



## DEVELOPMENT APPLICATION PRE-CONSULTATION FORM

<b>Meeting Date:</b>  <div style="text-align: center;">May 12, 2021</div>	<b>Site Address:</b>  <div style="text-align: center;">5030, 5035, 5045 &amp; 5040 Tico Creek Common (formerly 1215 Appleby Line)</div>
<b>Property Owner:</b>  <div style="text-align: center;">1215 Appleby Line Holdings Inc.</div>	<b>Applicant / Address / Phone / Email</b> Wellings Planning Consultants Inc. Glenn Wellings 513 Locust St., Unit B Burlington ON L7S 1V3 905-681-1769 ext. 201 <a href="mailto:glenn@wellingsplanning.ca">glenn@wellingsplanning.ca</a>
<b>Site Area:</b>  <div style="text-align: center;">1.2    ha</div>	

**APPLICATION TYPE (check applicable applications):**

Local Official Plan Amendment		Zoning By-law Amendment	<input checked="" type="checkbox"/>	Plan of Subdivision		Parkway Belt Amendment	
Other Application							

**1. Brief description of proposed development:**

\_\_\_\_\_ -Two mixed use buildings with a total gross floor area of 778.2 m<sup>2</sup>

\_\_\_\_\_ -New retail uses

**2. Conformity with Regional Official Plan Designation?**    YES ☒    NO \_\_\_\_\_

Has an application been made to amend the Regional Official Plan: YES \_\_\_\_\_ NO ☒

**3. Existing Official Plan (1997, as amended) Designation:** Mixed Use Corridor – Employment

Conformity with City Official Plan land use designation? YES TBD NO \_\_\_\_\_

If 'NO' what is the nature of the OP amendment needed? - Retail commercial uses which do not serve the day to day needs of employees

**New Official Plan (2020) Designation:** Urban Corridor-Employment

Conformity with City Official Plan land use designation? YES TBD NO \_\_\_\_\_

If 'NO' what is the nature of the OP amendment needed? - Retail commercial uses not accessory to employment area

**4. Existing Zoning:** MXE-452

Conformity with existing zoning? YES \_\_\_\_\_ NO ☒

If 'NO' what is the nature of the zoning amendment needed? - Increase maximum floor area for mixed use building; new retail uses

5. Design Guidelines in effect? YES \_\_\_\_\_ NO   x  

Name of Design Guidelines \_\_\_\_\_

6. Is the property listed in Municipal Heritage Register, designated under the Ontario Heritage Act or adjacent to a designated property?

YES \_\_\_\_\_ NO   x  

7. Fees Required at Time of Application (Assuming OPA not required)

APPLICATION	CITY	REGION	CONSERVATION HALTON
Official Plan Amendment:	--	--	--
Rezoning - Base Fee: (70% if combined)	10,760.00	1,028.39	4,517.00
Rezoning - Variable Fee:	1,897.14		
Subdivision - Base Fee:	--	--	--
Subdivision - Variable Fee:			
<b>TOTAL</b>	<b>\$12,657.14</b>	<b>\$1,028.39</b>	<b>\$4,517.00</b>

*Separate cheques are payable to City, Region and Conservation Halton*

8. Additional Agencies to be contacted:   MTO, Burlington Hydro, Union Gas  

9. Pre-Application Public Consultation Meeting

Is a pre-application consultation meeting required?

YES   x   NO \_\_\_\_\_

The following steps must be completed if a Pre-Application Public Consultation Meeting is required:

- The consultation meeting is to be organized by the applicant and must be held before the application is submitted.
- Circulation of the meeting invitation to residents and tenants within 120 metres of the development site will be completed by the City for a fee. Provide the required materials to the City at least one month prior to the meeting. Notice must be sent a minimum of 21 days in advance of the meeting.
- Please notify the Ward Councillor, Mayor, and the Coordinator of Development Review of the date, time & location of the meeting. Be sure your meeting location is accessible and close to the development site.
- During the meeting, provide a detailed overview of the development proposal and allow time for questions and comments from the public. Planning staff will provide an overview of the development application review process. Take notes of the discussion.
- As part of a complete application, you must provide consultation meeting minutes which include a written summary of public input received at the meeting. As part of the Planning Justification Report, you must explain how this public input was considered and used to modify the development proposal.

10. Community Benefits

Is this an application for increased height and/or density? YES \_\_\_\_\_ NO   x  

If "YES" Community Benefits **may be** required.

## 11. Required Information for Complete Application

<b>Reports, Studies, Plans</b> <b>All identified reports must be submitted in Accessible PDF format with contents as outlined in the Appendix and attached notes before an application is deemed complete.</b>		<b>Number of Paper Copies (plus three in accessible electronic PDF form) If Study is Required</b>	<b>Required Study (Yes/No)</b>
6.1	Planning Justification Report	7	Y
6.2	Conceptual Site Plan Layout & Site Survey	11	Y
6.3	Draft Plan of Subdivision	11	N
6.4	Stormwater Management Report Addendum/Brief	6	Y
6.5	Functional Servicing Report (Including Water & Wastewater)	6	Y
6.6	Arborist Report & Tree Inventory and Preservation Plan	7	Y
	Landscape Concept Plan	7	Y
6.7	Traffic Impact Study	5	Y
6.8	Top-of-Bank Demarcation	5	N
6.9	Environmental Evaluation Report	6	N
6.10	Noise Impact Study/Brief	4	Y
6.11	Shadow Study	3	N
6.12	Environmental Site Screening Checklist	4	Y
6.13	Phase One or Two Environmental Site Assessment/ Record of Site Condition Report	4	N
6.14	Land Assembly Documents	2	N
6.15	Height Survey of adjacent buildings	2	N
6.16	Heritage Impact Statement	3	N
6.17	Archaeological Report	3	N
6.18	Pedestrian Level Wind Study	3	N
6.19	Sensitive Land Use (Risk Assessment) Report	4	N
6.20	Urban Design Advisory Panel Meeting Minutes	4	N
6.21	Hydrogeological Assessment	5	N
6.22	Other (specify)		
	Urban Design Brief	5	N
	Grading & Servicing Plans	10	Y
	Geotechnical Study (including Slope Stability)	4	N
	Draft Zoning By-law	2	Y
	3D Model of Proposed Building(s)	1	N
	Construction & Mobility Management Plan	4	Y

Pre-Application Public Consultation Meeting Minutes	4	Y
Reference Plan and PIN Report	3	Y
Waste Management Report	2	N
Erosion and Sedimentation Control Plan	2	Y
Pavement Markings and Traffic Control Signs Plan	2	Y
External Works Civil Plan	2	Y

