



Community Planning Department

SUBJECT: Proposed Settlement for 1157 – 1171 North Shore Boulevard - Official Plan and Zoning By-law Amendment

TO: Blake Hurley, Assistant City Solicitor

FROM: Kyle Plas, Interim Manager of Development and Design

Property Information:

1.0 Background:

On March 21, 2018, the proponents met with City and Halton Region staff to determine the requirements of a complete application under the Planning Act to facilitate a seniors housing complex with buildings ranging in height from 4 storeys to 17 storeys. At this pre-consultation meeting, the applicant was advised of the current Official Plan designation and Zoning By-law regulations and advised of the required applications and supporting reports, studies and plans needed before the application could be deemed complete.

On November 13, 2018, the City Building Department acknowledged that a complete application had been received for an Official Plan and Zoning By-law Amendment for 1157-1171 North Shore Blvd to facilitate the development of a senior's care campus which consisted of two towers (17-storeys and 11-storeys), transitioning down to 2 storeys at the north end of the site. The development proposed to contain 475 suites of varying levels of care and proposed to provide approximately 180 staff on site at any time. The unit breakdown consisted of 71 Memory care, 95 assisted living and 309 independent living suites. Access to the site was proposed to be obtained from a two-way driveway along the eastern boundary of the site. A total of 220 parking spaces (145 staff and visitor spaces and 75 resident parking spaces) were proposed to be provided underground.

Staff initiated the public and technical circulation of the applications in November 2018 and the City scheduled a neighbourhood meeting that was held on January 9, 2019 at the Art Gallery of Burlington which was attended by approximately 120 members of the public. At this meeting, planning staff provided a brief presentation of the planning

process and introduced the applicant to provide an overview of the application. The Statutory Public Meeting was held on February 5, 2019 and included an information report ([PB-11-19](#)) and presentation by staff, the applicant and heard from 12 public delegations.

On August 19, 2019, the applicants submitted a revised submission to the City for consideration. The revised submission included the following:

- Reduction to the overall massing of the buildings through the reduction in the amount of setbacks along the rear of the building, the creation of a lowered base podium, defining the mid-rise and tall building elements and breaking up the podium length;
- Refinements to the articulation of the building;
- Increased rear yard setback for the easterly portion of the building from 7.5 metres to 15 metres;
- Addition of a second at-grade outdoor amenity courtyard at the rear of the property;
- Reduction in the height of the tall building element from 64.5 metres (including mechanical penthouse) to 61.5 metres (including mechanical penthouse);
- The mid-rise elements, which previously consisted of an 11-storey (39 metres) element and 12-storey (42 metres) element, have been reduced to a single 12-storey (40.5m) mid-rise element;
- A reduction in the tower floorplate from 808 square metres to 750 square metres;
- The inclusion of a 1.8m wide pedestrian walkway around the perimeter of the site;
- A reduction in the amount of seniors living units from 475 to 419;
- An increase in the gross floor area of the building from 41,925 square metres to 42,532 square metres;
- An increase in parking spaces from 220 to 244;
- The addition of 90 bicycle parking spaces;

In September 23 2019, the applicants appealed the subject applications to the Local Planning Appeals Tribunal (LPAT) based upon non-decision of the City within the required time period set out by the *Planning Act*.

The applicants submitted a site plan application in June 2020 to the City for review. The site plan application has included some additional changes to the proposal, including a

reduction in the overall unit count from 419 to 389. The site plan application is still currently under review, but this report includes information and preliminary concerns stemming from the both the Official Plan / Zoning By-law amendment application and Site Plan application.

On November 30, 2020, the applicants submitted a Settlement Offer to the City for consideration. The settlement offer includes the following:

- Reduction in the overall tower height from 17-storeys and 56.0 metres (61.5 metres including mechanical penthouse) to 16-storeys and 53 metres (58.5 metres including mechanical penthouse);
- Increased step back of 3.36 metres at the 6th floor of the east podium on the north side of the building;
- A “carving out” of a portion of the 6th floor of the west podium (north side) resulting in a notch of 8.22 metres deep by 27.17 metres wide;
- Subsequent reduction in the overall gross floor area from 41,614 square metres to 40,525 square metres;
- Subsequent reduction of 10 suites including 2 assisted living and 8 independent living suites for a total of 379 units;
- Measurement of the 45-degree angular plane from average grade along the north lot line given the grade difference between the Subject Site and the abutting low-rise residential lots to the immediate north, as well as a difference in grade along the north lot line from west to east.

1.1 Site Description:

The subject lands are located within the Downtown Urban Growth Centre, north of North Shore Blvd. and immediately east of the QEW. The subject site is approximately 1.21 hectares with frontage on North Shore Blvd. The site is currently developed with two 3 ½ storey co-op apartment buildings, surface parking and 1 storey rear garages adjacent to the northern property line. Access to the site is provided by a two-way driveway off of North Shore Blvd. If approved, it is proposed that the existing buildings and garages will be demolished.

1.2 Surrounding Land Uses:

North North of the site is zoned Residential – Low Density (R2.1) and Residential – Medium Density (RM1-127) Zone and is developed with single detached and semi-detached dwellings.

- South South of the site, on the south side of North Shore Blvd. E, is zoned Downtown Institutional (DI) Zone and is developed with a one storey Ontario Provincial Police building and a 5-storey long term care home. Joseph Brant Hospital is also south east of the site.
- West To the west is the QEW including the highway onramp. The site is entirely within the MTO permit control area.
- East East of the site is zoned Downtown Residential –High Density (DRH) Zone and is developed with a 12 storey apartment building.

REPORT FACT SHEET

RECOMMENDATIONS:		Approval of proposed built form	Ward No.:	1
Application Details	APPLICANT: OWNER: FILE NUMBERS: TYPE OF APPLICATION: PROPOSED USE:	Spruce Partners Inc. & Amico Properties Inc. Brant Park Co-Op Apartments (Burlington) 505-05/18 & 520-07/18 Official Plan and Zoning Bylaw Amendment Seniors' living campus , consisting of 17-storey and 11-storey buildings, transitioning down to 2 storeys at the north of the site. Original development proposal to contain 475 suites and will provide 180 staff on site.		
Property Details	PROPERTY LOCATION: MUNICIPAL ADDRESSES: PROPERTY AREA: EXISTING USE:	North of North Shore Blvd E. and East of the QEW 1157-1171 North Shore Blvd. E 1.22 ha Two – 3 ½ storey residential buildings		
Documents	OFFICIAL PLAN Existing: OFFICIAL PLAN Proposed: ZONING Existing:	Downtown Residential Medium and/or High Density Same. Amendments Required for Increased Density. Downtown Residential – High Density (DRH)		

	ZONING Proposed:	DRH - with site specific exemption
Processing Details	NEIGHBOURHOOD MEETING:	January 9, 2019 Staff have received 43 emails and 2 letters (note that some residents sent multiple emails)

2.0 Policy Framework and Review:

The proposed Official Plan and Zoning By-law amendment are consistent with the Provincial Policy Statement, conform to all applicable Provincial Plans; Halton Region Official Plan; reflect the policy direction of the City of Burlington Official Plan, have regard for matters of Provincial interest and represent good planning for the reasons set out in this report.

2.1 Conformity Analysis and Policy Framework Review:

The applications are subject to the following policy framework: The Planning Act, Provincial Policy Statement, 2020; A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019; Halton Region Official Plan; Burlington Official Plan (1994, as amended); and Zoning By-law 2020.

Staff have reviewed and analyzed the planning merits of these applications and the most recent revisions (November 2020) within this policy framework as described below.

2.1.1 Provincial Policy Statement (PPS) 2020

The Provincial Policy Statement (PPS) came into force and effect on May 1, 2020 and applies to decisions concerning planning matters occurring after this date. The PPS provides broad policy direction on matters of provincial interest related to land use planning and development and supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The PPS recognizes that Official Plans are the most important vehicle for implementation of the PPS; however, all Council decisions affecting planning matters “shall be consistent with” the PPS.

The PPS directs growth to settlement areas and promotes efficient development and land use patterns which sustain financial well-being of municipalities over the long term. The plan promotes appropriate densities and a mix of land uses that optimize use of land, infrastructure and public service facilities; promote energy efficiency and minimize negative impacts to air quality and climate change; and support transit and active

transportation. The PPS requires that sufficient land be made available through intensification and redevelopment and, if necessary, designated growth areas.

In addition, the PPS directs planning authorities to identify appropriate locations and opportunities for intensification and to promote appropriate development standards to facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety. The PPS directs planning authorities to establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions. The PPS notes that where a provincial target is established through a provincial plan that the provincial target shall represent the minimum target, which in this case is the Growth Plan. The PPS sets out that new development within designated growth areas shall have a compact form and contain a mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

The PPS recognizes the importance of local context given the diversity of Ontario and that not all policies are applicable to every site and thus some flexibility in policy implementation is offered provided provincial interests are upheld. Further, the PPS identifies Official plans as the vehicle to identify and protect provincial interests and set out appropriate land use designations and policies that direct development to suitable areas. The City's Official Plan provides this policy framework and includes evaluation criteria for intensification proposals.

