APPLICATION FOR
AN OFFICIAL PLAN AMENDMENT and/or ZONING BY-LAW AMENDMENT
under Subsection 22(1) and/or 34 of the Planning Act
(A PRIVATELY INITIATED APPLICATION)

NOTE TO APPLICANTS:

This application form is to be used to request amendments to the land use designations (City Official Plan and/or zoning) for a specific property. It is also to be used for any proposal to amend existing approved Official Plan policy. In this form, the term "subject land" means the land that is the subject of the proposed amendment.

N.B. If this application is being made concurrently with a Draft Plan of Subdivision or Condominium, PLEASE ALSO COMPLETE AND SUBMIT THE SUBDIVISION/ CONDOMINIUM APPLICATION FORM which can be obtained from the City of Burlington.

SUBMISSION OF THE APPLICATION:

The Applicant must consult with City and Regional Planning staff at a Preconsultation Meeting prior to submitting an application for Official Plan Amendment or Zoning By-law Amendment.

If no Preconsultation Meeting has occurred, please contact the Community Planning Department at (905) 335-7642 to set up a formal Preconsultation meeting before completing this application form.

COMPLETENESS OF THE APPLICATION:

If the prescribed information and fee outlined in the Preconsultation Form and meeting notes are not provided, the City will return the application or refuse to further consider the application until the prescribed information and the fee are provided.

All applicable questions on this application form should be answered or identified as Not Applicable with an explanation as to why. In the absence of the required information, it may not be possible to do a complete review within the legislated time frame for making a decision. As a result the proposal may be denied.

CITY OF Burlington

Application for Planning Document Amendment:
Official Plan and Zoning By-law

Office Use Only

Date Received	File No(s)

Application For: ☐ *City Official Plan* ☐ *Zoning By-law*

1.0 APPLICANT INFORMATION

1.1 Complete the information below and indicate one contact as the Prime Contact (PC). All communications will be directed to the Prime Contact.

NAME	***ADDRESS***	***PHONE/FAX***
*Registered Owner(s)** Infinity Development Group, c/o Arjun Anand and Arun Anand	2275 Upper Middle Road East, Oakville, ON L6H 0C3	*Bus.* (647) 933-8873, ext. 701 *Fax* *E-Mail/www:* arjun.anand@infinitydevelopment.ca *Home*
Applicant(s) Same as Owner		*Bus.* *Fax* *E-Mail/www:* *Home*
Agent (eg. Planning Consultant) Bousfields Inc., c/o David Falletta	1 Main Street East, Suite 200 Hamilton ON L8N 1E7	*Bus.* (416) 947-9744, ext. 401 *Fax* (416) 947-0781 *E-Mail/www:* dfalletta@bousfields.ca *Home*
Solicitor Denise Baker, WeirFoulds LLP	1525 Cornwall Rd Suite 10 Oakville ON L6J 0B2	*Bus.* 905-829-8600 *Fax* *E-Mail/www:* dbaker@weirfoulds.ca
Other (Specify)		*Bus.* *Fax* *E-Mail/www:*

* if a numbered company, please give name and phone number(s) of principal owner (or president)

2.0 LOCATION OF PROPERTY

Municipal Address		
1029 &1033 Waterdown Road		
Lot(s)/Block(s)	*Concession*	*Registered Plan No.*
Reference Plan No.	*Part(s)*	*Parcel No.*
Assessment Roll #:		

2.1 Particulars of the Subject Land: (in metric units)

Frontage	*Depth*	*Area*
48.77m	53.9m (average)	2,614 sq.m

3.0 EXISTING AND PREVIOUS USES OF THE SUBJECT LANDS

3.1 What is the existing use of the subject lands? 2 single-detatched dwellings

3.2 What is the length of time the existing uses of the subject land have continued? 50+ years

3.3 What were the previous uses of the subject land, if known? Unknown

3.4 List any existing Buildings or Structures on the Property

Buildings or Structures	**Yard Setbacks**				***No. of Storeys***	***Building Height***	****Ground Floor Area***
	Front	***Rear***	***Side***	***Side***			
1033: single-detatched dwelling	10.1m	30m	4.3m	18.2m	1.5		+/- 120 sq m
1029: single-detached dwelling	10.1m	30 m	1.0	3.9	1.5		+/-115 sq m

3.5 Is the Subject Land (or Buildings) subject to a Demolition Control By-law or is it either Designated or identified for possible Designation under the Ontario Heritage Act?

