



SUBJECT: Statutory Public Meeting for Official Plan and Zoning By-law Amendment application for 284-292 Plains Road East

TO: Community Planning, Regulation & Mobility Cttee.

FROM: Community Planning Department

Report Number: PL-01-22

Wards Affected: 1

File Numbers: 505-07/21 & 520-08/21

Date to Committee: February 1, 2022

Date to Council: February 15, 2022

Recommendation:

Direct staff to continue to proceed with the processing of the submitted application for Official Plan and Zoning By-law Amendment for 284 & 292 Plains Road East, including evaluating and incorporating any/all comments received by Committee and public at the Statutory Public Meeting, as well as the comments received through the ongoing technical review of this application by agency partners and internal departments.

PURPOSE:

The purpose of this report is to provide background information to Committee and the public related to applications for Official Plan and Zoning By-law Amendments for lands municipally known as 284 & 292 Plains Road East and seek direction from Council to continue to process the applications.

Pending the receipt of all public and agency comments and the conclusion of a technical review of the application, staff will bring forward a subsequent recommendation report to Council for consideration.

Vision to Focus Alignment:

The subject application relates to the following focus areas of the 2018-2022 Burlington's Plan: From Vision to Focus:

- Increasing Economic Prosperity and Community Responsive Growth Management

- Improve Integrated City Mobility
- Support Sustainable Infrastructure and a Resilient Environment
- Building more Citizen Engagement, Community Health and Culture

Executive Summary:

RECOMMENDATION:		Proceed with Processing Application	Ward:	1
Application Details	APPLICANT:	Corley Developments Inc. (% Martin Quarcoopome, Weston Consulting)		
	OWNER:	284 Plains Road Development Inc.		
	FILE NUMBERS:	505-07/21 & 520-08/21		
	TYPE OF APPLICATIONS:	Official Plan Amendment & Zoning By-law Amendment		
	PROPOSED USE:	6-storey, 117 unit building (including two- storey townhouse units and amenity area on the ground level)		
Property Details	PROPERTY LOCATION:	South side of Plains Road East; east of Shadeland Avenue, and west of Filmandale Road		
	MUNICIPAL ADDRESSES:	284 & 292 Plains Road East		
	PROPERTY AREA:	0.31 hectares (0.76 acres)		
Documents	EXISTING USES:	Two (2) vacant dwelling conversions (a commercial land use (284 Plains Road East)) and office (292 Plains Road East)		
	OFFICIAL PLAN Existing:	'Residential – Medium Density' (Official Plan (1997)) 'Urban Corridor' (New Official Plan (2020))		
	OFFICIAL PLAN Proposed:	'Mixed Use Corridor – General'		

	ZONING Existing:	Residential Medium Density Exception ('RM1-346') Zone
	ZONING Proposed:	Mixed Use Corridor – General Exception ('MXG-XX') Zone
Processing Details	PRE-APPLICATION COMMUNITY CONSULTATION MEETING	April 26, 2021 (Virtual)
	APPLICATION RECEIVED:	October 15, 2021
	STATUTORY DEADLINE: (Section 22(7) & Section 34(11) of Planning Act)	February 12, 2022 (120 days)
	PUBLIC COMMENTS	A total of 4 resident/property owner comments received in response to public circulation of application

Background and Discussion:

General

Applications for Official Plan Amendment and Zoning By-law Amendment (File Nos. 505-07/21 & 520-08/21) were received by the City of Burlington Community Planning Department on October 15, 2021. In accordance with the requirements of the *Planning Act* and the applicable policies of Part VI – Implementation of the City of Burlington Official Plan, the application was deemed complete on November 12, 2021. A Notice of Complete Application was circulated on November 17, 2021 to all property owners/occupants and to all boards and agencies requiring circulation pursuant to the *Planning Act*. A copy of the Notice of Complete Application was provided to the applicant/agent and uploaded to the City of Burlington website and a notification sign was posted on the property.

A Notice of Public Meeting was circulated on December 22, 2021 to all property owners/occupants within 120 metres of the subject property, to those who expressed an interest to receive further notification, and, to all boards and agencies requiring circulation pursuant to the *Planning Act*. The Notice of Public Meeting was also

published in the January 6, 2022 edition of the Burlington Post and posted on the City's Development Projects Webpage at www.burlington.ca/284plains.

The City's Development Projects webpage (www.burlington.ca/284plains) was updated, accordingly, with the subsequent circulation of each public and agency notification. Several comments have been received to date in response to the circulation of the Notices of Complete Application and Public Meeting. These comments are summarized in later sections of this Report.

Site Description

The total landholding consists of two (2) contiguous parcels with a total lot area of 0.31 hectares (0.76 acres) with approximate lot frontage of 59.38 metres along Plains Road East. Existing land uses on the properties include two vacant dwelling conversions (a commercial land use (284 Plains Road East) and office (292 Plains Road East)).

Demolition of the two (2) existing single detached converted dwellings is contemplated as a component of the overall redevelopment concept.

The location of the subject lands and overall site context is illustrated on Appendix 'A', Attachment No. 1.