Planning authorities are to identify appropriate locations and promote opportunities for intensification and redevelopment where it can be accommodated taking into account existing areas and availability of suitable existing or planned infrastructure and public service facilities to accommodate needs. The appropriate locations and opportunities for infill and intensification are identified in the City of Burlington's Official Plan that provide policy framework and includes evaluation criteria for intensification proposals.

The housing policies of the PPS direct planning authorities to provide an appropriate range and mix of housing options and densities to meet the needs of current and future residents of the regional market area. This is to be accommodated by promoting densities for new housing and establishing development standards for new residential intensification and development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety. In addition, the provision of an appropriate range and mix of housing options and densities is through permitting and facilitating all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes. The City's Official Plan intensification strategy has appropriately considered, planned for and implemented an effective strategy that directs growth towards underutilized or vacant

parcels in existing communities and to the City's mixed use centres and intensification corridors, which is consistent with the PPS.

Density and a mix of land uses should minimize the length and number of vehicle trips and support current and future use of transit and active transportation and improve connectivity within and among transportation systems and modes and between cross jurisdictional boundaries.

Opinion

Staff are of the opinion that the revised proposal is consistent with the policy directives of the PPS. The revised proposal represents an appropriate level of intensification within the urban boundary, efficient use of land and provides for a range and mix of housing options and densities. The revised proposal provides for an appropriate density and built form that represents compatible intensification.

The proposed revised development can be supported through use of existing infrastructure and public service facilities and the land is attractive for intensification given the proximity to existing transit routes, cultural and recreational resources, parks, institutional uses and community amenities. The revised development proposal will provide a range and mix of housing options for older persons including independent units, assisted living units and memory care units. The proposed development provides additional housing for older persons within the urban boundary.

The initial submissions were circulated to all applicable agencies that included the Region of Halton, Ministry of Transportation, City department staff and other agencies and a coordinated approach was taken with respect to multi-jurisdictional features. The initial technical studies submitted in support of the proposed development have been reviewed and additional detail is contained elsewhere in this report.

The proposed intensification would contribute towards achieving the City's minimum intensification targets established by the Growth Plan, through the efficient use of land, infrastructure and resources.

Staff are of the opinion that the revised applications are consistent with the policy directives of the PPS.

2.1.2 A Place to Grow – Growth Plan for the Greater Golden Horseshoe (2019)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan) came into effect on May 16, 2019, with Amendment 1 to the Growth Plan taking effect on August 28, 2020. The Growth Plan provides a growth management policy direction for the defined growth plan area. The polices in the Growth Plan intend to build on the progress that has been made towards the achievement of complete communities that are compact, transit-supportive, and make effective use of investments in infrastructure and public service facilities. They also continue to ensure the protection of our

agricultural and natural areas and support climate change mitigation and adaptation as Ontario moves towards the goal of environmentally sustainable communities.

The guiding principles of the plan include prioritizing intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability; supporting a range and mix of housing options to serve all sizes, incomes, and ages of households; and protecting and enhancing natural heritage, hydrologic, and landform systems, features and functions.

The Growth Plan contains population and employment forecasts to plan for and manage growth to the horizon of the Growth Plan (2051). The policies direct the vast majority of growth to settlement areas and more specifically within delineated built-up areas and strategic growth areas where there is an existing or planned transit and public service facility.

The Growth Plan requires municipalities to develop and implement, through their official plans and other supporting documents, a strategy and policies to phase in and achieve allocated intensification and the intensification targets. Policies are to encourage intensification throughout the delineated built-up areas; identify the appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas; encourage intensification generally throughout the delineated built-up area; and ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities.

The Growth Plan supports the achievement of minimum intensification and density targets by identifying and considering a range and mix of housing options and densities and by planning to diversify overall housing stock across the municipality. Municipalities are to consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a wide range of household sizes and incomes. In addition, municipalities are to maintain at all times land with servicing capacity sufficient to provide at least a three-year supply of residential units. This supply will include, and may exclusively consist of, lands suitably zoned for intensification and redevelopment.

The 2006 Growth Plan identified 25 urban growth centres (UGCs) and the current plan continues to recognize those UGCs as regional focal points for accommodating population and employment growth. The continued revitalization of UGCs to become more vibrant, mixed-use, transit-supportive communities is particularly important.

The Growth Plan supports the achievement of minimum allocated density targets through the consideration of a range and mix of housing options and densities and by planning to diversify the overall housing stock across the municipality. The Growth Plan notes that density targets are minimum standards and municipalities can go beyond these minimum targets, where appropriate.

Another focus of the Growth Plan is the planning and management of transportation systems that include the movement of people and goods. Transportation systems are to offer a balance of transportation choices to reduce automobile dependence and promote use of public transit and active transportation.

Public transit is to be a priority in transportation planning, and land use will be planned to achieve transit supportive densities and provide a mix of residential, office, institutional, and commercial development. In addition, municipalities are to ensure that active transportation networks provide for safe, comfortable travel for pedestrians, bicyclists and other users. The policies support the development and implementation of transportation demand management policies in Official Plan and other planning documents that reduce trip distance and time, increase alternatives to the automobile, prioritize active transportation, transit and movement of goods.

Opinion

The Growth Plan defines intensification as the development of a property, site or area at a higher density than currently exists. Staff support intensification of the site as it is located within the urban boundary and within an identified Urban Growth Centre at a location that is well served by existing transit and pedestrian infrastructure, has adequate servicing capacity and is in close proximity to various land uses and amenities to support the day to day needs of future residents.

The revised proposed development will provide a range and mix of housing options within the urban boundary to support older persons including independent living units, assisting living units and memory care units. The surrounding area is comprised of similar built forms that include a mix of mid-rise and tall buildings with a range of densities. Further, the revised development has incorporated appropriate design techniques to ensure that the proposed development is compatible with the existing neighbourhood.

The subject lands are located on existing transit route #4 and in close proximity to route #10, which run along North Shore Boulevard, Lakeshore Road and Maple Avenue and provide access to the Burlington GO Station, Downtown Burlington Bus Terminal, Appleby GO Station. This service provides connections to other routes and other areas of the City and beyond.

Staff are of the opinion that the revised development proposal conforms with the policies of the 2019 Growth Plan.

2.1.3 Halton Region Official Plan

The Region's Official Plan (ROP) provides goals, objectives and policies to direct physical development and change in Halton Region. The ROP provides population and intensification targets for all of the local municipalities including the City of Burlington.

The ROP identifies that the City is expected to meet a minimum intensification target of 8,300 new dwelling units constructed within the Built Up Area between 2015-2031 (ROP, Section 56, Table 2). Given recent updates to Provincial policies and plans, the Region is currently undertaking a municipal comprehensive review to bring the Regional Official Plan into conformity with the new policies and plans and it is anticipated that through this conformity exercise the City will be allocated increased population and job distributions to 2051. The subject lands are designated in the ROP as “Urban Area” and within the Urban Growth Centre for the City of Burlington.

The Urban Area is intended to accommodate future growth through increased densities and intensification that is compact and transit supportive in order to reduce the dependence on the automobile and facilitate active transportation. The ROP establishes that the range of permitted uses within the Urban Area will be in accordance with Local Official Plans and Zoning By-laws, however, all development shall be subject to all other relevant policies of the ROP. The ROP further directs that UGC’s are to achieve a minimum density target of 200 residents and jobs combined per hectare by 2031.

Within the Urban Area, the ROP policies support the achievement of densities higher than surrounding areas and mixed uses that support active transportation and ensure the viability of existing and planned transit for everyday activities promoting the development of vibrant and healthy communities. The ROP objectives for intensification areas are to provide an urban form that is complementary to existing developed areas, make efficient use of land and services and promote a diverse and compatible mix of land uses that create a vibrant and pedestrian-oriented urban environment. The ROP also supports the provision of an adequate mix and variety of housing to satisfy differing physical, social and economic needs.

All new development in the Urban Area is to be on the basis of connections to Regional Servicing. Regional staff note that there are existing services adjacent to the subject lands and there are no capacity-related servicing concerns at this time.

Opinion

Staff are of the opinion the proposed applications, as revised, are in keeping with the general intent and objectives of the ROP Urban Area policies by providing an urban form that is complementary to existing developed areas, making efficient use of land and services and providing a variety of housing to satisfy different needs.

Staff have reviewed the revised proposed applications and are satisfied that the development conforms to the Urban Area policies of the ROP and will also be consistent with the PPS and Provincial Growth Plan. Regional staff have no objection to the proposed Official Plan amendment and corresponding Zoning By-law amendment.

City staff are of the opinion that the revised applications comply with the ROP.

2.1.4 City of Burlington Official Plan (OP) (1994, as amended)

The City's Official Plan recognizes changes with respect to the future built form within the City. The Plan identifies that to meet the needs of the changing population, a broader mix of residential dwellings in terms of type, size, cost and ownership in a more compact form is required. It also encourages development that is served by various modes of transportation and located in close proximity to jobs, shopping and leisure areas. This direction is designed to maintain the established character of the City's neighbourhoods by directing growth towards underutilized or vacant parcels in existing communities, to certain mixed use corridors, and to the Downtown and Uptown.

The Official Plan land use vision is to direct growth in a manner that enhances the City's character while providing a broad range of opportunities. It also recognizes the importance of environment and that as the City approaches a mature state, a significant amount of its future growth will be in the form of intensification and redevelopment within the existing urban boundary.

