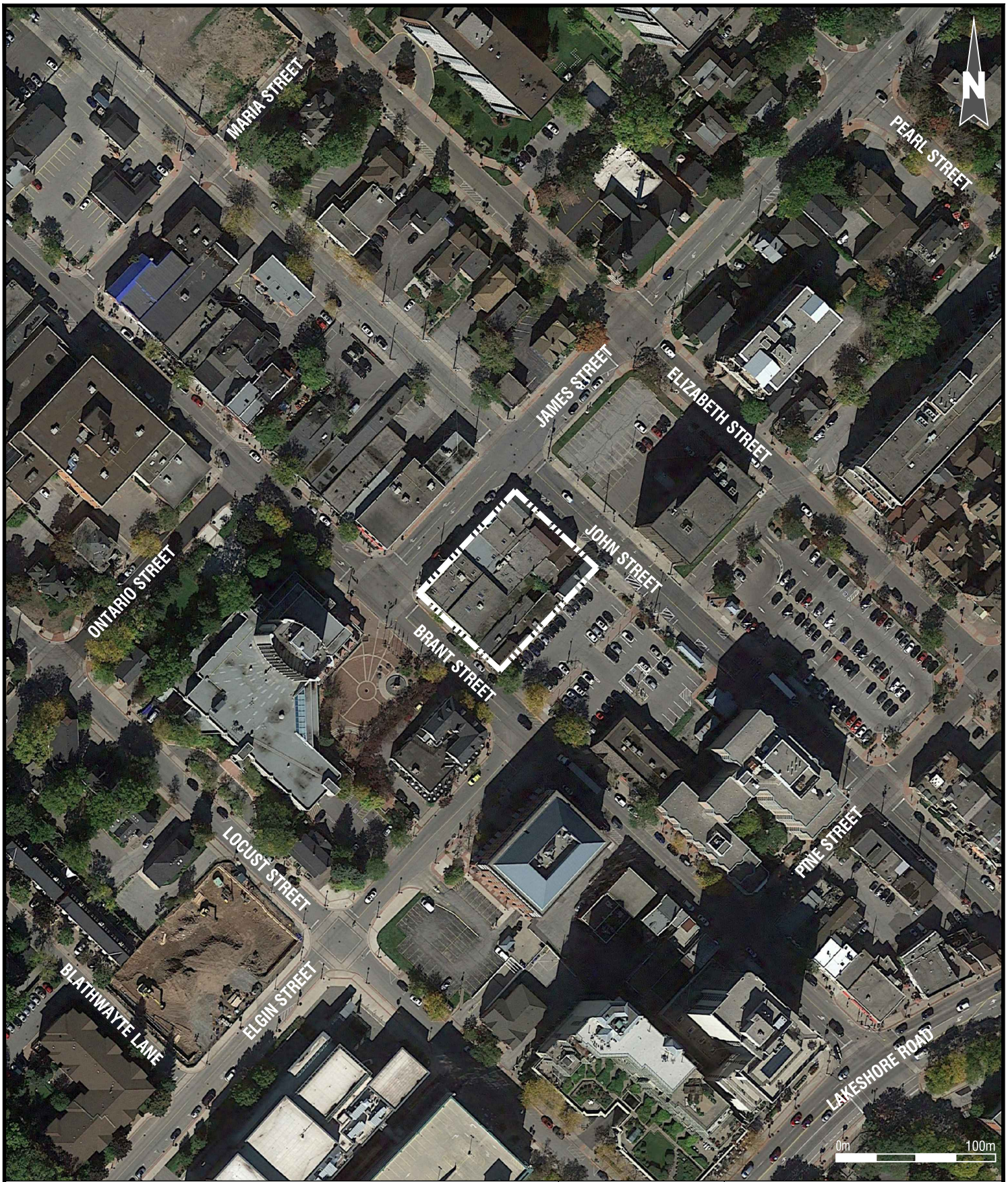
8. The proposed redevelopment will result in the preservation and integration of the building facades of the listed heritage buildings located at 401 Brant Street and 444 John Street.

9. The attached Draft OPA and ZBA documents prepared in support of and to facilitate the proposed redevelopment are appropriate and represent good planning.

Yours truly,
WELLINGS PLANNING CONSULTANTS INC.

Glenn J. Wellings, MCIP, RPP.

GLENN J. WELLINGS
REGISTERED PROFESSIONAL PLANNER
R.P.P.
ONTARIO PROFESSIONAL PLANNERS INSTITUTE
INSTITUT DES PLANIFICATEURS PROFESSIONNEL DE L'ONTARIO



