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PLANNING JUSTIFICATION REPORT

2362 FAIRVIEW STREET
CITY OF BURLINGTON

MAY 2024
FILE # 10844

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1. INTRODUCTION

Weston Consulting has been retained as the planning consultant for the legally registered owner of the property located at 2362 Fairview Street in the City of Burlington, (herein referred to as the “subject lands”). A 12-storey mixed-use development is proposed on the subject lands including 338 total residential uses, with a commercial unit and community space located at-grade.

In support of the proposed development, both an Official Plan and Zoning By-law Amendment Application is being submitted in accordance with the City’s policies under the Planning Act. These applications are supported by the required reports and studies outlined in the Pre-Consultation meeting held with staff in September of 2023 (revised January 1st, 2024) and constitute a complete application as described in Section 34(10) and 51(17) of the Planning Act. Additionally, further to an e-mail confirmation from Staff, dated March 7th, 2024, our PAC was granted an extension due to minor nature of revised changes in response to the BUD panel and community meetings held in 2023. We note that it is anticipated that a future application for Site Plan Approval will be required to facilitate the full development of this proposal at the appropriate time.

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2. PURPOSE OF THE REPORT

This Planning Justification Report (herein referred to as the “Report”) is submitted in support of the proposed local Official Plan Amendment and Zoning By-law Amendment applications and provides planning analysis and justification as to why the proposed development represents good planning. The following evaluates and outlines the nature of the proposed development in the context of the existing applicable policy framework. The Report evaluates the merits of the proposed development through consistency with the Provincial Policy Statement (‘PPS’), conformity with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (the ‘Growth Plan’), the intent, purpose and conformity with the Halton Region Official Plan, City of Burlington Official Plan, and City of Burlington Zoning By-law 2020. This Report provides the analysis and justification for the proposed development in accordance with good planning principles and provides the basis for the advancement of the development applications through the planning process.

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3. SITE DESCRIPTION AND CONTEXT

3.1 DESCRIPTION OF SUBJECT LANDS

The subject lands are located on the south side of Fairview Street near the intersection of Fairview Street and Guelph Line. With a rectangular configuration, the subject lands have a total area of 7,719.9 square metres (87.86 acres). The frontage along Fairview Street is approximately 92.77 metres and the lot depth is 83.25 metres. Currently, the subject lands are being used as a motor vehicle storage facility. There are two driveway accesses off Fairview Street. There are existing trees along the back property boundary that have been recommended to be preserved in good health by the accompanying Arborist Report prepared by McFarlen Tree Care Inc.

The current streetscape includes a concrete sidewalk with grassed boulevards on Fairview Street, and a few street trees. A 5-metre-wide easement for servicing purposes is located along the south property boundary.

The lands are legally described as:

PT LTS 13 & 14 , PL 203 , PTS 2 ,3 , 6 & 7 , 20R2584 ; S/T 149878,149880,437322E BURLINGTON



Figure 1: Air Photo of Subject Lands

3.2 NEIGHBOURHOOD CONTEXT

The subject lands are situated south of Highway 403 in the northeast corner of the City of Burlington. The subject lands are located on Fairview Street between Burlington GO Station to the west and the Burlington Centre Shopping Mall to the east, placing it along a key corridor within the City. Fairview Street runs parallel to the GO Transit tracks to the north and comprises of low-density commercial uses, as does Guelph Line, another arterial street east of the subject lands. There is a large area consisting of single detached dwellings to the south of the subject lands, as well as a smaller residential subdivision, Glenwood Park, between the subject lands and Highway 403 comprising of similar units. The nearby residential areas are tucked between the surrounding arterial streets and hidden by landscaping trees to create a clear contrast between the uses within the neighbourhood.

Land uses surrounding the subject lands are as follows:

North: Fairview Street is located immediately to the north of the subject lands. A row of commercial properties is located to the north of Fairview Street, followed by the GO rail corridor. The Burlington GO Station is located approximately 875 metres northwest of the subject lands (a 12 minute walk). Beyond the rail corridor are a few industrial developments and residential neighbourhoods.

South: A low-rise residential neighbourhood occupies the south of the subject lands. Semi-detached dwellings located on Barclay Road back onto the subject lands.

East: A multi-tenant commercial building is located on the east side of the subject lands, followed by a series of other commercial developments up to Guelph Line. The Burlington Centre shopping mall is located further east, occupying the southwest intersection of Guelph Line and Fairview Street.

West: A commercial building (Value Village) is located to the west, followed by other commercial properties. The Halton Catholic District School Board is located further west at the intersection of Fairview Street and Drury Lane.

3.3 SURROUNDING CONTEXT – FUTURE DEVELOPMENTS

There are a number of approved future developments in the vicinity of the subject lands. These developments will contribute towards the intensification of Burlington's urban area, specifically surrounding the lands in and near the Burlington GO MTSA area.

1. 2243, 2269 Fairview St. and 864 Drury Lane

Approved mixed use development consisting of seven (7) residential towers on top of four (4) mixed use podiums. Overall heights ranging between 29 and 37 storeys. A total of 2,494 residential units of mixed type and tenure with 3,993 square metres of commercial space and 41,821 square metres of shared amenity space. Five (5) levels of underground parking and a four (4) storey parking structure which will be integrated with the residential units. Pedestrian connections to the surrounding neighbouring and Burlington GO Station.

2. 2089 Fairview St. – Paradigm II

Application to permit the development of two (2) eighteen (18) storey residential towers with commercial uses at grade. A total of 364 residential units. 1,744 square metres of commercial space, and 7,520 square metres of shared amenity space. A total of 582 parking spaces within 3 levels of underground parking. Pedestrian connections to the surrounding neighbourhood and Burlington GO Station.

3. Waggy Inc. – 2294 and 2300 Queensway Drive

Approved 24 townhouse units on a private condominium road are proposed. To facilitate this development, the applicant has applied to amend the Official Plan and Zoning By-law and for a Plan of Subdivision.

4. Children's Financial Group Inc. – 2087 and 2103 Prospect St.

Approved two blocks of stacked townhouses, each containing 20 rental housing units (40 housing units). The two existing fourplex buildings (eight housing units) will be demolished. The eight-storey apartment building will remain.

5. Camarro Developments Inc. – 789-795 Brant St.

The applications propose to amend the Official Plan and Zoning Bylaw to allow a 31-storey mixed use building. The proposed development includes a 7-storey podium with 485 square metres of retail on the ground floor fronting Brant Street, as well as a mix of one-to-three-bedroom residential units resulting in a total of 356 residential units.

6. Molinaro Group – Brant and Ghent

The revised proposal contemplates a multi-phase, mixed-use development comprised of a 25-storey tower and an 18-storey tower (with ground floor commercial area) and 444 residential units (Parcel A); a 25-storey tower (with ground floor commercial area) and 283 residential units (Parcel B); and, 8-storey mid-rise building (with ground floor commercial area) with 120 residential units (Parcel C). Proposed parking for the redevelopment includes underground structured and limited surface parking spaces. The proposed development comprises the northwest, northeast ad southeast corners of Brant Street and Ghent Avenue.

7. 2642988 Ontario Inc. 2170 Ghent Avenue

A development proposal for three (3) townhouse blocks consisting of 19 three (3) storey units. Single access from Ghent Avenue. 2 parking spaces per unit and 12,105 square feet of common amenity space and landscaping.

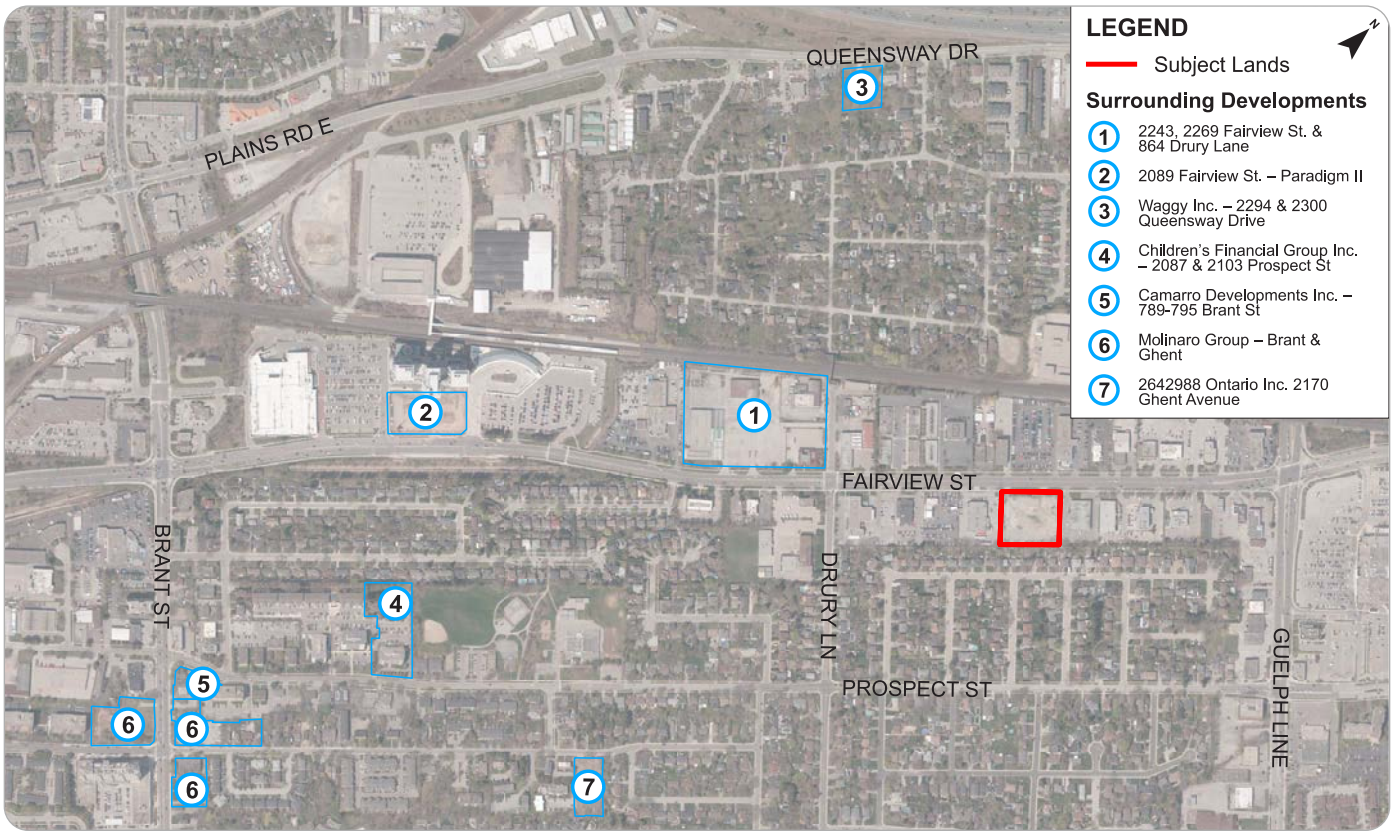


Figure 2: Surrounding Development Applications

3.4 TRANSPORTATION NETWORK

Located just east of the Burlington GO MTSA, the subject lands are well served by a variety of transit infrastructure to support the use of alternative transportation options. The City of Burlington has classified the existing transportation facilities within the Official Plan Schedule O-1 in which the subject lands are identified as being located along a Multi Purpose Arterial Street. These streets are intended to serve as areas of concentration for mixed use development due to the high volume of vehicular and pedestrian traffic. Municipal transit service for the subject lands is provided by Burlington Transit, with bus routes operating along Fairview Street.

The nearest bus stop to the subject lands are located at Fairview Street and Drury Lane and services Bus Route 1 which runs east to Appleby GO and operates every 15 minutes, 80 and 81 which run east to Appleby GO and operate every 30 minutes, and Bus Route 51 which runs north to Sutton and operates every 30 minutes. The Burlington GO Station is approximately 800 metres southwest of the subject lands and runs along a corridor parallel to Fairview Street. This station connects transit-users to a variety of locations throughout the GTA by both bus and train which operate regularly between 6am – 8pm on weekdays, and 6:30am-8pm on weekdays and holidays. In terms of vehicular connectivity, the subject lands are approximately 400 metres southwest of Guelph Line which connects south to Lakeshore Road, and north to Highways 403 and 407.

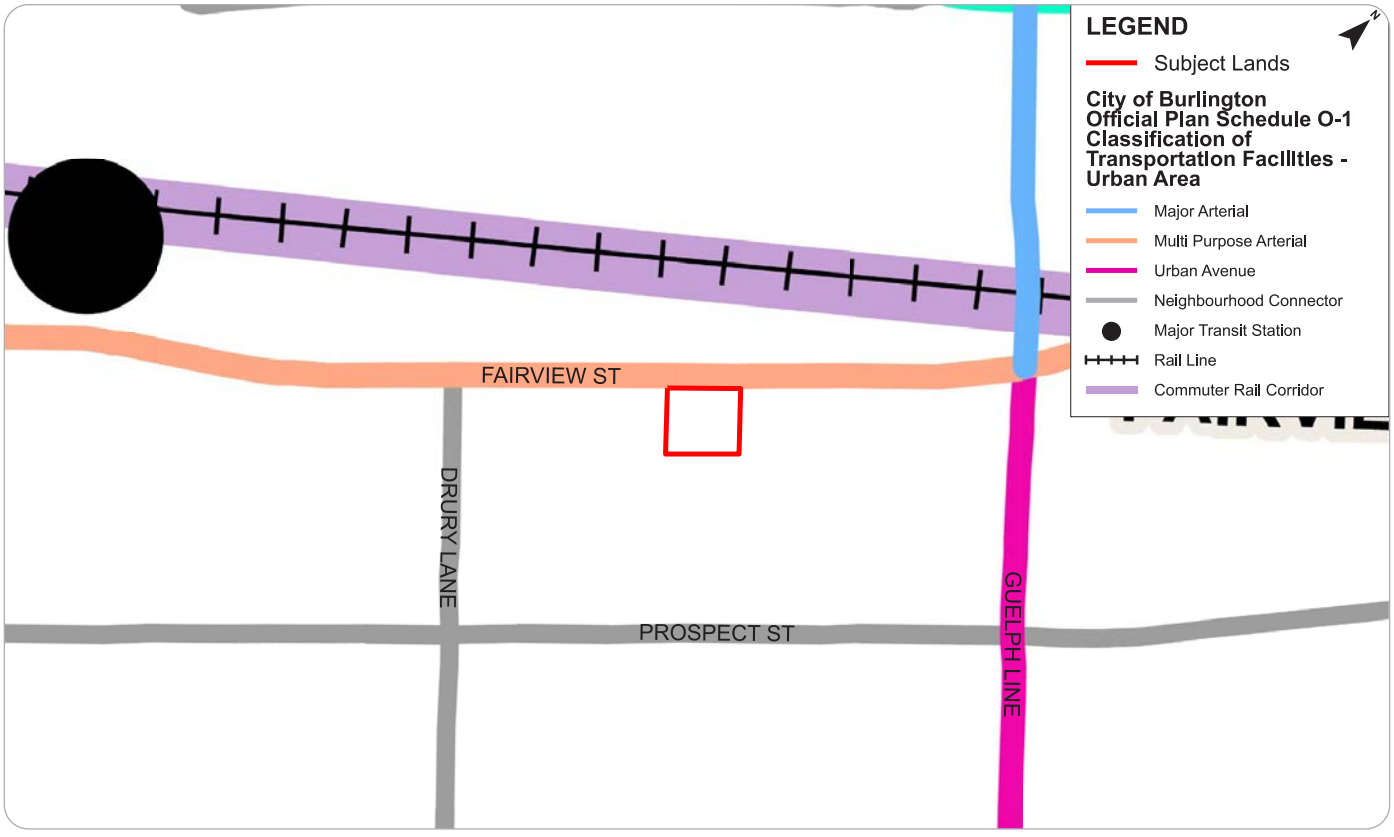


Figure 3: City of Burlington Official Plan (2020) – Schedule O-1 Classification of Transportation Facilities – Urban Area

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4. DESCRIPTION OF PROPOSED DEVELOPMENT

The proposed development features a 12-storey C-shaped building with a central internal court. The total Gross Floor Area (GFA) is 28,673 square metres with a Floor Space Index (FSI) of 3.7:1. It is important to note that the '12th' storey of the proposed development is dedicated to indoor and outdoor amenity space; residential units are not proposed on this level. The ground floor units of the development include 12 two-storey, 3 bedroom family-sized units. These units will have ground-level external private patios allowing for private outdoor space and contribute to a wide-range and mix of housing options within the City to meet city and Region wide policy intentions

In keeping with the intention of the Mixed Use General designation, the proposal includes a ground floor commercial unit and also, uniquely, a dedicated community space. The 341-square-metre community space will be dedicated to community services. The program details will be confirmed at a later stage in the process, but several conversations from ownership have been initiated with various not-for-profit organizations including Halton Women's Place who has a current need for a community drop in and administrative space. A total of 338 units are proposed with various unit sizes and types ranging from bachelor units to two-bedroom+ dens. The ground floor includes two-storey, three-bedroom townhouses integrated into the podium. The building footprint measures 2,612 square metres with a 33.8% coverage.

