BOUSFIELDS INC.
PLANNING | DESIGN | ENGAGEMENT

Urban Design Brief



2072 Lakeshore Road
City of Burlington

Prepared For
Acamar Dwelling Corp.
December 2024

BOUSFIELDS INC.

Job Number
2330

www.bousfields.ca

Urban Planning
Urban Design
Community Engagement

Toronto Office

3 Church Street, Suite 200
Toronto, ON
M5E 1M2

T. 416.947.9744

Hamilton Office

1 Main Street East, Suite 200
Hamilton, ON
L8N 1E7

T. 905.549.3005

Table of Contents

1 Introduction 1

2 Site & Surroundings 4

- 2.1 Subject Site 5
- 2.2 Immediate Surrounding 6
- 2.3 Area and Urban Design Context 10
- 2.4 Transportation Network 11

3 Urban Design Vision and Strategy 13

- 3.1 Vision Statement 14
- 3.2 Urban Design Principles and Strategies 15

4 Description of the Proposal 16

- 4.1 Response to Design Review Panel 17

5 Urban Design Policy & Regulatory Context 22

- 5.1 City of Burlington Official Plan 23
- 5.2 City of Burlington Official Plan (Partially In-Force) 27
- 5.3 Downtown Urban Design Guidelines (2006) 32
- 5.4 City of Burlington Old Lakeshore Precinct Phase II: Urban Design Guidelines (2009) 34
- 5.5 City of Burlington Tall Building Guidelines (May 2017) 36
- 5.6 Downtown Streetscape Guidelines (2019) 39

6 Urban Design Analysis 40

- 6.1 Site Organization 41
- 6.2 Circulation and Access 42
- 6.3 Parking, Loading and Servicing 43
- 6.4 Built Form and Massing 44
- 6.5 Architectural Articulation and Building Facades 46
- 6.6 Shadow Impacts 47
- 6.7 Public Realm 47

7 Conclusion 49

1

Introduction and Purpose

This Urban Design Brief has been prepared by Bousfields Inc. in support of an application by Old Trinity Point that seeks to amend the Official Plan and Zoning By-law to permit a 19-storey mixed-use development on the lands located at 2072 Lakeshore Road in the City of Burlington.

The purpose of the Brief is to describe the urban design character of the building, to assess its fit within the Downtown context, and to review its conformity with the City's urban design policy framework. In addition to the other documents that form the submission package, the Urban Design Brief is a companion document to and should be read in conjunction with the Planning Justification Report, also prepared by Bousfields Inc., which sets out the urban planning rationale for the subject site.

From an urban design perspective, this Brief reviews the architectural design concept prepared by Graziani & Corazza Architects Inc. and the landscape design concept prepared by Ferris & Associates Inc. In addition to identifying the urban design vision and objectives for the currently underutilized subject site, this Brief addresses the urban design policies of the City of Burlington's in-force and new Official Plans, and the City's Tall Building Guidelines (2017).

The Brief concludes that the proposed development is consistent with the urban design goals and objectives established in the City of Burlington in-force Official Plan and has appropriate regard for the new Official Plan, in addition to the vision and urban design guidance set out in the Downtown Urban Design Guidelines and City-Wide Tall Building Guidelines. The proposal presents an opportunity to improve the design of an underutilized site within a built-up area bookending a larger city block with a number of recent approvals for tall buildings. The proposed built form and massing will add increased residential density and new retail space, both of which are supportive of a growing Downtown that is an important pedestrian- and transit-oriented destination. Architecturally, the design and scale of the building will fit well within both the existing and emerging downtown tall building context near the water's edge.

In our opinion, as articulated in this Brief, the form and pattern of development being proposed represents good urban design practice, responds appropriately to the existing and planned physical and built form character, and will contribute positively to the character of Downtown Burlington.

2

Site and Surroundings

2.1 Subject Site

The subject site is located at the west end of a football shaped block bounded by Lakeshore Road to the north, Old Lakeshore Road to the south, with narrow frontage along Pearl Street. The road alignment creates a generally trapezoidal shape where the western portion of the property is 16.12m wide with frontages of 55.11m along Lakeshore Road and 55.43m along Old Lakeshore Road resulting in an approximate area of 0.15 hectare (0.38 acres).

The subject site is currently occupied by a two storey, house-form commercial building and a surface parking lot fronting onto Pearl Street. The subject site is serviced by two existing curb cuts, one along Old Lakeshore Road and one along Lakeshore Road. There are several trees along the perimeter of the site.



Figure 1 - Subject Site

2.2 Immediate Surroundings

The subject site is situated in the City of Burlington's Downtown and in particular in an area that is currently experiencing a significant amount of development activity including several recent approvals within the block and directly across the street. The proposal will book-end a city block which has approvals for a 27 storey tower at the east end of the block at 2107 Old Lakeshore Road. Within the same City block is another recent approval for a 27-storey tower at 2096 Lakeshore Road. The subject site is also directly across the street from 2069 Lakeshore Road which is currently the tallest approved tower in the City's Downtown at 29 storeys (which is currently under construction).

There are a number of existing high-rises within the immediate context also, including the 16-storey 360 Pearl Street development at the northwest corner of Pearl and Lakeshore as well as the 22-storey Bridgewater development on the west side of Pearl Street. A 26-storey tower is largely completed to the northeast at 370 Martha Street by Adi Development Group.

As noted above, the immediate context is in the process of transforming into a high rise environment. The new tall buildings will not only contribute to the City's skyline but will also enhance the existing public realm at grade by establishing a more contiguous pedestrian friendly environment with grade related uses and improved streetscaping.

Much of the recent development activity in the area is occurring along Lakeshore Road which continues to function as one of the Downtown's principal urban corridors, a role that the street shares with Brant Street (which is the Downtown's principal north-south corridor). Lakeshore Road connects the Downtown with other municipalities and as it traverses the Downtown provides access to the City's Waterfront including some of its principal open space elements.

North:

Immediately north of the subject site, and as noted above, is 2069 Lakeshore Road which is currently under construction. The development consists of a tower/ podium configuration with a 4-storey mixed-use podium. To its immediate east is 370 Martha Street, a 26-storey development with a 3-storey podium.

South:

Bounded by Lake Ontario, on the south side of Old Lakeshore Road are various 1- and 2-storey commercial uses, including restaurants and spas, a one-storey hotel, and surface parking lots that back directly on to the lakeshore. These properties include 2100 Old Lakeshore Road, which is listed on the City of Burlington's Heritage Registry and identified as a property that is to be retained in Old Lakeshore Road Urban Design Guidelines, and 2084 Old Lakeshore Road which was designated under Part IV of the Ontario Heritage Act in 2009.

East:

Immediately east of the subject site, is 2083 Lakeshore Road, a vacant site with surface parking. East of that are two sites that received recent approvals for redevelopment (i.e. 2096 Lakeshore Road and 2107 Old Lakeshore Road).

West:

To the immediate west of the subject site, on the west side of Pearl Street is a 22-storey mixed use residential and hotel development, Bridgewater Residences on the Lake (2042 Lakeshore Boulevard). Southwest of this development is access to the Waterfront Trail as well as green connections to the Spencer Smith Park, which spans most of the waterfront to the west.

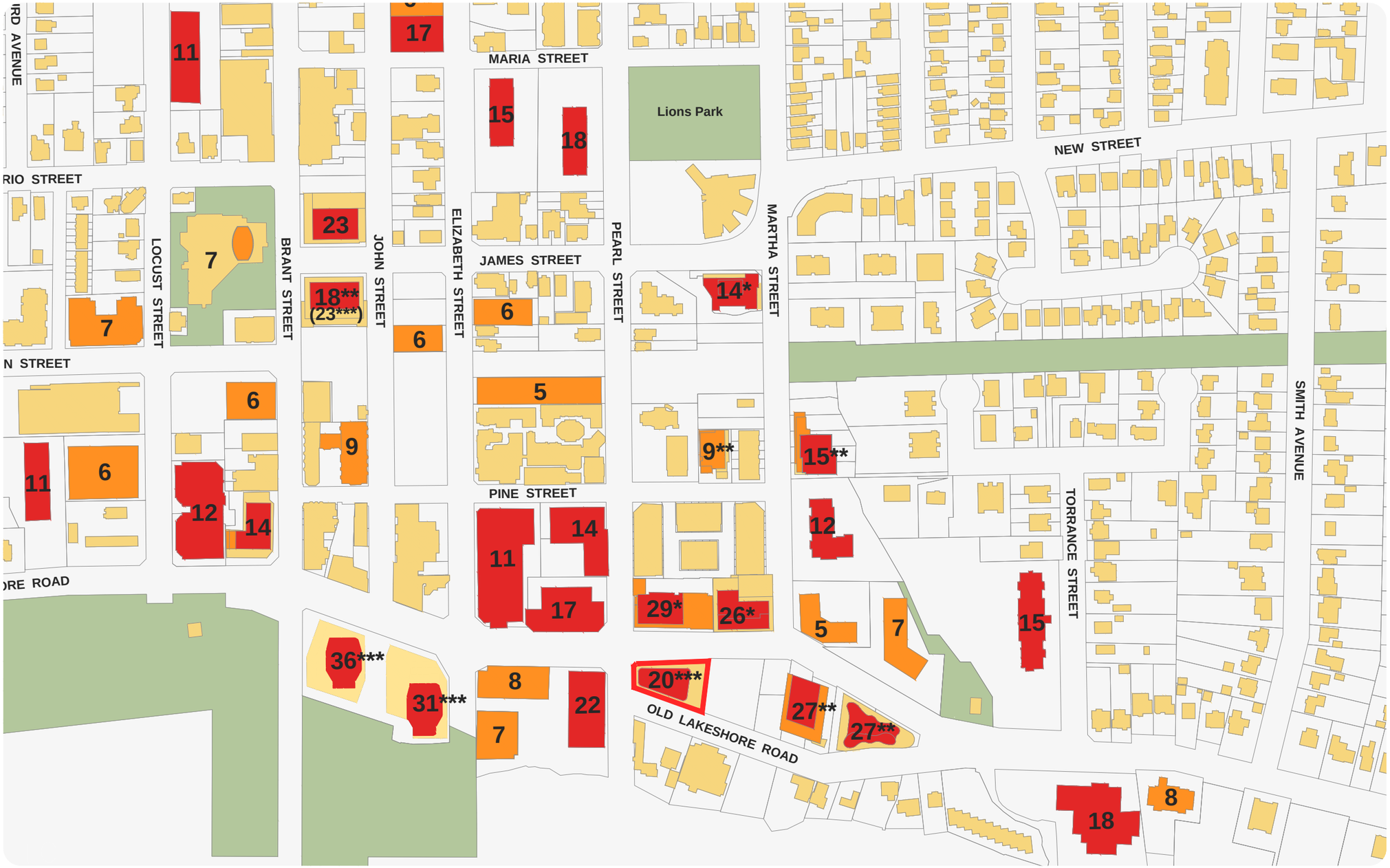


Figure 2 - Height Map

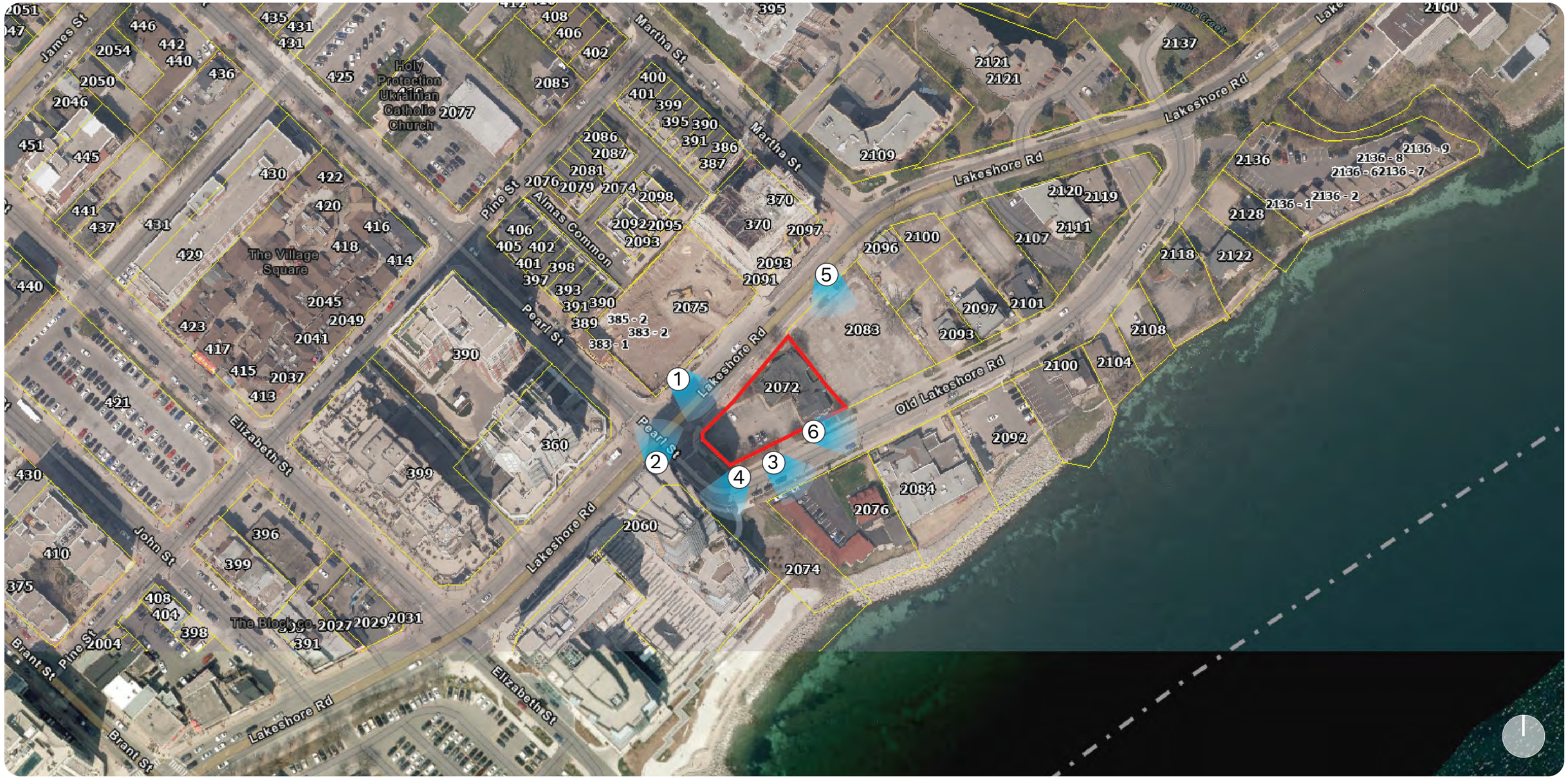
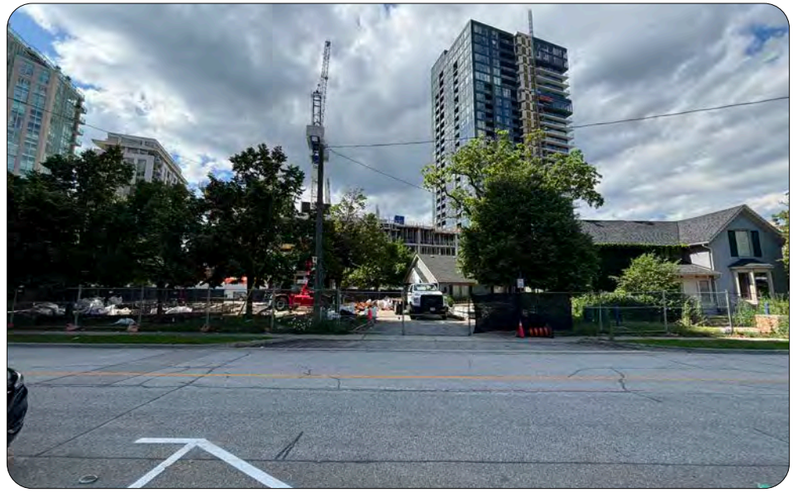
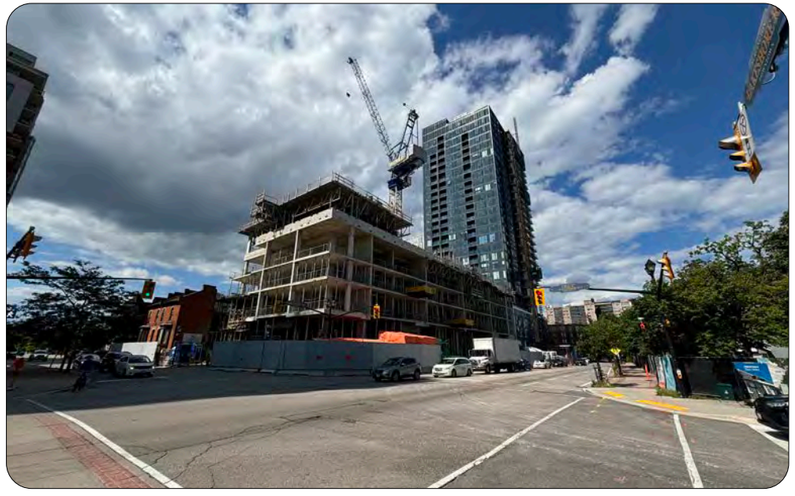