Surrounding Land Uses

Surrounding and adjacent land uses are described below and the applicable zoning of these properties is illustrated on Appendix 'A', Attachment No. 2:

- | | |
|-------|---|
| North | Institutional land uses (i.e. church and elementary school) and open space uses (i.e. Aldershot Park), zoned Mixed Use Corridor – General ('MXG') Zone and Neighbourhood Park ('P') Zone, respectively. Aldershot GO Station is located approximately 1.5 kilometres to the northwest of the subject lands; |
| South | Low density residential land uses; zoned Low Density Residential ('R2.1') Zone; |
| West | Low and medium-density residential development (including, residential conversions), commercial (retail) land uses, zoned Medium Density Residential Exception ('RM1-346') Zone, Mixed Use Corridor – General ('MXG') Zone, Mixed Use Corridor - General Holding ('H-MXG') Zone, Mixed Use Corridor – General Exception ('MXG-345') Zone, Medium Density ('RM2') Zone, and, Medium Density Residential Exception ('RM1-346') Zone; and, |

East Mid-rise, medium density residential and commercial (including, office, retail and restaurants) land uses to the east, zoned Medium Density Residential Exception ('RM1-346') Zone and Mixed Use Corridor – General ('MXG') Zone, respectively.

Description of the Application

The proposal contemplates the development of a 6-storey, 117 unit building (including two-storey townhouse units and amenity area on the ground level) and 147 parking spaces (combination of underground and surface parking areas) and 12 bicycle parking spaces. The total proposed gross building floor area is 9,276.0 m² and the overall building height is 24.45 metres (including mechanical penthouse). A rooftop amenity area is also proposed.

Proposed access to the site is via a single driveway (full moves access) from the Plains Road East frontage running parallel (north-south) with the east property line of the site with a proposed setback of 3.0 metres. The driveway is proposed to provide rear yard access to the underground parking structure. A portion of the second floor of the building is elevated and constructed above the proposed driveway. The property is located on Bus Route Nos. 1, 4 and 101 with bus stops located approximately 150 metres to the east and west of the subject lands along Plains Road East.

Appendix 'A', Attachment No. 3 includes a development concept with the location, heights and footprint of the building. Appendix 'A', Attachment No. 4 depicts the height/scale/massing of the proposed building and its location on the consolidated lot. Building details, including materials and colour palette are conceptual and will be subject to further review at later stages in the planning approvals process (i.e. Site Plan Control Approval).

Applications for the Official Plan redesignation and implementing zoning by-law amendments are required to facilitate the proposed development, which includes, but is not limited to, an increase in maximum permitted building height and floor area ratio (FAR); decrease in minimum required landscape buffer; decrease in minimum required amenity area; and, reduction to minimum required parking (including parking space size).

Supporting Documents

The following technical reports/plans/studies have been submitted in support of the development application, and include:

- [Arborist Report & Tree Inventory Preservation Plan](#), as prepared by Terrastory Environmental Consulting Inc., April 2021;
- [Architectural Renderings and Perspectives](#), as prepared by SRM Architects Inc., September 2021;
- [Site Plan, Floor Plans, Building Elevations & Angular Plane Drawings](#), as prepared by SRM Architects Inc., April 22, 2021;
- [Landscape Concept Plan](#), as prepared by OMC Landscape Architecture, September 2021;
- [Urban Design Brief](#), as prepared by Weston Consulting Inc., September 2021;
- [3D Building Models \(digital\)](#);
- [Planning Justification Report](#), as prepared by Weston Consulting Inc., September 2021;
- [Change Matrix](#);
- [Sustainability Checklist](#);
- [Shadow Impact Analysis](#), as prepared by SRM Architects Inc., September 14, 2021;
- [Shadow Analysis Plans](#), as prepared by SRM Architects Inc., April 22, 2021;
- [Functional Servicing & Stormwater Management Report](#), as prepared by Odan/Detech Group Inc., December 2020 (revised September 17, 2021);
- [Site Servicing and Grading Plans](#), as prepared by Odan/Detech Group Inc., December 2020 (revised September 17, 2021 – Revision No. 4);
- [Hydrogeological Investigation](#), as prepared by EXP Services Inc., September 17, 2021;
- [Geotechnical Investigation Report](#), as prepared by EXP Services Inc., September 17, 2021;
- [Housing Impact Statement](#), as prepared by urbanMetrics Inc., September 16, 2021;
- [Transportation Impact Study](#), as prepared by Paradigm Transportation Solutions Limited, September 2021;
- [Environmental Noise Impact Study](#), as prepared by DBA Acoustical Consultants Inc., April 2020 (revised September 2021);
- [Phase One Environmental Site Assessment](#), as prepared by EXP Services Inc., September 24, 2020;
- [Final Pedestrian Level Wind Study](#), as prepared by Theakston Environmental, September 15, 2021;

- [Waste Management Plan](#), as prepared by SRM Architects Inc., April 22, 2021; and,
- [Construction Mobility Management Plan](#), as prepared by Lanhack Consultants Inc., July 2020.

All of these supporting documents have been published on the City's Development Projects webpage related to this application at www.burlington.ca/284plains.

Policy Framework

The Official Plan Amendment and Zoning By-law Amendment, as proposed by these applications, are subject to review for conformity and consistency with the applicable land use framework as set out by Provincial, Regional and City policy documents and standards/guidelines.

A preliminary review of the application with respect to the Provincial Policy Statement (2020); A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020); Region of Halton Official Plan; City of Burlington Official Plan (1997), as amended; City of Burlington New Official Plan (2020); and, City of Burlington Zoning By-law 2020 is included in report sections below.

A detailed policy analysis will be provided in a future recommendation report to Council to evaluate whether the proposal is in keeping with these policies.

Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) provides broad policy direction on land use planning and development matters of provincial interest. Section 3(5) of the *Planning Act* states that where a municipality is exercising its authority affecting a planning matter, such decisions "shall be consistent with" the policy statements issued under the *Act* and shall conform with the provincial plans that are in effect on that date, or shall not conflict with them.

