

**To:** City Council

**From:** Heather MacDonald, Executive Director of Community Planning, Regulation, and Mobility  
Jamie Tellier, Interim Director of Community Planning

**Cc:** Tim Commisso, City Manager

**Date:** October 6, 2020

**Re:** Modifications to Appendices 2, 3 and 4 of PL-16-20, “Taking a Closer Look at the Downtown: Recommended Modifications to the Adopted Official Plan” to implement Committee approved motions considered on September 30th

---

## Revised Recommendations

Staff recommend that Council amend the recommendations of report PL-16-20 as follows (modifications in grey highlight):

Receive the report titled “Final Report: Taking a Closer Look at the Downtown, June 2020, prepared by SGL Planning & Design and attached as Appendix 1 to community planning report PL-16-20; and

Endorse the recommended policy modifications to the adopted Official Plan attached as Appendices 2, 3 & 4 as further amended at the September 30 2020 meeting revised by Community Planning, to community planning report PL-16-20; and

Direct the Director of Community Planning to provide the Council endorsed policy modifications and all supporting documentation to the Region of Halton for consideration for inclusion in the draft decision for the adopted Official Plan (April 2018); and

Receive the following technical studies titled:

- “Stage 1 Archaeological Assessment: Revised Report,” February 2019, prepared by ASI and attached as Appendix 5;
- “Cultural Heritage Resource Assessment: Built Heritage Resources and Cultural Heritage Landscapes Downtown Mobility Hub Study Area,” May 2019, prepared by ASI and attached as Appendix 6;

- “Downtown Burlington Mobility Hub Market Analysis,” August 2017 prepared by N. Barry Lyons and Associates and attached as Appendix 7;
- “Downtown Burlington Mobility Hub – Illustrative Economic Analysis,” July 2019, prepared by N. Barry Lyons and Associates and attached as Appendix 8;
- “Scoped Environmental Impact Study Downtown Mobility Hub,” October 2019, prepared by Dillon Consulting, and attached as Appendix 9;
- “Flood Hazard and Scoped Stormwater Management Assessment,” September 2020, prepared by Wood Environment and Infrastructure Solutions and attached as Appendices 10A-1 and 10A-2;
- “Hager-Rambo Flood Control Facilities Study Report: Downtown and Burlington GO Mobility Hub,” September 2020 prepared by Wood Environment and Infrastructure Solutions, and attached as Appendices 10B-1 to 10B-3;
- “Downtown Burlington Traffic Overview,” September 2020, prepared by CIMA+, and attached as Appendix 11;
- “Downtown Burlington Micro-Level Traffic Operations: Review of the preferred Land Use Scenario,” April 2020, prepared by CIMA+, and attached as Appendix 12;
- “Updated Area Servicing Plan (ASP) for Stormwater, Water and Wastewater: Downtown Burlington,” September 2020, prepared by Wood Environment and Infrastructure Solutions and attached as Appendix 13;
- “Financial Impact Analysis,” July 2020, prepared by Watson & Associates Economists Ltd and attached as Appendix 14; and

Receive the DRAFT Downtown Burlington Placemaking and Urban Design Guidelines contained in Appendix 15 to community planning report PL-16-20 (July 2020); and

Direct the Director of Community Planning to seek public and stakeholder feedback on the Draft Downtown Burlington Placemaking and Urban Design Guidelines contained in Appendix 15 and subsequently present the final version for Council approval; and

Receive Appendix 21 to community planning report PL-16-20, titled “Taking a Closer Look at the Downtown: Project Update and Responses to Submissions (September 2020)”.

## **Background**

On September 30 2020, the Community Planning, Regulation and Mobility Committee considered PL-16-20 “Taking a Closer Look at the Downtown: Recommended Modifications to the Adopted Official Plan”. Staff released PL-16-20 with appendices 2, 3, 4 on June 8, 2020. On Sept 10, 2020, staff released Appendix 21, which revised Appendices 2 and 3 and provided a general update on the project. At that time Appendix 21 stated that 21-B was intended to replace Appendix 2 and 21-C was intended to amend Appendix 3. To be clear, Council is being asked to endorse the revised appendices 2, 3 and 4 (September 30) that are attached to this memo.

In considering the report Committee carried 10 motions initiated by Mayor Meed Ward and Councillor Kearns which amended the recommended policy and schedule modifications presented to date first through Appendices 2, 3 and 4 to PL-16-20 and further revised

by Appendix 21 to PL-16-20. To review the 10 amendments reference should be made to the [Minutes of the September 30<sup>th</sup> Community Planning, Regulation and Mobility Committee Meeting](#).