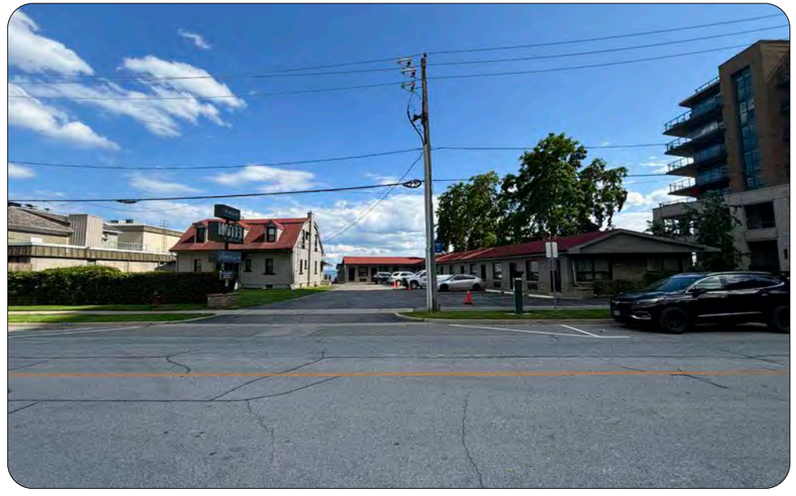
Figure 3 - Surrounding Area



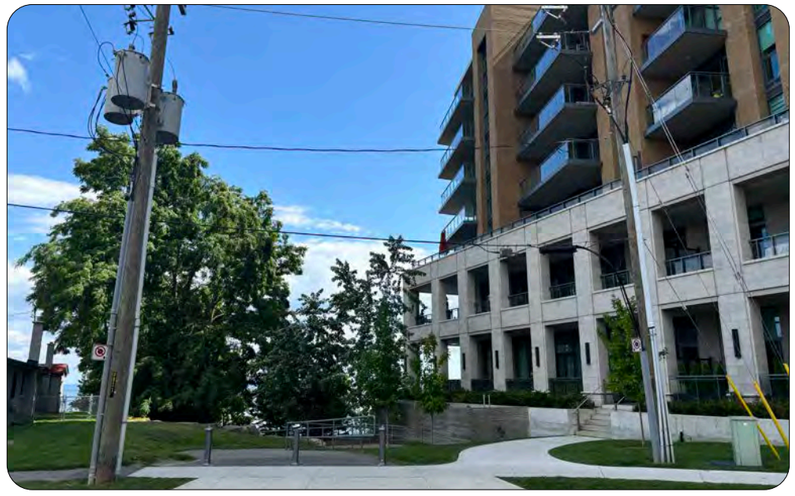
1 View looking at Subject Site from northern portion of Lakeshore Road.



2 View looking at 2069 Lakeshore Road from southwest corner of Lakeshore Road and Pearl Street.



3 View looking at 1 storey hotel (2072 Old Lakeshore Road) south of the Subject Site.



4 View looking at 2042 Lakeshore Road and access to Waterfront Trail



5 View looking at 2083 Lakeshore Road current use.



6 View looking at 2084, 2092, 2100 Old Lakeshore Road.

Figure 4 - Streetview Photos of Subject Site and Surrounding Context

2.3 Area and Urban Design Context

The subject site is located in Burlington's Downtown. The City envisions this area as a dynamic and pedestrian-focused urban node that will serve as the central area of growth for the City. Downtown Burlington is generally characterized by a broad range of residential, commercial, institutional and community uses located within low-, mid- and high-rise buildings. Significant clusters of mid- and high- rise development are located along the Lakeshore Road, Northshore Drive, Brant Street and Maple Avenue corridors which together contribute to Burlington's emerging and prominent skyline.

The Downtown of Burlington is centered at the point and junction of its earliest settlement: at the junction of Brant Street, which extends inland and is perpendicular to shoreline, and Lakeshore Road, which follows the Lake Ontario shoreline to the east (Toronto) and west (Hamilton). The street and block pattern of the original town grew out from this junction consists of generally grid patterned streets and rectilinear blocks. The built form of the Downtown is planned to be a combination of historical buildings and street-related new development, which is of a medium and taller building height and of street-related and compact form.

In its existing condition, the block on which the subject site is located is generally characterized by an auto-oriented and disjointed built form pattern that is predominantly comprised of surface parking lots and buildings with varied and inconsistent architectural styles, setbacks and site configurations that do not contribute to the vibrant downtown streetscape character promoted by the municipal and provincial planning framework.



Figure 5 - Urban Design Context

2.4 Transportation Network

Lakeshore Road provides east and west vehicular connections, as well as direct access to the Queen Elizabeth Way and Highway 403. Lakeshore Road is identified as a minor arterial road on Schedule K – Classification of Transportation Facilities Downtown of the Official Plan. The rights of way along this segment of the road consists of one travel lane in each direction and a central turning lane. Sidewalks are provided on the north side of the road as well as the south, however they are not provided along the frontage of the subject site.

Old Lakeshore Road is identified as a local road on Schedule K and has an approximate right-of-way width of 20 metres. One travel lane is provided in each direction and on-street parking is permitted on the south side of the right-of-way. Sidealks are also provided along both sides of the right-of-way for its entire length.

Table 2 – Road Allowance Widths in Part VII (Schedules and Tables) of the City's Official Plan indicates the planned right-of-way ("ROW") width for the entire length of Lakeshore Road is 30 metres. This exceeds the existing right-of-way width of Lakeshore Road, though it has been confirmed through discussions with City Staff that no road widening will be required on the subject site.



Figure 6 - Schedule K -Classification of Transportation Facilities Downtown Area

Transit Network

The subject site is well serviced by public transit with bus stops along Lakeshore Road in front of the subject site at the corner of Martha Street and Lakeshore Road (Burlington Transit Bus Route 3), and on both sides of the street at the corner of Brant Street and Lakeshore Road (Burlington Transit Bus Routes 4, 10, and 50) to the west of the site. The subject site is also located approximately 400 metres (5-minute walk) from the Downtown Burlington Bus Depot on John Street. Burlington Transit bus routes 2, 3, 4, and 10, as well as Hamilton Street Railway Route 11 all have bus stops at the Downtown Burlington Bus Depot.

Appendix A – Schedule 1 – Long Term Transit Service Network of the City's Official Plan identifies Lakeshore Road as a Primary Bus Service Route. Appendix A – Schedule 2 – Long Term Cycling Master Plan in the City's Official Plan also identifies a bike lane along Lakeshore Road.



Figure 7 - Transit Network

3

Urban Design Vision and Strategy

3.1 Vision Statement

The proposal will contribute to the ongoing transformation of the Downtown and more specifically, a larger city block that will replace a number of surface parking lots and commercial uses with mixed use development and public realm improvements. Forming the west edge of the block, the proposal will bookend the block helping to create a more continuous and pedestrian friendly environment with other future development to the east.

From an urban structure perspective, the Downtown provides an appropriate context for a high density, transit-oriented mixed-use development. This location in particular, is well-situated for an architecturally distinct building that will positively contribute to the evolving skyline of Burlington's Downtown. Currently under utilized, the Subject Site presents an opportunity for a development that has a more positive relationship with and brings prominence to the streetscape at a corner location.

From an urban design perspective, the building demarcates the westerly edge of the block and provides visual interest given three frontages along public streets. It also creates a public realm at grade consistent with this function. The building will also be seen north from the water on the skyline and will be part of the taller visual face of the overall Downtown pattern as seen from the Lake and along the skyline.

Understanding these opportunities, the following vision statement was developed to guide the urban design and built form concept for the development proposal:

The proposed development will introduce an iconic mixed-use building that is reflective of the site's location within the Downtown close to the lake. The proposal will provide strong built form relationships to the adjacent streets that respects the character of the surrounding area and provides for an appropriate relationship with other development to the east. The proposal will animate the streetscape through the introduction of active frontages along all three street frontages to support the promotion of public transit use, cycling and walking.

3.2 Urban Design Principles and Strategies

The proposed development has considered the following list of urban design principles. Under each principle, strategies were devised to ensure that the building makes a positive contribution to Downtown Burlington. These principles are broadly in keeping with the goals and objectives of the in-force Official Plan, Tall Building Guidelines (2017) and other policy objectives.

Fit within the surrounding context:

- Ensure appropriate siting of the tower on the site and with respect to adjacent properties to allow for adequate separation distance from a potential future tower to the east and existing towers within the immediate context;
- design podium to contribute to the creation of a more continuous street wall condition along the street frontages;
- use setbacks, stepbacks and facade articulation to mitigate perception of mass and facilitate a transition in height and scale to the surrounding context;
- reduce shadow and overlook impacts while maintaining and framing sky views; and
- incorporate a base building element that respects the surrounding low-rise buildings in their existing form and is in keeping with the planned built form and urban design context of the Downtown.

Enhance the public realm:

- Incorporate a well-proportioned and articulated base building that frames the streets;
- animate and improve the streetscape through the development of an urban street edge that reinforces the character of Lakeshore Road as one of the Downtow's principal corridors;
- Introduce a wide pedestrian boulevard along Lakeshore Road to improve pedestrian connectivity between the site and its surroundings and improve the existing fragmented linkages;
- provide active uses at grade with spill out space to create a multiuse and engaging public realm; and
- support the development of a vibrant and pedestrian-oriented Downtown by redeveloping a currently underutilized site into a compact and transit supportive mixed use development.

4

Description of the Proposal

The proposed redevelopment, designed by Graziani + Corazza Architects, provides for an architecturally distinctive tower and related public realm. The proposal consists of a 18-storey slender point tower (89.9 metres, excluding mechanical penthouse) sitting atop a 2-storey podium for a total of 20 storeys. The development takes up almost the entirety of the site area except at grade where the building pulls back to create wider boulevard zones and landscaping.

Above the podium, the tower is set back 3.1 metres along each street frontage and is set back 12.5 metres from the adjacent property to the immediate east. The architectural design of the facades incorporates a masonry clad balcony frame that gives the tower and podium additional articulation. A break in this framing on level 3 helps to distinguish between the tower and podium element. The mechanical is incorporated into the overall design of the building in terms of articulation The ground floor is predominantly comprised of vision glazing to help animate the public realm with retail uses and a residential lobby.

The total proposed gross floor area is 15,217 square metres resulting in a Floor-Area Ratio of 11.06 The development proposes a total of 165 units and 169 parking stalls contained within 7 levels of below grade. Vehicular access to parking is provided from Old Lakeshore Road whereas access to the loading and service bay is provided from both Lakeshore Road and Old Lakeshore Road along the eastern edge of the subject site. All of the parking and service functions of the development are contained within the building envelope to minimize any potential impacts on the public realm.

The ground floor includes a single retail space and a residential lobby which is oriented along Old Lakeshore Road. Above the ground floor is a small mezzanine level. The second floor accommodates residential units as well as an indoor amenity space adjacent to a outdoor amenity space located on the east portion of the podium roof. Residential units continue within level 3 through to level 19.

The landscape concept plan, prepared by Ferris & Associates, demonstrates the program opportunities that are being contemplated as part of the redevelopment of the subject site. The proposed site programming will facilitate a stronger connection between the public and private realm and better establish the subject site's corner location. Landscaping elements are proposed along all frontages, including the planting of street trees. The concept landscape plan will be further refined at the site plan control stage, as the proposal continues to progress. However, the current design provides for boulevard zones in accordance with Downtown's Streetscape Guidelines.

In that regard, the proposal incorporates a min. 2.59 metre marketing zone, a 1.8 metres pedestrian clearway, a 1.2 metre furnishing zone with street trees, benches, and bicycle parking and a 0.5 metre edge zone. Similarly, along Old Lakeshore Road, the proposal incorporates a 2 metre setback and a 2.62 metre marketing zone, followed by a 1.8 metre clearway, a 1.2 metre furnishing zone and a 0.5 metre edge zone.

