CITY OF Burlington

DEVELOPMENT APPLICATION PRE-CONSULTATION FORM

Meeting Date:	**Site Address:**
May 1, 2024	2083 Lakeshore Road
Property Owner: Lakeside Developments LTD c/o Amir Peyman	**Applicant / Address / Phone / Email** Bousfields Inc. c/o David Falletta 1 Main Street East, Suite 200 Hamilton ON
Site Area: 0.20 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:**

   27 storey mixed use building containing 195 residential units, 202.39 sq. m. of ground floor retail, 136 bicycle parking spaces and 209 parking spaces within five levels of underground parking.

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

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

3. **Existing Official Plan Designation:** Mixed Use Centre (Downtown) (Schedule 'B') (Old Lakeshore Road Mixed Use Precinct)

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

   If 'NO' what is the nature of the OP amendment needed? Increase in maximum building height and density

4. **New Official Plan Designation:** Downton Urban Centre (Schedule 'C') Old Lakeshore Road Precinct (Schedule 'D')

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

   If 'NO' what is the nature of the OP amendment needed? Increase in maximum building height and density

5. **Existing Zoning:** Downtown Old Lakeshore Road (DL-A)

   Conformity with existing zoning? YES _____ NO X

   If 'NO' what is the nature of the zoning amendment needed? Height and density

6. Design Guidelines in effect? YES X NO

Name of Design Guidelines Tall Building Guidelines (May 2017); Shadow Study Guidelines and Terms of Reference (June 2020); Pedestrian Level Wind Study Guidelines and Terms of Reference (June 2020); Sustainable Building and Development Guidelines (April 2019).

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

YES X NO

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 0-25: $11,875 Units 26-100: $26,625 Units 101-195: $21,850 Non-Residential GFA: $151.50	$1,123.65	N/A
TOTAL	**$180,989**	**$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/Union Gas

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 increased height and/or density? YES X NO

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

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	Yes
ii.	Land Assembly Documents	No
iii.	Survey and Severance Sketch, prepared by an Ontario Land Surveyor	Yes
iv.	Land Use Compatibility Study	No
v.	Retail and Service Commercial Needs Assessment	No
vi.	Financial Impact Study	No
vii.	Housing Impact Statement	Yes
viii.	Park Concept Plan	No
ix.	Agricultural Impact Assessment	No
x.	Social Impact Assessment	No
xi.	Archeological Report	No
xii.	Heritage Impact Study	No
xiii.	Cultural Heritage Landscape Impact Assessment	No
xiv.	Conceptual Site Plan Layout	Yes
xv.	Architectural Plans	Yes
xvi.	3-D Model of Proposed Buildings	Yes
xvii.	Burlington Urban Design Advisory Panel (BUD) Comments	Yes
xviii.	Height Survey of Adjacent Buildings	Yes
xix.	Angular Plane Study	Yes
xx.	Shadow Analysis Plan	Yes
xxi.	Wind Impact Study	Yes
xxii.	Arborist's Report	Yes
xxiii.	Tree Inventory and Preservation Plan	Yes
xxiv.	Landscape Plan	Yes
xxv.	Water & Wastewater Functional Servicing Report	Yes

xxvi.	Hydrogeology Study / Water Budget & Hydrology Study	No
xxvii.	Source Protection Disclosure Report	No
xxviii.	Noise Feasibility Study / Vibration Study	Yes
xxix.	Transportation Impact Study	Yes
xxx.	Transportation Demand Management Plan and Implementation Strategy	Yes
xxxi.	Parking Justification Report	Yes
xxxii.	Storm Water Management Report / Functional Drainage Report, Storm Services Plan and Flooding Hazard Delineation and/or Grading and Drainage Plans	Yes
xxxiii.	Environmental Impact Assessment	No
xxxiv.	Top-of-bank Demarcation / Slope Stability Assessment / Creek Erosion Assessment / Geomorphic Study	No
xxxv.	Shoreline Hazardous Land Studies	No
xxxvi.	Geotechnical Report	No
xxxvii.	Phase 1 Environmental Assessment	Yes
xxviii.	Phase 2 Environmental Assessment / Record of Site Condition	No
xxxix.	Landfill Assessment	No
xl.	Sustainable Building and Development Guidelines Checklist	Yes
xli.	Phasing Strategy for Development of Retail and Service Commercial Uses	No
xlii.	Public Consultation Strategy	No
xliii.	Response to Comments Received at a Community Meeting Held in Advance of a Formal Development Application	Yes
xliv.	Comprehensive Block Plan	No
xlv.	Urban Design Brief	Yes
xlvi.	Tenant Relocation and Assistance Plan	No
xlvii.	**Other** Environmental Site Screening Checklist Draft Official Plan Amendment / Draft Zoning By-law Amendment Waste Management Report	 Yes Yes Yes

13. ADDITIONAL REQUIREMENTS: see: attached Pre-Consultation Meeting Notes & Terms of Reference

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 change 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 Acknowledgement (In Lieu of Signatures):

I acknowledge that the City will require the provision of the drawings, reports and other requirements indicated in Section 12 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 13 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

Address 2083 Lakeshore Road - Date May 1, 2024

Attendees:

City of Burlington:	Elyse Meneray, Bill Wallace, Alexandra Mathers, Kate Hill-Montague, Smeeta Adiga, Garry Hernandez, Kyle Poole, Greg Bunker, Tina Vassalli, Jeanette Bax, Chloe Richer, Judi Lytle and Derek Napoli
Halton Region:	Adam Huycke and John Kisneris
Proponents:	Cale Vanderveen (Bousfields) and Amir Peyman (Rosseau Development Corp)

Description of Development Concept:

- 27 storey mixed use building containing 195 residential units, 202.39 m^2 of ground floor retail, 136 bicycle parking spaces and 209 parking spaces within five levels of underground parking.
- The proposal will have proposed density of 1,026 units per hectare (FAR – 10.58:1) with approximately 21,104.88 m^2 of gross floor area.

Planning Comments:

Bill 185, Cutting Red Tape to Build More Homes Act, 2024

Due to recent Provincial legislation, as of July 1, 2024 Halton Region's role in land use planning and development matters is changing. The Region will no longer be responsible for the Regional Official Plan as this will become the responsibility of the four local municipalities.

A Memorandum of Understanding (MOU) between the Halton municipalities and Conservation Authorities is being prepared that identifies the local municipality as the primary authority on matters of land use planning and development. The MOU also defines a continued scope of interests for the Region and the Conservation Authorities in these matters.

REGIONAL OFFICIAL PLAN, 2009

Designation & Overlays: Urban Area (Map 1), Built Boundary, Secondary Regional Nodes

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. On December 6, 2023 Bill 150, "Planning Statute Law Amendment Act, 2023" received Royal Assent. This legislation results in specific decisions issued under the Planning Act by the Minister of Municipal Affairs and Housing being deemed to have never been made, including the Minister's November 4, 2022 decision to approve ROPA 49, with modifications. As a result, ROPA 49 as adopted by Regional Council on June 15, 2022 is in effect as of November 4, 2022. Bill 150 also implements three modifications related to corridor protection policies and mapping (Modifications #18, #19 and #39 in the Minister decision on ROPA 49), which are also in effect as of November 4, 2022. 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.

