PLANNING JUSTIFICATION REPORT

PREPARED FOR:

Official Plan and Zoning By-Law Amendment
Losani Homes
430 McNeilly Road, Suite 203
Stoney Creek, ON L8E 5E3
File no. 14196BZ

December 2024

Your Vision

Designed | Planned | Realized

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MHBC | PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE

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1.0 INTRODUCTION

MHBC Planning has been retained by Losani Investment Corporation to prepare this Planning Justification Report in support of the proposed Official Plan Amendment, Zoning By-law Amendment and Site Plan application for development of the lands known as 127 Plains Road West (the "subject lands"), in the City of Burlington.

The subject lands are located in the Aldershot neighbourhood south of Provincial Highway #403 in the City of Burlington. The property is immediately north of Plains Road West and west of Howard Road, south of Lemonville Road and east of Daryl Drive. The lands have an approximate area of 0.26 hectares with approximately 55 metres of frontage on Plains Road West and 35 metres along Howard Road. The location of the lands is shown in **Figure 1** of this report. The site currently contains a multi-use building containing various commercial / retail uses such as a restaurant and clothing store as well as residential dwelling units.

The subject lands are within the urban boundary and delineated built boundary of the City of Burlington and are, therefore, designated 'Residential Areas' by the City of Burlington Official Plan (1997, Schedule A – Settlement Pattern) and 'Urban Area' by the City of Burlington Official Plan (2020, Schedule A – City System). The subject lands are also identified as a 'MTSA Special Planning Area' within the city known as the Aldershot GO MTSA.

The subject lands are also identified in the City of Burlington Official Plan (1997) as:

- 'Mixed-Use Corridor – General' (Schedule B – Comprehensive Land Use Plan (Urban Planning Area));
- 'Multi-Purpose Arterial' (Plains Road West) and 'Collector' (Howard Road) (Schedule J – Classification of Transportation Facilities).

The City of Burlington Official Plan (2020) further designates the lands as:

- 'Mixed-Use Nodes and Corridors' (Schedule B – Urban Structure);
- 'Primary Growth Area' (Schedule B-1 – Growth Framework);
- 'Primary, Secondary and Employment Growth Area' (Schedule B-2 – Growth Framework and Long-Term Frequent Transit Corridors);
- 'Urban Corridor' (Schedule C – Urban Area);
- 'Aldershot GO MTSA Special Planning Area' (Schedule G – Aldershot GO MTSA Special Planning Area)
- 'Multi-Purpose Arterial' (Plains Road West) and 'Neighbourhood Connector' (Howard Road) (Schedule O-1 – Classification of Transportation Facilities (Urban Area));
- 'Bike Lane' (Plains Road West) and 'Multi-Use Path' (Howard Road) (Schedule P – Long Term Cycling Master Plan); and,
- 'Proposed Multi-Use Trail Connection' (Howard Road) (Schedule Q – Trails Strategy).

The purpose of the applications is to re-designate and re-zone the lands for the development of a mixed-use high-rise building through an Official Plan Amendment, Zoning By-law Amendment, and future Site Plan application. The redevelopment of the lands proposes the demolition of the

current building and the construction of a 24-storey mixed-use building with a total of 240 dwelling units, ground floor commercial and underground parking.

This Planning Justification Report has been prepared for submission to the City of Burlington in support of the proposed applications and includes the following:

- An introduction and general description of the subject lands and surrounding uses;
- Overview of the proposed development and applications;
- A review of existing policy framework in relation to the proposed development and assessment of consistency and conformity with applicable Provincial Policy, the City Official Plan, and Zoning By-law;
- Consideration and integration of recommendations and conclusions from the supporting studies and reports; and,
- Conclusions in support of the proposed applications.

1.1 Pre-Submission Consultation Meeting

An application for pre-submission consultation was submitted on July 17, 2023, with a subsequent consultation meeting being held on September 6, 2023. Comments from this pre-submission consultation meeting were received on December 5, 2023.

In addition to this Planning Justification Report, the following materials were identified in the pre-submission consultation minutes to form a complete application under the Planning Act:

a) Application Form and associated fees;
b) Survey prepared by an Ontario Land Surveyor;
c) Land Use Compatibility Study;
d) Housing Impact Statement;
e) Conceptual Site Plan Layout;
f) Architectural Plans;
g) 3-D Model of Proposed Buildings;
h) Burlington Urban Design Advisory Panel (BUD) Comments;
i) Height Survey of Adjacent Buildings;
j) Angular Plane Study;
k) Shadow Analysis Plan;
l) Arborist Report;
m) Tree Inventory & Preservation Plan;
n) Landscape Plan;
o) Water & Wastewater Functional Servicing Report;
p) Noise Feasibility Study / Vibration Study;
q) Transportation Impact Study;
r) Transportation Demand Management Plan & Implementation Strategy;
s) Parking Justification Report;
t) Stormwater Management Report;
u) Grading & Drainage Plans;
v) Environmental Impact Assessment;
w) Phase One Environmental Assessment;
x) Sustainable Building & Development Guidelines Checklist;
y) Response to Comments Received at Community Meeting;
z) Urban Design Brief;
aa) Tenant Relocation & Assistance Plan;

bb) Environmental Site Screening Checklist;
cc) Draft Official Plan Amendment & Zoning By-law Amendment; and,
dd) Waste Management Report.

In a follow-up to the Pre-Submission Consultation Meeting, discussions occurred with City staff on the pre-submission consultation meeting requirements relative to the City's Official Plan requirements under the in-effect Official Plan (1997) and the new, not in-effect Official Plan (2020). Based on the in-effect Official Plan, the following reports and studies have ben provided to form a complete application:

a) Planning Justification Report;
b) Survey prepared by an Ontario Land Surveyor;
c) Conceptual Site Plan Layout;
d) Architectural Plans;
e) Height Survey of Adjacent Buildings;
f) Shadow Analysis Plan;
g) Tree Inventory & Preservation Plan;
h) Water & Wastewater Functional Servicing Report;
i) Noise Feasibility & Vibration Study;
j) Transportation Impact Study;
k) Parking Justification Report;
l) Stormwater Management Report;
m) Environmental Impact Assessment;
n) Phase One Environmental Assessment; and,
o) Draft Official Plan Amendment & Zoning By-law Amendment.

Summaries of technical studies are summarized in **Section 6.0** of this report. All required plans and studies have been provided in support of this application. The proposed development and associated amendments have considered the comments received through the pre-submission consultation process, public consultation process as well as the Design Review Panel.

The Pre-Consultation Meeting Minutes and Checklist is attached as **Appendix A.**

1.2 Pre-Application Community Meeting

A virtual Pre-Application Community Meeting was held on May 1, 2024 to present the proposed development to the community.

A formal presentation was presented by MHBC, with City staff and Councillors in attendance. Questions and comments regarding height, privacy, proposed uses, traffic, urban design and tenure were discussed throughout the meeting and have been considered in the revised version of the proposal.

A summary of the meeting is provided as **Appendix B**. It is our opinion that the proposed amendments and development have appropriately considered comments from the public consultation process and have been effectively incorporated where possible, while maintaining the overarching policy framework for encouraging intensification in target areas of the city.

1.3 Burlington Urban Design (BUD) Review Panel Meeting

Following the pre-consultation meeting, the proposed development was presented to the Burlington Urban Design (BUD) Review Panel on May 30, 2024. Various comments regarding general urban design were provided with an emphasis on the building height and façade articulation as well as the general circulation of the site, specifically related to the ground floor parking access and loading area.

A copy of the BUD Meeting Minutes can be found in **Appendix C**. Thoughtful consideration has been given to the revised proposal that aims to respond to the feedback provided by the Panel in conjunction with those from the public, all while recognizing the site constraints and overarching provincial and local policy direction.

The following revisions have been made to address the comments provided:

- Above-ground structured parking has been removed (Levels 1 and 2) and all parking will be provided underground (with the exception of a few at-grade);
- At-grade circulation has been reconfigured to reduce vehicular accesses/conflicts and hardscaping in exchange for landscaped area;
- The overall building height has been reduced by two storeys;
- The non-residential retail / commercial area has been consolidated to accommodate larger tenants such as a grocery store; and,
- Additional bicycle parking has provided in a secure room.

Details regarding the proposed development are included in **Section 3.1** of this Report.



Figure 1
Location Map

Legend

Subject Lands

Date:	March, 2024
Scale:	1:3,000
File:	14196BZ
Drawn:	PL

north

Document Path: K:\14196BZ 127 Plains Road\GIS\14196BZ\14196BZ.aprx

127 Plains Rd. West
City of Burlington
Halton Region

Source: City of Burlington Air Photo 2023

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2.0 SITE DESCRIPTION & CONTEXT

2.1 Site Description

The subject lands are municipally addressed 127 Plains Road West, which are located at the northwest of the Plains Road West and Howard Road intersection. The subject lands are immediately north of Plains Road West, southeast of Hidden Valley Park, immediately west of Howard Road, and east of Daryl Drive. Further north of the subject lands is Provincial Highway #403 as well as the Aldershot GO Station located northeast of the lands.

The subject lands are a corner lot, with an approximate area of 0.26 hectares with 55 metres of frontage on Plains Road West and 35 metres of frontage on Howard Road.

The subject lands are currently comprised of a multi-unit 2-storey building with existing commercial and retail uses at-grade including an existing restaurant and clothing store. The second floor of the existing building currently contains four residential uses. Surface parking is provided for the tenants and visitors.

2.2 Surrounding Context

The subject lands are within the Aldershot neighbourhood. The area around the lands generally consists of established residential uses, as well as other commercial or retail uses, a park / open space, and a school. The area is considered as an area in transition from traditional employment uses to a mixed-use, transit supportive node.

Existing surrounding land uses in the area generally include:

NORTH: Aldershot GO Station, Provincial Highway #403 (Queen Elizabeth Highway), Hidden Valley Park, and industrial development.



EAST: Howard Road, industrial development, Waterdown Road, and low-rise residential.



SOUTH: Plains Road West, low and mid-rise residential development, Aldershot School, and North Shore Boulevard West.



WEST: Commercial / retail development, Daryl Drive, low and mid-rise residential development, and Unsworth Avenue.



Existing Road Network

The subject lands are located north of Plains Road West, which is classified as a Multi-Purpose Arterial and west of Howard Road, which is a Collector. This portion of Plains Road West currently features a total of five lanes (three east bound including a left turn lane and two west bound) while Howard Road is two lanes. The intersection at Plains Road West and Howard Road is currently signaled. Plains Road West is also considered a Frequent Transit Corridor meaning that it is a primary connector road for other areas within the city such as the Aldershot GO Station or downtown Burlington. Direct access to the site is proposed from Plains Road West and Howard Road. The access provided from Plains Road West is intended for commercial / retail use as well as loading and drop-off purposes while the access from Howard Road directs residents directly to the underground parking structure.

Transit Services

There are a number of Burlington Transit Bus Services that operate along this portion of Plains Road West as well as within the vicinity of the subject lands. A bus stop for Bus Route 1 is located directly adjacent to the site along the southern property boundary at Plains Road West, which directly connects the subject lands to Burlington Centre as well as Burlington GO and Appleby GO Stations. Bus Route 4 also operates within 500 metres of the subject lands with a bus stop at the corner of Waterdown Road and Plains Road West, providing transportation directly to the Aldershot GO Station as well as Burlington's downtown core. Both transit services are well-connected to the broader Burlington Transit Bus Service network providing service to other areas of the city as well as the City of Hamilton.

Proximity to Aldershot GO Station

The subject lands are within the Aldershot GO Station Major Transit Station Area, which is approximately 1.5 kilometres northeast of the subject lands. The Aldershot GO Station is a 20-minute walk or bike, 10-minute bus ride, or 5-minute drive with direct access from Plains Road West and Waterdown Road. The subject lands are also well-connected to the Burlington GO and Appleby GO Stations via Plains Road West by car, rail and bus transit and active transportation.

Access to Active Transportation Options

There are existing public sidewalks along both the north and south side of Plains Road West in addition to a recently constructed cycle track that further promotes active transportation in the area. There are also existing trails in proximity to the subject lands, including the Hidden Valley Multi-Use Trail. The subject lands are, therefore, well-connected to the overall active transportation network throughout the city, including direct connections to the Aldershot GO Station as well as the Burlington GO and Appleby GO Stations.

In summary, the subject lands are well-situated to the arterial road network, various transit options, active transportation options via sidewalks, bike lanes, cycles tracks and trails, as well as various commercial, retail, and institutional uses.

Additional context is provided in **Figure 2** below.

Active Surrounding Development

A significant amount of development is occurring with the general vicinity of the subject lands, transitioning the area to a mixed-use and transit supportive node with higher density residential and ground floor commercial / retail units. An analysis of surrounding development within 2.5 kilometres of the subject lands was conducted to inform this report as well as the design considerations for the proposed development, which has been included as **Appendix D**. The purpose of this review was to analyze specific design elements (e.g., building height and parking rates) of recently approved or constructed developments within the area against the proposal and associated amendments.

Below is a summary of findings of development providing further understanding of relative building height and parking rates within the area.

- There are 13 developments recently approved and/or to be constructed within the area with heights ranging from 4-storeys to 33 storeys.
- Some of these developments are not within the Aldershot GO Major Transit Station Area.

- Of these developments, all provide parking at rates ranging from 0.75 to 1.50 spaces per unit.
- Majority of the developments feature a non-residential component, amenity area and substantial bicycle parking.

The proposed development and required amendments are generally consistent with applications currently under review by City staff recently as well as those that have been approved by City Council and are forthcoming or under construction. Similar to surrounding developments, the proposal facilitates a development that fits within the intended context for higher order transit-supportive development that adds to the range of housing options within the city.

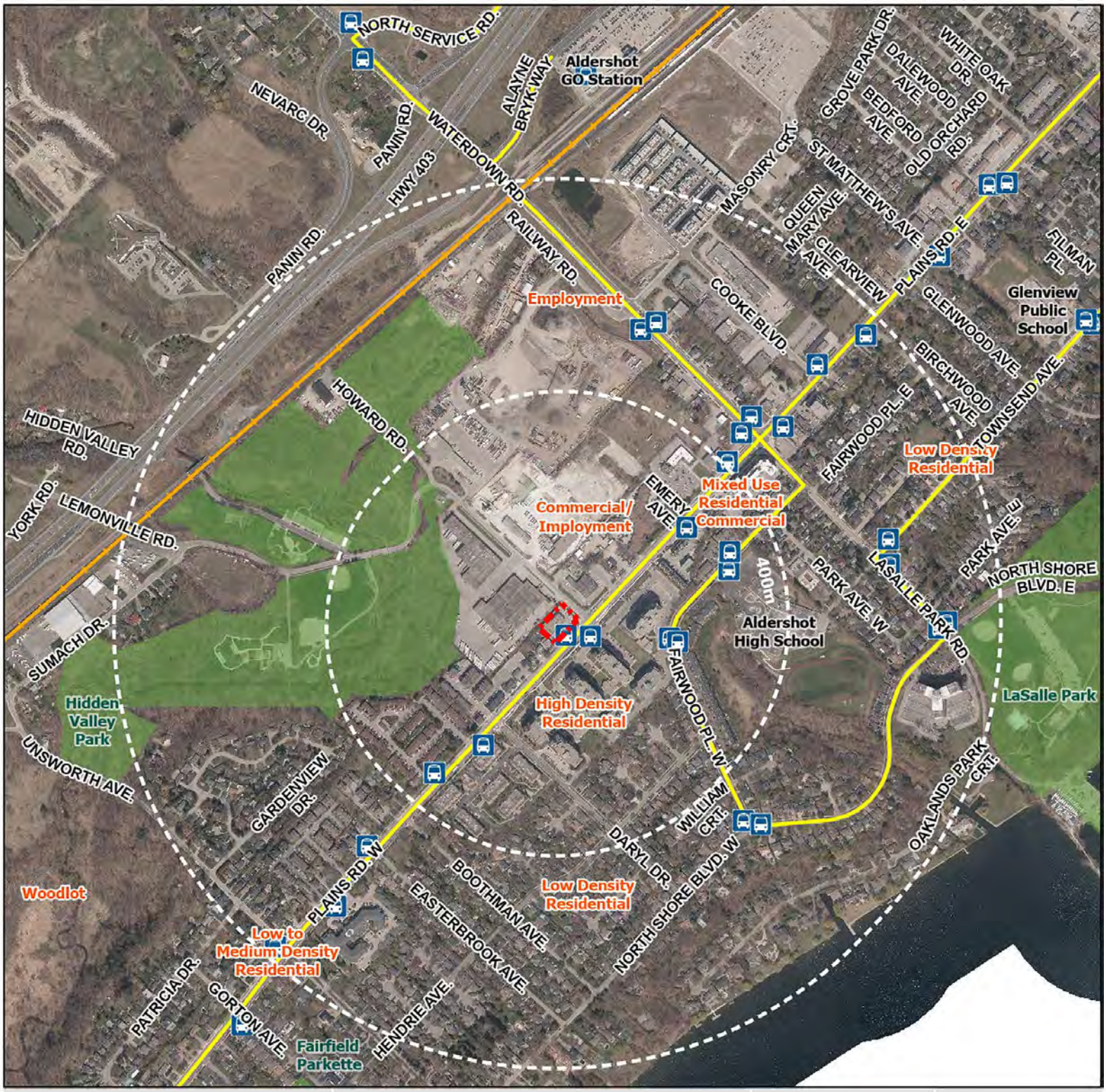


Figure 2
Context Map

Legend

- Subject Lands
- 5min, 10min Walking Distances (400m, 800m)
- Parks
- Bus Routes
- Bus Stops
- CNR - OAKVILLE

Date:	March, 2024
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Drawn:	PL

north

Document Path: K:\14196SZ 127 Plains Road\GIS\14196BZ\14196SZ.aprx

127 Plains Rd. West
City of Burlington
Halton Region

Source: City of Burlington Air Photo 2023

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3.0 PROPOSED DEVELOPMENT & APPLICATIONS

3.1 Proposed Development

The subject lands are proposed to be redeveloped with a mixed-use development containing a high-rise tower of 24-storeys and 240 dwelling units situated on a 5-storey podium. The first storey of the podium will be reserved for commercial / retail uses oriented towards Plains Road West with the remainder being for a lobby, and service uses. Waste management and loading is entirely screened from the streets and is interior to the building and is accessed from Plains Road West with a one-way exit onto Howard Road. Various amenities and shared common areas are provided throughout the building, including indoor and outdoor amenity rooms on the 6th and 24th floor, as well as private balconies.

The proposed development incorporates the Tall Building Design Guidelines (2017), as follows:

- Adjusting the podium placement and height to better frame the street;
- Improving the ground floor circulation to reduce vehicular conflict and add outdoor amenity area;
- Reconsidering setbacks to reduced potential adverse impacts and accommodate pedestrians;
- Altering the location and size of ground floor non-residential uses to promote activation;
- Proposing a slender tower shape with appropriate transitions; and,
- Using high end architectural materials and techniques to ensure visual interest.

The proposed development concept is included as **Figure 3** below.

The proposed development intends to provide a range and mix of housing choice as well as smaller-scale commercial and retail services in an area experiencing recent and ongoing transition to a higher density community. The proposed development is also well-connected to other areas of the city including the Aldershot GO Station, Burlington Centre and downtown Burlington by vehicular access, transit and active transportation.

Residential Development

The proposed development features a 5-storey podium, 24-storey tower, and a total of 240 dwelling units. A variety of unit sizes are intended including 1-bedroom units, 1-bedroom with den, and 2-bedroom units. The total number of units as well as the unit breakdown will be confirmed through detailed planning.

Commercial / Retail Development

The proposed development includes two (2) commercial / retail units at-grade. The commercial units are proposed on the first floor along the Plains Road West frontage. Each unit will have direct pedestrian access from Plains Road West.

Access and Parking

Two (2) main vehicular accesses are proposed to serve the development as well as a one-way drive aisle for exits only. A two-way drive aisle is provided from Plains Road West (Multi-Purpose Arterial Road), which provides access to an at-grade loading / garbage area as well as at-grade visitor parking for the commercial / retail units, and a drop-off area for temporary purposes such as deliveries. The access from Plains Road West also provides a direct 'exit-only' lane onto Howard Road to eliminate reverse movements or other conflicts within the development. A second access into the site is provided from Howard Road (Collector Road), which provides direct access to the underground parking structure. Pedestrian sidewalks are proposed throughout the development that will connect to the existing sidewalks along Plains Road West and Howard Road. Pedestrian connections will encourage active transportation in the area and provide connections to the existing transit services, and parks / trails.

All parking is provided in an underground parking structure. A total of 160 parking spaces are provided, which is a parking ratio of approximately 0.67 parking spaces per residential dwelling unit. The drive aisle proposed from Plains Road West provides access to the visitor spaces proposed at-grade (4 spaces), whereas the drive aisle from Howard Road leads to the underground portion of the parking structure (e.g., 156 spaces).

Short-term bicycle parking spaces are provided on the ground floor within the podium along Howard Road. Long-term bicycle parking spaces are available within a secure room on the ground floor of the proposed building. Bicycle parking spaces are provided throughout the development, at a rate of 0.50 spaces per residential unit, in accordance with best practices / current zoning requirements. Direct connection from the bike storage rooms to the existing active transportation network along Plains Road West is provided.

One (1) loading space is provided at-grade and is accessible from vehicular entrance at Plains Road West with an exit onto Howard Road.

Amenity Area

The development proposes multiple indoor and outdoor amenity spaces, as follows:

- Sixth Floor: indoor common amenity area and outdoor common amenity
- 7th Floor to 24th Floor: private balconies with various sizes (unit dependent); and,
- 24th Floor: indoor common amenity and outdoor common amenity.

Details associated with amenity area programming will be determined at the site plan application stage.

3.2 Proposed Applications

3.2.1 Official Plan Amendment

The subject lands are currently designated by the City's Official Plan (1997), as follows:

- 'Residential Areas' – Schedule A: Settlement Pattern
- 'Mixed-Use Corridor – General' – Schedule B: Land Use Plan – Urban Planning Area
- 'Multi-Purpose Arterial' (Plains Road West) and 'Collector' – Schedule J – Classification of Transportation Facilities

The Official Plan Amendment is required to the City's Official Plan (1997), as this version is in full force and effect as opposed to the more recent version still under appeal. The subject lands are designated 'Mixed-Use Corridor – General' on Schedule B: Land Use Plan Urban Planning Area in the Official Plan (1997), which contemplates the proposed mixed-use development. The existing land use designation is proposed to be maintained, with the amendment being for a site-specific policy added to allow for increased height and density, as follows:

1) An amendment to Policy 5.3.2(d)(i) regarding floor area ratio to permit a floor area ratio of 9.0 as opposed to the maximum permitted 1.5.
2) An amendment to Policy 5.3.2(d)(ii) to permit a maximum building height of 24 storeys, whereas a maximum of 6 storeys is permitted.

The subject lands are designated 'Urban Corridor' on Schedule C: Land Use Urban Area in the Official Plan (2020). Similar amendments would be required to the City's Official Plan (2020) for increased height and density within this land use designation; however, these portions of the Official Plan (2020) are not in full force and effect and cannot be amended at this time.

A draft Official Plan Amendment has been included as **Appendix E**.

3.2.2 Zoning By-law Amendment

The subject lands are zoned 'Mixed-Use Corridor' (MXG) in the City of Burlington Zoning By-law.

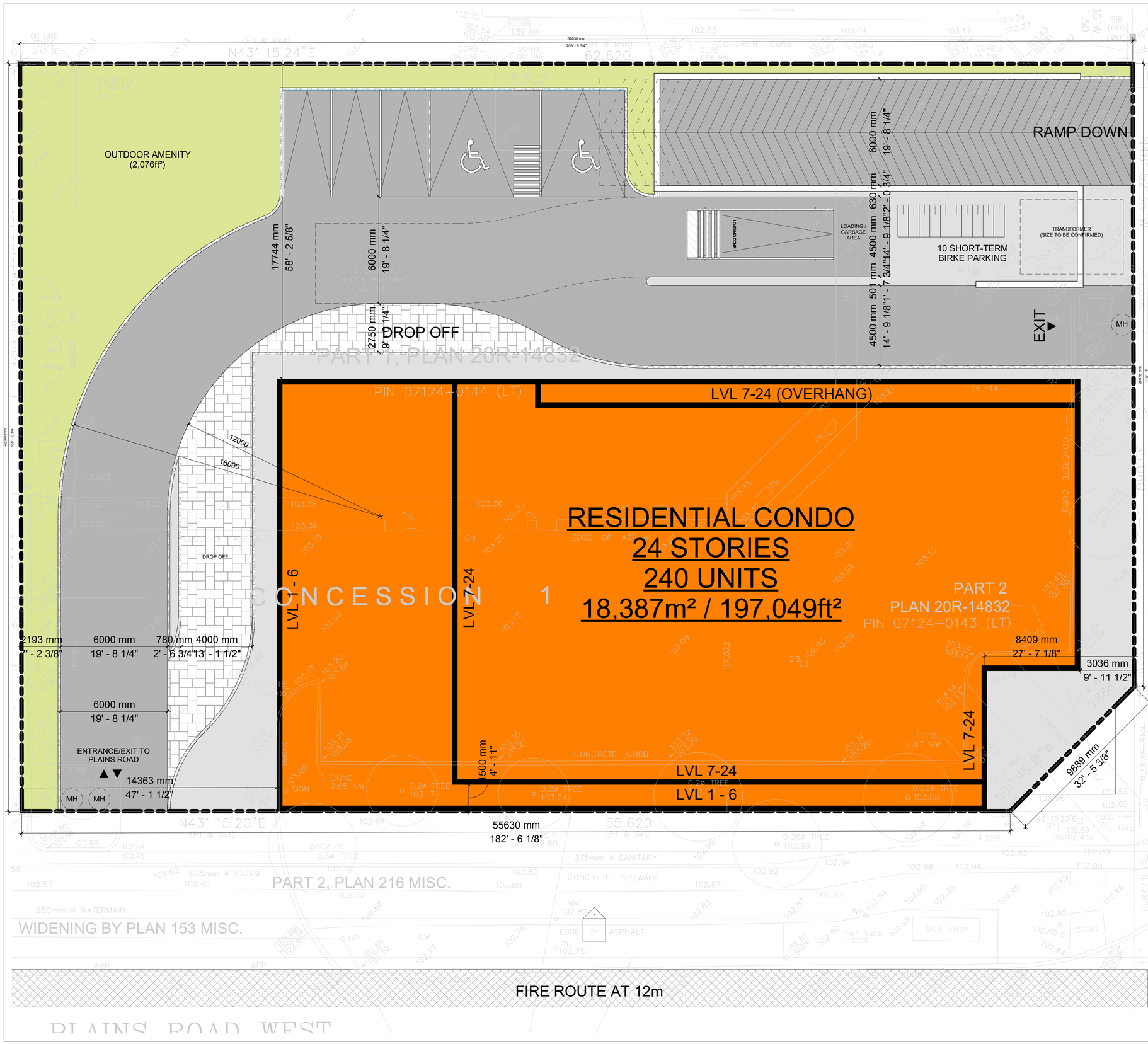
The proposed mixed-use building is contemplated land use in the MXG zone. The proposed Zoning By-law Amendment is to establish site-specific regulations to permit the proposed development as designed, as follows:

- Maximum Floor Area Ratio: requesting floor area ratio of 9.0, whereas 1.5 is permitted.
- Maximum Building Height: requesting a building height of 24 storeys, whereas 6 storeys are permitted.
- Reduced Yard Abutting a Street: requesting a setback along Plains Road West of 0 metres, whereas 3 metres is required.
- Reduced Amenity Area: requesting an amenity area of 4,000m^2, whereas 5,500m^2 is required.

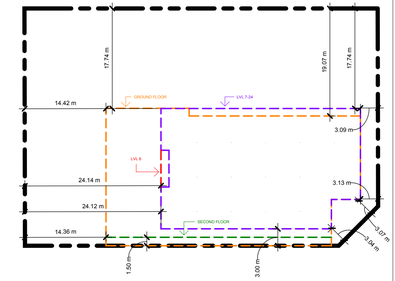
A full zoning review has been conducted, which informs the draft Zoning By-law Amendment included as **Appendix F** of this report. Additional site-specific zoning regulations may be required as a result of City staff review and detailed site planning.

3.2.3 Site Plan Application

The proposed development is also subject to Site Plan Control, which will be submitted as a future application given new timelines introduced through planning legislation. The proposed development is intended to be constructed in one phase. Details regarding urban design, site-servicing, parking, landscaping and landscaped open space, and site-lighting are provided for preliminary discussion in the architectural package submitted with this application. Further details will be provided through the Site Plan Control process and to be confirmed through detailed site planning.



SITE STATISTICS			
DESCRIPTION	AREA (SM)	AREA (SF)	PERCENTAGE
BUILDING FOOTPRINT			
BUILDING FOOTPRINT	1,017.89 m²	10,956 ft²	39.0%
	1,017.89 m²	10,956 ft²	39.0%
HARD LANDSCAPE			
ASPHALT	815.75 m²	8,781 ft²	31.2%
CURB	30.93 m²	333 ft²	1.2%
PAVER STONES	115.24 m²	1,240 ft²	4.4%
SIDEWALK	328.55 m²	3,536 ft²	12.6%
	1,290.47 m²	13,890 ft²	49.4%
SOFT LANDSCAPE			
LANDSCAPE	304.83 m²	3,281 ft²	11.7%
	304.83 m²	3,281 ft²	11.7%
	2,613.18 m²	28,128 ft²	100.0%
OVERALL SITE	2,610.93 m²	28,104 ft²	100.0%



2 A001 SETBACK PLAN
1 : 500

SITE PLAN LEGEND	
PRIMARY ENTRANCE / EXIT	PROPERTY LINE
SECONDARY ENTRANCE / EXIT	6TH FLOOR OUTLINE
BUILDING SETBACK	DESIGNATED BARRIER-FREE PARKING SPACE
TOWER OUTLINE	6m WIDE FIRE ROUTE WITH HEAVY DUTY ASPHALT
4TH-5TH FLOOR OUTLINE	SIAMESE CONNECTION
PROPOSED BUILDING	PROPOSED FIRE HYDRANT
EXISTING BUILDING	LIGHT STANDARD
ASPHALT	PROPOSED PAD MOUNTED TRANSFORMER (REFER TO ELECTRICAL DRAWINGS)
LANDSCAPE / SOD AREA	DEPRESSED CURB
CONCRETE SIDEWALK c/w SIDEWALK	PARKING COUNT
PEDESTRIAN CROSSWALK	

SITE PLAN LEGEND
1 : 200

Figure 3
Concept Plan

Chamberlain Architects Managers

Chamberlain Architect Services Limited

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Burlington, Ontario. L7M 0W9
CANADA

Phone: 905.631.7777

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NO.	ISSUED	DATE
1	CLIENT REVIEW	2024-10-17
2	CITY SUBMISSION	2024-10-25

Plains Road- Option 01 Updates-2024.08.02

- The geometry of the podium was adjusted according to the new survey and setback lines and therefore total areas of some rooms have been slightly reduced.
- The geometry of units on level 7-26 were changed to accommodate the new survey and setback lines and therefore some total areas of some rooms have been slightly reduced.
- The roof plan was adjusted according to the new setback lines and survey.
- The property and setback lines were updated according to the new survey.
- The fire route which is located on Plains Road was highlighted.

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SEAL

CONSTRUCTION NORTH TRUE NORTH

127 PLAINS ROAD (OPTION 2)

127 PLAINS ROAD, BURLINGTON, ON

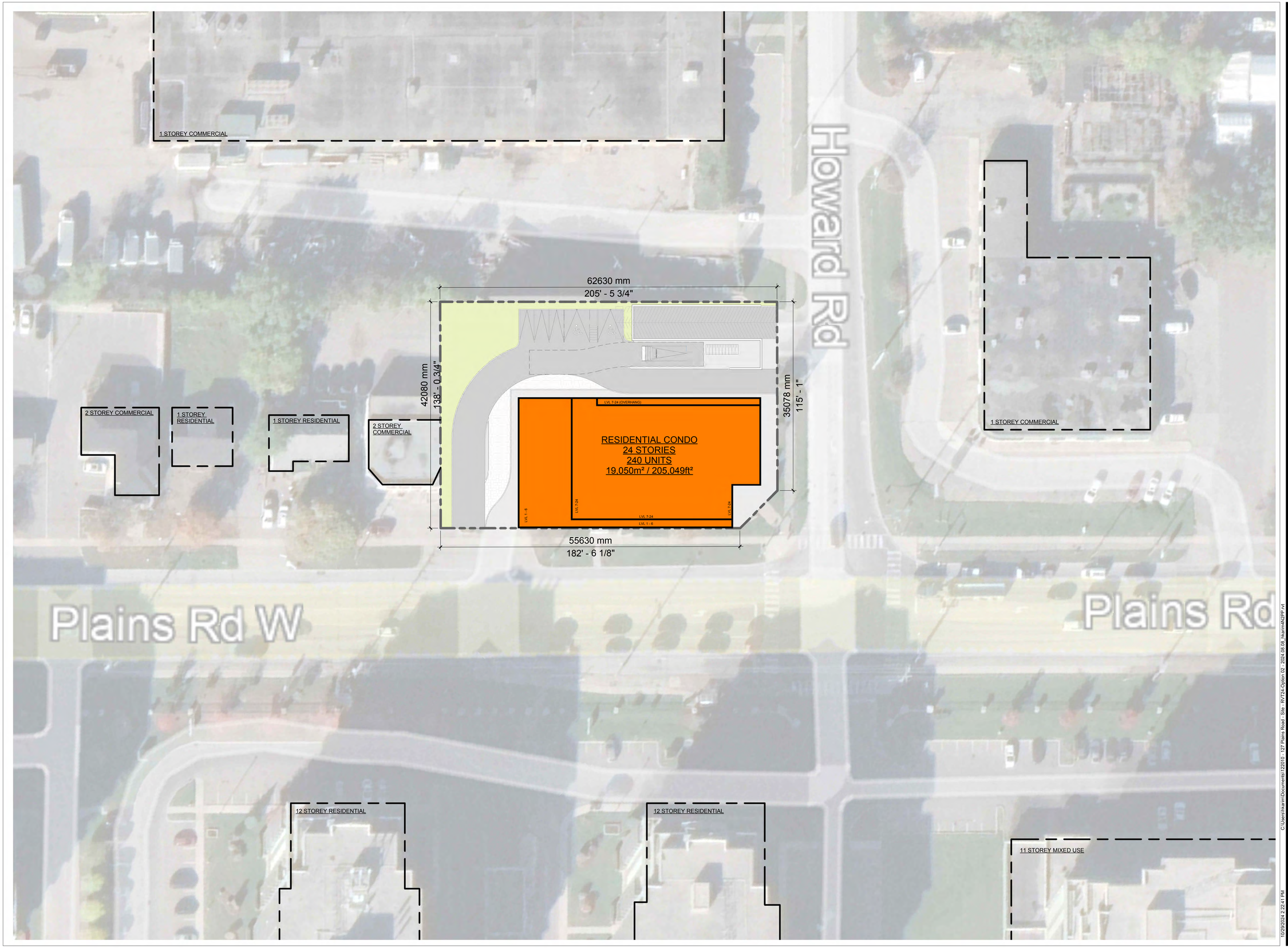
SHEET NAME

SITE PLAN

START DATE	APRIL 2024
DRAWN BY	HK/BE/MW/ MR
CHECKED BY	CMC/JM
SCALE	As indicated
PROJECT NO.	122010
DRAWING	A001

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Chamberlain Architects Constructors Managers

Chamberlain Architect Services Limited

4671 Palladium Way (Unit 1)
Burlington, Ontario. L7M 0W9
CANADA

Phone: 905.631.7777

www.chamberlainIPD.com

NO.	ISSUED	DATE
1	CLIENT REVIEW	2024-10-17
2	CITY SUBMISSION	2024-10-25

Plains Road- Option 01 Updates-2024.08.02

- The geometry of the podium was adjusted according to the new survey and setback lines and therefore total areas of some rooms have been slightly reduced.
- The geometry of units on level 7-26 were changed to accommodate the new survey and setback lines and therefore some total areas of some rooms have been slightly reduced.
- The roof plan was adjusted according to the new setback lines and survey.
- The property and setback lines were updated according to the new survey.
- The fire route which is located on Plains Road was highlighted.