4.1 Response to Design Review Panel

On March 21, 2024, 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 27-storey mixed use building with a 2-storey base building and a tower above. City Staff sought the Panel's advice on three main urban design themes that were put to the Panel as questions. These included:

Question #1 - Public Realm - *How does the building respond to the existing context particularly shadow impacts on the pedestrian experience?*

Question #2 - Built Form - *Please comment on building design and tower size and setbacks. Does the buidings form and scale respond well to the context and location?*

Question #3 - Site Circulation - *does the proposed development provide adequate site circulation, particularly the loading area?*

In response to the comments received from the Community Consultation Meeting and BUD Panel , the following is a summary of some of the key changes to the proposal:

- The overall height and density of the proposal were reduced, which aligns with many of the comments received regarding built form and transportation.
- The ratio of parking was increased, which aligns with comments related to increasing the amount of parking.
- The environmental and sustainability comments were acknowledged and will be addressed through the required site plan control application.
- Layby parking is now proposed along Old Lakeshore to address some of the concerns related to pick-up and drop off for the building.
- Engineering drawings have been prepared in accordance with the Region and City's requirements and will be submitted with the application and made available to the public.
- The ground and mezzanine commercial space has a high quality design, which aligns with the comment received at the community meeting.
- The concerns related to "affordable" retail tenants is difficult to address through the rezoning application process, however, in our opinion, providing new space for commercial uses will increase the commercial space supply and add provide opportunities for new retailers or the relocation of existing retailers in the neighbourhood.
- Unfortunately, the community space has been removed, since it would be difficult to secure through the City's community benefits charges regime.
- As it relates to the BUD comments, the retail frontage along Lakeshore Road was expanded to minimize service uses along the street, driveway entrances and curb cuts were reduced as much as possible to improve the pedestrian realm, brick materials were extended to grade to enhance the public realm; two elevators are now proposed to the underground parking, and the commercial spaces within the ground and mezzanine levels have been left as large spaces and the ultimate configuration will be determined once the spaces have been marketed.

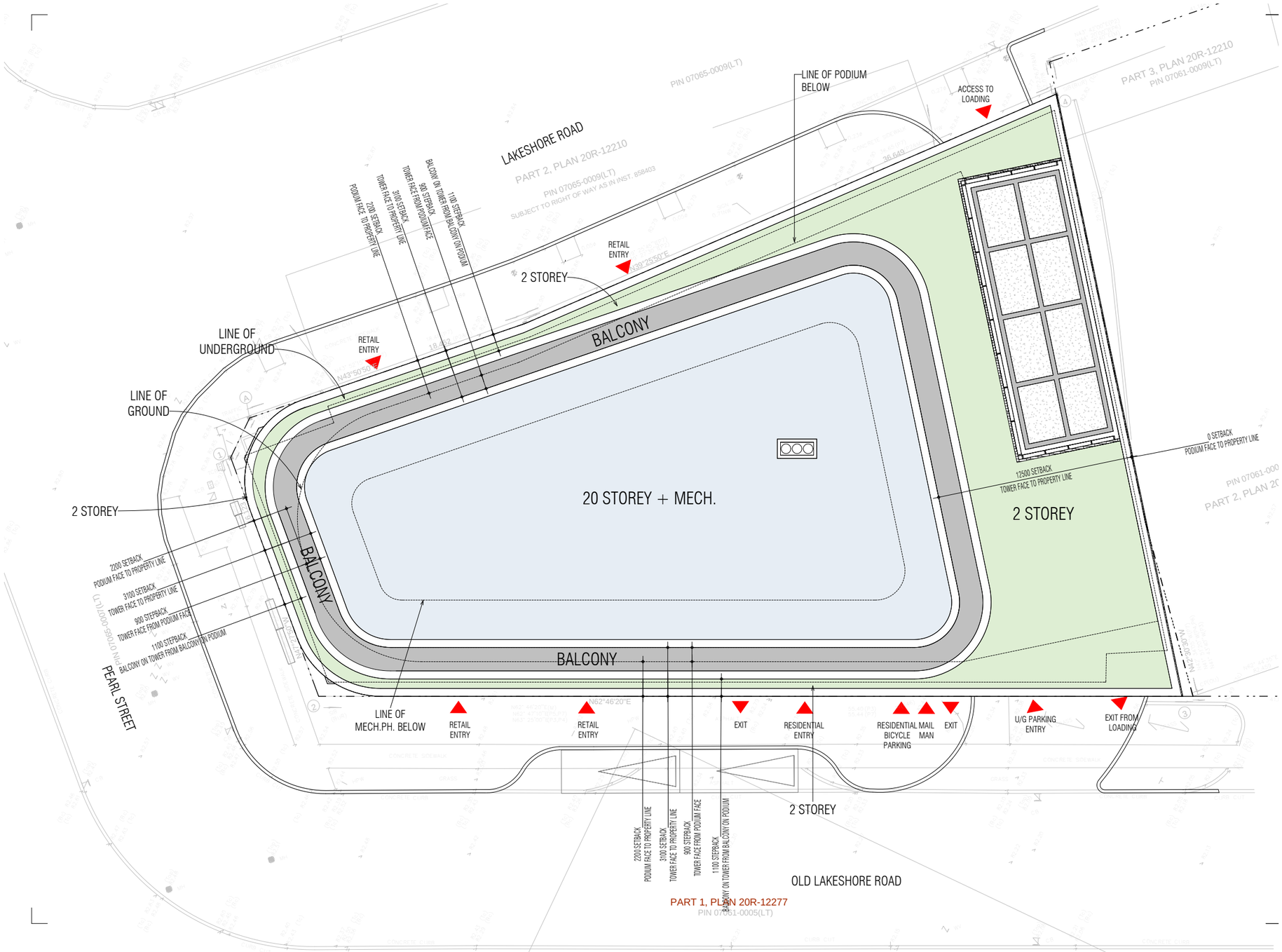


Figure 8 - Site Plan

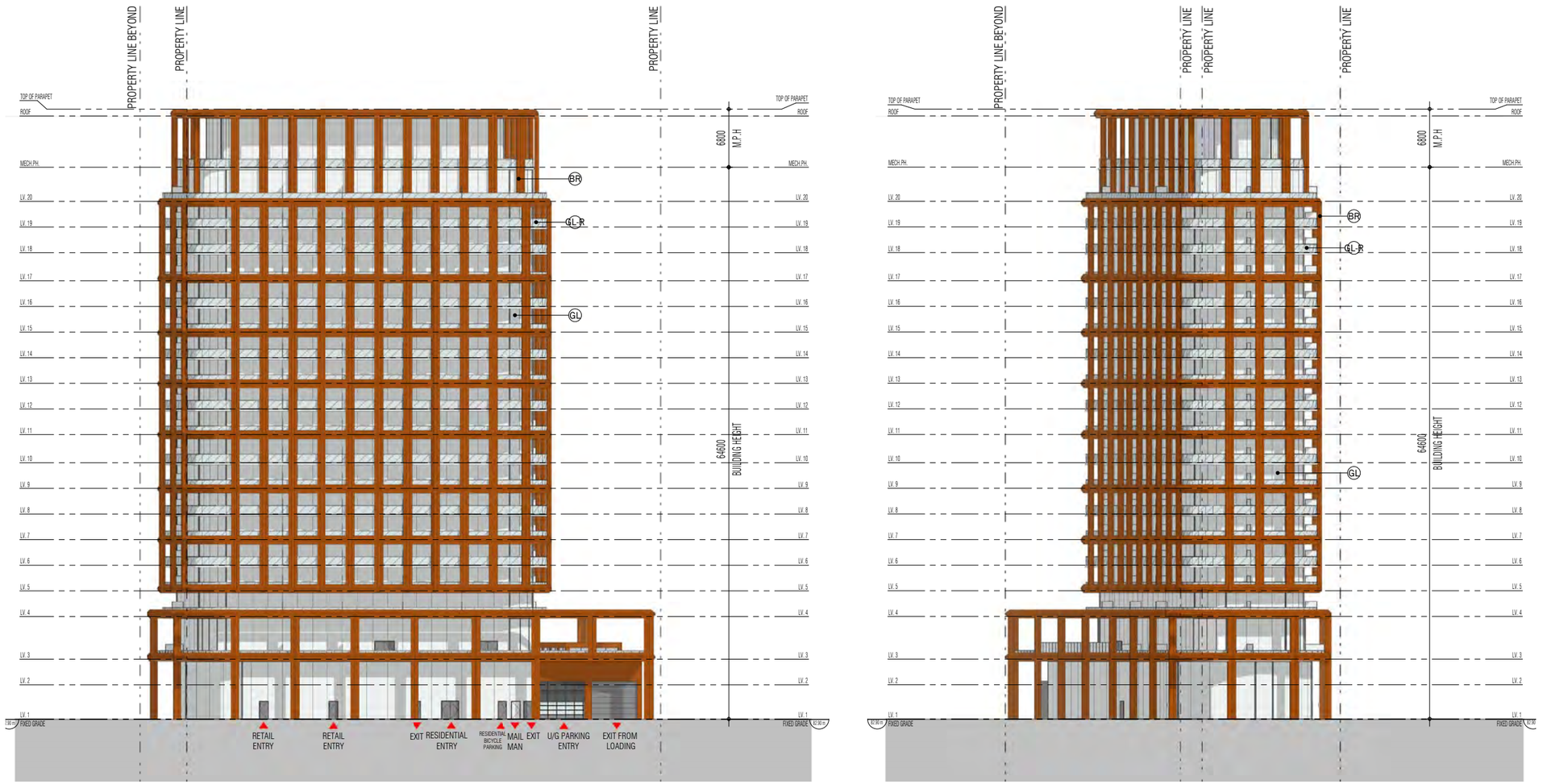


Figure 9 - South and West Elevations



Figure 10 - North & East Elevations

5

Urban Design
Policy & Regulatory Context

5.1 City of Burlington Official Plan

The Official Plan was adopted by Burlington City Council on July 11, 1994 and was approved, with modifications, by the Regional Municipality of Halton on March 5, 1997. A Five-Year Review of the Official Plan was initiated in March 2002, and amendments to the Plan were approved by City Council in October 2006. The Five-Year Municipal Comprehensive Review culminated in Official Plan Amendment 55 (the "OPA 55"), which was approved by the Region of Halton in January 2008 and by the Ontario Municipal Board in October 2008.

Although OPA 55 updated the Official Plan to address provincial policy changes, including consistency with the 2005 PPS and 2006 Growth Plan, it has not been updated to address updates and amendments to the PPS, Growth Plan and most recently the ROP, including ROPA's 48 and 49. However, the City has initiated a process to develop a New Official Plan, which is discussed in more detail in Section 5.2 of this report. Based on the foregoing, it is our opinion that the Official Plan is outdated, but it remains as the City's only guiding local planning policy document to direct and accommodate the City's long-range land-use strategy.

On Schedules A – Settlement Area and B – Comprehensive Land Use Plan, the subject site is identified as a *Mixed Use Activity Area* and *Downtown Mixed Use Centre* respectively. On Schedule E – Downtown Mixed Use Centre Land Use Plan, the subject site is located within Area A (West Sector) of the Old Lakeshore Mixed Use Precinct, for which policies are laid out in Part III Section 5.5.7 of the BOP. For detailed discussed of the relevant land use policy, please refer to the Planning Rationale prepared by Bousfields Inc. in support of this rezoning application.

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 a 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 Section 6.2 include:

- Ensuring that the design of the built environment preserves, enhances and connects natural features and landscapes.
- Ensuring 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.
- Ensuring 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.
- Achieving a high quality of design within the public realm.
- Ensuring consistency, compatibility and quality in the built environment while allowing for a diverse design expression.
- Integrating urban design into the full range of decision-making activities to assist in achieving the design objectives of the Plan.
- Ensuring that the principles of sustainable development are considered in the design of the built environment.

Response:

- The proposed development preserves and enhances views towards the Lake and improves the general quality of the streetscape environment along all street frontages with wider boulevard zones.
- The proposal builds upon and improves the general built form character of the surrounding context with a design that is compatible and sympathetic to the existing and emerging character of tall buildings in this part of the Downtown.
- In terms of architectural expression, the proposal incorporates well articulated building facades that will make a positive contribution to the emerging skyline of the City's Downtown.
- The development maintains principles of sustainable design with the use of high-quality materials, inclusion of active transportation infrastructure (i.e. bicycle parking) and use of native plantings.

Policy 6.3 e) deals with existing and new communities, emphasizing the preference for compact development that is pedestrian-oriented and encourages the increased use of public transit.

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.

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

- 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, multi-purpose 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))
- Servicing, loading, waste and mechanical areas should be screened so as to minimize visual impact. (Policy (j))
- All development shall be designed having regard for Sustainable Development considerations as set out in Part II, Subsection 2.7.3 of the Plan. (Policy (m))

The Official Plan defines *compatible* as:

"Development or re-development that is capable of co-existing in harmony with, and that will not have an undue physical (including form) or functional adverse impact on, existing or proposed development in the area or pose an unacceptable risk to environmental and/or human health. Compatibility should be evaluated in accordance with measurable/objective standards where they exist, based on criteria such as aesthetics, noise, vibration, dust, odours, traffic, safety and sun-shadowing, and the potential for serious adverse health impacts on humans or animals."

Response:

- The proposal is reflective of a compact and transit supportive development.
- In terms of public realm, the development proposal includes wider boulevard zones that allow for enhanced streetscape zones along the street frontages for a more continuous pedestrian realm.
- The proposal is compatible with the existing and emerging pattern of development in the surrounding context in terms of height, built form and massing. The proposed development is based on a point tower approach which is reflective of the current direction for design of tall buildings. Furthermore, in accordance with the definition of compatibility, the development has been evaluated for any potential impacts with respect to sun-shadowing, overlook and skyview.
- The podium element will establish a pedestrian scaled environment with grade related uses that will animate the public realm. The public realm is designed to be accessible based on the AODA standards of compliance.
- The service, loading and parking functions of the building are situated within the building envelope to minimize visual impact on the public realm.

As noted above, the subject site is designated *Mixed Use Activity Areas* on Schedule A of the Official Plan. Section 5.2.2 of Part III includes policy direction for Mixed Use Activity Areas with respect to urban design. In that regard Policy 5.2.2 d) states that development shall promote these areas as focal points for community activities that are characterized by a compact form of development, pedestrian orientation, and greater accessibility to public transit and higher density development. Policy 5.2.2. i) states that *Mixed Use Activity Areas* shall be subject to a high quality of urban design.

Part III, Section 5.4 of the OP provides the policy framework relating to lands designated *Mixed Use Centre*. Policy 5.4.2 d) states that a range of building heights shall be permitted. Policy 5.4.2 g) states that the design and development of *Mixed Use Centres* shall ensure compatibility between the *Mixed Use Centre* uses and adjacent uses. It goes on to provide a number of factors in reviewing proposals which include:

(i) Buildings 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;

(ii) The site plan for individual sites includes features to integrate the new development with surrounding uses;

(iii) The site plan promotes safe, convenient and barrier free pedestrian travel within the site, between the site and adjacent uses, and to and from transit stops;

(iv) Off-street parking areas, loading areas and service areas shall be screened and landscaped.

Section 5.5 of Part III promotes high quality design within lands designated *Downtown Mixed Use Centre* to maintain and enhance the Downtown's image as an enjoyable, safe, and pedestrian-oriented place.