Provincial policy promotes development and land use patterns, including the development of compact communities within settlement areas, with an emphasis on the efficient use of existing infrastructure and public service facilities, while maintaining appropriate levels of public health and safety, protection of the natural environment and significant built heritage resources.

Land use patterns in settlement areas are also to be based on densities and a mix of land uses which efficiently use land, resources, prepare for the impacts of a changing climate, and support active transportation and transit.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

All planning applications are required to conform with the Growth Plan.

The Growth Plan provides a policy framework for implementing the provincial vision for 'complete communities' that feature a diverse range of land uses and densities; a range of housing options; provide for a more compact built form and vibrant public realm; and, encourage the use of transit and active transportation options, while mitigating and adapting to climate change.

The Growth Plan framework directs long-term growth and development to Settlement Areas, with a focus on strategic growth areas, including Urban Growth Centres to promote the sustainability of development within the region.

Region of Halton Official Plan ('ROP')

The subject lands are designated 'Urban Area' to Map No. 1 (Regional Structure) of the Region of Halton Official Plan (ROP), however, they are not located within a Regionally defined 'Intensification Area'.

The range of permitted in the 'Urban Area' designation are in accordance with Local Official Plans (i.e. City of Burlington), and subject to the policies of the Regional Official Plan, however, a stated objective of the 'Urban Area' designation is "to support a form of growth that is compact and supportive of transit usage and non-motorized modes of travel, reduces the dependence on the automobile, makes efficient use of space and services, promotes live-work relationships and fosters a strong and competitive economy."

The policies of the ROP promote increased densities and intensification, where appropriate (i.e. identification of 'Intensification Areas' within the urban structure) and new development on the basis of connecting to Region of Halton municipal and wastewater systems (unless otherwise exempt from the policies of the Plan).

The ROP states that the range of permitted uses within the 'Urban Area' shall be in accordance with local official plans and zoning by-laws.

The Region of Halton has been circulated the application and will review the proposed development in the context of applicable Regional policy.

The recent approval by the Province of Regional Official Plan Amendment (ROPA No. 48) resulted in the establishment of new policies as they pertain to strategic growth areas (i.e. Urban Growth Centres (UGC), Major Transit Station Areas (MTSA), Regional Nodes and Employment Areas) and related performance targets for the strategic growth of these areas in terms of employment and population over the planning horizon, as has been previously allocated to the Region of Halton in the Growth Plan. The subject lands are not located within an area identified as a Major Transit Station Area (MTSA) and are situated outside of the boundaries of the nearest MTSA, being Aldershot GO.

City of Burlington Official Plan (1997), as amended

The subject lands are designated 'Residential – Medium Density' to Schedule 'B' (Comprehensive Land Use Plan – Urban Planning Area) of the City of Burlington Official Plan (1997), as amended.

Section 2.2.2 of the City of Burlington Official Plan (1997), as amended, provides the following policy direction with respect to development within 'Residential Areas':

- (a) Within Residential Areas, a broad range of residential dwelling types shall be permitted, including assisted and special needs housing such as group homes, rest/retirement homes and long-term care facilities, as well as uses compatible with, complementary to and serving the primary residential use of the land, such as home occupations and cottage industries, neighbourhood parks, and offices.

- (d) In Residential-Medium Density areas, either ground or non-ground oriented housing units with a density ranging between 26 and 50 units per net hectare shall be permitted.

The proposed residential density contemplated by the application is approximately 378 units per hectare.

The following building forms for residential development shall be permitted:

(Medium Density)(g)(ii) detached and semi-detached homes, townhouses, street townhouses and stacked townhouses, back to back townhouses, attached housing and walk-up apartments shall be permitted in Residential-Medium Density areas, provided that these forms meet the density as specified in Part III, Subsection 2.2.2(d) for these areas (above).

City of Burlington New Official Plan (OP 2020)

On November 30, 2020, the Region of Halton issued a Notice of Decision approving OP 2020. The new Official Plan has been developed to reflect the opportunities and challenges facing the City as it continues to evolve.

Section 17(27) of the Planning Act (R.S.O. 1990, as amended) sets out that all parts of an approved official plan that are not the subject of an appeal will come into effect on the day after the last date for filing a notice of appeal - that date being December 22, 2020 for the new Burlington Official Plan. At this time, no determination has been made as to the appeal status of the relevant sections of OP 2020.

The subject lands are designated 'Urban Corridor' to Schedule 'C' (Land Use – Urban Area) of OP 2020 and are located within a 'Secondary Growth Area' (Schedule 'B-1' – Growth Framework).

OP 2020 permits, among other uses, 'residential uses' (with the exception of single detached and semi-detached dwellings) within the 'Urban Corridor' designation with a minimum building height of two (2) storeys and maximum building height of six (6) storeys (with terracing provisions for buildings of four to six storeys) and maximum permitted floor area ratio of 2.0:1. The floor area ratio, as proposed, is 2.96:1.

City of Burlington Zoning By-law 2020

The subject lands are zoned Residential Medium Density Exception ('RM1-346') Zone to Map No. 5-W of the City of Burlington Zoning By-law 2020. The draft amending zoning by-law proposes a site-specific Mixed Use Corridor General – Exception ('MXG-XX') Zone, with amendments that include, but may not be limited to, permitted use, increases to maximum permitted building height and density (i.e. FAR); minimum required landscape buffer; required amenity area; and, minimum required parking (including parking space size).