Urban Area, as amended by ROPA 48& 49

- 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.
- Within the Urban Area, the Regional Urban Structure as shown on Map 1H implements Halton's planning vision and growth management strategy to ensure efficient use of land, amongst other matters.
- Section 72.1 (6) identifies a Regional Urban Structure that directs growth to *Strategic Growth Areas*. The policies of the ROP provide for a structure and hierarchy in which to direct population and employment growth. Staff note that the Subject Lands are not located within the general area that is identified as a '*Secondary Regional Nodes'* Regionally identified Strategic Growth Area, as amended by ROPA 48 and 49.
- The ROP provides for and supports local planning exercises that implement the planned growth for Strategic Growth Areas. Development/redevelopment proposals within identified Strategic Growth Areas should be carefully considered and evaluated to ensure that the comprehensive planning provided within the Regional Urban Structure and Strategic Growth Areas hierarchy is not negatively impacted as a result of development,

and in turn does not negatively impact the City's ability to plan for and achieve the growth management objectives in the long-term. Development proposals that would result in significant intensification of uses outside Strategic Growth Areas may not be supported.
- Section 84 of the ROP speaks to the goal of housing to supply the Region with an adequate mix of housing types. 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

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 (at minimum) (to O. Reg 153/04 standards and with a Letter of Reliance). Additional Environmental Site Assessments may be required depending upon the recommendation(s) of the Phase 1 ESA.
    - Regional Staff note that the submitted ESA's should provide sufficient analysis to understand previous uses and whether or not a mandatory RSC is required to support the proposed use.

Current Official Plan (1997, as amended)

The subject lands are designated 'Mixed Use Centre' designation (Schedule 'B' – Comprehensive Land Use Plan – Urban Planning Area) and are located within the 'Old Lakeshore Road Mixed Use Precinct' (Schedule 'E' – Downtown Mixed Use Centre Land Use Plan) to the City of Burlington Official Plan (1997), as amended.

Old Lakeshore Road Mixed Use Precinct Policies (Part III, Section 5.5.7)

Section 5.5.7.1 (Objectives)

(a) To provide an area in the Downtown for high intensity, mixed use development that is pedestrian-oriented and transit-supportive, which helps meet Provincial Growth objectives and provides for a transition from the highest density mixed-use area (Wellington Square Mixed Use Precinct) to the more residential areas to the east.

(c) To require a high standard of design that has a sense of pedestrian scale and comfort that is compatible with existing development and reflects the unique history and character of the precinct.

Section 5.5.7.2 (Permitted Uses)

(a) The following uses may be permitted:
    (i) High-density apartment residential uses, including the residential use of upper storeys of commercial buildings;
    (ii) Commercial activities including local service and retail uses, office and administration uses;
    (iii) Cultural uses of all types;
    (iv) Leisure, recreation and hospitality uses;
    (v) Entertainment uses;

(vi) Community facilities.

Section 5.5.7.2 (West Sector)

(b) Development will be subject to the following criteria:

The minimum density of residential buildings shall be 51 units per net hectare. The minimum height of buildings shall be two storeys and the maximum height of buildings shall be 10 storeys and 31.5 m.

(c) Taller buildings may be permitted in the West Sector, up to a maximum height of 15 storeys and 47 m, where they provide compatibility with surrounding land uses and a sense of pedestrian scale by the use of building design incorporating a ground level, street-oriented podium, and subject to the community benefits provisions of Part VI, Section 2.3 of this Plan and the following details to the satisfaction of City Council:

(i) assembly of lands from the Martha Street alignment to Waterfront East consisting of lands within Area 'A', including the Old Lakeshore Road road allowance, and the westerly portion of Area 'C';
(ii) continuation of the Martha Street alignment to meet Old Lakeshore Road
(iii) construction of and dedication to a public authority,
(iv) a public waterfront access that provides a connection between the Pearl Street extension and Lakeshore Road in the vicinity of a Martha Street extension, in accordance with Part III, Subsection 5.5.7.2 (i)
(v) closure of a portion of Old Lakeshore Road to achieve redevelopment and intensification
(vi) provision of a view corridor from Martha Street to Lake Ontario
(vii) provision of enhanced public spaces
(viii) preservation or relocation of significant cultural heritage resources within the precinct;
(ix) submission of an angular plane study, identifying visual, sun shadowing and wind impacts, and demonstrating how such impacts can be mitigated to acceptable levels.

As part of the Planning Justification report, staff will be requiring an analysis of these OP policies and how the proposed development conforms with them.

(f) Retail or service commercial uses are required continuously at grade along public streets in residential or office buildings

Part III – Section 5.5.12 Urban Design

b) Continuous pedestrian walkways shall be established between retail areas in the Downtown, e.g., Brant Street, Lakeshore Road, Village Square and Pearl Street, and between the commercial areas and the waterfront.

d) Buildings and public areas *shall* be designed to consider pedestrian scale, comfort, safety and access.

e) The design of new buildings shall ensure views to the lake are preserved and orientation of the building is toward the Lake, where feasible.

f) Site-specific urban design studies may be required as part of a development proposal to investigate and recommend a design for compatibility with surrounding uses, micro-climate effects, pedestrian safety, and issues of human scale and views.

q) The construction of new buildings compatible with cultural heritage resources shall be encouraged in the Downtown to blend new development with existing streetscapes and add to the area's character.

Part VII – Table 2 – Road Allowance Widths

Lakeshore Road – entire width – Road Allowance Width (metres) – 30 metres

Council Adopted New Official Plan

- On November 30, 2020, the Region of Halton issued a Notice of Decision approving the new Burlington Official Plan. Section 17(27) of The Planning Act (R.S.O. 1990, as amended) sets out that all parts of an approved official plan that are not the subject of an appeal will come into effect on the day after the last date for filing a notice of appeal, that date being December 22, 2020 for the new Burlington Official Plan. The appeal record submitted to the Ontario Land Tribunal (OLT) by the Region of Halton indicates that a total of 48 appeals to various parts of the new Burlington Official Plan were received during the appeal period.
- Although the City is preparing a working version of the new Official Plan, it is the OLT that will issue Orders throughout the appeal process to establish and confirm which portions of the Plan remain subject to appeal, and which portions are in effect. As the OLT process advances, the working version of the Burlington Official Plan, 2020 is subject to change. Users of the document must satisfy themselves as to the legal status and applicability of the polices. Our team encourages to monitor the City of Burlington's website for updates regarding the OLT process, the Burlington Official Plan, 2020 and the Burlington Official Plan, 1997.
- The subject lands are designated 'Urban Centres' (Schedule 'C' – Land Use-Urban Area) within the 'Old Lakeshore Road Precinct' (Schedule 'D' – Downtown Urban Centre Land Use) of the City of Burlington New Official Plan. The subject lands are identified as being located within a 'Primary Growth Area' (Schedule 'B-1' – Growth Framework) and as a 'Retail Main Street' and 'Mixed Use Street' (Schedule 'D-1' – Downtown Urban Centre Retail Streets).

  Old Lakeshore Road Precinct (Section 8.1.1(3.6)):

  The Old Lakeshore Road Precinct will provide for mixed-use mid-rise buildings consisting primarily of residential uses which are pedestrian-oriented and transit-supportive while

also achieving a high standard of design. Modest tall buildings which transition downward from the adjacent Lakeshore Precinct towards the waterfront may be accommodated where such development achieves strategic public and city building objectives, including the provision of public waterfront access and the creation of new uninterrupted view corridors to Lake Ontario, among others.

Section 8.1.1(3.6.1) (Policies):

(a) The following uses may be permitted within the Old Lakeshore Road Precinct:
  (i) Residential uses with the exception of single detached dwellings, semi-detached dwellings and other forms of stand-alone ground-oriented dwellings;
  (ii) Office uses;
  (iii) Retail and service commercial uses;
  (iv) Hotel uses;
  (v) Entertainment uses; and,
  (vi) Recreation uses.

(b) Development shall contain a minimum of two permitted uses, as identified in Subsection 8.1.1(3.6.1)(a) of the Plan.