Response:

- The proposed development is a compact form of development with a pedestrian orientation. The design incorporates a lower scaled podium element with grade-related uses that animate the public realm.
- The architectural response is of high quality design that incorporates a variety of building materials to ensure that the building makes a positive contribution to the evolving character of the Downtown as a vibrant urban environment.
- The building is designed to face the streets with entry locations that are inviting and clearly demarcated.
- The development is designed to ensure that it is well integrated with other development on the block and in the immediate context. The design contributes to the creation of a more continuous streetwall condition and streetscaping.
- All of the service, loading and parking functions of the building are well screeded from the public realm.

Policy 5.5.7 of Part III is specific to the Old Lakeshore Mixed Use Precinct. Policy 5.5.7.1 (a) provides that the objectives for the Precinct are to provide for high intensity, mixed use development that is pedestrian oriented and transit supportive, which helps meet Provincial growth objectives and provides for a transition from the highest density in the Wellington Square Mixed Use Precinct to the residential areas to the east.

The subject site is located within Sector A on Schedule E of the Official Plan, which is the west sector of the Old Lakeshore Mixed Use Precinct. Policy 5.5.7.2 (b) states that the maximum height of buildings in this sector shall be 10 storeys (31.5 metres). However, notwithstanding the foregoing policy, Policy 5.5.7.2 c) states that taller buildings may be permitted in the West Sector, up to a maximum height of 15 storeys and 47 m, where they provide compatibility with surrounding land uses and a sense of pedestrian scale by the use of building design incorporating ground-level, street oriented podium, and subject to the community benefits provisions of Part VI, Section 2.3 of this Plan and subject to a number of additional considerations including the provision of enhanced public spaces as well as submission of an angular plane study, identifying visual, sun shadowing and wind impacts.

An Official Plan Amendment is required to permit the proposed height. The in-force policy regarding height is outdated given the recent development activity in the surrounding context and more specifically within the *Old Lakeshore Mixed Use Precinct* where building heights of up to 27 storeys were recently approved.

Response:

- The proposed development provides for an appropriate response in a location that was originally planned for a tall building. Within the Old Lakeshore Precinct the west side of the block was always envisioned for additional height to provide for a transition of intensity towards the Wellington Square Precinct to the west.
- The development is pedestrian oriented with a lower scaled podium element along all three street frontages. The public realm will be animated with grade related uses.
- In terms of transition to lower scaled residential neighbourhoods, the subject site is situated a significant distance away (approx.. 280 m) and would be well under an angular plane of 45 degrees.
- In terms of sun shadowing, the study prepared by Bousfields Inc. demonstrates that any potential impacts have been adequately minimized on the surrounding area including any outdoor amenity spaces and the public realm. With respect to wind, a wind study was conducted by RWDI to assess the proposed development. The Study concluded that wind speeds around the conditions offsite are not expected to be affected substantially. Wind control strategies are proposed in areas of concern to mitigate any potential impacts that can be addressed during site plan approval.

5.2 City of Burlington Official Plan (Partially in Force)

Consistent with the Planning Act's requirement to review the Official Plan every five years, the City of Burlington began their review of the OP in 2011. Concurrent with this Official Plan Review, the City of Burlington prepared a Strategic Plan in 2016, which was adopted by Council and brought forward new priorities and significant changes to Burlington's rural and urban areas.

Through this process the City determined that the Official Plan did not align with its new policy directions and have therefore prepared a new Official Plan which will reflect and guide its civic priorities to 2031 as it transitions from a suburban to an urban community.

On April 26, 2018, Burlington City Council adopted a new Official Plan (the "New OP"), which was subject to review and approval by Halton Region. On December 4, 2018, the City of Burlington received notice from Halton Region regarding the New OP advising that it does not conform with the Regional Official Plan in a number of respects related to policies and mapping.

On November 30, 2020, Halton Region approved the new Burlington Official Plan, and a twenty-day appeal period ran from November 30 to December 21, 2020. In total, 48 appeals to the New OP were received by the Region, of which, one was from the applicant. Following the Appeal of the New OP, the Ontario Land Tribunal approved some sections of the New OP on January 4, 2023, bringing them into full force and effect. As a result, some sections of the New OP are now in full force and effect and considered determinative for the subject application. The Policies which were brought into force are primarily related to high level directions and population projections, with more specific policies such as land use designations remaining under appeal. The Official Plan continues to apply as the only local municipal planning policy document that applies to the redevelopment of the subject site.

As the New OP is partially in force, this review will identify which parts of the plan are in-force for the subject applications and which remain under appeal and are therefor presented only for consideration of more recent council direction with regards to development on the subject site.

A small number of policies within the New OP are currently in full force and effect. Specifically, with relation to the subject site, Section 1 of the New OP is in force, as well as the population and employment distribution projections contained in Policy 2.2.4. As most of the in-force policies are related to planning matters, please review the accompanying Planning Justification Report prepared by Bousfields.

The New OP identifies and designates the subject site within a new mapping framework, as follows:

Schedule C – Urban Area Land Use Plan

The subject site is designated as 'Urban Centre' within the Downtown Urban Growth Centre boundary (see Figure 11)

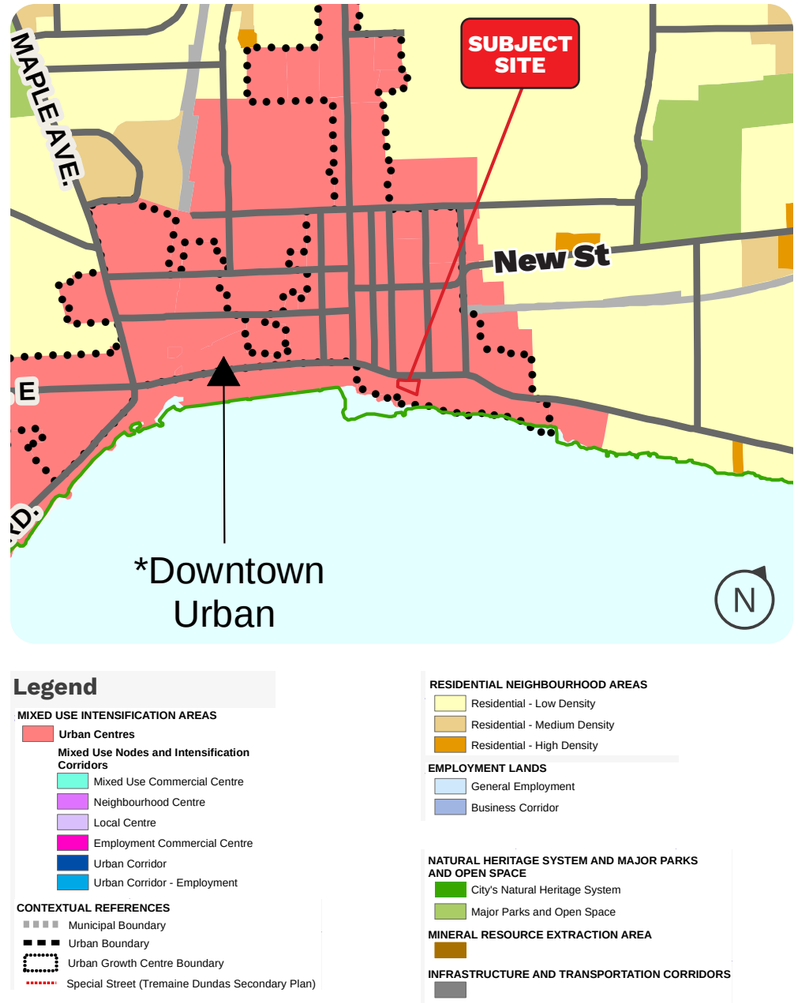


Figure 11 - Burlington Official Plan (2020) Schedule C - Land Use - Urban Areas

Schedule D – Downtown Urban Centre Land Use Plan

The subject site is designated ‘Old Lakeshore Road Precinct’, ‘West Sector’ (see Figure 12).

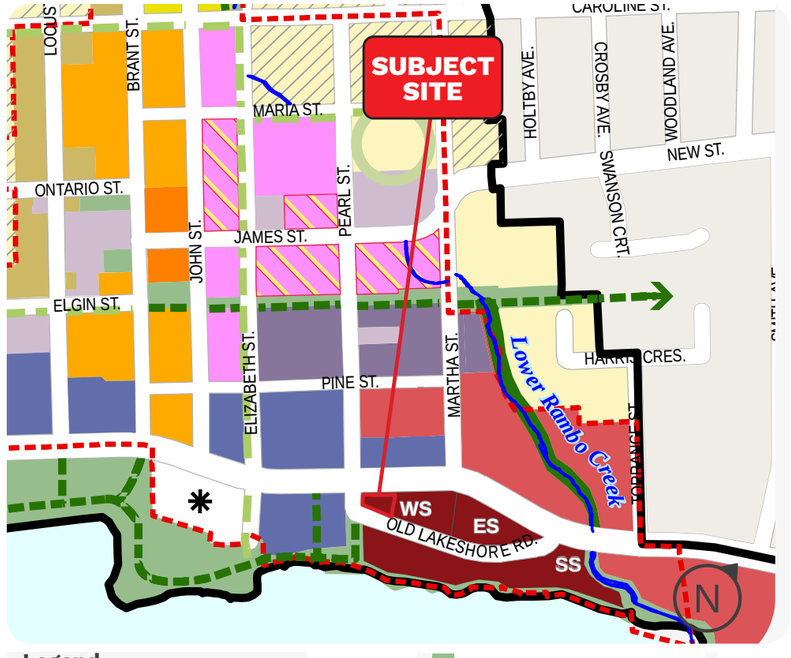


Figure 12 - Burlington Official Plan (2020) Schedule D - Land Use - Urban Areas

Schedule D-1 – Downtown Urban Centre Retail Streets

The subject site is identified within the Downtown Urban Growth Centre along a ‘Retail Main Street” (Lakeshore Road) and ‘Mixed Use Street’ (Old Lakeshore Road) (see Figure 13).

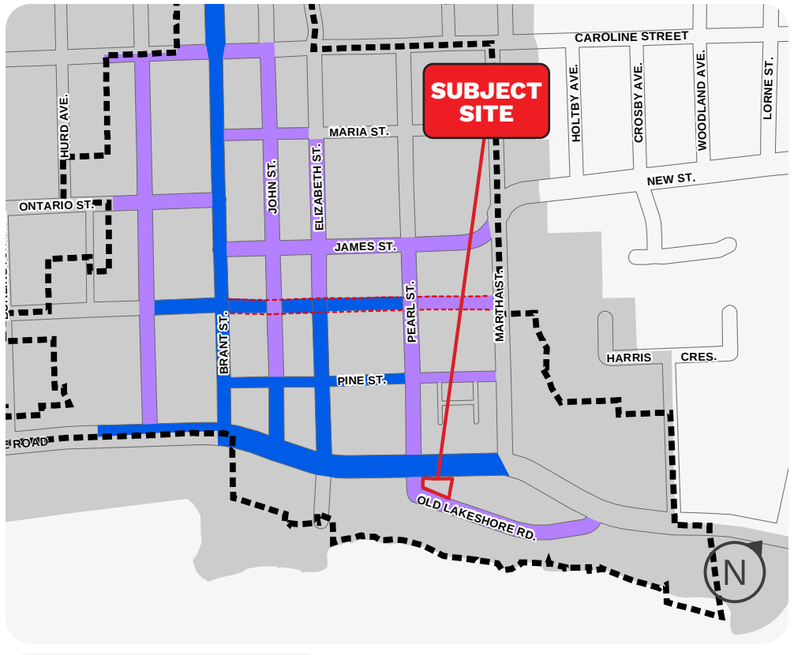


Figure 13 - Burlington Official Plan (2020) Schedule D-1 - Downtown Urban Retail Streets

Schedule D-2 – Maximum Building Heights

The subject site is identified as being subject to the Built Form Policies in 8.1.1 (3.6.1). (see Figure 14). To the north of the subject site are two site-specific height permissions which permit 26 and 29 storeys, and 22 storeys is permitted to the west.

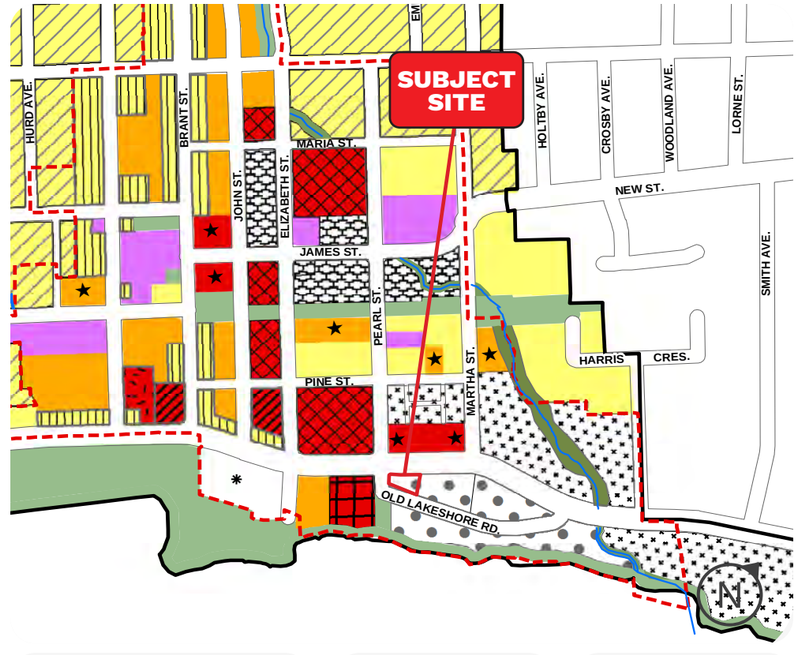


Figure 14 - Burlington Official Plan (2020) Schedule D-2 - Maximum Building Heights

Primary Growth Area Policies

Schedule B-1: Growth Framework (Figure 15) of the New OP identifies the subject site as a Primary Growth Area. Policy 2.4.2(1)(ii) states that Primary Growth Areas shall be recognized as a distinct area within the City's Urban Area accommodating the majority of the City's forecasted growth over the planning horizon of this Plan and beyond, and consequently will experience the greatest degree of change. Policy 2.4.2(1)(iii) further provides that Primary Growth Areas shall be regarded as the most appropriate and predominant location for tall buildings in accordance with the underlying land use policies while Policy 2.4.2(1)(v) states that they shall support the frequent transit corridors, such as Brant Street and New Street into the Downtown, and accommodate development that is compact, mixed-use, and pedestrian oriented in nature.

Contained in Chapter 7 of the new Plan, 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.

Response:

- The proposed development is compact, mixed-use, and is pedestrian oriented.
- The design is of high quality in terms of built form, architectural articulation and public realm.
- The disposition of massing on the subject site ensures that the proposal is compatible with new and existing developments. The proposed tower provides for adequate setback from the east whereas the podium allows for a more continuous streetwall condition along the street frontages.

