DEVELOPMENT APPLICATION PRE-CONSULTATION FORM

Meeting Date: October 17, 2025	**Site Address:** 1376 and 1382 Plains Road East
Property Owner: 2731119 Ontario Inc and Manor Care Homes Inc.	**Applicant / Address / Phone / Email** Bousfields Inc (c/o Cale Vanderveen) 1 Main Street East, Suite 200 Hamilton, ON L8N 1E7 E: cvanderveen@bousfields.ca P: 416-947-9744 x218
Site Area: ~3.08 ha	

APPLICATION TYPE:

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

1. **Brief description of proposed development:**
   - A 25-storey mixed-use building with rooftop mechanical penthouse with 184m2 of retail at grade and 284 residential condominium units above.
   - A total of 58 parking spaces proposed on one level of underground parking and at-grade.
   - A total of 132 bicycle parking spaces at-grade.
   - The property offers access to the site via a laneway on Plains Road East
   - A total of approximately 5,680m2 amenity space (approximately 20m2 per unit) is proposed in the form of indoor and outdoor amenity space on the first and second storeys as well as private balconies.

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

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

3. **1997 Official Plan Designation:** 'Mixed Use Corridor – Commercial Corridor'

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

   If 'NO' what is the nature of the OP amendment needed? Increased Height and Floor Area Ratio (FAR)

4. **2020 Official Plan Designation:** 'Urban Corridor' and rear portion as 'Infrastructure and Transportation Corridors'

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

   If 'NO' what is the nature of the OP amendment needed? Increased Height and Floor Area Ratio (FAR)

   Note: The south-eastern portion of the property which is undergoing the consent process falls outside of the Protected Major Transit Station Area (PMTSA) Boundary. A Council resolution would be required to pursue an amendment to the boundary of a Protected MTSA, and the Minister would serve as the approval authority for any such amendment.

5. Existing Zoning: MXC (Mixed Use Commercial Corridor), and S (Utility Service)

Conformity with existing zoning? YES _____ NO __X__

If 'NO' what is the nature of the zoning amendment needed? Summarized under Zoning staff comments

6. Design Guidelines in effect? YES __X__ NO _____

Name of Design Guidelines: 'Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings'/'Tall Building Guidelines', Shadow Study Guidelines and Terms of Reference', 'Pedestrian Level Wind Study Guidelines and Terms of Reference' as well as the 'Sustainable Building and Development Guidelines'

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

YES _____ NO ____X____

Please note the property adjacent to the subject lands on the south-east property line is not designated yet it is listed under the registry

8. Fees Required at Time of Application

APPLICATION	CITY	REGION	CONSERVATION HALTON
Official Plan Amendment:	$127,650.00	$9,811.82	--
Rezoning - Base Fee:	$25,275.00	$1,157.36	--
Rezoning - Variable Fee:	$83,003.00 Mixed Use: Units 0 to 25 - $490.00/unit = $12,250 Units 26 to 100 - $365.00/unit = $27,375 Units 101 plus - $235.00/unit = $43,240 + $75.00 per 100m^2 of new non-residential gross floor area = $138	--	
Subdivision - Base Fee: Subdivision - Variable Fee:	--	--	--
TOTAL	$235,928.00	$10,969.18	--

Fees are based on a 25-storey mixed-use building with 184m^2 of retail at grade and 284 residential condominium units above.
Separate payments are required for the City, Halton Region and Conservation Halton

Separate payments are required for the City and Halton Region

9. Additional Agencies to be contacted: Canadian National Railways, Burlington Hydro and Union Gas

10. Pre-Application Public Consultation Meeting

Is a pre-application consultation meeting required?

YES ___X___ NO _____

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

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

11. Community Benefits

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

YES ___X___ NO _____

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

12. Required Information for Complete Application

1)	Completed Application Form	**Required**
2)	Fees for the processing of planning application(s)	**Required**
Supporting Reports, Studies, Plans **In accordance with Policies contained within 11.1.2 of the City's Official Plan, all identified materials must be submitted in accessible PDF format consistent with the City's standards and the standards of <u>The Accessibility for Ontarians with Disabilities Act</u> before an application is deemed complete.**		**Required (Yes/No)**
i.	Planning Justification Report, including employment or residential needs analysis, where required	**Yes**
ii.	Land Assembly Documents	No
iii.	Survey and Draft Reference Plan, prepared by an Ontario Land Surveyor, including PIN Report and copies of any registered agreements on title.	**Yes**
iv.	Land Use Compatibility Study	**Yes**
v.	Retail and Service Commercial Needs Assessment	No
vi.	Financial Impact Study	No
vii.	Housing Impact Statement	**Yes**
viii.	Park Concept Plan	No
ix.	Agricultural Impact Assessment	No
x.	Social Impact Assessment	No
xi.	Archeological Report	No