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SEAL

CONSTRUCTION NORTH TRUE NORTH

127 PLAINS ROAD (OPTION 2)

127 PLAINS ROAD, BURLINGTON, ON

SHEET NAME

SITE CONTEXT MAP

START DATE	APRIL 2024
DRAWN BY	MR
CHECKED BY	CMC/JM
SCALE	1 : 300
PROJECT NO.	122010
DRAWING	A004

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4.0 POLICY ANALYSIS

The following is a review and analysis of the land use policy framework related to the proposed applications for the subject lands.

4.1 Provincial Planning Statement (2024)

The Provincial Planning Statement, 2024 (the "PPS") was issued by the Province of Ontario in accordance with Section 3 of the Planning Act. The PPS applies to all decisions regarding the exercise of any authority that affects a land use planning matter made on or after October 20, 2024. The 2024 PPS streamlines the province-wide land use planning policy framework by replacing the Provincial Policy Statement (2020) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019).

The PPS provides policy direction on matters of provincial interest related to land use planning and development. It provides a vision for land use planning in Ontario that encourages an efficient use of land, resources and public investment in infrastructure. The PPS encourages a diverse mix of land uses in order to provide choice and diversity to create complete communities.

A variety of modes of transportation are required to facilitate pedestrian movement, active transportation opportunities and less reliance on the automobile. The PPS strongly encourages development that will provide long term prosperity, environmental health and social wellbeing. One of the key considerations of the PPS is that planning decisions 'shall be consistent' with the policy statements contained within. The following is an analysis of the proposed development in the context of the policies in the PPS.

4.1.1 Housing

Section 2.2 of the PPS identifies that planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected requirements of current and future residents of the regional market area by:

- Establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households;
- Permitting and facilitating all forms of housing required to meet the social, health, and well-being requirements of current and future residents, including special needs requirements; and all forms of residential intensification, including second units, and redevelopment;
- Promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and supports the use of active transportation and transit in areas where it exists or is to be developed; and,
- Requiring transit-supportive development and prioritizing intensification in proximity to transit.

The proposed development represents a compact form of development, which will contribute to the available housing supply in the area and to the range and mix of housing in the overall neighbourhood.

The proposed development will utilize existing infrastructure and services that were established through past development. The increased number of housing units in the area will further support existing and planned transit services. There are existing school uses in proximity to the subject lands, which provides future community facilities for the new housing development.

The lands are proximate to existing and planned parks and open space and other services / amenities that the proposed density of development will utilize.

4.1.2 Settlement Areas

Section 2.3.1.1 of the PPS states that Settlement Areas shall be the focus of growth and development, specifically in identified growth areas including Major Transit Station Areas.

Policy 2.3.1.2 states that land use patterns within settlement areas shall be based on densities and a mix of land uses, which should efficiently use land and resources, existing and planned infrastructure and public service facilities that are planned or available, support active transportation and be transit supportive.

The subject lands are within the Aldershot GO Major Transit Station Area and are identified as a target growth area as per the PPS. The proposed applications will facilitate the development of the subject lands located within an area designated for high density development. The proposed development includes a range and mix of residential and non-residential uses that will have a compact form efficiently utilizing land and resources. The development will be integrated into the existing context and will efficiently utilize municipal infrastructure already established.

The proposed density will minimize negative impacts to climate change, as the location of the development in proximity existing transit services, schools, parks and open space, as well as various other amenities. As such, the development will reduce vehicle trips and minimize negative impacts to air quality through availability of alternative modes.

The development proposes pedestrian infrastructure to connect to the existing municipal sidewalk and bike lanes, promoting active transportation in the area. The subject lands are located within a Major Transit Station Area and are nearby to other transit routes, therefore, supporting transit services within the area.

4.1.3 Strategic Growth Areas

Section 2.4.1 of the PPS includes general policies for strategic growth areas, which are defined as "areas within settlement areas, nodes, corridors, and other areas that have been identified by municipalities to be the focus for accommodating intensification and higher density mixed uses in a more compact built form."

The PPS also identifies the City of Burlington as a large and fast-growing municipality on Schedule 1 where it is encouraged for a planned density target of 50 residents and jobs per gross hectare. The City of Burlington Official Plan (2020) identifies the subject lands as a 'Primary Growth Area' and 'Major Transit Station Area' on Schedule B-1 – Growth Framework, which are considered strategic growth areas as per the PPS where intensification and higher density uses shall be directed.

In-line with Section 2.4.1 of the PPS, the proposed amendments add to the range of housing options within the city by proposing a dense mixed-use development within an area that is well-serviced by existing infrastructure and public service facilities. The proposed development, therefore, achieves the intent of the "complete communities" notion, as required by this section of the PPS.

Section 2.4.2 of the PPS also outlines requirements for Major Transit Station Areas, which includes greater minimum density targets. The subject lands are identified as a 'Major Transit Station Area' on Schedule B-1- Growth Framework of the Official Plan (2020) due to the proximity of the Aldershot GO Station. Therefore, a density target of 150 residents and jobs per hectare is applicable, given that the lands are served by commuter rail.

The proposed amendments facilitate a development that contributes to the minimum density targets determined for Major Transit Station Areas and has been designed to assist in achieving a complete community due to its proximity to other uses, by being transit-supportive, and by encouraging active modes of transportation through reduced vehicular parking, bicycle storage, and sidewalks.

4.1.4 Transportation

Section 3.2 of the PPS identifies that transportation systems should be provided that are safe and energy efficient that encourage the use of electric vehicles. It also requires prioritization of existing and planned infrastructure with incorporation of transportation demand management strategies.

The proposed development will be connected to the existing municipal road network by direct access to Plains Road West, which is a Regional Arterial Road and Howard Road, which is a Collector Road. As such, the subject lands are integrated to the greater transportation network with direct access to other major areas of the city, including Aldershot GO Station, Burlington Centre, and downtown Burlington. A Transportation Impact Study was completed by Stantec, which confirms that the proposed access road connections are appropriate as designed.

The subject lands are located in an area developed and planned for redevelopment with a range of uses including residential, commercial, and industrial. Various existing transit services are located within nearby walking distance of the proposed development including bus service (Bus Route 1 and 4) and commuter rail (Aldershot GO Station Area). The proposed applications will provide additional housing units that will support the use and potential expansion of transit services in the surrounding neighbourhood. Given the proximity of the subject lands to transit options, transportation demand management has been implemented as part of the building design including a reduced parking rate, pedestrian infrastructure throughout the site, and options for indoor and outdoor bike storage.

4.1.5 Land Use Compatibility

Section 3.5 of the PPS speaks to land use compatibility and requires major facilities, and sensitive land uses to be planned to avoid potential adverse impacts from odour, noise and other containments. Where avoidance is not possible, consideration to the design of development must be given to mitigate any potential impacts of industrial uses on sensitive uses.

4.1.5.1 Land Use Compatibility Analysis

The subject lands are adjacent to existing properties that are designated for employment or industrial purposes, which has been considered in the design of the proposed building through appropriate setbacks, architectural features, and the Noise & Vibration Study submitted in support of this development.

The purpose of this section of the report is to demonstrate consistency with Section 3.5 of the PSS such that the proposed land uses are compatible with the adjacent uses. The subject lands are currently used for retail, commercial and residential purposes, whereas the adjacent uses to the north and east are comprised of existing employment, industrial and commercial uses. There are existing residential neighbourhoods to the west that are also in proximity to the subject lands and other adjacent lands currently used for employment purposes.

Given the land designation of 'Mixed-Use Corridor – General' on Schedule B – Land Use Plan Urban Planning Area in the City's Official Plan (1997), it is our opinion that the proposed amendments do not create a land use compatibility issue, as the current land use designation already contemplates the proposed residential use. A Noise, Vibration & Land Use Compatibility Study has been undertaken by dBA Acoustical Consultants Inc. to prove that the proposed land uses will not create or be impacted by adverse impacts of the surrounding uses. The studies have concluded that any potential risk from noise, odour, and other contaminants are negligible or can be appropriately mitigated through building design. This is further demonstrated by the residential uses already existing in proximity to the employment / industrial lands, including the townhouse block west of the lands on Wellington Square and the mid-rise residential uses directly across from Plain Road West.

In addition to the Noise, Vibration & Land Use Compatibility Study, provincial, regional and city policy direction is aimed at accelerating new housing in target areas. The subject lands are also identified as a Major Transit Station Area in the Regional and City Official Plan (2020), which are intended for high intensity development with a blend of uses. The proposal is, therefore, requesting to maintain the residential designation in conformity with the PPS, the Regional Official Plan, and MECP D-6 Guidelines.

With regards to the MECP D-6 Guidelines, the intent is to prevent or minimize land use issues due to intrusion of sensitive land use (e.g., residential) and employment / industrial land uses on each other. The D-6 guidelines have been considered in the design of the development given addition of new residential uses proposed on the subject lands.

The following recommended minimum distance separation requirements were considered in the review and establishment of the site's proposed zoning:

- 20 metres from a Class I Industrial Use
- 70 metres from a Class II Industrial Use
- 300 metres from a Class III Industrial Use

Class I Industrial Facility is defined as a place of business for a small scale, self-contained plant or building which produces/stores a product which is contained in a package and has low probability of fugitive emissions. Outputs are infrequent and could be point source or fugitive emissions for any of the following: noise, odor, dust and/or vibration. There are daytime operations only, with infrequent movement of products and/or heavy trucks and no outside storage.

Class II Industrial Facility is defined as a place of business for medium scale processing and manufacturing with outdoor storage of wastes or materials (e.g., it has an open process) and/or there are periodic outputs of minor annoyance. There are occasional outputs of either point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration, and low probability of fugitive emissions. Shift operations are permitted and there is frequent movement of products and/or heavy trucks during daytime hours.

In our opinion, there are no existing industrial uses directly adjacent to the subject lands that require a separation distance.

The lands immediately north of the subject lands are occupied by Argo Wholesale Produce, which is considered a Class I Industrial Facility. The existing Class I industrial building is approximately 30 metres from the lot line separating this building and the subject lands. In addition, the proposed building is over 15 metres from the northly lot line, meaning that over 45 metres is provided between the proposed building and the industrial building. Additionally, there are no loading operations occurring within this setback that would create additional impact in terms of noise, odour or vibration, as the loading for Argo Wholesale Produce occurs to the rear the building located approximately 65 metres from the subject lands and 80 metres to the proposed building.

There is a Class II Industry Facility known as St. Mary's CBM further northwest of the subject lands. This Class II industrial building is located on the east side of Howard Road and is approximately 75 metres from the subject lands and over 90 metres from the proposed building. The loading for St. Mary's CBM is also located behind the industrial buildings, internal to the site, which are located more than 125 metres from the subject lands and 140 metres from the proposed building.

Further to the above, the subject lands are designated for development as per the City's Official Plan, which would include the introduction of sensitive uses (e.g., residential dwelling units) as-of-right. There are also a number of commercial / retail as well as residential uses adjacent to the subject lands that do not appear affected by the potential adverse impacts of the existing industrial uses.

It should be further noted that the municipal policy framework forthcoming (through OPA No. 2 to Official Plan (2020) and the Community Planning Permit By-law mentioned below) proposes to remove any reference to employment or industrial uses within the vicinity of the subject lands. For example, the City's Official Plan (2020, OPA No.2) proposes to designate the Argo Wholesale Produce lands as 'Mid-Rise Residential' and St. Mary's CBM as 'Emery Commons' on Schedule G – Land Use – Aldershot GO Major Transit Station Area, which are intended for mixed-use and residential land use designations. Therefore, the intent is to include the existing employment / industrial areas in the overall transition of the area to a mixed-use and transit supportive node. Similarly, the proposed CPP By-law proposes to re-zone the subject lands to permit residential and commercial uses, as shown on the draft Precinct Plan for Aldershot GO MTSA referred to as Schedule C-1: Precincts in the Aldershot GO MTSA Permit Area.

Therefore, despite the current use of surrounding lands for employment or industrial purposes, the intent of the new policy initiatives through OPA No. 2 and the forthcoming CPP By-law is to transition the Aldershot GO MTSA to a mixed-use area that will support existing and proposed infrastructure, including municipal services, public and alternative modes of transportation, public services and institutions, and other commercial / retail uses. The subject lands are within the urban boundary and in an area identified for intensification. The Noise, Vibration and Land

Use Compatibility Study confirms that the proposed development is not subject to atypical mitigation measures as a result of potential adverse impacts from existing employment / industrial uses and that the residents are not at risk from a noise, vibration or odour perspective.

4.1.6 Sewage, Water and Stormwater

Policy 3.6.6.2 of the PPS states that municipal sewage services and municipal water services are the preferred form of servicing for lands within settlement areas. Intensification and redevelopment within settlement areas on existing municipal sewage services and municipal water services should be promoted, wherever feasible.

The proposed applications will result in the redevelopment of the lands that will be municipally serviced by existing infrastructure on Plains Road West and Howard Road. The Functional Servicing & Stormwater Management Report prepared in support of the proposed development assesses the feasibility of servicing the subject lands and confirms that the subject lands can be serviced by municipal infrastructure and that appropriate on-site quality control measures will be implemented to mitigate runoff during storm events.

Based on the above, the applications are consistent with the policies of the Provincial Planning Statement.

4.2 Halton Region Official Plan

The Halton Region's Official Plan (ROP) serves as Halton's policy document for land use planning for growth until 2051. The ROP establishes the goals and objectives that manage growth with policies that direct physical land use change to support social, economic, and natural environments.

The ROP has had various comprehensive reviews and amendments since its original adoption in 1997. The most recent amendments were the Regional Official Plan Amendment No. 48 ("ROPA 48") that established the urban and rural structures, including the hierarchy of Strategic Growth Areas, and identifying intensification and growth targets to 2051. Following this amendment, Regional Official Plan Amendment No. 49 ("ROPA 49") was approved in 2022 by the Ministry of Municipal Affairs and Housing, which identified the population and employment distribution and densities to the lower-tier municipalities, including the City of Burlington.

On July 1, 2024, Halton Region was revoked of planning responsibilities under the Planning Act through Bill 185: Cutting Red Tape to Build More Homes Act, 2024. As a result, Halton Region is no longer an approval authority and has scoped abilities to provide comment on matters of Regional interest only, including Regional roads or infrastructure. It is now the responsibility of the City of Burlington to adopt and implement the Regional Official Plan as a component of their municipal planning authority and ensure that policies are effectively fulfilled.

4.2.1 Growth & Intensification

Part II of the Regional Official Plan provides the hierarchy of the Regional Urban Structure, which lays out broad land use designations to generally guide growth and development in various areas of the municipalities, while the lower-tier municipal Official Plans refine these

broad land uses to more area-specific land use designations with more specific permitted uses and policies.

As per Table 1 – Population and Employment Distribution in Part II of the ROP, the Region is expected to have a population of 929,400 by 2041 and increase to 1,098,070 by 2051. In Burlington, the population is expected to increase by 40,050 people between 2021 and 2041 to 240,050 people, which will continue to increase to a population of 265,160 by 2051.

As per Table 2 – Intensification and Density Targets in Part II of the ROP regarding intensification and density targets across the region, the required target of new housing units to be constructed within Burlington's built-up area is 20,500 by 2041. The phasing of building these new units is further identified in Table 2A, which indicates that 4,790 units are to be built within the City's Built Boundary by 2026, followed by 5,090 built between 2027 and 2031, 5,170 built between 2032 and 2036, and 5,270 built between 2037 and 2041. This represents 20,320 new units that are to be built within the next 25 years.

Further to the above, Table 2B – Strategic Growth Area Targets in Part II of the Regional Official Plan identifies the minimum density target of residents and jobs combined per hectare for various Strategic Growth Area across the region, including Major Transit Station Areas. The Aldershot GO MTSA is on a Commuter Rail Corridor and has a minimum target of 150 residents and jobs per hectare.

The subject lands are within the Aldershot GO Major Transit Station Area. As such, the proposed development features a high-density component that will assist in achieving minimum construction and density targets set out by ROP until 2051.

4.2.2 Land Use Policies

The ROP designates the subject lands as the following:

- 'Urban Area' – Map 1: Regional Structure
- 'Major Transit Station Area' – Map 1h: Regional Urban Structure
- 'Multi-Purpose Arterial' (Plains Road West) – Map 3: Functional Plan of Major Transportation Facilities
- '36-metre Right-of-Way' (Plains Road West) – Map 4: Right-of-Way Requirements of Arterial Roads
- 'Aldershot GO MTSA' – Map 6d: MTSA Air Photos

The objectives of the Regional Urban Area are outlined in Policy 72.1 of the ROP. As per the policies, the general intent of the urban area is to accommodate most of the region's growth in a way that implements the "complete communities" notion with enhanced mobility, consideration to climate change, affordability and economic prosperity. Within the urban area, urban municipal services are available and shall provide infrastructure service to new development.

As per the above, the subject lands are within a Strategic Growth Area, particularly the Aldershot GO Major Transit Station Area, which are regulated under Policy 79 of the ROP. The policies set out for lands within these primary growth areas are aimed to plan for development that provides a mix of land uses at higher densities with innovative urban and pedestrian-oriented design and promotes alternative modes of transportation.

The Regional Official Plan also includes policies specific to Major Transit Station Areas under Policy 81, which are intended to leverage infrastructure investments to support a significant share of growth at transit-supportive densities.

With the subject lands at 127 Plains Road West being situated in an area identified for primary growth, the proposed amendments and associated development are deemed to align with the policies of these sections. The proposed increase in height and density fosters a development that will provide a range of housing options in a compact form within an area already serviced by various infrastructure and proximate to other uses.

4.2.3 Housing

Policies 84 to 86 in Part III of the ROP includes have regard for how best to offer an adequate supply of housing across the region that is diverse to meet various needs. The proposed development offers a density that will assist in achieving minimum targets across the region. The compact built form offers variety to the overall housing stock in Burlington and responds to various tenure needs, particularly by including a range of unit types. It is our opinion that the proposed amendments and associated development align with this section of the ROP and supports the Region's policies to supply housing to meet various needs of existing and future residents.

4.2.4 Healthy Communities

The subject lands are adjacent to existing employment areas, as well as Provincial Highway #403 and the GO Railway Line. As a result, environmental quality and land use compatibility may be impacted and are required to be reviewed as per Part IV of the Regional Official Plan. Land use compatibility is to be achieved between sensitive land uses and major facilities to minimize and mitigate any potential adverse effects from odour, noise, vibration, air pollutants, and other contaminants to minimize risk to public health and safety, while ensuing the long-term operational and economic viability of major facilities.

Necessary technical studies have been undertaken as part of this work, including a Noise, Vibration & Land Use Compatibility Study, which demonstrates that all potential impacts can be mitigated through a variety of traditional techniques and that land use compatibility is not a concern despite the introduction of residential uses on the subject lands. The subject lands are designated for redevelopment and already anticipate the proposed mixed-use development as-of-right, confirming that land use conflicts are not anticipated.

4.2.5 Transportation

A large component of this Part IV of the Regional Official Plan is to ensure that development is designed to support active transportation and public transportation and to integrate land use planning with the transportation network, which are included in Policy 172. It is encouraged to promote land use patterns and densities that will benefit the existing transportation system and eliminate the reliance on vehicles.

The proposed amendments and associated development offer a design that will appropriately integrate with the existing transportation network, offering options for using all modes of transportation while encouraging the use of existing transit facilities including bus routes and the railway line. Transportation demand management strategies are implemented into the design of the site including a reduced parking rate and ample parking for bicycles. Pedestrian

areas are intended to be accessible and connect to the existing public sidewalks along Plains Road West and Howard Road. The applications meet the intent of the transportation policies.

4.2.6 Regional Official Plan Summary

The proposed additional height, density, and mix of residential dwelling units supports Regional policy and will meet the needs of the current and future population as described in Part II (Table 1 and 2) of the Official Plan. The proposal will optimize the site's development potential within the Aldershot GO MTSA through compact development and a range of uses. The proposed OPA and ZBA together with associated development conform to the Regional Official Plan through the provision of approximately 240 new residential units and a large retail / commercial component, which will assist the Region in achieving the minimum target for new housing creation in support of the planned population targets to 2031, 2041 and 2051. The proposed development also contributes to the achievement of the objectives and policies for Urban Areas, Strategic Growth Areas, and MTSAs, as well as policies on intensification, housing, transportation and land use compatibility.

The proposed development represents an appropriate level of intensification and is, therefore, an efficient use of land already serviced by existing infrastructure. The proposed building will achieve the Region's minimum intensification growth targets established for the area and will support transit service use while creating an attractive built form that contributes to the city's skyline.

4.3 City of Burlington Official Plan (1997)

On October 24, 2008, the Ontario Municipal Board approved the City of Burlington Official Plan (1997). An office consolidation was undertaken in December 2019 to update the Official Plan text and maps. The consolidation incorporates all modifications and amendments to the Plan up to the date of the consolidation. These modifications and amendments up to December 2019 included the adoption of policies to bring the Burlington Official Plan into conformity with Regional or Provincial Plans, such as through OPA No. 55 that brought the Official Plan into conformity with the Growth Plan 2006.

It is important to note that this version of the Official Plan is not in conformity with the current Halton Region Official Plan and has been written to plan until the year 2021. Additionally, many of the policies contained in the new Official Plan (2020) described below are still under appeal and are, therefore, not in full force and effect. The following sections of this report are intended to ensure that all applicable policies from both versions of the Official Plan are covered while the 2020 draft is under appeal, noting that the in-effect version is the 1997 OP.

4.3.1 Summary of Land Use Designations

The City's Official Plan (1997) designates the subject lands as:

- 'Residential Areas' – Schedule A: Settlement Pattern
- 'Mixed-Use Corridor – General' – Schedule B: Land Use Plan – Urban Planning Area
- 'Multi-Purpose Arterial' (Plains Road West) and 'Collector' – Schedule J: Classification of Transportation Facilities

The following is a policy analysis based on the above land use designations of the subject lands, which provides context for how the proposed development meets the general intent of the Official Plan (1997).

4.3.2 Policy Framework

Part I of the Official Plan (1997) begins by describing how growth and development will be managed across the city using the following guiding principles:

a) Provides a growth strategy that offers a wide range of uses (e.g., housing, employment, transportation, and leisure.
b) Promotes sustainable development by ensuring environmental, social and economic factors in land use decisions.
c) Maintains and expands infrastructure, where appropriate.
d) Fosters a unique and vibrant community identity.
e) Encourages new business development and economic activity.
f) Supports a local economy
g) Promotes health and safety and fair access to services.
h) Encourages intensification within appropriate areas of the city.

The proposed amendments and associated development are in-line with the guiding principles of this plan by including elements of sustainable development with a mix of uses at a higher density, reduced parking and access to variety of modes of transportation as well as access to existing and planned services. The local economy is considered through smaller-scale retail opportunities provided as well as general health and safety through accessibility elements and a measure of land use compatibility.

4.3.3 Functional Policies

Part II of the Official Plan (1997) presents the policies that are applicable throughout the city as a whole to ensure that the notion of sustainable development is maintained when considering growth.

4.3.3.1 Sustainability and the Environment

Part II, Section 2 of the Official Plan (1997) focuses on sustainability and protecting the environment. Applicable to this application are the policies under Section 2.7 regarding sustainable design and how to ensure that development meets the overarching principles for sustainable development. The policies under this section include criteria for sustainable development design considerations, which are intended to ensure that new development is efficient, safe, accessible, affordable, energy efficient and encourages active transportation. This section continues by indicating that new development will be reviewed to ensure the efficient use of land through intensity and density, effectively improving energy consumption and decreasing travel times. There is priority given to development that provides choices in housing, shopping, employment and transportation with inclusion of Transportation Demand Management strategies to promote active modes of transportation.

The proposed amendments and associated development enable a compact and dense built form with a mix of uses on lands that are connected to the greater transportation network and in proximity to various public transit options. The subject lands are also in the vicinity of other environmental features, institutions, goods and services within walking distance. The proposed

development integrates elements of energy efficiency, accessibility, walkability, and affordability, therefore, maintaining the intent of this section of the Official Plan. Further details regarding the building and site design and their compatibility with sustainable design standards are included in the Urban Design Brief submitted with this application.

Another element of sustainable development under Section 2.11 of Part II is stormwater management, which has been considered in the design of the proposed development to ensure that flooding, erosion, run-off quality and sediment control are maintained. The stormwater management design will address the sustainable development policies under Section 2.11, as demonstrated by the Functional Servicing and Stormwater Management Report submitted in support of this application.

4.3.3.2 Transportation System

Section 3 in Part II of the Official Plan (1997) contains transportation system policies that aim to, among other things, promote the development of a multi-modal system with emphasis on cost-effective transit services through transit-supportive land uses in designated areas including mixed use corridors.

The subject lands are designated as 'Mixed-Use Corridor – General' on Schedule B: Land Use Plan – Urban Planning Area and are serviced by a Multi-Purpose Arterial Road (Plains Road West) and Collector Road (Howard Road) with access to alternative modes of transportation (e.g., existing multi-use pathways / bicycle lanes along Plains Road West) and public transit (e.g., existing bus routes along Plains Road West and the Aldershot GO Station to the northeast). Transportation Demand Management considerations have been incorporated including a reduced parking rate, ample bicycle storage, and accessible pedestrian connections to reduce vehicular dependency. Therefore, the proposed amendments and associated development aim to provide a density and built form that supports the surrounding transportation system in various forms, including by:

- Having direct vehicular access from the site to both Plains Road West and Howard Drive;
- Providing pedestrian routes throughout the development that connect directly to existing public sidewalks and cycle lanes; and,
- Via multiple transit options along Plains Road West that connect to the great transit service network.

Section 3 in Part II of the Official Plan also contains policies regarding required conveyances for road widenings or daylight triangles to accommodate future infrastructure improvements. The necessary dedications have and will be considered through detailed site planning to ensure conformity with this section.

4.3.3.3 Urban Design

Section 6 in Part II establishes that the public expects a high standard of architecture, that is designed in an efficient, attractive and compact manner. Preference will be given to design containing a more compact form of development that supports higher densities, are pedestrian oriented and encouraged increased use of public transit. The section also provides general design directives for development that guide the density, form, bulk, height, setbacks, spacing and materials that are encouraged to be incorporated with the design of the lands and building. The policies state that to ensure compatibility and quality of the built environment, the City will

allow for a diverse design expression. The creation of a continuous streetscape environment shall be encouraged with emphasis on maintaining the continuity of grade-related activity areas, both inside and outside of buildings. The location and number of parking areas shall be reviewed to minimize impacts on the public streetscape.

The proposal provides a high-quality design and compact development that balances the need for higher density within the Aldershot GO MTSA, while maintaining compatibility with the surrounding land use and evolving context. The proposed built form achieves this by efficiently utilizing the site through the incorporation of a range of housing options, retail and commercial uses, underground parking, landscaping, pedestrian connections, and accessible amenity spaces. The urban design features of the proposal are discussed in greater detail in the accompanying Urban Design Brief prepared by MHBC Planning, which provides a detailed assessment of the applicable design merits in relation to the physical context.

4.3.4 Land Use Policies

Part III of the Official Plan (1997) summarizes the policies for the land use designations identified on Schedule B: Land Use Plan – Urban Planning Area, as well as other policies for new development. The subject lands are designated as 'Mixed-Use Corridor – General' on Schedule B.

4.3.4.1 Conversion of Rental Properties

The proposed amendments and associated development intend to demolish the existing development on the lands in exchange for a mixed-use building featuring 240 new residential dwelling units and approximately 500m^2 of retail. The four existing residential units are proposed to be demolished. Therefore, the policies under Section 2.3.2 of Part III do not apply regarding the conversion of rental properties. Notwithstanding, consideration will be given to the existing tenants to ensure minimal undue impact.

4.3.4.2 Mixed-Use Corridors

As per the above, the subject lands are designated as 'Mixed-Use Corridor – General' on Schedule B of the City of Burlington Official Plan (1997), as shown below in **Figure 4**. The land use policies under Section 5.3 of Part III plan for a concentration of mixed-use developments within high density residential or non-residential facilities along designated areas across the city with an emphasis on lands in Major Transit Station Areas.

The intent of the policies in this section are to permit a wide range of uses including retail, service commercial, personal service, financial institutions, offices, recreational, community facilities or daycares as well as high density residential uses.

As per Policy 5.3.2(a)(i) development of lands within Major Transit Station Areas, such as the subject lands at 127 Plains Road West, shall achieve a higher intensity of development and consist of transit-supportive design. Policy 5.3.2(c) requires non-residential uses to be located at street level with residential above, which the proposal maintains.

This section of Part III continues by providing policies regarding density and building height. Policy 5.3.2(d)(i) allocates a floor area ratio of 1.50 to the subject lands and 5.3.2(d)(ii) restricts the building height to six storeys. While the proposed development contemplates a floor area ratio of 9.0 and a building height of 24-storeys, it is our opinion that the requested amendments are warranted and align with Policy 5.3.2(f), which states that higher densities

and taller buildings may be permitted where lands abut multi-purpose arterial roads, such as Plains Road West.

As per Policy 5.3.2(g)(i) to(viii), the following design consideration have been incorporated into the design:

- The building is in proximity to the street and provides a podium to offer human-scale;
- The site is well-integrated with the adjacent lands and uses;
- Circulation of the site is safe and accessible with clear paths of travel;
- Parking is underground and reduced to the greatest extent possible;
- All passive and unaesthetic design elements (e.g., transformers, mechanical equipment, etc.) are appropriately screened; and,
- Lighting is reduced to minimize impacts on surrounding development.

The proposed development has been designed to be transit-supportive by providing a higher density of approximately 240 dwelling units in a compact built-form with minimal parking and an excess of bicycle storage to encourage alternative modes of transportation through walking and cycling. The subject lands are in vicinity to the Aldershot GO Station and other existing transit services along Plains Road West that can effectively support the increased density, as further discussed in the Transportation Impact Study and Parking Justification Report submitted in support of this application.

Based on the proposed design and site context, it is our opinion that the requested amendments maintain the general intent of this section of the Official Plan (1997) and represent good planning. The proposed use is already contemplated in the current land use designation and amendments are specific to the building design and facilities a development that implements the Regional policy framework for target growth areas.

4.3.5 City of Burlington Official Plan (1997) Summary

The subject lands are currently designated 'Mixed Use Corridor – General' on Schedule B: Land Use Plan – Urban Planning Area of this version of the Official Plan and is located on a Multi-Purpose Arterial Road being Plains Road West. While this version of the Official Plan is technically outdated and not in conformity with the Regional Official Plan, it remains in full force and effect while parts of the new version of the Official Plan is under appeal.

It is proposed to amend policies Official Plan (1997) to better align with the intent of the policy framework for Major Transit Station Areas. It is our opinion that the proposed amendments meet the general intent of the Official Plan (1997) in its entirety by facilitating a development that is well-designed, context sensitive, diverse, and sustainable. The proposed development also conforms to the broader policy direction set out by the Province, specifically for more housing and transit-supportive development. The proposed amendments will assist in achieving the minimum density targets set out for both Halton Region and City of Burlington while supporting existing infrastructure investments.

4.4 City of Burlington Official Plan (2020)

The City of Burlington Official Plan (2020) was approved by the Halton Region on November 20, 2020, and came into effect on December 22, 2020, with the exception of the parts that were appealed. On January 4, 2023, the Ontario Land Tribunal (OLT) confirmed which parts of the Official Plan came into effect on December 22, 2020, and which parts will continue through the

appeal process. The OLT also confirmed that no parts of the Official Plan are in effect on lands with site-specific appeals, which parts do not affect the subject lands. Until such time that all appeals to the Official Plan are resolved, parts of the previous Official Plan from 1997 remain in effect.

The Official Plan provides a framework of goals and objectives, as well as land use designations and associated policies intended to guide the future development and redevelopment of the City of Burlington to the year 2031. The Official Plan policies are designed to ensure sustainable growth, plan complete communities, protect the environment and encourage sustainability, maintain economic activity, utilize infrastructure, facilitate good urban design and good planning through appropriate land use designations and public participation. The purpose of the Official Plan is to provide a long-term vision of the quality of life for Burlington residents by providing planning direction that addresses the community as a whole.

For the purposes of this report, the new Official Plan (2020) will be referenced except where the previous version prevails (1997). Reference will also be made to forthcoming policy known as Official Plan Amendment No. 2 that was recently adopted by Council on June 18, 2024, which is now under review by the Ministry of Municipal Affairs and Housing.