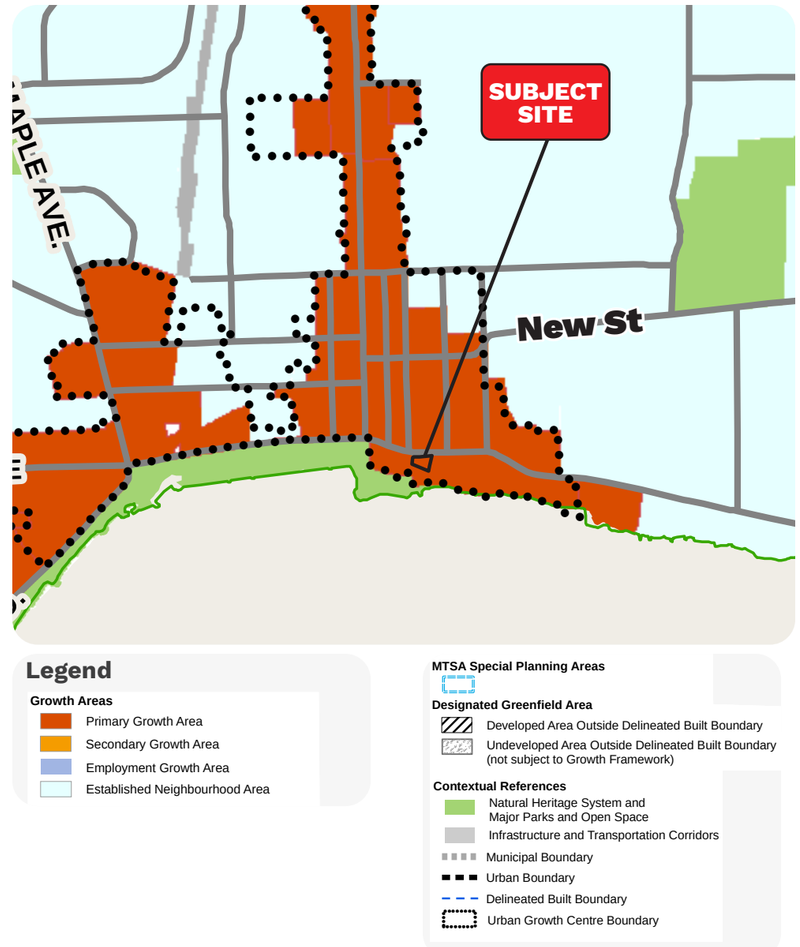


Figure 15 - Burlington Official Plan (2020) Schedule B-1 - Growth Framework

Design Excellence Policies

Section 7.1 sets out the City's general objectives with respect to the design of the built environment as follows:

- To ensure that the design of the built environment protects, integrates with and conserves natural and cultural heritage resources;
- To ensure that the design of the built environment contributes to a sense of belonging by enhancing the physical character of established neighbourhoods;
- To create safe, vibrant, socially active, pedestrian- and transit-oriented places to which people are drawn;
- To achieve a high-quality public realm and a high-quality and diverse design expression with respect to the built environment;
- To ensure compatibility and quality in the built environment while allowing for diverse design expression;
- To ensure that buildings and open spaces are accessible to people of all ages and abilities and to include the diverse opinions of the community in achieving design excellence; and
- To promote sustainable site and building design in order to promote active transportation and transit use, contribute to an enhanced natural and built environment, among other things.

Response:

- The proposed development will create a safe, vibrant and pedestrian friendly environment along the street frontages with active at-grade uses and wider boulevard zones.
- While the overall massing configuration is that of a tower/podium, similar to recent approvals in the immediate area, the architectural expression of the building provides for a more diverse response adding to the visual appeal of the skyline.

Public Realm Policies

Section 7.2 of the Official Plan outlines the policies relating to the public realm and its importance to create a unique experience for all community members. Policy 7.2(a) outlines several considerations that will contribute to a strong public realm, including improving the quality of public spaces; providing appropriate and consistent treatments for streetscape elements such as sidewalks, pedestrian crossings, lighting, street furniture, signage, street trees and landscaping; improving convenience to active transportation; improving opportunities for public art; and recognizing and promoting pedestrian scale, public safety and the perception of public safety for all users, through incorporating Crime Prevention through Environmental Design (CPTED) principles.

Urban Design and Built Form Policies

Section 7.3 outlines the policy considerations for urban design and built form. In this regard, Policy 7.3.2(a)(i) provides that in existing community areas, development shall address considerations such as, (i) ensuring site and building design are compatible with and contribute to the physical character of the surrounding area; (ii) providing an appropriate built form transition in scale between buildings, the public realm and abutting development through a variety of design methods such as angular planes, stepping height limits, location and building orientation, and the use of setbacks and stepbacks of building mass; (iii) providing appropriate screening and landscape buffering to minimize impacts; (iv) providing pedestrian comfort and human scale at the street level through a variety of design methods including the use of a podium in mid-rise and tall buildings; (v) providing safe and convenient linkages within development sites and to adjacent uses, facilities and streets; (vi) providing façade articulation which achieves a scale of development that is attractive to pedestrians and avoiding the use of blank walls facing a public space; and (viii) implementing measures that adequately limit any resulting shadowing, and uncomfortable wind conditions on the streetscape or to neighbouring properties.

Policy 7.3.2(1) applies criteria similar to that in Policy 7.3.2, however, specific to Primary Growth Areas. In this regard, Policy 7.3.2(1)(a)(i)(a) through (i) provides direction on locating new buildings adjacent and parallel to the street, locating visible primary entrances and active grade-related uses along the streetscape, designing a built form that frames the street with good proportion, providing appropriate built form transitions, screening from view mechanical equipment, creating a continuous streetscape and providing an appropriate amount of outdoor amenity space, among others.

Section 7.4 deals with sustainable design, emphasizing the importance of balancing environmental, economic and social considerations in the design, construction and operation of buildings and sites. As per Policy 7.4.1(a), the following sustainable design measures, among others, should be addressed in the design of high and medium density residential, mixed use, commercial, industrial, office, institutional and public service facilities:

- Prioritizing of pedestrian movement and connections to public transit;
- On-site bicycle facilities;
- Minimizing light pollution;
- Reduction of urban heat island effect;
- Tree protection; and
- Bird-friendly design for glass buildings.

To that end, through the site plan application process, Policy 7.4.1(b) emphasize the use of the considerations such as energy efficient, passive design measures; innovative storm water management techniques; additional measures to mitigate the urban heat island effect; infrastructure for electronic vehicle, and sustainable building materials and resources.

Response:

- In terms of the public realm, the proposed development provides for wider boulevard zones along street frontages and include at-grade uses that animate the pedestrian environment. The streetscape will include a furnishing zone with street trees and bicycle parking. A marketing zone along the edge of the building will provide spill over space for retail.
- From a built form perspective, the proposed building design is compatible with and contributes to the physical character of the surrounding area which is characterized by tall building development. The proposal is a third application for a tall building on the block.
- The proposal provides an appropriate built form transition in scale between buildings, the public realm and abutting development through setbacks, stepbacks and siting of building mass. In that regard, the proposed tower provides for a 12.5m setback from the property to the immediate east to ensure there is adequate separation from a potential future tower. Tower stepbacks from the edge of the podium help establish a pedestrian scale environment at the scale at grade.
- With respect to sustainable design, the proposal will address these matters in more detail at site plan approval.

5.3 Downtown Urban Design Guidelines (2006)

The Downtown Urban Design Guidelines ("DUDG") were created for the City by Brook McIlroy and approved by City Council on October 10, 2006. The DUDG document is 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. The DUDG document is divided into two parts and several key parts. Sections 1 through 3 provide the background and context. Section 4 sets out comprehensive guidelines for public realm matters such as streetscape considerations, signage, parking lot design, pedestrian circulation and public spaces. Section 5 of the Guidelines deals with built form guidelines and addresses design considerations for low-, mid- and high-rise forms of development. Section 6 reviews urban design sustainability guidelines, more specifically dealing with water efficiency, materials and resources and green roofs and gardens.

Public Realm Guidelines

Public realm guidelines located in Section 4 of the DUDG emphasize the need for a strong building-street relationship that distinguishes the Downtown core from residential neighbourhoods where landscaping plays a more prominent role in defining the appearance of the street. To that end, Section 4.2 outlines streetscape design objectives including limiting the addition of utility above grade utilities and encouraging incorporating building utilities into the built form, incorporating standard form street furnishings that are consistent with those located throughout the Downtown, utilizing a unified palette of streetscape paving materials, planting low-maintenance and climate resilient plants in strategic buffering and screening locations, and encouraging public art at prominent and highly visible locations. Further, Section 4.4 outlines that walkways in the public realm should have a minimum 3.0 metre right-of-way incorporating a concrete surface that is suitable for pedestrian and bicycle use and requires minimum maintenance. Where possible, sidewalks should be widened to a minimum of a 4.0 to 5.0 metres in width to create a safer pedestrian zone and accommodate street furniture and landscaping and spill-out from street-related uses. Additionally, parking should be located at the side or behind buildings, where the total amount of parking should be minimized through shared parking between adjacent properties as set out in Section 4.5.

Built Form Guidelines

The identity of Downtown Burlington is closely linked to its human scale and historic buildings. Built form elements such as height, mass, setbacks, parking, servicing, access, sun penetration and visual condition at the street level are crucial to fostering and maintaining a positive pedestrian experience. To maintain and enhance the vitality of the pedestrian environment, built form guidelines are provided in Section 5 of the DUDG.

Section 5.3 sets out provisions for vehicular access. Section 5.3.1 states that surface parking should not be permitted between the public right of way and the front of the adjacent primary building. Structured parking should be screened from view at sidewalk level, and the street-level wall should be enhanced by architectural detailing, artwork, landscaping or similar treatment that will add visual interest. Access to structured parking should be provided at the interior of the lot on a secondary street, not at a corner or at a view terminus. Vehicular ramps to internal parking should be minimized and located away from public areas where feasible. Additionally, Section 5.3.2 provides that loading and service areas should not be visible from major pedestrian or residential areas and should therefore be screened from view on all sides. It is preferable to locate service areas off of side streets or service driveways. Service areas should be an integral part of the building and not separate standalone structures. Storage of goods or garbage should be internal to the main building, wherever possible.

As per Section 5.4, building setbacks generally should be sensitive to the location of existing built form, sun angles and the intended use of the sidewalk (patio, gathering place, etc). Stepbacks of upper storeys should be provided so that building bulk is minimally perceived from the vantage of a pedestrian on the street. Stepbacks should be considered for buildings above three storeys. Façades facing a public street or public area should incorporate 60% glazing at-grade to encourage pedestrian interaction and safety. The floor to ceiling height of the ground floor should be of a minimum of 4.5 metres.

Section 5.6 provides guidelines for building height and massing. Specifically, Section 5.6.2 states that 'Visual Angular Plane Analysis' should be used for determining the appropriate building envelope for a specific site. In terms of shadow impacts, Section 5.6.4 outlines that buildings should be sensitive to casting shadows on low rise residential neighbourhoods, open spaces and pedestrian areas or streets where a high degree of sun penetration exists. Section 5.6.5 continues that stepbacks should be considered for buildings above three storeys to minimize the perception of upper storeys from the vantage of a pedestrian. Where possible and appropriate, towers should be placed away from the corner of two intersecting streets and staggered from adjacent towers. The minimum separation between towers should be 10 meters.

Section 5.7 of the UDGs specifically addresses high-rise building design principles. These principles emphasize the importance of appropriately scaling buildings, minimizing the impact of high-rise buildings on open spaces, providing strong street-related built form relationships, encouraging retail uses at grade, and encouraging underground parking that is screened from view at the pedestrian level. The City's Tall Building Guidelines provide current direction with respect to design of tall buildings and should be assessed instead.

Response:

- The proposed development is designed in accordance with the more recent direction contained in the City of Building Tall Building Guidelines (2017) and the Downtown Streetscape Guidelines (2019) which include standards that in many cases exceed the recommendations of the Downtown Guidelines.
- From a public realm perspective, the proposal provides for boulevard zones that substantially exceed the recommended 4 to 5 m width.
- From a built from perspective the proposed building is oriented along street frontages to establish a strong built form relationship and a comfortable pedestrian zone.
- All of the service, loading and parking functions of the building will be situated within the building envelope to minimize visual impact on the public realm.

5.4 City of Burlington Old Lakeshore Precinct Phase II: Urban Design Guidelines (2009)

In 2006, after the adoption of the Downtown Urban Design Guidelines, Council directed staff to undertake a detailed land use study of the Old Lakeshore Road Precinct recognizing its unique context and distinction from other areas in the Downtown. The document details the existing condition of the precinct, provides recommended development options to guide height and massing and sets out guidelines related to the treatment of the public and private realm.

Section 1.4 of the Guidelines considers development options for the precinct including the subject site. Option 1 (illustrated in Figure 16) demonstrates a 10 storey building at the east edge of the subject site with a podium extending along Lakeshore Road. Vehicular access is shown along Old Lakeshore Road. The demonstration plan also includes a view corridor towards the lake just east of the subject site. Option 2 (illustrated in Figure 17) demonstrates a 15 storey tower on the subject site situated along Pearl Street. In this scenario Old Lakeshore Road is partially closed extending north at Martha Street.

Collectively, Section 1.4 recognizes the need for and anticipates the development of the lands on the football shaped block, however, the Guidelines provide a limited rationale for the height and built form recommended in the development options. Furthermore, the recent development approvals on the block are an indication of a taller building approach in this area.