The purpose of this memo is to convey the revised documents for Council decision on October 7, 2020.

	<b>June 8, 2020: initial release of report PL-16-20</b>	<b>Sept. 10, 2020: release of final appendices to report PL-16-20</b>	<b>Oct. 7, 2020: final package for Council</b>
<b>Recommended modifications to Downtown policies of Adopted Official Plan</b>	Appendix 2	Appendix 21-B	NEW Appendix 2
<b>Recommended modifications to Schedules of Adopted Official Plan</b>	Appendix 3	Appendix 21-C	NEW Appendix 3
<b>Recommended modifications to policies in other parts of the Adopted Official Plan</b>	Appendix 4	Appendix 4 (no change)	NEW Appendix 4

### Revisions to Appendix 2 (Policy Modifications), as amended

The following tables identify the details of the policy modifications required to implement the 10 motions and are presented in the order of their appearance in the policies for the Downtown Urban Centre. This table provides the relevant policies as recommended in Appendix 2 of report PL-16-20, released June 8, 2020, and subsequently revised in Appendix 21-B of report PL-16-20, released September 10, 2020. In each case the purpose of the change is described. The changes identified in the table are included in Attachment A to this memo which is to form Appendix 2, as further amended, September 30 to PL-16-20.

The table shows the changes from September 10 to October 7 in grey highlight.

<b>Adopted Official Plan Policy #</b>	<b>Policy as recommended in Appendix 21-B of report PL-16-20 on Sept. 10, 2020</b>	<b>Policy as it appears in Appendix ___ of report PL-16-20 on Oct. 7, 2020 (change highlighted)</b>	<b>Rationale for change</b>
8.1.1(3.2) (e)	(e) The full extent of maximum <i>development</i> permissions stated within all Downtown Urban Centre precincts <i>may</i> not be achievable on every site within a	(e) The full extent of maximum <i>development</i> permissions stated within all Downtown Urban Centre precincts <i>may</i> not be achievable on every site within a precinct,	Implements Committee amendment 8

	precinct, due to site-specific factors including, but not limited to, <i>compatibility_ with adjacent development, negative environmental impacts, lands, transportation, stormwater management, cultural heritage resources and/or infrastructure capacity, currently under review through the Downtown Area Specific Plan.</i>	due to site-specific factors including, but not limited to, <i>design excellence, compatibility_ with and transition to adjacent development, negative environmental impacts, lands, transportation, stormwater management, cultural heritage resources and/or infrastructure capacity, currently under review through the Downtown Area Specific Plan.</i>	
8.1.1 (3.5.2) (b)	<p><u>(b) 2069 Lakeshore Road: The property located at 2069 Lakeshore Road shall be permitted:</u></p> <p>i) <u>a maximum building height of 22 storeys;</u></p> <p>ii) <u>a minimum building setback of 12.5 metres from the northern property line except for the existing heritage buildings on the site which shall be maintained for live-work purposes; and</u></p> <p>iii) <u>balconies facing north shall be situated and designed to reduce overlook on the townhouses to the north.</u></p>	<p><u>(b) 2069 Lakeshore Road: †For the property located at 2069 Lakeshore Road, the following shall apply: be permitted:</u></p> <p>i) <u>Development shall have a maximum building height of 22-17 storeys, with appropriate building setbacks, podium height, and tower setbacks in accordance with Sections 8.1.1(3.19) and 8.1.1(3.21), and with further guidance provided by the Downtown Burlington Placemaking and Urban Design Guidelines;</u></p> <p>ii) <u>Development shall provide a minimum building tower setback of 12.5 metres from the northern property line.</u></p> <p>iii) <u>except for †The existing heritage buildings on the site which shall be maintained conserved and adapted for live-work purposes; and</u></p> <p>iv) <u>balconies facing north shall be situated and designed to reduce overlook on the townhouses to the north.</u></p>	<p>Change to (i) implements Committee Amendment 5.</p> <p>Changes to (ii), (iii) and (iv) provide correction and clarification of recommendation</p>
8.1.1 (3.9.2) (a)	<u>(a) 2030 Caroline Street, 510 Elizabeth Street and 2025 Maria Street: The property located at 230 Caroline Street, 510 Elizabeth Street and 2025 Maria Street, in keeping with the intent of the</u>	<u>(a) Block comprising 2030 Caroline Street, 510 Elizabeth Street and 2025 Maria Street: † Notwithstanding Sections 8.1.1(3.9.1)(b) and (c), of this Plan, the propertyies located at 2030 Caroline Street,</u>	Change from “230 Caroline Street” to “2030 Caroline Street” is a correction of a typo.