The siting of the building maintains generous setbacks on all sides to situate the building mass appropriately, contribute to public realm streetscaping, and mitigate privacy and over-viewing issues with neighbouring developments. The 3-metre front yard setback along Fairview Street allows for increased landscaping opportunities that contribute to and enhance the activity along the public realm and maintain a pedestrian-oriented environment. The setback at the west ranges from 7.5 to 8.85 metres, adequately separating the proposed building from the neighbouring property. A similar setback is maintained along the east boundary. A setback of 19.80 meters is maintained at the back to allow for adequate transitioning to the existing low-rise neighbourhood to the south. This area maintains a 6-metre landscape buffer for the protection of existing trees and their roots as well, protecting for the servicing easement, and buffering the development to the existing residents to the back of the property. This buffer is also in alignment with the Zoning Bylaw's provision of a 6m landscape buffer abutting residential uses.

The majority of parking space is provided in three levels of underground parking with a some surface spaces provide for commercial and community uses. An amenity area is located in the south part of the courtyard. Additional amenity spaces are on the rooftop and the 7th floor terrace.

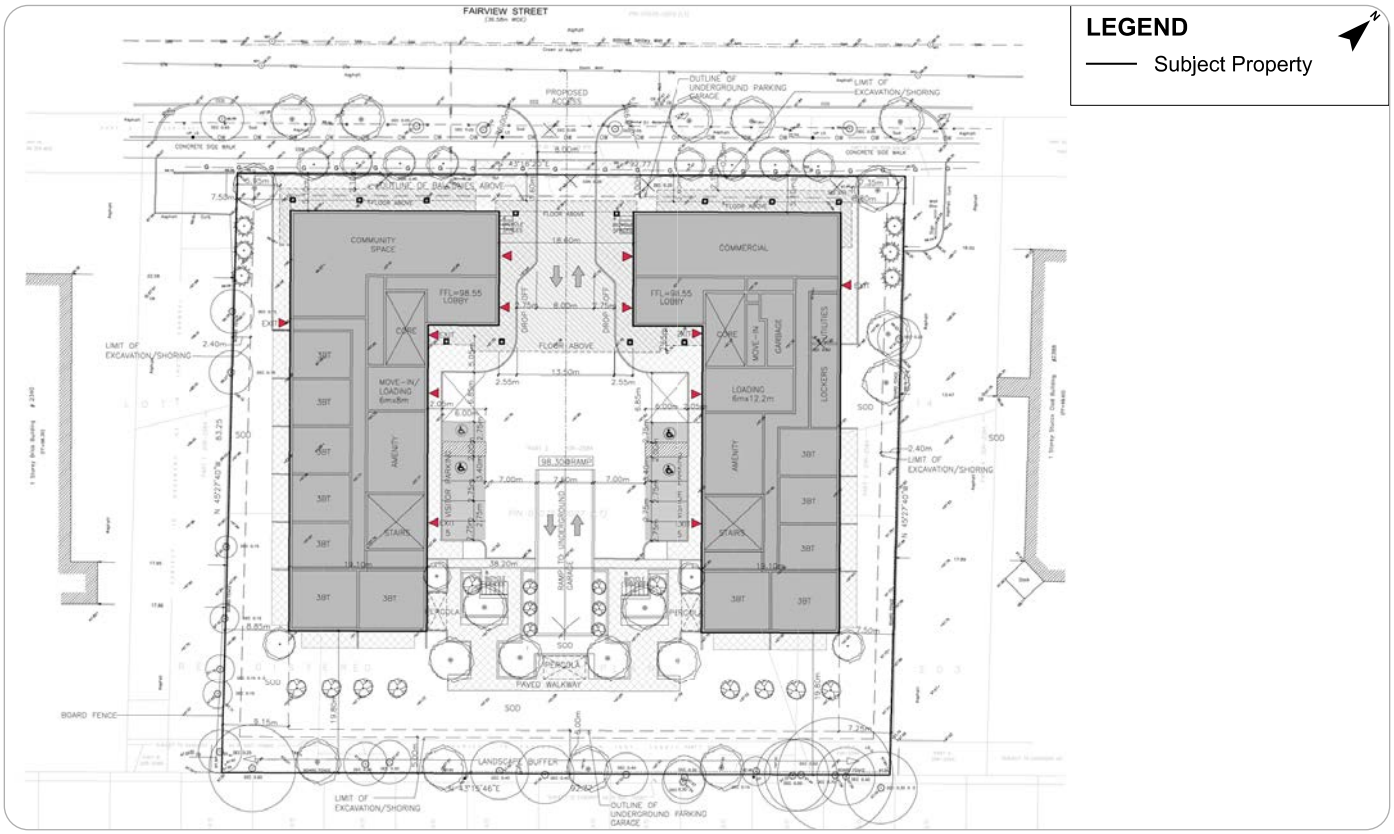


Figure 4: Site Plan

4.1 WASTE MANAGEMENT

It is intended that this development be serviced through Regional waste collection. As indicated by Halton Region staff, the vertical height clearance as the collection vehicle enters the building must be at least 5m which is accommodated by the proposed 5.6m clearance at the Fairview access point. Based on an email from Andrew Suprun, Multi-Residential Waste Diversion Coordinator at Halton Region dated April 26th 2023, the 7.5m vertical height clearance requirement only applies to the loading/collection area which is open to the sky and thus has an infinite height. The proposed horizontal clearance of 18.6m also accommodates the required width for Regional collection vehicles.

Private waste collection vehicles will enter the site through the Fairview Street access which has a clearance of 18.6m. Vehicles will turn right once they enter the property and reverse towards the loading area in the northeast corner of the building. The garbage and recycling rooms will provide for the sorting and collection of refuse from the residential units through the provision of waste collection bins.

Garbage, recycling and organics will be brought to a central waste chute on each floor by residents. A tri-sorter garbage disposal system is proposed for this development. The system directs residents' materials into one of three recycling, organic or waste containers located in the garbage room on the ground floor. The loading room will provide an overall clearance height of 6.8m which will allow private collection vehicles to pick up and dump the bins.

Following the completion of pickup, the waste collection vehicle will reverse out of the internal loading area into the driveway and exit back to Fairview Street. It is important to note that this movement will not conflict with the residential parking ramp adjacent to the loading area. The attached Waste Management Brief contains more detailed information related to the Waste Management strategy associated with the proposed development.

4.2 LANDSCAPING DETAILS

The Landscape Plan illustrates the proposed landscaping treatments. The proposed development will include hard and soft landscaping on the ground floor to compliment the building and provide outdoor amenity areas for residents. The landscape design plays an important role in enhancing the streetscape and maintaining the City's urban tree canopy.

Streetscaping involves the creation of an urban edge with a human-scaled street wall and green transitioning between the public and private realms. The existing multi-use pathway on Fairview Street will be enhanced with street trees and grassed boulevards. Hard and soft materials will surface the front setback area, and walkway connections will be established between the ground floor and the multi-use pathway. Additional greenery will be provided through planters with integrated seating.

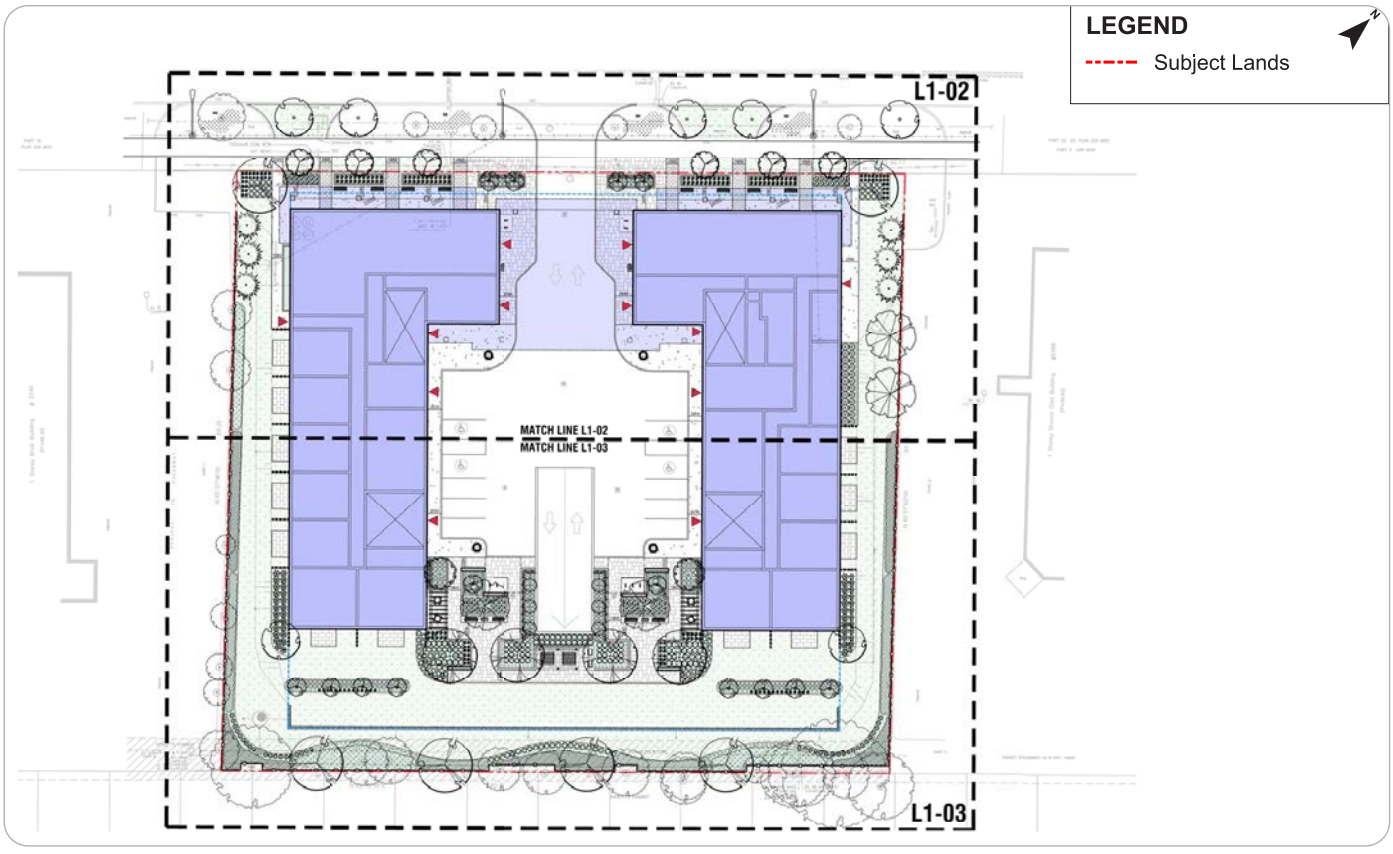


Figure 5: Landscape Plan

4.3 PARKING AND VEHICLE ACCESS & ROAD CONNECTIVITY

The vehicular circulation on-site is centralized and designed to minimize conflict with pedestrians. The site design features a two-way driveway off Fairview Street that is beneath the 2nd floor and provides access to the central court, drop-off areas, and ramp to underground parking. The drop-off areas are conveniently located on both sides of the access driveway adjacent to the residential lobbies. The loading area is in the building's east wing. The north part of the courtyard provides adequate space for the turning and maneuvering of service vehicles. Only one access point is proposed to minimize the impact of vehicular traffic. As per traffic consultant reviews, there are no anticipated activities that would conflict with day-to-day circulation.

Safe and accessible pedestrian circulation is achieved on-site through paved walkways that connect to street sidewalks. The concrete walkways will be designed based on applicable accessibility design standards, considering the grading conditions of the site and appropriate connections to the street sidewalk. Walkways near the entrance area allow for a wider pedestrian pathway to accommodate the pick-up and drop-off of residents and visitors. The pathway connects to the street sidewalk on Fairview Street. The amenity area at-grade is also connected to the pathway.

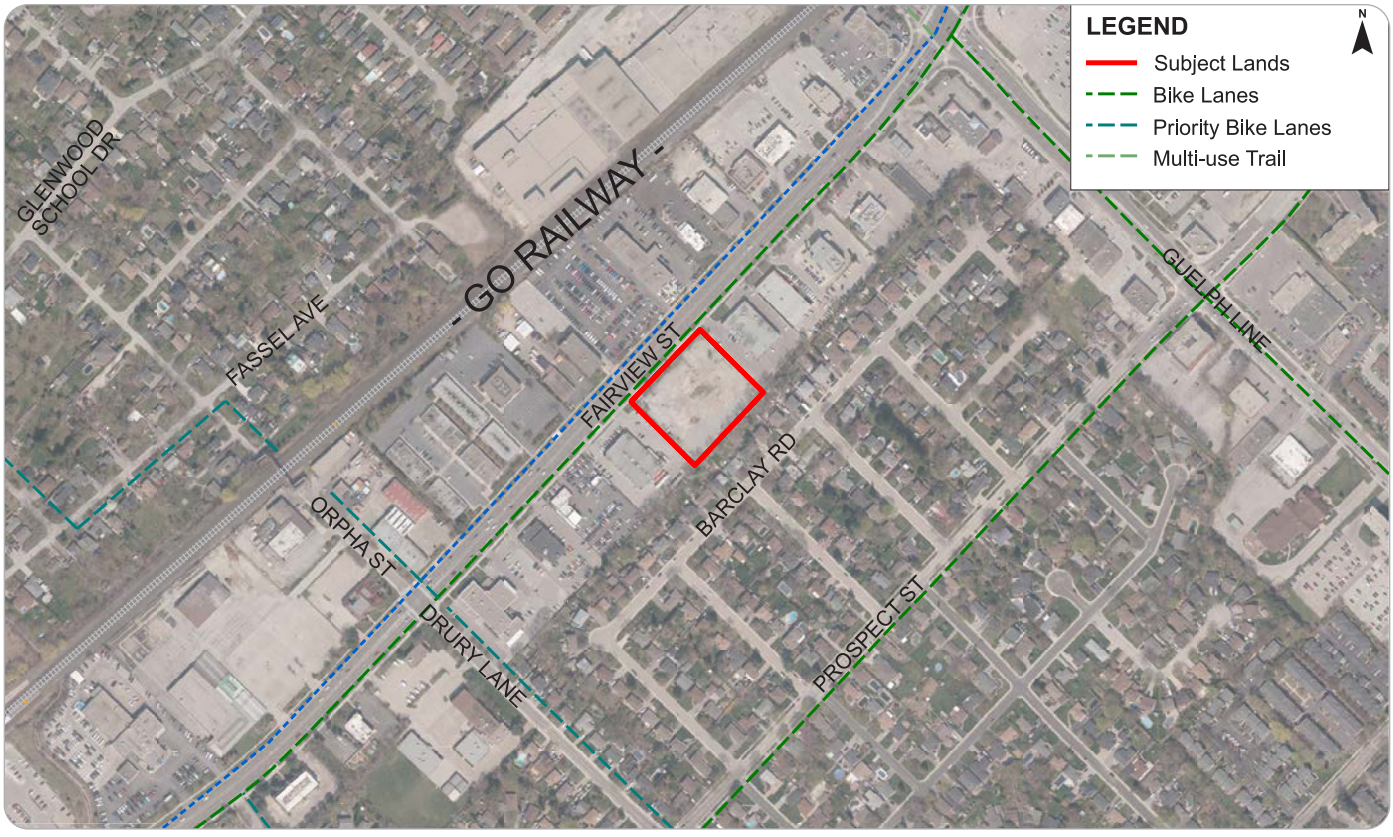


Figure 6: Connectivity

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5. DESCRIPTION OF PLANNING APPLICATIONS

This report has been prepared in support of applications to amend the City of Burlington Official Plan (1997 Office Consolidation) and to amend the City of Burlington Zoning By-law 2020 to facilitate the proposed development.