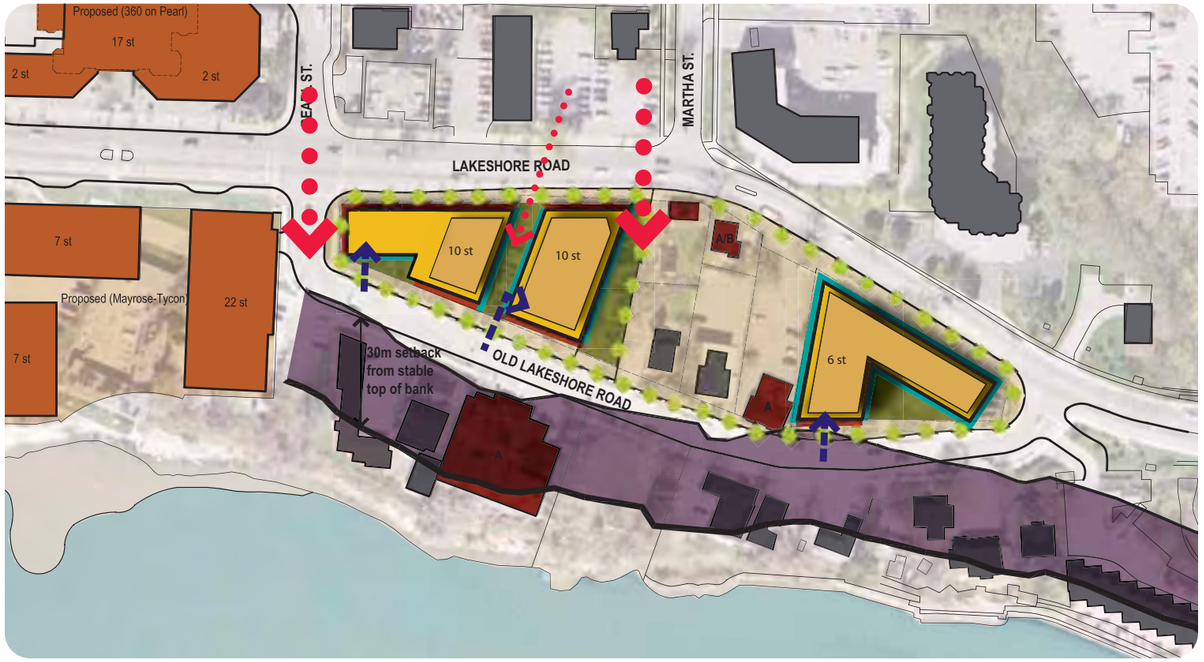
Section 2.0 set out the urban design guidelines for the precinct, primarily concerning the public and private realm. This section states that the objective of the Guidelines is to:

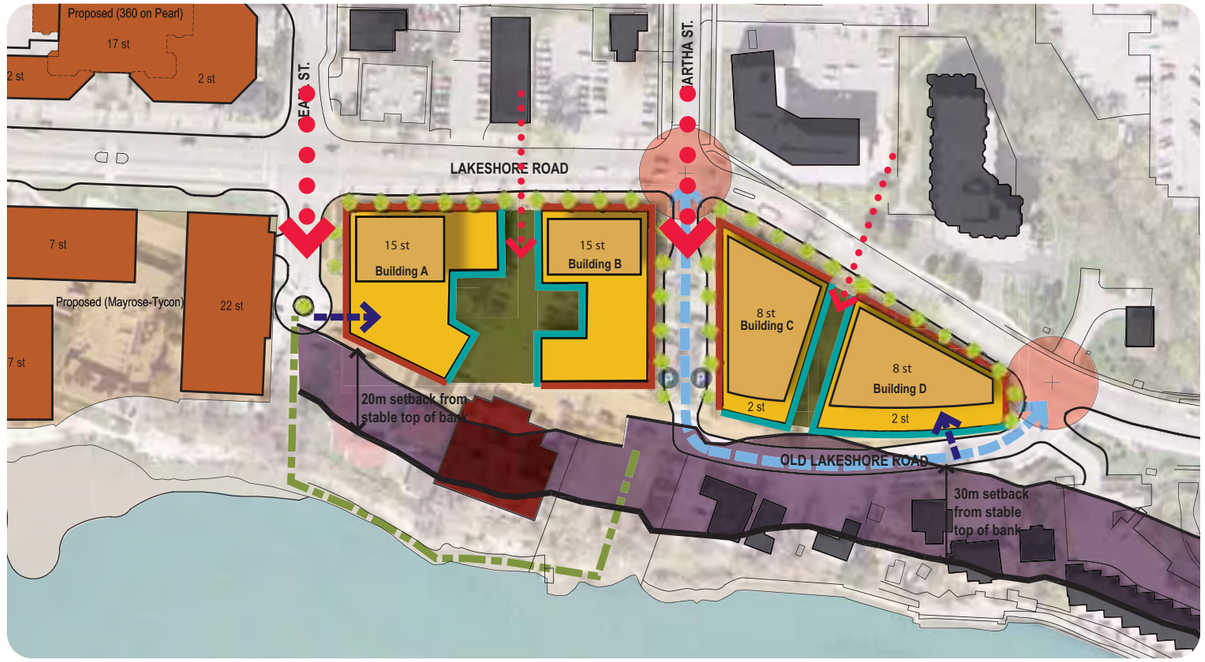
- Encourage appropriate and compatible built form;
- Expand and improve the public realm, including access to waterfront, streetscape treatments and an open and green space network;
- Encourage the development or revitalization of underutilized sites and recognize their value in enhancing the public realm; and
- Ensure compatibility with the existing established residential neighbourhoods.

Section 2.3 sets out a number of built form objectives noting that a transition in heights from the west sector down towards the east sector is recommended. Among other things the Guidelines recommend building stepbacks above the 2nd storey and ensuring a parallel relationship of building to the street as well as ensuring building entrances face the street.

Response:

- Many of the recommendations contained in these Precinct Guidelines are outdated with respect to recent development activity in the area and within the block.
- The proposed development will nevertheless meet the intent of many of the recommendations with respect to the building's relationship with the public realm, stepping back of building mass above a pedestrian scaled podium element, enhancing streetscape and allowing for an appropriate and orderly development of adjacent lands. In that regard, the tower portion is situated closer to Pearl Street, allowing separation from the east from any future development.
- The development will not have any negative impact with respect to view corridors towards the lake which are situated on either side of the subject site.
- Vehicular access for residents of the development is provided along Old Lakeshore Road.





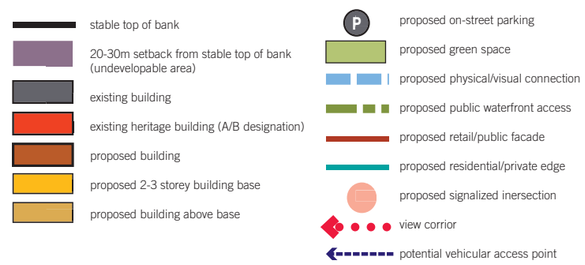


Figure 16 - Old Lakeshore Road Precinct Phase II : Urban Design Guidelines - Conceptual layout of Buildings footprints for the Old Lakeshore Precinct Development Option 1

Figure 17 - Old Lakeshore Road Precinct Phase II : Urban Design Guidelines - Conceptual layout of Buildings footprints for the Old Lakeshore Precinct Development Option 2

5.5 City of Burlington Tall Building Guidelines (May 2017)

The City of Burlington prepared the Tall Building Guidelines ("TBG") following several iterations and refinement through public consultation and stakeholder engagement with the public. In spring 2017, Burlington City Council approved the Tall Building Guidelines document which provides guidance for developers and architects designing tall buildings in the City of Burlington.

The Guidelines are applicable city-wide and provide design direction for the components of tall buildings: building base (podium); building middle (tower); building top. Through its performance standards, the guideline document also promotes urban design excellence and supports vibrant streets. The Tall Building Guidelines apply to buildings with heights greater than 11 storeys, and as such are applicable to the subject site. The relevant design guidelines are outlined below.

Section 2.0 – Base Building (Podium)

As per the Guidelines, 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. Clear glazing and the arrangement of internal uses should create a visual connection between the public and private realm, while promoting vibrancy and activity throughout the day.

Guideline 2.1 provides that where no streetwall has been established, podiums should be set back at grade to create wide boulevards that accommodate pedestrians, street trees and landscaping, and active at-grade uses. Where windows are proposed within the podium, an 11 metre separation distance shall be provided between adjacent buildings, however, where a continuous streetwall is desirable, no side-yard setbacks are necessary. Additionally, the provision of a 6.0 metre boulevard measured from curb is preferred.

With respect to height and massing, Guideline 2.2 states that the podium should generally reflect the established and planned streetwall subject. Where no established streetwall exists, the minimum height of the podium shall be 10.5 metres (3-storeys) to frame the streetscape and reinforce a human-scale and the maximum height of the podium shall be 80% of the adjacent right-of-way width. Small variations are encouraged to create a varied streetscape. Further, Guideline 2.3 specifies the podium should be massed such that shadow a minimum of five consecutive hours of sunlight is provided on the opposite side of the street at the equinoxes except where existing conditions preclude.

Guideline 2.4 provides that large podiums shall be visually broken into smaller components to avoid overly long facades and public elements of the podium shall be predominantly clear-glazed to provide visual connections between public and private realm. Additionally, main building entrances shall be clearly demarcated and should be a focal point of the building design.

In terms of site design, Guideline 3.5 provides that parking, servicing and loading shall be accommodated internally within the building podium and screened from the street. To that end, access to parking, servicing and loading shall be provided from the rear of the building, or a laneway where possible. Guideline 3.5 also sets forth provisions for streetscaping, stating that public art and publicly-accessible privately-owned open spaces are encouraged within tall building sites, where appropriate, and should be designed and located to encourage public use and highlight important site characteristics.

Response:

- The proposal takes the form of a slender point tower atop a pedestrian-scaled podium.
- At grade the podium is set back to allow for wider boulevard zones of 6.34m along Lakeshore Road, 8.04m along Pearl Street and 8.31m along Old Lakeshore Road.
- The podium is massed to have the appearance of a 3-storey building framing the street at a height that is compatible with other lower scaled podium elements within the immediate context. The metric height of the podium is 11.85m which exceeds the recommended standard of 10.5m. The ground floor is also in excess of the recommended 4.5m.
- The podium is massed to limit shadow impacts on adjacent properties and the public realm and provide for a 5-hour window of sunlight as demonstrated in the shadow study prepared by Bousfields Inc.
- In terms of materiality, the podium incorporates additional glazing at grade to animate the public realm.
- The podium steps out on level 3 to provide weather protection.
- Along Pearl Street, the proposed building setback allows for additional landscaping including planting zones.

Section 3.0 – Building Middle (Tower)

As per the Guidelines, 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. A tower's design and massing should be carefully considered to minimize adverse impacts on adjacent neighbourhoods, parks and open spaces and to maximize views and access to sunlight through slender floorplates and setbacks between towers.

With respect to tower location, Guideline 3.1 states that proposed towers should be set back 12.5 metres from adjacent property lines to protect for a future 25 metre separation distance in order to maximize privacy and sky views, and to minimize shadow impacts. A 3 metre setback from the podium should also be provided to discern the tower from the building podium and tower, and to allow for the provision of usable outdoor amenity space.

Guideline 3.2 specifies that the height of the tower, and its location on the building base, shall provide a gradual and appropriate transition in height to help mitigate potential impacts on the adjacent established or planned context. The tower portion of a tall building should be slender and should not exceed 750 square metres, excluding balconies and the massing of the tower, and its relationship to the building base, shall not result in adverse wind effects at the street level.

In terms of tower design, Guideline 3.3 provides that the design and placement of the tower shall be carefully considered to minimize the size of shadows on the opposite streetscape where the widest edge of the tower should generally be oriented to minimize the impacts of shadows. Further, the design, height, and placement of the tower shall be compatible with adjacent established residential neighbourhoods, parks, open spaces, or natural areas. To that end, Guideline 3.4 also outlines that a unique tower designs are encouraged, and variety of techniques shall be used to articulate the tower, both vertically and horizontally, to create visual interest.

Response:

- The proposed tower element has a slender floorplate configuration of 750sm. The floorplate is designed to respond to the geometry of the site
- The tower steps back 3.1m from the edge of the podium along all street frontages to ensure there is sufficient space for outdoor amenity and to ensure that the podium reads as the primary defining element of the streetwall.
- In terms of tower setback, the proposal provides for 12.5 meters from the east.
- The proposed tower height is compatible with the surrounding building heights which include building of up to 29 storeys directly across the street and up to 27 storeys within the block. The proposed building height does not result in unacceptable impacts on the surrounding context in terms of shadowing or skyview. The development provides for adequate transition of scale to lower scaled residential neighbourhoods outside of the City's Downtown.
- The relationship between the tower and the podium helps resolve wind impacts at grade as noted in the wind study prepared by RWDI.

Section 4.0 Building Top

The top of the building helps to further define a tower while distinguishing a unique and interesting skyline. To reinforce a strong presence at the top of the building, a variety of elements are recommended, including stepbacks, material variations, lighting, and other architectural elements. To create activity at the upper levels of the building, rooftop amenity space is recommended wherever possible as per Guideline 4.1. Guideline 4.2 provides that structural and functional elements, such as the mechanical penthouse and elevator shafts, should be screened from view to protect or enhance views from other buildings or the public realm.

Response:

- The material and architectural articulation of the mechanical at the top contribute to the overall design of the tower. The mechanical will make a positive contribution to the Downtown's skyline.
- The mechanical penthouse steps back from the edge of the tower on all sides.

5.6 Downtown Streetscape Guidelines (2019)

On September 23, 2019, Burlington City Council approved the new streetscape guidelines for downtown Burlington, replacing the previous 1981 streetscape guidelines. The new guidelines established a new vision, framework, and a set of design principles and strategies that will provide guidance for a consistent redevelopment and renewal of downtown Burlington's streetscape. These guidelines are intended to promote pedestrian activity, enhance and strengthen 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 will guide and 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. The design principles outlined are:

- 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 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, each designed to reflect the unique qualities of each. In this case, the subject site falls within the Mixed-Use Commercial district whereas Lakeshore Road is identified as a Character Street. Section 3.4 further explains 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 3.1 identifies a number of streetscape zones within the boulevard, they include: a 2m wide marketing zone (along the edge of the building for potential café seating, etc.), a1.8 metre clear path zone, a 1.2 metre furnishing zone (where typical streetscape elements would be found such as street trees and bicycle racks), and a typical size of 0.5 metres for the edge zone.

Response:

- The proposal provides for all of the recommended boulevard zones along the three street frontages.
- Along Lakeshore Road the proposal incorporates a min. 2.59m marketing zone, a 1.8m clear pathway, 1.2m furnishing zone and a 0.5m edge zone.
- Along Pearl Street there is a 2.2m marketing zone followed by a 5.84m zone which incorporates landscaping that helps screen existing utilities to remain and a pedestrian clearway. The furnishing zone is not provided along the curb for improved visibility at this corner location.
- Along Old Lakeshore Road, the proposal includes a 2.0 metre setback followed by a 2.62m marketing zone, a 1.8m clearway, a 1.2m furnishing zone and a 0.5m edge zone.