xii.	Heritage Impact Study	No
xiii.	Cultural Heritage Landscape Impact Assessment	No
xiv.	Conceptual Site Plan Layout	**Yes**
xv.	Architectural Plans	**Yes**
xvi.	3-D Model of Proposed Buildings	**Yes**
xvii.	Burlington Urban Design Advisory Panel (BUD) Comments	**Yes**
xviii.	Height Survey of Adjacent Buildings	No
xix.	Angular Plane Study	No
xx.	Shadow Analysis Plan	**Yes**
xxi.	Wind Impact Study	**Yes**
xxii.	Arborist Report	**Yes**
xxiii.	Tree Inventory and Preservation Plan	**Yes**
xxiv.	Landscape Concept Plan	**Yes**
xxv.	Water & Wastewater Functional Servicing Report (with cross-sections and details municipal right-of-way connections)	**Yes**
xxvi.	Hydrogeology Study / Water Budget & Hydrology Study	No
xxvii.	Source Protection Disclosure Report	No
xxviii.	Noise Feasibility Study / Vibration Study	**Yes**
xxix.	Transportation Impact Study	**Yes**
xxx.	Transportation Demand Management Plan and Implementation Strategy	**Yes**
xxxi.	Parking Justification Report	No
xxxii.	Storm Water Management Report / Functional Drainage Report, Storm Services Plan and Flooding Hazard Delineation and/or Grading and Drainage Plans	**Yes**
xxxiii.	Environmental Impact Assessment	No
xxxiv.	Top-of-bank Demarcation / Slope Stability Assessment / Creek Erosion Assessment / Geomorphic Study	No
xxxv.	Shoreline Hazardous Land Studies	No
xxxvi.	Geotechnical Report	No
xxxvii.	Phase One Environmental Assessment	**Yes**
xxviii.	Phase Two Environmental Assessment / Record of Site Condition	**(TBD if required by Phase One)**
xxxix.	Landfill Assessment	No
xl.	Sustainable Building and Development Guidelines Checklist	**Yes**

xli.	Phasing Strategy for Development of Retail and Service Commercial Uses	No
xlii.	Public Consultation Strategy	No
xliii.	Response to Comments Received at a Community Meeting Held in Advance of a Formal Development Application	**Yes**
xliv.	Comprehensive Block Plan	No
xlv.	Urban Design Brief	**Yes**
xlvi.	Tenant Relocation and Assistance Plan	No
xlvii.	**Other** Environmental Site Screening Checklist Draft Official Plan and Draft Zoning By-law Amendments Waste Management Plan	 **Yes** **Yes** **Yes**

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

NOTES:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Staff and Agency Signatures:

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

Proponent Sign-off (In Lieu of Signatures):

I acknowledge that the City will require the provision of the drawings, reports and other requirements indicated in Section 11 of the Development Application Pre-Consultation Form, in addition to a completed

Application Form, any information or materials required by Statute, the required application fees and a signed copy of this acknowledgement prior to the planning application being deemed complete, pursuant to the *Planning Act* and applicable City of Burlington Official Plan policy. These items should be completed in accordance with the direction in this Development Application Pre-Consultation Form, the attached Notes, and the attached Pre-Submission Document Terms of Reference, in order to allow for the full consideration of the planning application. I have read and acknowledge the Notes listed in Section 12 of the Development Application Pre-Consultation Form. I have authority to bind the Owner.

Property Owner	Property Owner (Signature)	Date
Agent (I have authority to bind the owner)	Agent (Signature)	Date

APPENDIX ONE: REQUIREMENTS FOR REPORTS/STUDIES AND PLANS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Preconsultation Meeting Notes

1376 and 1382 Plains Road East - October 17, 2025

Description of Development Concept:

- A 25-storey mixed-use building with rooftop mechanical penthouse with 184m^2 of retail at grade and 284 residential condominium units above.
- A total of 58 parking spaces proposed on one level of underground parking and at-grade.
- A total of 132 bicycle parking spaces at-grade.
- The property offers access to the site via a laneway on Plains Road East
- A total of approximately 5,680m^2 amenity space (approximately 20m^2 per unit) is proposed in the form of indoor and outdoor amenity space on the first and second storeys as well as private balconies.
- The subject lands include a consent application (File No.: B-007/24 or 545-02-B-007/2024) which was approved to sever the south-eastern portion of the property, including part of the Canadian National Railway (CN) property and is listed as 0000 Plains Road East. The applicant signed the draft conditions, and the appeal period has lapsed. Now staff are waiting for the applicant to fulfill their conditions prior to final registration.