With intensification and redevelopment becoming more prominent, urban design will become increasingly important to integrate new development within the existing urban fabric. The Official Plan design principle states that tangible elements that form the urban landscape, including built form and open space, shall be designed in an efficient, attractive and compact manner to enhance the well-being of residents and reflect the vision of the Official Plan. New development is to preserve natural environmental features, be compatible and sympathetic to existing neighbourhood character, be well served by public transit with well-developed pedestrian environments and well-designed public realm. Preference will be given to community design containing more compact forms of development that support higher densities, are pedestrian oriented and encourage increased use of transit. The policies outline that the density, form, bulk, height, setbacks, spacing and materials of development are to be compatible with the surrounding area.

Official Plan Land Use

The City's Official Plan identifies the subject properties on three schedules:

- *Mixed Use Activity Area* on Schedule 'A' (Settlement Pattern);
- *Mixed Use Centre* within the Downtown Urban Growth Centre Boundary on Schedule 'B' (Comprehensive Land Use Plan – Urban Planning Area); and,
- *Downtown Residential Medium and/or High Density Precinct* on Schedule 'E' (Downtown Mixed Use Centre Land Use Plan).

The City of Burlington Official Plan identifies the limits of the 'Urban Growth Centre' boundary within the Downtown Area as is consistent with the boundary delineated by the 'Growth Plan for the Greater Golden Horseshoe (2020)', as amended.

Lands located within the 'Urban Growth Centre' are generally anticipated for population and employment growth within the City and is to accommodate high density employment. The implementation of these land use policies is through the applicable designations contained within the Official Plan.

General policy goals within this area include redevelopment through the infilling of surface parking lots, rehabilitation of existing buildings, and intensification of underutilized lands and buildings, while recognizing and enhancing the unique attributes of the area (i.e. waterfront location, historic buildings, and streetscapes). The height, density, form, bulk, and spacing of development shall be compatible with the surrounding area. Minimum density targets for residential intensification have been established to achieve the strategic development of these specific locations.

Mixed Use Activity Area

Lands identified as 'Mixed Use Activity Areas' to Schedule 'A' (Settlement Pattern) of the City of Burlington Official Plan are those areas where employment, shopping and residential land uses are to be developed. The principal development goals for the development of these areas is to achieve integrated compact urban form, at higher development intensities, which are highly accessible by public transit and pedestrian-oriented and which will foster community interaction, by providing focus on community facilities.

The subject lands are located within the 'Mixed Use Activity Area' and are proposed for residential land uses. The development applications are subject to review in the context of companion Official Plan policies (i.e. Downtown Urban Design Guidelines) and Mid-Rise and Tall Building Design Guidelines, that will ensure the implementation of the goal of promoting these areas as focal points for community activities that are characterized by high quality urban design and built form (i.e. compact urban form; higher intensity development).

The Official Plan states that 'Mixed Use Activity Areas' provide alternatives to low density, suburban development and encourage the efficient use of physical resources and municipal services.

The proposed development represents a redevelopment of underutilized lands within Downtown Burlington; as identified by the Province of Ontario as an 'Urban Growth Centre' and contemplated for residential intensification. An amendment is required to the applicable policies of the Official Plan with respect to maximum permitted residential density.

'Mixed Use Activity Areas' are intended as comprehensively planned mixed-use employment, shopping and residential areas that provide for the integration of a variety of compatible land uses in a compact urban form, with the aim of promoting the use of public transit and pedestrian connectivity.

Mixed Use Centre and Downtown Urban Growth Centre

'Mixed Use Activity Areas' will occur in linear and nodal forms and are provided for under four (4) land use designations to Schedule 'B' (Comprehensive Land Use Plan – Urban Planning Area) of the City of Burlington Official Plan. These include 'Mixed Use Corridor – General', Mixed Use Corridor – Employment', Mixed Use Corridor – Commercial Corridor' and 'Mixed Use Centre'. These designations are based on spatial distribution, the scale and intensity of the development allowed, the design standards that shall apply and the potential effects of these uses on adjacent uses. The subject lands are designated 'Mixed Use Centre'.

The Official Plan states that among the uses permitted in 'Mixed Use Centres' is medium and high density residential uses, and to a limited extent, low density residential uses, with a range of development intensities and a range of heights, dependent on location and site-specific factors (i.e. compatibility).

In order to integrate uses at strategic locations, the 'Mixed Use Centre' is intended for mixed-use developments consisting of medium and high density residential, retail, service commercial, office, industrial, entertainment, community facilities and institutions, and open space uses at intersections of select major arterial roads, inter-municipal transit stations and the Downtown.

These areas serve to promote multi-modal accessibility (i.e. private vehicular, public transit, cycling, pedestrian), with higher intensity and served by transit-supportive and pedestrian-oriented development, while retaining compatibility with nearby land uses.

The review of development proposals for new and/or expanded development which are located on lands within the 'Mixed Use Centre' designation shall ensure compatibility between the 'Mixed Use Centre' uses and adjacent uses. Such site plan design considerations include the following:

- *buildings should be located with their front face to the street, to provide a sense of human comfort and pedestrian scale and interest, and in close proximity to the street and transit services, wherever feasible;*
- *the site plan for individual sites includes features to integrate the new development with surrounding uses;*
- *the site plan promotes safe, convenient, and barrier-free pedestrian travel within the site, between the site and adjacent land uses, and to and from transit stops;*

- *off-street parking areas, loading areas and service areas shall be screened and landscaped;*
- *the site plan promotes public safety;*
- *the site plan promotes convenient access to public transit services;*
- *off-street parking areas shall be located in the side and rear yards;*
- *off-street parking areas shall be located away from adjacent residential uses;*
and,
- *loading areas and service areas are located to avoid conflict between pedestrian and vehicular traffic.*

Downtown Residential – Medium and/or High Density Precincts

The subject lands are located within the Downtown Residential – Medium and/or High Density Precinct as is illustrated on Schedule 'B' (Comprehensive Land Use Plan – Urban Planning Area) to the City of Burlington Official Plan. The property is also located at the west extent of the Downtown Burlington Urban Growth Centre (UGC).

Permitted uses within the Downtown Residential – Medium and/or High Density precincts includes 'ground or non-ground oriented housing units ranging between 26 and 185 units per net hectare, including assisted and special needs housing such as group homes, retirement homes and long-term care facilities.

The proposed seniors' living campus contemplates an overall residential density of 322 units per hectare (3.42 FAR) as is reflected by the plans submitted with the development application. An amendment to the City of Burlington Official Plan is required to facilitate an increase to the overall residential density permitted by the applicable land use designation.

The Official Plan states that all development and redevelopment shall be compatible with the existing character of these precincts and neighbouring precincts with respect to such matters as heights, setbacks, massing, design and community features.

Compatible(ity) is defined as 'development or re-development that is capable of co-existing in harmony with, and that will not have an undue physical (including form) or functional adverse impact on, existing or proposed development in the area or pose an unacceptable risk to environmental and/or human health.

Compatibility should be evaluated in accordance with measureable/objective standards where they exist, based on criteria such as aesthetics, noise, vibration, dust, odours, traffic, safety and sun-shadowing, and the potential for serious adverse impacts on humans or animals.'

The proposed development has been reviewed in the context of existing applicable land use policy and, where possible, issues related to scale, height, massing, transition, appropriateness; particularly where it affects the human scale and ground-related design. Technical studies in support of the proposed development that addressed noise, transportation, shadowing and wind impacts were submitted with the applications and have been reviewed, accordingly.

As the subject lands are located within the delineated boundary of the 'Urban Growth Centre' (UGC), policies related to the 'Downtown Mixed Use Centre' designation also apply to these lands. Where lands are located within the UGC, development within its boundary are subject to the specific policies of the applicable land use designation, but shall have regard to the principles of the 'Downtown Mixed Use Centre' designation.

As an identified 'Urban Growth Centre' in the Growth Plan, Downtown Burlington is intended to accommodate a significant share of population and employment growth and accommodate high density employment, while promoting developments of high quality design and to maintain and enhance the image of Downtown as an enjoyable, safe, pedestrian-oriented place.

The 'Downtown Mixed Use Centre' – Objectives include the following with specific relevance to the proposed development:

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

Comment: The proposed development contributes to an urban form of residential intensification within an area of the City contemplated for increased density through redevelopment and infill.

- *To establish minimum density targets for residents and jobs in accordance with the 'Places to Grow' Growth Plan for the Greater Golden Horseshoe.*

Comment: Downtown Burlington is identified as an 'Urban Growth Centre' in the Growth Plan for the Greater Golden Horseshoe with a minimum density target to 2031 of 200 residents and jobs combined per hectare.

The proposed development contemplated contributes to the achievement of the minimum density targets established by the province to 2031 and beyond (i.e. 2051 plan horizon).

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

Comment: The proposed residential development contributes to the overall residential density needed to adequately support business activities and the investment in public use facilities (i.e. recreational opportunities).

- *To establish and maintain the Downtown's primary role as the City centre for cultural, governmental, civic and waterfront activities;*

Comment: The proposed development contributes to the formation of the Downtown as a complete community, including residential land uses, in addition to cultural, governmental, civic and waterfront activities;

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

Comment: The residential typology and use proposed is consistent with the policy direction to provide for compact form, pedestrian-oriented and transit-supportive community building.