PROJECT:
401-413 Brant, 2002 & 2012 James & 444-450 John St.
Burlington, Ontario

DRAWING TITLE:
Site Location Map

PROJECT No:
2017/31

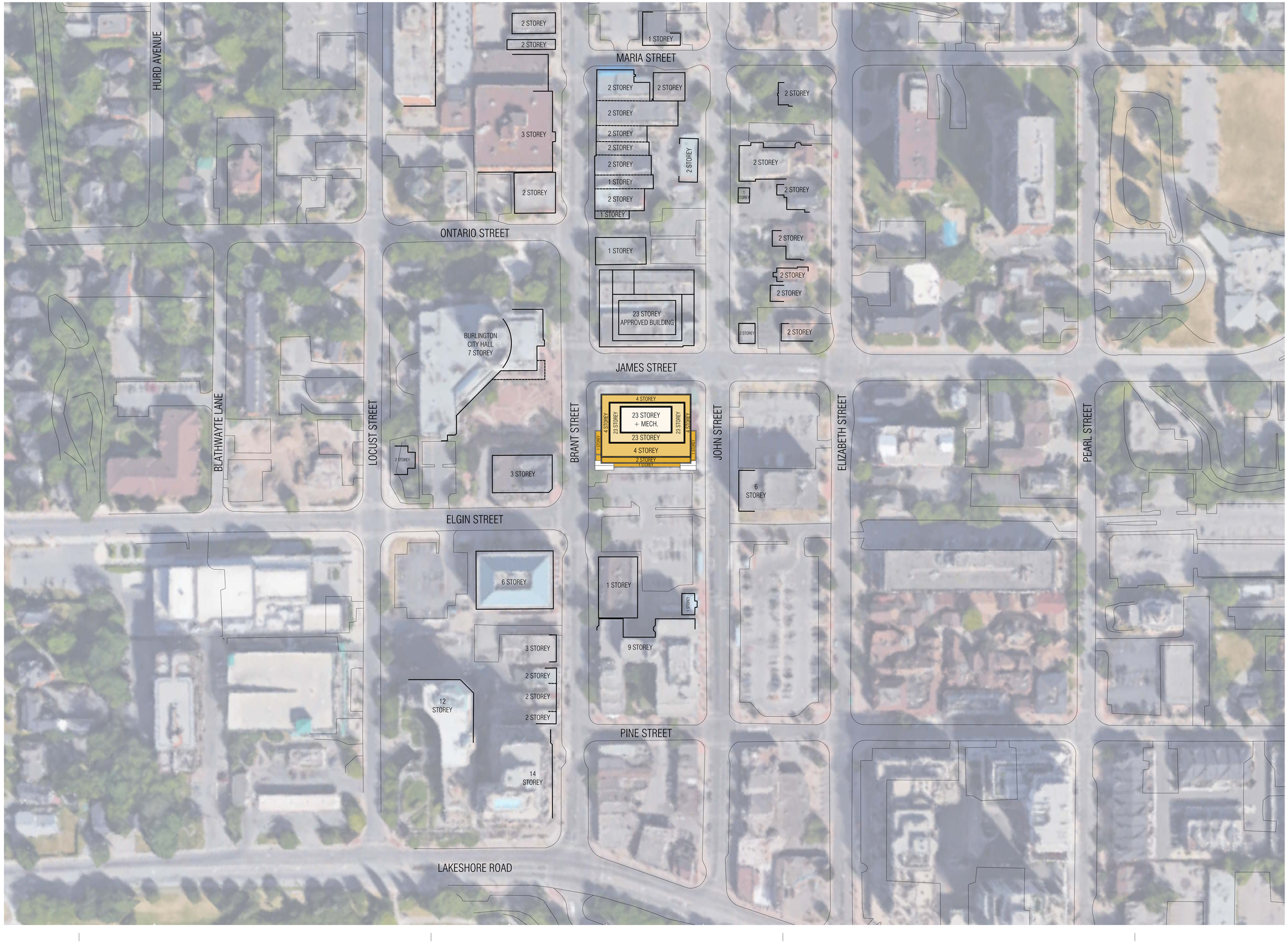
DATE:
January 2018

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Wellings Planning Consultants Inc.
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Schedule 1

Schedule 2



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Graziani + Corazza Architects Inc. shall not be responsible for:
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2. Transmission of any virus or damage to the receiving electronic system when information is transferred.

01. JAN.17.2018 ISSUED FOR REZONING APPLICATION E.C.

issued for revisions

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PROPOSED MIXED USE DEVELOPMENT