4.4.1 Summary of Land Use Designations

The City of Burlington Official Plan designates the subject lands as follows:

- 'Urban Area' – Schedule A: City System
- 'Mixed-Use Nodes and Intensification Corridors' – Schedule B: Urban Structure
- 'Primary Growth Area' and 'MTSA Special Planning Area' – Schedule B-1: Growth Framework
- 'Primary, Secondary, and Employment Growth Area', 'MTSA Special Planning Area' , 'MTSA Primary Connector' (Plains Road West) and 'Frequent Transit Corridor' – Schedule B-2: Growth Framework and Long Term Frequent Transit Corridor
- 'Urban Corridor' – Schedule C: Land Use Urban Area
- 'MTSA Special Planning Area' – Schedule G: Aldershot GO Special Planning Area
- 'Multi-Purpose Arterial' (Plains Road West) and 'Neighbourhood Connector' (Howard Road) – Schedule O-1: Classification of Transportation Facilities – Urban Area
- 'Bike Lane' (Plains Road West) and 'Multi-Use Path' (Howard Road) – Schedule P: Long Term Cycling Master Plan
- 'Proposed Multi-Use Trail Connection' (Howard Road) – Schedule Q: Trail Strategy

The following sections will provide policy context based on the above noted designations and demonstrate consistency with the Official Plan (2020).

4.4.2 Accommodating Growth

As per Section 2.2.4 of the Official Plan, the City of Burlington is expecting a population growth of 12% by 2031 (171,000 people in 2006 to 193,000 people in 2031). This section of the Official Plan in Section 2.1 begins by discussing where anticipated growth shall be directed by priority of each designation. As per Section 2.1, growth will be focused in the urban area in a way that respects the environment, is compact and transit-supportive, supports healthy and complete communities, utilizes existing infrastructure, and supports a strong economy.

Section 2.2 of the Official Plan describes the city system, which is made up of three general land use areas including the 'Urban Area', 'Rural Area', and 'North Aldershot'. The subject lands are within the 'Urban Area' as shown on Schedule A: City System. The proposed development aligns with this section by providing housing units and commercial floor area in a priority growth area that is intended to accommodate the majority of the city's forecasted population.

4.4.3 Urban Policy Structure

Section 2.3 of the Official Plan establishes the urban policy structure for how Burlington will maintain and plan for complete and healthy communities. The urban structure is comprised of seven major components, which includes 'Mixed-Use Intensification Areas'. A Mixed-Use Intensification Area includes urban centres, emerging MTSAs, and mixed-use nodes and intensification corridors such as that of the subject lands.

Section 2.3.1(a) of the Official Plan defines a Mixed-Use Intensification Areas as lands that *"provide locations where a range and intensity of employment, shopping, public service facilities, residential uses and complementary uses such as open space and parks, institutional, and cultural uses will be developed with transit supportive densities in a compact built form."*

Mixed-Use Intensification Areas are further broken down into three categories indicated above, two of which are applicable to the subject lands: 'Major Transit Station Areas' and 'Mixed Use Nodes and Intensification Corridors'.

The subject lands being within a Mixed-Use Intensification Area justifies proposed development as a compact high density development that is transit supportive and will utilize the existing transit system. The subject lands are within a Major Transit Station Area and are within 2 kilometres of the Aldershot GO Station.

4.4.3.1 Major Transit Station Areas (MTSAs)

Section 2.3.1(h) and (i) in the Official Plan identifies lands within MTSAs as important components of the city's urban structure that should act as a focal point with a variety of uses and densities that support existing transit and active modes of transportation. Further, 2.3.1(h) suggests that MTSAs are reserved for higher density mixed-use development.

The subject lands are located within the Aldershot GO MTSA Special Planning Area, as shown in **Figure 5** below. The proposed development contemplates a high-rise mixed-use building to assist in accommodating a portion of the forecasted population for the city. Policies under this section are addressed, as the proposed structure includes a variety of uses including residential and commercial / retail. The proposed density will support the existing transit network and has access to existing modes of transportation.

4.4.3.2 Mixed-Use Nodes and Intensification Corridors

The subject lands are designated 'Mixed-Use Nodes and Intensification Corridors' on Schedule B: Urban Structure, which are broken down into six subcategories, including the 'Urban Corridor' designation on Schedule C: Land Use – Urban Area, which applies to the subject lands. As such, the policies under Section 2.3.1 (j) to (l) identify these areas for street-oriented development with a mix of uses at greater overall densities and a focus for re-urbanization. The policies under Section 8.1.3 of the Official Plan reiterate that these areas shall be a focus for growth within the city and shall be pedestrian-oriented and highly accessible by public transit

with proximity to a variety of other uses. The 'Urban Corridor' areas are intended to be flexible areas with diverse developments.

The subject lands are identified as a 'Mixed-Use Nodes and Intensification Corridor' and more specifically as an 'Urban Corridor' and are therefore designated for mixed-use development with appropriate levels of intensification. The proposed development aligns with the intent of the policies under Section 2.3.1 and Section 8.1.3, as it offers a redevelopment with range of uses, including high-density residential and commercial / retail, that will help to accommodate growth along a major transportation corridor. The proposed built form and mix of land uses will support the existing transportation network and is well-connected to other main areas of the city by way of vehicular access, various transit options, and other modes of active transportation, which is the intent of the policies under these sections. The proposed development has also been designed as pedestrian-friendly with a human-scale podium, minimized street line setbacks and creates visual interest and interaction along the street frontages.

4.4.4 Growth Framework

Section 2.4 of the Official Plan is to be used in conjunction with the policies above and provides a general growth management strategy for lands within the Urban Area. There are four Growth Framework areas, including Primary Growth Areas. As mentioned in the sections above, the subject lands are located in the 'Primary Growth Area' on Schedule B-1: Growth Framework, as shown in **Figure 6** below.

Primary Growth Areas are recognized for accommodating the majority of the city's forecasted growth and deemed as the most appropriate location for tall buildings and compact mixed-use and pedestrian-oriented development. In alignment with the intent of the policies in this section of the Official Plan, the proposed amendments facilitate a high-rise and mixed-use development in an area contemplated for this type of density and built form. Transportation demand management and pedestrian-oriented design elements are incorporated into the overall concept including a reduced parking rate and bicycle parking to ensure that existing transportation infrastructure within the area is further supported.

4.4.5 Housing

The policies under Section 3 of the Official Plan are intended to ensure that new development meets the definition of Complete Community, specifically as it relates to new housing provided across the city. New housing is generally encouraged to assist the Region and City in achieving minimum density targets prescribed by the Province and policies aim to ensure that a wide range of options are available for all residents that reside in Burlington. Section 3 begins by defining the term Complete Community as:

"Complete communities meet people's needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, a full range of housing and public service facilities including affordable housing, schools, recreation and open space for their residents. Culture and community activities thrive, creating a positive sense of place, inclusivity and community. Convenient access to public transportation and options for active transportation are also provided."

This section of the Official Plan under 3.1 continues by ensuring that a sufficient housing supply is provided in a way that promotes a mixed-use land use pattern and a diverse range of housing types for various tenures across the city.

In response to the policies under the section of the Official Plan, the proposed amendments facilitate a development that offers an alternative range of housing within an area designated for growth that is well-connected to other areas of the city through transportation and a variety of nearby land uses. The subject lands are proximate to a wide range uses, including commercial, retail, parks and open space, institutional, and employment and are serviced by multiple bus transit routes and within walking distance to a commuter rail line. The proposed amendments facilitates a development that will contribute to the City's minimum density target in compact and pedestrian-oriented built form.

4.4.5.1 Burlington Housing Strategy

Policy 3.1.1(2)(g) of the Official Plan requires the City to develop a city-wide housing strategy that will support the Halton's Housing Strategy with the intent to understand the range and mix of housing available in the city, establish housing objectives and targets, and examine opportunities to increase the supply of affordable housing. Comments from City staff through the pre-consultation process have requested that an analysis of Burlington's Housing Strategy as it relates to the proposed development to demonstrate how it addresses local housing needs and increases housing options.

Burlington's Housing Strategy is broken down into five themes, two of which are applicable to the proposed development. Overall, it is our opinion that the proposed amendments will facilitate a development that aligns with the general intent of the Burlington's Housing Strategy, which is to increase the amount of housing options available across the city.

1. *Support a Healthy Rental Housing Stock*

Theme 1 of the Housing Strategy is intended to maintain a healthy rental housing stock through protecting existing rental buildings and creation of new rental units. The amendments together with the development propose to demolish the existing residential units in order to construct 240 new residential units. The building includes a mix of unit types and sizes to respond to a wider range of residents. Tenure is to be determined through detailed planning, however, consideration to rental units will be considered to continue to the objectives of the Housing Strategy.

2. *Support a Broad Variety of Housing Types and Forms*

Theme 2 of the Housing Strategy is to support various forms of housing options. The proposed applications and development add to the diversification of the housing stock across the city by proposing a compact built form in an area that is well-served by existing infrastructure. The proposed development also includes a mix of units to meet various needs, including small units. Overall, the proposed development contributes to the minimum targets set out in the Official Plan and Housing Strategy.

3. *Build Awareness and Capacity*

Theme 3 recognizes the importance of increasing housing options in all areas of the city and aims to encourage affordable housing, purpose-built rental housing and higher density residential developments. The proposed amendments will facilitate a high-density mixed-use development that will continue in addressing issues of affordability across the city.

4. Advocate for Partnerships

Theme 4 is not applicable to the proposed applications, as it focuses on leveraging relationships across government and community organizations.

5. Take Action, Define & Measure Success

Theme 5 is not applicable to the proposed amendments and sets out parameters for data collection and implementation of the Housing Strategy at a City staff level.

4.4.5.2 Housing Impact Statement

Since the proposed development includes more than 100 dwelling units, Policy 3.1.1(2)(h) of the Official Plan (2020) applies, which requires a housing impact statement to demonstrate how the proposal contributes to achieving applicable housing targets, estimated rents or sales prices, timing of construction, and any financial mechanisms used to deliver affordable housing. The following is an analysis to demonstrate conformity to this requirement by:

- How the proposal contributes to achieving the Region of Halton housing targets;
- How the estimated rents and/or initial sales prices of the development are at or below the affordable threshold;
- How and when construction is expected to commence and number of housing units per phase; and,
- How any affordable housing units are expected to be finically secured.

A total of 240 residential dwelling units are being proposed in a compact and mixed-use built form, which will contribute to the Region and City's minimum density and housing targets identified in the Official Plans as well as Housing Strategies. One-bedrooms, one-bedroom with dens, and two-bedroom units are proposed with various sizes to meet various needs of residents across the city. While no affordable housing units are proposed that would technically meet the definition of affordable housing or criteria for financial assistance, the proposed development provides a housing option that will be attainable for a wide range of the city's population. Furthermore, the density together with the variety of unit types will assist in addressing issues of affordability by adding to the housing stock across the city.

Construction is anticipated to commence in one phase as soon as planning approvals are in place and permits are obtained, which is expected for 2026.

4.4.5.3 Demolition of Residential Rental Properties

The policies under Section 3.1.2 are specific to demolition of existing residential units. While the proposed development includes the demolition of the existing rental dwelling units, a total of 240 dwelling units are proposed, representing a significant increase in housing supply on these lands. Since there are less than six existing rental units, the criteria for demolition does not apply. Notwithstanding, sufficient notice of the proposed demolition will be provided to the existing tenants and an informal relocation / assistance plan may be determined to assist in providing alternative accommodation and reduce potential hardship. The proposed development also includes a range of unit types including 1-bedroom and 2-bedroom units in various sizes, styles and tenure, which will become available for previous tenants to live.

To summarize, the proposed development aligns with the policies of this section, as it provides to the range of housing available within the city in an area that is accentuated for intensification, is connected to existing and planned infrastructure, features other non-

residential uses, and is in proximity to other services. The proposed development also includes elements of a complete community by offering a mix of uses including residential and retail / commercial, as well as green space, amenity areas on the subject lands, which are already situated near active and public transportation opportunities as well as a variety of other parks, schools, and services. It is, therefore, our opinion that the proposed amendments in conjunction with the development represent good planning and appropriate.

4.4.6 Land Use Compatibility

As per Schedule C: Land Use – Urban Area, the lands are designated 'Urban Corridor', which permit a wide range of uses (refer to **Figure 7** below). The lands immediately north and northeast of the subject lands are designated 'General Employment' on Schedule C and are currently comprised of existing manufacturing and industrial uses. As a result, there is potential for noise, vibration, and other emission impacts on the proposed residential use, which is regulated under Section 4.6 of the Official Plan.

The policies in this section aim to minimize land use conflicts between sensitive land uses, including residential uses and major uses that typically create noise and vibration, as well as require mitigation measures wherever appropriate. Policy 4.6.2 (b) provides criteria for where avoidance of sensitive land uses and employment uses is not possible to protect the long-term viability of each use. The criteria include: the need for the proposed use; alternative locations for the proposed use have been considered; adverse impacts to the proposed sensitive use are minimized; and potential impacts to the employment uses are minimized.

The subject lands are designated 'Urban Corridor' and allow for sensitive uses such as residential dwelling units as-of-right. Policy 4.4.2 (b) has been satisfied in that the City has identified the subject lands as an appropriate location for residential units, demonstrating the need for the proposed residential use in this location. Furthermore, and as demonstrated in Section 4.1.5.1 in this report and in the Noise, Vibration & Land Use Compatibility Study prepared in support of this application, all potential adverse impacts between the existing employment uses and the proposed residential uses can be mitigated through standard methods and warning clauses. There are no foreseeable concerns between the proposed residential development and the operation of the employment uses to the north.

4.4.7 Integrated Infrastructure System

Section 6 of the Official Plan recognizes that an integrated infrastructure system is an essential part of the city's urban structure, and that infrastructure is made more efficient when complemented by appropriate built form, mix of land uses and appropriate population and employment densities.

4.4.7.1 Transportation

The general objectives of Section 6.2 are to promote a walkable and transit-supportive community that integrates pedestrian and cycling routes with other modes of transportation (e.g., vehicular and transit). This section contains policies pertaining to the City's road network; public transit services; active transportation; rail services; air services; public right-of-way allowances; goods movement; major transit station area connectors; and transportation demand management.

As per Schedule O-1: Classification of Transportation Facilities – Urban Area shown below in **Figure 8**, Plains Road West is considered a Multi-Purpose Arterial while Howard Road is a Neighbourhood Collector. In accordance with the policies under Section 6.2.2 and 6.2.7, necessary dedications for road widenings and daylight triangles will be conveyed throughout the applicable development review process and have been incorporated into the concept.

This portion of Plains Road West is also identified as a 'Frequent Transit Corridor' and 'MTSA Primary Connector on Schedule B-2: Growth Framework and Long-Term Frequent Transit Corridors' (refer to **Figure 9** below). As per Policy 6.2.3(2)(f), the City will promote transit use through allowing transit supportive densities and alternative design standards within areas designated 'Mixed-Use Intensification Areas' on Schedule B: Urban Structure.

The proposed amendments and associated development are an opportunity to permit increased height and density that will support the existing public transit system in the area, including multiple bus transit routes and the nearby commuter rail. The proposed development also considers the policies under Section 6.2.4 of the Official Plan regarding active transportation by providing a reduced parking rate and bicycle storage throughout the building to encourage alternative modes. The subject lands are well-connected to the existing and proposed cycling and trail network on Plains Road West and Howard Road.

4.4.7.2 Transportation Demand Management

Applicable to this development are the policies regarding transportation demand management in Section 6.2.10 of the Official Plan. The policies in this section are intended to promote a more efficient use of existing transportation infrastructure, reduce automobile use, and promote increased transit use and active transportation.

The subject lands are within a 'Major Transit Station Area', which are generally appropriate for increased density and reduced vehicular parking due to the availability of various modes of transportation options within the vicinity. The proposed amendments demonstrate conformity with this section of the Official Plan by facilitating a development that is transit supportive through compact development with minimized vehicular parking and ample bicycle parking in an area already serviced by various existing transit options.

Additionally, the proposal features a compact high-density building form that offers an appropriate range of uses and active frontages along Plains Road West. In alignment with these policies, the development aims to foster alternative modes of transportation by using TDM measures, including by reducing vehicular parking, providing ample bicycle parking, and features an accessible and functional pedestrian circulation route throughout the site. Site design elements have been considered to enhance the public realm and promote integration of the proposed development into the streetscape and broader neighbourhood, further encouraging pedestrian connection to the site. Further information regarding the proposed transportation demand management strategy can be found in the Transportation Impact Study and Parking Justification Study submitted in support of this application.

4.4.8 Servicing and Utilities

Burlington's Official Plan emphasizes that all development shall be provided with full municipal water and sanitary services. The City aims to efficiently use existing services and utilities and ensure the provision of necessary infrastructure to accommodate anticipated growth.

With respect to stormwater management, policies under Section 4.4.2(2) state that stormwater management facilities must be designed to manage quality and quantity as set out by the Province, City, and Conservation Halton Authority and that all designs shall address and conform to the recommendations of any applicable subwatershed study or mater drainage study.

The proposed development proposes to connect to existing infrastructure and contemplates future stormwater management systems, thereby conforming to the policies contained in Section 4 and 6. The Functional Servicing & Stormwater Management Report submitted in support of this development confirm that the proposed development can be effectively serviced to meet the objectives of the Official Plan.

4.4.9 Urban Design

Section 7 of the Official Plan sets out policies regarding urban design ensuring that new development achieves a high standard of design as a component of a complete community. The general intent of this section of the Official Plan is to establish the relationship between people and places, movement and urban form, and nature and buildings. A high standard of design features both public realms and private development, protection of natural environments, creation of open spaces, reduced adverse impacts of development, and considers circulation patterns.

4.4.9.1 Urban Design and Built Form

A requirement under Policy 7.3.2(1) of the Official Plan is that development within Primary Growth Areas should be transit-supportive, pedestrian-oriented and compatible with adjacent land uses. The following considerations have been incorporated into the design of the proposed development demonstrating conformity with Policy 7.3.2(1)(a) regarding site design:

- The building is close and parallel to both public streets;
- Appropriate transition to adjacent land uses;
- Considers pedestrian-scale through the proposed podium;
- Locates public entrances towards Plains Road West;
- Features accessible pedestrian circulation throughout the site;
- Screens utilities and rooftop mechanical equipment;
- Providing elements of public realm and amenity areas throughout the site;
- Includes landscaping, where feasible; and,
- Proposes underground parking and internal loading facilities.

The Urban Design Brief prepared by MHBC Planning submitted as part of this application provides additional context on the building design, demonstrating compliance with the applicable urban design policies of the Official Plan. The development proposes a unique yet compatible building design with architectural interest such as high-end materials, underground parking, a human-scaled podium with active frontage along Plains Road West, landscape buffers, amenity areas and a sleek podium.

Adverse impacts are mitigated by proposing generous setbacks between lot lines along the sides and rear of the building, while minimizing setbacks along street frontages to activate the street. Enhanced landscaping and amenity features are provided throughout the development as well as stepping back the proposed tower are incorporated, further maintaining human scale. The public realm is considered by providing active frontages along Plains Road West, various open space options, and functional circulation routes throughout the site. Passive uses such as

parking, loading, garbage, drop-off areas, and utilities are screened from the street. It is our opinion that the proposed buildings feature a high standard of urban design that satisfies the policies within all of Section 7 of the Official Plan, specifically by fitting in with the surrounding context and limiting potential adverse impacts, all while contributing to an interesting skyline in an area already identified for intensification.

4.4.9.2 Sustainable Development

Section 7.4 of the City's Official Plan defines sustainable design as *"an integrated design approach to balance environmental, economic and social considerations in the design, construction, and operation of buildings and sites"*. As per Policy 7.4.1, sustainable design prioritizes pedestrian movement, in proximity to public transit, include bicycle facilities, reduce light exposure, protect trees, implement stormwater management, include snow storage and waste management facilities, and be bird-friendly. Lastly, sustainable design shall include elements for energy efficient buildings and construction techniques.

The proposed development meets the definition of sustainable design as per Section 7 of the Official Plan by emphasizing pedestrian accessibility and connectivity throughout the site and providing options for use of various modes of transportation. Trees and landscaping options have been incorporated into the design of the building in various forms. Specific sustainable design techniques will be considered through detailed building design. Generally, the proposed density in a compact form is a sustainable approach by concentrating housing on a parcel already serviced by existing servicing and transportation infrastructure.

4.4.9.3 Tall Building Guidelines

The City's Official Plan requires that tall buildings across the city align with the Tall Building Guidelines. The proposed design has considered the City's Tall Building Guidelines and ensures that the general intent of the document is maintained by:

- Including a human-scale podium that frames the street while providing necessary separations to feature windows, architectural element, and streetscape design.
- Ensuring the proposed tower provides reasonable setbacks between other existing buildings to mitigate any potential impacts on adjacent properties.
- Featuring stepbacks and architectural features (e.g., balconies) including balconies and articulation to create visual interest and differentiation along the facades.
- Providing a rooftop amenity area to create activity and strong presence at the top of the building while concealing rooftop mechanical equipment.

A more thorough analysis of the proposed development against the Tall Building Guidelines is included in the Urban Design Brief prepared by MHBC Planning provided in support of this document.

4.4.10 Land Use Policies & Proposed Residential Designation

As shown on **Figure 7**, the subject lands are currently designated as a 'Urban Corridor' by Schedule C: Land Use – Urban Area of the Official Plan and are located within the Aldershot GO Major Transit Station Area. Specific land use policies regarding each designation are included in Section 8 of the Official Plan.

4.4.10.1 Major Transit Station Areas

Section 8.1.2 of the Official Plan states that MTSAs are focal points for higher intensity and mixed-use development that will accommodate a significant share of the city's future population and employment growth to 2031 and beyond. The Aldershot GO MTSA is located along a higher order transit route with planned frequent transit service on Regional Express Rail.

In accordance with the policies in this section, the proposed development has been designed to be transit-supportive featuring compact built form, a range of uses, and limited parking availability. The proposed development also includes a mix of unit sizes to accommodate a diverse range of household types, an underground parking structure, and other elements of a complete community through the inclusion of commercial / retail uses and the proximity of the subject lands to other uses such as parks and open space, institutional, employment, and commercial / retail. The subject lands are also already well-connected to other areas of the city through various transportation options including multiple bus routes, the GO line, cycling tracks, and public sidewalks. It is our opinion that the proposed development aligns with policy direction set out for MTSAs and represents good planning in this respect.

4.4.10.2 Urban Corridor Designation

The subject lands are proposed to maintain the 'Urban Corridor' on land use designation regulated on Schedule C: Land Use – Urban Planning Area and are regulated under Section 8.1.3 of the Official Plan, which permits the proposed mixed-use building. The amendment proposes a revision or removal of Policy 8.1.3(7.2)(f) to address the proposed increased floor area ratio of 9.0 and a revision or removal of Policy 8.1.3(7.2)(g) for increased building height to 24 storeys. The proposed amendments align Provincial, Regional and City policy direction for Major Transit Station Area that encourage higher order development and intensification.

The proposed 'Urban Corridor' designation permits a full range of uses including residential dwelling units above the first storey with a focus on primarily high-density, transit-supportive, pedestrian-oriented and mixed-use development in a compact built form, similar to that of the proposed development. The 'Urban Corridor' designation is intended for mixed-use development with higher densities with a maximum floor area ratio of 2.0 and a maximum building height of 6 storeys. This designation also permits various non-residential supporting land uses such as service commercial, retail, offices, entertainment and recreation uses.

The proposed mixed-use development is permitted within the 'Urban Corridor' designation and maintains the general intent of this section of the Official Plan. The development offers a density of 1,000 units per hectare, a floor area ratio of 9.0, and a building height of 24 storeys in an area that has been identified for intensification and can accommodate dense development via existing servicing and transportation infrastructure. The subject lands have direct access to an arterial road and the larger transportation network across the city. The subject lands are also within 2 kilometres of the GO rail line, making it an optimal location for commuters. The development has been designed to efficiently connect to the existing transit network and contains pedestrian routes and opportunities for bicycle use. While vehicular parking is provided, it is at a minimum and located within a parking structure entirely screened from the street. A range of uses are provided including a range of housing units and commercial / retail space to contribute to the greater area.

4.4.11 City of Burlington Official Plan (2020) Summary

The subject lands are currently designated 'Urban Corridor' on Schedule C: Land Use – Urban Planning Area in this version of the Official Plan (2020). While this version of the Official Plan is not yet in effect, it is our opinion that the proposed amendments and associated development conform to the policies and general intent of the Official Plan (2020), specifically as it relates to Primary Growth Areas, Major Transit Station Areas, Urban Corridor areas by proposing to accelerate housing and transit-supportive development. The proposed amendments will assist in achieving goals and objectives prescribed for Halton Region and City of Burlington and should be considered for approval.

4.5 City of Burlington Zoning By-law 2020

4.5.1 Current Zoning

The subject lands are currently zoned as Mixed-Use Corridor (MXG), which permits the proposed use. The existing zoning is shown on **Figure 10** below. The MXG zone generally permits a variety of residential uses as well as retail and commercial uses such as convenience / specialty food store, restaurant, service commercial uses, offices, and recreation related uses.

4.5.2 Proposed Zoning By-law Amendment

The subject lands are proposed to implement the requested Official Plan Amendment and to permit the proposed mixed-use development on Plains Road West. The proposed zoning proposes to maintain the MXG zone and add new site-specific regulations to the zone in Zoning By-law 2020. The standard uses permitted in the MXG zone are proposed to remain as part of the site-specific by-law.

The following table provides a summary of the site-specific provisions requested for the proposed development:

Regulation	Required (MXG)	Proposed (MXG-XX)
Lot Width (min.)	25 metres	25 metres
Lot Area (min.)	1,000m^2	1,000m^2
Street Yard Setback (min.)	3 metres	0 metres
Rear Yard Setback (min.)	3 metres	3 metres
Side Yard Setback (min.)	No minimum	No minimum
Yard Setback Abutting a Residential Zone (min.)	N/A	-
Building Setback from Creek Block (min.)	N/A	-
Setback Abutting a Pipeline Easement (min.)	7 metres	7 metres
Setback Abutting a Railway ROW (min.)	None	None
Separation Distance from a Railway ROW (min.)	30 metres	30 metres
Setback Abutting a PC or P zone (min.)	6 metres	6 metres
Separation Distances (between use and sensitive use) (min.)	15 metres (standard restaurant) 30 metres (fast food restaurant) 45 metres (night club)	15 metres (standard restaurant) 30 metres (fast food restaurant) 45 metres (night club)
Floor Area Ratio (min.)	0.30	0.30
Floor Area Ratio (max.)	1.50	9.0
Floor Area per Retail / Service Use (max.)	1,800m^2	1,800m^2
Density (min.)	30 units / ha	1,000 units / ha
Landscape Area Abutting Street (min.)	3 metres	0 metres
Building Height (min.)	2 storeys	2 storeys
Building Height (max.)	6 storeys	24 storeys
Amenity Area (min.)	5,415m^2 15m^2 per efficiency dwelling unit 20 m^2 / one-bedroom dwelling unit 35 m^2 / two+ bedroom dwelling unit	4,000m^2

In addition to the proposed site-specific regulations, Section 4.6 and Table 1.2.6 of the Zoning By-law currently applies to the proposed development as it relates to parking standards.

Parking Regulations in MXG zones:

- The minimum number of parking spaces required is deemed to be the number generated by the standards outlined in Table 1.2.6, less a factor of 5%.
- In addition, for non-residential uses, the number of parking spaces provided shall not be greater than 102% of the minimum standard outlined in Table 1.2.6.
- As per Table 1.2.6, Apartment Buildings in Primary Growth Areas require 1.25 spaces per dwelling unit (inclusive of visitor parking).
- As per Table 1.2.6, Retail Stores require 3.5 spaces per 100m^2 of ground floor area.

However, new legislation introduced by Bill 185 – Cutting Red Tape to Build More Homes Act, 2024 requires municipalities to remove minimum parking rates in Major Transit Station Areas such as the subject lands. Therefore, this provision does not apply, and it is our understanding that no amendment would be required.

The site-specific provisions recognize the proposed use of the lands for a mixed-use development within the Protected Major Transit Station Area. The following provides a rationale for the site-specific provisions requested within the MXG.

1) Street Yard Setback & Landscape Area Abutting a Street

The development proposes no setback or landscape strip along Plains Road West. It is understood that the intent of setback provisions is to ensure that sufficient landscaping and streetscaping can be provided along the street and that buildings can be maintained without encroachment onto public property.

Although a 0-metre setback is proposed from the required 3 metres, a reduced setback intends to implement the City's Tall Buildings Guidelines as well as comments from City staff, and the Urban Design Review Panel to refine the building podium to better frame the street and protect the public realm. The proposed commercial units and architectural features / materials will also allow for pedestrian interaction from the street into the site. A reduced setback also results in improved ground floor circulation and the addition of outdoor amenity area for residents, which was requested by the Urban Design Review Panel and City staff.

2) Floor Space Ratio

The proposed development results in a floor space ratio larger than the permitted requirement of 1.50 in MXG zone. The general intent of this requirement is to regulate the intensity of a development as it relates to density, protecting greenspace, and ensuring a development is safe and functional.

Although the proposed floor area ratio is proposed at 9.0, the overarching policy structure encourages high density development in this location. As shown on the plans submitted and further confirmed through technical studies, the site is capable of accommodating a development of this size and density without creating undue adverse impacts regarding safety, functionality, noise, shadow, wind, and/or traffic. Additionally, the proposed development as designed aims to help both the Region and City in achieving density targets as well as return on investment of existing infrastructure in an area that is well-serviced by existing infrastructure. The proposed floor area ratio aligns with the recent policy objectives of the City's Official Plan Amendment No. 2, specifically for Major Transit Station Areas. It also results in a development that responds to the broader policy framework by the Province for more housing.

3) Building Height

The maximum building height for the MXG zone would cap the subject lands at 6.

The development proposes tower heights of 24 storeys, which align with the Official Plan policies for Mixed-Use Corridor – General and more specifically, Major Transit Station Areas. The applicable sections of the Official Plan encourage high density development that support existing and proposed transit. Given the Provincial, Regional and Municipal policy direction, it is understood that this area of the city will undergo significant transformation to support higher density development with heights that may be similar to what is proposed.

In addition, the lands immediately south of the site are currently occupied by 12-storey residential buildings. As discussed in Section 3 above, there are developments along Plains Road that feature developments with 10+ storeys. Although other adjacent lands are currently comprised of lower rise commercial, industrial or employment uses, it is our opinion that the proposed development has been designed to mitigate potential adverse impacts, specifically as it relates to building height. This is further confirmed by the various studies submitted in support of the development, which generally conclude that the intensity of the development can be accommodated on the subject lands without causing undue harm on adjacent lands. The proposed heights offer an alternative building form and tenure within an area that has been designated to accommodate intensification and support the existing infrastructure network.

4) Amenity Area

A minimum of 5,500m^2 of amenity area is required as per the standard regulations under the Zoning By-law. The intent of these requirements is to ensure that residents have access to on-site amenities for entertainment and leisure purposes.

While a reduction is sought, it is our opinion that the intent of the By-law is maintained, and sufficient amenity area is provided throughout the building for residents to enjoy. In addition to the proposed indoor and outdoor amenity areas, the site features non-residential units at-grade, which is an added feature to serve the residents above and beyond the proposed amenity rooms. It is our opinion that the reduction will be negligible, and the site is still developed with the "complete community" notion reducing vehicular trips and off-site travel.

Summary

Based on the foregoing, it is our opinion that the proposed site-specific provisions are appropriate and meet the general intent of the Official Plan and Zoning By-law, specifically for new development within Major Transit Station Areas.

4.6 City of Burlington Official Plan Amendment No. 2 & Community Planning Permit By-law

4.6.1 Official Plan Amendment No. 2

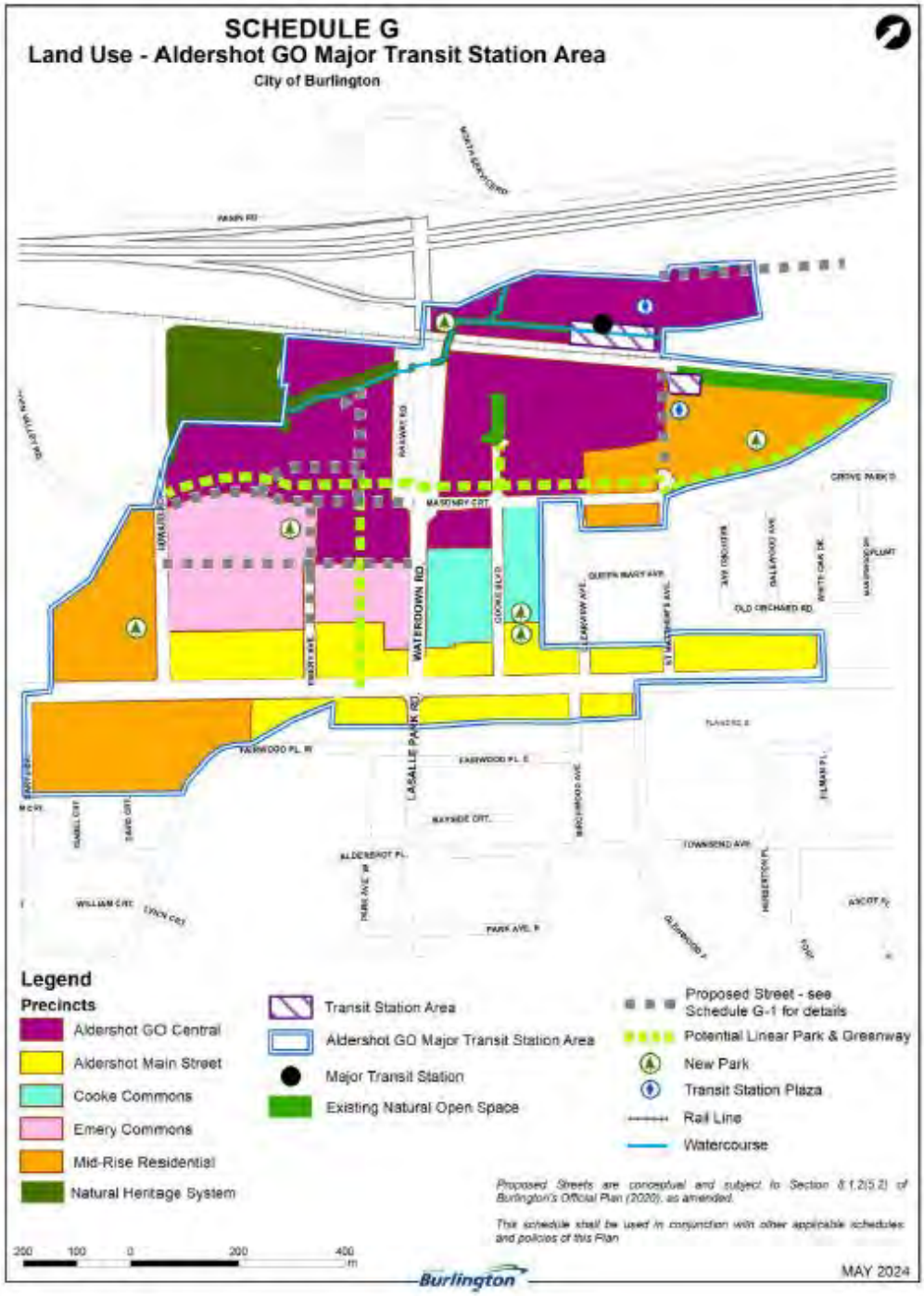
On June 18, 2024, the City of Burlington City Council adopted Official Plan Amendment No. 2 to the Official Plan (2020). The Official Plan Amendment is currently with the Ministry of Municipal Affairs and Housing for review and final decision, meaning the Amendment is not yet in full force and effect.