The subject lands are identified as being located within West Sector (Area 'WS') to Schedule 'D' – Land Use – Downtown Urban Centre. Accordingly, the policies of Section 8.1.1(3.6.1)(c) of the New Official Plan ('OP 2020') apply as follows:

(c) Within the West Sector (Area 'WS') as identified on Schedule 'D' – Land Use – Downtown Urban Centre of the Plan:
  (i) Development shall:
    a. achieve a minimum building height of two (2) storeys; and
    b. not exceed a height of ten (10) storeys and thirty-one and a half (31.5) m, except where permitted in accordance with Subsection 8.1.1(3.6.1) c) (ii) of this Plan

  (ii) development not exceeding fifteen (15) storeys and forty-seven (47) m in height may be permitted within the West Sector, subject to the provision of the following to the satisfaction of the City:
    a. assembly of lands within the Old Lakeshore Road Precinct between Pearl Street and the future Martha Street alignment and view corridor to the Waterfront (including all lands within the West Sector (Area 'WS'), portions of the westerly portion of the existing Old Lakeshore Road public right-of-way and the westerly portion of the South Sector (Area 'SS') lands contained within the described area);
    b. continuation of the Martha Street alignment to meet Old Lakeshore Road;
    c. construction, and dedication to a public authority, of a public waterfront access that provides a connection between the Pearl Street extension

and Lakeshore Road in the vicinity of a Martha Street extension, in accordance with Subsection 8.1.1(3.6.1) c) (ii) of this Plan;

d. closure of the portion of Old Lakeshore Road identified in Subsection 8.1.1(3.6.1) c) (ii) a. of this Plan;
e. provision of a view corridor from Martha Street to Lake Ontario;
f. provision of enhanced public spaces;
g. conservation or re-location of significant cultural heritage resources within the precinct;
h. submission of an angular plane study, identifying visual, sun shadowing and wind impacts, and demonstrating how any adverse impacts can be mitigated to acceptable levels; and
i. community benefits

(h) A holding zone may be used to specify the conditions of development that must be completed to achieve the higher density development outlined in Subsections 8.1.1(3.10.1) c) (ii) and d) (ii) of the Plan.

(j) The City will consider undertaking an area-specific plan for lands within the Old Lakeshore Road Precinct with respect to the review of existing height and density permissions and conditions for development as stated within the Plan, as well as other matters as determined by the City. The area-specific plan shall undertake such a review in terms of achieving key city building objectives including, but not limited to, the following:

(i) the creation of new public pedestrian connections and park spaces along the waterfront, including any potential linkages with adjacent development as well as areas designated Downtown Parks and Promenades within the Plan;

(ii) the creation of a new view corridor from Martha Street at Lakeshore Road to Lake Ontario including the establishment of any potential associated pedestrian connections; and,

(iii) the undertaking of a detailed shoreline study to assess potential impacts on development potential within the precinct, to be undertaken in consultation with Conservation Halton.

(k) In the case of a development application preceding an Area Specific Plan for the lands within the Old Lakeshore Road Precinct, a special study for the entire Old Lakeshore Road Precinct shall be submitted and implemented based on a terms of reference completed to the satisfaction of the City. The special study shall demonstrate how the proposed development contributes towards, or does not impede the achievement of, the policy objectives for the Old Lakeshore Road Precinct identified in Policy 8.1.1 (3.6.1) a) through j). The special study will also demonstrate how the development is consistent with all applicable Official Plan policies and design guidelines.

Section (8.1.1 (3.21) Retail Streets

Retail Streets places shall be designed to cater to pedestrians and create a vibrant street life where pedestrians spend time for both leisure and shopping. The design of the public realm and the built form must respond to the primacy of pedestrians and create a safe, welcoming and comfortable environment for high volumes of pedestrians in all seasons.

Redevelopment and changing tenants along Retail Streets, need to maintain and support the character and continuity of the retail street. Built form on these streets should respect the existing physical characteristics of the street, respond to changing markets, and promote community identity and character.

Section 8.1.1(3.21.1) (Policies):

(a) Retail, service commercial and office uses at-grade may be developed in the Downtown Urban Centre in accordance with Schedule 'D-1': Downtown Retail Streets, of this Plan, and in accordance with the following:
    (i) along Retail Main Streets, retail or service commercial uses shall be required continuously at grade in buildings having frontage on to public streets and the Elgin Promenade.

    (ii) along Mixed Use Streets, retail, service commercial or office uses shall be permitted and may be required in the zoning By-law continuously at grade in buildings having frontage on to public streets.

(b) The Zoning By-law shall establish a minimum floor-to-floor height at the ground floor, to support retail and service commercial uses at grade and to facilitate land use flexibility and adaptability over time.
(c) The Zoning By-law shall establish a maximum frontage at grade of approximately 7 to 10 metres for individual retail and service commercial units, along Retail Main Streets in order to maintain the existing character of small shops along the Retail Main Streets and to achieve a vibrant, active and animated built environments in the Downtown Urban Centre. Despite this maximum frontage, a retail or service commercial operation could occupy more than one individual retail and service commercial unit.
(d) The Zoning By-law shall also establish a minimum floor area at grade for new individual retail and service commercial units to ensure the unit size is viable for a range of retail and service commercial uses.
(e) Retail buildings and the ground floor of mixed-use buildings should be designed to:
    (i) Emulate the eclectic, small-shop look and feel, especially along Retail Main Streets through distinct design of each individual retail and service commercial unit;
    (ii) Maintain a fine grain of entrances along the street edge that reflects the character and rhythm of the street
    (iii) Contain clear glazing on windows and doors along front facades to ensure active store frontages;

(iv) Increase setbacks adjacent to the street in order to expand the pedestrian realm and provide opportunities for patios and pedestrian amenities;
(v) Restrict, where possible, residential lobbies along Retail Main Street frontages and direct them to side streets or rear entrances;
(vi) Provide servicing, loading and parking access from a rear public lane, shared private lane and/or shared driveways where possible and not from the Retail Main Street frontage;
(vii) Support walkability, social interaction, strong retail visibility and space for retail display in the interface between the building and sidewalk;
(viii) Articulate storefront window treatments;
(ix) Provide articulation with awnings, arches, canopies and colonnades where appropriate; and
(x) Accommodate different space needs of changing retail and service commercial tenants including restaurants with minimal reconstruction.

Section 3.1.1 Housing

Housing is fundamental to the social, economic and physical well-being of the city's residents and neighbourhoods. The City will promote an appropriate and adequate range of housing choices by type, tenure and affordability level, to accommodate the needs of all city residents and workers, regardless of age, income level, physical, sensory and mental health and ability, culture, level of support services, household structure and family composition.

Section 3.1.1(2) Policies

(f) 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.

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. The 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 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.

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 are appended to the Housing Strategy and set targets for new dwellings units by size and type and include target for affordable units, rental units and 2 & 3-bedrooms among others.

Preliminary Planning Comments

- The proposed development exceeds the maximum height and density of the current and new Official Plan. Justification for the proposed increase in height and density is required.
- Retail or service commercial use will be required continuously at grade in the building.
- The development proposal is subject to the following Council approved guidelines:
    - Tall Building Guidelines (2017);
    - Downtown Urban Design Guidelines (2006);
    - Old Lakeshore Road Precinct Phase II: Urban Design Guidelines (2009);
    - Pedestrian-level Wind Study Guidelines and Terms of Reference (2020);
    - Shadow Study Guidelines and Terms of Reference (2020); and,
    - Sustainable Building and Development Guidelines (2018).
- Consideration should be given to the development on the west side of the property (2072 Lakeshore Road) to ensure that this development does not impede on the future development and vice versa.

Comments on the submitted materials:

- Please confirm the number of parking spaces in level P1. The plan states 38 parking spaces, but there appear to be only 36 parking spaces.
- Confirm the number of proposed bicycle parking spaces. The underground parking plans have a total of 138 bike parking spaces, but the site statistics table references 136 bike parking spaces.
- The Zoning By-law requires a parking rate of 1.25 parking spaces per unit, however, the site statistics table has a proposed parking rate of 1.07 spaces per unit. Justification for the reduced parking rate will be required.
- Please confirm if windows are proposed within the podium, a 5.5 metre setback is required from the podium to the west property line to ensure appropriate separation distance between the proposed building and any future development at 2072 Lakeshore Road.
- Minimum podium height shall be 10.5 metres (3 storeys) to frame the streetscape and reinforce a human scale. The maximum height of the podium shall be 80% of the

adjacent right of way width. A maximum height of 20 metres is recommended to maintain a human scale.