The proposed Official Plan Amendment is required to amend the City of Burlington Official Plan (1997) to add a site-specific policy to the existing *Mixed Use Corridor – General* designation.

Similarly, the proposed Zoning By-law Amendment seeks to replace the existing site-specific policy (371) on the current General Mixed-Use Corridor (MXG) zone.

In addition to the Official Plan Amendment and Zoning By-law Amendment applications, it is acknowledged that a future Site Plan Approval application will be required to facilitate the proposed development.

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6. SUPPORTING MATERIALS

6.1 URBAN DESIGN BRIEF

This Report is intended to be read in conjunction with the accompanying reports and drawings that have been submitted in support of the applications. This Report relies on findings contained within these materials, which are summarized below for reference.

The proposed development utilizes the site efficiently and is well-integrated with its planned context along Fairview Street within the Mixed-Use Corridor. The design reflects the optimal use of the lands with the development of a vehicle rental space into a compact mixed-use development. The building is designed to create an urban edge along Fairview Street with active uses and a human-scaled street wall. The proposed community space is a generous contribution that will benefit the neighbourhood. The massing of the building provides a compatible transition towards the existing low-rise residential neighbourhood in the south. The variety of units proposed will cater to a diverse range of households and demographics. The design also provides amenity areas on multiple levels for the recreation of future residents. The project's tree protection strategy will ensure healthy and mature trees on and around the site, and new trees will add to the City's urban tree canopy.

The provided Urban Design Brief assesses the relevant design policies and guidelines in the City of Burlington Official Plan and Mixed-Use and Mid-Rise Residential Building Guidelines. This report also provides a summary of the feedback provided at the Burlington Urban Design Review Panel held December 14th, 2023.

Our opinion is that the proposed development combines strategies such as generous setbacks, high-quality architectural and landscape features, massing stepbacks, terracing, and moderate density to address contemporary urban issues and accommodate the aging population's needs. By achieving good design with the incorporation of comments received from the BUD panelists and public engagement meeting, the proposed development represents planning and urban design best practices and will support the City's goals.

6.2 WASTE MANAGEMENT BRIEF

The subject property will utilize a Regional waste collection strategy as previously described and is further outlined in the Waste Management Brief attached to this submission.

6.3 FUNCTIONAL SERVICING & STORMWATER MANAGEMENT REPORT

Based on the information provided herein, it is concluded that the development can be constructed to meet the requirements of the City of Burlington and Halton Region. Therefore, it is recommended that:

- On-site storm sewers be connected to the existing 450mm storm sewer, within an easement, located at the back of the property.
- The stormwater management controls be installed as described in Section 2 of this report.
- Erosion and sediment controls be installed as described in Section 2.4 of this report.
- Sanitary servicing for the development be installed as described in Section 3 of this report.
- Water servicing for the development be installed as described in Section 4 of this report to meet water supply requirements.

6.4 TRANSPORTATION IMPACT STUDY / PARKING STUDY

Based on the findings of this study, it is recommended that:

- The site's visitor parking supply should consist of at least 42 spaces (0.12 spaces per unit).
- The site's long-term bicycle parking supply be increased by 73 spaces to provide a total of 169 spaces. The location and design of the bicycle parking spaces can be adjusted at SPA;
- The site's short-term bicycle parking supply be increased by 12 spaces to provide a total of 20 spaces. The location and design of the bicycle parking spaces can be adjusted at SPA;
- The site's TDM program be implemented and monitored over time to help manage the site's transportation and parking impacts.

Based on existing and background traffic conditions, it is recommended that:

- The road authorities consider extending the westbound left-turn storage length at the intersection of Guelph Line and Fairview Street from 125 m to 180 m;
- The road authorities consider extending the westbound right-turn storage length at the intersection of Guelph Line and Fairview from 120 m to 190 m;
- The road authorities consider converting the existing northbound shadow lane at the intersection of Guelph Line and Fairview Street to provide a second northbound left-turn lane. The dual northbound left-turn lanes should operate with a fully protected signal phase;
- The road authorities consider repainting the westbound left-turn at the Fairview Street intersection with Drury Lane to provide a total of 35 m of storage;
- The road authorities consider the implementation of a 30 m southbound left-turn lane on Drury Lane at the Fairview Street intersection to accommodate impacts of the adjacent 2243, 2269 Fairview Street and 864 Drury Lane background developments; and
- Provision of a protected permissive southbound left-turn phase at the Fairview Street intersection with Drury Lane to accompany the aforementioned auxiliary turn lane.

In consultation with the traffic consultant the architectural plans have been updated to meet the City's requirements and standards.

6.5 PEDESTRIAN LEVEL WIND REPORT

Based on the analysis of the measured data, consideration of local climate data, and suitability descriptors, the proposed elements of the development can be considered suitable to fulfil their intended purposes without being impacted by anticipated wind conditions. Recommendations are provided which will be incorporated into the future design of the development. These recommendations are minor in the sense that they can be achieved through detailed design mitigation measures and not by revising the massing or setbacks, etc of the building as a whole.

6.6 LAND USE COMPATIBILITY (AIR QUALITY) STUDY

Based on the conducted study, the following recommendations were provided to be incorporated into the design of the building to ensure indoor air quality is maintained for future developments:

- Residential and mixed-use lands are feasible for the study site.
- The development concept can meet the minimum recommended separation distance from established industries operating with a valid ECA.
- Based on Gradient Wind's experience on other projects in the area, air quality impacts from surrounding roadways are expected to be minor with gaseous concentrations of Nitrogen Dioxide (NO2), Carbon Monoxide (CO), and Particulate Matter (PM) remaining compliant with the MECP's Ambient Air Quality Criteria (AAQC). With improvements to vehicle technology, concentrations are expected to reduce in the future.
- In line with standard building practices, design, install, operate, and maintain air filtration at the fresh air intakes of the mechanical systems serving all habitable areas, including the addition of air conditioning. The areas that would not require filtered air would be parking garages and utility spaces. Minimum Efficiency Reporting Value (MERV) 8 certification filters should be used for any future development. Details of the air filtration system will be designed by the mechanical engineers during the detailed design phase.
- Under reasonable future growth scenarios for roadway traffic volume, technological improvements and more stringent emission standards will likely result in lower emissions and improved air quality for the site over time.

6.7 NOISE FEASIBILITY / VIBRATION STUDY

The results of the current analysis indicate that roadway noise levels will range between 32 and 69 dBA during the daytime period (07:00-23:00) and between 26 and 62 dBA during the nighttime period (23:00-07:00); railway noise levels will range between 48 and 75 dBA during the daytime period (07:00-23:00) and between 44 and 71 dBA during the nighttime period (23:00-07:00); at POW receptors. The highest noise levels (69 and 75 dBA) occur at the north façade of the building, which is nearest and most exposed to Fairview Street and GO Metrolinx Rail Line. As the noise levels exceed the noise level criteria for roadways and railways defined by NPC-300, upgraded building components will be required for the exterior windows and walls of the study building. The Results of the calculations also indicate that the development will require central air conditioning or a similar mechanical system, which will allow occupants to keep windows closed and maintain a comfortable living environment.

6.8 ENVIRONMENTAL SITE SCREENING QUESTIONNAIRE, PHASE 1 & PHASE 2 ENVIRONMENTAL SITE ASSESSMENTS, AND LETTER OF RELIANCE.

An Environmental Site Screening Questionnaire (ESSQ) has been submitted as a part of this application. MTE, the environmental consultant retained on the project, has provided a Phase 1/2 ESA with a reliance letter. The phase 2 ESA is in in interim format as it's currently under review with the ministry. The consultant is also preparing an updated May 2024 interim report that will be provided under separate cover. It is our understanding that due to the progress made on the subject lands and the information enclosed in the attached reports, that a Holding Provision will be placed on the property until such time as these studies are completed and submitted to the satisfaction of the Ministry, the City and Reigonal staff.

6.9 ARBORIST REPORT & TREE PRESERVATION PLAN

The Arborist Report and Tree Preservation Plan established species, size, and condition of trees as required by the City of Burlington Public Tree By-law 68-2013 and indicated tree protection measures in accordance with the City of Burlington's Tree Protection and Preservation Specification SS12A & Guide to Tree Protection. Based on this analysis, the arborist recommended that 6 species of tree be preserved, 15 be removed, and 17 be injured.

6.10 HOUSING IMPACT STUDY

The four criteria identified in the Terms of Reference for a Housing Impact Statement are (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. The proposed housing contributes to these criteria through the following:

The proposed development of 338 housing units will contribute towards the Region's achievement of two housing targets:

Policy 86 (6) a) – As all units in the proposed development will be either townhouse or apartment units, the development will contribute towards the Region's achievement of the target that 65% of new units be in the form townhouse and apartment units. This is of particular importance recognizing that the Region previously only required that 50% of housing units be in these formats.

Policy 86 (6) b) – As the proposed development is located within the built-up area, all units will contribute towards the Region and City meeting its intensification target.

At this time, the applicant has not yet determined if any of the new units in the proposed development will meet the regional definition of affordable or assisted housing units. However, the increased supply of housing would indirectly support housing affordability by increasing the overall housing stock, particularly in formats that are generally more attainable than lower-density formats.

Also, by introducing a mix of unit formats and sizes, the proposed development would appeal to a range of current and future residents, including those of various incomes and backgrounds. A mix of larger two- storey units along with traditional 2 and 3 bedroom units are being provided. At this time the tenure of the development is undetermined; purpose built-rental is being considered by the Applicant.

The estimated potential rent or sale price for units in the proposed development has not been determined. If the development was to be constructed as condominium apartment units, the ultimate sales prices for units will likely be based on the market demand for units.

The proposed development includes one building, therefore it is not expected that the development will occur in phases.

While there is currently no commitment to include affordable housing units on the subject site, the provision and inclusion of affordable housing City-wide could be supported by existing and potential future policies and mechanisms. These mechanisms include rent-geared-to-income assistance, the Halton's Portable Housing Program and rent supplements and social housing related development charges.

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7. POLICY CONTEXT

7.1 PROVINCIAL POLICY STATEMENT (2020)

The following sections review the planning policies applicable to the proposed development and evaluate the proposal in the context of the existing policy framework. The following policies have been considered in this report:

- Provincial Policy Statement (2020)
- Growth Plan for the Greater Golden Horseshoe
- Halton Region Official Plan
- *City of Burlington Official Plan (1997 – In Force)*
- *City of Burlington Official Plan (2020 – Not in Force)*
- City of Burlington Zoning By-Law 2020

The updated Provincial Policy Statement (PPS), 2020 came into effect on May 1, 2020, and provides direction on matters of provincial interest related to land use planning and development throughout the Province of Ontario. The PPS encourages sustainable development and directs polices on matters of provincial interest including public health and safety and the quality of the natural and built environment. All land use planning decisions shall be consistent with the policies of the PPS.

Section 1 of the PPS, "Building Strong Healthy Communities" outlines policies supportive of efficient land use and development patterns and is applicable to the subject lands. These policies encourage the establishment of sustainable communities and recognize that the Province's long-term prosperity depends on land use planning that wisely manages growth through the efficient use of land and infrastructure. Intensification is promoted by PPS policies.

Section 1.1.1 of the PPS states,

Healthy, livable and safe communities are sustained by:

a) Promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
b) Accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs; and

e) Promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs.

The policies in Section 1.1.1 provide guidelines to follow in maintaining healthy community development in Ontario. The proposed development represents significant intensification that utilizes land more efficiently than nearby developments. This will ensure that the long-term financial well-being of both the City and the Province are sustained. The commercial use being proposed will further contribute towards financial sustainability. The twelve storeys of residential units represent a denser form of housing and diversifies the housing options in the surrounding area. The proposed development is located along a key transit corridor and will thus encourage residents and other users to take advantage of the development's transit connectivity.

Settlement Areas

Section 1.1.3 of the PPS provides direction on future growth and development within designated Settlement Areas and recognizes Settlement Areas as critical to the long-term development and prosperity of Ontario's communities. The PPS promotes efficient development patterns within Settlement Areas, which are locations where growth and development is to be focused. The following policies are relevant to the proposed development:

Policy 1.1.3.1 of the PPS states, Settlement Areas shall be the focus of growth and development.

Policy 1.1.3.2 of the PPS states, Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

a) efficiently use land and resources
b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion
e) support active transportation; and
f) are transit-supportive, where transit is planned, exists or may be developed.

Policy 1.1.3.3 of the PPS states, Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Policy 1.1.3.4 of the PPS states, Appropriate development standards should be promoted which facilitate intensification, redevelopment, and compact form, while avoiding or mitigating risks to public health and safety.

Policy 1.1.3.6 of the PPS states, new development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

The subject lands are located within a Settlement Area along a key transit corridor and are east of the Burlington GO MTSA. Despite being close to the transit station, the housing options along Fairview Street are seldom, with the majority of properties representing low density commercial uses. There is a large residential area to the south and southwest and a smaller residential subdivision northwest, both of which contain primarily single detached dwellings.

The proposed development would provide another housing option that would allow more individuals to move into the area due to the increased density. The transit connectivity represented by the bus corridor along Fairview Street, arterial streets like Fairview Street and Guelph Line, and the Burlington Go Station to the east will be reinforced by the proposed development, as per the policies of this Section.

Housing

The PPS encourages that a range and mix of housing types and tenures be provided in order to meet the needs of current and future residents. Based on the Region of Halton's population allocation, Burlington is expected to house an additional 70,000 individuals by the year 2051. Allowing more dense developments within key corridors will aid the City to accommodate this growth.

Section 1.4 includes policy direction related to housing and is applicable to the subject lands:

Policy 1.4.1 of the PPS states, to provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and
b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.

Policy 1.4.3 of the PPS states,

Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

a) establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;
b) permitting and facilitating:
    i. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and
    ii. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;
c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;
e) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and

f) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

The proposed development will contribute to diversifying the housing stock and tenure within the City of Burlington. The proposed development itself provides a range of housing options which can be considered appropriate both as a result of the increased demand for housing and the positioning of the subject lands within the City. The proposed 338 residential units that the development would accommodate would bring many individuals into the area and encourage future development that would further accommodate Burlington's growing population.

Infrastructure and Public Service Facilities

Section 1.6.5 of the PPS states that, public service facilities should be co-located in community hubs, where appropriate, to promote cost-effectiveness and facilitate service integration, access to transit and active transportation.

While the specific use has not yet been finalized, a community use is proposed on the ground floor of the development. The public service that will be offered in the community space provided in the proposed development is well-positioned to serve many individuals within the community due to its proximity to housing and transportation options

Waste Management

Section 1.6.10 states, waste management systems need to be provided that are of an appropriate size and type to accommodate present and future requirements, and facilitate, encourage and promote reduction, reuse and recycling objectives.

Waste management systems shall be located and designed in accordance with provincial legislation and standards.

The proposed development's waste management strategy was prepared in accordance with provincial legislation and standards, the details of which can be found in the enclosed Waste Management Brief.

Long-Term Economic Prosperity

Section 1.7 of the PPS encourages development within the province to consider its economic impact and sustainability over time.

Section 1.7.1 of the PPS states, Long-term economic prosperity should be supported by

a) promoting opportunities for economic development and community investment-readiness;
b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;
c) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes;
d) minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature;

The housing supply included in the proposed development is more economically viable than the more common single detached dwellings in the surrounding area. Providing housing options in the form of an 12-storey mixed use building will densify housing in Burlington and allow more residents to move into the area. A greater number of consumers and working individuals in the area will have a positive economic impact on the City as a whole.

The proposed development will also encourage further developments characterized by dense housing which will support the economic prosperity of the City for years to come.