The maximum permitted building height in the current Residential Medium Density Exception ('RM1-346') Zone is 2.5 storeys. 'Apartment building' is not a permitted use within the current zone category on the property. A site-specific Mixed Use Corridor – General Exception ('MXG-XX') Zone is proposed.

'Apartment building' is defined by the Zoning By-law as "a building consisting of more than four dwelling units, which units have a common entrance from the street level and where the occupants have the right to use in common, halls, stairs, yards and accessory buildings."

A comparison between the current and proposed zoning performance standards (and the applicable site-specific regulations) is illustrated on Table 1 (Zone Comparison), below.

Table 1: Zone Comparison (Current & Site-Specific Zone Proposed)

City-Wide Parking Standards

Zone Regulation	Zone Requirement		
	'RM1-346' Zone (Existing) (BL No. 2020-205)	'MXG' Zone (Section 4.1)	'MXG-XX' Zone (Proposed)
Maximum Floor Area Ratio	N/A	Entertainment or Recreation Buildings: 0.5:1 Industrial Buildings: N/A Other Buildings: 1.5:1	2.96:1
Landscape Buffer	N/A	Abutting a Residential Zone: 6.0 metres	Abutting a Residential Zone: 3.0 metres (and may include seasonal snow storage)
Building Height	N/A	Automotive Uses: 2 storeys maximum Other Uses: 2 storeys minimum; 6 storeys maximum	6 storeys
(In MXG, MXC and MXT Zones, the floor area of the second, third and			Not applicable

fourth storeys of a building containing more than one storey must be at least 50% of the floor area of the first storey)			
Amenity Area	N/A	15 m ² per efficiency dwelling unit 20 m ² per one bedroom unit 35 m ² per two or more bedroom dwelling unit Back to Back Townhouse: 25 m ² per dwelling unit	Residential Dwelling Unit: 15.8 m ² per unit
Parking	N/A	1.25 spaces per unit inclusive of visitor parking	Residential Dwelling Unit: 1.0 space per unit Visitor Parking: 0.21 spaces per unit
General Parking Provisions (Parking Space Size & Accessibility)		Each parking space shall have a minimum width of 2.75 metres and a minimum area of 16.5 m ²	Notwithstanding Subsections 2.26(1), six (6) parking spaces may have a reduced minimum length of 5.7 metres.

On May 21, 2021, the Ontario Land Tribunal (OLT) (formerly Local Planning Appeal Tribunal) issued a decision on Case No. PL190525 regarding an appeal of City of Burlington By-law No. 2020.414 (amends Zoning By-law 2020) with respect to proposed City-wide amendments to minimum parking rates for residential land uses.

The resultant decision of the Tribunal had the effect of implementing new residential parking standards on a City-wide basis through an amending zoning by-law.

The subject application will be reviewed pursuant to the updated parking standards, as approved by OLT, which requires a minimum of 1.25 parking spaces per unit (inclusive of visitor parking) for an 'apartment building' within a Secondary Growth Area (Schedule

'B-1') of OP 2020.

Applications proposing to amend the residential parking standards of Zoning By-law 2020, as amended, to reduce the parking rate below a rate of 1.25 spaces per unit (inclusive of visitor parking) for an 'apartment building' within a Secondary Growth Area, will need to be accompanied with a Parking Justification Study, as deemed acceptable by the City.

The application includes a request to reduce minimum required parking from 1.25 parking spaces per unit (inclusive of visitor parking) to 1.0 parking space per unit and 0.21 parking spaces per unit (visitor parking). A Transportation Impact Study was submitted with the application and is in review by the City's Transportation Services Department.

Technical Comments

The circulation of the application for technical comment to Internal Departments and External Agencies occurred on November 16, 2021 to assist in the review.

Conservation Halton, Trans-Northern Pipelines Inc., Hydro One, Halton Regional Police Service, Conseil scolaire Viamonde, Rogers Communications Canada Inc., and MTO have expressed no comment/concern with the proposed development.

At the time of writing this report, comments are still forthcoming from Internal Departments (i.e. Site Engineering, Parks Design and Construction, Zoning, Fire Services, Accessibility, Transit, Finance) and External Agencies (Region of Halton, Canada Post) and utilities (i.e. Burlington Hydro, Bell Canada, Sun-Canadian Pipe Line Co. Ltd., Imperial Oil Pipelines).

These comments will be required prior to the preparation of a recommendation report by Community Planning Department staff. The following is a summary of comments received to date:

Transportation Services – Transportation Services has conducted an initial technical review with respect to the proposed operational elements of the project. Based on a technical review of the submitted Traffic Impact Study (TIS), Transportation Services staff have concluded that the studied links of the transportation network will not be adversely impacted by the proposed development. Transportation Services staff have included additional informational recommendations, including updating particular sections of the TIS and increasing the total number of on-site bicycle parking spaces from 12 to 65.

Urban Forestry and Landscaping - Urban Forestry and Landscaping has conducted an initial technical review with respect to the proposed development. Urban Forestry and Landscaping staff have requested additional information with respect to the submitted Tree Inventory Table and Landscape Concept Plan. Tree Protection Fencing should also be reflected on the submitted Construction Mobility Management Plan.

Halton District School Board (HDSB) - no objection to the proposed application, as submitted. HDSB has requested future circulation of notification of adoption/passing of the proposed amendment(s) and future applications (i.e. Site Plan Control Approval). HDSB provided standard conditions of approval of development to be incorporated into future agreements (i.e. clauses of purchase and sale, submission of a phasing plan, posting of signage advising prospective purchasers that pupils may be directed to schools outside of the area, copy of approved sidewalk plan, and the submission of a lot/block plan as determined by a draft M-Plan. Educational Development Charges pursuant to the Education Development Charge By-law are payable.