The purpose of Official Plan Amendment No. 2 is to replace policies and associated schedules regarding Major Transit Station Areas, including those related to Aldershot GO MTSA applicable to this development. The OPA now identifies these areas as Protected Major Transit Station Areas in accordance with the Planning Act and Regional Official Plan. A large component of OPA No. 2 is the implementation of a Community Planning Permit (CPP) System, which is a new By-law applicable to MTSAs. As per the image below, the City's Official Plan has been revised to

designate the lands as 'Mid-Rise Residential' on Schedule G – Land Use (Aldershot GO Major Transit Station Area).

While the draft policies are not in full force and effect at this time, they have been reviewed as part of the development of the proposed concept and in preparation of this report. Therefore, it is our opinion that the requested amendments and associated development are in conformity with OPA No. 2.

Official Plan Amendment No. 2



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4.6.2 Community Planning Permit (CPP) By-law

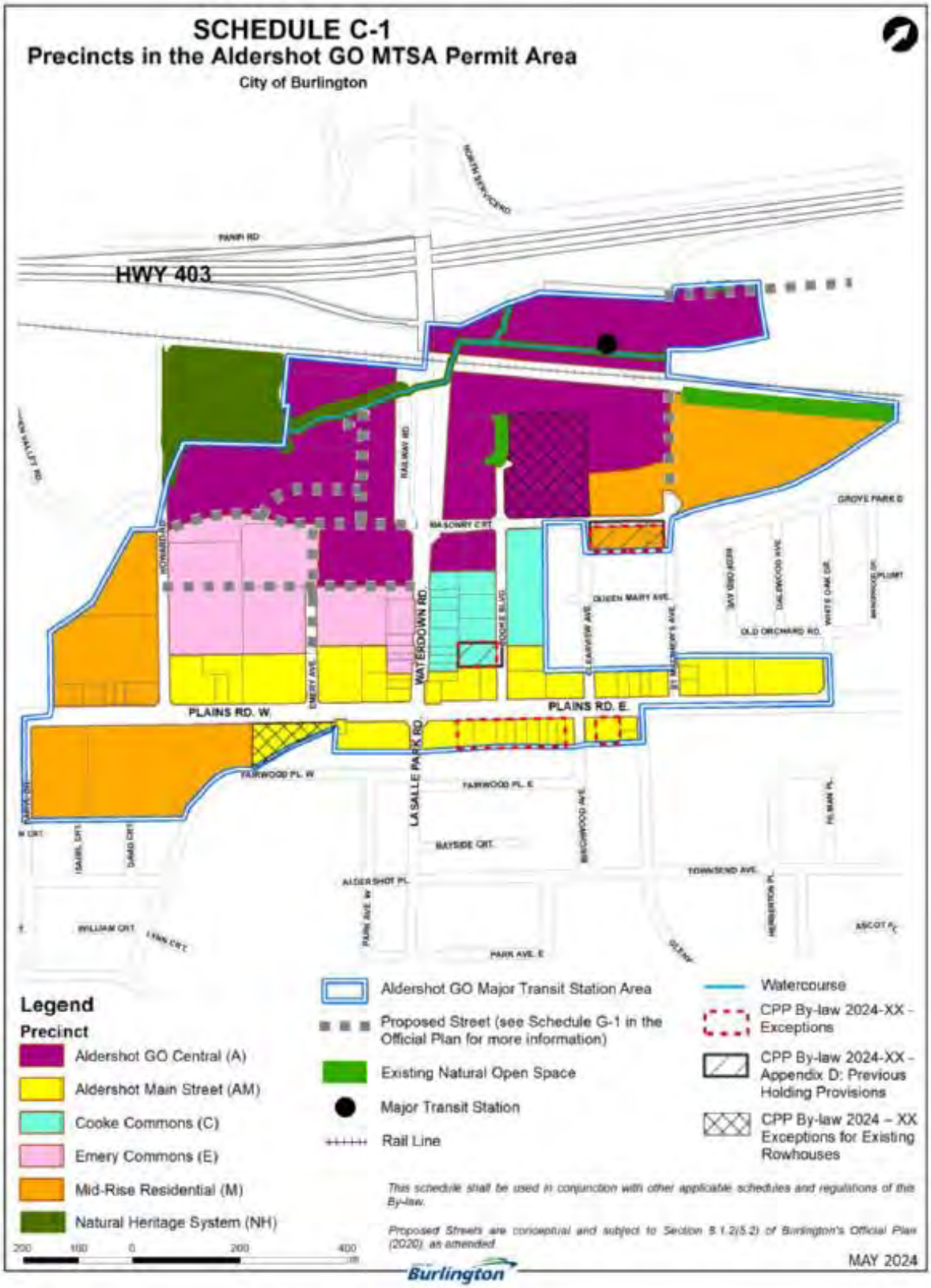
Further to the above, OPA No. 2 includes policies regarding the Community Planning Permit System, enabling the City to implement a Community Planning Permit (CPP) By-law, which is applicable to lands within Major Transit Station Areas. The intent of the By-law is to streamline the planning process for new development within MTSAs by setting out regulations and a prescribed range of variation to regulations through classes of permits.

The draft CPP By-law was presented to the City of Burlington Committee of the Whole on June 11, 2024, where the By-law was approved in-principle subject to refinements, including any comments from the Ministry of Municipal Affairs and Housing. Following the statutory public meeting, this project team has further consulted with City of Burlington staff in multiple meetings to discuss the potential planning implications of draft CPP By-law, specifically as it relates to height and general process.

As per the image below, the subject lands are identified in the 'Aldershot GO MTSA Recommended Preferred Precinct Plan' (Schedule C-1: Precincts in the Aldershot GO MTSA Permit Area) in the draft CPP By-law, which proposes the lands to be zoned as 'Mid-Rise Residential' with a maximum height allowance of 11 storeys.

Since release of the draft By-law, MHBC Planning has provided a number of submissions for Council's consideration as it relates to the subject lands, which are dated April 13, 2023, November 1, 2023, and June 10, 2024. The comments summarize our opinion regarding an increase of maximum building heights to effectively implement the Provincial policy framework for Strategic Growth Areas, including lands with MTSAs. It is our opinion that the draft CPP By-law does not effectively implement the overarching policy framework for MTSAs, which are intended for high density development where a range of uses, existing services, infrastructure and transit options are available.

While the draft By-law is not in force and effect and does not currently apply to the subject lands nor the proposed development, we continue to encourage City staff to review the permissions under each class and the revise the degree of variation to be more flexible. Furthermore, to align with Provincial policy direction for MTSAs, the proposed height requirements should be increased in order to reduce the number of Class 3 permits required across the city, effectively streamlining the planning process as the CPP By-law intends.


SCHEDULE C-1
Precincts in the Aldershot GO MTSA Permit Area
City of Burlington
HWY 403
PLAINS RD. W.
PLAINS RD. E.
WATERDOWN RD.
LASALLE PARK RD.
Legend
Precinct
Aldershot GO Central (A)
Aldershot Main Street (AM)
Cooke Commons (C)
Emery Commons (E)
Mid-Rise Residential (M)
Natural Heritage System (NH)
Aldershot GO Major Transit Station Area
Proposed Street (see Schedule G-1 in the Official Plan for more information)
Existing Natural Open Space
Major Transit Station
Rail Line
Watercourse
CPP By-law 2024-XX - Exceptions
CPP By-law 2024-XX - Appendix D: Previous Holding Provisions
CPP By-law 2024 – XX Exceptions for Existing Rowhouses
This schedule shall be used in conjunction with other applicable schedules and regulations of this By-law.
Proposed Streets are conceptual and subject to Section 5.1.2(5.2) of Burlington's Official Plan (2020), as amended
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MAY 2024
Burlington

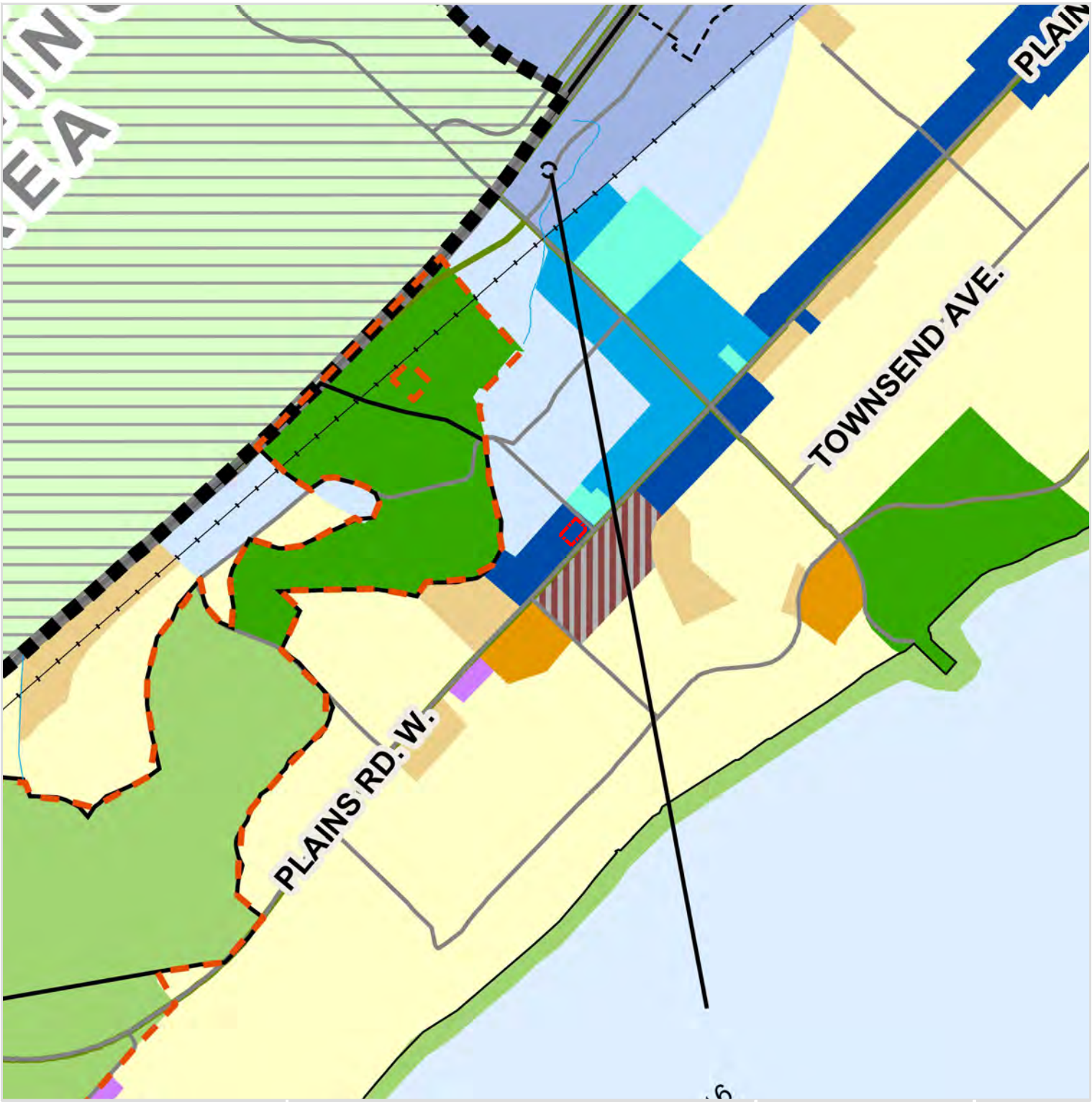


Figure 4
City of Burlington Official Plan (1997) Schedule B - Comprehensive Land Use Plan - Urban Planning Area

127 Plains Rd. West
City of Burlington
Halton Region

LEGEND

Subject Lands

- Residential - Low Density
- Residential - Medium Density
- Residential - High Density
- General Employment
- Business Corridor
- Regional Commercial
- Community Commercial
- Employment Commercial
- Neighbourhood Commercial
- Mixed Use Centre
- Mixed Use Corridor - General
- Mixed Use Corridor - Commercial Corridor
- Mixed Use Corridor - Employment
- Greenlands
- Major Parks and Open Space
- Environmentally Sensitive Area (Note: Boundaries based on Map 1 of the Region of Halton Official Plan (2006)
- Parkway Belt Plan Area (Note: All lands within Parkway Belt West Plan Area Subject to Deferral *9)
- Land Use Designation to be Determined
- Urban Planning Area Boundary
- Watercourses - Conceptual only, refer to Part III, Section 6.4.2 d
- Former Waste Disposal Site
- Downtown Urban Growth Centre Boundary

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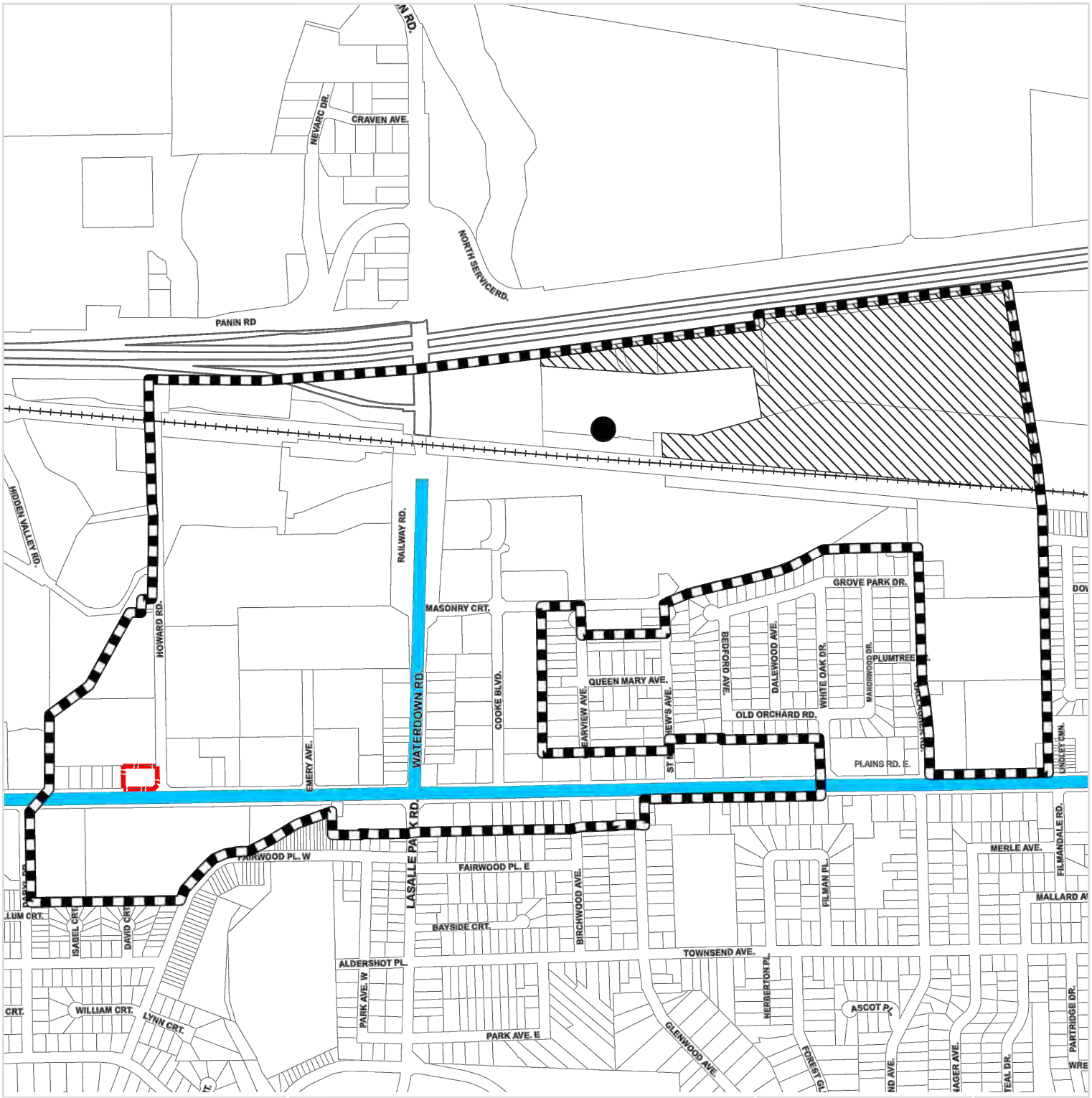


Figure 5
City of Burlington Official Plan (2020) Schedule G - Aldershot GO MTSA Special Planning Area

127 Plains Rd. West
City of Burlington
Halton Region

LEGEND

- Subject Lands
- MTSA Special Planning Area
- MTSA Primary Connector
- Rail Line
- Major Transit Station
- Subject to Separate Review

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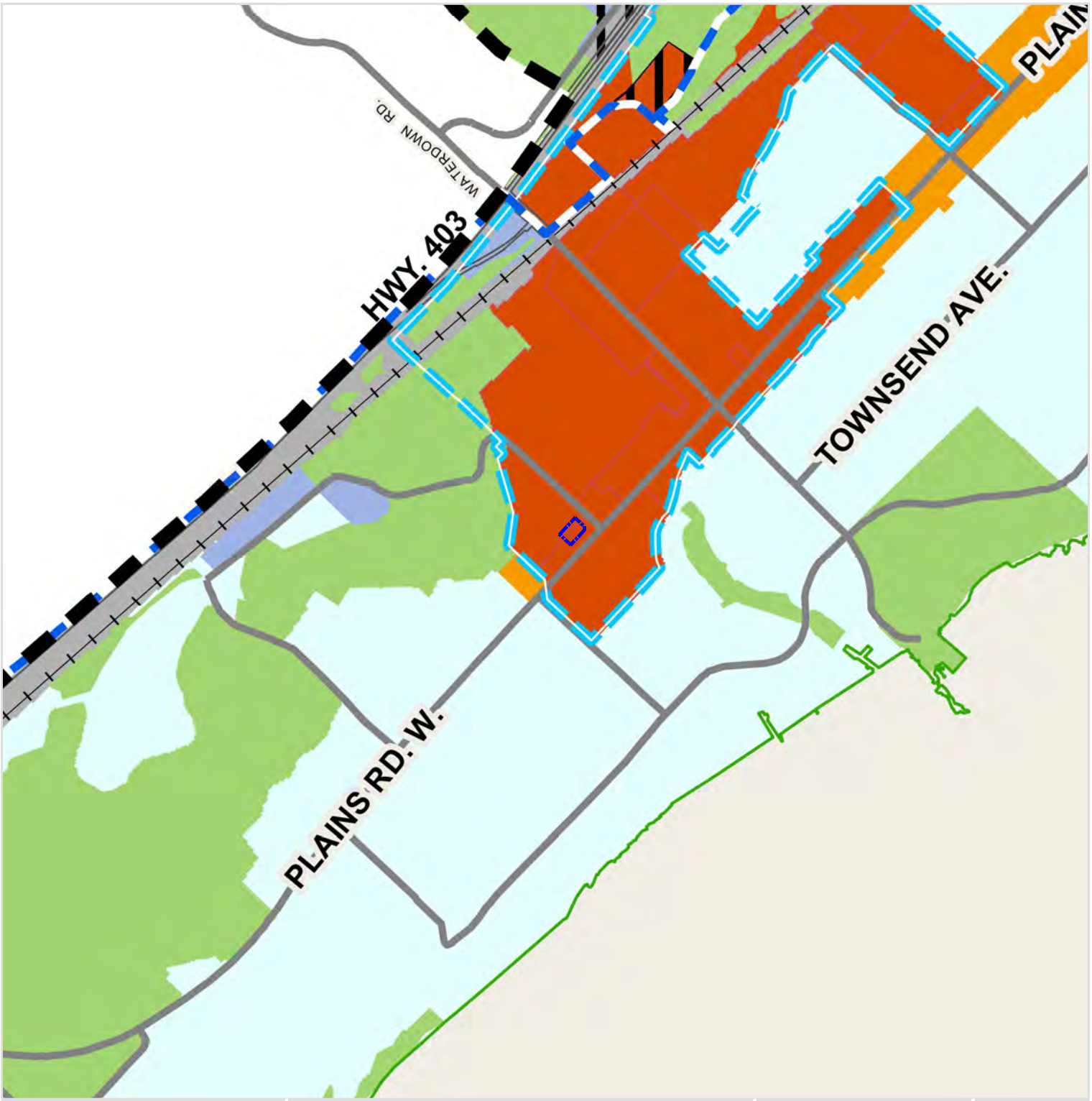


Figure 6
City of Burlington Official Plan (2020) Schedule B1 - Growth Framework

127 Plains Rd. West
City of Burlington
Halton Region

LEGEND

Subject Lands

Growth Areas
- Primary Growth Area
- Secondary Growth Area
- Employment Growth Area
- Established Neighbourhood Area

MTSA Special Planning Areas

Designated Greenfield Area
- Developed Area Outside Delineated Built Boundary
- Undeveloped Area Outside Delineated Built Boundary (not subject to Growth Framework)

Contextual References
- Natural Heritage System and Major Parks and Open Space
- Infrastructure and Transportation
- Municipal Boundary
- Urban Boundary
- Delineated Built Boundary
- Urban Growth Centre Boundary

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Figure 7
City of Burlington Official Plan (2020) Schedule C - Land Use - Urban Area

127 Plains Rd. West
City of Burlington
Halton Region

LEGEND

Subject Lands

MIXED USE INTENSIFICATION AREAS
- Urban Centres
- Mixed Use Nodes and Intensification Corridors
  - Mixed Use Commercial Centre
  - Neighbourhood Centre
  - Local Centre
  - Employment Commercial Centre
  - Urban Corridor
  - Urban Corridor - Employment

RESIDENTIAL NEIGHBOURHOOD AREAS
- Residential - Low Density
- Residential - Medium Density
- Residential - High Density

EMPLOYMENT LANDS
- General Employment
- Business Corridor

NATURAL HERITAGE SYSTEM AND MAJOR PARKS AND OPEN SPACE
- City's Natural Heritage System
- Major Parks and Open Space

MINERAL RESOURCE EXTRACTION AREA

INFRASTRUCTURE AND TRANSPORTATION CORRIDORS

CONTEXTUAL REFERENCES
- Municipal Boundary
- Urban Boundary
- Urban Growth Centre Boundary
- Special Street (Tremaine Dundas Secondary Plan)

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Figure 8
City of Burlington Official Plan (2020) Schedule O-1 - Classification of Transportation Facilities - Urban Area

127 Plains Rd. West
City of Burlington
Halton Region

LEGEND

- Subject Lands
- Provincial Freeway
- Provincial Highway
- Major Arterial
- Multi Purpose Arterial
- Urban Avenue
- Main Street
- Industrial Connector
- Neighbourhood Connector
- Proposed Roads
- Special Street (Tremaine Dundas Secondary Plan)
- Regional Road
- Major Transit Station
- Go Transit Car Pool Lot
- Rail Line
- Commuter Rail Corridor
- Higher Order 407 Transit Corridor (Regional Official Plan)
- Municipal Boundary
- Urban Boundary
- Urban Growth Centre Boundary
- Urban Centres

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Figure 8
City of Burlington Official Plan (2020) Schedule B2 - Growth Framework and Long Term Frequent Transit Corridors

127 Plains Rd. West
City of Burlington
Halton Region

LEGEND

- Subject Lands
- Primary, Secondary and Employment, Growth Areas (See Schedule B-1)
- MTSA Special Planning Areas
- MTSA Primary Connector
- MTSA Secondary Connector
- Frequent Transit Corridor
- Candidate Frequent Transit Corridor
- Transit Support Corridor
- Major Transit Station
- Go Transit Carpool Lot
- Commuter Rail Corridor / Transit Priority Corridor
- Higher Order 407 Transit Corridor
- Rail Line
- Municipal Boundary
- Urban Boundary
- Urban Growth Centre Boundary

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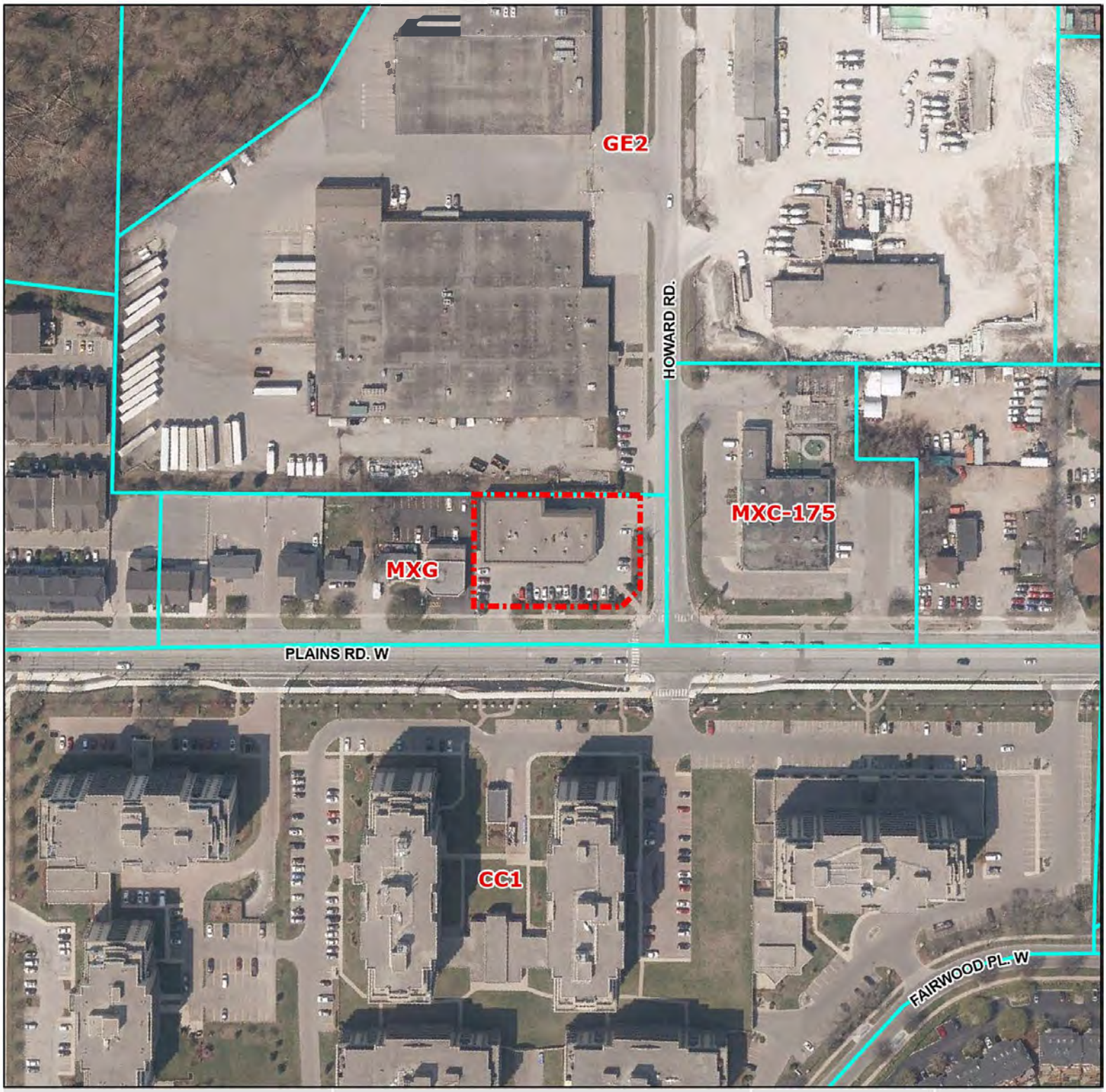


Figure 10
City of Burlington Zoning Map (Zoning By-law 2020)

Legend

Subject Lands

Zoning Bylaw

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127 Plains Rd. West
City of Burlington
Halton Region

Source: City of Burlington Air Photo 2023

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5.0 SUMMARY OF REPORTS

5.1 Geotechnical Investigation Report

A Geotechnical Investigation was prepared by Soil-Mat Engineers & Consultants Ltd. To assess the subsurface soil and groundwater conditions, and to provide recommendations on the design and construction of the proposed development from a geotechnical standpoint. The report generally concludes that the site and soil conditions are capable of accommodating the proposed development and that there are no anticipated impacts to the groundwater table.

5.2 Hydrogeological Assessment & Dewatering Study

A Hydrogeological Assessment has been prepared by Terra-Dynamics Consulting Inc. to evaluate geologic conditions and hydraulic activity on the subject lands. The study concludes that the underground parking structure will not impact the water table and should not require construction dewatering. The study further concludes that the water table is at least 2 metres deeper than the proposed depth of excavation and that a construction dewatering EASR from the MECP is not required. It is recommended on-site monitoring wells should be decommissioned using an MECP licensed well contractor.

5.3 Functional Servicing & Stormwater Management Report

A Functional Servicing & Stormwater Management Report has been prepared by S. Llewellyn & Associates Limited, which concludes that the proposed development can be constructed to meet the civil requirements for the Region of Halton and City of Burlington. The report demonstrates that the subject lands have adequate servicing capacity, will connect to existing municipal services along Howard Road.

The following recommendations are provided:

- The development be graded and serviced in accordance with the Grading and Servicing Plans prepared by S. Llewellyn & Associates Limited;
- A 95mm cored orifice be installed as per the Servicing Plan prepared by S. Llewellyn & Associates Limited;
- An underground storage vault be installed within the underground parking structure to provide effective stormwater storage;
- Erosion and sediment controls be installed as described in the Functional Servicing Report prepared by S. Llewellyn & Associates Limited;

- Hydro Filter be installed to provide enhanced quality control for the subject lands; and,
- The proposed sanitary and water servicing system be installed as per the Servicing Plan to adequately service the proposed development.

The proposed development will ensure to conformity with Functional Servicing & Stormwater Management Report.

5.4 Noise & Vibration Study

An Environmental Noise, Vibration & Land Use Compatibility Study was prepared in support of this application by dBA Acoustical Consultants Inc. The study concludes that noise and vibration levels from stationary noise sources will not impact the development, whereas vehicular traffic may have potential impacts that can be mitigated through noise control measures. Therefore, there are no concerns from a land use compatibility perspective.

Further to the above, the following recommendations are included as noise control measures to satisfy the indoor and outdoor noise level criteria:

- Central air conditioners for all units;
- Warning clauses in Offers and Agreements of Purchase and Sale / Lease for all units;
- A minimum 0.91-metre safety railing on the 6th floor and 25th floor amenity areas;
- Various STC-34 ratings for all windows and patio doors for all units;
- Exterior walls require an STC-36 throughout the development and for all units;
- A letter from a window supplier indicating that the proposed windows meet the STC-34 construction has been achieved; and,
- A Qualified Acoustical Consultant certifies that the required noise control measures have been incorporated into the plans prior to issuance of a building permit and prior to the issuance of an occupancy permit.

The proposed development will ensure the recommendations of the report are carried through.

5.5 Transportation Impact Study

A Transportation Impact Study was prepared by Stantec Consulting Inc. and concludes that the impact of the proposed development to the existing road network, specifically Plains Road West, is negligible and will not result in traffic operational concerns requiring mitigation. The study confirms that there is a high degree of exposure to existing transit services and active modes of transportation.

The report recommends the following:

- That the City consider modifying the pavement markings for the eastbound left-turn lane on Plains Road West at Waterdown Road;
- That the City consider monitoring traffic operations at the signalized intersections in the Aldershot area;
- That the City improve the efficiency of the signalized intersections, signal timings and signal management programs within the area;

- That the City continue to implement and expand the BRT on Plains Road West to reduce auto-usage; and,
- That the City expand and refine active transportation infrastructure within the area and general accessibility.

The proposed development does not have an impact in terms of transportation and will only enhance the existing network.

5.6 Parking Justification Report

A Parking Justification Report was prepared by Stantec Consulting Inc. despite there being no parking requirements applicable to the subject lands given that they are within the Aldershot GO Major Transit Station Area. The report emphasizes the existing comprehensive surrounding active transportation network with options for various bus transit services. It is noted that development within the area will only continue to encourage utility of the existing transit and active transportation services and reduce any strain on the road network.

The above in combination with the location of the subject lands within a Major Transit Station Area as well as a reduced parking rate will ensure existing infrastructure is effectively utilized and expanded. Therefore, the proposed parking rate of 0.67 parking spaces per unit is considered sufficient to serve the residents of the proposed development and aligns with applicable policy. The proposed development also includes long and short-term bicycle parking to further balance the needs of future residents and visitors.

5.7 Arborist Report & Tree Inventory Plan

Kuntz Forestry Consulting Inc. prepared a Tree Inventory & Preservation Plan in support of the proposed development, which included a tree inventory on the subject lands. The findings of the study indicate that eleven (11) trees will be removed to accommodate the proposed development, and one (1) tree will be retained.

The following will be required to minimize impacts to the preserved trees:

- Tree protection barriers and fencing be erected at identified locations in alignment with guidelines included in the Tree Protection Plan;
- No construction activity is permitted within the area identified on the Tree Protection Zone at any time during construction;
- Branches and roots that extend beyond the prescribed Tree Protection Zones must be pruned by a qualified Arborist or other tree professional and in accordance with Good Arboricultural Standards; and,
- Site visits during various phases of construction are recommended by a certified Arborist or registered Professional Forester to ensure proper protection barriers.