YES X NO _____

Only Demolition Control By-law, not Heritage Act

(If yes, it is possible that a Heritage Permit Application will be required. Please consult with Planning Staff.)

4.0 PROPOSED USE OF THE SUBJECT LANDS (please attach any additional information on a separate page)

4.1 What is the Proposed use of the Subject Lands? 29-storey mixed-use building with 295 dwelling units, 189 sq.m of retail at grade, and 320 parking spaces.

4.2 List any Proposed Buildings and Structures

Buildings or Structures	**Yard Setbacks**				***No. of Storeys***	***Building Height***	****Ground Floor Area***
	Front	***Rear***	***Side***	***Side***			
29-storey mixed-use building	0m	0m	1.21m (S)	0.25m (N)	29	103.9m	2,457 sq.m

4.3 Indicate Land Uses on Abutting Properties

North 1.5 -storey single-detached residential dwelling

South 2-storey converted office (former residential use)

East 1.5-storey light-industrial, commercial and retail with surface parking

West Vacant lot and 1.5-storey single-detached residential dwelling

4.4 Will the requested amendment or rezoning alter all or any part of the urban planning area boundary or the boundary of a rural settlement area?

YES _____ *NO* X

If YES, list the current Official Plan policies dealing with the alteration or establishment of an area of settlement.

N/A

4.5 Will the requested amendment or rezoning remove the subject land from an Employment Lands or Mixed Use Corridor –Employment Oriented designation, as outlined in the Official Plan?

YES ✕ *NO*_____

If YES, list the current Official Plan policies dealing with the removal of land from an area of employment.

5.3.4 Mixed Use Corrdior-Employment, Subsections h) (i-vi)

5. TYPE OF PROPOSED AMENDMENT

Check the appropriate boxes and complete the section(s). Depending on the purpose of the proposed plan amendment, more than one box may need to be checked.

5.1 ☒ *An official plan amendment that proposes to add new policy or to change, delete, or replace an approved Official Plan policy*

a) Describe the purpose of the proposed amendment

Site-specific exception to permit residential uses on the site and permit increase in height/density

b) Identify the policy to be changed, replaced or deleted

See enclosed draft Official Plan Amendment

c) What is the current official plan land use designation on the subject land?

Mixed Use Corridor - Employment

d) What land uses are permitted by the current official plan designation on the subject land?

industrial uses; a broad range of office uses; a limited range of retail, service commercial and personal service uses which serve the day to day needs of employees; financial institutions and services; entertainment, recreation, and other community facilities such as libraries and day care centres, and motor vehicle dealerships

e) What land uses would be permitted by the proposed official plan amendment on the subject land?

Uses permitted in Mixed Use Corridor designation (residential, retail, commercial, community facility)

5.2 [X] *An official plan amendment that proposes to change or replace the approved Official Plan land use designation on the subject land.*

a) What is the current official plan designation of the subject land?

Mixed Use Corridor - Employment

b) What land uses are permitted by the current designation on the subject land?

industrial uses; a broad range of office uses; a limited range of retail, service commercial and personal service uses which serve the day to day needs of employees; financial institutions and services; entertainment, recreation, and other community facilities such as libraries and day care centres, and motor vehicle dealerships

c) What is the proposed designation on the subject land?

Mixed Use Corridor with a site-specific exception in order to increase the height and density and permit the proposed residential apartments.

d) What land uses will be permitted by the proposed designation on the subject land?

Uses permitted in Mixed Use Corridor designation (residential, retail, commercial, community facility)

5.3 Justification

Provide justification for this application to amend the Official Plan and/or Zoning By-law. (Attach a separate report if necessary). *Attach the text of any requested Official Plan amendment and the amended Official Plan schedule as required.*
In the case of an Official Plan Amendment, the applicant is required to provide complete planning evidence outlining the justification for the amendment. This should address, but not be limited to, why the proposed change is desirable and how it relates to the overall goals and objectives of the Burlington Official Plan, Region of Halton Official Plan, Comprehensive Provincial Policy Statement and any applicable Provincial Plans. Further studies may be required by the applicant depending on the nature of the application.

See enclosed Planning and Urban Design Rationale Report

6.0 ZONING DESIGNATION
***This Section MUST be completed when applying for Zoning By-law Amendment**

6.1 What is the existing Zoning designation on the subject lands? MXE (Mixed Use Corridor Employment) zone

6.2 What is the proposed Zoning designation on the subject lands? MXG (Mixed Use Corridor General) zone with site-specific exception

6.3 What land uses will be permitted in the proposed designation? Uses permitted in MXG zone

(Residential, commercial, retail uses etc.)