Halton Catholic District School Board (HCDSB) - no objection to the proposed application, as submitted. HCDSB has provided standard conditions of approval of development to be placed in any subsequent Agreements (i.e. Subdivision, Condominium and/or Site Plan), including those related to clauses of purchase and sale (related to temporary facilities and school busing); posting of signage advising prospective purchasers that if a permanent school is not available, alternative accommodation and/or busing will be provided; and, submission of a phasing plan). Educational Development Charges pursuant to the Education Development Charge By-law are payable.

Enbridge – Enbridge has identified existing gas mains on both sides of Plains Road East, fronting the proposed development.

Niagara Escarpment Commission (NEC) – The subject lands are located outside of the Niagara Escarpment Plan Area and area of Development Control. Approval by NEC is not required.

Rogers Communications Canada Inc. – no objection to the proposed application, as submitted subject to approval of conditions (if applicable) related to registration of Plan of Subdivision/Condominium and/or approval of conditions of draft approval.

CN Rail – CN Rail has noted the location of the subject lands in proximity to a CN railyard, and have requested that a Noise Report should account for the rail operations in proximity to the proposed development within the zone of noise influence of 1,000 metres (RAC-FCM Proximity Guidelines). CN Rail has also advised of the need for a

development agreement and environmental easement for operational emissions to be registered on title.

Financial Matters:

In accordance with the City of Burlington Development Application Fee Schedule (2021), all fees determined have been received.

Climate Implications

In February 2020, City Council approved the City of Burlington Climate Action Plan to support the City's path towards a low-carbon future, focusing on mitigating greenhouse gases and reducing energy consumption. The Plan identifies seven implementation programs, including, programs to enhance energy performance for new and existing buildings; increase transit and active transportation mode shares; electrify City, personal and commercial vehicles and other currently gas-powered equipment; and, support waste reduction and diversion.

A discussion of the climate implications of the proposed development will be provided in greater detail as part of a future recommendation report to Council.

Engagement Matters:

A Burlington Urban Design (BUD) Advisory Panel Meeting was held on July 21, 2020 to review the design aspects of the proposed development, with particular focus on the proposed site design (i.e. responsiveness to context, site circulation and pedestrian-oriented public realm); building massing (i.e. building articulation and setbacks, materiality); and, building design (i.e. design composition and architectural expression).

The applicant hosted a Virtual Pre-Application Community Meeting on April 26, 2021. A Notice of the Pre-Application Community Meeting was circulated to approximately 260 residents and landowners in accordance with City Guidelines and posted on the City's website. Meeting attendees also included Mayor Meed Ward, Ward 1 Councillor Galbraith and City Community Planning Department staff.

The purpose of the meeting was to provide the proponent an opportunity to present details about the proposed redevelopment and to gather feedback from the community at an early stage in the process. Community Planning Department staff prepared a

presentation outlining the development planning review process and next steps upon receipt of development application(s).

A section of the applicant's Planning Justification Report (and accompanying Comment Response Matrix) has been dedicated to summarizing the comments received at the Virtual Pre-Application Community Meeting in April 2021.

A Current Development Projects webpage (burlington.ca/284plains) has been created to update the public on the proposal and the subject application, including date(s) of public meetings, links to submitted technical reports, studies and plans, and recent staff reports and correspondence. Contact information for the applicant's representative and Community Planning Department staff are also available.

There is a 'subscribe' button included on the webpage which provides an option to receive automatic email notifications any time there is an update on the proposal, including revised technical reports, studies, plans; tracking the status of the applications; and, the scheduling of future Committee and Council Meetings.

Public Comments

A total of four (4) public comments have been received in response to the circulation of the application. Approximately 260 area residents/property owners were circulated for input.

A summary of the general theme areas of comments is provided below; copies of which are included as Appendix 'B'.

- Compatibility of proposed building heights with other existing development in the immediate area and impacts of the heights of new development within Aldershot;
- Proposed level of residential intensification (i.e. FAR of 2.96:1) and the appropriateness of the built form within a low-density residential neighbourhood;
- Infrastructure capacity issues; including, the ability to provide new development with community services (i.e. grocery store; restaurants);
- Impacts of potential increase in traffic generation (i.e. traffic speed; safety) as a result of proposed development (along Plains Road East); and,
- Concerns over potential loss of boundary trees and tree protection/preservation as a result of the proposed development; overall impacts on existing tree canopy.

Conclusion:

This report provides an overview of the previous and recent public consultation and engagement that has occurred in advance of and throughout the circulation of this development planning application.

Community Planning Department staff recommends that the processing of the applications continue and that comments received through the ongoing technical review, including, comments/concerns raised at the statutory Public Meeting, be evaluated as part of a detailed planning analysis, and be incorporated into a future recommendation report for consideration by Council.

Respectfully submitted,

Gordon Dickson, MCIP, RPP
Senior Planner
Community Planning Department
905-335-7600 Ext. 7809

Appendices:

Appendix 'A' – Report Attachments & Schedules

- Attachment No. 1 – Location Plan (Aerial)
- Attachment No. 2 – Existing Zoning
- Attachment No. 3 – Concept Plan & Site Plan
- Attachment No. 4 – Conceptual Building Renderings

Appendix 'B' – Public Comments

Notifications:

Martin Quarcoopome, Senior Associate
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Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.