- A minimum separation distance of 25 metres should be provided between towers to maximize privacy and sky views.
- The tower should be stepped back at least 3 metres from the podium to differentiate between the building podium and tower, and to ensure usable outdoor amenity space. The podium appears to be stepped back along Lakeshore Road; however the distance is unclear on the Plan. Please revise the concept plan to show this proposed distance.
- How will the proposed development relate to the proposed POPs to the east? The height and massing of the building should ensure adequate access to sunlight to this area in accordance with the Shadow Study Guidelines and Terms of Reference.

Application Requirements

- An Official Plan Amendment and Zoning By-law Amendment applications are required to implement the proposal.
- Prior to submitting the application, a Pre-Submission Neighbourhood Meeting is required. Please refer to the provided Applicant's Guide to Pre-Submission Neighbourhood Meetings.
    - The neighbourhood meeting is to be organized by the applicant and must be held before the application is submitted.
    - Circulation of the meeting invitation to residents and tenants within 120 metres of the development site will be completed by the City for a fee. Provide a PDF of the meeting invitation on own 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. Meetings are currently being held virtually.
    - During the meeting, provide a detailed overview of the development proposal and allow time for questions and comments from the public. Take notes of the discussion.
    - As part of a complete application, the applicant must provide neighbourhood meeting minutes which include a written summary of public input received at the meeting. As part of the Planning Justification Report, the applicant must explain how this public input was used to modify the development proposal.
- A Planning Justification Report is required:
    - to discuss the impact of Provincial, Regional and local planning policy (both the existing and adopted Official Plan) on the proposed development;
    - to explain why the requested change to higher intensity residential use is desirable and represents good planning;
    - to discuss whether the requested amount of non-residential floor area is appropriate to support the planned commercial function of the Mixed Use Corridor;
    - to discuss how the results of required technical studies have been used to refine the redevelopment proposal;

    - to explain how the proposed development is compatible with surrounding residential, industrial and railway land uses including height, setbacks, massing, design and community features.
- An Urban Design Brief is required in accordance with Chapter 7 (7.1.2) of the Burlington Official Plan 2020. The Urban Design Brief should:
    - Be developed in accordance with the attached terms of reference;
    - Demonstrate how the proposed development meets the urban design objectives and policies of this Plan;
    - Include a review of Sections 7.3.2 and 7.3.2 (2) as the subject lands are located in an Established Neighbourhood; and,
    - Be designed to enhance the existing physical character of the surrounding area in which it is situated.
- A Shadow Study will be required to show how the proposed building and site design will impact the public realm, proposed outdoor amenity areas, and surrounding public open spaces and private outdoor amenity areas. Please refer to the City's Shadow Study Guidelines and Terms of Reference (attached) when preparing the Shadow Study.
- A Quantitative Wind Assessment ('Wind Tunnel Test') will be required to show how the proposed building and site design will impact pedestrian comfort on the street and surrounding public and private open space areas. Please refer to the City's Pedestrian Level Wind Study Guidelines and Terms of Reference (attached).
- Housing Impact Statement.
- Environmental Questionnaire
- Phase 1 ESA
- Draft OPA and ZBAs
- Please consider sustainable building design in your proposed development, using the City's Sustainable Building and Development Guidelines. An introductory letter from the Burlington Sustainable Development Committee is provided.
- Consult with Burlington Hydro about electrical supply and requirements.

Staff contact:
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Cultural Heritage Comments:

Provincial and Municipal Cultural Heritage Policies

Provincial Policy Statement, 2020

The *Provincial Policy Statement, 2020* (PPS, 2020) contains policies on Cultural Heritage and Archaeology in Section 2.6, including the following policy:

- 2.6.3 Planning authorities shall not permit *development* and *site alteration* on *adjacent lands* to

    protected heritage property except where the proposed *development* and *site alteration* has been evaluated and it has been demonstrated that the *heritage attributes* of the *protected heritage property* will be *conserved*.

The *PPS, 2020* contains the following relevant definitions:

- **Adjacent lands:** means d) for the purposes of policy 2.6.3, those lands contiguous to a protected heritage property or as otherwise defined in the municipal official plan.
- **Heritage attributes:** means the principal features or elements that contribute to a protected heritage property's cultural heritage value or interest, and may include the property's built, constructed, or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (e.g. significant views or vistas to or from a protected heritage property).
- **Protected heritage property:** means property designated under Parts IV, V or VI of the Ontario Heritage Act; property subject to a heritage conservation easement under Parts II or IV of the Ontario Heritage Act; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites.

A Place to Grow: Growth plan for the Greater Golden Horseshoe

A Place to Grow contains policies on Cultural Heritage Resources in Section 4.2.7, including the following policy:

- *Cultural heritage resources* will be *conserved* in order to foster a sense of place and benefit communities, particularly in *strategic growth areas*.

The following relevant definitions are contained in *A Place to Grow*:

- **Cultural Heritage Resources:** *Built heritage resources*, *cultural heritage landscapes* and *archaeological resources* that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people. While some *cultural heritage resources* may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation. (Greenbelt Plan)
- **Conserved:** The identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained under the Ontario Heritage Act. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

Halton Region Official Plan

The *Halton Region Official Plan* contains policies on Cultural Heritage Resources in Part IV, Healthy Communities Policies, including the following policy:

- (3) Require that *development* proposals on adjacent *lands* to protected *Cultural Heritage*
  Resources:
  a) study and consider the preservation, relocation and/or adaptive re-use of historic
  buildings and structures based on both social and economic costs and benefits;

The following relevant definitions are contained in the *Halton Region Official Plan*:

- **Adjacent lands:** For the purposes of Section 167(3), those lands contiguous to a protected heritage property or as otherwise defined in the Area Local Official Plan.
- **Cultural heritage resources:** means elements of the Regional landscape which, by themselves, or together with the associated environment, are unique or representative of past human activities or events. Such elements may include *built heritage resources*, *cultural heritage landscapes*, and *archaeological resources*.

City of Burlington Official Plan, 1997

See Appendix "A" – Previous Heritage Comments (March 2, 2023).

Keeping Place: Heritage-based Urban Design Guidelines for Downtown Burlington

Keeping Place's Section 7, New Development, includes recommendations specific to the Old Lakeshore Road Precinct in 7.5, including the following recommendation:

- Design of new construction should have the highest degree of respect for the existing cultural heritage resources.

Built Heritage Resources and Cultural Heritage Landscapes

Directly across from the subject property, on the south side of Old Lakeshore Rd. at 2084 Old Lakeshore Rd., is a property designated under Part IV of the *Ontario Heritage Act*, the circa 1843 Estaminet. The Estaminet is a two-storey building, constructed prior to 1870, in a three-bay Georgian style with several later additions to the south and east elevations. Previous uses of the property include its original residential use and its use as the "Estaminet Standard Hotel."

Approximately 34 metres southeast of the subject property is the Stewart-Williamson-Peck House (2100 Old Lakeshore Rd.) and 40 metres to the east is the Chrysler Carriage Shop (2101 Old Lakeshore Rd.), both listed on the City of Burlington's Municipal Heritage Register as non-designated properties.

Summary of Previous Heritage Comments

The previous heritage comments on the initial pre-consultation submission can be found attached as Appendix "A." In summary, the previous heritage comments identify the following:

- A key concern regarding the proposed design is the auto-oriented covered driveway drop off at the front of the building foregrounded with enormous two-storey tall columns that will face the Estaminet hotel.
- The City of Burlington's Official Plan, 1997, requires a heritage impact statement when the ***City foresees potential adverse impacts on the cultural heritage attributes***.
- The heritage attributes of 2084 Old Lakeshore Rd. do not include scale of the surrounding streetscape and the property is not described as a "landmark."
- Though a heritage impact statement was not identified as a requirement, other Official Plan policies indicate that a more sensitive relationship between the proposed development and the designated heritage property at 2084 Old Lakeshore Rd. is needed.