- *To encourage tourism in the Downtown based on the significance of Spencer Smith Park, Beachway Park, the Joseph Brant Museum and the Burlington Art Centre, which are located adjacent to the Downtown;*

The area is well served and represented by significant open space and cultural assets, including waterfront parks.

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

Comment: Residential intensification may be included as part of an overall strategy to increase downtown populations, while incorporating a wide variety of housing types and tenures. The specific development contemplated proposes a seniors' living campus (including independent and assisted living units) which can support local markets and business activities.

- *To provide commercial activity that serves the general needs of Downtown residents as well as specialized functions for the entire community;*

Comment: Commercial land uses are not proposed as part of the proposed development but the location of the subject lands in close proximity to the downtown (including public use facilities, retail services and community amenities) supports those functions within the Downtown.

- *To ensure that buildings in the downtown are offset by a range of open space areas (that may include parkettes, urban plazas, and pedestrian networks) that may allow for both passive and active recreational and social activities;*

Comment: The proposed development contemplates private open space and amenity areas on-site but is also in close proximity to public open space and recreational opportunities, including being located within a waterfront context.

- *To create a unique waterfront area to accommodate recreational, cultural and leisure pursuits;*

Comment: The location of the proposed development adjacent to substantial waterfront parks, open space and trail networks promotes a healthy lifestyle and the use of these community assets as public amenities.

- *To create a strong link between the Downtown and the waterfront, so that the waterfront becomes an integral part of the Downtown;*

Comment: The proposed development is located adjacent to the Waterfront Trail which provides several kilometres of recreational trail with direct connections to central Downtown to the east and points south and west (i.e. Beachway and Hamilton Beach Recreational Trail).

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

Comment: The proposed development has been reviewed in the context of urban and building design guidelines as per Official Plan policy.

- *To establish planning precincts within the Downtown, each with their own distinct character and specific planning policies;*

Comment: The proposed development is located within the Downtown Residential – Medium and/or High Density Residential Precinct and has been reviewed in the context of applicable planning policies (i.e. character) in effect for the area.

- *To create a continuous, harmonious, safe and attractive environment through streetscape, building façade improvements and the design of new buildings;*

Comment: The proposed development has been reviewed in the context of urban and building design guidelines as per Official Plan policy; particularly as it relates to the interface of private space with the public realm. A detailed landscape design and planting program is planned as part of the overall development, providing a natural transition between hard space and buffering between land uses.

- *To ensure that the density, form, bulk, height and spacing of development is compatible with the surrounding area;*

Comment: The proposed development has been reviewed in the context of urban design guidelines as per Official Plan policy.

- *To provide an efficient and safe transportation system for the movement of people and goods that is sensitive to other Downtown goals and objectives;*

Comment: Burlington Transit provides regular transit service from the subject lands to the Downtown Terminal and throughout the City, as well as to GO Transit stations offering inter-city transportation options.

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

Comment: The subject lands are well served with active transportation options (including cycling) with cycling infrastructure (i.e. storage) provided on-site. Waterfront Trail includes an extensive network of pedestrian paths. Transit options are available to the property. The proposed development provides integration and maximizes the use of this available public infrastructure.

- *To provide adequate and safe parking in the Downtown.*

- Comment: Off-street parking specifications (i.e. parking stall size and location) have been proposed in a manner that has determined to be acceptable. Total number of required parking spaces for this development is based on specific land use considerations and forms a separate section of this Report.

- *To ensure that the development in the downtown has regard for the principle of inclusiveness as defined in the Official Plan.*

Comment: The proposed development has regard for the principle of inclusiveness as defined in the Official Plan.

Residential Intensification

The City of Burlington Official Plan encourages new residential development and residential intensification within the Urban Planning Area in accordance with provincial growth management objectives while balancing with other planning considerations such as infrastructure capacity, compatibility and integration with the natural environment, active and public transportation use and housing opportunities in proximity to employment areas.

The City's Official Plan provides a balanced approach by targeting specific locations and areas for intensification. Applications to amend the Official Plan to more closely meet the general intent of the intensification policies of the Official Plan and Places to

Grow ('Growth Plan') may be considered appropriate, subject to the nature of the site-specific development application.

The policies of the Official Plan provide for a broad range of permitted residential dwelling types (including assisted and special needs housing, rest/retirement homes and long-term care facilities). Residential densities are in accordance with the applicable land use designation and include Residential-Low Density Areas (up to 25 units per net hectare), Residential-Medium Density Areas (26 to 50 units per net hectare), and Residential-High Density Areas (51 to 185 units per net hectare).

The 'Mixed Use Centre' – Policies states that proposals for residential intensification shall be evaluated on the basis of the objectives and policies of Part III, Section 2.5 of the Official Plan (Housing Intensification).

The Housing Intensification policies of the Official Plan encourage residential intensification as a means of increasing the amount of available housing stock (including, rooming, boarding and lodging houses, accessory dwelling units, infill, re-development and conversions within existing neighbourhoods), provided that development is compatible with the scale, urban design and community features of the neighbourhood.

Intensification Evaluation Criteria

Section 2.5.2 (General Policies – Housing Intensification) of the Official Plan contains thirteen (13) evaluation criteria for intensification proposals, which are to be assessed to ensure that established neighbourhoods are protected from any potential negative impacts associated with intensification proposals. The proposed intensification has been assessed against the 'Housing Intensification' criteria as follows:

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

City of Burlington Capital Works Department staff reviewed the submitted Functional Servicing Plan Drawing (1 of 3) and provided comments related to the proposed servicing (i.e. sanitary and water) in January 2019. Capital Works deferred comment on sanitary and water servicing to the Region of Halton.

The Region of Halton Legislative & Planning Services (Community Planning) Division provided comments via memo on February 4, 2019 confirming that based on the review of the Functional Servicing Report (FSR) (November 2018) and draft preliminary Site Servicing Plan, the information provided is satisfactory for the purposes of identifying the method of servicing the site (and any capacity constraints (downstream or otherwise) and have provided additional general comments on the FSR.

The City of Burlington Capital Works Department provided comments via memo on January 14, 2019 (updated November 20, 2020) indicating additional information was required with respect to the re-submission of a revised stormwater management plan.

A Site Plan Control Approval Application has been submitted with respect to the proposed (revised) development. These items, among others, will form the basis of a technical review of the preferred servicing strategy as part of that process.

Halton District School Board (HDSB) provided comments on November 18, 2018 with respect to the applications and indicated no objections to the proposed development. HDSB provided standard conditions of development approval to be applied to a future development agreement (i.e. Site Plan Agreement).

Parks and Open Space staff have advised that sufficient parkland is located in close proximity to the proposed development; primarily in the form of regional and community parks, including Spencer Smith Park, and other parks/amenity areas in the immediate neighbourhood. These parks are all located within 500 metres of the subject property. Pursuant to the *Planning Act* and City of Burlington Cash-in-lieu of Parkland By-law and Dedication Policies, funds for the acquisition of future parkland will be required.

As such, there is adequate municipal services, school accommodation and parkland available for the purposes of the proposed development.

Off-street parking is adequate;

Transportation Planning, Integrated Mobility staff have reviewed the parking demands anticipated by the proposed development in the context of parking supplied.

Transportation Planning staff applied a 'retirement home' parking rate (for intensification areas) for the proposed Independent Living and Assisted Living unit types. The proposed facility is a use anticipated to be licensed under the *Retirement Homes Act* and the retirement homes rate was deemed to be the appropriate standard for the aforementioned uses. The Long Term Care parking rates were applied to the proposed Memory Care unit types, as this is considered to be the most appropriate use category based upon this use.

Other assumptions included with the analysis included alternate transportation modes (i.e. shuttle service) and the unbundling of the cost of a parking space from the unit price. These assumptions resulted in the reduction of transportation demand and usage rates and were applied to the proposed 'Premium Independent Living Units', 'Independent Living Units' and 'Assisted Living Units'.

Based on a review of the background information provided, a total of 236 parking spaces are required based upon the City's recently approved (not yet in force and effect) City-wide Parking Standards and 217 parking spaces are provided (173 spaces for residential uses; 44 visitor parking); a deficiency of 19 off-street parking spaces.

Two (2) loading spaces are also proposed. Transportation staff are of the opinion that the proposed rates are sufficient and will provide an adequate supply of parking for the proposed development.

1157 - 1171 North Shore Boulevard - AMICA Retirement						
Unit Type	# of units	CWPS Rate	Total Spaces Required	TDM Reduction	NET Spaces Required	TOTAL
Premium Independent Living <i>APARTMENT BUILDING</i>	32	R: 1/unit V: 0.25/unit S: 1/75 units	32.00 8.00 0.43	-6.40 0.00 0.00	25.60 8.00 0.43	34
Independent Living <i>RETIREMENT HOME</i>	157	R: 0.5/unit V: 0.2/unit S: 1/50 units	78.50 31.40 3.14	-15.70 0.00 0.00	62.80 31.40 3.14	97
Assisted Living <i>RETIREMENT HOME</i>	142	R: 0.5/unit V: 0.2/unit S: 1/50 units	71.00 28.40 2.84	-14.20 0.00 0.00	56.80 28.40 2.84	88
Memory Care <i>LONG-TERM CARE</i>	48	0.35/bed	16.80	0.00	16.80	17
TOTAL UNITS	379				TOTAL PARKING	236

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

City of Burlington Transportation Services Department staff have reviewed the proposed site plan in the context of ingress and egress based on available traffic data in the vicinity of the property and have recommended a right-in/right-out access from the site onto North Shore Boulevard East (classified as Minor Arterial to Schedule 'J' of the Official Plan)

Ministry of Transportation (MTO) staff have also provided comments with respect to their recommendation for a right-in/right-out access with raised median island to eliminate any undesired traffic movements.