The proposed development will ensure the Tree Protection & Inventory Plan will be adhered to.

5.8 Waste Management Report

A Waste Management Design Report was prepared by PragmaTech Waste Solutions, which analyzes service frequencies, room sizing and equipment considerations for all waste storage and retrieval areas and considers the perspectives of tenants, operations staff and service providers. The report concludes that the proposed development has effectively incorporated the Province's waste legislation and Halton Region's waste management and design regulations, and allows for general resource management practices, enhanced equipment recommendations and limited waste generation. The report summarizes that the proposed development includes a functional waste space for resident and operational staff needs.

5.9 Shadow Study & Urban Design Brief

An Urban Design Brief was prepared by MHBC Planning, which includes a Shadow Analysis. The report concludes that the proposed development includes a high-quality of urban design by:

- Providing a compact development within an identified growth area and Major Transit Station Area;
- Contributing to a complete community by introducing a mix of residential and commercial uses with a variety of unit sizes;
- Enhancing the public realm along Plains Road West and Howard Road through a high-quality of streetscape design, active ground floor uses, and a human-scaled podium; and,
- Utilizing a building form, tower placement, and tower design that is compatible with the surrounding land uses through a transition of form, maximizing of tower setbacks, and minimizing shadow impacts.

The proposed development has also incorporated comments from City staff as well as the Burlington Urban Design Review Panel regarding high-quality architectural design, enhanced site-circulation and pedestrian scale features.

6.0 SUMMARY & CONCLUSIONS

The purpose of this Planning Justification Report was to evaluate the proposed Official Plan and Zoning By-law Amendment applications as well as the proposed site plan to facilitate the development of the subject lands in the context of existing land use policies and regulations, including the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, the Halton Region Official Plan, the City of Burlington Official Plans and the City of Burlington Zoning By-law.

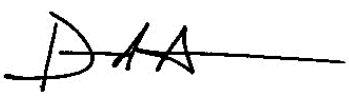
The analysis contained in this report demonstrates that the applications are in the public interest and represent good planning based on the following:

- The proposed development is consistent with the Provincial Planning Statement, 2024.
- The proposal conforms to the Regional Official Plan and meets the general intent of the City of Burlington Official Plans, both the 1997 and 2020 versions.
- The amendments and associated development also consider and incorporate comments from the public, Burlington Urban Design Review Panel as well as forthcoming municipal policy including the City of Burlington Official Plan Amendment No. 2 and Community Planning Permit By-law.
- The proposed development will contribute to the minimum density target of 150 residents and jobs per hectare for this area of the City of Burlington and will contribute to the City's growth management objectives.
- The proposed development has been designed to integrate with the emerging community and will contribute to the range of residential building types in the City of Burlington and the community.
- The proposed development is well located with respect to existing parks, community and recreational uses, various services, public transit and to existing and future schools.
- The proposed development can be adequately serviced through connections to municipal infrastructure and is supported by a Functional Servicing Report.

Based on these conclusions, it is our opinion that the Official Plan and Zoning By-law Amendment applications are appropriate and should be considered for approval.

Respectfully submitted,

MHBC





Dave Aston, MSc, MCIP, RPP
Vice President, Partner

Stephanie Mirtitsch, MCIP, RPP
Associate

APPENDIX A

Pre-Consultation Comments

DEVELOPMENT APPLICATION PRE-CONSULTATION FORM

Meeting Date: September 6, 2023	**Site Address:** 127 Plains Road West, Burlington, Ontario
Property Owner: Losani Investment Corporation	**Applicant / Address / Phone / Email** MHBC Planning (c/o Dave Aston) 540 Bingemans Centre Drive, Suite 200 Kitchener, ON, N2B 3X9 519-576-3650 daston@mhbcplan.com
Site Area: 0.27 ha	

APPLICATION TYPE (check applicable applications):

Local Official Plan Amendment	**X**	Zoning By-law Amendment	**X**	Plan of Subdivision		Parkway Belt Amendment	
Other Application							

1. **Brief description of proposed development:**
   26-storey (21-storey tower, 5-storey podium) mixed use building with 240 dwelling units and 381m2 of retail at-grade. Structured and underground parking are proposed.

2. **Conformity with Regional Official Plan Designation?** YES X NO _____

   Has an application been made to amend the Regional Official Plan: YES _____ NO X

3. **1997 Official Plan Designation:** Mixed Use Corridor - General

   Conformity with 1997 Official Plan land use designation? YES _____ NO X

   If 'NO' what is the nature of the OP amendment needed? Height, floor area ratio

4. **2020 Official Plan Designation:** Urban Corridor

   Conformity with 2020 Official Plan land use designation? YES _____ NO X

   If 'NO' what is the nature of the OP amendment needed? Height, floor area ratio

5 **Existing Zoning:** Mixed Use Corridor - General

   Conformity with existing zoning? YES _____ NO X

   If 'NO' what is the nature of the zoning amendment needed? Setbacks, floor area ratio, parking, amenity area

6. Design Guidelines in effect? YES ___X___ NO _____

Name of Design Guidelines ____Tall Building Guidelines (2017), Pedestrian Level Wind Study Guidelines and Terms of Reference (2020), Plains Road Urban Design Guidelines (2015), Shadow Study Guidelines and Terms of Reference (2020), Stormwater Management Design Guidelines (2020), Sustainable Building and Development Guidelines (2021)

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

YES _____ NO _____X____

8. Fees Required at Time of Application

APPLICATION	CITY	REGION	CONSERVATION HALTON
Official Plan Amendment:	$92,947.50	$9,526.13	N/A
Rezoning - Base Fee: (70% if combined) Rezoning - Variable Fee:	$24,540.00 Units 1-25: $11,875 Units 26-100: $26,625 Units 101-240: $32,200 Non-residential: $285.75	$1,123.65	N/A
TOTAL	$188,473.25	$10,649.78	N/A

Separate payments are required for the City, Halton Region and Conservation Halton

9. Additional Agencies to be contacted: ____Burlington Hydro, Enbridge_____

10. Pre-Application Public Consultation Meeting

Is a pre-application consultation meeting required?

YES ___X___ NO _____

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

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

11. Community Benefits

Is this an application for a building of five (5) or more storeys and ten (10) or more residential units?

YES ___X___ NO ____

If "YES" Community Benefits **may be** required. Please consult City of Burlington By-law 66-2022, Community Benefits Charges.

12. Required Information for Complete Application

1)	Completed Application Form	Required
2)	Fees for the processing of planning application(s)	Required
Supporting Reports, Studies, Plans **In accordance with Policies contained within 11.1.2 of the City's Official Plan, all identified materials must be submitted in accessible PDF format consistent with the City's standards and the standards of <u>The Accessibility for Ontarians with Disabilities Act</u> before an application is deemed complete.**		**Required (Yes/No)**
i.	Planning Justification Report, including employment or residential needs analysis, where required	Y
ii.	Land Assembly Documents	N
iii.	Survey and Severance Sketch, prepared by an Ontario Land Surveyor	Y
iv.	Land Use Compatibility Study (including Air Quality Assessment)	Y
v.	Retail and Service Commercial Needs Assessment	N
vi.	Financial Impact Study	N
vii.	Housing Impact Statement	Y
viii.	Park Concept Plan	N
ix.	Agricultural Impact Assessment	N
x.	Social Impact Assessment	N
xi.	Archeological Report	N
xii.	Heritage Impact Study	N
xiii.	Cultural Heritage Landscape Impact Assessment	N
xiv.	Conceptual Site Plan Layout	Y
xv.	Architectural Plans	Y
xvi.	3-D Model of Proposed Buildings	Y
xvii.	Burlington Urban Design Advisory Panel (BUD) Comments	Y
xviii.	Height Survey of Adjacent Buildings	Y
xix.	Angular Plane Study	Y
xx.	Shadow Analysis Plan	Y
xxi.	Wind Impact Study	Y

xxii.	Arborist's Report	Y
xxiii.	Tree Inventory and Preservation Plan	Y
xxiv.	Landscape Plan	Y
xxv.	Water & Wastewater Functional Servicing Report	Y
xxvi.	Hydrogeology Study / Water Budget & Hydrology Study	N
xxvii.	Source Protection Disclosure Report	N
xxviii.	Noise Feasibility Study / Vibration Study	Y
xxix.	Transportation Impact Study	Y
xxx.	Transportation Demand Management Plan and Implementation Strategy	Y
xxxi.	Parking Justification Report	Y
xxxii.	Storm Water Management Report / Functional Drainage Report, Storm Services Plan and Flooding Hazard Delineation and/or Grading and Drainage Plans	Y
xxxiii.	Environmental Impact Assessment	N
xxxiv.	Top-of-bank Demarcation / Slope Stability Assessment / Creek Erosion Assessment / Geomorphic Study	N
xxxv.	Shoreline Hazardous Land Studies	N
xxxvi.	Geotechnical Report	N
xxxvii.	Phase One Environmental Assessment	Y
xxviii.	Phase Two Environmental Assessment / Record of Site Condition	TBD
xxxix.	Landfill Assessment	N
xl.	Sustainable Building and Development Guidelines Checklist	Y
xli.	Phasing Strategy for Development of Retail and Service Commercial Uses	N
xlii.	Public Consultation Strategy	N
xliii.	Response to Comments Received at a Community Meeting Held in Advance of a Formal Development Application	Y
xliv.	Comprehensive Block Plan	N
xlv.	Urban Design Brief	Y
xlvi.	Tenant Relocation and Assistance Plan	Y
xlvii.	**Other** Environmental Site Screening Checklist Environmental Site Assessment and Letter of Reliance Draft Official Plan Amendment / Draft Zoning By-law Amendment Construction & Mobility Management Plan	 Y Y Y N

	Waste Management Report	Y

13. ADDITIONAL REQUIREMENTS: See attached meeting notes & application checklist

NOTES:

1. **The applicant may request a Technical Preconsultation prior to submission of the application. This optional process involves electronic submission of the draft materials and a preliminary municipal review to determine whether there are technical issues which could be resolved prior to formal submission of the application.**

2. **Notwithstanding the fees noted above, all fees are payable based on the rate in the fee schedule by-law in effect on the date the payment is made.**

3. **The purpose of this document is to identify the information required to commence processing a complete application as set out in the Planning Act. Pre-consultation does not imply or suggest any decision whatsoever on behalf of City staff or the Corporation of the City of Burlington to either support or refuse the application.**

4. **This document expires 180 days from the date of signing or at the discretion of the Director of Community Planning. Please note that development application fees may change during this period and it is the applicant's responsibility to ensure that the correct fees are paid at time of application.**

5. **Beyond 180 days, but prior to 1 year from the date of signing, proponents may submit a request to have this document updated for an additional 180 days. A detailed changed matrix must accompany an update request. Beyond 1 year from the date of signing of the original pre-consultation form, a new pre-consultation request must be submitted.**

6. **In the event this Pre-consultation Document expires prior to the application being accepted by the City, another meeting will be required.**

7. **The applicant acknowledges that submission requirements are subject to change and that additional reports, studies, plans or information may be required beyond what is identified within this document in advance of an application being deemed complete.**

8. **The City may require the peer review of any technical report or study submitted by the applicant. If this is required, the applicant will be advised and will be charged a fee equal to the cost of the peer review.**

9. **Application materials submitted without the information identified in this Pre-consultation Document, or without the supporting technical studies prepared in accordance with the direction provided in Appendix 1, the meeting notes, and the Pre-submission checklist attached to this Document, will be returned to the applicant based on insufficient information to properly evaluate the application.**

10. **The applicant acknowledges that the City considers the application forms and all supporting materials, including studies and drawings, filed with any application to be public information and to form part of the public record. With the filing of an application, the applicant consents to the City copying and releasing the application and any supporting materials either for its own use in processing the application or at the request of a third party, without further notification to or permission from the applicant. The applicant also hereby states that it has authority to bind its consultants to the terms of this acknowledgement.**

11. **It may be determined during the review of the application that additional studies or information will be required as a result of issues arising during the processing of the application.**

12. **The applicant must grant permission for municipal and agency staff to visit and access the property while the application is being processed.**

13. **There may also be financial requirements arising from the application, including, but not limited to, park dedication, development charges, payment of outstanding property taxes, deferred local improvement charges, costs for lifting 0.3-metre reserves, and reimbursement for road widening acquisition or road improvements.**

14. Personal information contained in this form is collected under the authority of the Planning Act, R.S.O. 1990, cP.13, as amended. The information will be used for the purpose of administering the City of Burlington's pre-consultation process on development applications.

15. The applicant requests that the information submitted on this pre-consultation form and associated documents be kept confidential. It is understood; however, that an access request may be filed under the Municipal Freedom of Information and Protection of Privacy Act, and information may be subject to release, notwithstanding the request to keep information confidential.

Staff and Agency Signatures:

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

Proponent Sign-off (In Lieu of Signatures):

I acknowledge that the City will require the provision of the drawings, reports and other requirements indicated in Section 11 of the Development Application Pre-Consultation Form, in addition to a completed Application Form, any information or materials required by Statute, the required application fees and a signed copy of this acknowledgement prior to the planning application being deemed complete, pursuant to the *Planning Act* and applicable City of Burlington Official Plan policy. These items should be completed in accordance with the direction in this Development Application Pre-Consultation Form, the attached Notes, and the attached Pre-Submission Document Terms of Reference, in order to allow for the

full consideration of the planning application. I have read and acknowledge the Notes listed in Section 12 of the Development Application Pre-Consultation Form. I have authority to bind the Owner.

Property Owner	Property Owner (Signature)	Date
Agent	Agent (Signature)	Date

(I have authority to bind the owner)

APPENDIX ONE: REQUIREMENTS FOR REPORTS/STUDIES AND PLANS

i. Planning Justification Report
A qualified planner (Registered Professional Planner) must submit a signed report providing planning justification for the proposed amendment in light of the objectives and policies of the City's Official Plan and the technical studies accompanying the application. The goal of the report is to document how the proposed departure from the local policies and regulations represents good planning and is in the public interest. The report must include items listed in the attached Pre-Submission Checklist.

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

iii. Survey and Severance Sketch, prepared by an Ontario Land Surveyor
Survey / Reference Plan of site showing PINs, easements, property boundaries etc.

iv. Land Use Compatibility Study
Required for applications proposing sensitive land uses in proximity to existing industrial uses, or proposing industrial uses in proximity to existing sensitive uses, in accordance with 4.6.2 of the City's Official Plan, Part IV, Sections 143 of the Regional Official Plan, and the Ministry of the Environment D-6 series guidelines or other Provincial land use compatibility guidelines.

v. Retail and Service Commercial Needs Assessment
Required in accordance with Chapter 8 of the Official Plan.

vi. Financial Impact Study
Required for a major development application which is deemed to have a potential impact on the City's financial sustainability and which meets the criteria listed in Subsection 6.5.2. of the Official Plan.

vii. Housing Impact Statement
Required for a development proposal which includes more than 100 dwelling units. Required in accordance with Subsection 3.1.1(2) h) of the Official Plan.

viii. Park Concept Plan
Required to illustrate how a parkette, neighbourhood park, community park, city-wide park, special resource area / linkage, and / or privately-owned publicly accessible open space (POPS) could be provided and function on a site in accordance with the applicable policies of Subsection 3.3.2 of the Official Plan.

ix. Agricultural Impact Assessment
Required In accordance with Subsection 9.2.2 (d) of the Official Plan, the Regional Official Plan and Halton Region's 'Agricultural Impact Assessment (AIA) Guidelines'.

x. Social Impact Assessment
Required to analyze, monitor and manage the intended and unintended social consequences of a development proposal, an infrastructure project, a policy or project, or any social change processes invoked by those interventions in accordance with Subsection 6.1.2 h) of the Official Plan.

xi. Archaeological Report
Required for all applications in or near areas of archaeological potential, as determined by the Region of Halton. Reports must be completed in accordance with Provincial requirements, the Regional Archaeological Master Plan and Subsection 3.5.2(5.2) of the City's Official Plan.

xii. Heritage Impact Study
Required where the City foresees potential unacceptable impacts on heritage attributes (including important landscapes, vistas and streetscapes) of a property designated pursuant to The Ontario Heritage Act, or of a property that in the opinion of the City has the potential to meet eligibility criteria for designation under The Ontario Heritage Act, in accordance with Subsection 3.5.2(5) of the Official Plan.

xiii. Cultural Heritage Landscape Impact Assessment
Required for a major development or infrastructure proposal within a Cultural Heritage Landscape Study Area Boundary or potential Cultural Heritage Landscape Study Area in accordance with Subsection 3.5.2(5.1) of the Official Plan.

xiv. Conceptual Site Plan Layout
General plan required showing proposed building envelopes, setbacks, driveways, parking and landscape areas.

xv. Architectural Plans
Architectural plans to include floor plans and elevation plans.

xvi. 3-D Model of Proposed Buildings
Required for major development proposals within the City's intensification areas, in accordance with the City's 3D Model Specifications, as amended.

xvii. Burlington Urban Design Advisory Panel (BUD) Comments
The Burlington Urban Design Advisory Panel (BUD) is an independent advisory body comprised of design professionals that provides urban design advice to the Community Planning Department. Advice from BUD will be integrated early in the review process to reinforce the City's expectation for a high standard of design excellence resulting in a more efficient and effective municipal development review. A copy of BUD meeting minutes must be submitted with the application along with a Design Brief explaining how their advice has been incorporated into the development proposal, in accordance with Subsection 12.1.2 (1.2) of the Official Plan.

xviii. Height Survey of Adjacent Buildings
Required for all infill and intensification development applications adjacent to residential properties, in accordance with Subsection 8.3.3(1) e) of the Official Plan. A surveyor's report must identify the highest points of the existing adjoining roofs measured from the existing average grade of the shared property line.

xix. Angular Plane Study
Identifies visual (height & overlook) impacts, sun shadow and wind impacts, and demonstrates how any adverse impacts can be mitigated to acceptable levels in accordance with Subsection 12.1.2 (1.2) of the Official Plan.

xx. Shadow Analysis Plan
May be required to demonstrate the potential shadow impacts of a proposed development on its surrounding context, in accordance with Subsections 7.3.2 and 12.1.2 (1.2) of the Official Plan and in compliance with the City's Shadow Study Guidelines and Terms of Reference.

xxi. Wind Impact Study
May be required to predict and assess the wind impacts of proposed buildings and site designs on surrounding public and private spaces in addition to on-site wind conditions, in accordance with Subsections 7.3.2 and 12.1.2 (1.2) of the Official Plan and in compliance with the City's Pedestrian Level Wind Guidelines and Terms of Reference.

xxii. Arborist's Report
Required in accordance with Subsection 4.3.2 of the Official Plan.

xxiii. Tree Inventory and Preservation Plan
Required when a property under application contains woodlots, tree stands or hedgerows, in accordance with Subsection 4.3.2 of the City's Official Plan and Part IV, Sections 146-147 of the Regional Official Plan. A tree survey must be prepared by a qualified professional, identifying all existing trees, their type, size and condition, those trees proposed to be removed and retained, and the methods to be used to ensure preservation and protection of those trees to be retained.

xxiv. Landscaping Plan
Required in accordance with Subsections 4.3.2 and 7.3.2 of the Official Plan. The Landscaping Plan must be prepared by a qualified professional (certified member of the Ontario Association of Landscape Architects), identifying the location and general design intent of the proposed plantings, identifies minimum required soil volumes for proposed planting areas and location of any structural soil cell installation areas.

xxv. Water and Wastewater Functional Servicing Report
Required for all applications in urban areas in accordance with Part III, Sections 87-89 of the Regional Official Plan. Municipal (Urban) Servicing Guidelines are available from the Halton Region.

xxvi. Hydrogeology Study / Water Budget & Hydrology Study
Required for all applications in areas subject to private water and septic services, in accordance with Subsections 9.1.2 and 9.5.2 of the Official Plan, the Regional Official Plan and Halton Region's 'Hydrogeological Studies & Best Management Practices for Groundwater Protection Guidelines.'

xxvii. Source Protection Disclosure Report
Required where there would be significant drinking water threats from activities associated with a proposed development, in accordance with Subsections 4.4.2(2) o) and p) of the Official Plan.

xxviii. Noise Feasibility / Vibration Study
Required for applications in accordance with Subsections 4.6 and 6.2.5 (2) of the Official Plan, Part IV, Sections 142-143 of the Regional Official Plan, and for all properties abutting arterial roads. In the case of Regional roads, applicants shall refer to Halton Region's 'Noise Abatement Guidelines'.

xxix. Transportation Impact Study
Required to assess the impact of a proposed development on current travel patterns and/or future multi-modal transportation requirements in accordance with Subsection 6.2.1(2) d) of the Official Plan and Sections 171-173 of the Regional Official Plan. Contact City Transportation Services staff (City roads) or Regional Public Works staff (Regional roads) for background information and to discuss TIS requirements. For Regional roads, applicants shall refer to Halton Region's 'Transportation Impact Study Guidelines.' The Ministry of Transportation must be contacted for development proposals near provincial highways or interchanges.

xxx. Transportation Demand Management and Implementation Strategy
Required for development proposals within Primary, Secondary and Employment Growth Areas and may be required within other areas of the City, excluding Residential Low-Density areas, in accordance with Subsection 6.2.10(2) of the Official Plan.

xxxi. Parking Justification Report
Required for development proposals that are requesting a reduced parking rate in order to assess the potential impacts and appropriateness of reduced parking rates, in accordance with Subsection 12.1.2 (1.2).

xxxii. Stormwater Management Report / Functional Drainage Report, Storm Services Plan and Flooding Hazard Delineation and/or Grading and Drainage Plans
Required for development proposals in accordance with Subsections 4.4.2(2) and 12.1.2 (1.2) of the Official Plan to understand and mitigate the effects of urbanization / development on the hydrologic and hydraulic cycle including increased runoff, and decreased infiltration or rain and snowmelt.

xxxiii. Environmental Impact Assessment
Required in accordance with Subsection 4.2.4 of the Official Plan, the Regional Official Plan and the Region's Environmental Impact Assessment Guidelines to demonstrate that a proposed development or site alteration will result in no negative impacts to the City's Natural Heritage System, its ecological functions, or hydrologic functions, to sensitive surface water features, or groundwater features or their hydrologic functions, or to key natural features.

xxxiv. Top-of-bank Demarcation / Slope Stability Assessment / Creek Erosion Assessment / Geomorphic Study
Required for applications on any property containing, or abutting a creek or valley feature, Lake Ontario or Burlington Bay shoreline, in accordance with Subsection 4.4.2 (3) of the Official Plan.

xxxv. Shoreline Hazardous Land Studies
Required in accordance with Subsection 4.5.1(2) of the Official Plan for applications along Lake Ontario and Burlington Bay/Hamilton Harbour.

xxxvi. Geotechnical Report
Required for proposals with underground parking structures or to determine stable top-of-bank in accordance with Subsection 4.4.2(2) of the Official Plan.

xxxvii. Phase I Environmental Assessment
Required to assess matters related to known or potential site contamination in accordance with Subsection 4.7.2 of the Official Plan, the Regional Official Plan and Halton Region's 'Protocol for Reviewing Development Applications with Respect to Contaminated or Potentially Contaminated Sites'. All requirements of O. Reg. 153/04 must be met for Phase One and Two studies and required Records of Site Condition (RSCs). A letter of reliance from the Environmental Consultant/Qualified Person, confirming the City of Burlington and the Region of Halton can rely on the information contained in the report(s) is required. All reports must be signed by a Qualified Person as defined under O. Reg. 153/04.

xxxviii. Phase II Environmental Assessment
Required to assess matters related to known or potential site contamination in accordance with Subsection 4.7.2 of the Official Plan, the Regional Official Plan and Halton Region's 'Protocol for Reviewing Development Applications with Respect to Contaminated or Potentially Contaminated Sites'. All requirements of O. Reg. 153/04 must be met for Phase One and Two studies and required Records of Site Condition (RSCs). A letter of reliance from the Environmental Consultant/Qualified Person, confirming the City of Burlington and the Region of Halton can rely on the information contained in the report(s) is required. All reports must be signed by a Qualified Person as defined under O. Reg. 153/04.

xxxix. Landfill Assessment
Required for development proposals on or within 500 metres of an area identified as a former Waste Disposal Site, in accordance with Subsection 4.8.2 of the Official Plan.

xl. Sustainable Building and Design Guidelines Checklist
Required for high and medium density residential, mixed use, commercial, industrial, office, institutional and public service facilities in accordance with Subsection 7.4.1 of the Official Plan, the Regional Official Plan and Halton Region's 'Healthy Communities Guidelines.'

xli. Phasing Strategy for Development of Retail and Service Commercial Use
Required for applications proposing a comprehensive development of a site that include the replacement of existing commercial floor area. Required to demonstrate that the proposed development does not adversely impact the long-term provision of goods and services as the site transitions to its complete stage of development in accordance with Chapter 8 of the Official Plan.

xlii. Public Consultation Strategy
Required for individual development applications and outlines a proposed strategy for consulting with the public, in accordance with Subsection 12.1.2 (1.2)

xliii. Response to Comments Received at a Community Meeting Held in Advance of a Formal Development Application
In accordance with Subsection 12.1.2 (1.2).

xliv. Comprehensive Block Plan
Required to provide a framework for the distribution of development and provide design direction on streets and blocks, land use, parks and open space, building massing, building setbacks, public realm and streetscapes, parking and access, landscape, pedestrian connections and heritage integration in accordance with 8.1.1(3.7) and 8.1.1(3.20) of the Official Plan.

xlv. Urban Design Brief
Required to be prepared by a qualified person, and demonstrates how a proposed development meets the policies of the Official Plan and addresses the relevant design guidelines in accordance with Subsection 7.1.2 of the Official Plan.

xlvi. Tenant Relocation and Assistance Plan
Required for development applications which include the demolition of residential rental properties or the conversion to condominium tenure or owner occupancy, including the right to return and alternative accommodations to lessen hardship in accordance with Subsection 3.1.2 (2) and 12.1.2 (1.2) of the Official Plan.

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

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

Preconsultation Meeting Notes

127 Plains Road West - September 6, 2023

Attendees:
City of Burlington – Jaclyn Schneider, Bill Wallace, Smeeta Adiga, Adam Scott, Samantha Romlewski
Halton Region – Adam Huycke, Amanda McNeish, John Kisneris

Description of Development Concept:

- 26-storey (21-storey tower, 5-storey podium) mixed use building with 240 dwelling units and 381m2 of retail at-grade. Structured and underground parking are proposed.

Planning Comments:

Official Plan (1997, as amended)

- The lands are identified within the 'Mixed Use Activity Area' in Schedule A – Settlement Pattern where employment, shopping, and residential uses will be developed.
- To encourage comprehensively planned mixed use employment, shopping and residential areas that provide for the integration of uses such as retail stores, offices, hotels, institutional and entertainment uses with residential uses, community facilities, cultural facilities, institutions and open space in a compact urban form, while retaining compatibility with nearby land uses (Part III, Subsection 5.2.1 a)).
- The lands are designated 'Mixed Use Corridor – General' in Schedule B – Comprehensive Land Use Plan – Urban Planning Area.
- The following uses may be permitted within the Mixed Use Corridor - General, Mixed Use Corridor -Employment and Mixed Use Corridor - Commercial Corridor designations:
    - a wide range of retail, service commercial and personal service uses; financial institutions and services; a broad range of office uses; entertainment, recreation and other community facilities such as day care centres; and small scale motor vehicle dealerships;
    - high density residential uses and a full range of office uses. Townhouses may only be permitted as a component of an overall development of mixed residential or residential/commercial building forms, where the townhouse portion of the mixed development does not abut the multi-purpose arterial or major arterial road and where the development of the townhouse component does not compromise the long-term objectives for the Mixed Use Corridor designation with respect to such matters as mix of uses, building form and intensity; and
    - development and re-development of lands within a major transit station area, such as a GO transit commuter rail station, shall achieve a higher intensity of re-development and consist of transit supportive uses, as called for and defined in the Growth Plan for the Greater Golden Horseshoe. Notwithstanding Part III, Subsection 5.3.3 b) and e), those lands designated Mixed Use Corridor subject to the Commercial Corridor Policies of Subsection 5.3.3 and located within a major transit station area, shall permit only transit supportive uses, as defined in the Growth Plan for the Greater Golden Horseshoe, have a minimum floor space index of 0.5 and a minimum building height of two storeys (Part III, Subsection 5.3.2 a)).
- Retail and service commercial uses are to be located at street level in office or residential buildings (Part III, Subsection 5.3.2 c)).
- The maximum floor area ratio is 1.5:1 and the minimum building height is 2-storeys and the maximum building height is 6-storeys. Where required to ensure compatibility, 4- to 6-storey buildings may be required to be terraced back from adjacent residential areas and/or the street (Part III, Subsection 5.3.2 d)).
- The property is on a 'Multi-Purpose Arterial' as per Schedule J – Classification of Transportation Facilities.

- It appears that there may be residential rental units on the upper storey of the commercial plaza. The demolition or conversion to feehold or condominium ownership of residential rental properties containing six or more units should not be permitted unless the following conditions are satisfied:
    - the rental vacancy rate by dwelling/structure type for the City of Burlington as defined and reported yearly through the C.M.H.C. Rental Market Survey has been at or above 3 per cent for the preceding two-year reporting period;
    - the building for which conversion is proposed meets the requirements of the property standards by-law, the Ontario Building Code, and any other applicable law, or will be upgraded in accordance with these standards and requirements;
    - where demolition occurs, replacement rental housing units are provided for those units that are demolished;
    - that negative economic and other impacts upon tenants are minimized; and
    - the requirements of any applicable Provincial legislation or regulation, as amended, are met (Part III, Subsection 2.3.2 f).
- The policies for housing intensification in Part III, Subsection 2.5.2 apply.
- There are surrounding properties that are designated 'General Employment'. As per Part III, Subsection 3.0 *Employment Lands*, these are the main locations where office and industrial activities will occur. Land use compatibility will be considered as the proposal is for a sensitive land use (residential).

Zoning By-law (2020)

- The property is within the Mixed Use Corridor – General zone as per Part 5.
- The property may permit retail commercial, service commercial, office, community, entertainment and recreation, and residential uses.
- The minimum yard abutting a street is 3 m, rear yard is 3 m, and side yard is 0 m.
- The maximum floor area ratio is 1.5:1 and maximum floor area per retail or service commercial use is 1800 m².
- The minimum landscape area abutting a street is 3 m. An outdoor patio may encroach into a required landscape area abutting a street.
- The minimum landscape buffer abutting a residential zone is 6m.
- Parking shall be provided in accordance with Part 1, Subsection 2.25 "Off-Street Parking and Loading Requirements", except as amended by Part 5, Subsection 4.6.
- Amenity area required is 15 m² per efficiency dwelling unit, 20 m² per 1-bedroom unit, and 35 m² per 2- or more bedroom unit.

Official Plan (2020)

Burlington's new Official Plan was adopted by City Council on April 26, 2018 and approved, with modifications, by Halton Region on November 30, 2020. The Planning Act states that all parts of an approved Official Plan that are not subject to appeal will come into effect on the day after the end of the appeal period. That date was December 22, 2020 for the Burlington Official Plan.

The record prepared for the Ontario Land Tribunal (OLT) by Halton Region on December 23, 2020 states that a total of 48 appeals were filed regarding the Burlington Official Plan, 2020. You can view a list of the appeals below. For those parts of the plan which have been referred to the OLT for a decision, relevant sections of the Burlington Official Plan, 1997 (as amended) will remain in effect until the applicable appeals have been resolved.
As the OLT process advances, the Burlington Official Plan, 2020 is subject to change and the interim working version will require periodic updates. The interim working version of the Burlington Official Plan, 2020 must be read along with all appeals, as well as any orders and decisions resulting out of subsequent OLT proceedings, and users must satisfy themselves as to the legal status and applicability of the policies.
The interim working version of the Burlington Official Plan, 2020 is provided for information purposes only. For legal purposes, reference should be made to the original certified documents which are on file with the City Clerk including the April 26, 2018 City of Burlington

adopting bylaw (By-law 024-2018), the Nov. 30, 2020 Halton Region Notice of Decision and all subsequent orders and decisions issued by the OLT.
You can view the status of the OLT case, scheduled hearings, and orders and decisions that have been issued by visiting the Ontario Land Tribunal's website and searching case number "OLT-22-002219" (legacy case number PL210040).

For more information please visit the City's New Official Plan Project website https://www.burlington.ca/en/services-for-you/official-plan-review.asp.

- The lands are identified within the 'Mixed Use Nodes and Intensification Corridors' in Schedule B – Urban Structure.
- Mixed Use Intensification Areas include the city's existing urban centres, emerging MTSAs and other mixed use nodes and intensification corridors. This organization reinforces that while all areas are considered part of the intensification areas, each has an important and distinct role (Chapter 2, Subsection 2.3.1 a).
- Lands identified as Mixed Use Nodes represent areas with a concentration of commercial, residential and employment uses with development intensities generally greater than surrounding areas. Nodes are generally located at points where two or more transit routes intersect (Chapter 2, Subsection 2.3.1 j).
- The design and development of Mixed Use Nodes and Intensification Corridors shall promote these areas as focal points for community activities that are characterized by a compact form of development, pedestrian-orientation, greater accessibility to public transit and higher intensity development (Chapter 8, Subsection 8.1.3(2) a)).
- In residential buildings containing retail and service commercial uses at grade, office uses or uses accessory to residential uses may be required in the second storey to minimize the potential adverse effects of noise and vibration that may be generated by some types of retail and service commercial uses (Chapter 8, Subsection 8.1.3(2) h)).
- The lands are within the Primary Growth Area in Schedule B-1 – Growth Framework. Primary Growth Areas:
    - are identified on Schedule B-1: Growth Framework, of this Plan and are generally located within areas identified in the Urban Structure within the Mixed Use Intensification Areas as Urban Centres and MTSA Special Planning Areas, as identified on Schedule B: Urban Structure, of this Plan, with some exceptions.
    - shall be recognized as a distinct area within the City's Urban Area accommodating the majority of the city's forecasted growth over the planning horizon of this Plan and beyond, and consequently will experience the greatest degree of change;
    - shall be regarded as the most appropriate and predominant location for new tall buildings in accordance with the underlying land use designations, or the land use policies of an area-specific plan;
    - shall be identified as priority locations for City-initiated area-specific planning and for investments in transit as well as other types of infrastructure and public service facilities, including parks to support population and employment growth;
    - and shall support the frequent transit corridors and accommodate development that is compact, mixed use, and pedestrian-oriented in nature.
- The lands are on a MTSA Primary Connector and Frequent Transit Corridor in Schedule B-2 – Growth Framework and Long Term Frequent Transit Corridors.
- The lands are designated Urban Corridor in Schedule C – Land Use – Urban Area. The Urban Corridor designation recognizes the diversity of the lands along the corridor and establishes policies allowing for flexibility. Key intersections and areas within Major Transit Station Areas are identified as having the potential to develop into full mixed-use areas, while general areas along the corridor may develop for single use, including residential (Chapter 8, Subsection 8.1.3).
- To provide opportunities for a range of small and medium-scale retail and service commercial uses, and public service facilities in locations that meet residents' day-to-day and weekly goods and service needs (Chapter 8, Subsection 8.1.3(7.1) b)).
- To protect the planned commercial function within Urban Corridors (Chapter 8, Subsection 8.1.3(7.1) f)).