Staff Comments and Recommendations

Heritage Planning staff have reviewed the revised conceptual design provided by the applicant. The submission materials do not include elevation drawings or renderings, however, the two-storey tall columns facing the Estaminet hotel remain as a design feature, as shown in the Level 2 Floor Plan. The Level 1 Floor Plan indicates the auto-oriented driveway drop off area at the front of the building also remains. As such, staff concerns regarding the lack of sensitivity between the proposed development and the designated heritage property at 2084 Old Lakeshore Rd. have not been addressed.

Heritage Planning staff require the forthcoming Urban Design Brief submitted with the Zoning Bylaw Amendment and Official Plan Amendment applications to contain an analysis on compatibility with nearby cultural heritage resources, in particular 2084 Old Lakeshore Rd. (designated), but also the two listed heritage properties at 2101 and 2100 Old Lakeshore Rd. In addition, the Construction Management Plan (required with the Site Plan Control applicant) is required to consider any vibration impacts on these cultural heritage resources.

Heritage Planning staff have no further comments on the submission materials, however, may make additional comments at the Zoning Bylaw Amendment / Official Plan Amendment and Site Plan Control stages.

Staff contact:
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Region of Halton Servicing Comments:

Waste Management:

- To ensure that the efficient and safe collection of solid waste can be accommodated for this development, Regional Staff will require the submission of a detailed Waste Management Plan to be completed to the satisfaction of the 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 how waste collection for the development will be addressed.(as applicable depending on unit/ building type).
- Regional Staff strongly recommend that the proposed built form/site layout be designed to accommodate Regional Waste collection.

Municipal Servicing:

- There are local Halton Region watermains within Lakeshore Road and Old Lakeshore Road adjacent to the development property.
- There are local Halton Region wastewater mains (sanitary sewers) within Lakeshore Road and Old Lakeshore Road adjacent to the proposed development.
- The Region has a Lakeshore Road (Junction) WasteWater Pumping Station/Sewage Pumping Station (WWPS/SPS) downstream of the proposed development property that services the area. The station is near capacity, with a forecasted Regional Capital Works Reconstruction Project in the coming years. Please note, the SPS has a defined rated capacity that cannot be exceeded.
- 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 have a short section within their FSR that generally speak about other developments properties in the local wastewater (sanitary) drainage area. The report should speak to the number/type of units proposed and the phasing of this 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 potential external main upsizing or 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/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 watermains and wastewater mains (sanitary sewers) that are located immediately north and south of the property within Lakeshore Road and Old Lakeshore 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 and south 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(s) (including three/four valves) for the proposed development's water service connections, 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(s), if required, can fit within the Lakeshore Road/Old Lakeshore Road 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 watermains and wastewater mains (sanitary sewers) located within the Lakeshore Road and Old Lakeshore Road, northerly and southerly boulevards, 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.
- 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 on a USB
- Applicable Regional Fee(s)

- Complete Application forms
- Comprehensive Development Plans/Site Plan
- Functional Servicing Report
- Waste Management Plan

John Kisneris
Development Project Manager
905-825-6000, ext. 7742 | 1-866-442-5866
Email: John.Kisneris@halton.ca

Development Engineering Comments:

The following items are not intended to be an exhaustive list but rather to help identify areas of possible concern. City staff are not responsible for any errors or omissions. The detailed design review will occur during the subsequent Site Plan review and may include but not be limited to an Environmental Site Assessment and/or a Hydrogeological study. If you have any questions, please do not hesitate to call or email.

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 municipal easements on all plans. For existing municipal easements, provide copies of registered instruments/agreements.
4. Identify limits of existing and/or proposed underground parking on all plans.
5. Identify existing reserves across property frontage.
6. Identify all applicable external agency setbacks on all plans.
7. All private utilities must be constructed within the subject property limits.
8. 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.
9. City Plan and Profile drawings may be downloaded from the Open Data Portal.

RIGHT OF WAY

Lakeshore Road deemed width is 30m. The actual width is +/- 20m, in order to meet the deemed width a +/- 5.0m widening would be required, however, we have been advised by Transportation Planning staff that a lesser widening may be acceptable, ie. +/- 2.0m. We ask that the applicant obtain written confirmation from Transportation Planning Staff for the widening requirements along the subject frontage of the proposed development site.
Old Lakeshore Road deemed width is 20m. The actual width is also 20m, therefore no widening is required.
City staff determined the widening requirements from compiled information and are not responsible for any errors or omissions. Any widening information supplied by City staff must be verified by an Ontario Land Surveyor.

1. Please be advised that any future land conveyances are to be free and clear of contamination and will not be accepted with a Certificate of Property Use. As such, for

sites with contamination concerns environmental investigations should clearly delineate between lands to be conveyed and those to be retained.

2. Please be advised that a Municipal Consent Permit is required for any works on public lands, including but not limited to daylighting, temporary staging, grading, servicing, construction, or disturbance of vegetation. Fees for a Municipal Consent Permit shall be in accordance with the City's Rates and Fees By-law, as amended.
3. Please be advised that the City of Burlington's Roadway Capital Projects (forecast from 2023 – 2032) has **Lakeshore Road Resurfacing and Multi-Use Pathway Renewal (Brant Street – Torrence Street)** forecasted for 2027 and **Martha Street Road Reconstruction (Caroline Street – Lakeshore Road)** forecasted for 2029.The projects scope and dates are subject to changes. Please coordinate with the City's Engineering Services, Design and Construction and Transportation Departments.

FUNCTIONAL SERVICING & STORMWATER MANAGEMENT REPORT

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. Should an external agency have differing requirements then 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):**
      - 100-year return period post-development shall be controlled to the 2-year return period pre-development.
   c. **Erosion Control (COB SWM 3.4 and 6.1.2)**:
      - Defer to Conservation Halton
   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. 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. Should an external agency have differing requirements then the most stringent criteria shall apply.
4. The study shall include but is 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. If offsite mitigation is required, then confirmation of a legal agreement between the development and offsite sources is required.

      Please be advised that 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 mitigation or 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 Department 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 noise sources and include distances from subject property.
   k. NPC-300 exceedances for every floor and side of building for high-rise development sites.
   l. Predictable worst case noise impact(s) to be identified for all development sites.
   m. Points of reception required for every neighbouring property.

n. 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.
o. Provide warning clause recommendations where applicable.
p. 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.

ACRONYMS

CA-ETV	Canadian Environmental Technology Verification
City	City of Burlington
COB SWM	City of Burlington Stormwater Management Design Guidelines
Max.	Maximum
MECP	Ministry of the Environment, Conservation and Parks
Min.	Minimum
MTSA	Major Transit Station Area
OGS	Oil Grit Separator
TSS	Total Suspend Solids

Staff Contact:
Garry Colorado Hernandez, Senior Engineering Technologist,
Garry.Hernandez@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 Concept 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 Concept 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 property of 2083 Lakeshore Road is regulated by Conservation Halton (CH). Please ensure the Landscape Concept Plan shows all regulated limits/hazard lines to the satisfaction of Conservation Halton (CH). Additionally, please ensure all active easements are outlined and labeled on the Landscape Concept Plan.
4. The Landscape Concept Plan must show the proposed layout and use of any outdoor amenity areas. This includes showing all wind mitigation and safety measures such as buffer planting, screens and fencing, trellises or awnings for outdoor rooftop amenity areas.
5. The Landscape Concept 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 Concept 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.