6

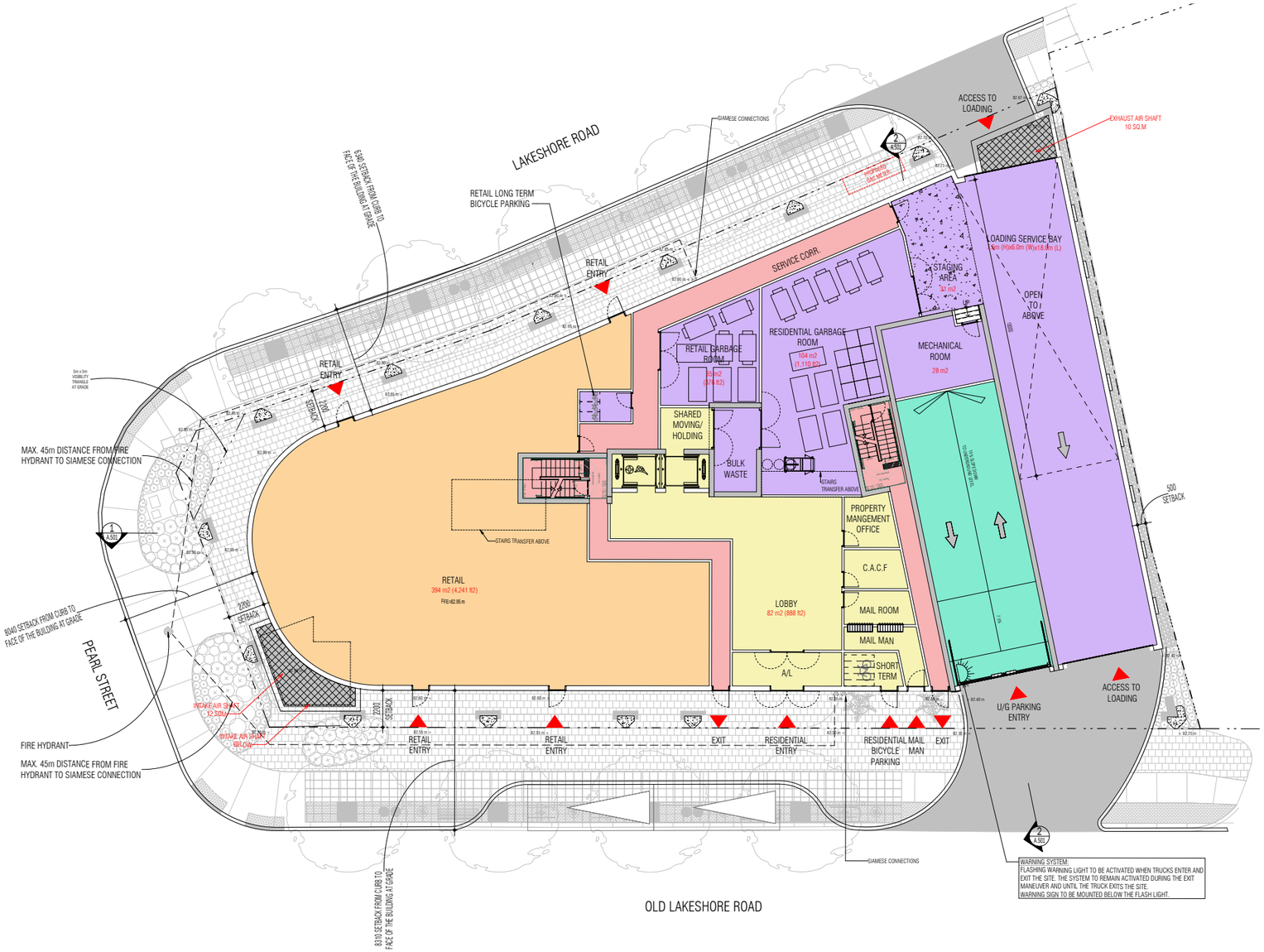
Urban Design Analysis

6.1 Site Organization

The site is organized to give prominence to the corner condition at the intersection of Lakeshore Road and Pearl Street and to ensure there is adequate tower setback from the adjacent property to the east. In that respect, the tower is oriented in an east-west direction with a 12.5m setback from the east. The tower is oriented in an east-west direction given the sites configuration with a narrow dimension between Old Lakeshore Road and Lakeshore Road. The resulting configuration of the tower floorplate is almost triangular.

Similarly, at grade, the proposed configuration of uses gives prominence to the corner. The west portion of the podium incorporates a retail space with frontage on Pearl Street providing for rounding of the corners of the building. Retail space continues along Lakeshore Road to the east. Along Old Lakeshore Road, east of the corner retail unit is the residential lobby. The service, loading and parking ramp functions of the building are situated along the east edge of the site away from the corner.

In terms of the public realm moves, the boulevard zone along Pearl Street is just over 8 metres wide to help improve views and ensure sufficient room for retail spill over space and landscaping features.



Legend

- Retail
- Service
- Underground Parking Access
- Circulation
- Residential

Figure 18 - Site Plan

6.2 Circulation and Access

Pedestrian Circulation

The primary objective of the proposed development is to improve the pedestrian environment by making it easier, safer and more comfortable to walk between the buildings, public sidewalks, transit stop, parking areas and adjacent properties.

The proposed development will improve pedestrian circulation throughout the existing auto-oriented site. Sidewalk boulevards are provided along each street frontage. A 2.0 metres setback is proposed along Old Lakeshore Road to allow for the provision of a wider boulevard zone.

The design of the podium with a setback at grade provides for an improved pedestrian environment by providing weather protection. The rounding of the building at the west edge of the site helps improve views between Lakeshore Road and Old Lakeshore Road and facilitate circulation around the site along a continuous, wrap around sidewalk.

The site also facilitates movement within the Downtown towards the lake from the north.

Vehicular Circulation

Vehicular access is provided from Old Lakeshore Road via a consolidated driveway that provides access to loading, creating a throughway along the eastern edge of the site. This approach reinforces site organization which is focused on directing pedestrian movement and reinforcing the west edge of the site as a primarily residential zone and a more active zone with retail.

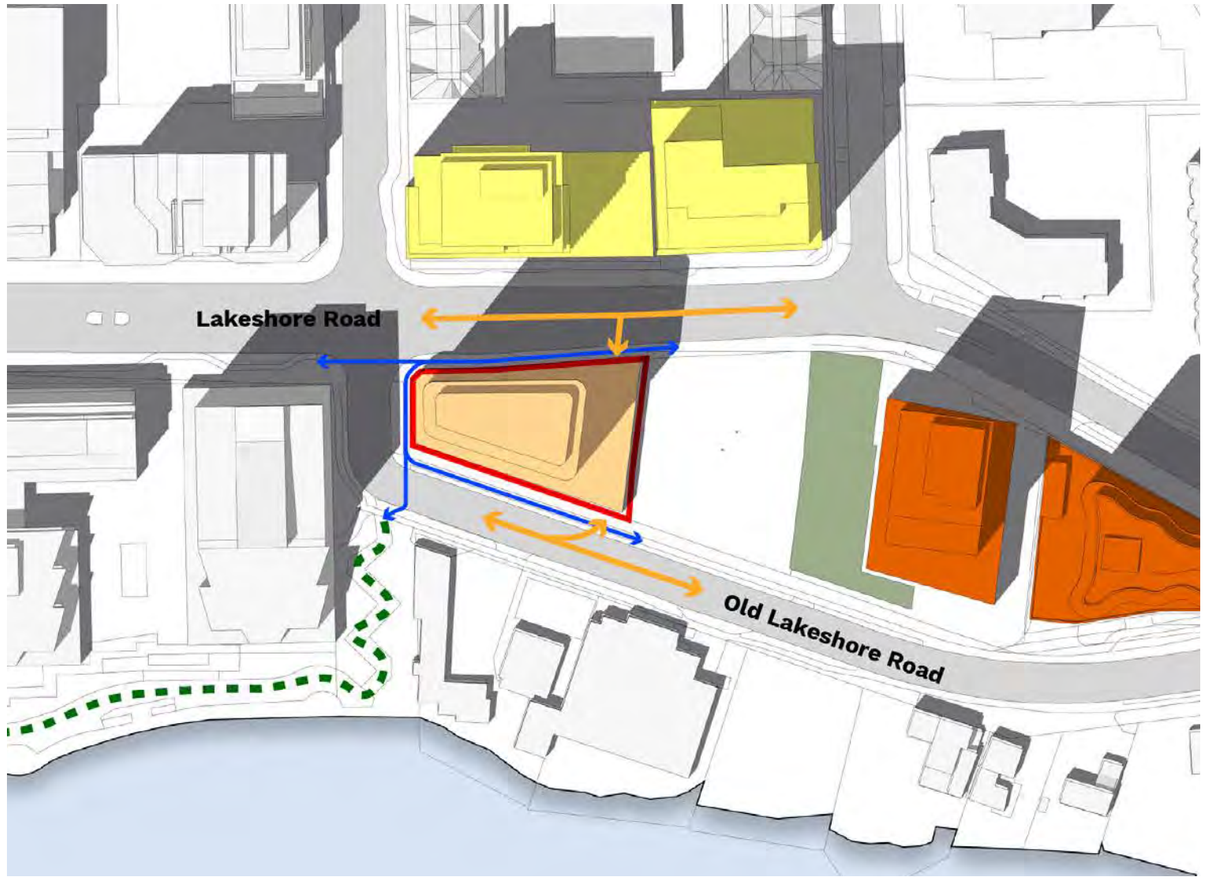


Figure 19 - Circulation and Access

6.3 Parking, Loading and Servicing

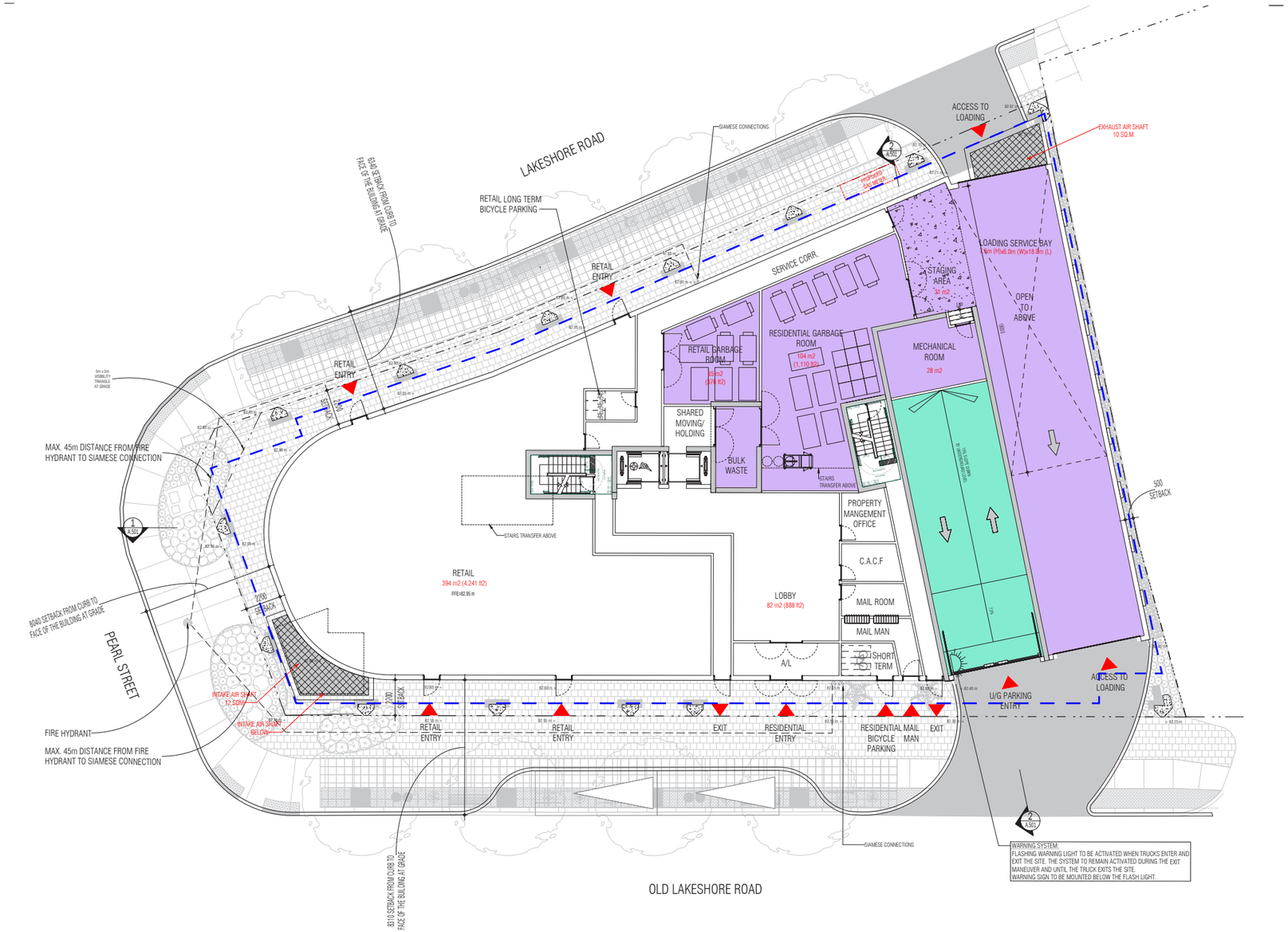
Parking

The proposed development includes 162 parking spaces, all of which are located below grade and thus screened from public view. Locating parking below grade provides an opportunity to better utilize the site area and promote the use of transit and active transportation.

Access to the underground parking garage is provided from Old Lakeshore Road via a ramp that is incorporated into the building façade to mitigate its visual impacts. This driveway is consolidated with the loading driveway along the eastern edge of the site.

Loading and Servicing

Loading is provided via a driveway between Lakeshore Road and Old Lakeshore Road. While loading is discouraged from taking place along Lakeshore Road, the site is constrained by its size and shape and presents difficulties if located in other areas. Servicing will be accessed from the loading driveway from Lakeshore Road. Providing a single driveway to access these uses assists in minimizing pedestrian-vehicular conflicts while clearly defining the right-of-way of each space. Servicing facilities, such as a staging area and garbage room, are located within the building to screen them from public view.



Legend

Access to UG parking

UG Parking Outline

Servicing

Figure 20 - Parking, Loading and Servicing

6.4 Built Form and Massing

The proposed building has been designed in a tower podium configuration which is reflective of the City's current direction for tall buildings. The podium is designed to ensure a pedestrian scaled environment at grade and animate the public realm. The tower is designed with a slender point form and steps back from the edge of the podium. The podium has been situated such that setbacks are provided along the three street frontages to allow for wider sidewalk zones to accommodate additional pedestrian amenities.

Within the immediate context, tall buildings incorporate a variety of podium elements but most are of lower scale up to 4 storeys. The proposal contributes to this emerging character with a 2-storey streetwall expression. Above the podium, the tower steps back from the east 12.5m to allow for a comparable scale of development to take shape in the future.

In terms of providing for transition of height and scale, the subject site is situated well within the City's Downtown area, away from low rise residential neighbourhoods. A 45-degree angular plane taken from the established low-rise neighbourhood to the east has no bearing on the proposed development. The height of the proposed building has also been informed by the emerging high-rise built form context of the downtown. As mentioned above, there are two 27-storey towers approved to the east, and a 29-storey tower is currently under construction to the north, across the street from the subject site. To the west, on the west side of Pearl Street is an existing 22-storey tower development. To the south, on the south side are a number of lower scale buildings but they are not part of an established residential neighbourhood. They are currently occupied by commercial uses and may be subject to future redevelopment.