The proposal is in proximity to existing or future transit facilities;

The subject lands are located in the vicinity of two existing Burlington Transit routes (Route No. 4 – Central and Route No. 10 – New-Maple). Route No. 10 provides east-

west service along New Street and northbound on Maple Avenue (approximately 400 metres to the east of the property) with connections to the Burlington GO Station.

Route No. 4 provides east-west service along North Shore Boulevard East between the Aldershot GO Station and the Downtown Terminal (with connections to other routes providing bus service throughout the City). An existing bus stop (#737) is located immediately adjacent to the subject property, on the north side of North Shore Boulevard East. Upgrades to the bus stop are proposed pending the development proposal to include high quality amenities (concrete pad construction; shelter and bench) to accommodate mobility and accessibility concerns of a seniors population. A fully accessible and direct pedestrian pathway from the main entrance of the proposed facility to the bus stop has been recommended for future construction.

The Ministry of Transportation (MTO) has advised that should a relocation of the bus stop be required, it may be placed within the required MTO setback of 14.0 metres on the subject property (pending final approval of MTO) and that any construction of structures (i.e. bus shelters) would also require the approval of MTO.

North Shore Boulevard and Maple Avenue are identified as 'Primary Bus Service' routes to Appendix 'A' (Schedule 1) - Long Term Transit Service Network and are classified as 'Minor Arterials' in the Official Plan. These routes are intended to provide peak period service frequencies of 15 minutes or better.

Transit-supportive development that reduces vehicular traffic, parking demands and congestion (air pollution) are priorities in the assessment of levels of transit service available at a location. The level of transit service provided at this location promotes the use of public transit and is well served for the long-term.

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

Scale and Massing

The proposed development contemplates a total gross floor area (GFA) of 40,525.0 m². Based on a lot area of 11,850.0 m², the total floor area ratio (FAR) contemplated by the proposal is approximately 3.42 (GFA/lot area). A unit count of 379 units translates into a residential density of 322 units per hectare which exceeds the maximum residential density permitted by the Official Plan and Zoning By-law.

Adjacent medium and high-density residential development includes 9 to 14 storey buildings to the east and northeast and taller buildings (upward of 20 storeys) further to the northeast along Maple Avenue. The principle for the development of tall building forms has previously been established for this area, including intensification of residential densities on a mixed-use basis.

The specific development proposal has been reviewed in the context of other related City policies, including building and site design guidelines, and the appropriateness of the proposed use and form with respect to compatibility and the maintenance of area character.

Height

The proposed development consists of two towers (with a podium configuration) with maximum building heights of 16 storeys (east tower) and 12 storeys (west tower). The proposed podium structure consists of a building of 7 storeys (comprised of east and west building elements). The proposed building heights exceed the maximum permitted by the zoning by-law and are included as part of the overall amendments being proposed as a component of the development proposal.

The design of the proposed tower configuration as it relates specifically to height has been reviewed in the context of other tall building form in the immediate area (i.e. residential buildings of between 9 and 14 storeys), as well as the attributes of the site, including building placement and setbacks, building design (including, podium stepbacks), shadowing and microclimatic conditions and pedestrian comfort.

Maximum rear yard setbacks have been provided from adjacent low-density residential development to the north, to the closest extent of the podium structure on the subject lands. The placement of the towers on the podium has been selected to achieve a stepping back of built form from the podium to permit sunlight permeability and to reduce the effects of shadowing on ground-oriented development on the adjacent site to the north (i.e. detached dwellings). The placement of the east tower (taller of the two towers) has been sited further to the front lot line (south) to permit a greater transition of building mass on the site. The irregular shape of the site permits the siting of the proposed podium/towers in this manner.

The design of the east podium includes a 3.36 metre (depth) X 33.25 metre (width) step back on the 6th floor. The west podium includes an 8.22 metre (depth) X 27.17 metre (width) step back (carving out) on the 6th floor. These features are intended to reduce and mitigate any potential penetration of building elements into the 45° angular plane and adverse impacts to adjacent low-rise development.

Siting and Setbacks

A 45° angular plane (extending from the average grade along the rear (north) property line upward toward the east tower element) is generally the area within which buildings or structures should not encroach in order to maximize an appropriate transition between higher density form and lower density form on adjacent and surrounding properties. This design guideline is intended to reduce the relative impact of building

massing (with impacts reduced with greater portions of the building falling inside the angular plane) and maximize light permeability (and reduce shadow cast).

The proposed design of the east and west podiums, including building step backs on the 6th floor of each, results in minimal encroachments of select portions of the building into the angular plane. The proposed 16-storey east tower encroaches minimally into the angular plane at the top floor and the positioning of the rooftop mechanical penthouse is setback within the angular plane.

It should be noted that the proposed rear yard setbacks to the east and west podiums comply with the minimum required rear yard setbacks within the Downtown High Density Residential ('DRH') Zone (7.5 metres & 15.0 metres).

Coverage

The Downtown High Density Residential ('DRH') Zone does not contain a prescribed maximum permitted lot coverage for buildings within the applicable zoning.

The subject lands comprise a total lot area of 11,850.0 m² (1.85 hectares or 2.93 acres). Based on the proposed ground floor coverage of total built area (4,919.0 m²), a proposed coverage of 41.51% and unbuilt coverage area (including hardscape and softscape) of approximately 58% is contemplated.

Parking

Transportation Planning, Integrated Mobility staff have reviewed the parking demands anticipated by the proposed development in the context of parking supplied.

Transportation Planning staff applied a 'retirement home' parking rate (for intensification areas) for the proposed Independent Living and Assisted Living unit types. The proposed facility is a use anticipated to be licensed under the *Retirement Homes Act* and the retirement homes rate was deemed to be the appropriate standard for the aforementioned uses. The Long Term Care parking rates were applied to the proposed Memory Care unit types, as this is considered to be the most appropriate use category based upon this use.

Other assumptions included with the analysis included alternate transportation modes (i.e. shuttle service) and the unbundling of the cost of a parking space from the unit price. These assumptions resulted in the reduction of transportation demand and usage rates and were applied to the proposed 'Premium Independent Living Units', 'Independent Living Units' and 'Assisted Living Units'.

Based on a review of the background information provided, a total of 236 parking spaces are required based upon the City's recently approved (not yet in force and effect) City-wide Parking Standards and 217 parking spaces are provided (173 spaces for residential uses; 44 visitor parking); a deficiency of 19 off-street parking spaces. Two (2) loading spaces are also proposed. Transportation staff are of the opinion that

the proposed rates are sufficient and will provide an adequate supply of parking for the proposed development.

Amenity

The provision of amenity area as part of a residential intensification development is generally recognized as an appropriate design standard and reflected in Official Plan policy as a means of providing for a range of open space areas for buildings in the downtown. Amenity areas include private space amenities as proposed by the development.

The proposed development contemplates private space outdoor amenity areas in the form of private balconies, as well as ground level common amenity areas (garden/amenity, landscape buffers/rear mews), and rooftop amenity areas (i.e. common terraces).

As a standard, the Downtown High Density Residential ('DRH') Zone requires a minimum of 20.0 m² of amenity area per unit. The proposed development contemplates a total of 8,661.0 m² of above-grade amenity area. Based on the total number of units proposed (379 units), an amenity area of 22.8 m² per unit is provided and exceeds the minimum standard of the zoning by-law.

Transition

The built form design of the proposed development contemplates measures to minimize adverse impacts related to height (i.e. shadowing, overlook, massing). The site design includes setbacks that comply with the minimum standards of the zoning by-law, particularly at key transition points at the north (rear) of the property, abutting low rise, low density residential development. Additional measures, including a rear yard landscape buffer extending across the north (rear) lot line (adjacent to existing retaining wall and noise attenuation fence) provide a transition point. Site design features, such as including underground parking and location of surface parking at the side (east) of the site reduces traffic and glare impacts associated with vehicles at this transition point. Loading has also been situated at the side of the building and limits vehicular movements and impacts associated with these activities abutting existing residential development at the rear.

Surrounding and adjacent residential land uses also include other high-density residential development (east). To provide transition of both land use and built form on the site, the proposed development has incorporated building design elements in recognition of the policy intent for high density residential land uses within this area of downtown.

Land use transition has also been proposed with respect to an existing institutional hub (including Joseph Brant Hospital, McMaster Halton Family Health Centre and Chartwell

Brant Long Term Care Residence) located to the south. The proposed development has regard for the compatibility of these surrounding land uses, as well as other public service facilities, community amenity and specific site characteristics (i.e. irregular shape of lot; abutting northbound off ramp of QEW; and located at the west extent of the 'Urban Growth Centre').