Conclusion

While the proposed development would be the first of its kind in the immediate surrounding area, the densification of the City/Region along key corridors of activity is emphasized by Provincial policy. Growth is supported by the municipal infrastructure and regional roads that surround the subject lands, in addition to the transit connectivity from the Burlington GO Station and the Bus Corridor along Fairview Street. The proposal provides density that will help the Region and City meet their intensification targets, while diversifying housing options for future residents. It is our opinion that the proposed development is consistent with the Provincial Policy Statement.

7.2 A PLACE TO GROW: GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE

While the PPS provides the overall policy direction specifically related to matters of provincial interest, A Place to Grow – Growth Plan for the Greater Golden Horseshoe (the "Growth Plan") is intended to provide policy direction to support the development of strong, prosperous communities and assist in managing future growth. The current Growth Plan policies came into effect on August 20, 2020. The Growth Plan acts as the over-arching policy document that local municipality's reference for guidance regarding complex land use issues and growth management. All planning decisions are to conform to the Growth Plan.

The Province introduced a proposed amendment to the Growth Plan in June 2020. These changes include updates to the population and employment forecasts and the horizon years being extended to 2051. Regions and municipalities across Ontario are in the process of updating their Official Plans to conform with the updated policy direction provided by the latest version of the Growth Plan.

Managing Growth

Section 2 of the Growth Plan provides policies that direct where and how the Greater Golden Horseshoe (GGH) will grow in order to create complete communities while accommodating forecasted growth.

Section 2.2.1.2 of the Growth Plan states, Forecasted growth to the horizon of this Plan will be allocated based on the following:

1. The vast majority of growth will be directed to settlement areas that
   i. have a delineated built boundary;
   ii. have existing or planned municipal water and wastewater systems; and
   iii. can support the achievement of complete communities;

2. Within settlement areas, growth will be focused in:
    i. delineated built-up areas;
    ii. strategic growth areas;
    iii. locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and
    iv. areas with existing or planned public service facilities;

The area in which development is proposed is within Burlington's urban boundary and meets the Growth Plan's criteria for a Strategic Growth Area due to the subject land's positioning along a major transportation corridor near the Fairview Street and Guelph Line intersection, a key node within the City.

Delineated Built-up Areas

The subject lands are located within the delineated built boundary and are in the delineated Built-Up Area. The following policies of Section 2.2.2 are applicable and assert that:

1. By the time the next municipal comprehensive review is approved and in effect, and for each year thereafter, the applicable minimum intensification target is as follows:
    a. A minimum of 50 per cent of all residential development occurring annually within each of the Cities of Barrie, Brantford, Guelph, Hamilton, Orillia and Peterborough and the Regions of Durham, Halton, Niagara, Peel, Waterloo and York will be within the delineated built-up area;
2. All municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will:
    a. identify strategic growth areas to support achievement of the intensification target and recognize them as a key focus for development;
    b. identify the appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas;
    c. encourage intensification generally throughout the delineated built-up area;
    d. ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities;
    e. prioritize planning and investment in infrastructure and public service facilities that will support intensification; and
    f. be implemented through official plan policies and designations, updated zoning and other supporting documents.

The above-noted policies require that all municipalities develop and implement strategies to achieve minimum intensification targets. The proposed development is in alignment with the intention of the above-noted policies which encourage intensification. The subject lands can be considered an appropriate place to focus development due their placement within a strategic growth area and their proximity to a key transportation corridor.

Schedule 3 of the Growth Plan provides population and employment forecasts for managing and planning growth to 2051. The Region of Halton is forecasted to have a population of 507,240 persons by 2051. The 338 residential units included in the proposed development will contribute to the regional housing supply and encourage future developments that will do the same.

Transit Corridors and Station Areas

Section 2.2.4.9 of the Growth Plan states, within all major transit station areas, development will be supported, where appropriate, by:

a) planning for a diverse mix of uses, including additional residential units and affordable housing, to support existing and planned transit service levels;

b) fostering collaboration between public and private sectors, such as joint development projects;
c) providing alternative development standards, such as reduced parking standards; and
d) prohibiting land uses and built form that would adversely affect the achievement of transit-supportive densities.

The proposed development, while not located within an MTSA, is in close proximity to one. As a result, the intention of the policies associated with MTSAs were considered in the preparation of the proposal to ensure the benefits of transit connectivity could be maximized.

Housing

Section 2.2.6 of the Growth Plan provides policy direction for municipalities to meet and maintain growth targets through the development of a range and mix of housing. The following policies are applicable:

1. Upper-and single-tier municipalities, in consultation with lower-tier municipalities, the Province, and other appropriate stakeholders, will:
   a) support housing choice through the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan by:
      i. identifying a diverse range and mix of housing options and densities, including additional residential units and affordable housing to meet projected needs of current and future residents; and
      ii. establishing targets for affordable ownership housing and rental housing;
3. To support the achievement of complete communities, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.
4. Municipalities will maintain at all times where development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units. This supply will include, and may exclusively consist of, lands suitably zoned for intensification and redevelopment.

The proposed development conforms to the housing policies outlined in the Growth Plan and will contribute towards the applicable population targets. The twelve storeys of residential units will contribute to the diversification of the overall housing stock within the community. The addition of the proposed 338 units provides significant intensification that the subject lands can readily accommodate. In addition, the potential rental tenure of these units will provide for an alternative option, in comparison to ownership, for attaining housing.

Public Service Facilities

Section 3.2.8.1 of the Growth Plan states, planning for public service facilities, land use planning and investment in public service facilities will be co-ordinated to implement this Plan.

Section 3.2.8.6 of the Growth Plan states, new public service facilities, including hospitals and schools, should be located in settlement areas and preference should be given to sites that are easily accessible by active transportation and transit, where that service is available.

The public service that will be offered in the community space provided in the proposed development is well-positioned to serve many individuals within the community due to its proximity to housing and transportation options.

Conclusion

The proposed development provides a new, high-quality housing option of a compact built-form in a Settlement Area located within the delineated built boundary next to an MTSA. The residential intensification caused by the proposed development will encourage the densification of the surrounding built-form and contribute towards regional and municipal intensification and density targets. The provision of new housing units in a variety of sizes will promote the achievement of the Province's housing and affordability goals, and ensure that a wide array of housing types and sizes are provided to accommodate housing demand in the community. It is our opinion that the proposed development conforms to the Growth Plan for the Greater Golden Horseshoe.

7.3 HALTON REGION OFFICIAL PLAN (2022)

The Halton Region Official Plan ("ROP") was adopted by Regional Municipality of Halton in 1994 and approved by the Ministry of Municipal Affairs in 1995. An interim Office Consolidation of the Regional Official Plan was released on November 10, 2021 and has been updated to conform to Provincial policies through the approval of ROPA 48 and 49. The policies of the Official Plan guide new planning and development in Halton Region while meeting the needs of existing residents and businesses in the Region. It provides directions and policies that guide economic, environmental and community planning decisions to manage growth.

The policies in the ROP will help to direct and coordinate more detailed planning by local municipalities. In addition, it provides a framework for coordinating planning with adjacent municipalities, as well as other jurisdictions.

The subject lands are within the Urban Area of the Regional Structure Map. The subject lands are also located along a Regional Intensification Corridor and are immediately east of the Burlington GO MTSA.

Urban Area

Section 72.1 of the ROP provides policies for growth in complete communities, enhances mobilities, addresses climate change and improves housing affordability, sustainability, and economic prosperity. Some objectives of the Urban area are:

1. To accommodate growth in accordance with the Region's desire to improve and maintain regional unity, retain local community identity, create healthy communities, promote economic prosperity, maintain a high quality, sustainable natural environment, and preserve certain landscapes permanently.

2. To support a form of growth that is compact and supportive of transit usage and non-motorized modes of travel, reduces the dependence on the automobile, makes efficient use of space and services, promotes live-work relationships, and fosters a strong and competitive economy.
3. To provide a range of identifiable, inter-connected and complete communities of various sizes, types and characters, which afford maximum choices for residence, work and leisure.
7. To plan and invest for a balance of jobs and housing in communities across the Region to reduce the need for long distance commuting and to increase the modal share for transit and active transportation.
9. To facilitate and promote intensification and increased densities.

The proposed development intensifies the current site by providing higher density, compact design, efficient use of space and is located near existing services and transportation infrastructure. This proposal increases housing supply in the region through intensification and uses existing infrastructure provided, including non-motorized modes of travel.

Section 78 of the ROP outlines the policies pertaining to the Regional Urban Structure, and objective of which is:

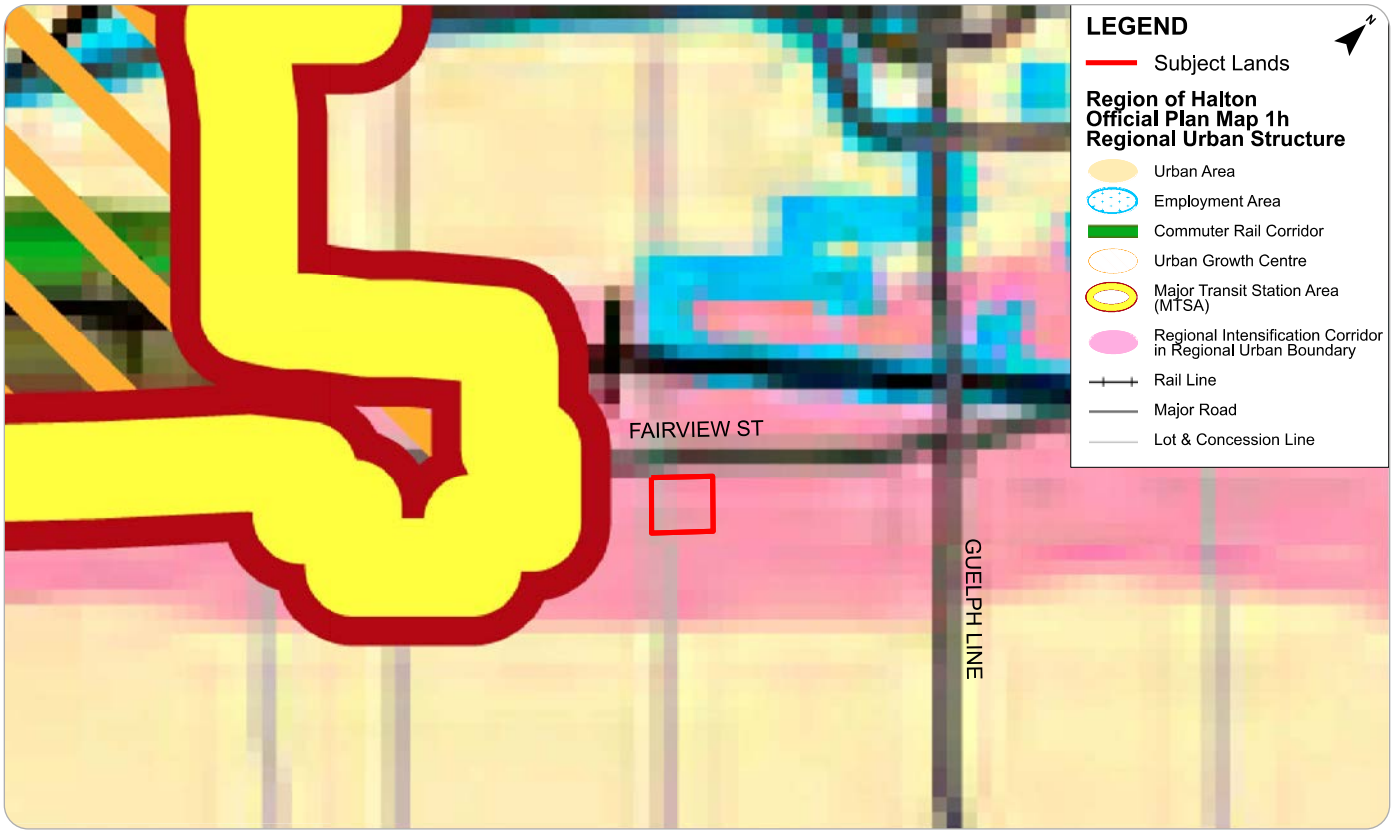


Figure 7: ROP Map 1h

5. To support climate change mitigation by directing growth to areas that will support achieving complete communities and the minimum intensification and density target of this Plan as well as reducing dependence on the automobile and supporting existing and planned transit and active transportation.

The proposed development is in alignment with the objectives of the ROP by directing growth towards an area intended for intensification and that benefits from its proximity to transit connectivity.

Section 81 of the Halton Region Official Plan, through Regional Official Plan Amendment 48 which was approved by the Province in Nov. 2021, designates multiple areas within the City of Burlington as Major Transit Station Areas (MTSA). MTSAs are designated with the intention of leveraging infrastructure investments, implementing transit-supported mix range of uses, and promoting complete communities.

Objectives of the MTSAs include some of the following:

1. To leverage infrastructure investments and the development of public service facilities to support a significant share of growth, and achieve transit support densities through existing or planned frequent transit service.
2. To provide a range and mix of transit-supportive uses, such as residential, retail, office and public uses, as well as public service facilities and parks and open spaces that support the area in a pedestrian-oriented urban environment.
4. To achieve multimodal access to stations and support complete communities.
5. To plan for a diverse mix of uses, including additional residential units and Affordable Housing, where appropriate.

While the proposed development is not located directly within the MTSA delineated boundary, its adjacency to the Burlington MTSA means that the objectives of MTSA policies should be taken into account. The proposed development supports the objectives of MTSAs by providing transit-oriented development through compact design and intensifying existing sites. It supports the area to provide a range and mix of transit-supportive uses by providing a multi-storey residential building with units varying in sizes it also supports complete communities by bringing housing supply to an area with local amenities within close proximity and pedestrian-oriented.

Section 82.3 of the ROP provides guidelines for lands located along Regional Intensification Corridors. Some objectives of these corridors are:

- To achieve increased residential and employment densities in order to ensure the viability of existing and planned transit infrastructure and service.
- To achieve a mix of residential, office, institutional and commercial development, where appropriate.

The proposed development intensifies the Regional Intensification Corridor along Fairview Street by providing a more dense residential option than exists in the surrounding area. The development's residential, commercial, and employment uses will bring people into the area and will take advantage of the property's proximity to Burlington GO and other surrounding transit connectivity.

Housing

Section 84 of the Region Official Plan provides goals, objectives and policies for Housing. Halton Region's goal for housing is to supply residents with an adequate mix and variety of housing to satisfy differing physical, social and economic needs. The Region lists a number of objectives for housing, including the following:

- To establish housing targets by type and appropriate density for the Local Municipalities and the Region as a whole.
- To coordinate, improve upon, and expedite the development approval process so as to reduce the overall cost of housing.
- To make more efficient use of existing developed lands, housing stock and available services to increase the supply of housing while maintaining the physical character of existing neighbourhoods.
- To encourage the Local Municipalities and the building and development industry to develop innovative housing designs that stress flexibility in use, mix of compatible land uses, good environmental practices, universal physical access, public safety and security needs, cost-efficiency, affordability and energy and natural resource conservation while maintaining sound engineering and planning principles.

The Region also provides policies pertaining to housing which include the following:

- Monitor the development approval process to achieve at all times a minimum of three-year supply of draft approved and/or registered residential units for the Region as a whole
- Adopt the following housing targets:
  - That the per cent of new housing units produced annually in Halton in the form of townhouses or multi-storey buildings be at least 65 per cent to 2031 and at least 75 per cent thereafter (up from 50% historically).
- Require Local Official Plans to provide an appropriate mix of housing by density, type and affordability in each geographic area, consistent with current and projected demands reflecting socio-economic and demographic trends.

The proposed development provides appropriate density for the Region of Halton by making efficient use of existing land and compatibility in design and form to the existing neighbourhood. The proposed development supports the Region's housing targets and increased focus of townhouse and multi-storey infill development by bringing additional 338 residential units. Lastly, the intensification takes place on a site suited for higher intensity due to the transportation connectivity in the surrounding area.

Solid Waste Management

Section 148 of the ROP outlined objectives and policies associated with the management of solid waste in the Region. The following objectives are relevant to the proposed development:

- To implement an integrated and sustainable waste management system of collecting, processing and disposing of municipal solid waste that incorporates the principle of reduce, reuse, recycle and resource recovery and is environmentally beneficial, socially acceptable and economically optimal.
- To provide a system for managing residential solid waste generated within Halton in the most environmentally responsible, socially acceptable and cost-effective manner and based on the principle of maximizing the economic potential of solid waste and utilizing landfill only as a last resort.