	<p>precinct, <i>shall</i> contain, in the northern mid-rise building, a substantial floor area of office <i>development</i> commensurate with the <i>development</i> of a 17 storey residential building and a mid-rise building on the site.</p>	<p>510 Elizabeth Street and 2025 Maria Street, in keeping with the intent of the precinct, <i>shall</i> contain, in the northern <i>mid-rise buildings</i> located at 2030 Caroline Street and 510 Elizabeth Street, a substantial floor area of office <i>development</i> and publicly-accessible parking commensurate with the <i>development</i> of a 17 storey residential building at 2025 Maria Street and a <i>mid-rise buildings</i> on the site block. A minimum of five storeys of office <i>development</i> in the northern <i>mid-rise building</i> at 2030 Caroline Street and a minimum of five storeys of publicly-accessible parking in the central <i>mid-rise building</i> at 510 Elizabeth Street, or equivalent amount of office <i>development</i> and publicly-accessible parking provided on the block, will be considered substantial.</p>	<p>The balance of changes are to implement Committee amendment 6.</p>
<p>8.1.1 (3.9.2) (b)</p>	<p>-</p>	<p>(b) The <i>City</i> will undertake a cultural heritage evaluation of potential <i>cultural heritage resources</i> and potential <i>cultural heritage landscapes</i> in the Downtown in accordance with policy 8.1.1(3.23)(d). Notwithstanding Sections 8.1.1(3.9.1) (b) and (c), for the lands identified as <i>Downtown East Cultural Heritage Study Area on Schedule D, Land Use – Downtown Urban Centre, and Schedule D-2, Maximum Building Heights, of this Plan, the following shall apply:</i></p> <p>(i) The minimum height of buildings <i>shall</i> be two storeys. The maximum height of buildings <i>shall</i> be four storeys.</p> <p>(ii) Buildings up to a maximum of eight storeys and 29 m <i>may</i> be permitted where they provide <i>compatibility</i> with surrounding land uses and a sense of pedestrian scale</p>	<p>New site-specific policy is introduced to implement Committee amendment 1.</p>

		by the use of terracing above a <i>low-rise</i> street wall in accordance with Section 8.1.1(3.19) of this Plan, with further guidance provided by the Downtown Burlington Placemaking and Urban Design Guidelines.	
8.1.1 (3.10)	The Village Square Precinct will serve as a <u>pre-eminent retail destination with predominantly mid-rise residential uses within stand alone or mixed-use buildings. The Village Square development, located at 415 Elizabeth Street, will serve as the focal point of this precinct and will be maintained and enhanced as a unique retail destination. Retail and service commercial uses will be the predominant use at grade along the Retail Main Street along Pine Street and along other Mixed Use Streets in the precinct to serve the day-to-day needs of Downtown residents and employees and as a city-wide retail destination.</u>	The Village Square Precinct will serve as a <u>pre-eminent retail destination with predominantly <del>mid</del> low-rise residential uses within stand alone or mixed-use buildings. The Village Square development, located at 415 Elizabeth Street, will serve as the focal point of this precinct and will be maintained and enhanced as a unique retail destination. Retail and service commercial uses will be the predominant use at grade along the Retail Main Street along Pine Street and along other Mixed Use Streets in the precinct to serve the day-to-day needs of Downtown residents and employees and as a city-wide retail destination.</u>	Implements Committee Amendment 3
8.1.1 (3.10.1) (b)	<u>(b) Development within the Village Square Precinct shall be comprised of a mix of mid-rise and low-rise buildings on adjacent properties as shown on Schedule D-2: Downtown Urban Centre Heights, of this Plan.</u>	<u>(b) Development within the Village Square Precinct shall be comprised of a mix of <del>mid-rise and</del> predominately low-rise buildings on adjacent properties and some mid-rise buildings as shown on Schedule D-2: Downtown Urban Centre Heights, of this Plan.</u>	Implements Committee Amendment 3
8.1.1 (3.10.1) (e)	<u>(e) Development abutting the townhouses on Martha Street shall incorporate an appropriate built form transition in height and massing to minimize the impact of shadowing and overlook. Although a 45 degree angular plane is not required, the transition shall include a compatible interface to the townhouses which may require the use of building setbacks, step</u>	<u>(e) Where development abutting the townhouses on Martha Street exceeds four storeys in height, the development shall incorporate an appropriate built form transition in height and massing to minimize the impact of shadowing and overlook. Although a 45 degree angular plane is not required, the transition shall include a compatible interface to the townhouses</u>	Implements Committee Amendments 3 and 4