- Urban Corridor lands are intended to provide for the day-to-day and goods and service needs of residents and employees within and in proximity to the Corridor and may also serve a broader city-wide market (Chapter 8, Subsection 8.1.3(7.2) b)).
- A maximum floor area ratio of development of 2.0:1 is an appropriate built form in Urban Corridor lands. An increase to this floor area ratio may occur through a site-specific Zoning By-law amendment or minor variance application, without the need for an amendment to this Plan, provided that the objectives of the Urban Corridor designation are maintained (Chapter 8, Subsection 8.1.3(7.2) f)).
- The minimum building height shall be two (2) storeys and the maximum building height shall not exceed six (6) storeys. Where required to ensure compatibility, four (4) to six (6) storey buildings may be required to be terraced back from adjacent residential areas and/or the street (Chapter 8, Subsection 8.1.3(7.2) g)).
- The Zoning By-law shall establish a maximum floor area and a maximum floor area at grade per individual retail and service commercial unit, based on such considerations as planned commercial function, built form, and contribution to achieving vibrant, active and walkable built environments in Urban Corridor lands (Chapter 8, Subsection 8.1.3(7.2) n)).
- The lands are within the Aldershot GO Major Transit Station Area in Schedule G – Aldershot GO MTSA Special Planning Area.
- MTSAs will exhibit a wide variety of land uses and building types, and densities that will be oriented to support and facilitate transit and active transportation. Located in key areas served by the regional and local transit networks, MTSAs are focal points for higher intensity and mixed-use, transit supportive development that will accommodate a significant share of the City's future population and employment growth (Chapter 2, Subsection 2.3.1 h).
- The Aldershot GO MTSA is also located along a higher order transit route with planned frequent transit service by way of RER, however it is not identified on a Priority Transit Corridor in the Growth Plan. It is anticipated that the majority of growth within the City's four MTSAs will occur in the three MTSAs located along higher order transit routes and with planned frequent transit service by way of RER. The Region of Halton's municipal comprehensive review will confirm specific growth targets and MTSA boundaries. Further, area-specific plans will be prepared for these areas to establish a comprehensive vision for future transit-supportive development in each MTSA on the RER. (Chapter 8, Subsection 8.1.2.1 b)).
- The City shall complete area-specific plans or major planning studies to ensure that all Major Transit Station Areas are planned to implement mixed use transit-supportive development including employment uses, while ensuring compatibility with surrounding areas is achieved (Chapter 8, Subsection 8.1.2(2) a)).
- For the Burlington GO, Aldershot GO and Appleby GO MTSA Special Planning Areas, as identified on Schedule F: Burlington GO MTSA Special Planning Area; Schedule G: Aldershot GO MTSA Special Planning Area; and Schedule H: Appleby GO MTSA Special Planning Area, of this Plan, the applicable objectives and policies for the underlying land use designations on Schedule C: Land Use-Urban Area, the objectives and policies for MTSAs in Subsection 8.1.2 of this Plan, and any other applicable policies of this Plan, shall apply (Chapter 8, Subsection 8.1.2(3) b)).
- Chapter 3.1.2(2) a) considers the replacement of residential rental properties. The demolition of residential rental properties or the conversion to freehold or condominium ownership of a residential rental property containing six (6) or more units, in part, or in whole, shall not be permitted unless the following conditions are satisfied:
    - the rental vacancy rate by structure type for the City of Burlington as defined and reported yearly through the C.M.H.C. Rental Market Report has been at or above three (3) percent for the preceding two-year reporting period;
    - the building for which conversion is proposed meets the requirements of the property standards by-law, the Ontario Building Code, and any other applicable law, or will be upgraded in accordance with these standards and requirements;
    - that negative economic and other impacts upon tenants are minimized to an acceptable level; and
    - the requirements of any applicable Provincial legislation or regulation, as amended, are met.

- Land use compatibility is outlined in Section 4.6 of the new Official Plan (2020). The objectives are to:
    - To mitigate adverse effects to sensitive land uses from human-made hazards and environmental land use compatibility concerns such as noise, vibration, odour, dust and air pollution.
    - To protect employment uses from the encroachment of sensitive land uses.

City of Burlington Housing Strategy

Subsection 3.1.1(2)(g) of the new Official Plan (2020) and the City's Strategic Plan, directed the City to develop a city-wide housing strategy to among other things, support the Region of Halton's Housing Strategy, describe the current range and mix of housing in the city, establish city-wide housing objectives, examine opportunities for partnerships to increase the supply of affordable housing, to develop minimum targets in support of achieving the region of Halton's housing mix and affordable unit targets as well as two and three bedroom unit minimum targets.

The Burlington Housing Strategy and the Annual Housing Targets (Appendix B to the Housing Strategy) were approved by City Council on June 21, 2022. The City's Housing Strategy provides a roadmap for addressing local housing needs and increasing housing options that meet the needs of current and future residents at all stages of life and at all income levels. The Housing Strategy identifies 12 Actions to move toward the vision for housing in Burlington. It provides a set of action-oriented housing objectives (Themes) and an associated implementation plan that also identifies a list of Prioritized Actions and Quick Wins.

One of the housing objectives (Theme 1) of the Housing Strategy is to support a healthy rental housing stock through protecting existing rental building and supporting the creation of new rental units. The Housing Strategy identified the need for more rental housing options in order to move closer to the City's vision for housing where all residents have access to housing that meets their needs of unit mixes, size and accessibility. Another critical housing objectives (Theme 2) of the Housing Strategy is to support a broad variety of housing types and forms to increase housing options to meet the needs of all current and future residents at all stages of life. This objective is to be measured through increased diversification of the housing stock, including units for smaller households and units for larger households in high-density dwelling types. Similarly, Action 4 of the Housing Strategy established minimum targets around housing that build upon the policies of the Official Plan (2020) and use the findings of the Housing Strategy Project. These targets, appended to the Housing Strategy, set targets for new rental dwelling units, affordable residential units and 3-bedroom units.

Housing Impact Statement

Since the proposal includes more than 100 units, the submission of a housing impact statement is required, in accordance with policy 3.1.1(2)h) of the City's Official Plan (2020).

h) The City shall require the submission of a housing impact statement where a development proposal includes more than one hundred (100) dwelling units, identifying:
    (i) how the proposal contributes to achieving the Region of Halton housing targets, including identification of any proposed new affordable or assisted housing units;
    (ii) how the estimated rents and/or initial sales prices of the development are at or below the affordable housing thresholds by type;
    (iii) where construction of the units is expected to occur in phases, information regarding the number of affordable housing units to be provided per phase, where applicable; and

(iv) the proposed legal and/or financial mechanisms to ensure the delivery of any proposed new affordable housing commitments, and mechanisms to retain the long term affordability of units, where applicable.

Rental Replacement Policies

If the existing building contains rental units, the application should refer to the rental replacement policies, in accordance with Part lll, 2.3.2 f) of the current official plan(1997) and the section 3.1.2(2) of the new City's Official Plan (2020).

Official Plan (1997, as amended)

Housing Supply (Part lll, Section 2.3.2)

f) The demolition or conversion to freehold or condominium ownership of residential rental properties containing six or more units should not be permitted unless the following conditions are satisfied:
   (i) the rental vacancy rate by dwelling/structure type for the City of Burlington as defined and reported yearly through the C.M.H.C. Rental Market Survey has been at or above 3 per cent for the preceding two-year reporting period;
   (ii) the building for which conversion is proposed meets the requirements of the property standards by-law, the Ontario Building Code, and any other applicable law, or will be upgraded in accordance with these standards and requirements;
   (iii) where demolition occurs, replacement rental housing units are provided for those units that are demolished;
   (iv) that negative economic and other impacts upon tenants are minimized; and
   (v) the requirements of any applicable Provincial legislation or regulation, as amended, are met.

Official Plan (2020)

Housing Tenure (3.1.2(2))

a) The demolition of residential rental properties or the conversion to freehold or condominium ownership of a residential rental property containing six (6) or more units, in part, or in whole, shall not be permitted unless the following conditions are satisfied:
   (i) the rental vacancy rate by structure type for the City of Burlington as defined and reported yearly through the C.M.H.C. Rental Market Report has been at or above three (3) percent for the preceding two-year reporting period;
   (ii) the building for which conversion is proposed meets the requirements of the property standards by-law, the Ontario Building Code, and any other applicable law, or will be upgraded in accordance with these standards and requirements;
   (iii) that negative economic and other impacts upon tenants are minimized to an acceptable level; and
   (iv) the requirements of any applicable Provincial legislation or regulation, as amended, are met.

b) Notwithstanding 3.1.2 (2) a) (i), the demolition of residential rental units may be permitted in conjunction with a development application which at a minimum shall provide the same number of rental units with the same number of bedrooms per unit, at a similar rental rate at the time of development application submission, as those units that are demolished.
c) A development application related to the demolition of residential rental properties or the conversion to condominium tenure or owner occupancy shall include, to the satisfaction of the City, proof of tenant notification of the demolition or conversion proposal and proof of notification of the rights of tenants under Provincial residential tenancy legislation, including a minimum of 1 (one) tenants' only meeting as a part of the development application process. The preparation of a tenant relocation and assistance plan, including right to return and alternative accommodations to lessen hardship, may also be required.

d) The City will encourage the construction of rental housing with a full mix and range of unit types and sized

Area-Specific Plan for Aldershot GO MTSA Special Planning Area (Aldershot Corners)

- At the January 11th, 2022 Community Planning, Regulation and Mobility Committee Meeting, through staff report PL-02-22 (released on January 4th with the CPRM agenda), Council endorsed in principle the Recommend Preferred Precinct Plans for Burlington's Major Transit Station Areas. Council's endorsement represents a critical check point in the project that enabled staff to move forward to the next stage of the project which involved the creation of area-specific plans and supporting Official Plan Amendments for each of the MTSAs.

- *MTSA Recommended Preferred Precinct Plans (Dec 2022); Final Report (Jul 2022):*

    - The Council endorsed Recommended Preferred Precinct Plan (as shown in Appendix B to PL-02-22) for the Aldershot GO MTSA shows 127 Plains Road West as being located in the "Mid-Rise Residential" Precinct.

    - There are a variety of uses that will be permitted across the MTSA and encouraged throughout all the precincts as they are mixed use in nature. Public service facilities will be permitted and encouraged in all precincts.

    - The Mid-Rise Residential precinct will include a variety of low-rise and mid-rise building forms at the eastern and western edges of the Aldershot GO MTSA. This precinct is planned to support access to housing as well as retail, commercial, and employment opportunities in close proximity to the Aldershot GO Transit Station and allow for transitions to existing neighbourhoods beyond the MTSA boundary.

    - Permitted uses include: i. apartments; ii. stacked townhouses; iii. back-to-back townhouses; iv. street townhouses that form the base of buildings; v. office uses; vi. retail and service commercial uses (on bottom two floors only); and, vii. recreation uses (on bottom two floors only)

    - The minimum building height is three (3) storeys and maximum building height is eleven (11) storeys.

    - 127 Plains Road West is located along a MTSA Mixed Use General Street as shown on Figure 3.8 of the MTSA Area Specific Planning Study Final Report. See Section 3.3.3.2 'Retail Streets' of the Final Report for policy directions.

    - The MTSA ASP Study Final Report contemplates requiring detailed land use compatibility studies as part of the approvals process for any future development containing sensitive uses. Refer to 3.3.7.1 General Land Use Compatibility Policies of the MTSA ASP Final Report. Also refer to the recently completed MTSA Land Use Compatibility Study (May 2023) prepared by Dillon Consulting, particularly Section 7.0 Discussion of Technical Study Requirements, for more information.

    - For more information, visit www.getinvolvedburlington.ca/mtsa, refer to staff report PL-02-22, including Appendix A, Interim Report or PL-10-22, MTSA ASP Planning Study Update, Appendix A, MTSA ASP Planning Study Final Report.

- Halton Region has confirmed through Regional Official Plan Amendment 48 that the subject lands are within the Aldershot GO MTSA (now Protected MTSA). Therefore, while not determinative, the policies in Section 8.1.2 (Major Transit Station Areas) of the Official Plan (2020) are informative in the review of the subject applications. This section contains guidance for development applications preceding the completion of the City's area-specific plans.

- Staff are also taking stock of the recent changes that have been made by the Province to the broader Provincial and Regional planning framework and assessing its impacts on the MTSA Area-Specific Planning Project and the City's Official Plan. These provincial changes include the Bill 97 *Helping Homebuyers, Protecting Tenants Act, 2023,* Bill 23, the More Homes Built Faster Act, 2022 which received Royal Assent on November 28, 2022, and the Minister of Municipal Affairs and Housing's modified approval of Regional Official Plan Amendment 49 on November 4, 2022.

- On June 27, 2023, the Community Planning, Regulation and Mobility Committee considered staff report PL-40-23: MTSA Update & Community Planning Permit Exploration. The report provides an overview of the Community Planning Permit (CPP) System tool under the Planning Act and recommends that a CPP System and By-law be established in the MTSAs. The staff report also provides a general update on the MTSA ASP Planning Project and delivers the technical studies that have been completed since staff's last update report to Council in June 2022.

- A draft of the official plan policies and CPP By-law are anticipated to be released for public engagement in Fall 2023. Please reach out to mtsa@burlington.ca if you ae interested in setting up a meeting to discuss the draft CPP By-law and accompanying Official Plan Amendment that are currently being developed by staff for the City's MTSAs.

- The MTSA Transportation Study Final report is currently be finalized and will be posted to www.getinvolvedburlington.ca/mtsa once available. The report will identify new street typologies for new and existing streets in the MTSAs beyond the classifications in Table 2 and Schedule O-1 of the Official Plan. It will also be considering right of way widths slightly wider than what is currently contemplated in the Official Plan for new streets to balance all modes in the MTSAs and accommodate enhanced AT connections, public realm and transit.

- Continue to follow the MTSA project as the draft Official Plan policies and Community Planning Permit By-law are developed for the City's MTSAs at www.getinvolvedburlington.ca/mtsa.

Preliminary Review of the Proposal

NOTE: Section 22(2.1) of the Planning Act states that no person or public body shall request an amendment to a new official plan before the second anniversary of the first day any part of the plan comes into effect. Exceptions include where a council has declared by resolution that such a request is permitted.

- The properties directly abutting the subject site are mainly made up of "Mixed Use Corridor – General" zones, "Mixed Use Corridor – Commercial" zones, "General Employment" zones, and "Community Commercial" zones.
- The applicant has requested an Official Plan Amendment and Zoning By-law Amendment for the proposal as it requests the development a 26-storey mixed use building (240 dwelling units and 381m² of retail at-grade) with other site-specific zoning regulations.

- As there have been 'General Employment' lands identified surrounding the property, staff would need to consider land use compatibility as the proposal would add 240 residential units on the subject property.
- Tall Building Design Guidelines (2017) would apply to the proposed development as the building is proposed to be over 11-storeys. As presented, the building would not meet the design guidelines as the height of the podium is proposed to be 5-storeys whereas 3-storeys is the maximum. Additionally, the floor to ceiling height of the ground floor should be a minimum of 4.5 m to accommodate internal servicing and loading, and active commercial uses. The property is also on a corner lot which has special considerations. Please consider setbacks from the curb. The tower should also be setback 12.5 m from the adjacent property lines to protect for a future 25 m separation distance between properties.
- The applicant has also requested other site-specific regulations for the proposed development. Through this initial review, the 3 m yard abutting a street setback is met from Howard Road and Plains Road West. The 3 m rear yard setback appears to be reduced to 2 m. Staff would recommend that the applicant review Part 5 of the Zoning By-law to ensure all other provisions are met or include additional site-specific requests in the proposed Zoning By-law Amendment.
- The property permits a maximum floor area of 1800m² of retail and service commercial. The proposal is to replace an existing commercial plaza. The proposal includes 381 m² of retail commercial use at-grade. Staff would request that the ground floor commercial use be increased to provide greater commercial use at-grade.
- Staff would also request that the applicant consider a greater mix of uses. As indicated by the policies of the Urban Corridor designation, a greater mix of uses is considered for these types of sites.
- Parking shall be provided in accordance with Part 1, Subsection 2.25 "Off-Street Parking and Loading Requirements". If the parking provisions are not met, then a site-specific request should be identified in the proposed Zoning By-law Amendment. It appears that the underground parking will have a reduced setback to the lot lines. As per Part 1, Subsection 2.26 (5), below grade parking structures shall be setback 3 m from all other property lines and street lines. These setbacks should be met.
- Although the City's policy states that the rental replacement would only consider 6 or more residential rental units, the Region's policy requires the local municipalities to use a rental housing vacancy rate of 3 per cent as the minimum threshold to permit the conversion of existing rental housing to ownership tenure or other uses or the demolition of such housing (ROP, 86(19)). The ROP has the stricter policy which will apply.

Application Requirements

- An Official Plan Amendment and Zoning By-law amendment application would be required to facilitate the proposed use.
- Prior to submitting the application, a Pre-Application Public Consultation Meeting is required:
    - The meeting is to be organized by the applicant and must be held before the application is submitted. Please try to avoid holding meetings in late December.
    - Circulation of the meeting invitation to residents and tenants within 120 metres of the development site will be completed by the City for a fee. Provide a PDF of the meeting invitation on the applicant's letterhead for distribution. Notice must be sent a minimum of 20 days in advance of the meeting.
    - Please notify the Ward Councilor, and the Coordinator of Development Review of the date, time and location of the meeting. Be sure your meeting location is accessible and close to the development site. We have the capability to hold meetings in-person, hybrid or virtually. Please contact William Wallace, Coordinator of Development Review, at William.wallace@burlington.ca and identify the type of meeting you would prefer.
    - During the meeting, provide a detailed overview of the development proposal and allow time for questions and comments from the public. Take notes of the discussion.
    - As part of a complete application, the applicant must provide neighbourhood meeting minutes which include a written summary of public input received at the meeting. As

part of the Planning Justification Report, the applicant must explain how this public input was used to modify the development proposal.
    - If a complete application is not submitted within six months of this pre-consultation form, another community meeting may be required.
- A Planning Justification Report will be required:
    - to discuss the impact of Provincial, Regional and local planning policy (including both 1997 and New Official Plan (2020)) on the proposed land use;
    - to explain why the requested change of land use;
    - to explain how the proposed land use, traffic access, servicing, and parkland aspects of this development work within the context of the greater area, is desirable and represents good planning;
    - to discuss how the results of required technical studies have been used to refine the proposal;
    - to explain how input received at the pre-application public consultation meeting has been used to refine the proposal; and
    - to explain how the proposed use is appropriate for the Urban Corridor designation and is compatible with surrounding land uses.
- A conceptual site plan including, but not limited to, the proposed GFA calculations for the uses proposed, building setbacks and height as well as parking and loading spaces with measurements will be required.
- Staff contact: Jaclyn Schneider, Planner II, jaclyn.schneider@burlington.ca

Region of Halton Planning Comments:
REGIONAL OFFICIAL PLAN, 2009

The subject lands are designated Urban Area (Map 1) per the Region's Official Plan (ROP), 2009 as amended by Regional Official Plan Amendment (ROPA) 48 and 49, and located within the Built Boundary. The subject lands are further located within an identified Major Transit Station Area on a Commuter Rail Corridor (MTSA) and Regional Intensification Corridor which is considered to be part of the Strategic Growth Area in the ROP.

Regional Official Plan Amendment No. 48

Regional Official Plan Amendment (ROPA) 48 was adopted by Regional Council on July 7, 2021 and approved by the Province on November 10, 2021. This amendment is the first amendment to be advanced as part of the Regional Official Plan Review under Section 26 of the Planning Act. The amendment defines specific elements of a Regional Urban Structure including strategic growth areas and the delineation of Urban Growth Centres and Major Transit Station Areas. ROPA 48 also includes a limited number of Employment Area conversions, establishes targets for strategic growth areas and updates the population and employment allocations assigned to Halton Region to 2051 by the Growth Plan, 2019.

Regional Official Plan Amendment No. 49

Regional Official Plan Amendment (ROPA) 49 was adopted by Regional Council on June 15, 2022 and is the second amendment to be advanced as part of the Regional Official Plan Review under Section 26 of the Planning Act. The amendment is to implement the results of the Region's Integrated Growth Management Strategy (IGMS), which considered how to accommodate growth in Halton to the 2051 planning horizon as part of the municipal comprehensive review process. The amendment also includes changes that support planning for growth in Halton and achieve conformity with the Provincial Growth Plan for the Greater Golden Horseshoe.

The Ministry of Municipal Affairs and Housing is the approval authority of ROPA 49 and issued a decision on November 4th 2022. The Minister's decision is final and not appealable. The proposed development has been reviewed against the in-force Regional Official Plan with regard to the policies of ROPA 49, as adopted by the Province.

- The Urban Area (Section 72) policies of the Regional Official Plan (ROP) identify that the goal of the Urban Area and the Regional Urban Structure is to manage growth in a manner that fosters complete communities, enhances mobility across Halton, addresses climate change, and improves housing affordability, sustainability and economic prosperity.
- Section 78 identifies a Regional Urban Structure that directs growth to *Strategic Growth Areas*. The Regional Urban Structure as shown on Map 1H implements Halton's planning vision and growth management strategy and sets out a hierarchy in which to direct population and employment growth to ensure efficient use of land and infrastructure while supporting transit, and the long-term protection of lands for employment uses. A focus is placed on directing a significant portion of population and certain types of employment growth within Strategic Growth Area through mixed use intensification supportive of the local role and function and reflective of its place in the hierarchy of Strategic Growth Areas identified in the ROP.
- Staff note that the Subject Lands are located within the boundary of a 'Major Transit Station Area on a Commuter Rail Corridor' and along a 'Regional Intensification Corridor' which form part of a defined *Strategic Growth Area*.
- The ROP identifies and supports the comprehensive planning for these areas in accordance with policy 77(5) of the ROP. Specifically, the Region's Official Plan (Section 48, 77 (5) and Section 79.3(3)) provides that *Area Specific Plans* are required for the development or redevelopment of new or existing major growth areas. An approved *Area Specific Plan* would provide for the comprehensive development of such an area. Any application received in advance of the approval of approval of an *Area Specific Plan* for this area may be considered premature. Careful consideration of the proposed intensification of use for the subject lands needs to be given within the context of the Region's growth management strategy.
    - Matters to be addressed should an application be submitted in advance of the completion of the Regional Comprehensive Review and City of Burlington Area Specific Plan for these areas include:
        - How the proposal addresses the Regional Urban Structure and growth management policies of the ROP as amended by ROPA 48;
        - Consideration and evaluation of Section 77(5) of the ROP;
        - Comprehensive evaluation of the municipal services within the area consistent with the Region's Area Servicing Plan requirements;
        - Comprehensive evaluation of traffic impacts for the area and the proposed development (also subject to City of Burlington input);
        - Comprehensive analysis of flooding, floodplains and Regional Natural Heritage System impacts in conjunction with Conservation Halton (as applicable).
- Section 77(22) and 79.3(13) of the ROP requires Local Municipalities to include in their Official Plans development criteria to ensure that, outside of Employment Areas, the redevelopment of any employment lands will retain space for a similar number of jobs to remain accommodated on site.
    - In reviewing the proposal, it appears that the development will result in the loss of jobs/demolition of existing employment use (i.e., the existing ground floor commercial use).
    - The development concept and Planning Justification Report should clearly demonstrate how the loss of employment space and jobs is being addressed as part of the redevelopment of these lands.
- Section 84 states that it is a goal for housing to supply the people of Halton with an adequate mix and variety of housing to satisfy differing physical, social and economic needs.
- Additional housing polices in the ROP speak to making efficient use of serviced lands to increase the supply of housing, and encouraging Local Municipalities and the development industry to be innovative in housing designs.
- The ROP also contains a number of policies that support the development of a diverse housing mix to satisfy differing physical, social and economic needs, as well as the provision of assisted and affordable housing, especially within areas where public transit, retail and other facilities are readily available. Increased opportunities for the development of Affordable Housing, particularly within Strategic Growth Areas is encouraged.

- Information and resources on assisted and affordable rental housing programs for private sector developers in Halton Region has been attached to these notes for the proponent's information.
- Regional Staff question whether the proposed redevelopment would result in the demolition of rental housing:
    - The ROP requires Local Municipalities to use a 3 per cent vacancy rate to permit the conversion or demolition of rental housing. It is further noted that the current vacancy rate for Burlington is well below 3 per cent. Further information and justification should be clearly provided in the Planning Justification Report to address this matter.
    - Should the proposal result in the demolition of purpose built rental units, it is **not** permitted by ROP policy.
    - A robust housing analysis, including a tenant relocation plan will be required as part of the complete application, should removal of rental housing be proposed. The replacement and permanent protection of all existing rental units will be required as part of any redevelopment plan.

Land Use Compatibility with Sensitive Use

- Section 143(12) of the ROP requires the proponent of sensitive land uses in proximity to industrial, transportation and utility sources of noise, vibration, odour and air pollutants to complete appropriate studies and undertake necessary mitigating actions, in accordance with the Region's Land Use Compatibility Guidelines, Air Quality Impact Assessment Guidelines, and any applicable Ministry of the Environment guidelines.
- The subject lands about Employment lands and further appear to be within the Potential Area of Influence of major facilities such as King Paving & Construction and St. Marys Cement.
- As such, a Land Use Compatibility Assessment (including Air Quality Assessment and Noise Assessment) is required to be submitted and to support the proposed development, which may be subject to Peer Review at the cost of the applicant.
    - In accordance with ROP policy, impacts from the adjacent major facilities needs to be assessed, and appropriate recommendations/mitigation measures are to be implemented to address potential impacts on the proposed sensitive use as part of a development application submission.
- Land Use Compatibility with the proposed sensitive use (i.e., residential) should also be discussed and addressed within the Planning Justification Report.

Potential for Site Contamination

- In accordance with S.147(17) of the Region's Official Plan states that a property is to be free of contamination prior to any development/change of use taking place.
    - Submission of a Regional Environmental Site Screening Questionnaire is required in addition to a Phase 1 Environmental Site Assessment (ESA), completed to O. Reg 153/04 standards and accompanied by a Letter of Reliance granting the Region third party reliance. Please follow the Region's letter template in this respect.
    - A Phase 2 ESA may be required depending upon the recommendation(s) of the Phase 1 ESA.

Waste Management:

- Residential waste (recycling, organics and garbage) may be eligible for Region waste collection, providing the requirements be met as outline in Development Design Guidelines for Source Separation of Solid Waste.
- Commercial units will not be serviced at this location which is outside the Region's designated commercial collection areas. Private waste collection is required for the commercial component.
- A Supplementary Waste Plan must demonstrate how waste will be managed, stored and collected in a manner that is safe, functional and accessible, to the satisfaction of Halton Region.

- The Waste Management Plan and associated representative scaled drawings should be designed per the Region's Development Design Guidelines for Source Separation of Solid Waste and provide information on the following:
    - Number of residential units/ types of units.
    - Number of floors.
    - The number of Recycling and Organic Material Receptacles required.
    - The size and number of Front End garbage collection bins required.
    - Truck turning plan/auto turn plans showing turning radius from center line (labelled) throughout the site/collection path from the municipal road to the collection point and back to the municipal road.
    - Show/label with dimensions, the available length of the head-on approach and the length the truck will be required to reverse.
    - Show/label with dimensions the vertical clearance of the loading area. This should be clearly shown on an elevation.
    - Show/label where the waste collection point will be within the loading area. Please indicate length and width of the space available.
    - Please submit a scaled drawing indicating how the bins will be configured (staging area) including dimensions, grade, waste receptacle placement, compacting and sorting equipment in the internal waste handling rooms, and proposed doors per Section 1.3.7.
    - Description of the flow of waste receptacles from the waste storage room to the outdoor Waste collection loading area.
    - Show external enclosures required, including the configuration of the required number of Waste receptacles.
    - Indicate the location of the bulk waste storage room, including dimensions.
    - A safety warning system with flashing lights and signs must be put in place notifying cars entering and exiting the underground garage that a collection vehicle is backing up and in area.
    - Indicate where commercial waste will be stored separate from residential waste.

  Please ensure the following general design considerations/technical requirements are accounted for:

    - Sufficient space for a rear packer collection vehicle and side loader collection vehicle is available to operate safely. Occupants of the vehicle must be able to open both doors and exit the vehicle, and be able to walk the perimeter of the vehicle unhindered. Please ensure there is sufficient space to accommodate the length of the truck with the forks extended to carry out waste collection of all waste receptacles.
    - A minimum turning radius of 13 m from centre line is required for waste collection vehicles.
      NOTE: The current concept plans shows a 12m turning radius which does not adhere to Regional guidelines.

    - Vertical clearance required for the loading area for Regional collection vehicles is 7.5 m. A 5m vertical clearance is required when a collection vehicle is driving underneath any portion of the building towards the loading area.
    - Loading area required width is 6.0 m.
- Collection point level (+/- 2%).
    - For two-way traffic, a 6 m road width is required. For one-way traffic, a 4.5 m road width is required.
    - Continuous forward collection of Waste collection vehicles is required without reversing. A cul-de-sac or T-turnaround may be acceptable.
    - 18 m minimum head-on approach is required.
    - 18 m maximum back-up distance is required.
    - The collection area is the minimum area required for waste receptacles.
    - Door width for waste rooms and any door where a waste receptacle must go through is required to be a minimum of 2.2 m.

    - Ensure internal storage requirements are designed per Section 1.9 of the Guidelines.
    - Ensure sufficient storage for all waste receptacles (and compactors if required) is provided.
    - Please ensure relevant turning radii, and height/width clearances are clearly labelled on the site plan.
    - Design requirements should be reviewed at the Zoning By-law Amendment stage as site-specific provisions may be affected
    - The Region's Development Design Guidelines for Source Separation of Solid Waste and can be accessed online at: https://www.halton.ca/Repository/Development-Design-Guidelines-for-Source-Separatio
- Should the waste management vehicle be required to drive over top any underground structures (e.g., parking garage), a professional engineer must provide a letter certifying the underground parking structure can withstand the weight of a fully loaded truck (capacity 35 tonnes).
- Should the development be deemed eligible for Regional waste collection, a completed Drive Through Agreement will be required to be submitted and approved by the Region prior to the commencement of collection.
    - For a 26 storey, 240 unit residential building, the following is recommended:
        - Recycling (3 yards) – 6 front end loose containers
        - Organics carts (360 L) – 10 carts
        - Garbage (3 yards) – 5 compacted front end bins (space for extra bin is recommended)

Municipal Servicing:

- Section 89 of the Regional Official Plan requires that approvals for all new development within the Urban Area be on the basis of connection to Halton's municipal water and wastewater systems, unless otherwise exempt by other policies of this Plan.

- There is a Halton Region local watermain within Plains Road West adjacent to the property. There is a Halton Region local watermain within Howard Road adjacent to the property.
- There are Halton Region local wastewater mains (sanitary sewers) within Plains Road West and Howard Road adjacent to the proposed development, one of them is located immediately adjacent to the southerly property line of the proposed development and building.
- The developer should undertake to locate the size and location of all watermains, water services, water meters, wastewater mains (sanitary sewers), wastewater (sanitary) services, property line wastewater (sanitary) inspection manholes, stormwater mains and stormwater services that exist within the road right-of-ways, to the property and within the property and place them on an Existing Site Servicing Plan drawings within their reports. Public and private utility companies can be utilized for this purpose.
- A Functional Servicing Report is required to be prepared by the developer's civil engineering consultant (watermains, water services, fire hydrants, sanitary sewer mains, sanitary sewer services, property line wastewater (sanitary) inspection manholes, stormwater mains and stormwater services) to show options for how the property is proposed to be serviced according to City of Burlington and Halton Region standards. Local watermain and wastewater main (sanitary sewer) hydraulic analysis should be completed by the developer's consultant as well for the local sewers and the drainage area down the to the nearest trunk sewer. The consultant should include details about all other developments properties in the drainage area in their analysis of the local sewers. The report should speak to the number/type of units proposed and the phasing of the development with respect to the impacts on the Region's water distribution system and wastewater collection system. Phasing, timing of the development, and required/available capacity shall be detailed in the report. The consultant will include details about the potential external main upsizing and main extensions to accommodate the development, etc.. Also future forecast Regional capital works projects. The proposed development (FSR) will have to align with any Area Servicing Plan and Master Servicing Plan that is required for the area, City and Region.