7. Where trees are proposed, ensure the minimum required soil volumes are provided and documented on the Landscape Concept Plan 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. This will be reviewed in detail at the Site Plan Stage.
8. 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).
9. 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 consist of a dense landscape screen including a combination of evergreen trees, deciduous trees, and understory shrubs. Or alternatively, a combination of solid screen fencing with evergreen and deciduous trees and understory shrubs.
10. Screen parking spaces from road frontages using buffer planting.
11. Locate the barrier free parking spaces closest to the main entrances and not crossing vehicular traffic.
12. An Arborist Report, Tree Inventory and 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** as well **all trees of any size on city property**. Ensure your Tree Inventory Table is provided as an excel file in addition to the word file. Please see the City of Burlington: Pre-Submission Checklist for further requirements.
13. Tree protection hoarding should be shown as per the City of Burlington's Tree Protection and Preservation Specification SS12A. Include a copy of the specification on the Tree Inventory and Protection Plan that includes all notes (1-8) from the specification. The specification can be found using this link: https://www.burlington.ca/en/home-property-and-environment/resources/Forestry/Tree-Protection/City-of-Burlington-Standard-Specification-for-Tree-Protection-and-Preservation.pdf
14. Consider alternative design concepts that will result in fewer trees being proposed for removal. In the case that alternatives to the design are not possible, please provide detailed justification for the removal of every individual tree. The City of Burlington does not support the removal of trees due to condition alone. Similarly, work shall be modified to avoid working inside the minimum tree protection zone of all trees.
15. The City's Public Tree By-law 68-2013 is applicable to the proposed development. A tree permit is required for all work around city trees, including the payment of the Tree Permit fee and securities for trees to be retained. Details regarding the issuance of a Public Tree Permit will be outlined in detail at the Site Plan Stage.
16. Removal of public trees will require replacement plantings that are to be proposed shown on City property. Where there is no room for replacement trees, cash-in-lieu of replacement will be required. Specific compensation and replacement quantities will be identified at the Site Plan Stage.
17. The removal of private trees shall be considered as a last resort as any existing private tree should be prioritized for preservation. 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 private tree replacements shall be shown on the subject property. Where there is no room for replacement trees, cash-in-lieu of replacement will be required. Specific compensation and replacement quantities will be identified at the Site Plan Stage.

18. 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. The above will be reviewed in detail at the Site Plan stage.

19. 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.

20. All trees proposed to be retained and their corresponding tree protection hoarding (vertical and/or horizontal) shall be illustrated on all Civil drawings and on the Construction Management and Mobility Plans.

21. Please provide a comment matrix that identifies the above comments and how they were addressed with the site plan submission.

Staff Contact:
Greg Bunk, Landscape Development Technician, Greg.Bunker@Burlington.ca

Parks & Open Space Comments:

1. Parks wishes to collect cash-in-lieu of parkland (CILP) for this development, with CILP charged at the rate in effect at the time of building permit issuance. Kristen L. (kristen.ljubicic@burlington.ca) in Realty Services will be able to provide further details with respect to the amount and calculations.
2. Public Access to the Burlington Waterfront, maintaining view corridors to Lake Ontario and improved walkability is a priority in the Downtown. The Applicant shall make considerations for the Martha Street view corridor as identified within the City of Burlington Official Plan policies.
3. Enhancing accessibility to critical infrastructure such as public open space and parks is key to a healthy city. The Applicant shall provide enhanced open space along the East side of the property to work in conjunction with the Privately Owned Publicly Accessible Space (POPS) of 2093 &2096 Lakeshore Road.
4. With respect to the Privately Owned Publicly Accessible Space (POPS) on the East side adjacent this development, the Applicant must demonstrate a contribution towards making the adjacent proposed POPS a successful and quality public space.

The building mass, location of built form and landscape space on 2083 Lakeshore Road has a direct influence on the quality of the proposed POPS at 2096 Lakeshore Road. The ground floor uses along the East edge of the proposed building at 2083 should be commercial and/or retail in nature to work in conjunction with the POPS and maximize programmable space.

5. A Landscape Plan is a requirement of the development application and must include the proposed POPS at 2096 Lakeshore Road and its relationship to it. The Landscape Plan must be informed by other technical studies/reports/plans (e.g. Wind Impact, View Corridors, Shadow Analysis) to demonstrate how it is contributing to a quality outdoor space adjacent, including but not limited to:
    a) maximizing sunlight for pedestrians and healthy tree growth,
    b) maintaining a quality view corridor to Lake Ontario,
    c) locating any noise generating infrastructure or noxious uses (e.g. garbage storage facilities) away from the East property limit,
    d) locating car access and/or service/delivery entrances away from the East property limit,
    e) providing an intentional and well-integrated transition between the 2083 and 2096 Lakeshore Road developments,
    f) providing a barrier free/ at grade/ integrated/ inviting access from Lakeshore Road and Old Lakeshore Road, and
    g) confirming any at grade and above ground infrastructure (eg. grates and vents) are not proposed in POPS and/or landscaped areas along the East property of 2083 Lakeshore Road.
6. The Applicant shall note above grade amenity areas are not considered as POPS or parkland dedication by the City.

Staff contact:
Kyle Poole, Landscape Architect, Kyle.Poole@Burlington.ca

Transportation Planning Comments:

Transportation Planning offer the following comments, recommendations, and information to assist the applicant when preparing their application(s) for OPA and ZBA. If they choose not to follow them, it is at their risk of reducing the efficiency of the approval process. From a Transportation perspective, successfully addressing these comments will support a more efficient and successful application.

Transportation Planning reserve the right to request additional studies, however, note the following studies are required to be submitted with the applications for OPA and ZBA:

- Transportation Impact Study (TIS),
- Parking Justification Report (PJR), and
- Transportation Demand Management (TDM) and Implementation Strategy.

Site Context

1. The Burlington Official Plan 2020:
    a. Schedule B, Urban Structure, shows the subject property within '*Mixed Use Intensification Area – Urban Centres'*,
    b. Schedule B-1, Growth Framework, shows the subject property within '*Primary Growth Area'*,

c. Schedule B-2, Growth Framework and Long-Term Frequent Transit Corridors shows '*no frequent transit'* along the portion of Lakeshore Road adjacent to the subject site',
d. Schedule C, Land Use - Urban Area, shows the subject property within '*Mixed Use Intensification Area – Urban Centres*',
e. Schedule D, Land Use - Downtown Urban Centre, shows the subject property within '*Old Lakeshore Road Precinct - WS*',
f. Schedule D-1, Downtown Urban Centre Retail Streets, shows Old Lakeshore Road as a '*Mixed Use Street',* and Lakeshore Road as a *'Retail Main Street*',
g. Schedule O-3, Classification of Transportation Facilities, Downtown Urban Centre, classifies Old Lakeshore Road as a *'Local Street'* and Lakeshore Road as a *'Main Street'*,
h. Schedule P, Long Term Cycling Master Plan, shows Lakeshore Road *'Multi-Use Path'* and *'Bicycle Priority Street'*, and
i. Schedule Q, Trails Strategy, shows the '*Waterfront Trail / Trans Canada Trail*' along Lakeshore Road.

2. The Integrated Mobility Plan (IMP) identifies the Preferred Network Solution:
   a. Shows the subject property within an '*Enhanced Pedestrian Realm*', and
   b. Shows Lakeshore Road as part of a '*Transit Priority Corridor*'.

OFFICIAL PLAN AMENDMENT, ZONING BY-LAW AMENDMENT, SITE PLAN CONTROL CONSIDERATIONS

Deemed Right-of-Way Width

3. Old Lakeshore Road is under the authority of the City of Burlington. The deemed right-of-way width of Old Lakeshore Road is 20m per the Zoning By-Law (Section 2.27.1). The existing right-of-way width adjacent to the subject site is approximately 20m. No additional lands are required.
4. Lakeshore Road is under the authority of the City of Burlington. The deemed right-of-way width of Lakeshore Road is 30 metres per the Zoning By-Law (Section 2.27.1). Transportation Planning find it is supportable to reduce the ROW to 24m however, the new ROW width and limit shall match the neighbouring properties. The ROW conveyance shall be ±1.9m to the west end and ±0.90m to the east end of the property. The applicants' Ontario Land Surveyor (OLS) shall confirm the exact measurements.