Brant & James

RESERVE

BURLINGTON ONTARIO

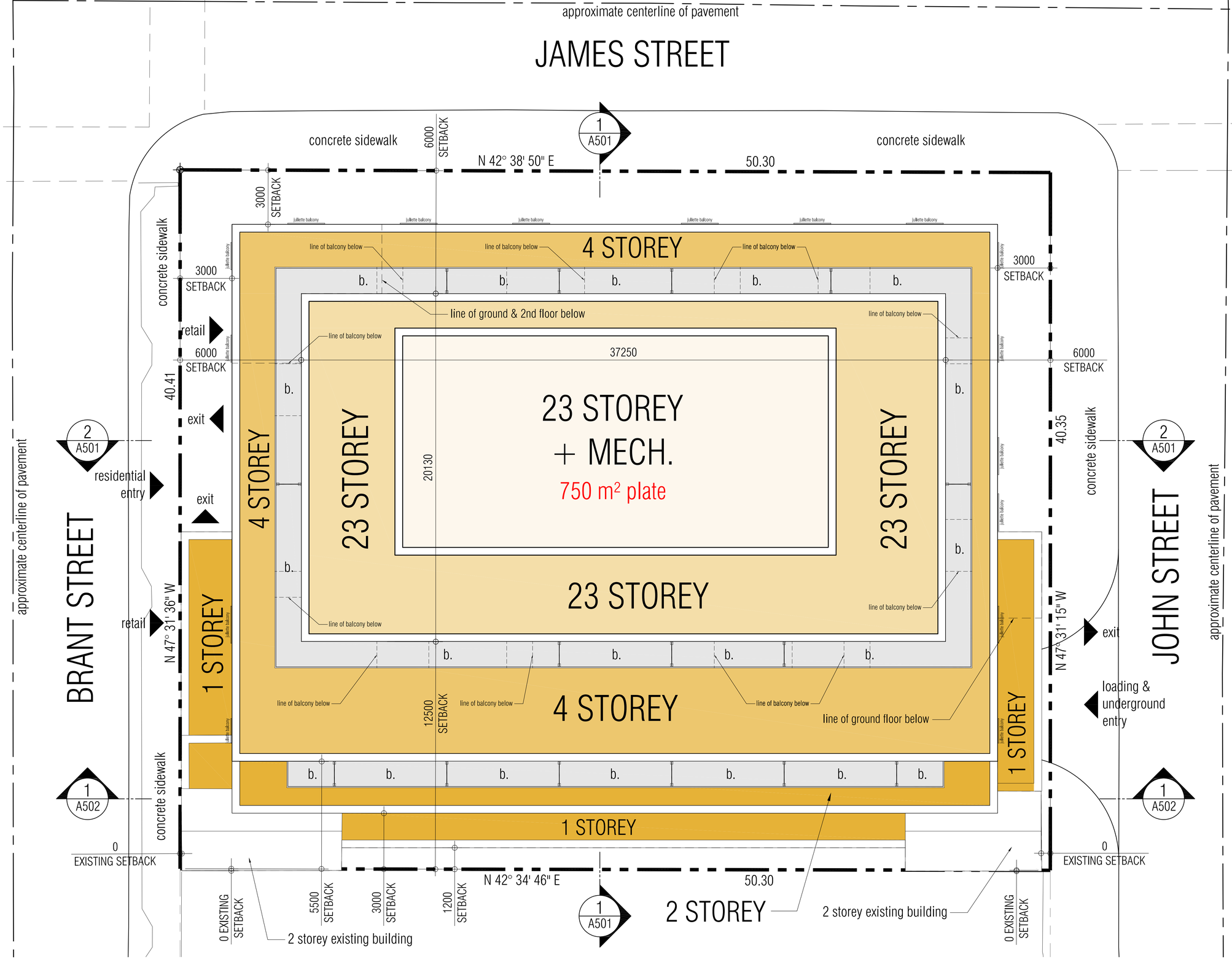
Project Architect:	E. CORAZZA
Assistant Designer:	L. WONG
Drawn By:	L. WONG/W. CHIU/K. RASS
Checked By:	D. BIASE
Plot Date:	Jan. 17, 2018
Job #	1575.17

CONTEXT PLAN

1:800

A102

TITLEBLOCK SIZE: 610 x 950



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2. Transmission of any virus or damage to the receiving electronic system when information is transferred.

01. JAN.17.2018 ISSUED FOR REZONING APPLICATION E.C.

issued for revisions

GRAZIANI + CORAZZA ARCHITECTS INC.
1320 Shawson Drive, Suite 100 Mississauga Ontario L4W 1C3
Phone: 905.795.2601 Fax:905.795.2844 www.gc-architects.com

PROPOSED MIXED USE DEVELOPMENT

Brant & James

RESERVE PROPERTIES

BURLINGTON ONTARIO

Project Architect:	E. CORAZZA
Assistant Designer:	L. WONG
Drawn By:	L. WONG/W. CHIU/K. RASS
Checked By:	D. BIASE
Plot Date:	Jan. 17, 2018
Job #	1575.17

SITE PLAN

1:100

A103

TITLEBLOCK SIZE: 610 x 950

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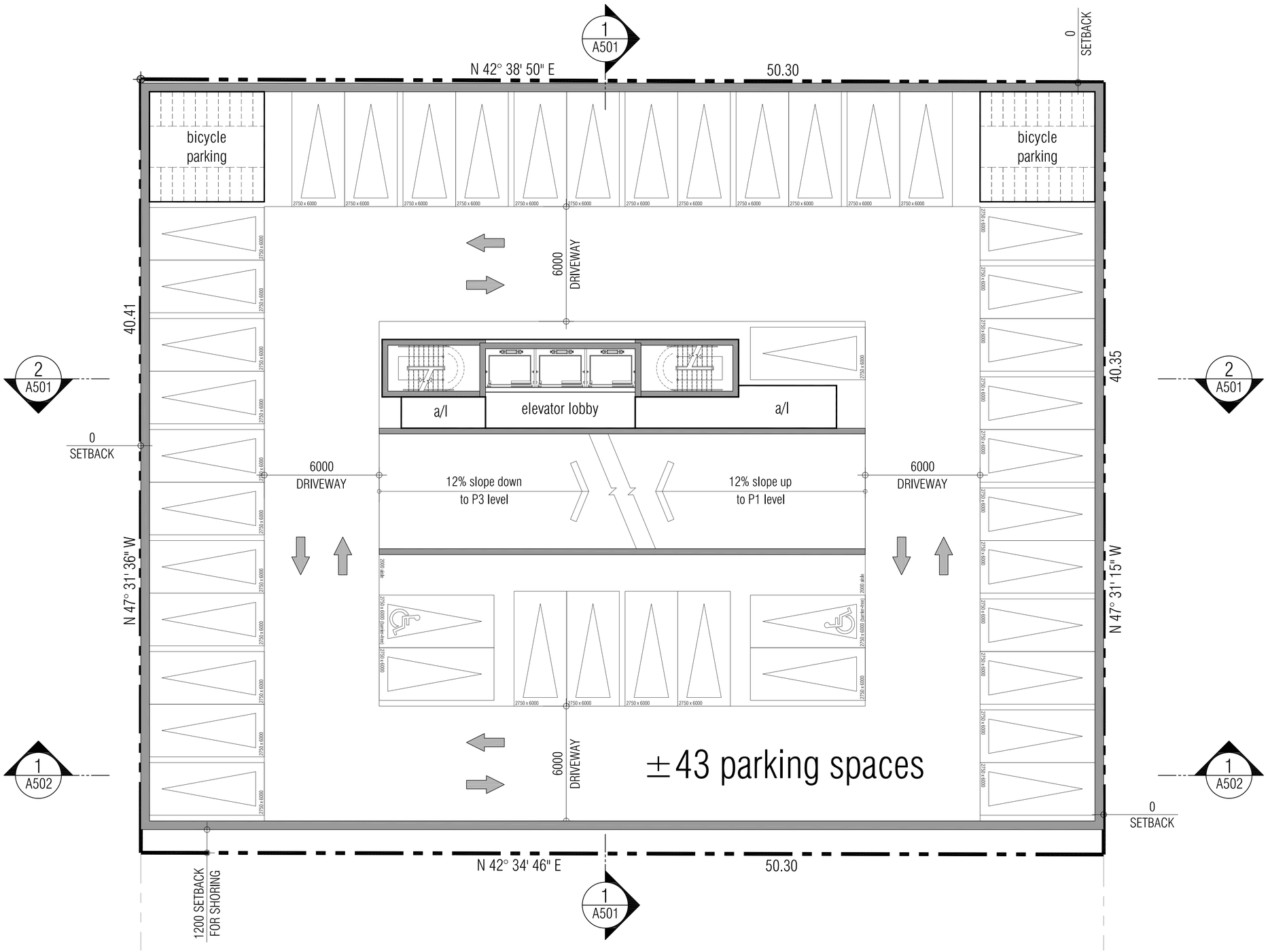
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PROPOSED MIXED USE DEVELOPMENT