**12. ADDITIONAL REQUIREMENTS:** See attached meeting notes & application checklist

**NOTES:**

1. The applicant may request a Technical Preconsultation prior to submission of the application. This optional process involves electronic submission of the draft materials and a preliminary municipal review to determine whether there are technical issues which could be resolved prior to formal submission of the application.
2. Notwithstanding the fees noted above, all fees are payable based on the rate in the fee schedule by-law in effect on the date the payment is made.
3. The purpose of this document is to identify the information required to commence processing a complete application as set out in the Planning Act. Pre-consultation does not imply or suggest any decision whatsoever on behalf of City staff or the Corporation of the City of Burlington to either support or refuse the application.
4. This document expires 180 days from the date of signing or at the discretion of the Director of Community Planning. Please note that development application fees may change during this period and it is the applicant's responsibility to ensure that the correct fees are paid at time of application.
5. The City may require the peer review of a technical report submitted by the applicant. If this is required, the applicant will be advised and will be charged a fee equal to the cost of the peer review.
6. In the event this Pre-consultation Document expires prior to the application being accepted by the City, another meeting will be required.
7. Application materials submitted without the information identified in this Pre-consultation Document, or without the supporting technical studies prepared in accordance with the direction provided in Appendix 1, the meeting notes, and the Pre-submission checklist attached to this Document, will be returned to the applicant based on insufficient information to properly evaluate the application.
8. The applicant acknowledges that the City considers the application forms and all supporting materials, including studies and drawings, filed with any application to be public information and to form part of the public record. With the filing of an application, the applicant consents to the City copying and releasing the application and any supporting materials either for its own use in processing the application or at the request of a third party, without further notification to or permission from the applicant. The applicant also hereby states that it has authority to bind its consultants to the terms of this acknowledgement.
9. It may be determined during the review of the application that additional studies or information will be required as a result of issues arising during the processing of the application.
10. The applicant must grant permission for municipal and agency staff to visit and access the property while the application is being processed.
11. There may also be financial requirements arising from the application, including, but not limited to, park dedication, development charges, payment of outstanding property taxes, deferred local improvement charges, costs for lifting 0.3-metre reserves, and reimbursement for road widening acquisition or road improvements.
12. Personal information contained in this form is collected under the authority of the Planning Act, R.S.O. 1990, cP.13, as amended. The information will be used for the purpose of administering the City of Burlington's pre-consultation process on development applications.
13. The applicant requests that the information submitted on this pre-consultation form and associated documents be kept confidential. It is understood; however, that an access request may be filed under the Municipal Freedom of Information and Protection of Privacy Act, and information may be subject to release, notwithstanding the request to keep information confidential.

## Staff and Agency Signatures:

_____ Planning Staff	_____ Planning Staff (Signature)	_____ Date
_____ Site Engineering Staff	_____ Site Engineering Staff (Signature)	_____ Date
_____ Site Engineering Staff	_____ Site Engineering Staff (Signature)	_____ Date
_____ Capital Works Staff	_____ Capital Works Staff (Signature)	_____ Date
_____ Transportation Staff	_____ Transportation Staff (Signature)	_____ Date
_____ Regional Staff	_____ Regional Staff (Signature)	_____ Date
_____ Regional Staff	_____ Regional Staff (Signature)	_____ Date
_____ Conservation Halton Staff	_____ Conservation Halton Staff (Signature)	_____ Date

## Proponent Signatures:

**In signing this agreement, I acknowledge that the drawings, reports and other requirements indicated above must be completed in accordance with the direction in this Preconsultation Form, the attached notes and the attached Pre-Submission Checklist, and submitted, along with a completed application form, any information or materials required by statute, the required application fees and a copy of this agreement in order for the planning application to be considered complete. In addition, I have read and agreed to the Notes listed above.**

_____ Property Owner	_____ Property Owner (Signature)	_____ Date
_____ Agent (I have authority to bind the owner)	_____ Agent (Signature)	_____ Date

## APPENDIX ONE: REQUIREMENTS FOR REPORTS/STUDIES AND PLANS

### 6.1 Planning Justification Report

A qualified planner (Registered Professional Planner) must submit a signed report providing planning justification for the proposed amendment in light of the principles, objectives and policies of the City's Official Plan and the technical studies accompanying the application. The goal of the report is to document how the proposed departure from the local policies and regulations represents good planning and is in the public interest. The report must: describe the site context; address applicable provincial and regional policy; describe the proposal in detail including preliminary site plan details if applicable; address applicable local Official Plan policies (e.g. policies relating to compatibility, intensification, redesignation criteria and conversion policies); describe how the proposal meets Council approved Design Guidelines, discuss findings of the technical studies in the context of the Part II Functional Policies of the Official Plan; and other Council policy.

### 6.2 Conceptual Site Plan Layout & Site Survey

General plan required showing proposed building envelopes, driveways, parking and landscape areas. Survey of site showing PINs, easements, property boundaries etc.

### 6.3 Draft Plan of Subdivision

The plan of subdivision map is to contain information required under Section 51(17) of the Planning Act, as well as: legend, map scale, boundary of property to be subdivided, north marker, address, registered plan number, lot and concession, date plan prepared and date of any revisions, name of person or firm who prepared the plan, all landowners names, signatures and date, and the Ontario land surveyor's name, signature and date.

### 6.4 Stormwater Management Report

Required in accordance with Part II, Section 2.11.3 subsections a) & d) of the Official Plan.

### 6.5 Functional Servicing Report

Required in accordance with Part II, Section 2.11.3 subsection e) of the Burlington Official Plan. Required for all applications in urban areas in accordance with Part III, Sections 87-89 of the Regional Official Plan. Municipal (Urban) Servicing Guidelines are available from the Region of Halton.

### 6.6 Tree Inventory and Protection Plan

Required when a property under application contains woodlots, tree stands or hedgerows, in accordance with Part II, Section 6.0 of the City's Official Plan and Part IV, Sections 146-147 of the Regional Official Plan. A tree survey must be prepared by a qualified professional, identifying all existing trees, their type, size and condition, those trees proposed to be removed and retained, and the methods to be used to ensure preservation and protection of those trees to be retained.

#### Conceptual Landscape Plan:

Required in accordance with Part II, Section 6.0 of the City's Official Plan. The Conceptual Landscape Plan must be prepared by a qualified professional (certified member of the Ontario Association of Landscape Architects), identifying the location and general design intent of the proposed plantings. Minimum required soil volumes must be identified for proposed planting areas."

### 6.7 Traffic Impact Study

Required for applications as set out in Part II, Subsection 3.2.2 d) of the City's Official Plan and Part IV, Sections 171-173 of the Regional Official Plan. Contact City Transportation Planning staff (City roads) or Regional Public Works staff (Regional roads) for background information and to discuss TIS assumptions. For Regional roads, applicants are referred to the "Guidelines for the Preparation of Traffic Impact Studies". MTO must be contacted for lands near provincial highways

### 6.8 Top-of-Bank Demarcation

Required for applications on any property containing, or abutting a creek or valley feature, Lake Ontario or Burlington Bay shoreline, in accordance with Part II, Section 9.2.2 subsection b) and Part III, Section 6.4.2, subsections d) and e) of the City's Official Plan. Applicant's surveyor must meet on-site with representatives of the City Capital Works Department and Conservation Halton to survey the top of bank and/or floodline, and this surveyed line shall be incorporated into the applicant's subdivision or site plan. A geotechnical report may be required to identify stable top-of-bank.

### 6.9 Environmental Evaluation Report

Required for applications as set out in Part II, Section 2.5 of the City's Official Plan, the Regional Official Plan and the Region's Environmental Impact Assessment guidelines. These assessments will be reviewed by the Halton Ecological and Environmental Advisory Committee (EEAC).

### 6.10 Noise and/or Vibration Feasibility Study

Required for applications as set out in Part II, Section 3.3.2, subsections r), s) and t), and Part II, Section 3.7.2, subsections d), e) and f) of the City's Official Plan, Part IV, Sections 142-143 of the Regional Official Plan, and for all properties abutting arterial roads. In the case of Regional roads, applicants shall refer to the Region's "Noise Attenuation Policy for Regional Roads," dated October 2000.

**6.11 Shadow Study**

May be required to demonstrate the potential shadow impacts of a proposed development on its surrounding context, in compliance with the City's Shadow Study Guidelines and Terms of Reference.

**6.12 Environmental Site Screening Checklist**

Required for all applications as set out in the "Protocol for Reviewing Development Applications with respect to Contaminated Sites," dated March 2003. Applicants should contact the Region of Halton for historical data and any environmental records.