The following policies apply to the proposed development:

- Develop and update regularly a Solid Waste Management Strategy to establish targets for the reduction and diversion from landfill of solid waste and to recommend programs and plans, including financial considerations, for achieving such targets in the most cost-effective manner.

- Develop, jointly with the Province, the Local Municipalities and the development industry, and adopt guidelines for the design of communities and buildings that will facilitate source separation, collection, storage, and transportation of solid waste.
- Provide, jointly with the Local Municipalities as required, a cost-effective, integrated system for managing solid waste generated within Halton, consisting of:
  a) collection from residential sources material that is separated into appropriate categories.
  b) transportation of material to various processing or storage facilities for recycling and re-use.
  c) transportation of remaining material to the Halton Waste Management Site.

The Waste Management Strategy for the proposed development is in alignment with the objectives and policies of this section of the ROP. The details of the strategy can be found in the attached Waste Management Brief.

Human Services / Social Support Services

Fostering healthy communities is a key objective of the Region. This objective is upheld, in part, by the establishment of Human Services, the policies of which are outlined in Section 150 of the ROP. Some of the policies pertaining to Human Services in the Region include:

- Develop, jointly with the Local Municipalities, and adopt Healthy Communities Guidelines in accordance with the characterization under Section 31, which include, among other things:
  - description of general characteristics of a healthy community,
  - desirable mix of land uses within the community,
  - community design features that will promote integration of the community and accessibility by residents to services within and outside the community through active transportation and public transit.

Section 157 of the ROP outlines policies for Social Support Services, the following of which apply to the proposed development:

(1) Prepare, adopt and update regularly, in cooperation with other social services planning organizations and networks, strategic plans to coordinate and integrate the provision of social services and programs in accordance with the goals, objectives and policies of this Plan.

(2) Encourage the location of human support services and facilities in local communities and in areas easily accessible by public transit.

The proposed design concept was developed to be well-integrated into the transitioning community it is in. By incorporating design elements such as a central courtyard to encourage interaction between residents and a community use at grade level, the development will contribute to the health of the surrounding community as per the policies of this section. The community use can also be considered beneficial to the neighbourhood as it will be easily accessible from the multiple nearby transportation options.

Involvement in Public Decision-Making

The Region encourages development to make the public aware of projects in their area so they can be involved in the decision-making process. Section 159 of the ROP outlines policies associated with this objective, some of which are as follows:

- Ensure an effective public information and communication program to increase the public's knowledge of and participation in Regional affairs and Regional services.

- Continue to incorporate public consultation in Regional decision-making processes
- Encourage and foster public participation, by all sectors of the public, in all aspects of physical and social development, at all stages of the process, including policy formulation, service delivery and program evaluation.

On January 17th, 2024, a Pre-Application Neighbourhood Meeting was held to make the public aware of the proposed development and to give them an opportunity to provide feedback. A matrix is attached as a submission material that includes responses to public comments.

Economic Development

The economic development of the Region of Halton is encouraged by Section 168 of the ROP. This section includes both objectives and policies to promote the long-term economic prosperity of the region. The following objectives are relevant to the proposed development:

- To continuously increase the innovative capacity of Halton's businesses and the knowledge base and skill level of Halton's labour force in response to a changing global economy.
- To create a competitive economic environment that promotes entrepreneurship, new business formation, retention and growth of existing businesses, and the location of new strategic businesses in Halton
- To promote economic activities that provide diverse, high quality employment opportunities as well as a greater match by type between employment and residential growth.

The following economic development policies are relevant to the proposed development:

- Encourage the Local Municipalities to phase the development of employment lands concurrent with nearby residential lands.
- Encourage and direct office, commercial, cultural and institutional uses and compatible industrial uses to locate within Intensification Areas.
- Monitor the opportunities and constraints on future expansion of existing businesses within Halton, and, within the policies of this Plan, promote the growth of these businesses within Halton.

The proposed development promotes the economic development of the Region through providing a dense urban form that will allow a greater number of residents to move into the area than has previously been possible with residential options being historically limited to single detached dwellings. The commercial use being proposed at grade level will be integrated into the residential uses in alignment with policy in this section and represents a mutually beneficial outcome for residents and potential businessowners.

Transportation

Section 171 of the Regional Official Plan establishes guidelines for transportation in Halton Region. The goal for transportation in the Region of Halton is to provide a safe, convenient, accessible, affordable and efficient transportation system in Halton, while minimizing the impact on the environment and promoting energy efficiency. The relevant objectives of the Region include:

- To support the early introduction of public transit service in new development and redevelopment areas and in Intensification Areas.
- To ensure development is designed to support active transportation and public transit.
- To integrate transportation planning, land use planning and investment in infrastructure.
- To promote land use patterns and densities that foster strong live-work relationships and can be easily and effectively served by public transit and active transportation.

7.4 CITY OF BURLINGTON OFFICIAL PLAN (1997 OFFICE CONSOLIDATION)

The proposed development is transit-oriented and provides density to an area with existing transit routes and connections to other lines within the local Burlington Transit network and the Regional GO Transit network. In addition, the proposal is designed to support active transportation and cycling opportunities by being in walkable distances to community facilities and local amenities and providing for cycling supportive design/amenities.

Conclusion

The proposed development contributes to the objectives and policies of this plan. The development provides a higher density, transit-supportive and pedestrian-oriented mixed-use apartment building that is of compact form and represents good planning. The proposed development will contribute towards the Region's population growth and accommodation targets, and can be considered in alignment with the policies of this plan.

The Burlington Official Plan was adopted by City Council in 1994 and approved with modifications by the Regional Municipality of Halton in 1997. The Burlington Official Plan 1997 (OP) manages and directs the land uses for a period extending to 2021, but remains the current in-effect OP. The intent of the OP is to accommodate and to plan for the growth associated with the underlying housing, population and employment projections. The subject lands are considered to be *Mixed Use Activity Areas* within the City's Settlement Pattern and designated as *Mixed Use Corridor – General* as per the City of Burlington Comprehensive Land Use Plan.

Section 5.0 outlines principles, objectives, and policies associated with Mixed Use Activity Areas. Mixed Use Activity Areas are intended for employment, shopping, and residential uses. They are areas meant to foster community interaction and provide alternatives to low density, suburban development. The following policy related to Mixed Use Activity Areas pertains to the proposed development:

- The design and development of Mixed Use Activity Areas shall promote these areas as focal points for community activities that are characterized by a compact form of development, pedestrian-orientation, greater accessibility to public transit and higher intensity development.

The objectives of Mixed-Use Corridors, outlined in Section 5.3, are to provide areas of concentrated, high-intensity mixed-use developments along multi-purpose arterial roads. The following uses may be permitted within this designation:

a. a wide range of retail, service commercial and personal service uses.
b. high density residential uses and a full range of office uses.

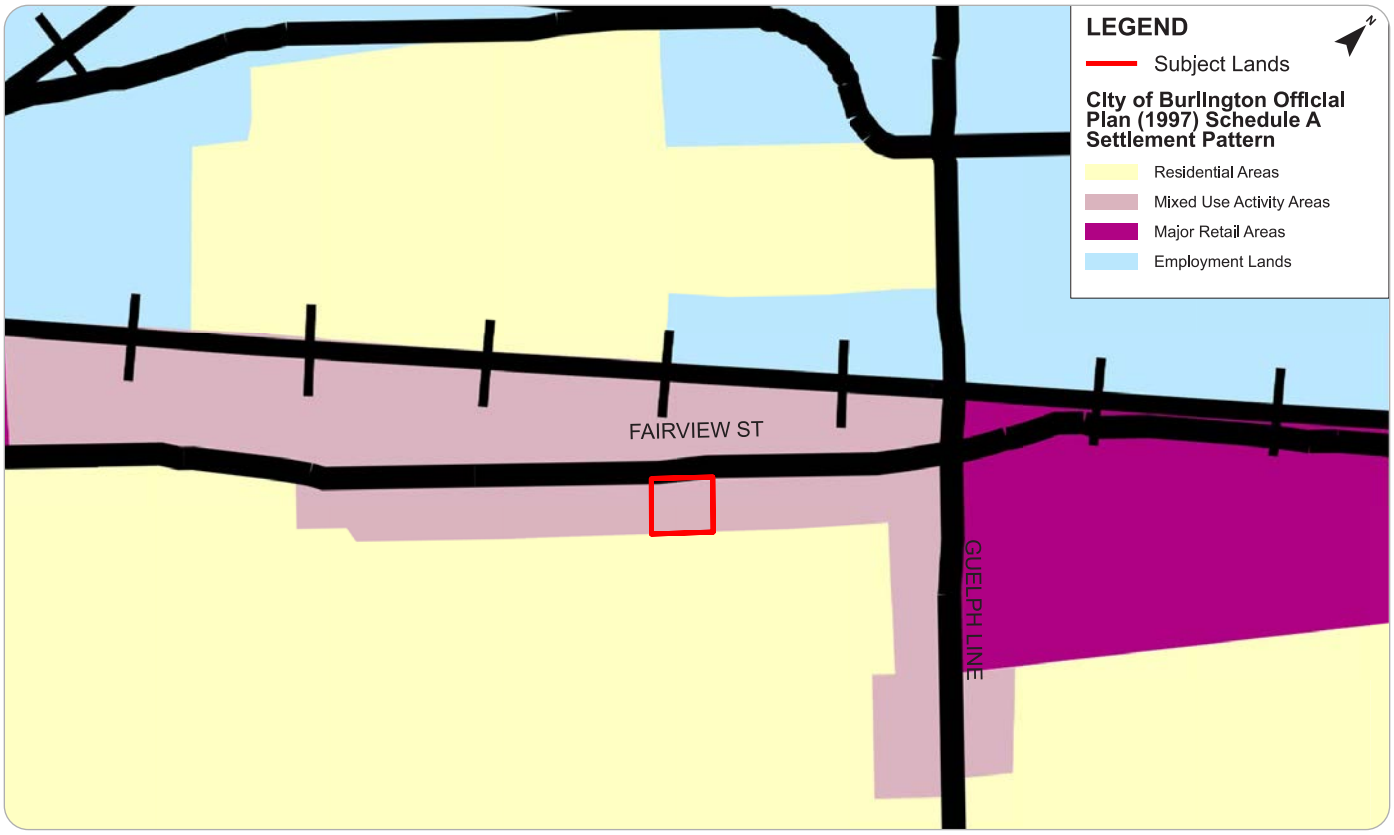


Figure 8: Burlington OP (1997) Settlement Pattern

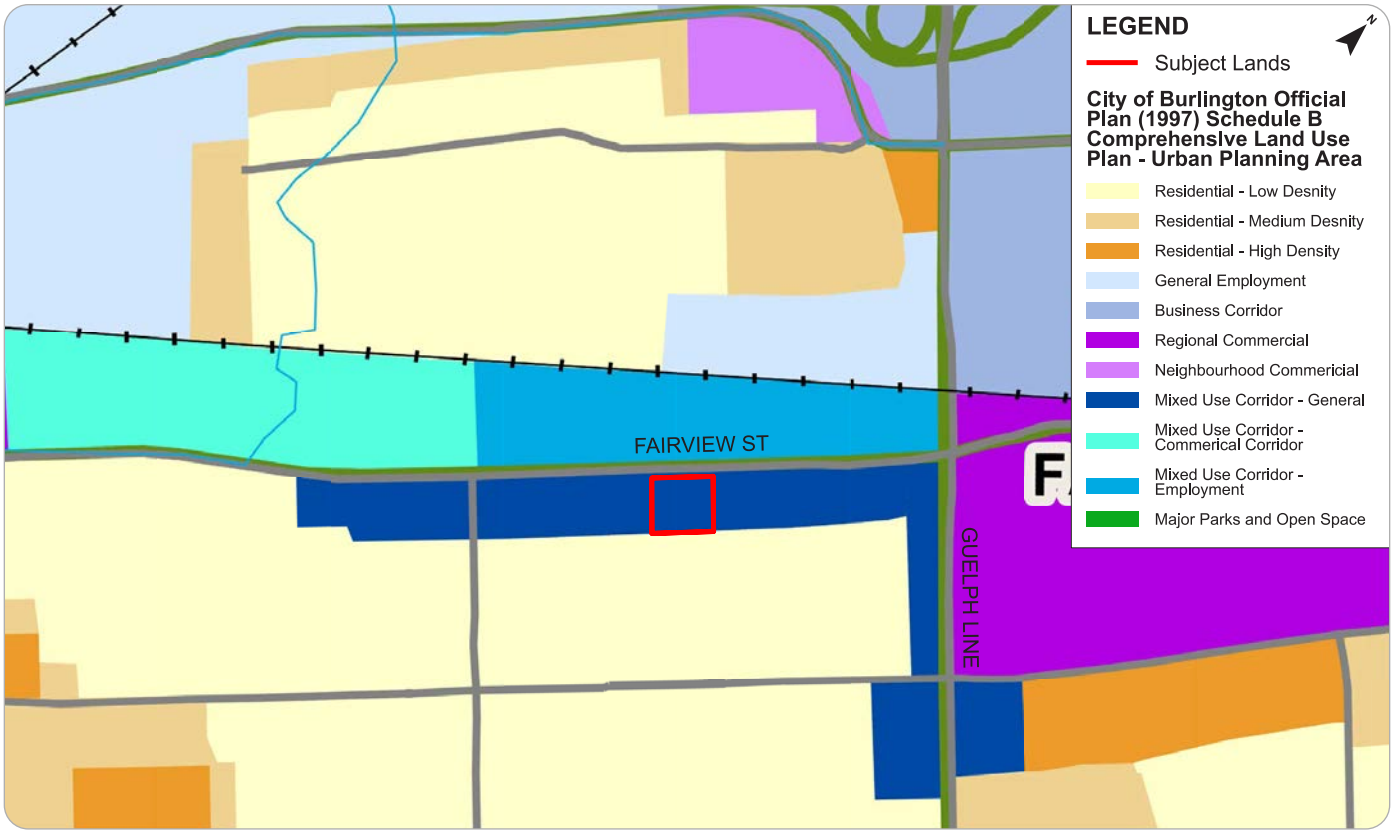


Figure 9: Burlington OP (1997) Comprehensive Land Use Plan

c. development and re-development of lands within a major transit station area, such as a GO transit commuter rail station, shall achieve a higher intensity of re-development and consist of transit supportive uses, as called for and defined in the Growth Plan for the Greater Golden Horseshoe.

The following policies pertaining to the Mixed-Use Corridor designation apply to the proposed development:

a) Mixed Use Corridor lands are intended to provide for the day-to-day and weekly shopping needs of residents within and in close proximity to the Corridor.
b) Retail and service commercial uses are to be located at street level in office or residential buildings.
g) The design and development of Mixed Use Corridors shall ensure compatibility between the Mixed Use Corridor uses and adjacent land uses, particularly residential uses. The following factors shall be considered in reviewing proposals for new and/or expanding Mixed Use Corridor uses:
    i. Buildings should be located so as to be in proximity to the street, to provide a sense of human comfort and pedestrian scale and interest, and should be in close proximity to transit services;
    ii. The site plan includes features that integrate the development with surrounding uses;
    iii. The site plan promotes safe, convenient and barrier-free pedestrian travel within the site, between the site and adjacent uses and to and from transit stops;
    iv. The number and location of vehicular access points shall be limited to minimize disruption to traffic flows and to minimize the impact on local streets;
    v. Wherever possible, off-street parking should be located in the side and rear yards and away from adjacent residential uses. Off-street parking areas, loading areas and service areas shall be screened and landscaped and located to minimize adverse impacts on adjacent residential uses;
h) Transit-supportive and pedestrian-oriented urban design shall be required in the development of Mixed Use Corridor sites.
    i) The design and development of Mixed Use Corridors shall encourage the use of public transit, pedestrian and bicycle travel as an alternative to the automobile and shall maximize personal safety by encouraging site plan features such as:
        i. Buildings should be oriented to the street and transit services, and buildings should be located so as to be in proximity to, and face the street, to provide a sense of human comfort and pedestrian scale and interest;
        ii. Safe and convenient access shall be provided for pedestrians between buildings and transit stops, parking areas, and other buildings and facilities;
k) Retail, service commercial and other pedestrian-oriented use shall be encouraged at the street level.