Brant & James

RESERVE

BURLINGTON ONTARIO

Project Architect:	E. CORAZZA
Assistant Designer:	L. WONG
Drawn By:	L. WONG/W. CHIU/K. RASS
Checked By:	D. BIASE
Plot Date:	Jan. 17, 2018
Job #	1575.17

P5 - P2 UNDERGROUND PLAN

1:100

A201

TITLEBLOCK SIZE: 610 x 950

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01. JAN.17.2018 ISSUED FOR REZONING APPLICATION E.C.

JAMES STREET

BRANT STREET

JOHN STREET

1 A501

2 A501

1 A502

2 A501

1 A501

1 A502

N 42° 38' 50" E 50.30

N 42° 34' 46" E 50.30

N 47° 31' 36" W

N 47° 31' 15" W

40.41

40.35

0 SETBACK

0 SETBACK

1200 SETBACK FOR SHORING

storm water tank

water entry room

electrical/main high voltage room

line of building above

6000 DRIVEWAY

6000 DRIVEWAY

6000 DRIVEWAY

6000 DRIVEWAY

a/l

elevator lobby

a/l

5% slope up to ground

5% slope up to ground

12% slope down to P2 level

12% slope up to ground

2750 x 6000

2750 x 6000 (barrier-free)

2000 aisle

±40 parking spaces

issued for revisions

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PROPOSED MIXED USE DEVELOPMENT

Brant & James

RESERVE PROPERTIES

BURLINGTON ONTARIO

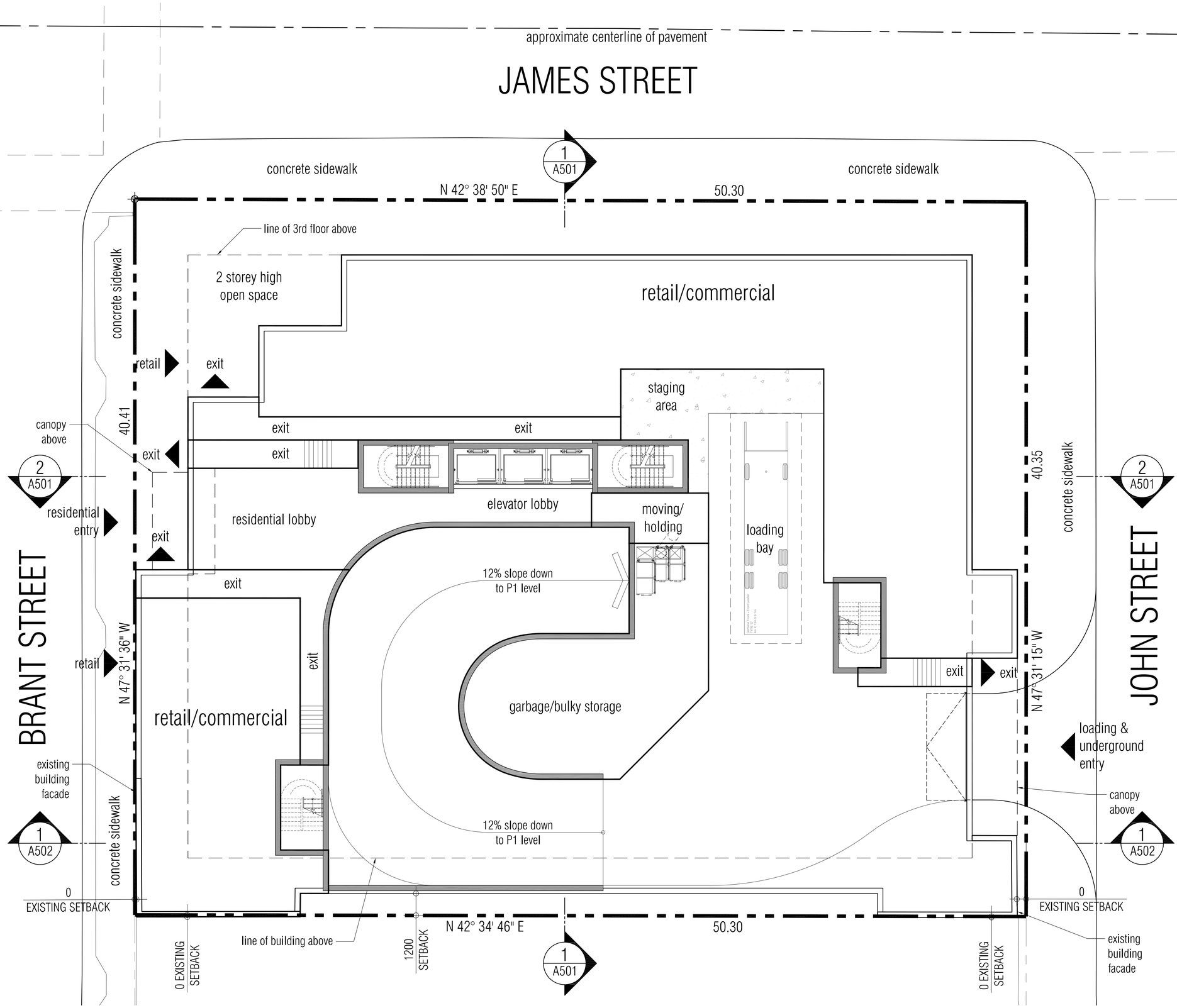
Project Architect:	E. CORAZZA
Assistant Designer:	L. WONG
Drawn By:	L. WONG/W. CHIU/K. RASS
Checked By:	D. BIASE
Plot Date:	Jan. 17, 2018
Job #	1575.17