**6.13 Phase One or Two Environmental Site Assessment/Record of Site Condition Report**

Required to assess site contamination in accordance with Part II, Section 2.4, subsections i) and j) of the City's Official Plan. All requirements of O. Reg. 153/04 must be met for Phase One and Two studies and required Records of Site Condition (RSCs). A letter of reliance from the Environmental Consultant/Qualified Person, confirming the City of Burlington and the Region of Halton can rely on the information contained in the report(s) is required. All reports must be signed by a Qualified Person as defined under O.Reg. 153/04.

**6.14 Land Assembly Documents**

Required for applications where, in the opinion of the Community Planning Department, the assembly of additional lands is required to facilitate orderly development of the area. Applicants are required to submit documentation demonstrating that a reasonable, bona fide offer has been made to acquire such lands.

**6.15 Height Survey of adjacent buildings**

Required for all residential infill and intensification rezoning applications, in accordance with City Council policy. A surveyor's report must identify the highest points of the existing adjoining roofs measured from the existing average grade of the shared property line.

**6.16 Heritage Impact Statement**

Required as determined by Planning staff for any property designated pursuant to the Ontario Heritage Act, identified on the City's Inventory of Heritage Resources, or for any property located adjacent to a designated or otherwise inventoried property.

**6.17 Archaeological Report**

Required for all applications in or near areas of archaeological potential, as determined by the Region of Halton. Reports must be completed in accordance with Provincial requirements and the Regional Archaeological Master Plan.

**6.18 Pedestrian Level Wind Study**

May be required to predict and assess the wind impacts of proposed buildings and site designs on surrounding public and private spaces in addition to on-site wind conditions, in compliance with the City's Pedestrian Level Wind Guidelines and Terms of Reference.

**6.19 Sensitive Land Use (Risk Assessment) Report**

Required for applications proposing sensitive land uses in proximity to existing industrial uses, or proposing industrial uses in proximity to existing sensitive uses, in accordance with Part II, Section 2.7.3 subsections n) & o) and Part II, Section 4.3 subsection d) of the City's Official Plan, Part IV, Sections 146-147 of the Regional Official Plan, and the Ministry of the Environment D-6 series guidelines.

**6.20 Agricultural Impact Assessment Report**

Required for applications as set out in Part II, Subsection 13.3 e) of the City's Official Plan and for certain proposals in certain designations in the Regional Official Plan. Guidelines for these assessments are available from the Region of Halton, and these assessments will be reviewed by the Halton Agricultural Advisory Committee (HAAC).

**6.20 Burlington Urban Design Advisory Panel Meeting Minutes**

The Burlington Urban Design Advisory Panel (BUD) is an independent advisory body comprised of design professionals that provides urban design advice to the Community Planning Department. Advice from BUD will be integrated early in the review process to reinforce the City's expectation for a high standard of design excellence resulting in a more efficient and effective municipal development review. A copy of BUD meeting minutes must be submitted with the application along with a Design Brief explaining how their advice has been incorporated into the development proposal.

**6.21 Hydrogeological Assessment**

Required for all applications in areas subject to private water and septic services, as set out in Part IV, Subsection 2.1.3 b) and Part IV, Subsection 3.3 d) of the City's Official Plan, the Regional Official Plan and the Region's "Guidelines for Hydrogeological Studies and Standards for Private Services, revised June 2000. Applicants should contact the Halton Health Department for more details regarding site-specific studies, which must be approved by the Region following a peer review.

**6.22 Other** Any other studies as determined to be necessary to facilitate proper consideration of the application.

# Preconsultation Meeting Notes

## 5030-5040 Tico Creek Common - May 12, 2021

---

### Attendees:

- City of Burlington: Kyle Plas, Rebecca Lau, Josh Medeiros, Tania Dowhaniuk, Trevor Clark
- Conservation Halton: Ola Panczyk, Sean Stewart
- Halton Region: Adam Huycke, John Kisneris, Brooke Fleming
- Proponent: Glenn Wellings, Sam Mercado, David Barnard, Andrew Chen

### Description of Development Concept:

- Previous rezoning in 2013 contemplated redevelopment of site with a hotel, a mixed use building containing bank, trust company and credit union uses, and two freestanding restaurants. Rezoning was approved in 2015 by the Ontario Municipal Board.
- Since then, the hotel and an auto repair shop have been constructed. The lands have also been subdivided into four parcels of tied land on a common element road and shared parking lot (Tico Creek Common).
- Proposed concept is to allow two, one-storey mixed use buildings with a total gross floor area of 778.2 m<sup>2</sup>, instead of the two freestanding restaurant buildings that are currently permitted. New retail uses not currently permitted by the City's Zoning By-law are also proposed.
- Proposed retail uses are to be determined. Owner seeing demand for some office, smaller take out fast food restaurants, and dental offices instead of sit-down restaurants.
- Both buildings are proposed within POTLs subject to a plan of condominium. No servicing or transportation changes anticipated.
- Parking is not intended to change. Intent is to change the uses while keeping same amount of square footage. Building A was intended to be sit down restaurant, and Building B was to be a mixed use. Size of Building A has been reduced. Building B now to contain some restaurant use.
- Proponent explains new retail would be considered accessory to existing hotel and auto shop. Not looking to amend Official Plan.

### Planning Comments:

#### *City of Burlington Official Plan, 1997*

- The property is designated Mixed Use Corridor – Employment. Lands in this designation are intended to provide for the retail and service commercial needs of the employment uses and their employees within and immediately adjacent to the Corridor. A limited range of retail, service commercial and personal service uses which serve the day to day needs of employees are permitted, as well as retail uses related to home improvement.
- Residential uses are prohibited.
- Appleby Line between the QEW and Mainway, including the subject site, is identified as a Mixed Use Corridor-Employment location that is primarily intended for higher intensity, transit and pedestrian oriented employment development (Part III, 5.3.4 4) (vii)).
- The maximum floor area ratio of any development site shall be 1.0:1, and the maximum building height is 6 storeys. Buildings should be located so as to front and face the street, to provide a sense of human comfort and pedestrian scale and interest, and in close proximity to the street and to transit services.
- Safe and convenient access shall be provided for pedestrians.
- Transit-supportive and pedestrian-oriented urban design shall be required.
- Part III, 5.3.4k) outlines criteria for evaluating proposals to redesignate from Mixed Use Corridor – Employment Lands to add a range of uses that are primarily permitted in a non-employment designation.



### *Current Zoning*

- The existing zoning is MXE-452 (Mixed Use Corridor – Employment, with a site-specific exception).
- The MXE zone permits a limited range of retail and service commercial uses, office, and some automotive, industrial, entertainment and recreation uses.
- Permitted retail uses are limited to convenience/specialty food stores, office furniture and equipment, computer hardware and software, machinery and equipment, and home improvement products.
- Although the site consists of multiple parcels, for the purpose of applying zoning regulations, the lands zoned MXE-452 are considered one lot.
- Exception 452 allows the following additional uses: hotel; bank, trust company, credit union
- Exception 452 also establishes the following maximum gross floor areas:
  - Mixed-use building: 345 m<sup>2</sup>;
  - Freestanding building for fast food restaurant: 280 m<sup>2</sup>;
  - Freestanding building for standard restaurant: 470 m<sup>2</sup>.
- Exception 452 requires a minimum of 152 parking spaces including 6 designated accessible parking spaces across the site.