	<u>backs, property consolidations, lower building heights than the maximum permitted for mid-rise buildings, building orientation to reduce afternoon shadow, balcony orientation to reduce overlook and other possible transition tools as further described in Section 8.1.1(3.19.4) and in the Downtown Placemaking and Urban Design Guidelines.</u>	<u>which may require the use of building setbacks, step backs, property consolidations, lower building heights than the maximum permitted for mid-rise buildings, building orientation to reduce afternoon shadow, balcony orientation to reduce overlook and other possible transition tools as further described in Section 8.1.1(3.19.4) and in the Downtown Placemaking and Urban Design Guidelines.</u>	
8.1.1 (3.10.2) (b)	-	<b>(b) 2085 Pine Street:</b> <u>The property located at 2085 Pine Street shall be permitted a maximum building height of 23 metres and shall provide a built form transition to adjacent low-rise development in accordance with Section 8.1.1(3.10.1)(e) of this Plan</u>	New site-specific policy is introduced to implement Committee Amendment 4
8.1.1 (3.10.2) (c)	-	<b>(c) 429 Elizabeth Street and 430 Pearl Street:</b> <u>An existing five-storey building is permitted on the property located at 429 Elizabeth Street and 430 Pearl Street.</u>	New site-specific policy is introduced to implement Committee Amendment 3
8.1.1 (3.12.1) (d)	<u>(d) The criteria in 8.1.1 (3.12.1 d) shall be used to assess development applications in the Apartment Neighbourhoods.</u>	<u>(d) The criteria in 8.1.1 (3.12.1 d-c) shall be used to assess development applications in the Apartment Neighbourhoods.</u>	This change corrects a typo.
8.1.1 (3.13.1) (a)	(a) The following uses <i>may</i> be permitted in the <u>St. Luke's and Emerald Low-Rise Neighbourhood Precincts</u> :  (i) single-detached and semi-detached dwellings;  (ii) <u>townhouses, low-rise apartments and other ground-oriented, multiple unit housing outside of the St. Luke's and Emerald Neighbourhoods;</u>	(a) The following uses <i>may</i> be permitted in the <u>St. Luke's and Emerald Low-Rise Neighbourhood Precincts</u> :  (i) single-detached <u>and semi-detached</u> dwellings;  (ii) <u>semi-detached dwellings, townhouses, low-rise apartments and other ground-oriented, multiple unit housing outside of the St. Luke's and Emerald Neighbourhoods;</u>	Implements Committee Amendment 7

	<p>(iii) existing <u>townhouses, apartments and other <i>existing</i> uses within the St. Luke's and Emerald Neighbourhoods;</u></p> <p>(iv) duplexes;</p> <p>(v) <i>group homes</i>;</p> <p>(vi) <del>secondary dwelling</del> <u>additional residential units</u>, subject to the policies of Subsection 8.7.2 of this Plan;</p> <p>(vii) day care centres, subject to the policies of Subsection 8.3.10 of this Plan: and</p> <p>(viii) <i>offices</i> in <i>existing</i> buildings, subject to the policies of Subsection 8.3.8 of this Plan.</p>	<p>(iii) existing <u>townhouses, apartments and other <i>existing</i> uses within the St. Luke's and Emerald Neighbourhoods;</u></p> <p>(iv) duplexes;</p> <p>(v) <i>group homes</i>;</p> <p>(vi) <del>secondary dwelling</del> <u>additional residential units</u>, subject to the policies of Subsection 8.7.2 of this Plan;</p> <p>(vii) day care centres, subject to the policies of Subsection 8.3.10 of this Plan: and</p> <p>(viii) <i>offices</i> in <i>existing</i> buildings, subject to the policies of Subsection 8.3.8 of this Plan.</p>	
<p>8.1.1 (3.12.1) (d)</p>	<p>(d) The <i>development</i> of semi-detached dwellings, <u>within the St. Luke's and Emerald Neighbourhoods</u>, shall ensure that:</p> <p>(i) the built form and design elements, architectural features, building separations, <i>lot coverage, scale, floor area ratio</i>, and landscape qualities and characteristics that are prevalent in the neighbourhood are considered;</p> <p>(ii) attached garages are not permitted; and</p> <p>(iii) detached garages are located in the rear yard.</p>	<p><del>(d) The <i>development</i> of semi-detached dwellings, within the St. Luke's and Emerald Neighbourhoods, shall ensure that:</del></p> <p><del>(i) the built form and design elements, architectural features, building separations, lot coverage, scale, floor area ratio, and landscape qualities and characteristics that are prevalent in the neighbourhood are considered;</del></p> <p><del>(ii) attached garages are not permitted; and</del></p> <p><del>(iii) detached garages are located in the rear yard.</del></p>	<p>Implements Committee Amendment 7</p>