Sketch 1: ROW widening requirements.

Parking Supply

Automobile Parking Supply

5. The subject development use shall meet the parking supply requirements of the land use per the Zoning By-Law Table 1.2.6: Off-Street Parking Standards.
   a. Apartment Building within a Primary Growth Area: 1.25 spaces per unit inclusive of visitor parking
      i. 195 units = 244 spaces required
   b. Retail Store: 3.5 spaces per 100 m^2 of GFA
      ii. 202.39 m^2 of GFA = 7 spaces required

   The proposal provides a total of 209 parking spaces within five levels of underground parking, which is less than the Zoning By-Law requirement of 251 parking spaces.

6. The applicant shall develop an updated site plan to meet the By-Law parking requirements. If the applicant is requesting a parking reduction, a Parking Justification Report is required.

7. The Accessibility Specialist will provide comments on accessible parking space size, supply, and signage.

Bicycle Parking Supply

8. The bicycle parking supply shall meet the requirements recommended by the July 2017 Burlington City-Wide Parking Standards Review:
   a. Retail: 2 short-term plus 1 space per 1000 m^2 GFA.
      i. 202.39 m^2 = 2 bicycle spaces required.
   b. Multi-unit Residential: 0.5 long-term plus 0.05 short-term bicycle parking spaces per unit.
      ii. 195 units = 98 long-term plus 10 short-term spaces required.

9. The applicant proposes 136 bicycle parking spaces (120 long-term plus 16 short-term) which meets the July 2017 Burlington City-Wide Parking Standards Review.
   a. Short-term bicycle parking spaces are shown in the site plan drawing in appropriate locations.
   b. Long-term bicycle parking spaces are shown on the underground parking, which are in secure and appropriate locations.

Transportation Impact Study

10. 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.

11. Typically, the TIS/MIA would follow the Region of Halton's Transportation Impact Study Guidelines (https://www.halton.ca/Repository/Transportation-Impact-Study-Guidelines) however, the Transportation Consultant is to provide a Terms of Reference (TOR) for review and approval by Transportation Planning prior to commencement of the study.

Vehicle Maneuvering Diagram

12. The Transportation Consultant is to review the vehicle circulation to, from, and within the site to determine adequacy.

13. The applicant is to provide a swept path analysis illustrating how the design vehicles will:
    a. Circulate successfully within the surface level of the site;
    b. Circulate successfully within the underground parking garage; and
    c. Confirm successful garbage truck and moving truck circulation.

Transportation Demand Management (TDM) and Implementation Strategy

14. A Transportation Demand Management (TDM) and Implementation Strategy Plan is required due to the site's location within a Primary Growth Area, in accordance with Subsection 6.2.10(2) of the Official Plan and policy 1.2.5 of the IMP.

FUTURE SITE PLAN CONTROL CONSIDERATIONS

Pedestrian Facilities

15. The proposed pedestrian facilities are sufficient to meet the needs of the proposed development. Sidewalks shall be constructed to current Burlington standards. Sidewalks are to be poured through the driveway without depressions or changes in elevation to promote pedestrian movement as the priority. Standard drawing S-121, Sidewalk with Boulevard, shall inform the design.

Parking Layout

16. The site plan shall include dimensions of parking stalls, driveways, and aisles which follow the Burlington Site Plan Application Guidelines and include the following:
    a. Underground parking stalls to be a minimum 16.5 m^2 in area, with a minimum width of 2.75 meters and by minimum length of 6.0 metres.
        i. Parking stall dimensions are not depicted.
    b. Where the use of a parking space is limited on one or both sides by a wall or column, increase the stall width by 30 cm (0.3 m) for each obstructed side.
        i. Most parking spaces are limited to one side by a column. Stall widths must be increased accordingly.
    c. Aisles are to be a minimum of 6 meters wide. Aisle widths must allow efficient movements of traffic through the site and access to parking spaces.
    d. Structural columns to be set back 0.5 meters on both sides of the driving aisle to provide for 7.0 meters clear (face of column to face of column).
        i. Structural columns are not set back from the driving aisle. Driving aisle width must be increased accordingly.
    e. The maximum ramp grade is 12%; ramps with grades 8% or more will require heating coils.
    f. A flat landing pad area of 6 meters in length with appropriate transition grades is required at the top of the ramps.
    g. Appropriate transition grades are required at the bottom of the ramps.

Site Access

17. The proposed accesses on Old Lakeshore Road are sufficient to meet the needs of the proposed development. The access design shall conform to the engineering drawings included in the Burlington *Site Plan Application Guidelines (Dec. 2019)*.

Street Lighting

18. The public street lighting must meet the RP- 8 regulations and the City's streetscape guidelines, which is essential for public safety and traffic efficiency.

19. The applicant is responsible for maintaining and even improving the existing street lighting. The road surrounding the site must be adequately lit.

20. Street Lighting Photometric Drawings, Temporary Photometric and Electrical Drawings, and final Electrical Drawings, for the public rights-of-way abutting this development will be required.

Construction Mobility Management Plan

21. The applicant shall submit a Construction Mobility Management Plan (CMMP) as a part of the site plan application which shall be to the satisfaction and approval of the Director of Transportation Services or designate.

Staff contact:
Smeeta Adiga, Transportation Planning Technologist,Smeeta.Adiga@burlington.ca

Zoning Comments:

ZONE:

DL-A, or Downtown Old Lakeshore Road Zone, under applicable Zoning Bylaw 2020

GENERAL COMMENTS:

1. OLS stamped and up-to-date survey required, confirming lot width and lot area both with and without deemed street width.

2. Fully dimensioned Site Plan required including detailed Site Statistics.

3. Submit complete and fully dimensioned floor plans including any mechanical and/or mezzanine level floor plans, roof plan as well as dimensioned terraces and balconies.

4. Underground parking levels shall provide garage setbacks as well as clearly labeled and dimensioned parking spaces (i.e. occupant, visitor, non-residential, etc).

5. Submit complete and fully dimensioned elevations and building sections including linear dimensions (floor to floor as well as overall). Glazing calculations for each elevation facing a street also prefered

6. Draft zoning bylaw amendment vetted by Planning staff.

NON-CONFORMITY:

1. Confirmation of proposed Locker use at second floor and large loading/storage at grade. Is this intended for building occupants only or also available for public?

2. Does not appear to comply with minimum yards as outlined under Part 6, Table 6.4.1 and Diagram 6A. Rooftop terraces to not appear to meet encroachment criteria as outlined under Part 1, Section 2.13

3. Below-grade parking structures typically set back 3m from property lines and street lines. Proposed only 1m

4. Max building height 10 storeys, proposed 27

5. Max FAR 4.5:1, proposed 10.58 as noted on project stats
   Note: Floor Area Ratio is the mathematical relationship between building floor area and lot area, determined by dividing the *gross building floor area* of all buildings on a lot by the net area of that lot.

   Floor Area, Gross Building (GBFA) 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.
   GBFA includes all area in the underground parking garage except parking spaces and driveways/aisle and all mechanical area in the garage as well as all roof top mechanical rooms.