LOCATION PLAN

Applications to permit the development of a 6-storey apartment building with a total of 117 residential units (including two-storey townhouse units and amenity area on the ground level) and 147 parking spaces (combination of underground and surface parking areas) and bicycle parking. The total proposed gross building floor area is 9,276.0 m2 and the overall building height is 24.45 metres (including mechanical penthouse). A rooftop amenity area is also proposed.



SUBJECT PROPERTY

File Nos. 505-07/21
& 520-08/21





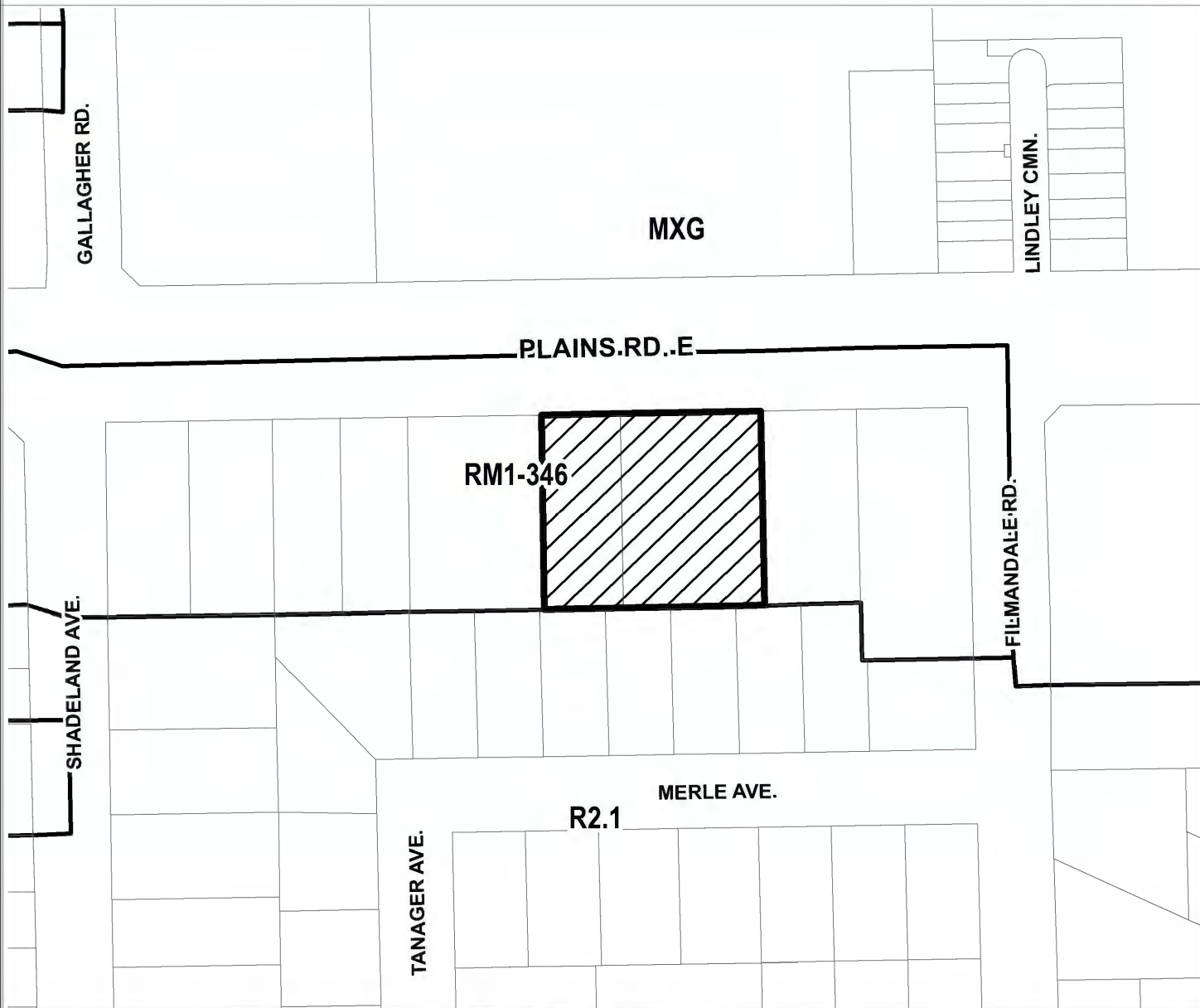
EXISTING ZONING

Applications to permit the development of a 6-storey apartment building with a total of 117 residential units (including two-storey townhouse units and amenity area on the ground level) and 147 parking spaces (combination of underground and surface parking areas) and bicycle parking. The total proposed gross building floor area is 9,276.0 m² and the overall building height is 24.45 metres (including mechanical penthouse). A rooftop amenity area is also proposed.



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GENERAL ZONING LEGEND

Low Density	Medium Density	High Density	Mixed Use	Commercial	Employment	Other
R2.1	RM1		MXG			

CONCEPT PLAN



Applications to permit the development of a 6-storey apartment building with a total of 117 residential units (including two-storey townhouse units and amenity area on the ground level) and 147 parking spaces (combination of underground and surface parking areas) and bicycle parking. The total proposed gross building floor area is 9,276.0 m² and the overall building height is 24.45 metres (including mechanical penthouse). A rooftop amenity area is also proposed.