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

A Tree Inventory and Protection Plan was submitted as part of the original circulation of the development applications. These plans have been reviewed by the Capital Works Department (Landscaping) in concert with the proposed Landscape and Planting Plans/Details for the proposed development.

Additional certifications from a qualified arborist and the applicant will be required, outlining the tree protection and preservation methods that will be implemented pre-construction, during construction and post-construction to ensure that trees on site and on neighbouring properties will not be adversely impacted by proposed construction activities.

Significant sun-shadowing for extended periods on adjacent properties, particularly outdoor amenity areas, is at an acceptable level;

A Shadow Study was submitted in support of the proposed development demonstrating an acceptable level of impact from the proposed building massing, height and site placement to sunlight conditions onto adjacent properties (for March/September equinoxes and June solstice).

Accessibility exists to community services and other neighbourhood conveniences such as community centres, neighbourhood shopping centres and health care;

The proposed development is located in close proximity to downtown amenities (including, community centres, retail and service areas, offices and institutional land uses, entertainment venues, waterfront trails and open space networks and public service facilities) which are accessible by multi modal means (including, private vehicle, public transit, cycling and pedestrian connections).

Capability exists to provide adequate buffering and other measures to minimize any identified impacts;

The proposed development contemplates minimum required setbacks to existing lot lines (particularly to the north at the transition to existing low density residential land uses on the adjacent lot) that are in compliance to the applicable zoning. These setbacks allow for well-designed streetscapes; adequate amenity areas; landscape

buffering and distance separation between building elements and adjacent and surrounding development.

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

The current land use designation and applicable zoning of the subject lands permit the redevelopment of the property for additional residential intensification. The proposal has been reviewed in the context of site-specific amendments that are contemplated as part of this particular development concept.

Natural and cultural heritage features and areas of natural hazard are protected;

No impacts are anticipated. There are no known natural or cultural heritage features or natural hazards within proximity to the site.

Where applicable, there is consideration of the policies of Part II, Subsection 2.11.3 g) and m); and

Not applicable. The proposed development envelope is not impacted by a regulatory floodplain or valleylands and there are no known watercourses located within the limits of the subject lands. The regulatory limits of Conservation Halton do not impact the property. Subsection 2.11.3(m) pertains to the South Aldershot Planning Area.

Proposals for non-ground oriented housing intensification shall be permitted only at the periphery of existing residential neighbourhoods on properties abutting, and having direct vehicular access to, major arterial, minor arterial or multi-purpose arterial roads and only provided that the built form, scale and profile of development is well integrated with the existing neighbourhood so that a transition between existing and proposed residential buildings is provided.

This criterion is not applicable in the Downtown Core Precinct.

Urban Design

The City of Burlington is committed to a high standard of urban design and architecture which is becoming increasingly important as re-development and intensification become more prominent forms of development. The review of proposed building and site design in the context of other development best practices (i.e. pedestrian and transit connections (and the continuity of grade-related activity)); public realm considerations (i.e. safety and comfort), compatibility and neighbourhood character, as well as built form are critical components in the review and evaluation of development applications.

The design of the built environment should strengthen and enhance the character of the surrounding neighbourhoods. Intensification within existing neighbourhoods is to be designed to be compatible and sympathetic to the neighbourhood character. The Official Plan also sets out that preference will be given to community design containing more compact forms of development that support higher densities, are pedestrian-oriented and encourage increased use of public transit.

The implementation policies of the City of Burlington Official Plan state that the preparation of design guidelines shall be required as part of the consideration of major site or area-specific development proposals which are to review and recommend solutions to issues such as compatibility with surrounding uses, transit use, micro-climate effects, pedestrian safety, noise abatement and issues of human scale and views.

Any City Council approved design guidelines are considered City policy and shall be implemented for all public and private development proposals. The policies also permit the establishment of an external body of design professionals to advise on issues of design. The Burlington Urban Design Advisory Panel (BUD) has reviewed the proposal in the context of City policy and design best practices.

Specific Guidelines Relevant to the Proposed Development

The proposed development has been reviewed for conformity with the following City Council-approved guideline documents for matters related to building and site design and implement the intent of the City's Official Plan objectives.

City of Burlington Tall Building Guidelines (2017)

The City of Burlington Tall Building Guidelines are applicable across the City wherever tall buildings are permitted, and for the purposes of the guidelines, include any buildings over 11-storeys in height. The proposed development comprises a 7-storey base podium mid-rise; 12-storey (west); and, 16-storey (east) tall building elements.

The Guidelines are broken down by the main components of a tall building, being the Building Base (Podium), Building Middle (Tower) and Building Top. Staff has completed a review of the proposed residential building in this context.

Building Base (Podium)

2.1 Podium Location

The podium shall be located to frame the street. On corner lots, the podium shall be located to frame both streets;

Comment: The podium and mid-rise building elements are sited at minimum front yard (south) setbacks and frame North Shore Boulevard East (south) and the QEW

Northbound on-ramp (southwest-west). The irregular shape of the parcel and the 14.0 metre MTO setback provides the aesthetic of a greater setback.

2.2 Podium Height and Massing

Where no established streetwall exists, the minimum height of the podium shall be 10.5 metres (3-storeys) to frame the streetscape and reinforce a human-scale.

Comment: The minimum height of the podium as measured to the underside of the roof parapet as viewed from the front (south) is 10.4 metres.

2.4 Podium Design and Articulation

All sides of the podium should be constructed with the highest quality of architectural design and materials.

Comment: Confirmation of specific external building materials and colours have not yet been determined. As part of the Site Plan Control Approval process, staff will review, among other matters, the specifications for external cladding (i.e. colour palette, materials, accents/textures), window glazing (and fenestration), and their application to the proposed development.

Where possible and appropriate, staff recommend products high in durability and sustainability.

The use of 'heavy' materials (i.e. brick, stone or metal) should be used within the podium to anchor the building.

Comment: Confirmation of specific external building materials and colours have not been determined. As part of the Site Plan Control Approval process, staff will review, among other matters, the specifications for external cladding (i.e. colour palette, materials, accents/textures), window glazing (and fenestration), and their application to the proposed development.

Where possible and appropriate, staff recommend products high in durability and sustainability.

Portions of the podium roof that are not occupied by a tower should be used as outdoor amenity space to provide casual surveillance and interesting views from the street.

Comment: 'Common terrace' areas are identified on Level 7 of the mid-rise podium adjacent to the Sky Lounge. A layout and planting plan has been proposed as part of the landscape submission but would be confirmed at a later detailed design stage.

Large podiums shall be visually broken into smaller components. Mixed-use podiums shall reflect retail units, while residential buildings shall provide individual entrances for ground floor units.

Comment: The overall width of the rear (north) facing façade of the west podium is 62.43 metres. A proposed articulation of this portion of the podium element by recessing the middle portion of the building, provides the appearance of two stand-alone elements (17.98 metres and 17.28 metres in width) which enhances the architectural expression of the element and reduces the impacts presented by massing.

Building Middle (Tower)

3.1 Tower Location

Where multiple towers are proposed on a site, they shall be arranged to provide a gradual and appropriate transition in height to the adjacent established or planned context.

Comment: A variety of building and site design strategies, including, offsetting the tower locations on the podium element; variation in building step backs and setbacks and building articulation have been proposed to support appropriate transition in heights and building massing to the adjacent established residential context; particularly where the proposed development is facing to the rear (north) on the property.

A minimum separation distance of 25 metres should be provided between towers to maximize privacy and sky views, and to minimize the cumulative shadow impacts of multiple tall buildings. Balconies may be provided within this separation distance provided they do not excessively contribute to a building's massing.

Comment: A minimum distance of 25.0 metres is provided between the two towers on the podium (excluding balcony projections).

The tower should be stepped back at least 3 metres from the podium to differentiate between the building podium and tower, and to ensure usable outdoor amenity space (i.e. patios).

Comment: A minimum building step back of 3.0 metres is proposed for portions of the tower integrating with the podium element.

3.2 Tower Height and Massing

The height of the tower, and its location on the building base, shall provide a gradual and appropriate transition in height to help mitigate potential impacts on the adjacent established or planned context. Where multiple towers exist on a site, this transition shall be reflected across the entire site.

Comment: Building step backs on the 6th Floor of the east and west podium have been included to mitigate building massing and shadowing impact to the adjacent established neighbourhood. Articulation of the rear (north) wall of the west podium provides visual and aesthetic interest to the architecture of this portion of the building.

The tower portion of a tall building should be slender and should not exceed 750 square metres, excluding balconies.

Comment: The tower floorplate sizes have been limited to a maximum of 750 m².

3.3 Shadow/Sky Views

The design, height, and placement of the tower shall be compatible with adjacent established residential neighbourhoods

Comment: The building design has considered transitions of built form from high to low rise development in terms of adjacent established residential neighbourhoods. The amendment to the zoning by-law respecting maximum permitted building height is for tower portions which exceed the minimum required rear (north) yard setback and which have generally met the design criteria (i.e. angular plane) for this type of development.

The widest edge of the tower should generally be oriented to minimize the impacts of shadows.

Comment: The orientation of the towers on the podium is generally north-south with the widest portion of the towers facing east-west. Tower separation of a minimum of 25.0 metres also provides for sunlight permeability and the preservation of sky views and vistas.

A shadow study shall be provided with tall building applications to demonstrate the impacts at the equinoxes (March 21 and September 21).