6. Parking areas/driveways between bldg. and street are prohibited. Proposal shows bicycle parking, drop-off area, large loading area

7. Apartment dwelling units require 1.25 parking spaces/unit. Proposed is 1/unit plus 0.07/unit for visitors. Please label, number and dimension all parking spaces (i.e Occupant, Visitor, Accessible)

ZONING REVIEW:

Part 6:

Regulation	**Proposed**	**Complies**
Table 6.2.1 Permitted uses Apartment Building permitted use subject to footnote (g) The ground floor of any building within 15 metres of a public street shall be used only for retail or service commercial uses, except when located on the following streets (refer to bylaw but this site does not allow exemption)	Ground floor shows one retail unit with remaining ancillary residential (ie Lounge, Lobby, Loading, Waste, etc). Very large loading area and storage on ground floor. Entire Level 2 is designated for "Locker Storage". Is this for building residents only or open to the public? Note: Storage Locker Facility not permitted use	Tbd – preference to incorporate more retail and/or service commercial uses.
Table 6.4.1 Lot width: 7.5m		Ok
Lot area: no minimum		Ok

Yard abutting a street in DL-A zone (b)For buildings containing greater than 4 floors: Floors 1 to 2: Min as required on Diagram 6A Max for 1st and 2nd floors only: 1 m greater than Diagram 6A Floors 3 to 8: Min as required on Diagram 6A, plus 2 m. 	Required: Floors 1 and 2 Min 2m along Lakeshore Rd Min 1m along Old Lakeshore Floors 1 and 2 Max 3m along Lakeshore Rd Max 2m along Old Lakeshore Floors 3 and up Min 4m along Lakeshore Rd Min 3m along Old Lakeshore No max	No Proposed along Lakeshore Rd (for first 6 storeys and less 2m road widening): 1m Proposed along Old Lakeshore Rd (for first 3 storeys): 1m
Rear Yard & Side Yard: None required for lots abutting …Lakeshore Road, Old Lakeshore Road…		Ok
Yard abutting a residential, DRM, or DRL zone: 3m		n/a
Yard abutting P and PC zones: None required		n/a
Building setback from a creek block (refer to bylaw)		n/a
Yard abutting a pipeline easement (refer to bylaw)		n/a
4.2 Building Height Min 2 storeys		Ok
First and second storey min 4.5m each		tbd
Max 10 storeys and 31.5 metres Note:*height means the vertical distance measured in linear metres, between grade and the highest point of a flat roof, or the mid-point between the eaves and the peak of a peaked roof, exclusive of any ornamental dome, chimney, tower, cupola, steeple, church spire, water storage tank, electric apparatus, sign, television antenna, structure for mechanical equipment required for the operation of the building, including elevator and stairway receiving area no larger than 9 m2 .*	Proposed 27 storeys	No Confirm also total Building Height in linear meters on all elevations and building sections
The floor area of the second, third, and fourth storeys of a building containing more than one storey must be at least 50% of the floor area of the first storey.		tbd

4.3 Floor Area Ratio and Density Floor Area Ratio 4.5:1 max Note: FAR is based on *gross building floor area* which is defined as; *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.*	Project Stats note 10.58	no
Density for a residential building in a …DL-A…zone: 51 units/hectare minimum		Ok
4.4 Separation Distance (refer to bylaw)		Appears n/a
4.5 Built Form (a) Parking areas and driveways shall be prohibited between any building and a street, other than a driveway access into an elevated or underground parking facility.	Level 1 shows "Drop-Off" area, bicycle parking and large "Loading Back-up Space"	Appears to not comply
(b) The first floor elevation of any building facing a street shall have a minimum of 60% glazing.		Tbd
(c) A decorative finish shall be applied to all exterior walls facing a street or residential zone.		Tbd
(d) Overhead doors are not permitted in a building elevation facing Brant Street and Lakeshore Road.		Appears ok but elevations req'd
4.6 Landscape Area and Buffer (refer to bylaw)		Appears n/a
4.7 Parking (a) Parking shall be provided in accordance with Part 1, Subsection 2.25 "Off-Street Parking and Loading Requirements", except as amended by the following: Apartment Dwelling Units: 1.25 spaces per unit	Project Stats note a total of 195 units 195 x 1.25 = 243.75 = 244 req'd for Apartment Dwelling Units only Proposed: 209 total	No - see also parking notes below
(b) Parking is not permitted in a front yard between the street line and the building elevation facing the street.	Bicycle parking between street line and building	Appears to not comply
(c) Surface parking is not permitted in a …DL-A… temporary parking for drop-off or delivery excepted.		Ok
(d) Parking of trucks and trailers is prohibited except: • when the truck or trailer is being loaded or unloaded • when the truck or trailer is for		

customer use • when the truck or trailer belongs to a property owner or tenant • when the truck or trailer is being used for charitable purposes		
4.8 Outside Storage (refer to bylaw)		Appears ok
4.9 Outdoor Patios (refer to bylaw)		Appears ok
4.10 Contiguous Lots (refer to bylaw)		n/a
4.11 Amenity Area For apartment dwelling units and retirement homes:20 m2 per unit Amenity Area is defined as; *The area situated within the boundaries of a project and intended for recreational purposes, which may include open spaces, patios, balconies, communal play areas, lounges, sundecks, and roofdecks, but shall not include the area occupied at grade by the buildings, service areas, parking, and driveways.*	Project Stats note a total of 195 units 195 x 20m2 = 3,900m2 Proposed 3,923.12m2 including indoor amenity, outdoor amenity, private terraces and balconies	Appears ok but details req'd
4.12 Fencing (refer to bylaw)		n/a

Part 1 Off-Street Parking and Loading Requirements:

Regulation	Proposed	Complies
2.25.1 Whenever a new development occurs or whenever an existing development is enlarged, extended or increased in capacity, in accordance with this By-law, off-street vehicle parking spaces shall be provided and maintained on the property and within the zone designation for all uses, except, within the "Downtown Parking Exemption Area" shown on Diagram 1A, Subsection 2.25 shall only apply to residential uses.	Lot within area on Diagram 1A. No non-res parking proposed	ok
2.25.2 Off-Street parking shall be in accordance with Subsection 2.26, "General Parking Provisions"		
2.25.3 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.		ok
2.25.4 The number of parking spaces required for permitted		Ok – see also above

uses in all zones shall be in accordance with Table 1.2.6, unless otherwise specified in the respective zones. 2.26(1)(a)Parking Space Size & Accessibility (a)Each parking space shall have a minimum width of 2.75m and a minimum area of 16.5m2 and be readily accessible without obstructions at all times for parking and removal of a motor vehicle without the necessity of moving any other vehicle or obstruction.		All parking spaces shall be clearly numbered and labeled Appears ok but show dimensions for all parking spaces
2.26(2) 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 residential dwellings.		
2.26(3) Every parking lot, which includes parking spaces and driveways, shall be graded and drained and the surface treated so as to provide a permanent durable and dustless surface.		
2.26(4) Every such parking lot shall have adequate means of entrance and exit directly to an existing street or public lane, and every such entrance and/or exit shall be clearly marked by directional signs.		
2.26(5) i) Any part of an enclosed parking structure that projects 1.6 m or more above grade shall be subject to the yard requirements of the zone designation.		
ii) Entrance and exit ramps to below-grade and above-grade parking structures or buildings shall be set back 7.5 m from a street line.		
iii)Below-grade parking structures shall not extend into a required landscape buffer and shall be set back 3m from all other property lines and street lines		No
2.26(9) Where parking facilities are required, designated accessible parking spaces for the exclusive use of persons with disabilities shall be identified with a provincially regulated vertical sign displaying the international		Tbd

symbol for accessible parking spaces. Designated accessible parking spaces shall be included in the calculation of required parking in accordance with Table 1.2.7 Where required parking is over 90 spaces, 3% of required parking shall be designated accessible		
2.26(9)(b) Each designated accessible parking space shall meet the minimum width and area requirements of subsection (1)(a) above and shall be located adjacent to a delineated "accessible parking pathway" with a minimum width of 2.0 metres		Tbd – 2m pathway shown
2.26(10)a)Each bicycle parking space shall be 60cm x 1.8m in size		Tbd – dimensions required

Staff contact:
Magda Rusin-Hynek, Zoning Examiner, Magda.Rusinhynek@burlington.ca

City of Burlington: Pre-Submission Document Terms of Reference
2083 Lakeshore Road
May 1, 2024

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) 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;

5) Pedestrian Level Wind Study

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

6) Shadow Study:

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

7) 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)

8) 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

9) 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.

10) 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.

11) 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

12) 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.

13) 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

14) 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.

15) 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.

16) 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.

17) 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.