### *New Official Plan, 2020 (Region Approved)*

- Status of City's New Official Plan:
  - On Nov. 30, 2020, the Region of Halton issued a Notice of Decision approving the new Burlington Official Plan. 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 Dec. 22, 2020 for the new Burlington Official Plan. The appeal record submitted to the Local Planning Appeal Tribunal (LPAT) by the Region of Halton indicates that a total of 48 appeals to various parts of the new Burlington Official Plan were received during the appeal period.
  - Although the City is preparing a working version of the new Official Plan, it is the LPAT that will issue Orders throughout the appeal process to establish and confirm which portions of the Plan remain subject to appeal, and which portions are in effect. The City anticipates that the first of these Orders will be issued by the LPAT following the initial case management conference in this matter, which has yet to be scheduled. The City anticipates that the first of these Orders will be issued by the LPAT following the initial case management conference in this matter, which has been scheduled for June 11, 2021. At the appropriate time, City staff will also bring forward a repeal by-law(s) for the former Burlington Official Plan (1997, as amended).
  - As the LPAT process advances, the working version of the Burlington Official Plan, 2020 is subject to change. Users of the document must satisfy themselves as to the legal status and applicability of the policies. Interested parties are encouraged to monitor the City of Burlington's website for updates regarding the LPAT process, the Burlington Official Plan, 2020 and the Burlington Official Plan, 1997: <https://www.burlington.ca/en/services-for-you/Official-Plan-Review.asp>
- The site is identified as being within the following components/land use designations of the new Official Plan:
  - Schedule A (City System): Urban Area
  - Schedule B (Urban Structure): Mixed Intensification Areas, Mixed Use Nodes & Intensification Corridors
    - This component of the urban structure consists of street-oriented uses which incorporate a mix of commercial, residential and employment uses, developed at overall greater densities, servicing as important transportation routes along higher order transit corridors. Lands within Mixed Use Node and Intensification Corridors will be a focus of reurbanization, support frequent transit corridors, and provide focal points of activity and a vibrant pedestrian environment.
  - Schedule B-1 (Growth Framework): Employment Growth Area (outside Halton Region's Employment Area)
    - This component consists of employment-oriented designations not captured within the Primary or Secondary Growth Areas and are a focus for employment intensification.

- All forms of employment intensification may be permitted, in accordance with the permissions established in the underlying land use designation
- Policies of Subsection 7.3.2(3) (Urban Design and Built Form – Employment Growth Areas) apply.
- Schedule C (Land Use – Urban Area): Urban Corridor – Employment
  - Similar to the Mixed Use Corridor – Employment designation of the City’s 1997 Official Plan, objectives of the new Official Plan’s Urban Corridor – Employment designation include: to provide locations that are primarily intended for higher intensity employment uses; to encourage higher intensity, transit-supportive and pedestrian-oriented mixed use development in a compact built form and to ensure an employment function on these lands while retaining compatibility with the surrounding area.
  - Lands within this designation are expected to transition to accommodate employment and at-grade accessory retail and service commercial uses, and are intended to meet the retail and service commercial needs of the employment uses and their employees within and immediately adjacent to the corridor.
  - Accessory retail and service commercial uses may only be permitted provided: (i) the use is at grade level and, (ii) located within a building containing or proposed to contain employment uses above the first storey.
  - A maximum floor area and maximum floor area at grade per individual retail and service commercial unit shall be established in the Zoning By-law, based on considerations such as planned commercial function, built form, and contribution to achieving vibrant, active and walkable built environments in Urban Corridor-Employment lands.
  - A maximum floor area ratio of 2.0:1 is considered an appropriate built form. Building heights are to be a minimum of 2 storeys and a maximum of 6 storeys.
  - The addition of non-employment uses through a site-specific Official Plan Amendment shall only be permitted on lands outside Halton Region’s Employment Area, and subject to the following criteria (8.1.3(8.2)):
    - the subject lands meet the overall policy intent of the Urban Corridor – Employment designation; and,
    - the proposed *development* ensures the inclusion of sufficient space to retain a similar number of jobs currently located on the site, or where the site is currently underutilized or vacant, the number of jobs proposed on the site *should* achieve 50 jobs per net hectare; and,
    - where the proposed *development* is located within an MTSA Special Planning Area and is proposed in advance of an area-specific plan the policies of section 8.1.2 Major Transit Station Areas of this Plan *shall* apply.
- Please refer to Chapter 7 for policies regarding urban design and built form, including design considerations for accessory drive-throughs.
- Subsection 12.1.2(2) outlines Development Criteria against which all development applications will be evaluated.

#### *Preliminary Review of Development Concept*

- Existing zoning is based on the permitted uses of the MXE zone. Proposals for retail and service commercial uses not currently permitted may trigger the need for an Official Plan Amendment. Any proposed retail and service commercial uses would need to be limited to those which serve the employment uses and employees within and adjacent to the site.
- Both the 1997 and new City Official Plans intend for higher intensity, transit and pedestrian oriented employment development on the subject lands. The new Official Plan further clarifies that accessory retail and service commercial uses may be permitted provided that the use is located on the ground floor of a building containing employment uses above the first storey. Although the current zoning of the site permits retail and service commercial uses on their own, the new Official Plan represents Council’s vision for the future and should be considered.

- Any rezoning of the site must demonstrate conformity to the City's Official Plans. Justification is needed to demonstrate how the proposed increase in mixed-use building floor area and additional retail uses are consistent with the objectives of the applicable land use designations, and serve the needs of surrounding employment uses and employees. Detailed information about the anticipated land use mix (including unit sizes) of each proposed mixed-use building, and a list of the proposed new retail uses should be provided as part of this justification.
- Staff note that the City's new Official Plan allows a greater maximum floor area ratio than the 1997 Official Plan (2:1 instead of 1:1) and requires a minimum building height of 2 storeys up to 6 storeys. While this policy has yet to be implemented in the City's Zoning By-law, please consider whether there is an opportunity to implement this policy through the proposed site-specific rezoning.
- Exception 452 currently allows two freestanding restaurant buildings totaling 750 m<sup>2</sup> in floor area across the entire site. Please confirm whether these regulations are proposed to change as part of the proposed rezoning, or if the increase in mixed use floor area is proposed as an addition to current permissions. Considering the current parking constraints of the site and the aforementioned Official Plan objectives, changes to the existing permissions for freestanding restaurant buildings may be needed if an increase in mixed use floor area is to be permitted.
- The proposed increase in floor area and range of retail uses should be supported by adequate off-street parking. Staff note that the current MXE-452 parking requirements were based on a reduction to the retail centre parking rate that was in effect at the time. Since the existing and proposed mix of uses has changed from the concept that was reviewed in the original rezoning and the City has adopted new parking rates, an updated/new study of the parking requirements for the overall site may be required as part of the application to ensure that adequate parking will be available on site. Planning staff defer to Transportation staff to comment.
- Transit-supportive and pedestrian-oriented urban design is required. Drive through facilities are generally not conducive to a pedestrian-oriented urban design. Consider relocating the drive-through facility so that the driving lane does not face Appleby Line (e.g. locate to the rear of Building A or B) or eliminating it all together. Also, please note that within the MXE zone, drive-through facilities facing a street are only permitted for restaurant uses.