P1 UNDERGROUND PLAN

1:100

A202

TITLEBLOCK SIZE: 610 x 950



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01. JAN.17.2018 ISSUED FOR REZONING APPLICATION E.C.

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PROPOSED MIXED USE DEVELOPMENT

Brant & James

RESERVE PROPERTIES

BURLINGTON ONTARIO

Project Architect:	E. CORAZZA
Assistant Designer:	L. WONG
Drawn By:	L. WONG/W. CHIU/K. RASS
Checked By:	D. BIASE
Plot Date:	Jan. 17, 2018
Job #	1575.17

GROUND FLOOR PLAN

1:100

A301

TITLEBLOCK SIZE: 610 x 950

SCHEDULE 3

AMENDMENT NO. XXX TO THE OFFICIAL PLAN OF THE BURLINGTON PLANNING AREA

CONSTITUTIONAL STATEMENT

The details of the Amendment, as contained in Part B of this text, constitute Amendment No. xxx to the Official Plan of the Burlington Planning Area, as amended.

PART A – PREAMBLE

1. PURPOSE OF THE AMENDMENT

The purpose of this Amendment is to add a site-specific policy associated with the existing "Downtown Core Precinct" designation permitting an increase in building height and floor area ratio for 401, 403, 405, 409, 411 and 413 Brant Street; 444, 448 and 450 John Street; and 2002 and 2012 James Street. The site-specific policy will facilitate the redevelopment of the subject lands for a twenty-three (23) storey mixed use condominium apartment building.

2. SITE AND LOCATION

The subject lands are situated in Downtown Burlington and consist of nine (9) individual properties forming one (1) contiguous block of land bounded by James Street to the north; Brant Street to the west; John Street to the east; and City owned lands immediately south. The City owned lands consist of municipal parking lot and a multi-use path/linear parkette (i.e. Elgin Street Promenade).

The subject lands are approximately 0.2 hectares (0.50 acres) in size. The lands have approximately 50.3 metres of frontage on James Street; 40.4 metres of frontage on Brant Street; and 40.35 metres of frontage on John Street.

The subject lands are surrounded by a variety of land uses consistent with a downtown area including commercial, residential and institutional uses. Burlington City Hall is located across from the subject lands on the west side of Brant Street. A six (6) storey office building (439 John Street and 440 Elizabeth Street) and surface parking lot are situated on the east side of John Street. The aforementioned City owned lands consisting of a parking lot and multi-use path/linear parkette (Elgin Street Promenade) are located to the south.

3. BASIS FOR THE AMENDMENT

a) The proposed redevelopment is consistent with the 2014 Provincial Policy Statement (PPS) and conforms to the Provincial Growth Plan (2017). The proposal achieves a number of Provincial policy directives, including intensification within an Urban Growth Centre, efficient use of land, resources, infrastructure and public service facilities, providing transit supportive development and producing a diversity and range of housing types.

b) The subject lands are located within the Downtown Urban Growth Centre and the Downtown Mixed Use Centre, wherein the growth target is a minimum density of 200 residents and jobs per hectare, in accordance with the Provincial Growth Plan for the Greater Golden Horseshoe, 2017. The proposed higher density development consisting of 227 units will contribute to reaching and potentially exceeding the minimum density target required for the Urban Growth Centre.

c) The proposed redevelopment will contribute to the achievement of a complete community that is compact, transit-supportive and makes effective use of investments in infrastructure and public service facilities; accommodates people at all stages of life and provides the right mix of housing with easy access to stores and services to meet daily needs.