6.4 What is the reason for the proposed rezoning?
To permit the proposed residential apartments increase the permitted height and density and to revise other development standards as necessary to facilitate the proposal.

6.5 What is the minimum and maximum density requirement in the existing zoning?
The maximum permitted floor area ratio of development at any site is 1.0:1, except industrial uses, where the maximum permitted floor area ratio is shall be 0.5:1.

6.6 What is the minimum and maximum height requirement in the existing zoning?
The maximum permitted building height is currently six storeys, except for industrial uses, where the maximum permitted building height is two storeys.

6.7 Is the subject land within an area where zoning with conditions applies? Is so, explain how the application conforms to the Official Plan policies relating to zoning with conditions.

N/A

6.8 Include with your application a concept plan showing, in metric units:

a) The boundaries and dimensions of the subject land;

b) The location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the front lot line, rear lot line and side lot lines;

c) The approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of creeks, wetlands, wooded areas, wells and septic tanks) that are located on the subject land or on land that is adjacent to it, and in the applicant's opinion may affect the application;

d) The current uses of land that is adjacent to the subject land;

e) The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way; and

f) The location of any easements affecting the subject land.

7.0 STATUS OF OTHER PLANNING APPLICATIONS

7.1 Are there any existing, or have there been previous application made under the Planning Act or the Planning and Development Act, such as for approval of an official plan amendment, zoning by-law, plan of subdivision, a minor variance, a Minister's zoning order amendment or a site plan or for a consent that involves the land:

a) that is the subject land? YES_____ NO__X__

b) that is within 120 metres of the subject land? YES__X__ NO_____

c) If YES to a) or b), list below or attach on a separate page:

The type of application(s) and the file number(s) Refer to Surrounding Developments section of the enclosed Planning and Urban Design Justification Report.

The legal description of the land that is the subject of the application(s) Refer to Surrounding Developments section of the enclosed Planning and Urban Design Justification Report.

The purpose of the application(s) and the effect of the application(s) on the proposed official plan amendment,
Refer to Surrounding Developments section of the enclosed Planning and Urban Design Justification Report.

The status of the application(s) See above.

7.2 Has the subject land ever been the subject of a Minister's Zoning Order? If so, please note the Ontario Regulation number of that order: N/A

8.0 REGIONAL OFFICIAL PLAN

8.1 What is the current designation of the subject land in the Regional Official Plan?

Urban Area and within the Aldershot GO Major Transit Station Area (ROPA 48)

8.2 Explain how the proposed City Official Plan amendment conforms to the above plan, if applicable.

See enclosed Planning and Urban Design Rationale Report

8.3 Has a Regional Official Plan Amendment been applied for? YES _____ NO ___X___

9.0 PROVINCIAL PLANS AND POLICIES

9.1 Is the subject land within an area designated under any of the following Provincial Plan(s)?

Greenbelt Plan ____ Niagara Escarpment Plan____

Growth Plan for the Greater Golden Horseshoe__X__ Parkway Belt West Plan____

9.2 Explain how the requested amendment or rezoning conforms to or does not conflict with the applicable Provincial Plan(s) (Incorporate as part of Planning Justification Report if possible)

See enclosed Planning and Urban Design Rationale Report

9.3 Explain how the requested amendment or rezoning is consistent with the Comprehensive Provincial Policy Statement. (Incorporate as part of Planning Justification Report if possible)

Refer to the enclosed Planning and Urban Design Rationale.

10.0 SERVICING

10.1 Does the proposed amendment(s) conform to the approved servicing and phasing policies or servicing schedule in the Local and Regional official plans? YES X NO _____

10.2 Indicate the proposed servicing type for the subject land.

a. Water Supply

☒ *Piped Water* ☐ *Private Well* ☐ *Other, Specify* _____

b. Sewage Disposal

☒ *Sanitary Sewer* ☐ *Septic Tank* ☐ *Other, Specify* _____

If the application would permit development on privately owned and operated individual or communal septic systems, and more than 4500 litres of effluent would be produced per day as a result of the development being completed, include with this application:

a. a servicing options report; and
b. *a hydrological report*

10.3 Road Access and/or Frontage

Please Specify Road Type (eg. Open Municipal Road, Regional Road, Provincial Highway, Private Road)

Open Municipal Road

Name of Road Waterdown Road

10.4 Storm Drainage

Indicate the proposed Storm Drainage System (eg. sewers, ditches, swales)

Sewers

10.5 Is the proposed plan amendment consistent with the recommendations of the watershed plan, if any?

YES X NO _____

10.6 Does the proposed plan amendment conform to the master drainage, sub-watershed or shoreline management plan, if any?