SUBJECT PROPERTY

File Nos. 505-07/21
& 520-08/21

PLAINS RD. E





**NORTH ELEVATION VIEW
284-292 PLAINS RD. E, BURLINGTON**

**20042
2021-09-14
ISSUED FOR RE-ZONING**





PERSPECTIVE VIEW LOOKING WEST
284-292 PLAINS RD. E, BURLINGTON

20042
2021-09-14

ISSUED FOR RE-ZONING

srm

ARCHITECTS INC.
8/15/2021 1:38:56 PM



#	Contact Information	Comments	Date Received
1	<p>Kelleigh MacKinnon [REDACTED] Merle Avenue Burlington, ON [REDACTED]</p>	<p>I am writing you today regarding an urgent, time sensitive matter pertaining to the protection of a large number of mature trees in Aldershot from being destroyed. I am a resident of Aldershot, [REDACTED] development by Corley Developments located at 284-292 Plains Road East. Information about this project can be found on the City of Burlington website at https://www.burlington.ca/en/services-for-you/284-plains-road-development-inc-284-292-plains-rd-e.asp. In Aldershot, we love and value our trees. Some of the oldest and healthiest trees in Burlington grow and thrive in the yards, gardens, parks, and boulevards of our neighbourhood. More species of trees grow in Aldershot than anywhere in the city: Maple, Oak, Elm, Gingko, Beech, Pine, and Cedar, all of which provide shade and shelter to the people, birds, and animals that live among them. They also provide a great deal of beauty to our community, as well as the numerous environmental benefits. At the centre of our community is the 30-ft Aldershot Christmas tree: some 400 people from all over Burlington kicked off the holiday season recently with the annual tree lighting this past November. You, too, were in attendance at this wonderful community event along with Councillor Galbraith.</p> <p>It is a very positive community initiative that Burlington is proactive in protecting our tree canopy. Burlington's private and public tree protection bylaws are considered the most rigorous in the GTA for safeguarding the green canopy from haphazard cutting and urban development. I am writing you today because I have trees that are in urgent need of the City's protection.</p> <p>My house was built in the 1950s. It's a small house, but like many of my neighbours, I bought it largely for the beautiful property and the trees. My backyard is a beautiful oasis in the city, which is one of the major reasons I purchased my home. Along the rear of my back property, I have a long row of mature Norway Spruce trees that create a natural fence. These beautiful trees provide a great deal of privacy for my yard and also serve as a sound barrier against traffic noise on Plains Road - for myself and others residing on Merle Avenue. My neighbour also has a row of mature Norway Spruce along the rear of her back yard as well. They truly are magnificent trees, 16 in total, reaching at least 40-60 feet in height. These trees are very important to me, my neighbour and our neighbourhood.</p> <p>I attended the meeting with the developer, represented by Weston Consulting, seeking public input about the proposed development several months ago. You were also in attendance at that meeting, as was Ward 1 Councillor Kelvin Galbraith. During that meeting, several of my neighbours and myself all raised concerns about the invasion of privacy this building would be on our properties. The developer reassured us numerous times at this meeting that the row of Norway Spruce along the rear of my property were being left intact, and in fact, were essential to the project and had been incorporated into their landscape plan to preserve the privacy of the neighbouring properties. This was told to us many, many times during this meeting.</p> <p>I would like to direct your attention to the arborist report for the proposed development that is posted on the City of Burlington's website. The report can be found at this link: https://www.burlington.ca/en/services-for-you/resources/Planning_and_Development/Current_Development_Projects/Ward_1/284-Plains-East/supporting-documents/Arborist_Report_and_Tree_Inventory_and_Preservation_Plan.pdf</p> <p>Of particular concern, the arborist report specifically states the following, pertaining to my Norway Spruce trees, and those of my neighbour:</p> <p>"Without modifications to the development plan, it is expected that most of the shared/neighbouring trees could experience root loss/injury, possibly to such an extent that removal will be necessary to mitigate structural concerns and expected decline post- construction. Per Appendix 1, a total of 21 trees have shared ownership with (or are entirely owned by) 300 Plains Road East, 287 Merle Avenue, or 291 Merle Avenue. As further shown on Figure 1, the dripline of certain trees occurring about 3 m beyond property lines of 295 Merle Avenue and 276 Plains Road East also extend into the proposed areas of disturbance and could experience root injury. Per case law in Ontario, a tree is considered shared if any portion of its trunk (i.e., area between the root collar and lowest canopy branch) extends across a property line. Section 10(3) of the Forestry Act prohibits the injury or destruction of a tree growing on the boundary of adjoining properties (or neighbouring properties) without the adjacent landowners' consent. As such, the following measure is recommended to address any necessary removal of shared/neighbouring trees:</p> <p>The Applicant must secure approval to remove/impact all shared/neighbouring trees from relevant property owners prior to construction."</p> <p>-Terrastory Environmental Consulting Inc. Arborist Report, Project No. 2066, p. 4</p> <p>This certainly is not in alignment with what was represented to the neighbouring property owners at the meeting you attended. To paraphrase the professional opinion of the arborist, a Tree Protection Plan and hoarding fence can't save our Norway Spruce trees located on our property: only a change to the development plan will. Since the Norway Spruce are not shared assets with the developer, the developer does not have the legal right to decide their fate. In fact, the Tree Preservation contained within the arborist report specifically recommends the removal of all of the Norway Spruces.</p> <p>These trees belong to me and my neighbour and are an integral part of our property. They are NOT in the property owned by the developer. Removal of these trees is out of the question as it would severely impair my own enjoyment of my yard, along with destroying the private sanctuary that I purchased and pay property taxes to enjoy. As noted by the arborist, I draw your attention to Section 10(3) of the Forestry Act which prohibits the developer from injuring or destroying my trees without my consent.</p> <p>Herein, I would like to formally state that I do not consent to having my trees removed, nor am I accepting of any possibility that any development on the adjacent property behind me damage my property. This is in alignment with the Forestry Act as noted by the arborist. This letter is also being sent to the representative for the builder, Martin Quarcoopome from Weston Consulting so they have been formally notified of my objection as well.</p>	12/2/2021