#### *Application Requirements*

- A Zoning By-law Amendment application is required to permit the proposed increase in maximum floor area for mixed use buildings and any proposed retail uses that are currently not permitted by the Zoning By-law.
- Prior to submitting the application, a Pre-Submission Neighbourhood Meeting is required. Please refer to the provided Applicant's Guide to Pre-Submission Neighbourhood Meetings.
  - The neighbourhood meeting is to be organized by the applicant and must be held before the application is submitted.
  - Circulation of the meeting invitation to residents and tenants within 120 metres of the development site will be completed by the City for a fee. Provide a PDF of the meeting invitation on the applicant's letterhead for distribution. Notice must be sent a minimum of 20 days in advance of the meeting.
  - Please notify the Ward Councillor, and the Coordinator of Development Review of the date, time and location of the meeting. Be sure your meeting location is accessible and close to the development site. Due to the current COVID-19 situation, the meeting may be held virtually. Please contact Kyle Plas, Coordinator of Development Review, for further instructions on hosting a virtual meeting. [kyle.plas@burlington.ca](mailto:kyle.plas@burlington.ca).
  - During the meeting, provide a detailed overview of the development proposal and allow time for questions and comments from the public. Take notes of the discussion.
  - As part of a complete application, the applicant must provide neighbourhood meeting minutes which include a written summary of public input received at the meeting. As part of the Planning Justification Report, the applicant must explain how this public input was used to modify the development proposal.

- A Planning Justification Report is required:
  - to summarize the proposal, including information about the uses that are envisioned in the proposed mixed-use buildings and the proposed additional retail uses;
  - to discuss the impact of Provincial, Regional and local planning policy (both 1997 and new Official Plan (2020)) on the proposed development;
  - to discuss how the results of required technical studies have been used to refine the proposal;
  - to explain how input received at the pre-application public consultation meeting has been used to refine the proposal; and
  - to explain how the proposed development is compatible with surrounding land uses and represents higher intensity, transit and pedestrian oriented employment development.
- Please consider sustainable building design in your proposed development. An introductory letter from the Burlington Sustainable Development Committee and a copy of the Burlington Sustainable Building and Development Guidelines are provided under separate cover.
- Staff contact: Rebecca Lau, Planner, [Rebecca.Lau@burlington.ca](mailto:Rebecca.Lau@burlington.ca)

### **Region of Halton Planning Comments:**

#### *REGIONAL OFFICIAL PLAN, 2009*

- Designation: Urban Area (Built Boundary)

#### Urban Area

- The Urban Area policies of the ROP support the Region's Growth Management policies in that Urban Areas are to accommodate growth, support a form of growth that is compact and supportive of transit, support the creation of complete communities, and identify an urban structure that supports the *development of Intensification Areas*.
- Map 3 of the ROP identifies that the subject lands are located adjacent to a Higher Order Transit Corridor (Intensification Corridor) forms part of a regionally identified *Intensification Area*. *Intensification Areas* are a focus for growth and intensification. Intensification Corridors are to be identified and defined within Local Official Plans.
- Section 89 of the Regional Official Plan require that approvals for all new development within the Urban Area be on the basis of connection to the Region's municipal water and wastewater systems, unless otherwise exempt by other policies of this Plan.

#### Regional Natural Heritage System

- The subject lands are located in close proximity to Appleby Creek that forms part of the Regional Natural Heritage System. As part of the previous Zoning By-law Amendment and Site Plan review processes, the limits of development, and impacts to the Key Features that are adjacent to these lands were considered and established.
- As the proposed amendment to the parent zoning impacts portions of this development that are not adjacent to Appleby Creek, Regional Staff are satisfied that an Environmental Impact Assessment can be waived.
- Regional Staff defer to and support the comments and direction from Conservation Halton and the City of Burlington as they relate to the identification and protection of Appleby Creek and the associated hazards.

#### Potential for Site Contamination

- In accordance with Section 147(17) of the Region's Official Plan states that a property is to be free of contamination prior to any development/change of use taking place.
  - Submission of a Regional Environmental Site Screening Questionnaire (ESSQ) is required.
  - As the proposal is technical in nature, additional Site Assessments may not be warranted at this time. We kindly request that all completed ESA's (to O. Reg 153/04 standards and with a Letter of Reliance) should be submitted.

#### *Waste Management:*

- Regional Waste collection to this site/development will not be provided.

#### *Municipal Servicing:*

- Detailed technical comments provided under separate cover.

### *Regional Transportation*

- Traffic Impacts:
  - Based on the initial site plan review in 2013, a Transportation Impact Study was completed and approved for this site. Based on the study, to ensure safe road operations, the access was configured with a right in/right out and left in with the left-out movement from the proposed development site being the only restricted movement. This recommendation was carried forward through the 2014 addendum and 2016 additional review for the site in accordance with Halton's Access Management Guidelines.
  - For this Zoning By-law Amendment application:
    - An Update to the most recent TIS is required to identify and quantify any changes in trip generation that would impact the Regional road network.
    - A Scope of Work is required for review before commencement of the Update.
    - The Region would like any known tenants identified.
    - For any specialized tenants, proxy data may be required.
- References:
  - The relevant Guidelines and By-Law are available for review at the following links:  
Transportation Impact Study (TIS) Guidelines:  
<https://www.halton.ca/Repository/Transportation-Impact-Study-Guidelines>  
Access Management Guidelines:  
<https://www.halton.ca/Repository/Access-Management-Guideline>  
By-Law 32-17 - A BY-LAW TO PROHIBIT, RESTRICT, AND REGULATE ACCESS TO THE REGIONAL ROAD SYSTEM:  
<https://www.halton.ca/getmedia/41aace75-d413-4577-8e76-0f09f0ba1185/CAO-by-law-32-17.aspx>

### *Submission Requirements:*

- All submission materials on a USB
- Applicable Regional Fee(s)
- Complete Application forms
- Planning Justification Report
- Concept Plans
- Environmental Site Screening Questionnaire (further studies such as a Phase 1 Environmental Site Assessment (O.Reg 153/04 standards and with a Letter of Reliance) may be required as determined by the Questionnaire)
- Functional Servicing Report
- Traffic Impact Statement
- Staff Contact: Adam Huycke, Senior Planner, [Adam.Huycke@halton.ca](mailto:Adam.Huycke@halton.ca)

### **Region of Halton Servicing Comments:**

- There is a Halton Region local watermain within Appleby Line (Regional Road #20) adjacent to the proposed development.
- There is a Halton Region local wastewater main (sanitary sewer) within Appleby Line (Regional Road #20) adjacent to the proposed development.
- There is a Halton Region local stormwater main within Appleby Line (Regional Road #20) adjacent to the proposed development.
- The developer should undertake to locate the size and location of all watermains, water services, water meters, wastewater mains (sanitary sewers), wastewater (sanitary) services, stormwater mains, property line sanitary sewer inspection manholes and stormwater services that exist within the road right-of-ways, to the property and within the property and place them on an Existing Site Servicing Plan drawings within their reports. Public and private utility companies can be utilized for this purpose.
- A Functional Servicing Report is required to be prepared by the developer's civil engineering consultant (watermains, water services, fire hydrants, sanitary sewer mains, sanitary sewer services, property line sanitary sewer inspection manholes, stormwater mains and stormwater services) to show options for how the property is proposed to be serviced according to City of Burlington and Halton Region standards. The

report should speak to the number/type of units proposed and the phasing of the development with respect to the impacts on the Region's water distribution system and wastewater collection system. Phasing, timing of the development, and required/available capacity shall be detailed in the report.