YES X NO _____

CITY OF BURLINGTON

DECLARATION

This must be completed by the Applicant for the proposed development site.

I, Bousfields Inc. c/o David Falletta *(name of applicant)* of the City of Hamilton *(name of City, Town, Township, etc.)*

in the Region/County/District of Halton *do solemnly declare that all of the statements contained in the application* for Official Plan and Zoning By-law Amendments for the properties at 1029 and 1033 Waterdown Road in the City of Burlington *(description)*

and all supporting documents are true and complete, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the "Canada Evidence Act".

Declared before me at:

City of Toronto *in the Region/County/District of (municipality)*

Province of Ontario *this* 15th *day of* December, 2021

R LePiane
Commissioner of Oaths

Rosanna Maria Le Piane, a Commissioner, etc., Province of Ontario, for Bousfields Inc. Expires February 5, 2023

Signature of Applicant

David Falletta
Please Print Name of Applicant

OWNER'S AUTHORIZATION *(If the Owner is NOT the Applicant)*

(If Multiple Owners, An Authorization Letter From Each Owner Is Required)

PLEASE PRINT

If an agent is employed, the owner(s) must complete the following (or provide similar authorization on the face of the draft plan):

I, (we) Infinity Development Group C/O Arjun Anand and Arun Anand ***(name(s) of owner, individuals or company)***, ***being the registered owner(s) of the subject lands, hereby authorize*** Bousfields Inc. C/O David Falletta ***(name of agent)*** ***to prepare and submit an Official Plan Amendment and/or rezoning (if applicable) for approval.***

Signature

14 / 12 / 2021
Day *Month* *Year*

OWNER'S PERMISSION TO ENTER SITE

Infinity Development Group C/O Arjun Anand and Arun Anand

I, _____(print owner's name), being the registered property owner of the above noted property, hereby irrevocably authorize and consent to the City of Burlington staff to enter upon the above noted property at any reasonable time for the purpose of evaluating the merits of this application.

I have the authority to bind the Corporation, if applicable.

Owner's Signature	*Day*	*Month*	*Year*
	14	12	2021

COMPLETE APPLICATION REQUIREMENTS

I, Bousfields Inc. c/o David Falletta (name of applicant), declare that all of the following information specified has been submitted with this application.

- ☒ Pre-consultation Form completed in conjunction with appropriate Planning staff
- ☒ 8 copies of the completed application form (including 1 with original signatures)
- ☒ All required information/reports and number of copies specified on the Pre-Consultation Form including USB drives containing accessible PDF versions of all information/reports
- ☒ All digital files shall be named using the file naming protocol as specified on the Pre-Consultation Form.

Applicant's Signature	Day	Month	Year
	15th	December	2021

This information will be used to consult with various interested agencies. Where the scale or nature of the land use changes appear to require a large number of agencies to be consulted, additional copies of the application may be required.

APPLICANT'S CONSENT

In accordance with the provisions of the Planning Act, it is the policy of the City of Burlington to provide public access to all development applications and supporting documentation.

Bousfields Inc. C/O David Falletta (*print name of applicant or agent*) agrees and acknowledges that this application and any supporting material, including studies and drawings, filed with the application is public information, and forms part of the public record. As public information, Bousfields Inc. C/O David Falletta (*the applicant or agent*) hereby consents to the City photocopying and releasing the application and supporting materials for either its own use in the processing of the application or at the request of any third party.



Signature

15 December 2021

Day Month Year

AUTHORIZATION FROM THE OWNER OF THE SUBSURFACE RIGHTS

if different from the Owner above

I, _____, owner of the subsurface rights for the subject property, am aware of this application and consent to it.

_____ _____

(signature) (date)

_____

(address)

_____

_____

_____ _____

Telephone Number Facsimile Number

THIS APPLICATION PACKAGE MUST BE SUBMITTED TO:

City of Burlington
Community Planning Department
426 Brant Street, Second Level
P.O. Box 5013
Burlington, Ontario
L7R 3Z6

Telephone Number: (905) 335-7642
Facsimile Number: (905) 335-7880
Internet Address: www.burlington.ca