d) The proposed redevelopment conforms to the Halton Region Official Plan as amended by ROPA 38 and fulfills various goals, objectives and policies related to intensification within the Built-up Area. The proposed redevelopment will assist the City in achieving its intensification targets and meet the intent of the Provincial Growth Plan and the Region of Halton Official Plan.

e) The proposed redevelopment is consistent with several of the key strategic objectives of the City's Strategic Plan 2015-2040.

f) The proposed redevelopment satisfies the goals, objectives and policy direction of the anticipated changes to the Burlington Official Plan in terms of intensification, built form, and compatibility of development.

g) The proposed redevelopment of the subject lands for a mixed use, high-density apartment at a prominent intersection central to Downtown Burlington is desirable, appropriate, and compatible with the planned intent (i.e. Special Planning Area). Further, the proposal is consistent with the 23 storey Carriage Gate proposal opposite the subject lands at the northeast corner of Brant and James Streets.

h) The various supporting technical reports and studies undertaken conclude that the proposed redevelopment is appropriate and there are no technical or policy issues.

i) The subject redevelopment would build upon the established context of design excellence in the Downtown to maintain and enhance the Downtown's image as

an enjoyable, safe and pedestrian-oriented place designed to complement pedestrian activity and surrounding context.

j) The proposed redevelopment will result in the preservation of the facades of the listed heritage buildings at 401 Brant Street and 444 John Street.

PART B – THE AMENDMENT

1. DETAILS OF THE AMENDMENT

Map Change: None Proposed

Text Change: The text of the Official Plan of the Burlington Planning Area, as amended, is hereby amended as follows:

By adding a new policy in Part III, Section 5.5 Downtown Mixed Use Centre, Subsection 5.5.8, Downtown Core Precinct, which reads as follows:

Block bound by Brant Street to the west; James Street to the north; John Street to the east and City owned lands to the south	n) Notwithstanding Part III, Subsection 5.5.8.2 b), c) and e) of this Plan, for the lands described as 401, 403, 405, 409, 411 and 413 Brant Street; 444, 448 and 450 John Street; and 2002 and 2012 James Street, the maximum building height shall be 23 storeys and 81 metres. The maximum floor area ratio shall be 10.0:1.

2. INTERPRETATION

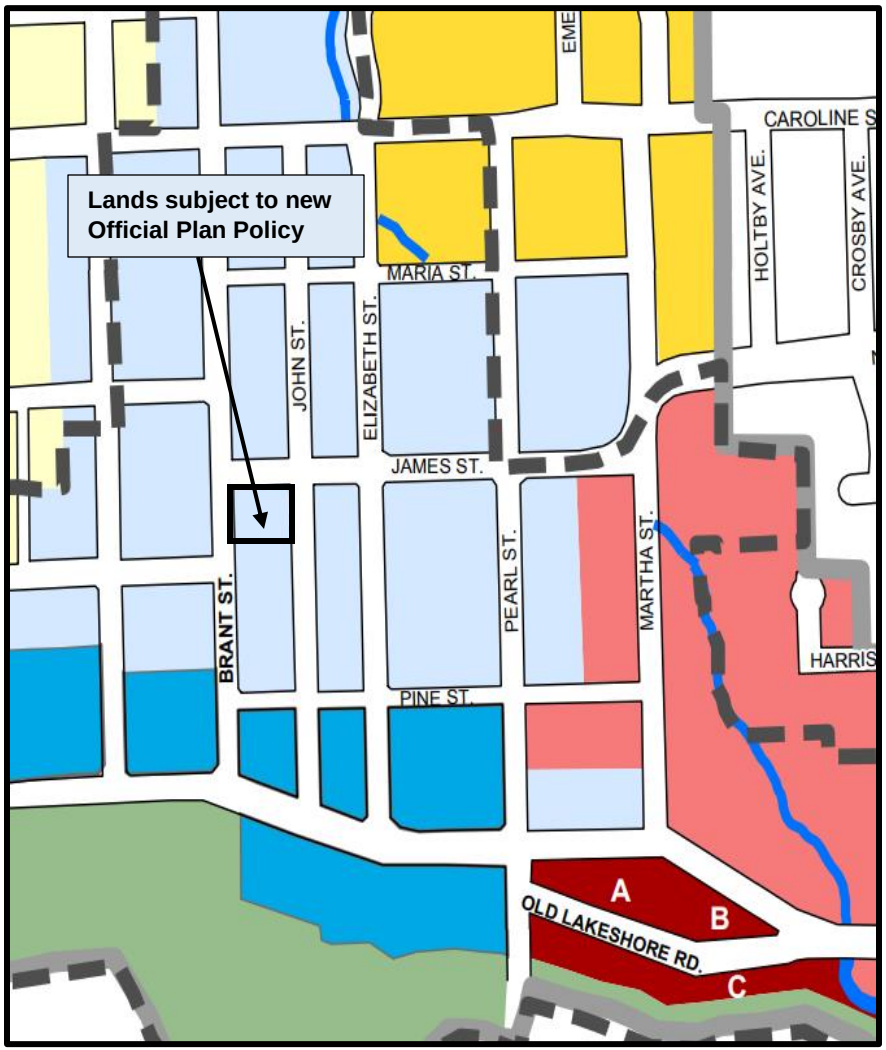
This Official Plan Amendment shall be interpreted in accordance with the “Interpretation” policies of Part VI, Implementation, Section 3.0, Interpretation, of the Official Plan of the Burlington Planning Area.