Comment: A Shadow Study was submitted in support of the proposed development demonstrating an acceptable level of impact from the proposed building massing, height and site placement to sunlight conditions onto adjacent properties (for March/September equinoxes and June solstice).

Building Top

4.2 Mechanical Penthouse

Rooftop mechanical equipment shall be sized and located and screened from view, in order to protect or enhance views from other buildings and the public realm.

Comment: Details of the final design of the rooftop mechanical penthouse treatment is pending further input from the applicant's mechanical consultant. The proposed maximum building heights are considered those that include the mechanical penthouse portion of the building.

City of Burlington Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings

City Council approved the Guidelines in March 2019, which have been reviewed in the context of the subject development. For the purposes of these guidelines, a mid-rise building is defined as any building between five (5) and eleven (11) storeys in height.

The guidelines have been assessed for the building elements included as part of this proposal that are between 5 – 11 storeys.

The objective of the Guidelines is to provide best practices related to building height, massing, transitions, and building articulation to promote and encourage high quality mid-rise building proposals.

The Guidelines are grouped by the main components of a mid-rise building being the lower building and the upper building. Staff have completed a review of the guidelines of particular relevance in relation to the proposed development, as discussed below:

Lower Building

The lower part of the building contributes to a positive pedestrian experience at the ground level. It is important that the location and height of the lower building responds to its context to define the street edge and reinforce a human scale. Street level design elements such as clear glazing, and the organization of entrances and internal uses, further define the appearance of the building and create physical and visual connections between the private and public realms while promoting vibrancy and activity throughout the day.

2.1 Building Placement

All buildings should have a public front ('face') and private back. Buildings should not expose their back onto the front of a neighbouring building to minimize impacts such as 'back of house' activities on adjacent properties.

Comment: The proposed development has been designed with residential form and function and integrates into the existing residential context of the immediate area. The main entrances, lobbies, vehicular access points, refuse collection and loading will all be located internal to the site to minimize impacts to the adjacent residential properties.

2.3 Built Form: Height & Massing

In general, the building should not exceed a length of 60.0 metres apart from 'L'-shaped building forms. Longer buildings, approaching and exceeding 60.0 metres, should either be broken up physically or visually using architectural and design elements that sufficiently differentiate the building mass to appear as separate building forms. This should include step-backs, colour and material variations, and unique building articulation.

Comment: The overall width of the rear (north) facing façade of the west podium is 62.43 metres. A proposed articulation of this portion of the podium element by recessing the middle portion of the building, provides the appearance of two stand-alone elements (17.98 metres and 17.28 metres in width) which enhances the architectural expression of the element and reduces the impacts presented by massing.

Pushing (projecting) and pulling (recessing) building volumes from the main building form is encouraged to help break down the mass of larger buildings.

Comment: Building articulation has been used as an architectural intervention, particularly along the north (rear) wall of the proposed west podium as a means of providing building transition to low rise residential forms on the adjacent property to the north.

Balconies are encouraged and should be integrated into the building design and massing with inset or Juliette balconies. Projecting balconies should not be within the streetwall to avoid negative impacts to the public realm including additional building massing and shadowing.

Comment: Balconies are proposed for the mid-rise podium and two (2) tall building elements with a mixture of inset and projecting balconies. The projecting balconies are set back from the street walls in an effort to mitigate building massing.

The height and massing of the building should ensure a minimum of five hours of consecutive sunlight on the sidewalk across the street at the spring and fall equinoxes (approximately March 21 and September 21, respectively).

Comment: A Shadow Study was submitted in support of the proposed development demonstrating an acceptable level of impact from the proposed building massing, height and site placement to sunlight conditions onto adjacent properties (for March/September equinoxes and June solstice).

2.5 Site Design, Open Space & Streetscaping

Access to parking, servicing and loading should be provided at the rear of the building, or a laneway if possible. On corner sites, access should be provided from secondary streets provided the entrance facilities are well integrated into the rest of the frontage.

Comment: The proposed development will utilize the existing vehicular access points and will provide dedicated access to two levels of underground parking. Loading/moving spaces are via separate access on the east side of the building (rear).

Servicing and loading should be accommodated internally within the building.

Comment: Two (2) loading/moving spaces (1 Type 'C'; 1 Type 'G') are proposed internal to the building on and Level 1 with direct access from the private driveway on the east side of the building (rear).

Most on-site parking should be provided underground. In general underground or structured parking is encouraged before surface parking.

Comment: A total of 217 parking spaces are proposed (including residential and visitor parking spaces) with 212 parking spaces to be located on two levels (P1 & P2) of

underground structure parking. Five (5) surface parking spaces (including two accessible parking spaces) are proposed.

Surface parking should be limited to visitor and retail / commercial parking and located at the rear of the building to be hidden from public view. Whenever possible, provide visitor parking in a convenient underground parking area adjacent to an elevator.

Comment: Five (5) surface parking spaces are proposed (including two accessible parking spaces) adjacent to the main entrance (east) and at the rear of the property.

Any surface parking areas visible from the street should be buffered and screened with high quality architectural elements, setbacks or landscaping. On larger sites with surface parking areas, incorporate landscaped islands and high-quality landscaping to create comfortable and safe pedestrian walkways and amenity areas.

Comment: Minimal surface parking is proposed. Parking that may be visible from the street and which is located prominently adjacent to the main entrance is proposed with decorative paving treatment.

The roof of a lower building can be landscaped and used as common and private outdoor amenity area for the residents of a development. Where possible utilize building rooftops as green roofs and/or usable private and shared outdoor amenity areas such as gardens.

Comment: 'Common terrace' areas are identified on Level 7 of the mid-rise podium adjacent to the Sky Lounge. A layout and planting plan has been proposed as part of the landscape submission but would be confirmed at a later detailed design stage.

Upper Building

The upper part of the building contributes to the overall massing of the building form and its impact on the skyline and neighbouring properties. A variety of architectural and design elements such as horizontal and vertical articulation, upper floor step-backs, colour and materials should be used to visually describe the upper building and differentiate it from the components of the lower building. It is strongly recommended to architecturally integrate or hide structural elements such as the mechanical penthouse, elevator shafts, and telecommunication equipment from street-level.

3.1 Built Form: Transitions

Where the building fronts a street, step-back the upper floors a minimum of 3.0 metres above the streetwall to protect access to sunlight and sky view for streets while limiting shadowing. An additional step-back should be considered for buildings taller than seven (7) storeys in height. This additional step-back may be a minimum of 1.5 metres.

Comment: A variety of building and site design strategies, including, offsetting the tower locations on the podium element; variation in building stepbacks and setbacks

and building articulation have been proposed to support appropriate transition in heights and building massing to the adjacent established residential context; particularly where the proposed development is facing to the rear (north) on the property and in maintaining an urban form along the existing streetwall.

Where the building is on a site that is transitioning to a low-rise residential neighbourhood area (including properties designated Residential – Low Density and – Medium Density, Natural Heritage System, Parks and Open Space) a 45-degree angular plane should be applied from the shared property line. The building form should fit entirely within this angular plane and utilize setbacks and step-backs to ensure any impacts related to the change in height, overlook, and shadowing are mitigated.

Comment: A 45° angular plane (extending from the average grade along the rear (north) property line upward toward the east tower element) is generally the area within which buildings or structures should not encroach in order to maximize an appropriate transition between higher density form and lower density form on adjacent and surrounding properties. This design guideline is intended to reduce the relative impact of building massing (with impacts reduced with greater portions of the building falling inside the angular plane) and maximize light permeability (and reduce shadow cast).

The proposed design of the east and west podiums, including building step backs on the 6th Floor of each, results in minimal portions of the building falling outside of the angular plane. The proposed 16-storey east tower encroaches minimally into the angular plane at the top floor and the positioning of the rooftop mechanical penthouse is setback within the angular plane.

3.2 Upper Façade/Roof Design, Articulation & Materials

Balconies and other projections should be contained within all angular planes and setbacks and shall not protrude into the public realm (over sidewalks).

Comment: The proposed balconies are all within the proposed angular planes and are appropriately set back from the lower portions of the buildings.

Design the building top to clearly distinguish it from the lower portions and to further reduce the building massing. This should include additional physical building setbacks, stepbacks, colour and material variations, and unique articulation.

Comment: A variety of building and site design strategies, including, offsetting the tower locations on the podium element; variation in building stepbacks and setbacks and building articulation have been proposed to support appropriate transition in heights and building massing to the adjacent established residential context; particularly where the proposed development is facing to the rear (north) on the property.

Confirmation of specific external building materials and colours have not been determined. As part of the Site Plan Control Approval process, staff will review, among

other matters, the specifications for external cladding (i.e. colour palette, materials, accents/textures), window glazing (and fenestration), and their application to the proposed development.

Where possible and appropriate, staff recommend products high in durability and sustainability.

Summary

In summary, the proposed development utilizes urban design and the City's mid-rise design guidelines and tall building guidelines as a method of ensuring compatibility with the surrounding developments.

The proposed building incorporates suitable massing, setbacks, step backs and spacing to facilitate a desirable transition with the surrounding properties.