<p>8.1.1 (3.14.1) (j)</p>	<p><u>(j) The Lions Club Park is a privately owned facility. If the property is ever sold or proposed for redevelopment, the City shall consider acquiring the northern part of the site for public parkland.</u></p>	<p><u>(j) The Lions Club Park is a privately owned facility that is currently operated as a park through agreements with the City. If the property is ever sold or proposed for redevelopment, the City shall consider acquiring the northern part of the site for public parkland. The exact location, size, and function of the park space shall be determined at the time of either a City-initiated design exercise for a new public park on the lands or through the consideration of a development application. If the City does not develop a park on this site, the underlying land use designation shall apply.</u></p>	<p>Implements Committee Amendment 10</p>
-----------------------------------	---	--	--

### Revisions to Appendix 3 (Schedules), as amended

Additionally, changes have been made to Schedules of the adopted Official Plan, as recommended in Appendix 3 of report PL-16-20, released June 8, 2020, and subsequently revised in Appendix 21-C of report PL-16-20, released September 10, 2020. The changes summarized below are included in Attachment B to this memo and form Appendix 3, as amended, dated October 6, 2020 to PL-16-20.

These changes are summarized as follows:

1. Schedule D: Land Use – Downtown Urban Centre
  - a) A new “Downtown East Cultural Heritage Study Area” overlay is created to implement Committee Amendment 1.
  - b) The Lions Club property is redesignated from Downtown East Precinct to Downtown Public Service Designation to implement Committee Amendment 2.
2. Schedule D-2: Maximum Building Heights
  - a) To implement Committee Amendment 1, a new symbol is created in the legend and applied to parts of the Downtown East Precinct to refer to a site-specific policy 8.1.1(3.9.2) (b).
  - b) To implement Committee Amendment 2, the Lions Club is now shown as Downtown Public Service designation.
  - c) To implement Committee Amendment 3, parts of the Village Square Precinct are now shown as Low-Rise (up to 4 storeys), while other parts of the Village Square Precinct are now shown as Mid-Rise (subject to site-specific exception).
  - d) To implement Committee Amendment 4, 2085 Pine Street is now shown as Mid-Rise (subject to site-specific exception).

## Revisions to Appendix 4

Through Appendix 21 staff indicated no modifications were required to Appendix 4 to PL-16-20, however, through the consideration of the Committee Amendments on September 30, 2020, one amendment required an additional policy be added to this appendix. This change is summarized below and is included in Attachment C to this memo and forms Appendix 4, as amended, dated October 6 to PL-16-20.

Adopted Official Plan Policy #	Policy as adopted in 2018 (was not part of recommendations in report PL-16-20 presented on Sept. 30, 2020)	Policy as it appears in Appendix ___ of report PL-16-20 on Oct. 7, 2020 (change highlighted)	Rationale for change
2.4.2(3) (c)	(c) In the Established Neighbourhood Area, <u>land assembly for <i>development</i> applications should be discouraged.</u>	(c) In the Established Neighbourhood Area, <u>land assembly for <i>development</i> applications <b>shall</b> be discouraged.</u>	Implements Committee amendment 9

### Minor Revisions to Technical Reports in Appendices 10, 11, and 13 of report PL-16-20

At the September 30, 2020 meeting of Community Planning, Regulation, and Mobility Committee, the Committee carried the following motion:

Direct staff to amend the technical studies contained in Appendix 10 (A1, A2, B-1, B-2, B-3), Appendix 11 and Appendix 13 to address comments made by Halton Region and Conservation Halton.

Accordingly, the original versions of Appendix 10 (A-1, A-2, B-1, B-2, and B-3), Appendix 11, and Appendix 13 that were released in June 2020 and appeared on the agenda of the September 30 Committee meeting have been replaced with amended versions that address the comments made by Halton Region and Conservation Halton. These amendments are discussed in a memo dated September 30, 2020, from Alison Enns and Thomas Douglas to Community Planning, Regulation, and Mobility Committee, which appeared on the Additional Items Package of the September 30 Committee meeting.

### Attachments:

- A: Appendix 2 of report PL-16-20, as further amended, September 30, 2020
- B: Appendix 3 of report PL-16-20, as further amended, September 30, 2020
- C: Appendix 4 of report PL-16-20, as amended, September 30, 2020