The development proposes uses that are permitted within Section 5.3.2 Mixed Use Corridor – General designation and a level of intensity that is encouraged by its policies. The proposed development will contribute towards the intensification of the corridor along Fairview Street and its proximity to transit will support the nearby Burlington GO MTSA. Only one vehicular access point has been included in the site plan to control traffic and provide a safe experience for all modes of transportation. Vehicular parking will be located below ground. These design elements will preserve the visual interest of the development and corridor and are thus in accordance with the above policies.

We believe that the proposed development warrants increased height consideration due to the policies associated with mixed-use developments in close proximity to transit connectivity. Additionally, at street-level, pedestrian-oriented uses are being provided to mitigate the visual impact of the building's increased height. It is our opinion that the policies associated with zoning regulations provide justification for this application's request for the relief described in the Zoning By-law amendment section below.

Transportation Facilities

Fairview Street is classified as Multi-Purpose Arterial as per the Classification of Transportation Facilities. Multi-Purpose Arterial roads are intended to connect Major Arterials through urban areas or Nodes. The following general design guidelines apply to developments along Multi-Purpose Arterials:

- Transit-supportive land uses to be encouraged along right-of-way in Urban Area
- On-street parking generally prohibited

Providing a more intensified residential use will allow more individuals to access nearby transit connectivity. The proposed underground parking is in alignment with the design guidelines.

Housing Supply

Section 2.3 of the Part III of the OP mentions objectives and policies to provide an appropriate supply of housing to the City of Burlington including a sufficient supply of suitably designated and serviced residential land to meet existing and future housing needs.

Section 2.3.2 of the OP mentions policies relating housing supply in the City of Burlington:

a. To the extent to which land is available in the Urban Planning Area, City Council shall maintain its fair share of land within the regional market area with servicing capacity sufficient to provide a three year supply of residential units, available through lands suitably zoned to facilitate residential intensification and re-development, as well as land in draft approved and registered plans, in order to meet anticipated short term housing needs.
b. To the extent to which land is available in the Urban Planning Area, City Council shall maintain the ability to accommodate its fair share of residential growth within the regional market area for a minimum of 10 years through residential intensification and re-development and, if necessary, lands which are designated and available for residential development, in order to meet anticipated long term housing demands.
c. The proposed development supports the city in achieving a supply of residential units through the redevelopment and intensification of lands into an 11-storey apartment building with 305 residential units with a range of units from bachelor to townhouses.
d. City Council shall ensure an adequate level of local municipal services to meet the demands of residential development.

The 338 residential units included in the proposed development will contribute towards the intensification goals set by the City of Burlington

7.5 CITY OF BURLINGTON OFFICIAL PLAN (2020 OFFICE CONSOLIDATION)

Housing Intensification

Section 2.5 outlines policies that apply to residential intensification throughout the City of Burlington. The proposed development is subject to the following evaluation criteria:

I. Adequate municipal services to accommodate the increased demands are provided, including such services as water, wastewater and storm sewers, school accommodation and parkland;
II. Off-street parking is adequate;
III. The capacity of the municipal transportation system can accommodate any increased traffic flows, and the orientation of ingress and egress and potential increased traffic volumes to multi-purpose, minor and major arterial roads and collector streets rather than local residential streets;
IV. The proposal is in proximity to existing or future transit facilities;
V. Accessibility exists to community services and other neighbourhood conveniences such as community centres, neighbourhood shopping centres and health care;

The proposed development is located adjacent to the Burlington GO MTSA, and there is a bus corridor located along Fairview Street. In addition to the connectivity to municipal transportation, vehicular access to the development exists in the form of below-ground parking. By integrating a community use at-grade, connecting individuals to community services is promoted in multiple ways. The proposed development will be supported by existing municipal services.

The Draft Burlington Official Plan (2020 OP) is an interim working document and was adopted by Burlington City Council on April 26, 2018 and approved by the Region of Halton on November 30, 2020, and provides land use and development goals, objectives and policies to guide development decision in the City of Burlington. Note that the majority of the 2020 Official Plan is under appeal and not yet in-effect, however considering Staff and Council support for this document, the direction from staff is all applications *shall have regard for* the policies contained. Despite amending the 1997 version of the OP from a technical standpoint, both Official Plans are considered when trying to understand the public interest.

The subject lands are within a *Secondary Growth Area* in the City's Growth Framework and are designated *Urban Corridor* under the *Mixed Use Nodes* and *Intensification Corridors* category in Burlington's Urban Land Use area.

Section 2.4 pertains to the City's Growth Framework, which comprises of a collection of policies to be used in conjunction with the Urban Structure. The main purpose of this framework is to organize the accommodation of a growing population. Secondary Growth Areas are discussed in Section 2.4.2.(2) and:

- Shall be recognized as a distinct area within the city's Urban Area accommodating growth in accordance with the permissions and densities of the current land use designations of this Plan;
- Are areas expected to transition over the planning horizon and beyond and will not result in a significant relocation of planned growth outside of the Primary Growth Areas in order to ensure that the objectives and policies of Chapter 6 Infrastructure, Transportation and Utilities can be met;
- Where applicable, shall support the frequent transit corridors and accommodate development that is compact, mixed use and pedestrian-oriented in nature.

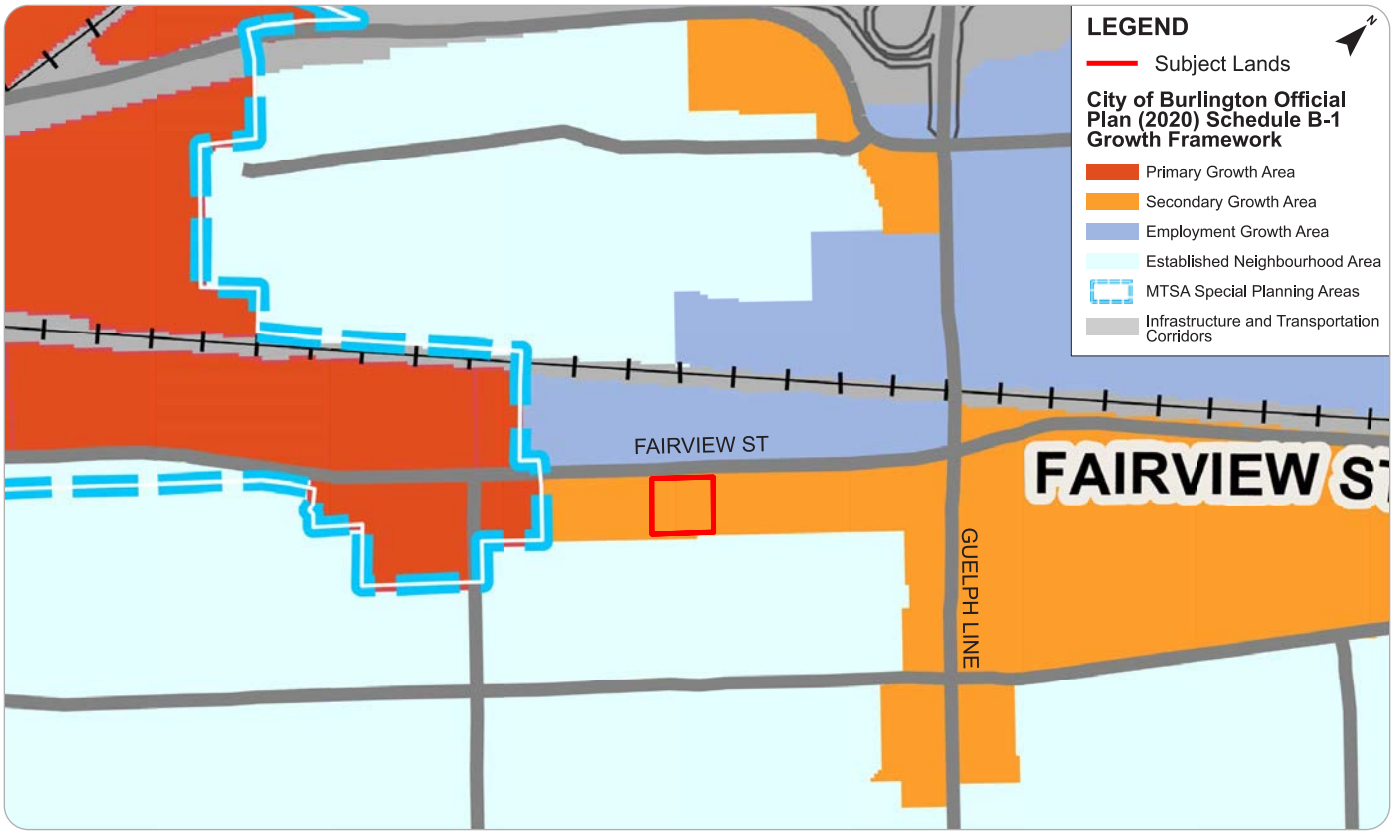


Figure 10: Burlington OP (2020) Growth Framework

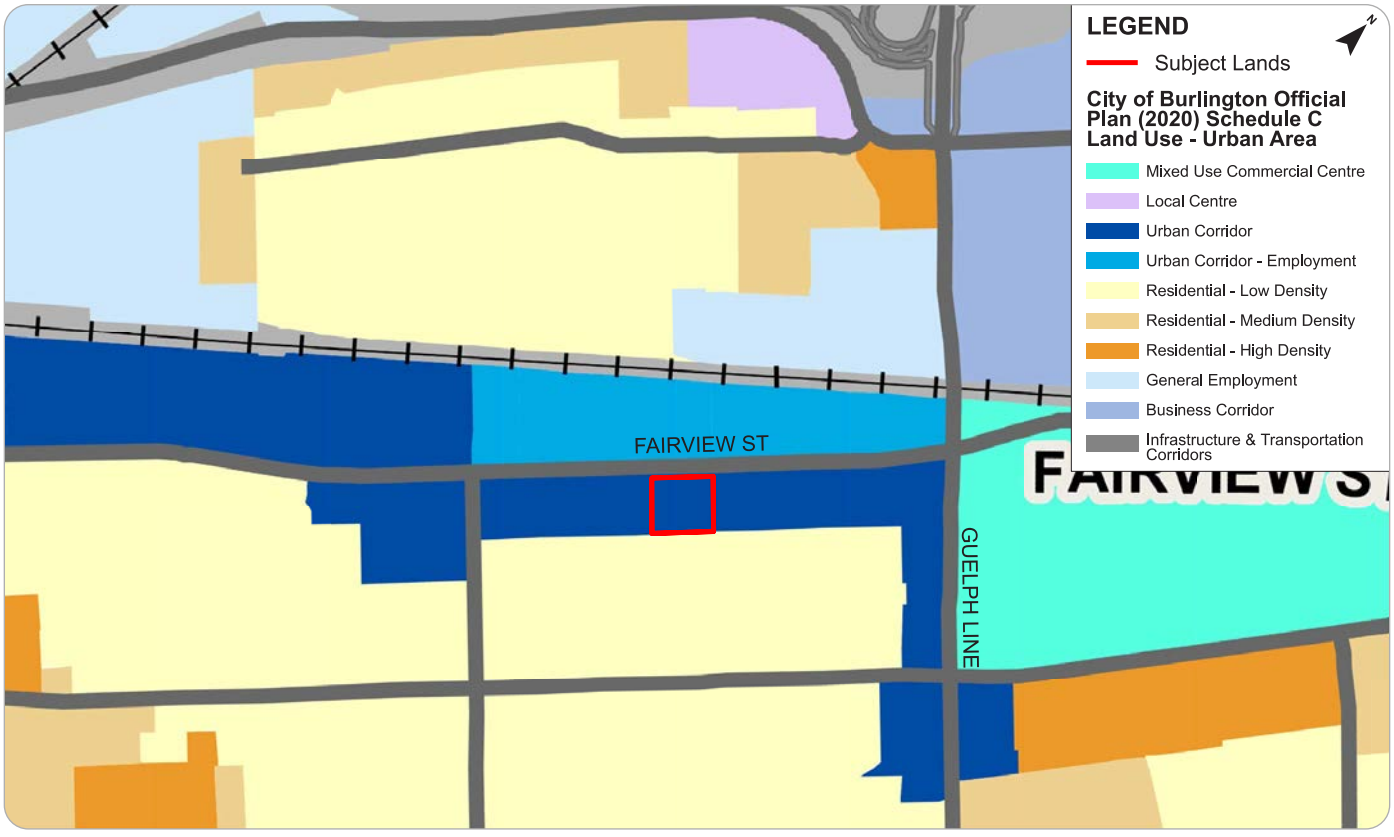


Figure 11: Burlington OP (2020) Urban Land Use Area

The subject lands are located along a corridor that is expected to undergo a transition towards greater intensification as a result of transportation connectivity and proximity to key services. The proposed development will contribute towards this transition through residential intensification and providing at-grade uses that will enhance walkability along the corridor.

Section 8.1.3 of the 2020 Official Plan provides policy for Mixed Use Nodes and Intensification Areas. These are identified as areas where mixed commercial, residential and employment uses will be developed and integrated in a compact built form and at greater development intensities, encouraging the efficient use of physical resources and municipal infrastructure. The Urban Corridor designation recognizes the diversity of the lands along the corridor and establishes policies allowing for flexibility. Key intersections and areas within Major Transit Station Areas are identified as having the potential to develop into full mixed-use areas. The following policies related to Mixed Use Nodes and Intensification Areas pertain to the proposed development:

a. The design and development of Mixed Use Nodes and Intensification Corridors shall promote these areas as focal points for community activities that are characterized by a compact form of development, pedestrian-orientation, greater accessibility to public transit and higher intensity development.
e. Multi-unit residential developments in Mixed Use Nodes and Intensification Corridors should incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.
l. Development applications proposing a comprehensive development of a site that includes the replacement of existing commercial floor area shall submit and implement, to the satisfaction of the City, a phasing strategy that demonstrates that the development does not adversely impact the long-term provision of goods and services as the site transitions to its complete stage of development
n. In accordance with the Urban Structure, intensification of existing Mixed Use Nodes and Intensification Corridors will be encouraged rather than the designation of new areas.

The proposed development includes a compact built-form and will connect many individuals to nearby transportation. Diverse housing options are provided in the proposed development to accommodate a diverse range of household sizes and incomes. This proposal is not considering a phased approach at this time.

Major Transit Station Areas

Section 2.3.1.h states that Major Transit Station Areas (MTSAs) are an important component of the City's Urban Planning Area, and are intended to serve as city-wide destinations and focal points for the provision of transit. MTSAs will exhibit a wide variety of land uses and building types, and densities that will be oriented to support and facilitate transit and active transportation. Located in key areas served by the regional and local transit networks, MTSAs are focal points for higher intensity and mixed-use, transit supportive development that will accommodate a significant share of the City's future population and employment growth. It is anticipated that the majority of growth within the City's four MTSAs will occur in the three MTSAs located along higher order transit routes and with planned frequent transit service by way of Regional Express Rail.

Section 8.1.2(4) provides specific direction for the Burlington GO MTSA. It is centered around the Burlington GO transit station and located on a Priority Transit Corrdor. Currently, developments within the area are mostly low density commercial, with the goal of the MTSA being to introduce a full mix of uses to enable the Burlington GO MTSA to function as a complete community. Development within the Burlington GO MTSA should consider the following policies:

a. Development applications shall incorporate a variety of built forms, including mid-rise, and building podiums to provide a human scale experience at the street level.
b. Development in the Burlington GO MTSA shall support the achievement of a complete community through a more compact built form that is supported by mix of uses, parks, green spaces, public service facilities, offices, other employment uses, including existing industrial, and institutions.

Despite not being located directly within the Burlington GO MTSA, the subject lands are directly adjacent to it meaning that development should take into account the policies pertaining to MTSAs. Residents of the proposed development remain in walking distance to the same transportation connectivity the Burlington GO MTSA is subject to. The increased residential density will promote the servicing of nearby transit connectivity and the community use at-grade will contribute to the emergence of a complete community.