- The FSR report should incorporate Fire Flow Rate Testing. The proponent should undertake fireflow rate testing of representative Regional fire hydrants in the area, with the proponent's fireflow contractor and Region forces present. Include within the Report a copy of the fireflow rate testing results, and the Fire Underwriters Survey (FUS) requirements for the development. This information will help to assist in informing the watermain design and watermain hydraulic modelling analysis that is being undertaken by the proponent's consultants.
- Further to the formal hydraulic analysis requirement, the developer's consultant can utilize the Region's current water and wastewater models (if required). The developer's civil consulting engineering firm will be required to enter into a Data License Agreement prior to obtaining any digital information from the Region.
- The FSR should include information related to all the other Utilities infrastructure in the area and potential conflicts.
- The FSR should show the existing site services and note how they are proposed to be decommissioned to make way for the development.
- The developer must physically locate the watermain and wastewater main (sanitary sewer) that are located immediately south of the property within Plains Road West, and within Howard Road. The developer's Professional Engineer that is preparing the FSR must consult with the Region regarding the proximity of the proposed development to the watermains and wastewater mains (sanitary sewers), and the Region's approved set-back of the development from the watermains and wastewater mains. There shall be no impact from the development on the Region's watermains and wastewater mains. The Engineer shall prepare a number of cross-section engineering drawings along the north portion of the property and the City's road boulevards, for discussion with the Region. Proposed footings, foundation walls, overhangs, excavation, shoring, tie-backs, municipal mains and utilities will require to be detailed for review by the Region.
- Please note that this development may require additional municipal watermain isolation, and possibly a full size water chamber (including three/four valves) for the proposed development's water service connection, to the Region's water distribution system. The developer's civil engineering consultant must undertake a design exercise within the FSR in order to demonstrate that a full size water chamber, if required, can fit within the road/boulevard, while giving adequate separation distances from the other utilities in the area. The Engineer shall prepare a number of detail drawings, for discussion with the Region early in the process.
- At the Site Plan application stage the proposed street tree planting and proposed street furniture will have to be reviewed closely in order to avoid tree planting/street furniture conflicts with the Region's watermain and wastewater main (sanitary sewer) located within the Plains Road West northerly boulevard, to the satisfaction of the City and the Region.
- New development must be on the basis of full municipal services.
- The developer should be aware of the Region's Multi-Unit Servicing Policy with respect to the number and location of water meters.
- Regional policies state that water and sanitary services cannot cross lot lines, the owner will ensure this throughout the process. Each lot must be independently serviced if it is proposed to be a separate lot.
- Any major servicing works required for this project would fall under the Regional Servicing Agreement process, including securities, Agreement registration, developer's liability insurance and the payment of Agreement fees.
- Servicing of a standard nature is required to go through the Regional Services Permit process.
- The size and scope of, utility trench and road cut, road restoration shall be to the satisfaction of the City of Burlington for local roads.
- Watermain and wastewater main (sanitary) servicing capacity is not guaranteed at the LOPA and ZBA stage. Servicing of development in the Burlington area of Halton Region is currently on a first-come-first-serve basis. The owner can pre-consult about servicing capacity with the Region at any time in the future going forward. This current development proposal capacity will be reviewed closely and commented upon at the time of Planning Application receipt. Should a servicing capacity issue be identified at that time then it will have to be dealt with, working through it with the Region. Servicing capacity is deemed to be in hand at the issuance of a Regional Servicing Agreement, Special Financial Agreement, and Regional Services Permit,

which is reviewed and obtained toward the end of the City's Site Plan approval process, or Regional Servicing Agreement.
- The property appears to be located within the Aldershot GO Major Transit Station Area, of the City of Burlington. The City of Burlington is undertaking an Area Specific Plan process (including the Area Servicing Plans) for the Burlington Major Transit Station Areas. Halton Region has initiated an Integrated Water, Wastewater and Transportation Master Plan review exercise for the Region, together with, and in time, Background Studies and formal Programs. Please see the Planning comments for more context.
- As always, acquiring land for development purposes and hiring consultants, at this time, is at the risk of the developer.
- Any water services and sanitary services that currently exist to the property(s) that will not be utilized for any reason will be required to be disconnected right at the respective main by the developer.
- The developer's site servicing consultant can preconsult with the Region at any time regarding their proposed draft site servicing water design, wastewater design and identified utility conflicts (including storm).
- The Region would like to receive confirmation in writing when any required formal land assembly has taken place at the LOPA and ZBA stage in order for servicing to conform with Regional Policies, that water and wastewater services do not and will not cross lot lines for different property owners.

Submission Requirements:
- All submission materials (digitally)
- Applicable Regional Fee(s)
- Complete Application forms
- Planning Justification Report (including support and justification of Urban Structure and Growth Management, Housing Analysis and rental relocation plan (as required), and Land Use Compatibility)
- Comprehensive Development Plans / Site Plan
- Land Use Compatibility Assessment (including Air Quality Assessment)
- Functional Servicing Report (Comprehensive analysis)
- Environmental Site Screening Questionnaire, Phase 1 and if necessary a Phase 2 Environmental Site Assessment (ESA) to O.Reg. 153/04 standards and with a Letter of Reliance.
- Waste Management Plan

- Adam Huycke, Senior Planner, Adam.Huycke@halton.ca

Conservation Halton Comments:
- Conservation Halton (CH) does not have any preconsultation comments or require review of the proposed future OPA/ZBA applications for 127 Plains Road West as the site is not within an area regulated by CH and given the size and current imperviousness of the site, we defer stormwater management review to City staff.

Development Engineering Comments:
GENERAL COMMENTS
1. All plans to use the same base layer.
2. Identify existing and/or proposed property lines on all plans.
3. Identify existing and/or proposed easements on all plans.
4. Identify limits of existing and/or proposed underground parking on all plans.
5. Identify all applicable external agency setbacks on all plans.
6. All private utilities must be constructed within the subject property limits.
7. As per the City's Hydro Services Policy for development sites within a designated MTSA and/or the downtown, any new 27.6 kV hydro service or other utility which is required for the multi-story development shall be buried. Additionally, any existing overhead 4 kV hydro

service along the frontage of the subject property shall be buried. The costs associated with the hydro service works shall be borne by the Developer.

8. City Plan and Profile drawings may be downloaded from the Open Data Portal.

RIGHT OF WAY

1. A Municipal Consent Permit is required for any works on public lands, including but not limited to temporary staging, grading, servicing, construction or disturbance of vegetation.

FUNCTIONAL SERVICING & STORMWATER MANAGEMENT REPORT

Confirmation from the City's Stormwater Engineer still pending therefore, details within number 4 are subject to change.

1. All documents to be prepared in accordance with the Council approved Stormwater Management Design Guidelines (COB SWM), as amended.
2. To be stamped and certified by a Professional Engineer.
3. External agency may review the report. If differing requirements exist between them and the City than the most stringent criteria shall apply.
4. The City's Stormwater Engineer has provided the following criteria:
   a. **Quality Control (COB SWM 6.1.4.1 and 6.1.4.2):**
      - Enhanced 80.0% TSS removal achieved with a treatment train approach. An OGS will only be credited with 50.0% TSS removal.
      - OGS CA-ETV certified units only.
      - OGS to be sized to capture and treat a min. 90.0% of the runoff volume.
      - Rooftop areas may be considered clean if the flows are separated from non-roof areas as per COB SWM 3.6 and 6.1.4.1.
   b. **Quantity Control (COB SWM 6.1.1.1):**
      - Discharge to a storm sewer control either the 100-year post development or Regional Storm, whichever is greater to the 5-year pre-development.
      - A max. pre-development imperviousness of 36.0% (C = 0.50) for re-development is to be used for the pre-development calculations.
   c. **Erosion Control (COB SWM 3.4 and 6.1.2)**:
      - 25mm / 24hr min. with 48 hours preferred or retention of the 90th percentile rainfall 27mm if a creek outlet proposed. Revised as per City Stormwater Engineer because there are known erosion issues in the receiving channel.
   d. **Water Budget (COB SWM 3.5 and 6.1.3):**
      - Strongly recommend the first 5mm of rainfall be retained and infiltrated or reused onsite.
   e. **Groundwater:**
      - If there is a foundation drainage collection system, flows must be accommodated in the quantity control for the site, and discharge must meet the Storm Sewer Discharge Bylaw 59-2022 Table 1 criteria, as amended.
   f. **External Flows**:
      - Identify all external flows and safely accommodate them under the developed conditions to avoid upstream flooding or ponding.
   g. **Overland Flow Route (COB SWM 5.3.2 and 6.1.1.3):**
      - Provide the emergency overland flow route on the plans and direct it towards Plains Rd W. Include the neighbouring properties to ensure existing drainage patterns are being maintained.
5. Provide full sized scalable, signed, and stamped plans for the following:

a. pre-development storm drainage area
b. post-development storm drainage area
c. grading
d. servicing
e. any additional applicable plans

6. Include a Letter of Reliance that allows the City to rely upon the documents.

NOISE AND VIBRATION FEASIBILITY STUDY

1. All documents to be prepared in accordance with the MECP's Environmental Noise Guideline Publication NPC-300, as amended.
2. To be stamped and certified by a Professional Engineer.
3. External agency may review the report. If differing requirements exist between them and the City than the most stringent criteria shall apply.
4. The study to include but not limited to the following:
   a. Considered a Class 1 property.
   b. Identify offsite stationary noise sources that may require mitigation for existing and/or proposed development and provide the mitigation requirements. Specifically, the businesses along Howard Rd need to be addressed. If offsite mitigation is required, then confirmation of a legal agreement between the development and offsite sources is required. Please note, adjacent property owners are not obligated to mitigate their onsite stationary noise sources, as it relates to stationary noise impacts on the subject development. The applicant is responsible for mitigating the exceedances within the limits of the subject development, which may require a site redesign.
   c. Provide all model calculations for both onsite and offsite.
   d. Provide any onsite noise measurements.
   e. Use reflective surfaces for model calculations where applicable.
   f. Provide capacity volumes received from the City's Transportation Services for roads using model calculations. Include the correspondence within the appendix.
   g. Provide any correspondence from external agencies to confirm traffic and/or train counts within the appendix.
   h. Provide all mitigating measure calculations including but not limited to window glazing, façade requirements, noise walls, etc.
   i. Provide a key plan identifying points of reception.
   j. Provide a key plan identifying sources of noise for both stationary and linear and including distances from subject property.
   k. NPC-300 exceedances and/or max. points of reception required for every floor and side of the building.
   l. Points of reception required for every neighbouring property.
   m. Provide a table for the points of reception and include the allowable noise level under NPC-300, estimated noise level, and the mitigated noise level.
   n. Provide warning clause recommendations where applicable.
   o. Provide a summary and drawing of any required mitigation measures.
5. Include a Letter of Reliance that allows the City to rely upon the documents.

- Adam Scott, Senior Engineering Technologist, adam.scott@burlington.ca

Urban Forestry & Landscape Comments:
Please be advised that the Urban Forestry and Landscaping review of this application is considered preliminary at this time. Urban Forestry and Landscaping may provide additional comments, raise

additional concerns, or request additional information upon receiving the outstanding or revised information, and upon further comprehensive review of its contents

1. A Landscape Plan will be required showing the general layout and intent of what is proposed for landscaped areas, including landscape buffer planting, outdoor amenity areas, fence location and types and pedestrian circulation. See the Pre-Submission Checklist for requirements.
2. The Landscape Plan must show and dimension pedestrian walkways and connections to the city sidewalk (1500mm minimum width, 1800mm recommended). Consider the width of the pedestrian walkways minus the doors that open out to ensure pedestrians don't need to walk on vehicular driveways.
3. The Landscape Plan must show conceptually the proposed layout and use of any outdoor amenity areas.
4. The Landscape Plan must show all regulated limits/hazard lines on the landscape concept plan.
5. The Landscape Plan must show the location of air vents/shafts and coordinate with landscape concept (i.e., do not locate vents in walkways and coordinate with proposed planting locations).
6. The Landscape Plan must show bicycle parking and snow storage locations.
7. The Landscape Plan must show proposed tree plantings that follow the ESA's guide *Planting Under or Around Powerlines & Electrical Equipment:* trees and/or shrubs with a max. mature height and spread of 4.5m in the Low Zone (to 4.5m from the power lines), trees with a max. mature height and spread of 7.6m in the Medium Zone (7.6m from the power line), and trees of any size beyond 7.6m from the power line. See the ESA Guidelines for Planting Under or Around Powerlines & Electrical Equipment.
8. Where trees are proposed, ensure the minimum required soil volumes are provided and documented on the landscape plans using good quality soil. The minimum requirements are as follows: 30m^3 of soil per tree in a single tree pit, 20m^3 per tree in a shared planting environment. Excavation for each planting environment should be 0.75m to 1.2m depth and should not exceed 1.5m depth and be tailored to stock size used. Smaller rooting volume (minimum 15-20m^3) may be proposed for smaller trees.
9. Where trees, shrubs and herbaceous material is proposed, ensure material is suitable for the existing and proposed conditions to ensure success (i.e., salt tolerant, and suitable for existing and proposed soil and other environmental conditions).
10. Any recommendations or issues of compatibility (i.e., noise, light, uncomfortable wind conditions) noted in the Planning Justification Report, Noise Report and Wind Study should be addressed and reflected on the Landscape Plan, for example with buffer planting, screens and fencing, trellises or awnings for outdoor areas including pedestrian walkways and amenity areas.
11. Where required, landscape buffers should provide separation and be designed to partially obstruct the views to adjacent properties along shared property lines. The landscape buffers should be a dense landscape screen consisting of evergreen trees or a combination of solid screen fencing with evergreen and deciduous trees and understory shrubs.
12. Screen parking spaces from road frontages.
13. Please review and apply the Sustainable Building and Development Guidelines.
14. Once the number of parking spaces is finalized, confirm the required number of Type "A" and Type "B" barrier free parking spaces required. Type "A" shall be 3400 mm in width and signed to indicate Van Accessible Parking. Type "B" shall be 2750 mm as per city zoning by-law. As per city zoning by-law, the access aisle shall be 2000 mm. The access aisle is to be clearly identified and can be shared by both spaces. Please see GAATES Figure 2.6.4.1 (page 127) for Van Accessible Signage detail.
15. Locate the barrier free parking spaces closest to the main entrances and not crossing vehicular traffic.
16. Contact the city's Accessibility Coordinator if you have any questions concerning **Accessibility:** Judi Lytle, 905-335-7600, ext. 7865, judi.lytle@burlington.ca.

17. An Arborist Report, Tree Inventory and Tree Protection Plan is required to document all existing trees greater than 10cm DBH on site and on adjacent properties within 6m of the property lines, and all trees of any size on city property. See the City of Burlington: Pre-Submission Checklist for further requirements. Ensure your tree inventory table is provided as an excel file in addition to the word file. Note, the inventory data for this file provided with the Arborist Report will require an update to existing conditions and a revised tree protection plan should evaluate the proposed development related impacts against all civil drawings (i.e., grading, servicing etc.).
18. Any existing private trees on the subject site should be considered for preservation. The removal of trees shall be considered as a last resort. Trees that are to be removed will require a plan for replacement. Private trees that are 15cm in DBH will be counted toward replacement requirements using the City's aggregate caliper method. Tree replacements will be based on 50mm caliper replacement sizes. Proposals for replacement shall consider planting on the existing subject property as a priority. Where there is no room for replacement trees, cash-in-lieu of replacement will be required.
19. Removal to trees on neighboring properties, or that are located on a shared property line (boundary trees) will require consent from the adjoining and/or adjacent owner(s).

    Where impacts are proposed (i.e., encroachment / injury) to neighbouring and/or boundary trees the adjoining and/or adjacent owner(s) shall be consulted and made aware of the proposed development and potential impacts to their trees and/or boundary trees and the applicant shall submit a document in writing from adjoining and/or adjacent owner(s) that there are no concerns with the proposal for those trees, or the applicant's qualified tree professional (as defined in Pre-Submission Checklist) shall address the potential impacts to the neighbor's trees and/or boundary trees and provide an attestation in the Arborist Report that the impacts proposed will not be a detriment to the trees, and they will remain in healthy condition. Information in the report shall also include the preservation methods, including pruning and fertilizing, that can be implemented by the owner to ensure the health of trees on neighboring properties.
20. Private trees that are regulated and require removal or injury to facilitate project works may require a private tree permit depending on the timing of removal and/or injury relative to planning application(s). Please consult with the City at all stages of your project (i.e., demolition) to ensure compliance. Additional documentation may be required.
21. There are public trees present surrounding the proposed area of work. Please prioritize the preservation of these trees as part of this application.
22. The City's Public tree by-law is applicable to the proposed development. The removal of public trees shall be considered as a last resort. Where City of Burlington public trees are proposed for removal, council approval is required prior to tree permit issuance. The number of replacements will be evaluated using the City's aggregate caliper method. Similarly, work shall be modified to avoid working inside the minimum tree protection zone of all public trees. Where impact is proposed for public trees, a public tree permit will be required and securities provided.
23. Trees and corresponding tree protection hoarding (vertical and/or horizontal) shall be illustrated and considered on all civil drawings and factored into all Construction Management and Mobility Plans.
24. Please provide a comment matrix that identifies the above comments and how they were addressed with the site plan submission.

City of Burlington: Pre-Submission Checklist

The Arborist Report, Tree Inventory and Tree Protection Plan is to be prepared by a qualified tree professional (i.e., Arborist certified by the International Society of Arboriculture (ISA), including ISA number; qualified by Ministry of Training, Colleges and Universities (MTCU) or Ontario Training and Apprentice Board (OTAB); registered professional Forester in Ontario, etc.) and the Landscape Plans shall be prepared by a qualified member of the Ontario Association of Landscape Architects. Documents prepared by non-qualified professionals will not be accepted.

Tree Inventory Table Requirements:

- ☐ The address of the subject site
- ☐ Tree Identifier No. as indicated on the Tree Protection Plan.
- ☐ Common and botanical name of tree species
- ☐ Diameter at Breast Height for each individual tree identified on the Tree Protection Plan. For multi-stemmed trees, each stem diameter is to be provided in addition to the DBH using the sum of square formula.
- ☐ Health and structural condition rating for each tree
- ☐ The minimum tree protection zone, and critical root zone and associated impacts as a percentage based on the City's standard specification SS12A
- ☐ Tree ownership (i.e., private, public, boundary, neighbour) and corresponding address;
- ☐ Recommendation for each tree: injure (encroachment), remove, preserve (fully protect)
- ☐ General notes on the subject tree and mitigative measures (e.g., hydro-vac)
- ☐ Copy of excel file for tree inventory table to be provided

Tree Protection Plan Requirements:

- ☐ Contains legible drawings on 24x36
- ☐ Drawn to a metric scale of 1:100, 1:200, 1:250 or 1:300, and include a scale bar
- ☐ Illustrates the proposed development (including property lines, easements, regulated areas, paved areas, buildings and entrances, landscaped areas, regulated limits, etc.) and is coordinated with the Site Plan and civil drawings (i.e., grading, servicing etc.)
- ☐ A label and location of all existing tree(s) over 10cm diameter at breast height (DBH) measured at 1.4m above the ground) on site and within 6m of the property lines, and trees of any size on city property. Trunk for each tree to be scaled to size
- ☐ Legend that defines the symbols, lines or colours etc. used on the plan. The elements included in the legend should match those shown on the plan. Do not include other elements that are not applicable
- ☐ Label and dimension minimum tree protection zones (circles) and critical root zones (circles) in accordance with City's Tree Protection and Preservation Specification SS12A
- ☐ Label and dimension protective tree hoarding (fencing) and root protection (as required) in accordance with the City's Tree Protection and Preservation Specification SS12A
- ☐ Label all mitigative work around trees as necessary (e.g., exploratory air-spade and root pruning etc.)
- ☐ Location of all associated construction activities, including but not limited to:
  - Construction access route (with width measurements)
  - Construction material storage area(s)
  - Excavation area including limits of over-dig
  - Trenching and/or boring locations (with depths and width measurements)
  - All proposed servicing and utilities on both public and private property
  - Fill placement from excavation, or material being brought to the lot
  - Grade and surface changes

Arborist Report Requirements:

- ☐ The address of the subject site
- ☐ The author, contact information, and relevant qualifications (e.g., ISA, RPF)

- The date(s) that the assessment was conducted, methodology and limitations; ensure assessments were completed within the last year (365 days)
- An overview of the proposed work and explain what arboricultural work is to be undertaken for each tree(s) (e.g., tree to be injured, tree to be destroyed (removed), tree to be preserved and protected)
- Where applicable, a description of the trees to be removed including the specific reason(s) (e.g., new sanitary service) per tree. Alternate layouts and construction measures should be considered and discussed to ensure all proposed removals are necessary and justified (i.e., there are no alternatives)
- Where applicable, a description of the trees to be injured where construction activities will be in the minimum tree protection zone and the mitigation measures to be implemented to minimize impacts (e.g., exploratory air-spade and root prune)
- Where applicable, a description of the trees to be fully protected and the methods to be implemented to ensure no impacts
- Tree inventory (table of tree details) (refer to the tree inventory section)
- A proposal for the replanting or replacing of trees that are to be removed
- Confirmation that the Tree Protection Zones established and maintained around any trees on the property and all mitigative measures prescribed are in accordance with the City's relevant policies, procedures, and specifications (SS12A)
- Where applicable the minimum frequency of site inspections by a qualified tree professional during proposed works
- Recommendations for post-construction care and/or monitoring (as required) for regulated trees and proposed replacement trees
- Where applicable a consent letter for the removal of boundary tree(s) (those located along the shared property line) or a neighbours tree(s) to be attached to the report document
- Where applicable a consent letter for the injury to a boundary and/or neighbour tree(s) to be attached to the report document or an attestation
- Where applicable any additional relevant information (e.g., legal survey, TRAQ form, pre-construction exploratory review etc.) to be attached to the report document
- Abbreviations should be defined, and industry standard terminology used

Landscape Plan Requirements

- Is stamped and signed by a qualified member of the Ontario Association of Landscape Architects
- Contains legible drawings on 24x36 inch paper
- Includes all dimensions in metric, to scale, and on a consistent base map layer
- Includes bar scale
- Identifies the location and general design intent of the proposed plantings and amenity areas
- Shows location and dimensions of pedestrian walkways and crossings. Include dimensions from open doors if doors open out onto walkways.
- Identifies minimum required soil volumes, and location of any structural soil cell installation areas to achieve minimum soil volumes ($30m^3$ of soil per tree in a single tree pit, $15m^3$ per tree in a shared planting environment. Excavation for each planting environment should be 0.75m to 1.2m depth and should not exceed 1.5m depth)
- Identifies the location, type and height of proposed fencing
- Identifies snow storage and bicycle parking areas
- Identifies the location of air vents/shafts

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

- **Jacqueline Viscardi,** Intermediate Landscape Development Technician, jacqueline.viscardi@burlington.ca

Parks Design & Construction Comments:

- Cash in lieu of parkland applies to this property and will be charged at the rate in effect at the time of building permit issuance.

Transportation Services Comments:
BACKGROUND

Transportation Planning are in receipt of the Pre-Consultation documentation for the Official Plan (OPA) and Zoning By-Law Amendment (ZBA) applications for 127 Plains Road West. This memo is intended to provide background information and required technical analysis for the OPA/ZBA applications. The site is on northwest corner of Plains Road West and Howard Road, municipally known as 127 Plains Road West. The lands are within the Aldershot Major Transit Station Area (MTSA).

DEVELOPMENT PROPOSAL

The proposal is high-density mixed-use development with retail space on the street fronting portion of the ground floor and residential uses above.
The building is proposed to have a height of 26 storeys consisting of a 21-storey tower and a 5-storey podium. A total of 240 dwelling units and 381 square metres of ground floor retail space are proposed.

TRANSPORTATION PLANNING REVIEW and COMMENTS

Site Context

1. The proposed development site is located at the northwest corner of Plains Road West, and Howard Road.
    a. Per the Official Plan, the location is in Mixed Use Nodes and Intensification Corridors, per Schedule B, Urban Structure,
    b. is in a Primary Growth Area, per Schedule B-1, Growth Framework
    c. is in Frequent Transit Corridors, per Schedule B-2, Growth Framework, and Long-Term Frequent Transit Corridors.
    d. is a MTSA Primary Connector, per Schedule G, Aldershot GO MTSA Special Planning Area.
    e. Plains Road West have a proposed Multi-Use-Trail Connection (Within Road Right-of-Way), per Schedule Q, Trails Strategy,

2. Plains Road West is a Multi-Purpose Arterial, per Schedule O-1, Classification of Transportation Facilities-Urban Area, and has a four-lane basic cross-section with a two-way

left-turn lane (center turn lane) as well as protected on-street bicycle lanes on both sides of the road. Its intersection with Howard Road has an eastbound center left-turn lane. It has a posted speed limit of 60 km/h.

3. Howard Road is a Neighbour Connector, per Schedule O-1, Classification of Transportation Facilities-Urban Area, and has a two-lane basic cross section with a southbound left turn lane. It has a shared bicycle lane. with a speed limit of 50 km/h. It has a signalized intersection with Plains Road West.

4. The subject land is in enhanced pedestrian realm, per Integrated Mobility Plan (IMP).

Deemed Right-of-Way Widths

5. The deemed right-of-way widths per the Official Plan and Zoning By-Law:
    a. for Plains Road West is 36 meters. The existing right-of-way adjacent to the subject site is approximately 36 metres and no additional lands are required.
    b. for Howard Road is 20 meters. The existing right-of-way adjacent to the subject site is approximately 20 metres and no additional lands are required.

Daylight Triangle

6. The existing daylight triangle of the right-of-way at the intersection of Plains Road West and Howard Road measures approximately 7.0 meters x 7.0 meters. As per the Official Plan, a 7.0 meters x 7.0 meters daylight triangle is required based on the road classifications. No additional lands are required.

Visibility Triangle

7. At every street intersection visibility triangle shall be provided in accordance with land zoned. The lands are zoned Mixed Use General (MXG) in the city of Burlington Zoning By-law and as such 9m x 9m visibility triangle is required. Within a visibility triangle solid fencing and landscaping shall not exceed a height of 1m above the elevation of the street pavement measured as the centre point of intersecting streets.

Transportation Impact Study/Mobility Impact Assessment

8. A Transportation Impact Study (TIS), also known as a Mobility Impact Assessment (MIA) is required for this application. The TIS/MIA shall be completed by a qualified/recognized traffic/transportation engineering consultant. It shall be submitted to the satisfaction and approval of the Director of Transportation Services or designate.

9. The TIS/MIA would follow the Region of Halton's Transportation Impact Study Guidelines (https://www.halton.ca/Repository/Transportation-Impact-Study-Guidelines). The transportation consultant is to provide and confirm their Terms of Reference, including proxy-site locations with Transportation Planning staff prior to initiation of work.

Auto and Bicycle Parking Supply

10. The subject land use and proposal shall meet the requirements recommended by the Burlington City-Wide Parking Standards Review. The proposal has a total of 254 parking spaces provided which is less than the Burlington City-Wide Parking Standard Review document. A Parking Supply Justification Study is required to support the proposed reduction.

Use	Units/Area	Required Parking	Spaces Required	Spaces Provided

Residential	240 units	1.25 spaces per unit inclusive of visitor parking and commercial parking	300	254
Difference				-46

11. The bicycle parking supply shall meet the requirements recommended by the Burlington City-Wide Parking Standards Review. The proposal has not mentioned bicycle parking whereas a minimum of 134 long-term plus short-term parking is required. The short-term parking area shall be close to the main pedestrian entrance. Long term bike parking shall be weather-protected, limited access location to store a bike at ground-level or in a parking garage.

Use	**Units/Area**	**Long term parking**	**Short term parking**	**Spaces Required**	**Spaces Provided**
Residential	240 units	0.5 spaces/unit	0.05 spaces/unit	120+12	Not mentioned
Commercial	381 m^2		2 spaces plus 1 space/1000 m^2 GFA	2	
Total				**134**	

General Comments

12. Support for the full move access to Plains Road West will be determined by the transportation impact study intersection analysis.
13. The access to Howard Road is not clear. Will the access be restricted to one-way? How many accesses will be from Howard Road?

14. The applicant shall conduct and provide a swept path analysis to/from proposed loading area including circulation to/from the ROW. The analysis will ensure vehicles do not reverse into the site from the municipal right-of-way and vehicles do not reverse from the site into the municipal ROW.

15. Traffic flow direction in drop off area must be clearly identified and marked on the site plan drawing.

16. The underground parking stalls, including accessible parking and parking aisle dimensions shall be as per the City of Burlington Site Plan Guidelines. Structural columns are to be set back 0.5m on both sides of the driving aisle to provide for 7.0m clear (face of column to face of column). All dimensions are to be provided for structured parking (drive aisles, parking stalls, column spacing, parking ramps, etc.).

17. The underground ramp detail and dimensions shall comply with the City of Burlington Site Plan Guidelines.

18. Some of the parking stalls are adjacent to the wall. As per the City's Site Plan Guidelines, parking stall width shall be increased by 30 cm.

19. Internal sidewalk width shall comply with the City of Burlington Site Plan Guidelines, with minimum 1.8 meters along walls with doors, which shall be provided and depicted in site plan.

Future Site Plan Comments

20. Site accesses must adhere to the standards of the City of Burlington. The sidewalk shall be continuous and level through the driveway.

21. The developer is responsible for the construction of a 2.5 m minimum width sidewalk along Plains Road West and Howard Road frontages since the area is within the Aldershot Go Major Transit Station Area (MTSA) and the development shall adhere to section 8.1.2 of the Official Plan.

22. The applicant shall submit a Construction Mobility Management Plan (CMMP) as a part of this application which shall be to the satisfaction and approval of the Director of Transportation Services or designate. During construction, staff will not support the closure of vehicle lanes, bike lanes, boulevards, sidewalks, etc.

23. Any internal traffic signage such as “stop”, “no parking”, “fire route”, accessible parking, and pavement markings shall be clearly indicated and depicted on the site plan.

If you require further information or would like to discuss any of the content above, please contact Transportation Planning.

- Smeeta Adiga, Transportation Planning Technologist, smeeta.adiga@burlington.ca

CITY OF Burlington

SITE PLAN REVIEW COMMITTEE COMMENTS

Date: October 02, 2023 **DC#:** PRCN-DRT-012/23

Planner: 1077 Noname **Applicant:** MHBC Planning - Dave Aston

Site Address: 127 Plains Rd. W

Heritage Inventory: No

SPRC Meeting Date: August 14, 2023

A preliminary review of your plans and has been completed and the committee has the following comments:

Site Planning:

Zoning:

TO: Jaclyn Schneider

FROM: Nathan Dart, CPT **DATE:** September 27, 2023

SUBJECT: **127 Plains Rd - PRCN**
File # PRCN-DRT-012/23

We have reviewed this Zoning By-law Amendment Pre-consultation and have the following comments. Other planning approvals / revised plans may be required to address any deficiencies.

Plans Reviewed:

Plan	Date	Revision Date
Architectural design package	Feb 2022	

Zoning:

The subject properties are zoned MXG, Mixed Use General, under By-law 2020. The applicant is proposing to amend the zoning to MXG with a site-specific exception to facilitate the

development of a 26-storey 240 unit apartment building with ground floor commercial uses and underground parking.

Additional Information Required:

Site Plan:

- Site plan to detailed setbacks to building, parking areas (ramps, garage door, underground parking etc) on one plan.
- Plan to be stamped by OLS, P.Eng and reflecting deemed street width.
- Site statistics to be provided on site plan or subsequent sheet
- Provide gross building floor area calculation in site statistics per definition in Zoning By-law:

  Floor Area, Gross Building
  The total area of the floor measured to the outside of all outside walls, including a basement or cellar but excluding areas used for parking of motor vehicles or areas above an atrium.

- Provide amenity area calculation. Amenity area calculation to breakdown common/shared amenity areas and private amenity areas.
- Show landscape areas on site plan and provide width dimension. Clearly differentiate between any landscape areas and proposed hardscape.
- Indicate parking spaces dedicated for retail uses (if proposed).

Floor Plans:

- Provide detailed floor plans for each storey showing unit type/layout, associated balconies (with any projections dimensioned) and outside wall to outside wall dimensions of entire floor plate. Floor plans to show property boundary with minimum setbacks provided from balcony and face of building to adjacent property line on each elevation.
- Underground parking floor plans to provide typical parking stall dimensions, indicate property line boundaries and show setbacks from parking areas to property lines for the purpose of confirming setbacks.
- Underground parking floor plans to provide outside wall to outside wall dimensions, and dimensions of any enclosed rooms, mechanical shafts, storage areas or service areas
- Parking plans show 137 spaces, site stats to confirm provided parking.
- Site stats reference P1-P4, however only 3 levels of parking plans were provided. I

- Provide accessible parking space dimensions including accessible aisle dimension.
- Provide typical balcony/terrace dimensions for each unit
- Provide roof plan with any enclosed mechanical or receiving areas dimensioned. Confirm if rooftop amenity areas if proposed.

Plans required for a Zoning Review at formal submission:

- Site plan (stamped by OLS/P.ENG)
- Elevations
- Floor plans
- Landscape plan

Notes:

- A Zoning Clearance Certificate will be required for the construction of the building as a condition of site plan approval.
- Development charges will apply. Calculation will occur at future Site Plan stage.