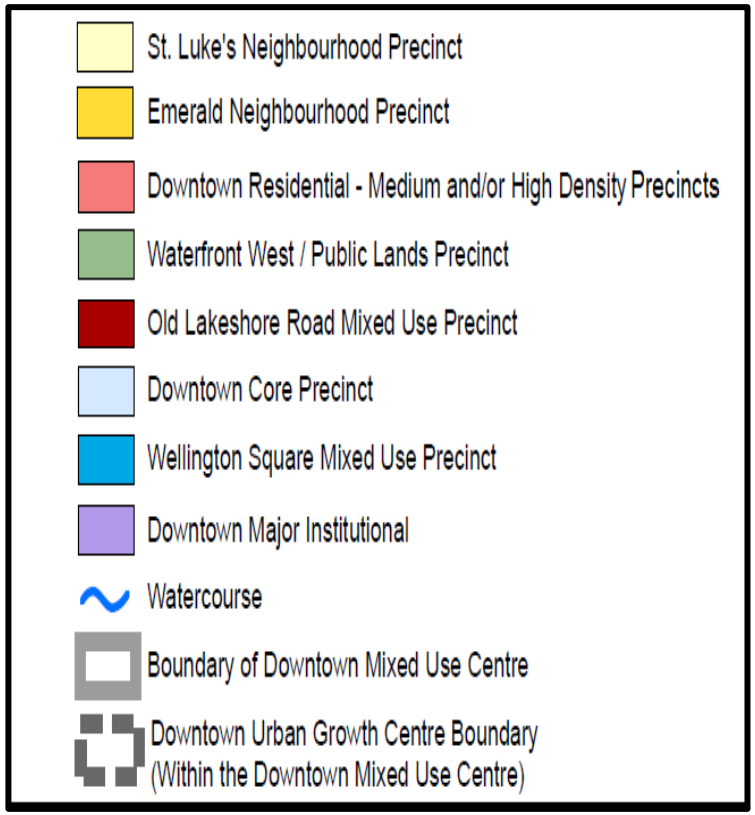
3. IMPLEMENTATION

This Official Plan Amendment will be implemented in accordance with the appropriate “Implementation” policies of Part VI of the Official Plan of the Burlington Planning Area.

AMENDMENT NO. XXX TO THE OFFICIAL PLAN OF THE BURLINGTON PLANNING AREA

SCHEDULE E – DOWNTOWN MIXED USE CENTRE LAND USE PLAN





"Downtown Core Precinct" Designation to be amended to permit an increase in height and density

DATE: JANUARY 2018

SCHEDULE 4

DRAFT ZONING BY-LAW

DRAFT BY-LAW NUMBER 2020.XXX, SCHEDULE 'A' AND EXPLANATORY NOTE

THE CORPORATION OF THE CITY OF BURLINGTON

BY-LAW NUMBER 2020.XXX

Being a By-law to amend By-law 2020, as amended; for 401, 403, 405, 409, 411 and 413 Brant Street; 444, 448 and 450 John Street; and 2002 and 2012 James Street, to facilitate the development of a 23 storey mixed use building.

File Nos. : 505-xx/18 & 520-xx/18 (PB-xx/18)

WHEREAS Section 34(1) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, states that Zoning By-laws may be passed by the councils of local municipalities; and

WHEREAS the Council of the Corporation of the City of Burlington approved PB-xx/18 on _____, 2018, to amend the City's existing Zoning By-law 2020, as amended, to permit a residential development consisting of a residential apartment building;

THE COUNCIL OF THE CORPORATION OF THE CITY OF BURLINGTON HEREBY ENACTS AS FOLLOWS:

1. Zoning Map Number 9A of PART 15 to By-law 2020, as amended, is hereby amended as shown on Schedule "A" attached to this By-law.

2. The lands designated as "A" on Schedule "A" attached hereto are hereby rezoned from DC (Downtown Core) to DC-XXX (Downtown Core).

3. PART 14 of By-law 2020, as amended, Exceptions to Zone Classifications, is amended by adding a new Exception XXX with the following:

Exception	Zone	Map	Amendment 2020.xxx	Enacted

1. Regulations of Apartment Building:

• Ground floor retail and/or service commercial area	597 square metres
• Lot Area	2,031 square metres (0.20 ha)
• Density	227 units maximum
• Floor Area Ratio	10.0:1
• Yard Abutting Brant Street	
Floors 1 to 2	0.0 metres
Floors 3 to 5	3.0 metres
Floors 6 to 23	6.0 metres
Mechanical	10.0 metres
• Yard Abutting James Street	
Floors 1 to 5	3.0 metres
Floors 6 to 23	6.0 metres
Mechanical	7.0 metres
• Yard Abutting John Street	
Floors 1 to 2	0.0 metres
Floors 3 to 5	3.0 metres
Floors 6 to 23	6.0 metres
Mechanical	11.0 metres
• Side Yard (South)	
Floors 1 to 2	0.0 metres
Floor 3	1.2 metres
Floors 4 to 5	5.5 metres
Floors 6 to 23	12.5 metres
Mechanical	16.0 metres
• Balconies	
Floors 2 to 23	Balconies can encroach into a required yard a maximum of 2.0 metres

• Building Height	23 floors plus mechanical (81 metres) taken from fixed grade
Floor 1	4.5 metres
Floor 2	3.8 metres
• Amenity Area (indoor + outdoor)	823.0 square metres
• Occupant and Visitor Parking Spaces	212 spaces (0.93 spaces per unit)
• Bicycle Parking	Visitor: 3 spaces (short term) Resident: 160 spaces (long term)
• Visibility Triangle	
Brant Street x James Street	16.0 m x 16.0 m
James Street x John Street	6.0 m x 6.0 m

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

4. When no notice of appeal is filed pursuant to the provisions of the Planning Act, R.S.O. 1990, c. P. 13, as amended, this By-law shall be deemed to have come into force on the day it was passed.