- The FSR should include information related to all the other Utilities infrastructure in the area and potential conflicts.
- The FSR should show the existing site services and note how they (if any) are proposed to be decommissioned to make way for the development.
- The Erosion and Sedimentation Control plan drawings, the Grading and Drainage plan drawings, the Pavement Markings & Traffic Control Signs plan drawings and the External Works drawings should be updated.
- The existing landscaping plan drawings, and tree preservation and protection plan drawings, should be updated (if required). An Arborist Report may be required. The Arborist should be advised of Halton Regional Report LPS31-08, Trees Canopy Replacement Policy on Regionally Owned Lands, and the Region's Regional Road Landscaping Guidelines and Specifications 2018.
- The developer should be aware of the Region's Multi-Unit Servicing Policy with respect to the number and location of water meters.
- Regional policies state that water and sanitary services cannot cross lot lines, the owner will ensure this throughout the process. Each lot must be independently serviced if it is proposed to be a separate lot.
- Any major servicing or road works required for this project would fall under the Regional Servicing Agreement process, including securities, Agreement registration, developer's liability insurance and the payment of Agreement fees. This would include a full set of civil engineering municipal drawings and reports as required.
- Servicing of a standard nature is required to go through the Regional Services Permit process. The owner obtained a Regional Services Permit and a Regional Entrance Permit a few years ago for their phase 1 development. The developer may not have completed all the works to date. The Region has some outstanding concerns that the developer's consultant should resolve with the Region. It will need to be confirmed whether the phase 1 permits are still valid or have expired.
- The size and scope of, utility trench and road cut, road restoration shall be to the satisfaction of the City of Burlington for local roads, and Halton Region for Appleby Line (Regional Road #20).
- Any water services and sanitary services that currently exist to the property that will not be utilized for any reason will be required to be disconnected right at the respective main by the developer.
- The developer's site servicing consultant can preconsult with the Region at any time regarding their proposed draft site servicing water design, wastewater design, road works, external works, vehicle access, Regional permits and any identified utility conflicts (including storm).
- Staff contact: John Kisneris, Development Project Manager, [John.Kisneris@halton.ca](mailto:John.Kisneris@halton.ca)

#### **Conservation Halton Comments:**

##### *Ontario Regulation 162/06 – Conservation Halton*

- While 1211 and 1223 Appleby Line, Burlington are not regulated by Conservation Halton (CH), these lots (proposed Buildings A and B) rely on a stormwater outfall which is located within CH's regulated area (reviewed by CH through Site Plan Application 535-04/14). A Permit from CH is not required for the construction of the Buildings A and B. However, the Common Element is regulated by CH. As such, any grading works proposed within the Common Element associated with the construction of Buildings A and B, and any works proposed to the storm outfall will require a Permit from CH.

##### *Memorandum of Understanding (MOU)*

- Should this application move forward, CH will review stormwater management under the MOU.

##### *Fees/Circulation*

- CH should be circulated the full application in digital format.
- The current review fee for the ZBA is under the *intermediate* category of \$4,517 (CH will confirm applicable review fees once additional details are provided). Fees will apply based on the applicable fee schedule at the time of submission. CH's 2021 fee schedule is available online: <https://conservationhalton.ca/plan-review-fees>



### Summary of Submission Requirements

- Stormwater Management Addendum/Brief (confirming stormwater management is in keeping with the previously approved stormwater management design through Site Plan Application 535-04/14, and that no modifications to the outlet are proposed)
- Overall site plan drawing showing all proposed works and delineation of CH's regulated area
- Grading & Servicing Plans (with CH's regulated area delineated)
- Staff Contact: Sean Stewart, Planning & Regulations Analyst, [sstewart@hrca.on.ca](mailto:sstewart@hrca.on.ca)

### Site Engineering Comments:

- *Stormwater Management Brief/Addendum* - Provide staff with an addendum to the SWM Report confirming that the proposed changes to the subject building envelopes will continue to adhere to the quantity and quality control criteria previously approved. In addition the addendum must also confirm whether there are any proposed changes to the previously approved low impact development design and/or impacts to the outlet structure (conveyance of stormwater) at Appleby Creek. The addendum must be signed and stamped by a professional engineer.
- *Noise Impact Study Brief/Addendum* - Are there any proposed changes to outdoor HVAC equipment / or new mechanical equipment, which have not been previously assessed through the previously approved Rezoning (520-08/13) and Site Plan (535-014/14) applications? If so, please provide staff with an addendum confirming the new mechanical equipment adheres to the Ministry's NPC-300 requirements.
- *Site Grading and Servicing Plans* – Provide updated plans which now reflect the proposed building envelope changes.
- *Construction and Mobility Management Plan* – The plan must include the following details:

➤ Haul Route	➤ Sanitary
➤ Construction	Facility
➤ Site Access	Location
➤ Site Trailer	➤ Trades
➤ Location(s)	Parking
➤ Material Storage	Location
Location	

Please note, Appleby Line is a Regional Road, any proposed construction staging/road occupancy needs within the public road allowance will require Region of Halton approval.

- The following plans will be required at the Site Plan Application stage (detailed design):
  - Erosion and Sediment Control Plan
  - Lighting and Photometrics Plan - (Provide an updated plan which reflects the proposed building envelope changes and any proposed light fixture changes. Photometrics calculations to account for the entire site)
- Staff Contact: Josh Medeiros, Senior Engineering Technologist, [Josh.Medeiros@burlington.ca](mailto:Josh.Medeiros@burlington.ca)

### Urban Forestry & Landscape Comments:

#### Re: Existing Trees

1. An updated Tree Inventory and Preservation Plan and Arborist Report are required for all existing trees greater than 10cm DBH on site and on adjacent properties within 3m of the property lines, and trees of any size in the right-of-way. See the City of Burlington: Pre-Submission Checklist for requirements.
2. There are trees along the Appleby Line Regional right-of-way that should be protected and preserved. I defer to the Region for detailed requirements, but removal or any proposed work in the Minimum Tree Protection Zone of existing trees should be avoided where possible and alternate layouts and construction measures should be considered to preserve healthy trees and discussed in the Arborist's Report. In the absence of alternatives, justification should be provided for any requested removals.

3. All existing public and private trees to be retained require tree protection fencing. Please see the City of Burlington Tree Preservation and Protection Specification SS12A for further tree protection details. Minimum Tree Protection Zones (MTPZ) and Critical Root Zones (CRZ) should be clearly shown and labeled on the Tree Inventory and Preservation Plan, in addition to tree protection fencing. Any encroachments into the MTPZ of existing trees to retain should be discussed in the Arborist Report.
4. Show existing trees to be preserved and tree preservation fencing on the Construction Management and Mobility Plan.
5. Do not remove any trees from the site until after the Rezoning application has been approved.

*Re: Landscape*

1. A Landscape Concept Plan will be required, showing the general layout and intent of what is proposed for landscaped areas, including landscape areas and buffers, fence location and types and pedestrian circulation. See the Pre-Submission Checklist for requirements.
  2. Show any proposed plantings, fencing and signage on private property (not in the right-of-way).
  3. Enhanced plantings should be provided along the Appleby Line frontage, particularly to screen views to the drive through stacking spaces (cueing lane), garbage storage areas, and parking.
  4. Show bicycle parking and snow storage locations.
  5. Show and dimension pedestrian walkways and connections to the city sidewalk (1500mm minimum width, 1800mm recommended).
- Staff contact: Tania Dowhaniuk, Intermediate Technician – Landscaping, [Tania.Dowhaniuk@burlington.ca](mailto:Tania.Dowhaniuk@burlington.ca)

**Parks & Open Space Comments:**

- Park dedication is a requirement of this development
- Cash-in-lieu of parkland dedication will be provided in accordance with the current park dedication by-law and OP policies.
- Staff Contact: Rob Peachey, Manager of Parks & Open Space, [Rob.Peachey@burlington.ca](mailto:Rob.Peachey@burlington.ca)