Planning Comments:

Official Plan (1997, as amended)

- The subject lands are found within the 'Mixed Use Activity Areas' under Schedule 'A' – Settlement Pattern.
- The subject lands are designated as **'Mixed Use Corridor – Commercial Corridor'** under Schedule 'B' – Comprehensive Land Use Plan – Urban Planning Area.
- In accordance with Part III, Section 5.3.3.2 a) i), notwithstanding the policies of Part III, Subsection 5.3.2, the subject lands are located within the south side of Plains Road East, between the CNR at Glendor Avenue and Queensway Drive, and are therefore recognized for lower intensity, retail development than found in the Mixed Use Corridor-General designation.
- In accordance with Part III, Section 5.3.3.2 b), the following uses may be permitted within the Mixed Use Corridor Commercial Corridor locations:
    - (i) a range of retail, service commercial and personal service uses; financial institutions and services, a broad range of office uses; entertainment, recreation and other community facilities such as day care centres and motor vehicle dealerships;
    - (ii) medium and high density residential uses subject to the policies of Part III, Subsection 5.3.2 a) (ii);
    - (iii) a limited number and range of large-scale retail and service commercial uses such as retail uses up to 5,600m^2 in gross floor area where food products are not the principal goods retailed, and retail commercial uses that require either multitenant or freestanding buildings on sites that have significant needs for on-site storage and parking, such as garden centres, automotive commercial, furniture and home furnishing uses and home improvement stores; and
- In accordance with Part III, Section 5.3.3.2 c), Mixed Use Corridors – Commercial Corridor lands are intended to provide for the retail needs of the residents and businesses within the City and from adjacent areas. It is not the intent of this Plan that any one cluster of retail facilities that may be proposed through applications to redesignate lands to Mixed Use Corridor – Commercial Corridor, or to permit additional uses within a Mixed Use Corridor – Commercial Corridor designation, approach the size or significance of the Regional or Community Commercial designations.
- In accordance with Part III, Section 5.3.3.2 e), zoning By-law regulations affecting Mixed Use Corridor- Commercial Corridor locations shall be based on the following factors:
    - (i) **the maximum floor area ratio shall be 1.5:1**. City Council may consider a higher floor area ratio in conjunction with a site specific rezoning or variance application, subject to the consideration of various factors such as adequacy of services and infrastructure; the

provision of compatibility with adjacent uses through measures such as terracing; a high quality of building design, landscaping and streetscaping; and the provision of underground parking;

(ii) the maximum building height shall be three storeys, **except office and residential uses where the maximum building height shall be six storeys.**

- In accordance with Part III, Section 5.3.3.2 f), the zoning of individual sites may not allow for the full range of permitted uses or the full extent of development intensity at every location based on site specific factors that may include, but not be limited to, traffic, land use compatibility, market impact, natural hazards and features, and environmental factors such as soil contamination.
- The evaluation criteria listed under Part III, Section 2.5.2 a) shall be considered as the development constitutes housing intensification within established neighbourhoods.
- In accordance with Part II, Section 3.7.2 d), new residential development and other uses sensitive to noise and vibration shall not be permitted within 300 m of a railway yard. The proponent of land uses sensitive to noise and vibration adjacent or in proximity to railway lines or railway yards shall be required to undertake, prior to development approval, the following studies by qualified consultants in accordance with Provincial policies, to the satisfaction of the City, and the Ministry of the Environment, in consultation with the appropriate railway agency, and to implement the study recommendations as approved, including the restriction of new residential and other sensitive uses:
    - (i) noise studies, if the development is within 300 m of the railway right-of-way or 1000 m of a railway yard; and
    - (ii) vibration studies, if the development is within 75 m of the railway right-of-way or a railway yard.
- In accordance with Part II, Section 3.7.2 e), the proponent of any development adjacent to railways shall ensure that appropriate safety measures such as setbacks, berms and security fencing are provided to the satisfaction of the City in consultation with the appropriate railways to mitigate the affects of their development on the railways. Similarly, Part II, Section 3.7.2 f), describes that The City shall consult with the appropriate rail operator(s) to ensure that projected rail service and infrastructure improvements are identified, planned for and protected in any planning approvals.

New Official Plan (2020)

On Nov. 30, 2020, the City's new Official Plan (Burlington Official Plan, 2020) was approved by Halton Region. However, parts of the plan have been appealed and will not come into effect until they are approved by the Ontario Land Tribunal. While these appeals are being resolved, parts of the City's old Official Plan (Burlington Official Plan, 1997) will stay in effect.

On July 1, 2024, through changes to the Planning Act, the Province identified the Region of Halton as an "upper-tier municipality without planning responsibilities". As a result, the Regional Official Plan is no longer an official plan for the Regional Municipality of Halton. Instead, it has been deemed an official plan of each of the lower-tier municipalities in Halton (City of Burlington, Town of Halton Hills, Town of Milton, and Town of Oakville), until it is revoked or amended by the respective municipality.