5. If one or more appeals are filed pursuant to the provisions of the Planning Act, R.S.O. 1990, c. P. 13, as amended, this By-law does not come into force until all appeals have been finally disposed of, and except for such parts as are repealed or amended in accordance with an order of the Ontario Municipal Board this Bylaw shall be deemed to have come into force on the day it was passed.

ENACTED AND PASSED this _____day of _____, 2018

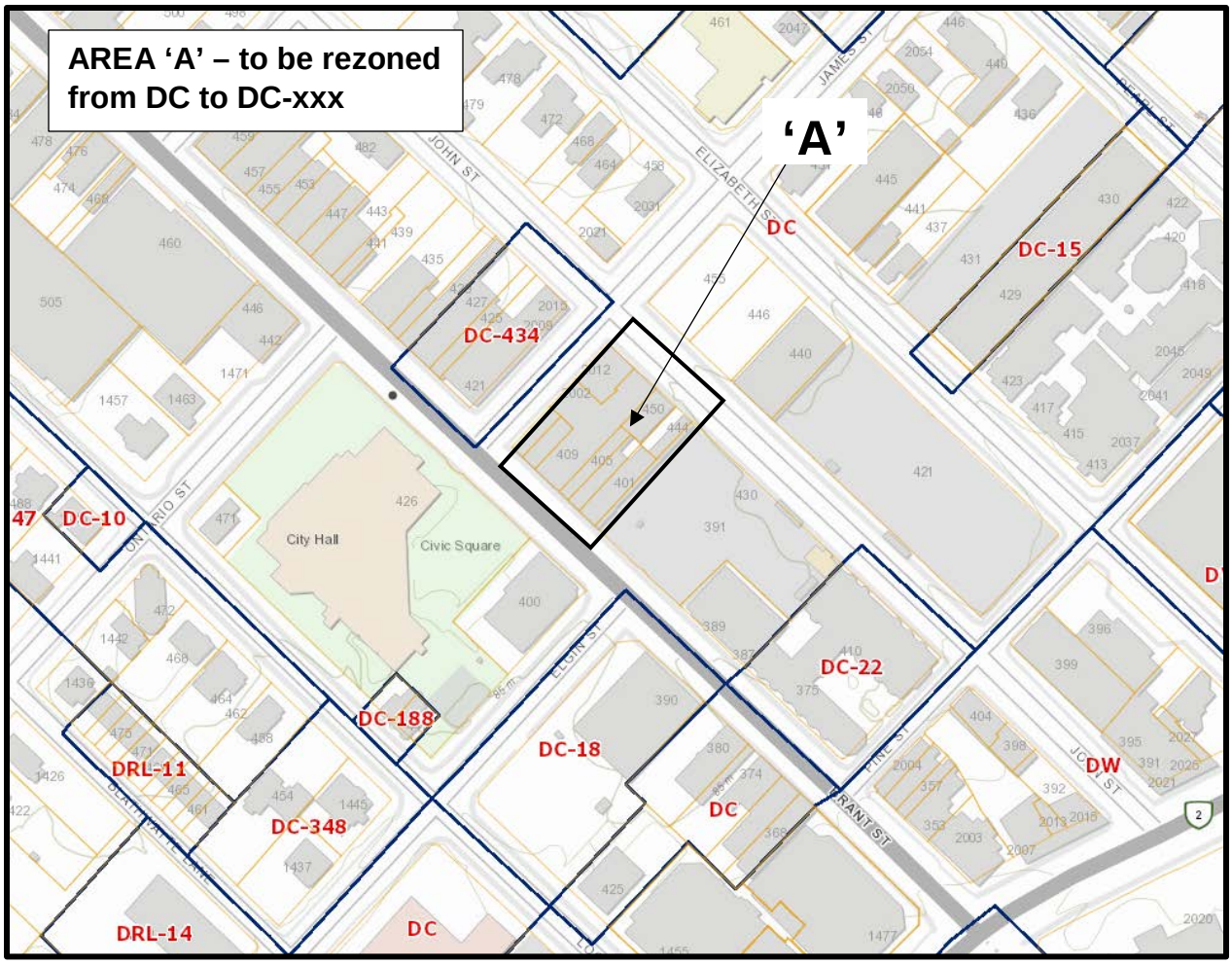
_____ MAYOR

_____ CITY CLERK

EXPLANATION OF PURPOSE AND EFFECT OF BY-LAW 2020.XXX

By-law 2020 XXX rezones lands at 401, 403, 405, 409, 411 and 413 Brant Street; 444, 448 and 450 John Street; and 2002 and 2012 James Street, for the purpose of facilitating the development of a 23 storey mixed use building with 227 residential units.

For further information regarding By-law 2020. XXX, please contact _____ of the City of Burlington Planning & Building Department at (905) 335-7600, extension ____.



SCHEDULE ‘A’ TO BY-LAW 2020-XXX AMENDING MAP NO. 9A PART 15, BY-LAW 2020 AS AMENDED

PASSED THE _____DAY OF _____ 2018

_____ _____

MAYOR **CITY CLERK**