Opinion

Staff are of the opinion that the proposed development is consistent with the policies and intent of the Official Plan. The proposed development, as revised, encourages development that is served by various modes of transportation and is located in close proximity to a variety of community amenities. The proposal is providing a mix of residential unit types for older persons at an appropriate density within the urban boundary on an underutilized parcel that provides for efficient use of land, infrastructure and services.

The revised proposal is compatible with adjacent building typologies, scale, massing, setbacks, step backs and building heights and provides an appropriate transition between the proposed development and the adjacent neighbourhoods. It is also supplying adequate off-street parking and there is existing public transit located along North Shore Boulevard, Maple Avenue and Lakeshore Road. The proposed development has access to a minor arterial road and can be accommodated by the existing road network surrounding the development. As well, there are community services and amenities located within close walking distance to the subject lands.

2.1.5 Burlington's New Official Plan (adopted April 2018)

The City's New Official Plan (OP) was adopted by Council on April 26, 2018 and has been developed to reflect the opportunities and challenges facing the City as it continues to evolve. On October 7, 2020, City Council endorsed modifications to the adopted OP policies for Downtown and Neighbourhood Centres. These endorsed modifications were sent to Halton Region for inclusion in the adopted Official Plan. On November 26, 2020, City Council endorsed the Halton Region Draft Notice of Decision. At the time of writing this report, the City endorsed version of the new OP had been sent to the Region for approval.

Given that Burlington's new OP was not yet approved and was not in force and effect at the time of writing this memo, staff only completed a preliminary cursory review of the new Official Plan policy framework in relation to the revised development proposal. While these policies represent the City's vision for growth, the weight placed on these policies is limited as they are not yet in force and effect.

The new OP was developed to establish strategic growth priorities for growth management, land use and infrastructure and to build a policy framework to guide the City's decision making and approval processes, ensuring that all new development contributes to Burlington's long-term vision.

According to the new OP, the subject lands are within the Downtown Urban Centre, which includes the Urban Growth Centre, referred to in the Provincial Growth Plan. The new OP directs that new development be compatible with the physical character within each precinct and designation and provide a compatible transition to adjacent low-rise neighbourhoods.

The subject lands are designated as being within the 'Apartment Neighbourhood Precinct' according to the new OP. This designation is intended to accommodate limited infill development that fits into and respects the existing physical character of adjacent properties, and transitions and achieves compatibility low-rise residential neighbourhoods outside of the Downtown.

Opinion

Planning staff is of the opinion that the revised development proposal maintains the general intent and purpose of the new OP. As mentioned, the new OP places an emphasis on the transition of new development within the Downtown to areas outside of Downtown. To that end, the revised development proposal is considered compatible with adjacent buildings; provides appropriate separation distances between buildings on and adjacent to the site (including podiums and towers); limits overlook to adjacent low-rise areas; provides an appropriate transition through the use of setbacks, step-backs and the stepping down of heights; adequately limits shadow impacts on adjacent properties; and respects the 45-degree angular plane with the adjacent low-rise residential properties.

2.1.6 Zoning By-law 2020

The subject lands are currently zoned 'DRH' Downtown High Density Residential, which permits an apartment building; retirement home; offices in an existing building; and offices on the ground floor of a residential building. The lands are also subject to the Interim Control By-law which remains in place pending the resolution of appeals to Zoning By-law amendment 2020.218. The applicants are proposing to amend the existing DRH zone category for subject property to a site specific 'DRH' with an exception to permit the proposed retirement home with zone requirements that would

facilitate the proposed revised development. An overview of the existing DRH zone requirements against the proposed zoning requirements have been broken down and provided in the table below.

Zone Regulation	Existing 'DRH' Zone Requirements	Proposed	Comment
Lot Width	30 m	86 m	No changes required
Lot Area	0.1 ha	1.18 ha	No changes required
Front Yard	6 m; 7.5 m abutting a street having a deemed width of 26m or more	14 m	No changes required
Street Side Yard	6 m; 7.5 m abutting a street having a deemed width of 26m or more	n/a – not considered a corner lot	No changes required
Rear Yard	7.5 m	7.5 m	No changes required
Side Yard	6 m	15 m	No changes required
Yard abutting R1, R2, R3, DRL zones	15 m	15 m	No changes required
Density	50 units per hectare minimum 185 units per hectare maximum	322 units per hectare	The proposed density is reflective of a medium / high density development proposal. Higher densities can be accommodated in appropriate areas of the City, if the built form is properly designed and integrates well into the existing urban fabric. Staff is of the opinion that the proposed development complies with the direction outlined in the City's Official Plan and also achieves compliance with the City's Mid-Rise Building Design Guidelines.
Height	22 m maximum	53m	The existing 22m height maximum would facilitate a building of approximately 6-7 storeys, which would be far lower than other existing buildings in the vicinity along the north side of North Shore Blvd. As outlined in this report, the proposed development complies with the City's design guidelines and will ultimately result in a compatible height for this area.
Amenity Area	20 m ² per unit	22 m ² per unit	No changes required
Building setback from a creek block	7.5 m; 4.5 m if block includes a 3 m buffer	n/a	No changes required
Yard abutting a pipeline easement	7 m rear yard; 3 m side yard	n/a	No changes required
Parking	As set out in Section 2.1.4 above, staff are of the opinion that there is adequate parking proposed to accommodate the proposed uses.		
Landscape Area	4.5 m abutting a street having a deemed width up to 26 m	14m	No changes required
Landscape Buffer	Abutting R1, R2, R3, DRL Residential Zones – 6m Abutting other Residential Zones – 3m	2m	The proposal includes a landscape buffer in addition to garden plots, planter walls and patios. While a dense 6m wide landscape buffer is not proposed, staff is of the opinion that the intent of the landscape buffer can be achieved through the proper landscape design at the rear of the properties. Further, there is sufficient space for this to occur and this can be further refined through the detailed site plan review process.

Landscape Buffer	Abutting other Residential Zones – 3m	2m	Same comment as above.
Fencing	1.8m solid screen fence	1.8m solid screen fence	No changes required.

The proposed development, as revised, provides for a more intensive form of development that was not originally anticipated by the Zoning By-law. Notwithstanding, the proposed development complies with the majority of the existing zoning regulations, save and except for provisions relating to height, density, parking and landscape buffers. Staff is of the opinion that the relief of the height, density and parking provisions are appropriate as it will result in an appropriate and compatible built form. Further, staff is of the opinion that the landscape buffer zoning relief is appropriate subject to further refinement through the site plan process.

3.0 Technical Reviews

The original applications were circulated to internal departments and external agencies for review. Written responses to the technical circulation were received from Burlington Hydro, the Sustainable Development Committee, Halton Catholic District School Board, Halton District School Board, Burlington Economic Development Corporation, Canada Post, the Ministry of Transportation, Capital Works Department, Fire Department, Transportation Department, Finance Department, and the Burlington Transit.

It should be noted that there are a number of technical studies that will need to be revised and completed to the City’s satisfaction. Staff would recommend to the Local Planning Appeals Tribunal that, should the Tribunal approve the proposed development in this matter through a settlement or contested hearing, that the Tribunal withhold its order approving the development until these additional items are completed to the satisfaction of the City. Once completed to the satisfaction of the City, the Tribunal would issue its order.

3.0 Community Benefits (Section 37)

If Council is supportive of the revised development proposal, it could result in increases to the permitted height and density of the subject property, and therefore, the City can collect community benefits in accordance with Section 37 of the *Planning Act*. If Council directs, staff will initiate discussions with the applicants to secure community benefits in accordance with Section 37 of the *Planning Act* and report back to Council with a report on Section 37 benefits.

4.0 Conclusion

The revised applications have been reviewed in accordance with applicable Provincial, Regional, and Municipal planning policies and staff are of the opinion that the revised proposal is consistent with these documents and represents an appropriate level of

intensification, efficient use of land and provides a range and mix of housing options that promote the use of active transportation and transit.

The proposal, as revised, will provide a mix of residential unit types for older persons at an appropriate density within the urban boundary on an underutilized parcel that provides for efficient use of land, infrastructure and services. The revised proposal is compatible with adjacent building typologies, scale, massing, setbacks and building heights. The revised proposal also provides an appropriate transition between the proposed development and the existing low-rise neighbourhood to the north and high-rise neighbourhood to the east.

The proposed development has access to a minor arterial road being North Shore Boulevard. The Transportation Study concluded that the street network could accommodate the additional traffic associated with the proposed development. There is also existing public transit located along North Shore Boulevard and Maple Avenue and community services and amenities located within close walking distance to the subject lands.

Staff are satisfied that the applicant has made appropriate modifications in an effort to reduce the overall impact of the development on the neighbouring properties. The revised applications are consistent with the Provincial Policy Statement, conform to all applicable Provincial Plans, The Region of Halton Official Plan and the City of Burlington Official Plan and have regard for matters of Provincial interest. The applications, as revised, can be considered compatible with surrounding land uses and represent good planning for the reasons identified in this report.

As such, Staff are satisfied with proceeding by way of a Settlement Hearing before the Local Planning Appeals Tribunal for the revised proposal on the condition that the Local Planning Appeals Tribunal withhold its order on any settlement decision until the additional technical studies, as requested by the City, are completed to the satisfaction of the City.

Respectfully submitted,

Kyle Plas, MCIP, RPP

Interim Manager of Development and Design

Appendices

- **Settlement Offer including Revised Detailed Development Concept**