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		<p>Our City has a mandate to preserve our trees and protect them from being destroyed in favour of development. I am requesting your help to advise of next steps that need to be taken to protect our trees. My request also aligns with the spirit of the tree protection bylaw, and in the interest of protecting my own property. It is unacceptable that a developer is permitted to make decisions about destroying property they do not own. Madame Mayor, I voted for you based on your environmental record and your desire to protect the integrity of our neighbourhoods in our City. I need your help. I have also copied Ward 1 Councillor Kelvin Galbraith in hopes that he will reach out to you to discuss next steps. I would like to request a meeting with both of you to discuss this matter as soon as possible. I look forward to hearing back from you at your earliest convenience.</p>	
2	<p>Sylvianne Kohl [REDACTED]</p>	<p>This is just a note to let you know about my family's extreme disappointment in the height of the new condo developments in Aldershot, Ward 1. I have completed the city's surveys for feedback but feel like completing them has been a waste of time. I know that many of my neighbours in Garden Trails feel the same way. We do NOT have the infrastructure to support the growth - I can't even imagine how horrible driving will be on Plains Road. We are still not seeing plans for another grocery store or even restaurants in the west end.</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>All this to say I can only hope someone is listening and maybe this letter will make a difference.</p>	12/6/2021
3	<p>Ross Hanham [REDACTED]</p>	<p>With respect to the above-noted development application – It's good that the proposed height has been reduced to 6 storeys since the Apr 26/21 Pre-Application Community Consultation Meeting, which I understand the Official Plan permits (8.1.3(7.2)h)). Little else has changed however and, despite lopping off the 3 top storeys, the proposed floor area ratio (FAR) remains at 2.96 which far exceeds the Official Plan maximum FAR of 2.0:1 intended as appropriate built form for this site. This is absolutely not appropriate built form for the adjoining +65 year-old neighbourhood of single-family homes. We have lived on neighbouring Filmandale Road for 35 years and have observed the changing community. The empty-nesters of 1986 have now been increasingly replaced by young families with children who use the neighbourhood streets for walking, cycling and scootering. This has been greatly added to by residents of the 6-storey Affinity Condominium at 318-384 Plains Road, many of whom walk with their dogs. At the same time, motorists increasingly exceeding the 40 km/h speed limit on our street, sometimes reaching 70-80 km/h. This is an accident waiting to happen. I've reported it to both the City and the Halton Police (see attached email), but have achieved nothing rather than being issued a plastic "Please Slow Down" sign. This proposed development will only add to the problem, proportionately increasing with the density. Traffic control measures in the neighbourhood should be part of any densification development along Plains Road. Perhaps the City could consider one of those illuminated signs advising drivers of their speed. Other options include – •Speed bumps •3-way stop at Filmandale Road/Mallard Ave •3-way stop at Filmandale Road/Merle Ave (currently completely uncontrolled). Trusting these comments to be fair and reasonable, I sincerely hope the applicant reconsiders what they propose for this development.</p>	12/9/2021
4	<p>Joshua Perell [REDACTED] Townsend Avenue Burlington, ON [REDACTED] [REDACTED]</p>	<p>My name is Joshua Perell and I co-own a home in Burlington. As mentioned in my previous email to you, dated December 6, 2021, I am a member of the Law Society of Ontario and I act on behalf of the City of Burlington in some matters. I am writing today only on behalf of myself as a concerned resident of Burlington. Thank you for the opportunity to provide feedback and submit comments to the Community Planning, Regulation and Mobility Committee of Council regarding the proposed redevelopment of 284 and 292 Plains Road East. As a resident of Aldershot, I am concerned that the proposed redevelopment of 284 and 292 Plains Road East does not constitute good planning for the following reasons: 1.The land is not suitable for the proposed purpose. The two lots under review are too small to accommodate the scale of the proposed redevelopment; 2.The proposed redevelopment is incompatible with adjacent land uses. Given the small size of the two lots, the proposed redevelopment will impose upon the homes directly behind the new structures as well as the one and two story commercial buildings on either side of the proposed new structures; 3.Vehicular access to the redeveloped site is inadequate. The proposal includes parking facilities for 147 vehicles. The proposed redevelopment will result in increased vehicular traffic and traffic congestion which the relevant section of Plains Road East was not designed to accommodate. In particular, there is no intersection or traffic light in front of the proposed redevelopment to safely manage increased traffic; 4.The zoning changes required to approve the proposed redevelopment as set out in the Notice of Complete Application released by the City of Burlington are comprehensive and amount to creating site-specific zoning that conflicts with the City's Official Plan as well as the zoned permitted building type/use, minimum floor area, landscape buffer, amenity size, and required parking of all the surrounding structures in this part of the neighborhood. Given the number and extent of the zoning changes required for the proposed redevelopment plan, it is difficult to see how the general intent and purpose of the area's zoning by-law and of the City's Official Plan can be maintained.</p>	12/30/2021

#	Contact Information	Comments	Date Received
		<p>In my opinion, Council should refuse this plan for the proposed redevelopment of 284 and 292 Plains Road East. Please treat this letter as written submissions to Council for the purposes of obtaining standing to appeal to the Ontario Land Tribunal under section 34 (or any other relevant section) of the Planning Act, R.S.O. 1990, c. P.13 (or as amended).</p>	

 Public Comment forwarded by Ward Councillors' Office

 Public Comment forwarded by Mayors Office