**Transportation Services Comments:**

- Please refer to our Burlington Citywide Parking Standards Review for applicable parking rates for this proposal - see the following URL: <https://www.burlington.ca/en/services-for-you/city-wide-parking-standards-review.asp>
- Please refer to our Site Plan Guidelines for applicable design standards for structured parking and site circulation.
- Please provide a Traffic Impact Study for this proposed development and please refer to the Region's Traffic Impact Study Guidelines for the scope.
- Please include truck and vehicle turning templates as part of your TIS to demonstrate safe site circulation.
- Staff Contact: Trevor Clark, Transportation Planning Technologist, [Trevor.Clark@burlington.ca](mailto:Trevor.Clark@burlington.ca)



## **City of Burlington: Pre-Submission Checklist**

**Address: 5030-5045 Tico Creek Common**

**Date: May 12, 2021**

**NOTE: This checklist will be used to ensure that the materials and technical studies submitted in support of a redevelopment application meet minimum standards. If these standards are not met, the materials will be returned and a redevelopment file will not be opened.**

### **1) General Requirements**

- ☐ Correct application fees (based on most current fee schedule)
- ☐ Correct number of application forms and copies of reports
- ☐ Application form fully completed and commissioned
- ☐ Landowner's authorization and consent to enter property signed
- ☐ Three CDs or flash drives containing electronic copies of all materials
- ☐ Consistency within technical reports in terms of the development concept evaluated, and supporting appendices and drawings.
- ☐ Consultants have coordinated data and conclusions so that reports are consistent between disciplines
- ☐ Clear and legible drawings
- ☐ All electronic file submissions must be named using the following naming protocol: "Address\_StudyName\_MM-DD-YYYY". If a document is revised and resubmitted the file name should indicate that it is a revised submission and the date of the revision should be noted: "Address\_StudyName\_Revised\_MM-DD-YYYY".
- ☐ Two digital copies of all plans are required along with paper copies. Digital plans must be submitted in Autocad and/or GIS Shapefile format that must be geospatially positioned to match the City of Burlington's Geographic and Projected Coordinate Systems (Geographic Coordinate System: GCS\_North\_American\_1983; Projected Coordinate System: NAD83\_UTM\_ZONE 17N).
- ☐ Pre-Application Consultation Meeting Notes

### **2) Conceptual Site Plan**

- ☐ Legible, metric scale drawing on 24x36 inch paper
- ☐ Clearly identifies all development constraints including easements, MTO setbacks, floodlines & hazard lands, natural heritage buffers etc.

### **3) Planning Justification Report**

- ☐ Signed by a Registered Professional Planner
- ☐ Contains a written acknowledgement by the RPP that they have reviewed all supporting technical studies in consideration of their planning opinion.
- ☐ Contains a review of the applicable policies of the Provincial Policy Statement.
- ☐ Contains a review of the applicable policies of A Place to Grow Growth Plan
- ☐ Contains a review of Ontario Regulation 162/06.
- ☐ Contains a review of all other relevant Provincial legislation.
- ☐ Contains a review of the applicable policies of the Region of Halton Official Plan.
- ☐ Contains a detailed explanation of how the proposed development is consistent and/or conforms to all relevant Provincial Plans and policies.
- ☐ Contains a review and analysis of the applicable policies of the City of Burlington Official Plan (2008).
- ☐ Contains a fulsome discussion of the results of the required technical studies and how they have been used to refine the redevelopment proposal.
- ☐ Contains a discussion of how input received at the Pre-application consultation meeting has been used to refine the redevelopment proposal.
- ☐ Contains an explanation of how the proposed development is compatible with surrounding land uses including height, setbacks, massing and design.
- ☐ Draft Zoning By-law
- ☐ Contains an explanation of why the requested change represents good planning and adheres to Provincial and municipal plans and policies.
- ☐ If land division is required, contains an explanation of the proposed process (condominium type, subdivision, consent), timing and next steps.

### **4) Stormwater Management Report**

- ☐ Please refer to the City of Burlington Stormwater Management Design Guidelines, approved by City Council on June 22, 2020, please be advised of new IDF curves for the City of Burlington: <https://www.burlington.ca/en/services-for-you/Stormwater.asp>
- ☐ Refers to the Ministry of the Environment “Stormwater Management Planning and Design Manual” and the TRCA/CVC Low Impact Development Stormwater Management Planning and Design Guide.
- ☐ Is prepared, signed and stamped by a Professional Engineer

- ☐ Includes pre and post development drainage area plans that are legible, plotted to an acceptable metric scale, plotted on 24" by 36" paper and plotted on a consistent base map layer
- ☐ Includes site grading and servicing plans that are legible, plotted to a metric scale of 1:200, 1:250, 1:300 or 1:500, plotted on 24" by 36" paper and plotted on a consistent base map layer
- ☐ Includes digital copies of modeling, modelling program acceptability to be confirmed with City Staff prior to use and prior to submission of report.
- ☐ Includes a list of all past reports and current technical documents that have been consulted.
- ☐ Includes all calculations, modelling, and parameters (as per City Standard Drawings S-IDF, S-2D, S-3D, etc., as amended)
- ☐ Includes clearly defined stormwater criteria for the site (including source) and demonstrates in report how these criteria will be satisfied.
- ☐ Addresses all interim conditions as well as the ultimate condition
- ☐ Contains engineering details and cross-sections showing existing utility locations if any temporary and/or permanent encroachments are proposed.
- ☐ Provide chemical analysis of groundwater to determine if it satisfies the City's storm sewer discharge criteria for water quality. (including documentation from the Geotechnical or Environmental Engineer in the appendix)
- ☐ If groundwater cannot be directly outletted to the municipal storm system, detail where it will outlet, i.e. treated then outlet to storm or outlet to the sanitary system.
- ☐ Provide an estimate of groundwater flow to be permanently managed in the site storm system (including documentation from the Geotechnical Engineer or Hydro-geologist in the appendix)
- ☐ Provide comment on whether or not it is anticipated a permit to take water would be necessary either temporarily during construction or permanently.

#### **5) Functional Servicing Report**

- ☐ Is prepared, signed and stamped by a Professional Engineer.
- ☐ Contains legible drawings , including all dimensions, plotted to a metric scale of 1:200, 1:250, 1:300 or 1:500 on 24x36 inch paper, and on a consistent base map layer .
- ☐ Follows the terms of reference agreed upon by the Regional and City staff in advance of study commencement. Includes a copy of this approved Terms of Reference as an Appendix.
- ☐ Includes digital copies of models.

- ☐ Includes all dimensions in metric, to scale, and on a consistent base map layer.

#### **6) Grading and Servicing Plans**

- ☐ Must be separate Plans
- ☐ Are stamped and signed by a Professional Engineer
- ☐ Contains legible drawings, plotted to a metric scale of 1:200, 1:250, 1:300 or 1:500, on 24" by 36" paper and plotted on a consistent base map layer
- ☐ Identifies property lines, dedications, easements, regulated areas, impermeable surfaces (including curbs, roads, driveways, sidewalks, etc.), buildings and entrances, and other information as needed
- ☐ Identifies the location of all underground, at grade and overhead utilities
- ☐ Identifies the location of all storm water management infrastructure, including swales, sub-drains, catch basins, pipes, and other quality and quantity controls as required
- ☐ Identifies Municipal Benchmark and Horizontal Control

#### **7) Noise & Vibration Feasibility Study**

- ☐ Is prepared, signed and stamped by a Professional Engineer.
- ☐ Includes determination of project feasibility
- ☐ Includes assessment of existing and proposed transportation sources of noise and stationary sources of noise and vibration.
- ☐ Includes traffic/train counts confirmed by relevant agencies and includes correspondence from those agencies in an appendix.
- ☐ Includes assessment of outdoor and indoor acoustical environments, including those onsite and on neighbouring noise sensitive land uses
- ☐ Includes clearly defined environmental sound levels for transportation sources of noise and stationary sources of noise as per City's requirements and the MOECC publication NPC-216 and NPC-300 as amended
- ☐ Includes investigation of feasible means of noise impact mitigation, including a chart outlining noise control measures required to achieve sound levels of 55dBA (or as close as possible) for each outdoor living area
- ☐ Includes all calculations and modeling (i.e. STAMSON output)
- ☐ Includes technical details, and clarifies the responsibility for the implementation and maintenance of the required noise control measures.
- ☐ Includes recommendations for warning clauses.