Mixed Use Nodes and Intensification Corridors represent areas with a concentration of commercial, residential and employment uses with development intensities generally greater than surrounding areas. These areas are intended to be a focus of re-urbanization and to service important transportation routes along higher order transit corridors.

The proposed uses on the subject lands are consistent with the policies of the Mixed Use Nodes and Intensification Corridors designation. The concentration of intensified development is promoted by the proposed development.

Housing

The City of Burlington intends to promote an appropriate and adequate range of housing choices by type tenor and affordability level. The Draft OP includes objectives to ensure that a sufficient supply of land is available for current and future needs, to promote land use pattern for a full range and mix of housing types, and to make more efficient use of existing developed lands and existing housing stock.

Section 3.1.1(2) of the 2020 OP includes policies on Housing in the City of Burlington:

a. To the extent to which land is available in the Urban Area, the City shall maintain the ability to accommodate its share of residential growth within the regional market area. The City will assist the Region of Halton in the establishment and monitoring of annual minimum targets for the production of housing units by density type, and for the production of assisted and affordable housing, based on targets established in the Regional Official Plan.
e. The City will support housing initiatives that facilitate revitalization, particularly the identification and remediation of brownfield, greyfield and bluefield lands, compact built form, flexibility and adaptability in the design and function of the housing stock, and an increased variety of housing alternatives.
h. The City shall require the submission of a housing impact statement where a development proposal includes more than one hundred (100) dwelling units, identifying:
    i. how the proposal contributes to achieving the Region of Halton housing targets, including identification of any proposed new affordable or assisted housing units;

ii. how the estimated rents and/or initial sales prices of the development are at or below the affordable housing thresholds by type;
iii. where construction of the units is expected to occur in phases, information regarding the number of affordable housing units to be provided per phase, where applicable; and
iv. the proposed legal and/or financial mechanisms to ensure the delivery of any proposed new affordable housing commitments, and mechanisms to retain the long term affordability of units, where applicable.

As further described in the Housing Impact Study attached to this submission, the subject site is currently being occupied by a Yardspace Storage. The 338-units that are proposed will result in an intensified use of land, supporting the City and Region in reaching their joint intensification targets.

Section 11.1 speaks to Public and Agency Participation throughout the development planning process in the City of Burlington. The City encourages the collaboration with residents and stakeholders in the decision-making process to ensure that community members are engaged, welcomed and well-served. The following policies are relevant to the proposed development:

a. The City will provide opportunities for public, agency and stakeholder input during:
   i. the review of this Plan, and the development of new policies;
   ii. monitoring of the effectiveness of the policies of this Plan;
   iii. the review of by-laws and the development of new regulations;
   iv. development application review processes, where applicable;
   v. the preparation and/or review of area-specific planning studies, Community Improvement Project Plans and other planning studies;
   vi. and any other planning or development situation where the City desires public involvement.
d. Consultation will take place in a timely manner to ensure an accountable and transparent decision-making process on land use planning matters
g. The City will provide responses to feedback received, including how feedback has been incorporated into the matter being addressed.

A Pre-Application Neighbourhood Meeting was held on January 17th, 2024 to discuss the proposed development and associated planning applications. In this meeting, we received community feedback and comments which are addressed in the attached Public Comment Response Matrix.

Conclusion

The development of a mixed use building along the Fairview transit corridor conforms to the policies of the 1997 Burlington Official Plan by promoting the intensification of the surrounding area. While the proposed development does not conform with the plan in terms of density and height, the 338 proposed residential uses will significantly contribute towards intensification targets and will maximize the property's positioning adjacent to an MTSA. The at-grade community and commercial uses will promote walkability in the surrounding area and will help transform the corridor away from a thoroughfare towards a place where people will want to stop and interact with the environment.

7.6 CITY OF BURLINGTON ZONING BY-LAW 2020

The City of Burlington Zoning By-law 2020 regulates the development of land within the City of Burlington. Under the By-law, the subject lands are zoned as *Mixed-Use Corridor – General (MXG)*. The MXG zone permits a variety of uses from Retail Commercial, Service Commercial, Office, Community Institution, Automotive, Entertainment and Recreation and Residential. Notable permitted uses include the following:

- *Convenience/Specialty Foods Store*
- *Other Retail Stores*
- *All Office Uses*
- *Entertainment Establishment*
- *Apartment Building*
- *Dwelling Units in a commercial/office building*
- *Stacked Townhouse*
- *Back-to-Back Townhouse*
- *Townhouse*
- *Community Institution*

The subject lands are also impacted by Zoning Exception 371. This exception adds the following permitted use:

- *Motor Vehicle Storage*

To provide additional context, Community Institution Facilities are defined in the Zoning Bylaw as being uses provided by a service agency, service club, church, or non-profit organization for social, cultural, religious, welfare, athletic, or recreational purposes and may include such facilities as youth clubs and seniors centres. We believe this aligns with the intent of the applicant's wishes for the property.

The proposed development and its mixed uses are permitted with the exception of the proposed height of 12 storeys, proposed parking rate of 1.09/unit, Floor Area Ratio of 3.7:1. A Zoning By-law amendment is needed to facilitate the proposed development and to effectively implement the policy directions of the City's new Official Plan for this designation. Section 10 of this document provides additional commentary on applicable zoning regulations and amendments needed to facilitate the proposed development.

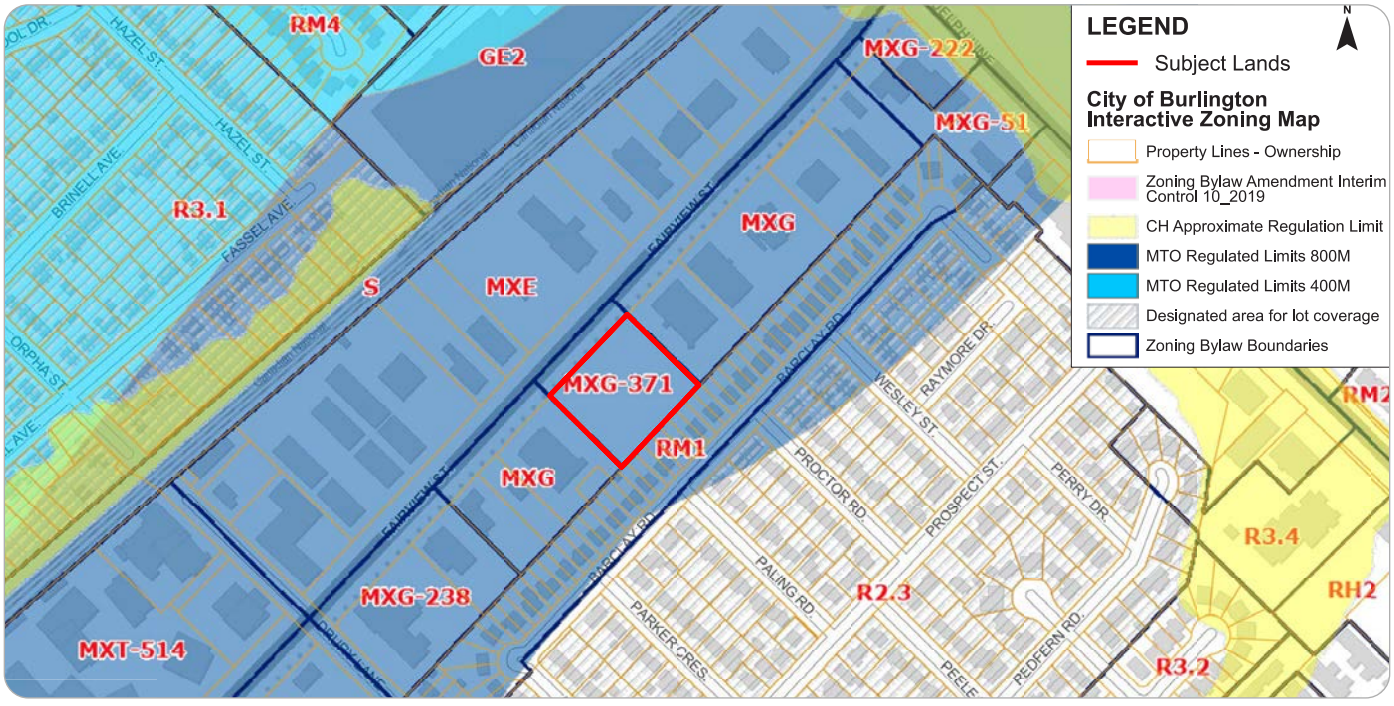


Figure 12: Burlington OP (2020) Urban Land Use Area

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8. NOT STATUTORY DOCUMENTS

8.1 DESIGN GUIDELINES FOR MIXED-USE AND RESIDENTIAL MID-RISE BUILDINGS

This City of Burlington document provides guidelines that represent best practices, developed to inform the urban design aspects of mixed-use and residential mid-rise buildings and implement the Burlington Official Plan design-related objectives and policies. The importance of mid-rise buildings is related to contributing towards the emergence of complete communities, providing a mix of housing and activity, and densification which improves the viability of transit.

The policies of the plan are separated into guidelines for the lower and upper portions of the building. The lower building represents the first few storeys and includes the ground floor, while the upper building is the portion above the lower building and should be designed to fit within the surrounding area.

Lower Building

Section 2.0 provides guidelines that should be followed throughout the development of the lower portion of the building. It is essential that the lower building contributes towards a positive pedestrian experience at ground level. Other policies within this section speak to the placement of the building, height & massing, the building façade and more. A more detailed review of the Urban Design Guidelines related to the lower building, in addition to the implications on the proposed development, can be found in the attached Urban Design Brief.

Upper Building

Section 3.0 provides guidelines for the upper building. The emphasis in this section is on the building's impact on the skyline, and the forming of a relationship with the lower building where there is a visual difference but the components are coordinated and stylistically related. Policies in this section pertain to the transition of built-form and roof design. A more detailed review of the Urban Design Guidelines related to the upper building, in addition to the implications on the proposed development can be found in the attached Urban Design Brief.

Section 3.1 of the Mid-Rise Building Guidelines, 2019, recommends that a 45 degree angular plane be utilized to transition from lower to upper building. This recommendation has been incorporated into the design of the proposed development to protect access to sunlight and sky views, as well as to prevent overlooking onto adjacent properties. See the architectural set and Urban Design Brief for more details and a visual representation of the described.

8.2 BURLINGTON HOUSING STRATEGY

The Burlington Housing Strategy aims to help the City address community needs around housing and ensure that current and future residents have access to diverse housing options that are attainable at all income levels. The document also includes an action plan for putting their plan into place.

The Housing Strategy Action Plan is outlined in Section 2.4 which establishes 12 recommended actions to help the City work towards their housing vision. The relevant action items are:

6. Build upon the policies of Official Plan, 2020 and the findings of the Housing Strategy Project to inform the Comprehensive Zoning By-Law (CZBL) project, to assist in broadening the range and mix of housing in the City and to explore tools to streamline processes.
7. Support, permit, and encourage the development of alternate forms of housing, including higher density types of housing, where feasible and appropriate.
10. Identify underused properties, including government owned and non-government owned sites that could be used for housing.

Section 2.5 identifies 6 priority actions that are expected to make the greatest impact on advancing towards the City's housing vision. One of these actions it to Support and permit alternative forms of housing, including higher density types of housing.

The proposed development would allow the City of Burlington to work towards the housing vision that has been set in this document by providing 338 residential units and a compact built form. As the tenure of the proposed development has yet to be determined, there is consideration of purpose built rental product. The mix of housing types proposed will ensure that the differing needs of potential residents are accommodated. There is existing transportation and other municipal infrastructure to support this development and future residents, meaning that the subject lands can be considered an appropriate location for residential intensification.

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9. APPLICATION SUBMISSION SUMMARY

9.1 DRAFT OFFICIAL PLAN AMENDMENT

Official Plan Amendment

The proposed Official Plan Amendment proposes to amend the subject lands to maintain the *Mixed-Use Corridor – General* designation but with site specific provisions, as outlined in Table 1.

The *Mixed-Use Corridor – General* designation is intended to provide locations along multi-purpose arterial or major arterial roads that will serve as areas of concentration for mixed use developments with high density residential, retail, service commercial, office, entertainment, community facilities and institutions, and open space uses.

A site-specific Official Plan Amendment to the current in-effect City of Burlington Official Plan 1997 is required to facilitate the proposed development. The Official Plan Amendment includes the following site-specific exemptions:

1. Increase the maximum Floor Area Ratio to 3.7:1, whereas Official Plan Section 5.3.2 (d) (i) permits a maximum Floor Area Ratio of 1.5:1.
2. Increase the maximum height requirement to 12 storeys, whereas Official Plan Section 5.3.2 (d) (ii) permits a maximum height of 6 storeys.

Table 1: Official Plan Amendment Site Specific Provisions

Provision	Current Designation	Proposed	Exception
Maximum Floor Area	1.5:1	3.7:1	Y
Maximum Building Height	6 storeys	12 storeys	Y

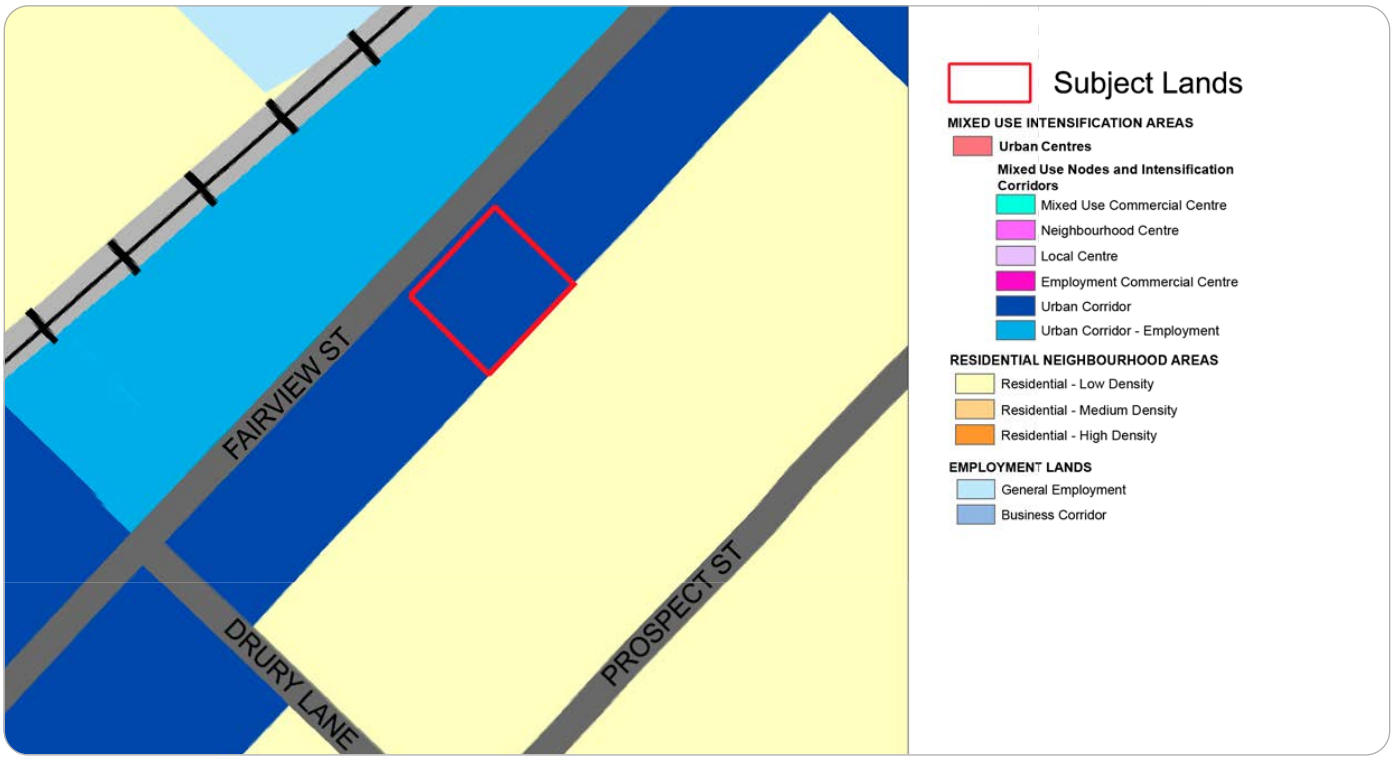


Figure 13: Official Plan Amendment A

9.2 DRAFT ZONING BY-LAW AMENDMENT

Zoning By-law Amendment

The proposed Zoning By-law amendment proposes to amend the subject lands to maintain the *Mixed-Use Corridor – General (MXG)* zone, but with the removal of the current site-specific provision 371 and the addition of a new site-specific provision, as outlined in Table 2.