The proposed height of 20 storeys is within range of existing and recently approved towers in the surrounding context. A reduction of height from the March 2024 concept is based on constraints with respect to below grade parking. At 20-storeys, the proposal will continue to provide for an appropriate response on the site and contribute to a varied skyline in the City's Downtown.

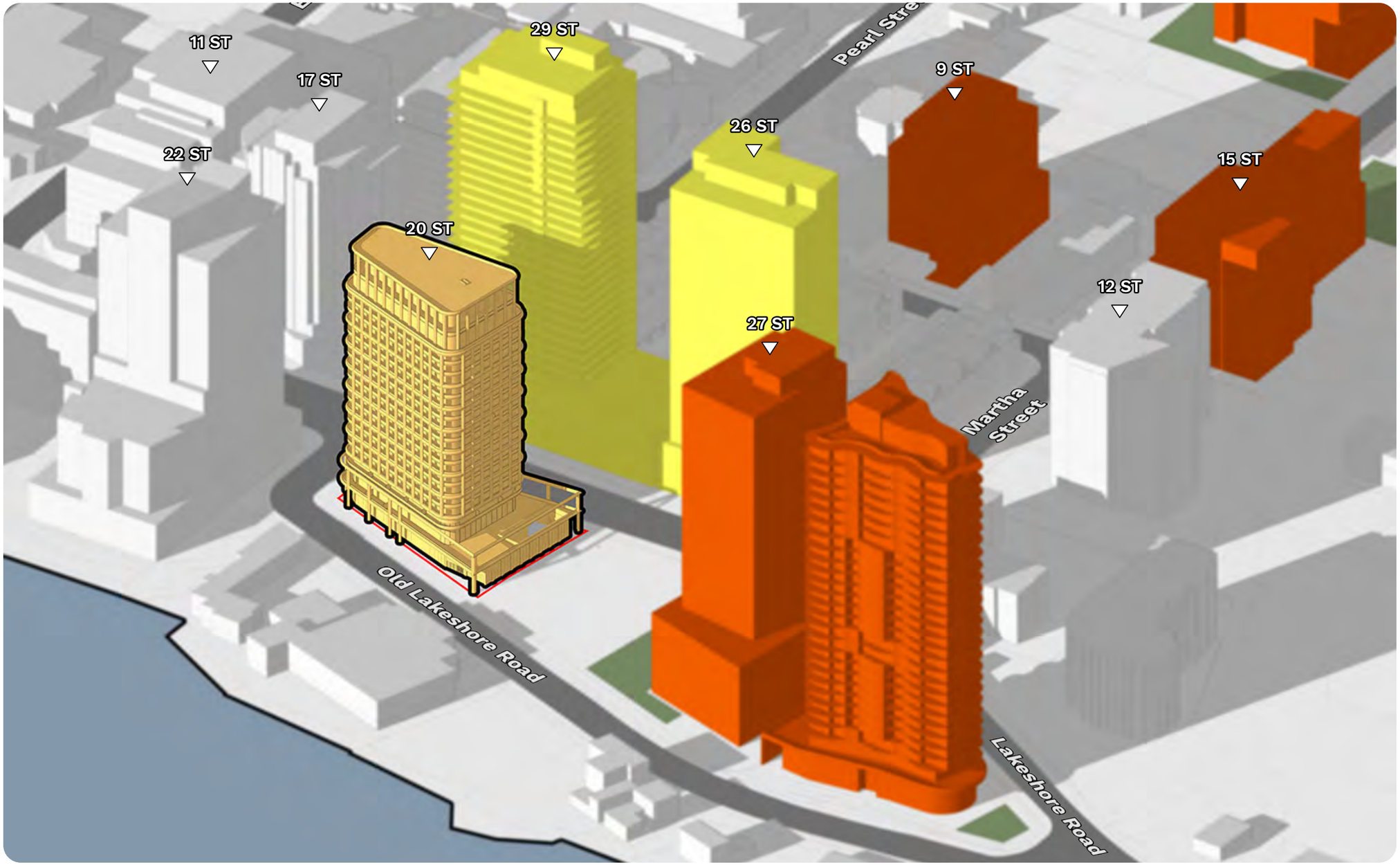


Figure 21 - Built Form Axonometric

6.5 Architectural Articulation and Building Facades

Base Building

The base building has been designed to reinforce the corner condition at the Lakeshore-Old Lakeshore junction using a continuous façade that wraps the frontages. Clearly defined public and private realm transition zones are established though the separation of residential and retail uses and entrances. The location of the active uses along Lakeshore Road responds to the emerging streetscape character while integrating the more contemporary themed treatment that has developed with the recent revitalization of the waterfront. The base building incorporates a rhythmic pattern of vertical expressions which help to mimic the fine grain built form that comprises the main street fabric exhibited elsewhere in the downtown. Glazing and windows are utilized to visually connect the public and private realm.

Tower

The proposed 18-storey tower takes the form of a point tower, incorporating a grid-like framework of masonry veneer that creates a rhythm of bays. The design of the floorplate take inspiration from its waterfront location by reflecting the crests and movement of the lake. Architecturally, the tower will function as an iconic building within the downtown, contributing to a dynamic urban skyline.

In terms of materiality, the proposed tower façade is primarily composed of glass and metal cladding. The transparent and airy qualities of the tower materials will contribute to minimizing the perceived mass of the built form.

The mechanical penthouse has been integrated into the design of the building envelope to eliminate its visual presence as viewed from the pedestrian scale

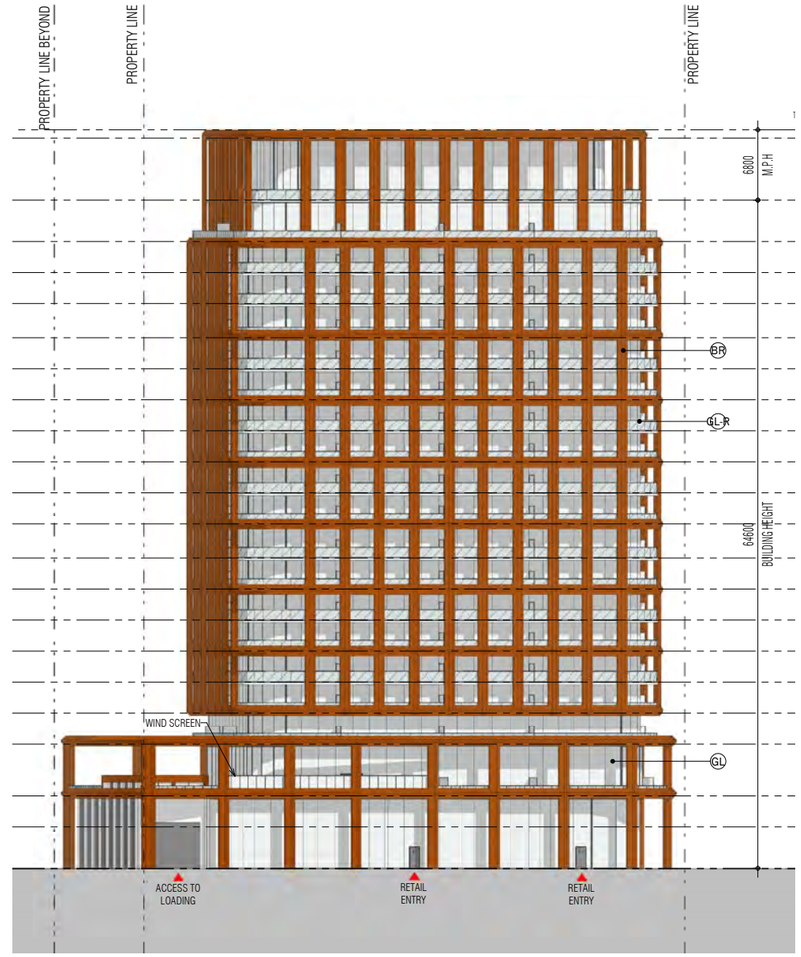


Figure 22 - Architectural Articulation and Building Facades

6.6 Shadow Impacts

A shadow analysis report prepared by Bousfields Inc., dated December 2024, to visualize the shadow impacts of the proposed development on the adjacent properties and public areas. In accordance with the Shadow Study Guidelines and Terms of Reference, shadow tests were done for the spring, summer, and winter equinoxes. The shadow analysis demonstrates that the proposal does not cast any shadows on any key civic and cultural spaces in accordance with section 4.2 of the Study. The proposal meets the Sun Access Factor coefficient of 0.22 on each of the test dates with respect to private outdoor amenity spaces in accordance with Section 4.3. In terms of the public realm and sidewalks the analysis illustrates that the proposal will not cast any shadows on the opposite side of Pearl Street or Old Lakeshore Road during the required test times. There is some shadowing on the north sidewalks of Lakeshore Road opposite the subject site and the development would not meet the Sun Access Factor, however, the shadow calculation is affected by the fact that other tall buildings contribute to shadowing throughout the day. Generally, the analysis demonstrates that the proposed development will not cause undue shadow impacts, and its impacts are considered to be adequately minimized by its slender and compact built form.

6.7 Public Realm

The proposed development will introduce uses and built form conditions that support a lively public realm. Along the Lakeshore Road frontage retail uses at grade and spill out space provide an active frontage that will assist in drawing pedestrians toward the downtown. Streetscape improvements including enhanced landscaping and the introduction of street trees will allow for a seamless transition between public and private realm. In terms of hardscaping, consistent material will be used throughout the site with accent materials to indicate a change in pedestrian- and vehicle-oriented zones.

Please see section 5.6 for further details with respect to the streetscape zones.



Figure 23 - Public Realm Rendering

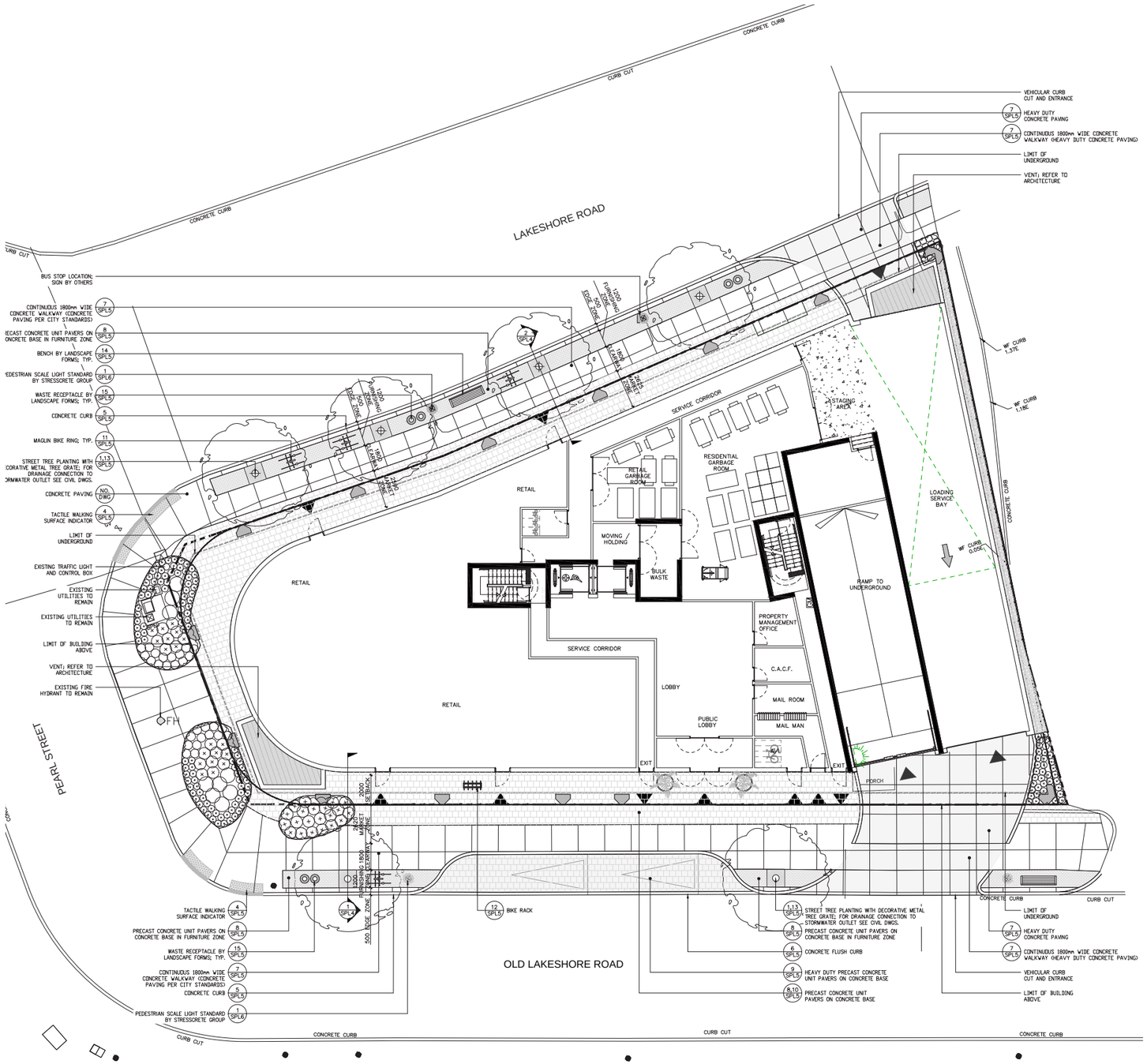


Figure 24 - Landscape Plan

7

Conclusion

This Brief concludes that the urban design form and pattern of the proposed development addresses the relevant municipal policy objectives and guideline recommendations with respect to the intensification within built-up areas, with a particular focus on sites located within the Downtown. Specifically, the development is supportive of and appropriately addresses the urban design-related policies in the City of Burlington in-force and new Official Plans, in addition to the recommendations and standards contained in the Burlington Tall Buildings Guidelines.

With respect to the urban design character of transit-supportive, pedestrian-oriented development and the City's planned urban structure, the proposed development is appropriate and desirable at a prominent location, and more broadly within the City and Region. The redevelopment proposal provides for an appropriately scaled development on an underutilized site by replacing a one-storey building and surface parking with a residential mixed-use tower in built form typology that appropriately addresses its surroundings.

The proposal represents appropriate development in terms of fit within the urban design structure of Burlington, building heights and scale within Downtown Burlington, and the proposed architectural treatment with respect to the emerging tall building context. Together, the proposed tower and base building components, result in an appropriately-scaled pedestrian-oriented development that addresses and frames Lakeshore Road and Old Lakeshore Road with good proportion while providing appropriate transition in height and scale at grade.

The proposed development constitutes a positive contribution to the public realm and built form character of the City's downtown through the introduction of active frontages and street related built form. The activated public realm in conjunction with the iconic architecture, together, will establish a sense of place that will transform the site.

BOUSFIELDS INC.

PLANNING | DESIGN | ENGAGEMENT