Residential Comment Sheet

FILE: **PRCN-DRT-012/23**

APPLICANT: MHBC		
LOCATION : **127 Plains Rd W**		
PROVISION	**PROPOSED**	**CONFORMS**
ZONE: MXG -XXX (proposed)	PROPOSED USES : Mixed use development - Apartment building with 26 storeys and 240 units with retail at grade. **MXG Zone - proposed**	MXG permits apartment buildings and retail.
Part 5, Section 4.1		
REQUIREMENT: Min lot width: 25m	PROPOSED: 42.8m	COMPLIES: YES
Lot area: 1000m2	2723.46m^2	YES

Yard abutting Plains Rd west of QEW:3m minimum 23m maximum	3m	YES
Yard abutting any other street: 3m; 4.5m max	3.1m (podium), 5.8m tower	NO Note: Minimum and maximum setbacks will include balconies based over overall balcony projection lengths exceed 1/3 of the building width based on 3D rendering. Setbacks to balconies may bring maximum setback into compliance.
Side Yard Setback: No minimum	7.7m to building, unknown to parking garage	YES pending parking garage review.
Rear Yard Setback 3m	2m	NO
Yard abutting a residential Zone: Floors 1 to 3: 12m Floors 4 and 5: 15m Floor 6: 18m	Site does not abut residential zones	N/A
Setback from a creek block: 7.5m	N/A	N/A
Yard abutting a pipeline easement	N/A	N/A
Yard abutting a railway ROW	N/A	N/A
Separation distance from a railway ROW :30m	N/A	N/A
Yard abutting a PC or P zone	N/A	N/A
Density: 30 UPH minimum	66 UPH proposed	YES
Floor Area Ratio:	11.8:1 – per Gross Floor Areas in chart.	NO

1.5:1 max, 0.3m:1 min	Actual FAR will be lower once full plans with all information are provided.	
Maximum floor area per retail or service commercial use: 1800m2	53m2 – 158m2	YES
Landscape Area and Buffer: 3 m abutting a street Landscape buffer abutting an R1, R2, R3 zone: 6m	TBD – Unclear what is being proposed for landscape areas abutting streets.	No
Building Height – 2 storeys 6 storeys maximum	26 storeys	NO
Loading/Unloading: Loading/Unloading areas shall be screened from view from a street or adjoining residential zone	Loading area does not appear to be visible from a street. Applicant to confirm.	TBD
Amenity Areas: - 15m2 per efficiency unit – 42 Units (630m2) - 20m2 per one-bedroom unit – 106 units (2120m2) - 35m2 per two or more bedroom dwelling unit 92 units (3220m2) - Back-to-back townhouse: 25m2 per dwelling unit – n/a	TBD – Amenity area calculation required.	TBD
2.25 PARKING		
At least one off-street loading space shall be provided in conjunction with every principal building, including mixed-use buildings, but excluding residential buildings less than 4 storeys high	1 space provided – not dimensioned	Yes
	PROPOSED:	

PARKING REQUIREMENTS: • primary growth corridor - 1.25 spaces/unit x 240 units = 300 spaces • Retail: 3.5 spaces per m2 = 14 spaces	137 spaces are shown on provided plans.	NO
2.26 – Each parking space shall have a minimum width of 2.75 m and a minimum area of 16.5 m2	6m depth provided. Typical stall dimension required.	TBD
Part 5 - 4.6 (d) **Visitor parking: where a development is comprised of a mix of residential use and non-residential uses, non-residential parking located on the same property as the residential use may be counted toward visitor parking for the residential use**	Parking rate is inclusive of visitor parking and requires amendment.	Parking amendment will require amendment.
Pedestrian walkway: 3m walkway is required from street connecting sidewalk to principal entrance of building.	TBD – Not shown	TBD
Illumination: Where parking facilities are illuminated by lighting fixtures or standards, they shall be arranged so that light from the fixture is shielded and/or directed away from the residential dwellings	Light standards not shown	To be confirmed at site plan.
Surface treatment: Every parking lot which includes parking and driveways shall be permanent durable and dustless surface.	Asphalt presumed – applicant to confirm on plans	TBD – Assumed to comply

ACCESSIBLE PARKING STALL SIZE: 2.75 m + 2 m accessible walkway x 6 m (typical) NUMBER OF ACCESSIBLE SPACES REQ'D: 3% OF REQUIRED PARKING: Amendment will reduce required parking to 137 spaces. 137 x 0.03 = 4.11 = 5 Accessible spaces required.	PROPOSED: Typical dimensions required 1 Space provided	TBD –dimensions required NO
ACCESS: EVERY PARKING SPACE SHALL HAVE ADEQUATE MEANS OF ENTRANCE AND EXIT DIRECTLY TO AN EXISTING STRET OR LANE	Access provided to street.	conforms
PARKING STRUCTURES: • ANY PART OF AN ENCLOSED PARKING STRUCTURE THAT PROJECTS 1.6M OR MORE ABOVE GRADE SHALL BE SUBJECT OT THE YARD REQUIREMENTS OF THE ZONE • ENTRANCE AND EXIT RAMPS TO	TBD – SECTION DETAILS REQUIRED TBD – plans unclear where ramps start. Setback to garage door access to be	TBD

BELOW GRADE AND ABOVE GRADE PARKING STRUCTURES OR BUILDINGS SHALL BE SETBACK 7.5M FROM A STREET LINE • BELOW-GRADE PARKING STRUCTURES SHALL NOT EXTEND INTO A REQUIRED LADNSCAPE BUFFER AND BE SETBACK 3M FROM ALL OTHER PROPERTY LINES AND STREET LINES	provided. TBD – PARKING GARAGE SETBACKS REQUIRED	

Site Engineering:

Transportation:

Fire:

Heritage:

Notes:

1. Pre-consultation does not imply or suggest any decision whatsoever on behalf of City staff or the Corporation of the City of Burlington to either support or refuse the application.
2. It may be determined during the review of the application that additional revisions, studies or information will be required as a result of issues arising during the processing of the application.

City of Burlington: Pre-Submission Document Terms of Reference
127 Plains Road West
Date: September 6, 2023

NOTE: These general Terms of Reference (below) will be used to assess the materials and technical studies submitted in support of a *Planning Act* application(s) and are to be reviewed upon the submission of and prior to the deeming of 'complete' of the application(s). The following Terms of Reference are intended as a guide to assist proponents in the preparation of materials and technical studies due upon submission (see: Section 12 of Development Application Pre-Consultation Form) and to provide recommendations as to the information content of those materials that would assist City of Burlington, Region of Halton, Conservation Halton and external agency partners in their review, once circulated. In circumstances where these Terms of Reference are generally not adhered to, submission materials may be returned to the proponent/applicant and/or a file not initiated.

1) General Requirements

- Correct application fees (based on most current fee schedule)
- Correct number of application forms and copies of reports
- Application form fully completed and commissioned
- Landowner's authorization and consent to enter property signed
- Three CDs or flash drives containing electronic copies of all materials
- Consistency within technical reports in terms of the development concept evaluated, and supporting appendices and drawings.
- Consultants have coordinated data and conclusions so that reports are consistent between disciplines
- Clear and legible drawings
- All electronic file submissions must be named using the following naming protocol: "Address_StudyName_MM-DD-YYYY". If a document is revised and resubmitted the file name should indicate that it is a revised submission and the date of the revision should be noted: "Address_StudyName_Revised_MM-DD-YYYY".
- Two digital copies of all plans are required along with paper copies. Digital plans must be submitted in Autocad and/or GIS Shapefile format that must be geospatially positioned to match the City of Burlington's Geographic and Projected Coordinate Systems (Geographic Coordinate System: GCS_North_American_1983; Projected Coordinate System: NAD83_UTM_ZONE 17N).
- Pre-Application Community Meeting Notes
- BUD Meeting Minutes

2) Planning Justification Report

- Signed by a Registered Professional Planner
- Contains a written acknowledgement by the RPP that they have reviewed all supporting technical studies in consideration of their planning opinion.
- Contains a review of the applicable policies of the Provincial Policy Statement.
- Contains a review of the applicable policies of A Place to Grow Growth Plan
- Contains a review of the applicable policies of the Provincial Greenbelt Plan.
- Contains a review of the applicable policies of the Niagara Escarpment Plan.
- Contains a review of the applicable policies of the Parkway Belt West Plan.
- Contains a review of Ontario Regulation 162/06.
- Contains a review of all other relevant Provincial legislation.
- Contains a review of the applicable policies of the Region of Halton Official Plan.
- Contains a detailed explanation of how the proposed development is consistent and/or conforms to all relevant Provincial Plans and policies.
- Contains a review and analysis of the applicable policies of the City of Burlington Official Plan (2008) and 'New Official Plan' (2020).
- Contains an analysis of the Intensification Criteria in the Burlington Official Plan.
- Contains a fulsome discussion of the results of the required technical studies and how they have been used to refine the redevelopment proposal.
- Contains a discussion of how input received at the Pre-application consultation meeting has been used to refine the redevelopment proposal.
- Contains a discussion of how input received from the Burlington Urban Design Panel has been used to refine the proposal.
- Contains a discussion of how the requested change addresses the objectives of Burlington's Housing Strategy.
- Contains an explanation of how the proposed development is compatible with surrounding land uses including height, setbacks, massing and design.
- Contains a comprehensive justification for any rental conversion or demolition of rental units which includes reference to the Region's State of Housing Report and a plan for relocation of existing tenants.
- Draft Official Plan Amendment and/or Amending Zoning By-law.
- Contains a robust justification of any removal or conversion of employment lands.
- Contains an explanation of why the requested change represents good planning and adheres to Provincial and municipal plans and policies.

- If land division is required, contains an explanation of the proposed process (condominium type, subdivision, consent), timing and next steps.

3) Survey and Severance Sketch / Conceptual Site Plan

- Legible, metric scale drawing on 24x36 inch paper (or digital)
- Prepared and signed by an OLS Surveyor
- Clearly identifies all development constraints including easements, MTO setbacks, floodlines & hazard lands, natural heritage buffers, required right-of-way widenings, daylight triangles, etc.
- Survey / Reference Plan of site showing PINs, easements and property boundaries, etc.

4) Land Assembly Documents

- Documentation which demonstrates that a reasonable, bona fide offer has been made to acquire lands to facilitate the orderly development of an area.

5) Financial Impact Study

- Description and summary of the development proposal
- Fiscal Impact Study Approach (methodology), reference documents, assumptions and databases used.
- An estimation of One-Time Revenues (Development Charges) including to what extent will the development charges to be paid by the development cover the capital cost of providing services to the development.
- An estimation of Other Fees and Charges (development application fees, cash-in-lieu, building permit fees, etc.)
- Property taxes from the development and assessment assumptions
- An assessment of current revenues (non-tax revenues) to be projected from the development
- An assessment of the implication for expenditure and the incremental costs for the development (based on Financial Information Return data – income statement and balance sheet)
- An assessment of the net operating impact (comparison of revenues and expenditures and the associated surplus/deficit on the City of Burlington's finances from the development)
- An assessment of whether the taxes to be paid by the development will cover the expected incremental increase in operating costs (both facility related and general per-capita related), as well as capital costs not covered by development charges

- Realistic cost estimation of identified capital program and long-term life-cycle analyses including asset management, operational, energy use, phasing, capital works prioritization and cash flow analysis
- Study results and conclusions

6) Housing Impact Statement

- Completed in accordance with Section 3.1.1(2)(h) and other applicable policies of the City's New Official Plan (2020)
- Comprehensive review of the proposal from an existing use and a proposed use perspective with a focus on affordability, unit/bedroom count, etc.
- Identify and discuss the proposed development in the context of Halton Region's Housing policies, and the Region's most recent State of Housing Report (note: the Region issues a State of Housing Report annually and any justification should reflect the current year report);
- Should identify and discuss other relevant and current housing information available;

7) Pedestrian Level Wind Study

- Completed in accordance with the City's Pedestrian Level Wind Study Guidelines and Terms of Reference.

8) Shadow Study:

- Completed in accordance with the City's Shadow Study Guidelines and Terms of Reference.

9) Arborist Report and Tree Preservation Plan (*only required if existing trees will be impacted, including by construction access and stockpiling of material and can be scoped to the trees that will be impacted)

- Is prepared by a qualified professional (e.g. Arborist certified by the International Society of Arboriculture (ISA), including ISA number; qualified by Ministry of Training, Colleges and Universities (MTCU) or Ontario Training and Apprentice Board (OTAB); registered professional Forester in Ontario, etc.)
- Contains legible drawings on 24x36
- Includes all dimensions in metric, to scale, and on a consistent base map layer
- Includes bar scale
- Shows the proposed development (including property lines, easements, regulated areas, paved areas, buildings and entrances, landscaped areas, regulated limits, etc.) and is coordinated with the Site Plan, Grading and Servicing drawings

- Arborist Report should describe the scope and methodology of proposed construction works and the tree preservation measures
- Identifies all existing trees (over 10cm diameter at breast height (DBH) measured at 1.4m above the ground) on site and within 3m of the property lines, and trees of any size on city property, their common and botanical name, size (DBH and height), structural and physiological condition, ownership, comments and notes, recommendations, and photos (particularly those requested for removal)
- Identifies trees proposed to be removed and retained, and the methods to be used to ensure preservation and protection of trees to be retained, including location and detail of tree protection fencing in accordance with the City of Burlington's Tree Protection and Preservation Specification SS12A: https://www.burlington.ca/en/services-for-you/resources/Forestry%20Operations/Tree_Protection_and_Preservation/City-of-Burlington-Standard-Specification-for-Tree-Protection-and-Preservation.pdf
- Minimum Tree Protection Zones and Critical Root Zones clearly shown and labeled in addition to tree protection fencing
- Percentage of injury should be clearly shown on the plan and noted in the Arborist Report, and impacts and damage mitigation methods outlined
- Clearly show the excavation limits on the plan (e.g. foundations or footings, trenching, etc.) and discuss damage mitigation measures (e.g. root pruning) in the Arborist Report
- Alternate layouts and construction measures should be considered and discussed in the Arborist Report to ensure any proposed removals are necessary and justified (i.e. there are no alternatives to the removal)
- Abbreviations should be defined and industry standard terminology used
- If removal or damage to trees on neighboring properties or boundary trees is required, provide either: 1) letter of consent from adjacent property owners that they are aware of the proposed development and potential impact to their trees or boundary trees and have no objections, OR 2) the Arborist Report should include preservation methods that can be implemented to mitigate damage to neighboring or boundary trees
- Arborist Report should describe compensatory tree planting if trees are proposed to be removed (layout to be shown on the Landscape Concept Plan)

10) Landscape Concept Plan

- Is stamped and signed by a qualified member of the Ontario Association of Landscape Architects
- Contains legible drawings on 24x36 inch paper
- Includes all dimensions in metric, to scale, and on a consistent base map layer
- Includes bar scale

- Identifies the location and general design intent of the proposed landscaped areas and buffers, and outdoor amenity areas
- Identifies minimum required soil volumes, and location of any structural soil cell installation areas to achieve minimum soil volumes ($30m^3$ of soil per tree in a single tree pit, $15m^3$ per tree in a shared planting environment. Excavation for each planting environment should be 0.75m to 1.2m depth and should not exceed 1.5m depth)
- Identifies the location, type and height of proposed fencing
- Identifies property lines, easements, regulated areas, impermeable surfaces (including curbs, roads, driveways, sidewalks, etc.), buildings and entrances, landscaped beds, lawns or other permeable surface areas, other information as needed
- Identifies the location of all underground, at grade and overhead utilities
- Identifies the location of any storm water management infrastructure, including swales, sub-drains, catch basins, pipes, and other quality and quantity controls as required

11) Functional Servicing Report

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

12) Hydrogeological Assessment

- Is prepared, signed and stamped by a qualified person (Professional Geoscientist or Professional Engineer)
- Follows the requirements for Completion of Hydrogeological Studies to Facilitate Conservation Halton's reviews (www.conservationhalton.ca/policies-and-guideline)
- Follows the terms of reference agreed upon by Conservation Halton, Regional and City staff in advance of study commencement. Includes a copy of this approved Terms of Reference as an Appendix.
- Contains legible drawings
- Includes digital copies of models
- Includes all dimensions in metric, to scale, and on a consistent base map layer.

13) Noise & Vibration Feasibility Study

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

14) Traffic Impact Study

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

- Includes all traffic counts and modelling data in an Appendix and electronically
- Includes a multi-modal approach to transportation analysis
- Incorporates Travel Demand Measurement measures

15) Stormwater Management Report

- Please refer to the City of Burlington Stormwater Management Design Guidelines, approved by City Council on June 22, 2020, please be advised of new IDF curves for the City of Burlington: https://www.burlington.ca/en/services-for-you/Stormwater.asp
- Refers to the Ministry of the Environment "Stormwater Management Planning and Design Manual" and the TRCA/CVC Low Impact Development Stormwater Management Planning and Design Guide.
- Is prepared, signed and stamped by a Professional Engineer
- Includes pre and post development drainage area plans that are legible, plotted to an acceptable metric scale, plotted on 24" by 36" paper and plotted on a consistent base map layer
- Includes site grading and servicing plans that are legible, plotted to a metric scale of 1:200, 1:250, 1:300 or 1:500, plotted on 24" by 36" paper and plotted on a consistent base map layer
- Includes digital copies of modeling, modelling program acceptability to be confirmed with City Staff prior to use and prior to submission of report.
- Includes a list of all past reports and current technical documents that have been consulted.
- Includes all calculations, modelling, and parameters (as per City Standard Drawings S-IDF, S-2D, S-3D, etc., as amended)
- Includes clearly defined stormwater criteria for the site (including source) and demonstrates in report how these criteria will be satisfied.
- Addresses all interim conditions as well as the ultimate condition
- Contains engineering details and cross-sections showing existing utility locations if any temporary and/or permanent encroachments are proposed.
- Provide chemical analysis of groundwater to determine if it satisfies the City's storm sewer discharge criteria for water quality. (including documentation from the Geotechnical or Environmental Engineer in the appendix)
- If groundwater cannot be directly outletted to the municipal storm system, detail where it will outlet, i.e. treated then outlet to storm or outlet to the sanitary system.

- Provide an estimate of groundwater flow to be permanently managed in the site storm system (including documentation from the Geotechnical Engineer or Hydro-geologist in the appendix)
- Provide comment on whether or not it is anticipated a permit to take water would be necessary either temporarily during construction or permanently.

16) Grading and Servicing Plans

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

17) Geotechnical Study (including Groundwater)

- Is prepared, signed and stamped by a Professional Engineer.
- Contains legible drawings
- Includes digital copies of models
- Includes all dimensions in metric, to scale, and on a consistent base map layer.
- Includes groundwater information (for example: dewatering during construction vs. permanent dewatering to be accommodated in a stormpond). Includes estimated volumes of groundwater to be permanently managed.
- Indicates if a Permit to Take Water would be required either during construction or permanently.
- Includes testing of groundwater to ensure it meets municipal stormwater discharge criteria. (City and Regional staff have been contacted if groundwater does not meet discharge criteria.)
- Contains sufficient quantity and distribution of boreholes to map soil and groundwater conditions for the soil type.
- Provides sufficient monitoring data to address groundwater level seasonality.

- Contains results of any geotechnical test completed.
- Discusses infiltration capabilities if Low Impact Development is proposed.
- Contains shoring and excavation details (for example: tiebacks, caissons, foundations, forming, piles) if underground parking or encroachments are proposed.
- Includes cross-sections, and dimensions from property lines and details of over-digging.
- Includes a stable slope assessment if required at the preconsultation stage. This study refers to the Ministry of Natural Resources and Forestry Technical Guidelines "Natural Hazards Manual Technical Guide – River and Stream Systems: Erosion Hazard Limit" and final topographical survey drawings with stable top of bank delineation signed and stamped by a Professional Engineer.
- Contains confirmation of the need for pre-construction surveys of surrounding buildings, to an extent determined by a Professional Engineer specializing in vibration, OR confirmation that pre-construction surveys are not warranted.

18) Environmental Site Assessment Report

- Completed in accordance with Ontario Regulation 153/04 as amended
- Regional Environmental Site Screen Questionnaire included
- Prepared, signed and stamped by a Qualified Person
- Letter of Reliance for City and Regional staff
- If the Phase One Study recommends a Phase Two Study, then the Phase Two is included with the submission
- If the Phase Two Study recommends site remediation, then the remediation plan is included to ensure that remediation feasibility has been considered.

19) Urban Design Brief:

- Contains a itemized and detailed analysis of how the proposed development meets the urban design objectives and policies of the Official Plan and any relevant approved urban design guidelines.
- Indicates how the proposed development responds to its surrounding context (both existing and planned).
- Provides a close examination and understanding of the surrounding area including blocks, streets, and buildings that could influence overall site and building design.
- Describes the overall architectural expression; building relationship to streetscape and adjacent properties; pedestrian, cycling, and transit connections; sustainable building elements; and other urban design features that ensure design excellence.

- Contains an explanation of how the proposed development is compatible with surrounding land uses including height, setbacks, massing and design.
- Contains a discussion of how input received from the Burlington Urban Design Panel has been used to refine the proposal.
- Include the BUD Meeting Minutes as an Appendix.

20) Waste Management Report

- Contains a loading plan showing turning radii for trucks
- Contains building elevations illustrating vertical clearance for truck access
- Contains details of layout for waste storage areas
- If no public waste collection is proposed, includes a letter confirming private pick-up.

21) Risk Assessments (MIACC & D6)

- Is signed by qualified professional
- Illustrates how the proposal satisfies Provincial D6 Guidelines criteria

22) Construction Management and Mobility Plan:

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

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

APPENDIX B

Pre-Application Community Meeting Minutes

Summary of Public Comments

The following is a summary of key comments received from the public regarding the proposed development:

- Concerns were raised about the proposed building height, specifically that it was too tall and will not fit in the context or the built form of the existing surrounding neighbourhood.
- There were concerns raised regarding sight lines and that the view from the surrounding residential buildings will be disrupted.
- It was asked to consider including restaurants into the proposed development, as they are a desired use amongst the community.
- Comments were provided regarding the lack of grocery stores or other services within the area.
- There is a general concern regarding increased traffic and road congestion that will result from the proposed development and the increased danger for residents, specifically children in the area.
- It was requested to confirm if there are any impacts to surrounding businesses in the area.
- There were comments provided regarding the impact of the proposed development on the existing 'old village' context and historic culture of Aldershot, which should be considered into the building design.
- It was requested to include parks and amenity space into the site design that caters to both children and adults.
- Questions were raised about whether schools in the area could accommodate the population growth.
- Questions were raised regarding the tenure of the building and whether it would be condominium or rental units.
- There were comments provided regarding overall cost issues within the neighbourhood, specifically that rent is generally too expensive and that property values will decrease as a result of the proposed development.

APPENDIX C

Burlington Urban Design Review Panel Meeting Minutes

Summary of Burlington Urban Design Advisory Panel Feedback

Topic 1: Built Form and Context

- Height / Massing
    - Concerns were raised regarding the overall building height and being not in keeping with MTSA direction.
    - More rationale was requested to support the additional height (e.g., shadows, noise).
    - It was recommended that a 3D model showing the future context within MTSA areas is prepared.
    - It was recommended to increase the stepbacks to the tower.
- Building Design
    - It was recommended to improve the design treatment on east and west facades as well as the northern podium.
    - There was a comment provided about the tower frame, specifically that the current design makes tower appear larger and reduces appearance of stepbacks.
    - It was recommended to soften the four-storey columns on Plains Road West.
    - Concerns were raised that the podium parking façade will be value engineered.
    - A recommendation was provided to wrap the retail uses around the corner onto Howard Road.

Topic 2: Site Circulation

- Ground Floor
    - A comment was made regarding the ground floor being dominated by vehicle circulation.
    - It was recommended to remove the podium parking and ramp and replace the podium parking with additional residential units.
    - It was asked to ensure that the ground floor design does not appear as a parking garage.
    - It was suggested to reduce the lobby size and move the underground ramp closer to street.
- Streetscape
    - It was suggested to reduce the building entrances and curb cuts.
    - It was recommended to continue the boulevard treatments across driveways to ensure pedestrian priority.
    - A recommendation was provided to give direct access between the building and the garbage staging area.
    - It was asked to improve activation along Howard Road.

Topic 3: Public Realm, Amenity, and Sustainability

- Public Realm

    - It was asked to increase the bike parking to integrate the site with existing surrounding infrastructure.
    - It was recommended to provide the entrance and the focal point of the building at corner.
- Amenity Areas
    - It was suggested to include amenity options for children to cater to the proposed larger units.
    - It was recommended to consider non-commercial seating/rest areas along street to avoid 'pay-to-sit' areas next to retail.
- Sustainability
    a. It was asked to consider lighter colours for heat reflection.
    b. It was recommended to consider an appropriate ratio between walls and windows.
    c. The location of the tower was appreciated by the panel.

APPENDIX D

Forthcoming Development within 2.5 Kilometers of 127 Plains Road West

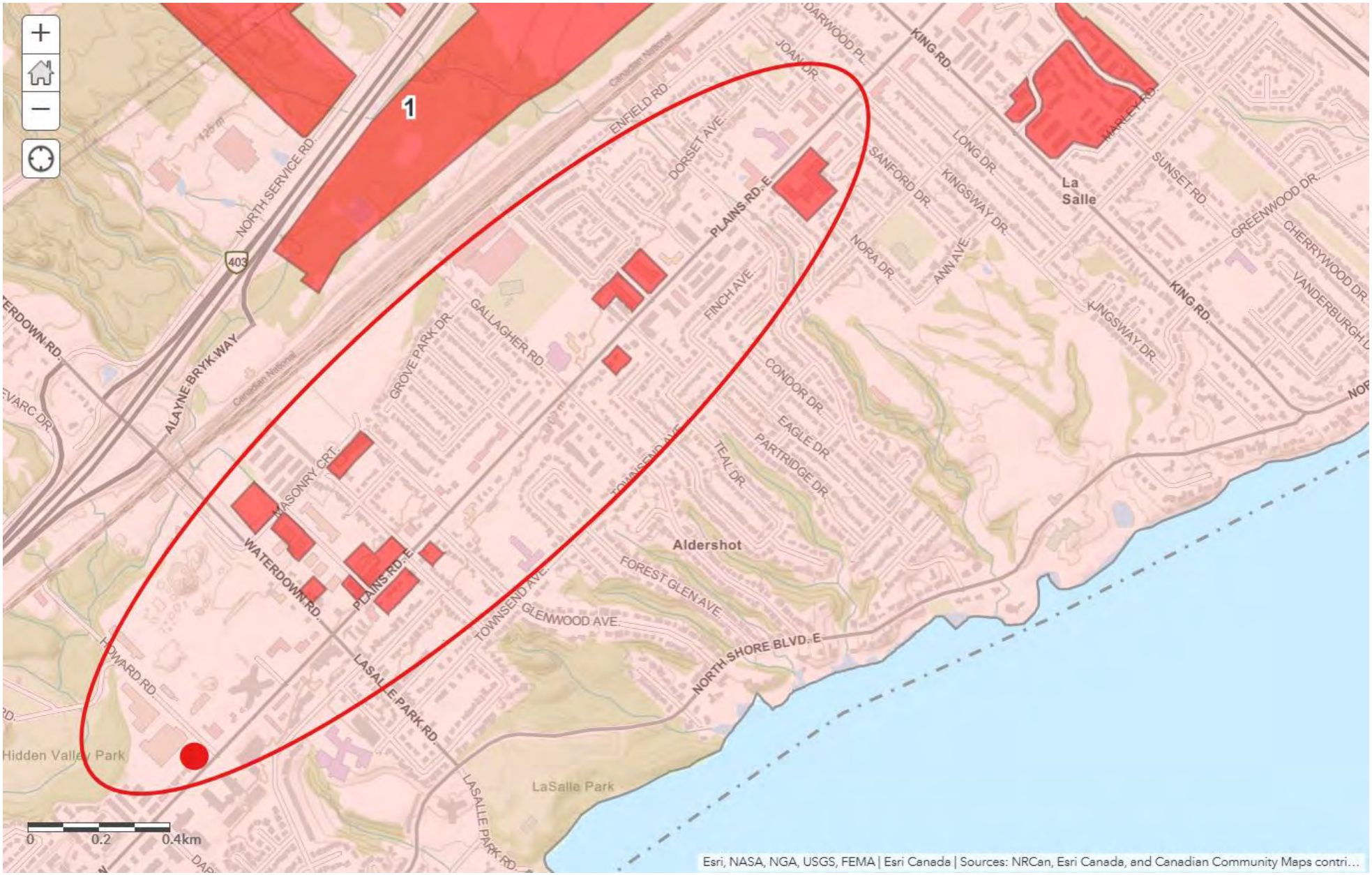


Image 1: Development within 2.5 kilometres of the subject property.

Table 1: Summary of Forthcoming Development within 2.5 Kilometers of 127 Plains Road West						
Address	Status of Application	Building Height	Number of Units	Number of Parking Spaces	Parking Rate	Commercial GFA
141, 147 & 153 Plains Road West	Under Review	11 storeys	150	112 residential	0.75	175m^2
1085 Clearview Ave.	Approved	6 storeys	160	203 residential	1.27	N/A
92 Plains Rd. East	Approved	4 storeys (12.73m)	24	26 residential	1.08	239.48m^2
				9 visitor / non-residential	0.36	
				35 total	1.45	
53-71 Plains Rd. East & 1025 Cooke Blvd	Approved	Bldg A: 12 storeys (40.63m)	450	461 residential	1.02	1,207m^2
		Bldg B: 10 storeys (34.53m)		120 visitor / non-residential	0.27	
				581 total	1.29	
40-70 Plains Rd. East	Approved	10 storeys (32.2m)	360	410 residential	1.13	N/A
				14 visitor	0.03	
				424 total	1.16	
1029 & 1033 Waterdown Rd.	Appealed	29 storeys (107.1m)	295	295 residential	1	189m^2
				25 visitor / non-residential	0.08	
				320 total	1	
1062-1074 Cooke Blvd.	Approved	Bldg A: 30 storeys (103.2m)	809	523 residential	0.64	581m^2
		Bldg B: 32 storeys (110.8m)		118 visitor / non-residential	0.14	
				641 total	0.79	

1120 Cooke Blvd.	Under Review	Bldg A: 33 storeys (109.66m)	1,165	1,037 residential	0.89	495m^2
		Bldg B: 29 storeys (96.96m)		93 visitor / non-residential	0.08	
		Bldg C: 31 storeys (103.41m)		1,130 total	0.97	
35 Plains Rd. East	Approved	8 storeys (27.05m)	72	75 residential	1.04	229.74m^2
				14 visitor / non-residential	0.19	
				89 total	1.23	
276, 284 & 292 Plains Rd. East	Under Review	7 storeys	141	141 residential	1	N/A
				12 visitor	0.08	
				153 total	1.08	
1010 Downsview Drive & 355 Plains Rd. East	Appealed	Bldg A: 8 storeys	544	729 residential	1.34	628.6m^2
		Bldg B: 11 storeys		22 non-residential	0.04	
				751 total	1.38	
484-490 Plains Road East	Approved	Bldg A & B: 8 storeys (26m)	397	421 residential	1.06	998.5m^2
		Bldg C-J: 3 storeys (12m)		43 visitor / non-residential	0.1	
				464 total	1.17	

APPENDIX E

Draft Official Plan Amendment

AMENDMENT NO. XXX TO THE OFFICIAL PLAN
OF THE BURLINGTON PLANNING AREA

CONSTITUTIONAL STATEMENT

The details of the Amendment, as contained in Part B of this text, constitute Amendment No. XXX to the Official Plan of the Burlington Planning Area, as amended.

PART A – PREAMBLE

1. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to maintain the land use designation on Subject Lands as 'Mixed-Use Corridor – General' with site-specific policies for an increased building height and increased floor area ratio to facilitate the mixed-use development featuring 24-storeys with a 5-storey podium, at-grade retail/commercial units, and underground parking structure. The proposal includes a total of 240 units with a gross floor area of 20,000 square metres, inclusive of 500 square metres for non-residential uses fronting Plains Road West. The total floor area ratio is 9.0. There are various indoor and outdoor amenity areas provided throughout the site and within the building. A drive aisle is proposed from Howard Road providing access to the underground parking structure as well as a second access from Plains Road West to loading and parking provided at-grade.

2. SITE AND LOCATION

The Subject Lands are located on the northwest corner of the intersection of Plains Road West and Howard Road. The Subject Lands are a corner lot with a total area of approximately 0.26 hectares with 55 metres of frontage on Plains Road West and 35 metres of frontage on Howard Road.

3. BASIS FOR THE AMENDMENT

a) The application proposes intensification that is consistent with the Provincial Planning Statement (PPS) for the City of Burlington a large and fast-growing municipality. The PPS promotes densities for new housing which efficiently uses land, resources, infrastructure and public service facilities, and supports the use of public transit.

b) The application supports the achievement of complete communities through the provision of a mix of uses within a compact built form, and by directing intensification to areas in proximity to transit, within the delineated built-up area, assists the City in achieving its intensification targets and housing supply targets and meet the intent of the Halton Region Official Plan.

DRAFT

c) The proposal conforms to the Halton Region Official Plan and the Official Plan for the Burlington Planning Area, upon finalization of this Amendment. The site is located within the boundary of the Aldershot GO Major Transit Station Area in the Regional Official Plan Amendment No. 49;

d) The proposal generally implements the City of Burlington's Tall Building Urban Design Guidelines;

e) The proposed development is located on lands with adequate infrastructure and in close proximity to transit routes, commercial uses and community amenities and satisfies Official Plan policies to provide housing opportunities in locations that can reduce travel times, decrease dependence on the car and promote transit and active transportation;

f) The proposal is compatible with the context of the surrounding area and there are no adverse impacts from the development or land use compatibility constraints;

g) The proposal enhances the pedestrian environment along Plains Road West and Howard Road; and,

h) The development represents appropriate intensification within a Major Transit Station Area.

PART B – THE AMENDMENT

1. DETAILS OF THE AMENDMENT

Map Change:

There is no change to the proposed mapping of the Official Plan for the Burlington Planning Area, as this amendment maintained the existing 'Mixed-Use Corridor – General' designation on the Subject Lands, as shown on the attached Schedule 1.

Text Change:

The text of the Official Plan of the Burlington Planning Area, as amended, is hereby amended as follow:

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By adding the following site-specific policy at the end of Part III, Land Use Policies – Urban Planning Area, Section 5.3 Mixed Use Corridors, Subsection 5.3.2, General Policies, as follows:

127 Plains Road West	Notwithstanding the policies of Part III, Subsection 5.3.2 d) i), ii) of this Plan, for the lands described as 127 Plains Road West, mixed-use buildings containing residential units with a maximum floor area ratio of 9.0:1.0 and a maximum building height of 24-storeys (plus mechanical penthouse and rooftop amenity) shall be permitted.

2. INTERPRETATION

The Official Plan Amendment shall be interpreted in accordance with the "Interpretation" policies of Part VI Implementation, Section 3.0 Interpretation, of the Official Plan of the Burlington Planning Area.

3. IMPLEMENTATION

The Official Plan Amendment will be implemented in accordance with the "Implementation" policies of Part VI of the Official Plan of the Burlington Planning Area.

DRAFT

APPENDIX F

Draft Zoning By-law Amendment

THE CORPORATION OF THE CITY OF BURLINGTON

BY-LAW NUMBER 2020.XXX

A By-law to amend By-law 2020, as amended; for 127 Plains Road West, for the purpose of facilitating the mixed-use development featuring a building height of 24-storeys and 240 units.

WHEREAS Section 34(1) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, states that Zoning By-laws may be passed by the councils of local municipalities. and

THE ONTARIO LAND TRIBUNAL AMENDS ZONING BY-LAW 2020 AS FOLLOWS:

1. Zoning Map Number 539 of PART 15 to By-law 2020, as amended, is hereby amended as shown on Schedule "A" attached to this By-law.

2. The lands identified on Schedule "A" attached hereto are hereby rezoned from "Mixed-Use Corridor (MXG)" to "Mixed-Use Corridor Site-Specific XX (MXG-XXX)".

3. PART 14 of By-law 2020, as amended, Exceptions to Zone Classifications, is amended with the following site-specific regulations:

Regulation Type	**Proposed Regulation (MXG-XX)**
Street Yard Setback (min.)	0 metres
Floor Area Ratio (max.)	9.0
Landscape Area Abutting Street (min.)	0 metres
Building Height (max.)	24 storeys
Amenity Area (min.)	4,000m^2

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

ENACTED AND PASSED this day of 2024.

DRAFT