A site-specific Zoning By-law Amendment is required to facilitate the proposed development. The Zoning By-law Amendment includes the following site-specific exemptions:

1. Increase the Floor Area Ratio to 3.7:1, whereas Section 4.3 permits a Floor Area Ratio of 1.5:1.
2. Increase the maximum height requirement to 12 storeys, whereas Section 4.5 permits a maximum height of 6 storeys
3. Relief on the Parking rate from 1.25/unit (inclusive of visitor) to 1.09/unit (inclusive of visitor).
4. Increase the minimum yard abutting any other street requirement to 2.1m, whereas Section 4.1 permits a minimum of 3m.
5. Increase the minimum amenity area to 7,731 square metres, whereas Section 4.13 permits 7,760 square metres.

Table 2: Zoning By-law Amendment Site Specific Provisions

Provision	Current Zoning	Proposed	Exception
Maximum Floor Area	1.5:1	3.7:1	Y
Maximum Building Height	6 storeys	12 storeys	Y
Apartment Parking Rate	1.25/unit (inclusive of visitor)	1,09/unit (inclusive of visitor)	Y
Minimum Yard abutting any other street	3m	2.1m	Y
Minimum Amenity Area	7,760 square metres	7,731 square metres	Y

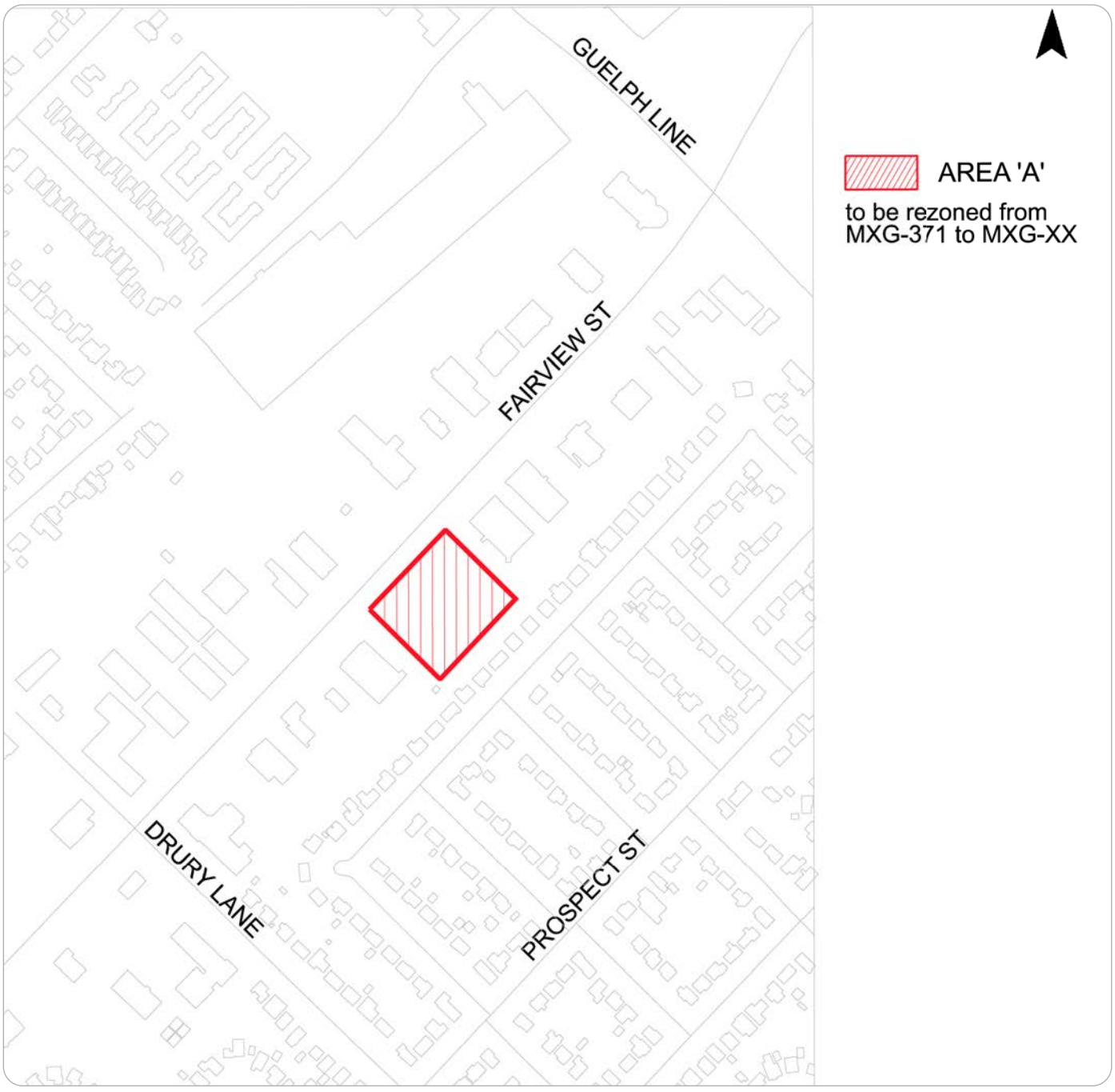


Figure 14: Draft Zoning By-law Amendment Schedule

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10. PUBLIC CONSULTATION STRATEGY

10.1 BURLINGTON URBAN DESIGN PANEL

An Urban Design Advisory Panel Meeting was held with City of Burlington staff on December 14th, 2023, to discuss the built form and architectural design of the proposed development. Members of the panel provided the following questions to the project team:

1. *Can you speak more to the proposed community use?*

Discussions are ongoing with Halton's Women's Place. The space would be used for administrative purposes or as a place for the community to gather. We are looking into developing some of the housing units within the building for the organization. This is one option being considered at this time. The immediate context contains significant retail along Fairview Street and at Burlington Mall. With the growth anticipated in this area, community supportive uses are needed to accommodate intensification.

2. *Can you speak to the tenure of the building?*

A diverse mix of accommodations will be available. This will include a mix of unit types. At this time, affordable housing is not contemplated, however purpose built rental is.

3. *Can you explain the circulation function of the central courtyard?*

One access point is proposed to minimize the impact of vehicular traffic. As per traffic consultant reviews, there are no anticipated activities that would conflict with day-to-day circulation.

4. *Loading and garbage are provided only on one side of the building, yet the building will have two cores. Will there be any building phasing?*

The building will not be phased, however the intention is that the two cores will provide better access to the units instead of one large bank of elevators and stairs. The loading is currently provided on only one side of the building, however there may be an opportunity to add more loading space as the design develops towards the building permit stage.

Considerations from this meeting have been incorporated as recommended by the Panel into the final design of the building being put forward in this application; more detail in this regard is provided in the Urban Design Brief. Revisions have been made to reflect the feedback and to ensure the best possible design of the building while considering the unique limitations of the site.

10.2 PRE-APPLICATION NEIGHBOURHOOD MEETING

A Pre-Application Neighbourhood Meeting was held on January 17, 2024. This meeting gave the public an opportunity to learn about what was being proposed in their community and gave them an opportunity to provide comments and ask questions. Below are some key themes that emerged based on community comments.

Impact on Barclay Road properties – Privacy

Given the proximity of the residential dwellings on Barclay Road to the subject lands, residents had concerns related to privacy. The row of trees between the subject lands and the Barclay Road developments will be preserved to maintain visual separation between the development and the existing neighbours. The proposed development includes additional dense landscaping which will act as an additional buffer. The proposed development is confirmed as being in alignment with the City's Mid-Rise Design Guidelines which speak to impacts on nearby properties. From the rear of the property, the side elevation maintains the 45 degree angular plane with the closet point of the building being 19.77 metres from the property line with the building stapping back in a terracing format at 6, 7, 8, 9, and 10 floors from ground level. This means as you go up the building is further away from the neighbours.

Impact on Barclay Road properties – Sun Impacts

There were public concerns about the building blocking sunlight to their properties. A shadow study was prepared to determine the impact of the proposed development on nearby properties. The shadow study concluded that there would be no adverse impacts on nearby properties. This study can be found in the Urban Design Brief and as part of the Architectural Drawing set.

Traffic

The public was concerned about traffic due to the increased number of residents that would be living in the area as a result of the proposed development. While there would be an increase in residential population, the transportation connectivity in the surrounding area would ensure that different high-quality modal options exist. There is also an emphasis on safety from Fairview Street in the landscaping of the proposed development's frontage.

Rental Vacancy Rates

There were concerns related to our proposal of providing rental housing units within the housing supply of the building. While rental units are being considered within the building, an adequate supply of other housing options will exist as well. Providing a mix of housing types including rental is in alignment with the City's housing objectives.

Environmental Contamination

Members of the community raised inquiries pertaining to the status of the environmental works specifically pertaining to the contamination on the property and how that is to be addressed. This submission provides an Environmental Site Screening Questionnaire, a Phase 1/Interim Phase 2 ESA with a reliance letter. The interim status of the Phase 2 ESA has been provided in this case, as the Ministry is currently reviewing the results to understand if more work is required to move forward to a Risk Management Plan. We note a Risk-Assessment approach is being taken on the property and more information should be available by Summer of 2024 following recent discussion with the Ministry this month.

Positive Sentiments

In addition to the comments and concerns raised at the Neighbourhood Meeting, there were also individuals who were supportive of the project. The main positive sentiment came from local businessowners who were pleased to anticipate an increase in potential consumers.

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11. PLANNING ANALYSIS AND JUSTIFICATION

11.1 POLICY CONTEXT

The subject lands are located within an existing Settlement Area as well as within the delineated Built-up Areas in the Provincial Policy Statement and adjacent to a Major Transit Station Area in the Growth Plan. Policies direct that these areas accommodate the majority of the Province's growth and development. In addition, the Region of Halton Official Plan and City of Burlington contain policies that support development that is mixed-use and provides a range of housing types, access to public transit and transportation infrastructure and supported by municipal services.

The proposed development demonstrates intensification in a built-up area of the City of Burlington and will provide a range of residential units from bachelor to two-storey units for a total of 338 units. The proposal will add commercial and community uses to the neighbourhood and will be in close proximity to public transit, additional community facilities and commercial uses, and will be supported by municipal water and wastewater services.

11.2 COMPATIBILITY

The proposed development may begin to set a precedent of taller mixed-use developments than what currently exists along the Fairview corridor, where appropriate. However, while the development may not be comparable to the existing surrounding area, the policies that apply to the corridor support the future intensification of mixed-use residential uses in order to meet housing and population targets set by both the Region of Halton and the City of Burlington.

The commercial and community uses proposed at grade will ease the transition of built-form by promoting the integration of the building within the community. While for different purposes, both uses will encourage foot-traffic along Fairview Street, thus activating the corridor and contributing to the creation of a complete community.

The proposed development provides intensification of built form in the delineated built-up area and remains sensitive to the surrounding context while simultaneously establishing a unique character along Fairview Street. The proposal contributes a variety of housing options for the community ranging from bachelor to two-bedroom plus den units, in addition to two- storey townhouses and apartments.

11.3 HEIGHT AND DENSITY

The proposed development is 12-storeys and consists of 338 residential units with a Floor Area Ratio of 3.7:1. While the proposed development exceeds the permitted height and density outlined in both the Burlington Official Plan and Zoning By-law, it is important to note that the subject lands are located along a key urban corridor and are directly adjacent to a Major Transit Station Area delineated boundary. The design has been careful of the adjacent existing residential community to the rear of the property through a variety of design features and mitigation measures as outlined in the Urban Design Brief. These considerations are all important to justify the proposed additional height and density as they indicate that the property is located in an area where increased intensification is appropriate. The proposal allows for a more efficient use of a currently underutilized parcel and is consistent with Provincial, Regional, and municipal planning objectives to meet intensification targets within the built-up areas. The proposal provides a range of unit types in close proximity to community facilities and public transit and should therefore be permitted. The design of the development uses the required angular plane to ensure appropriate transition to the established neighbourhood to the south. Further, the design includes 7.5m sideyard setbacks to ensure that future mid-rise development to adjacent lands can adhere to required 15m building separations.

11.4 YARD SETBACKS

The property's northern boundary fronts onto Fairview Street and provides a setback of 2.1m measured between the overhang of the balconies above to the municipally owned landscaping street buffer. This represents a deficit of 0.9m from the required 3m setback minimum. This deficit can be considered minor and in alignment with the intent of the minimum yard setback requirement as there remains sufficient space between the development and the public sidewalk. This is because the setback is calculated from the balcony overhang which exists only from the second floor upwards. The space between the building at ground level and the municipally owned landscaping buffer is 5.1m

11.5 AMENITY SPACE

The proposed development contemplates a total amenity area of 7,731 square metres. This is broken down into the following: Indoor Amenities: 181 square metres, Ground + Patios: 2,900 square metres, Roof Top: 1,800 square metres, Private Balconies: 2,850 square metres, in addition to three pergolas, a walkway, a sodded area, and a front-facing increased sidewalk area intended to capture the spill-over from the commercial and community uses. Based on the amenity area calculation for each unit type, a total of 8,180 square metres is required. The proposed development provides 7,731 square metres, meaning that there is a deficiency of 449 square metres. This represents 1.32 square metres per unit, which we believe to be minor in the grand scheme of the development.

Looking at other developments in the area that have received recent approval, it is understood that this justification is sufficient for staff to support the proposed development and requested amenity space relief. Specifically, file 520-01/23 was permitted to provide 15.3 square metres of amenity space per unit.

We believe with proximity to the Burlington GO MTSA and higher order transit along with the addition of an extra metre of sidewalk area to the front of the building as per the Urban Design Panel recommendations, the provided amenity space is sufficient. The mix of uses provided represents a unique development which will interact with the amenity space differently than a solely residential building. It can also be considered that the proposed grade-level uses provide an amenity benefit to the surrounding area.

11.6 PARKING RATE

The provided parking supply for the commercial and community uses is sufficient as per the City of Burlington's general parking provisions. The required apartment residential parking rate is 1.25 spaces per unit which would result in 422.5 sapces. The proposed development provides 370 parking spaces at a rate of 1.09 spaces per unit for the residential uses, which represents a deficit of 52.5 spaces. Given the subject property's close proximity to the Burlington GO MTSA and its positioning along a transit corridor, the reduced parking is supportable as outlined in the provided parking justification.

11.7 TRANSPORTATION AND SERVICING INFRASTRUCTURE

The subject lands have access to nearby highways that provide connectivity to surrounding municipalities and beyond. In addition, municipal bus service is provided along Fairview Street by the Burlington Transit system which provides connection throughout the City. Lastly, the Burlington GO Station is located approximately 1 kilometre east of the subject lands, which provides connection to the City of Hamilton to the west and City of Oshawa to the east.

The proposed development will utilize both existing municipal sewage services and municipal water services in a manner that protects human health and the natural environment. Moreover, the proposed development will meet and conform to the provincial policies for servicing and stormwater management, further details are provided in the Servicing and Stormwater Management Report, which has been submitted in support of the Official Plan and Zoning By-law Amendment applications.

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12. CONCLUSION OF PLANNING REPORT

Based on our review of the site, context, planning policy and all supporting materials enclosed, it is our opinion that the proposed development and associated applications for Official Plan and Zoning By-law Amendments are based on the merits of sound planning principles and represent the public interest based on good planning principles. The proposed development for a 12-storey mixed-use building including 338 residential units will intensify currently underutilized land, bring a mixed range of residential units, and will include commercial and community uses to the fabric of the city. The subject lands are located along a changing corridor, Fairview Street, that within close walking proximity to community services, schools, parks, public transit and will be connected to existing municipal services. It is in our opinion that the proposed development and associated planning applications should proceed with a positive Staff Recommendation and ultimate Council approval through the processes prescribed by the Planning Act.


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