## 8) Traffic Impact Study

- ☐ Confirmation of Scope of Work by Burlington Transportation Services staff
- ☐ Signed by CET or signed and stamped by a Professional Engineer
- ☐ Follows Regional TIS Guidelines for Regional roads
- ☐ Follows MTO Guidelines for sites within MTO permit control area
- ☐ Includes correspondence about traffic projections from City, Region and MTO in an Appendix.
- ☐ Includes SYNCHRO files as an electronic attachment (not a PDF)
- ☐ Traffic counts are not completed during school holiday times, and are completed during the mid-week period (Tuesday through Thursday).
- ☐ Traffic counts are no older than one year.
- ☐ Electronic copy of all signal warrant calculation files (not a PDF)
- ☐ Includes all traffic counts and modelling data in an Appendix and electronically
- ☐ Includes a multi-modal approach to transportation analysis
- ☐ Incorporates Travel Demand Measurement measures

## 9) Tree Inventory and Preservation Plan and Arborist Report

- ☐ Is prepared by a qualified professional (e.g. Arborist certified by the International Society of Arboriculture (ISA), including ISA number; qualified by Ministry of Training, Colleges and Universities (MTCU) or Ontario Training and Apprenticeship Board (OTAB); registered professional Forester in Ontario, etc.)
- ☐ Contains legible drawings on 24x36
- ☐ Includes all dimensions in metric, to scale, and on a consistent base map layer
- ☐ Includes bar scale
- ☐ Shows the proposed development (including property lines, easements, regulated areas, paved areas, buildings and entrances, landscaped areas, regulated limits, etc.) and is coordinated with the Site Plan, Grading and Servicing drawings
- ☐ Arborist Report should describe the scope and methodology of proposed construction works and the tree preservation measures
- ☐ Identifies all existing trees (over 10cm diameter at breast height (DBH) measured at 1.4m above the ground) on site and within 3m of the property lines, and trees of any size on public property, their common and botanical name, size (DBH and height), structural and physiological condition, ownership, comments and notes, recommendations, and photos

- ☐ Identifies trees proposed to be removed and retained, and the methods to be used to ensure preservation and protection of trees to be retained, including location and detail of tree protection fencing in accordance with the City of Burlington's Tree Protection and Preservation Specification SS12A: [https://www.burlington.ca/en/services-for-you/resources/Forestry%20Operations/Tree\\_Protection\\_and\\_Preservation/City-of-Burlington-Standard-Specification-for-Tree-Protection-and-Preservation.pdf](https://www.burlington.ca/en/services-for-you/resources/Forestry%20Operations/Tree_Protection_and_Preservation/City-of-Burlington-Standard-Specification-for-Tree-Protection-and-Preservation.pdf)
- ☐ Minimum Tree Protection Zones and Critical Root Zones clearly shown and labeled in addition to tree protection fencing
- ☐ Percentage of injury should be clearly shown on the plan and noted in the Arborist Report, and impacts and damage mitigation methods outlined
- ☐ Clearly show the excavation limits on the plan (e.g. foundations or footings, trenching, etc.) and discuss damage mitigation measures (e.g. root pruning) in the Arborist Report
- ☐ Alternate layouts and construction measures should be considered and discussed in the Arborist Report to ensure any proposed removals are necessary and justified (i.e. there are no alternatives to the removal)
- ☐ Abbreviations should be defined and industry standard terminology used
- ☐ If removal or damage to trees on neighboring properties or boundary trees is required, provide either: 1) letter of consent from adjacent property owners that they are aware of the proposed development and potential impact to their trees or boundary trees and have no objections, OR 2) the Arborist Report should include preservation methods that can be implemented to mitigate damage to neighboring or boundary trees
- ☐ Arborist Report should describe compensatory tree planting if trees are proposed to be removed (layout to be shown on the Landscape Concept Plan)

#### **10) Landscape Concept Plan**

- ☐ Is stamped and signed by a qualified member of the Ontario Association of Landscape Architects
- ☐ Contains legible drawings on 24x36 inch paper
- ☐ Includes all dimensions in metric, to scale, and on a consistent base map layer
- ☐ Includes bar scale
- ☐ Identifies the location and general design intent of the proposed plantings and amenity areas
- ☐ Shows location and dimensions of pedestrian walkways and crossings. Include dimensions from open doors if doors open out onto walkways.
- ☐ Identifies minimum required soil volumes, and location of any structural soil cell installation areas to achieve minimum soil volumes (30m<sup>3</sup> of soil per tree in a single tree

pit, 15m<sup>3</sup> per tree in a shared planting environment. Excavation for each planting environment should be 0.75m to 1.2m depth and should not exceed 1.5m depth)

- ☐ Identifies the location, type and height of proposed fencing
- ☐ Identifies snow storage and bicycle parking areas
- ☐ Identifies property lines, easements, regulated areas, impermeable surfaces (including curbs, roads, driveways, sidewalks, etc.), buildings and entrances, landscaped beds, lawns or other permeable surface areas, other information as needed
- ☐ Identifies the location of all underground, at grade and overhead utilities
- ☐ Identifies the location of any storm water management infrastructure, including swales, sub-drains, catch basins, pipes, and other quality and quantity controls as required
- ☐ Is coordinated with the Site Plan, Grading and Servicing drawings, Planning Justification Report, Noise Study, Wind Study, and shows any recommended mitigation measures (e.g. buffer planting, screening, fencing) conceptually on the Landscape Concept Plans.

#### **11) Site Survey**

- ☐ Prepared and signed by an OLS Surveyor
- ☐ Shows any required right-of-way widenings, daylight triangles and any easements, etc.

#### **12) Construction Management and Mobility Plan:**

- ☐ Legible, metric scale drawing on 24" x 36" paper
- ☐ Clearly identify property lines, easements, floodlines & hazard lands, natural heritage buffers, existing trees and vegetation to be retained, etc.
- ☐ Clearly identify limits of above ground development, including buildings, parking, sidewalks, curbs, etc.
- ☐ Clearly identify limits of underground parking structure, including dimensioning distance from property lines
- ☐ Includes shoring and excavation details
- ☐ Clearly identify limits of all elements of the underground parking structure including foundation drainage system/shoring/tiebacks/etc.
- ☐ Clearly identify limits of temporary perimeter/security fencing, covered sidewalk protection (if proposed) and tree protection fencing
- ☐ Clearly identify proposed temporary (trailers/material storage/fencing/etc.) and/or permanent encroachments (tiebacks/shoring/etc.) into the Right of Way and identify approximate time line of closure

- ☐ Clearly identify any proposed temporary sidewalk and/or lane closures and identify approximate time line of closure.
- ☐ Identify haul route, i.e. what roads are to be used for material deliveries
- ☐ Identify crane location and swing radius – please note that further detail/additional requirements will be provided at the site plan stage
- ☐ Drawing must clearly note that no trades parking or truck staging will be allowed on the Municipal Right of Way
- ☐ The applicant is advised that if the Official Plan Amendment/Re-Zoning application is approved, at the Site Plan stage additional construction management details may be required, including requirement of Road Occupancy and Municipal Consent permits if applicable.