This means that there are now three Official Plans which apply to the City of Burlington- parts of the Halton Regional Official Plan, 1995, parts of the Burlington Official Plan, 1997, and parts of the Burlington Official Plan, 2020. To streamline its suite of land use planning policies, and to ensure alignment with the updated Provincial policy framework, the City is undertaking a realignment exercise for the Burlington Official Plan, 2020. For more information, visit the project page on ***Get Involved Burlington****.*

- The subject lands are found within the 'Mixed Use Nodes and Intensification Corridors' under Schedule B – Urban Structure. Although the property is not shown within the 'Burlington GO Major Transit Station Area (MTSA) Special Planning Area' boundary under Schedule B – Urban Structure, the Region's work on ROPA 48 and the Region's delineation exercise as shown on Map 6b, as later discussed in this review, shows the subjects lands within the MTSA boundary. The boundary, as identified in ROPA 48, is in effect as the ROP is now a plan of the city. The properties are also shown within the MTSA boundary of OPA 2.

- Majority of the subject lands are designated as **'Urban Corridor'** under Schedule C – Land Use – Urban Area. In accordance with Section 8.1.3 (7.2) c), the following uses may be permitted on lands designated Urban Corridor:
    (i) retail and service commercial uses;
    (ii) automotive commercial uses, including large-scale motor vehicle dealerships existing on the date this Plan comes into effect;
    (iii) residential uses with the exception of single-detached and semidetached dwellings;
    (iv) office uses;
    (v) entertainment uses; and
    (vi) recreation uses.
- The south-eastern portion of the subject lands which is expected to be retained through the active consent process is designated as **'Infrastructure and Transportation Corridors'** under Schedule C – Land Use – Urban Area. In accordance with Section 8.6.1(2) a), these lands represent major existing corridors and shall be subject to the policies of Chapter 6: Infrastructure, Transportation and Utilities, of the Plan. New development proposed on adjacent lands to existing or planned corridors and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities.
- The subject lands are found within the 'Secondary Growth Area' under Schedule B-1 – Growth Framework, of the Plan. Additionally, the south-eastern portion of the subject lands which is expected to be retained through the active consent process is designated as Infrastructure and Transportation Corridors under Schedule B-1 – Growth Framework, of the Plan. Majority of the property is therefore subject to the Urban Design and Built Form policies for Secondary Growth Areas under Section 7.3.2(1).
- In accordance with Section 8.1.3 (7.2) j), retail and service commercial uses and other pedestrian-oriented uses shall be located on the ground floor of mixed use buildings. Furthermore, in accordance with Section 8.1.3 (7.2) k), sites located within MTSA Special Planning Areas, as shown on Schedule B – Urban Structure, and Schedule B-1 – Growth Framework, shall be required to provide for retail and service commercial uses at grade within mixed use buildings.
- In accordance with Section 8.1.3 (7.2) f), **a maximum floor area ratio of development of 2.0:1 is an appropriate built form in Urban Corridor lands**. An increase to this floor area ratio may occur through a site-specific Zoning By-law amendment or minor variance application, without the need for an amendment to this Plan, provided that the objectives of the Urban Corridor designation are maintained.
- In accordance with Section 8.1.3 (7.2) g), **the minimum building height shall be two (2) storeys and the maximum building height shall not exceed six (6) storeys**. Where required to ensure compatibility, four (4) to six (6) storey buildings may be required to be terraced back from adjacent residential areas and/or the street.
- In accordance with Section 8.1.3 (7.2) l), development along Urban Corridors may be required to provide a minimum floor-to-floor height at grade, as established in the Zoning By-law, to facilitate land use flexibility and adaptability over time.
- Plains Road East is designated as a 'MTSA Primary Connector' and 'Frequent Transit Corridor' under Schedule B-2 – Growth Framework and Long Term Frequent Transit Corridors of the Official Plan 2020.

Regional Matters

Due to the recent legislative changes (Bill 185 has now received Royal Assent), the Region will no longer be responsible for the Regional Official Plan – as this will become the responsibility of Halton's four local municipalities.

Therefore, the Region will no longer be providing comments related to the Regional Official Plan or Provincial Policy matters and is now seeking the City's direction on how to proceed with respect to the following ROP interests:

- Growth Management policies
- Regional Natural Heritage System

- Site Contamination

The Region has an interest in supporting our local municipal partners by providing review and comments on a much narrower scope of interests that include:

- Water and Wastewater Infrastructure;
- Regional Transportation Systems including stormwater management infrastructure and acoustic mitigation on Regional right-of-ways;
- Waste Collection;
- Affordable and Assisted Housing;
- Responsibilities associated with a specific mandate prescribed by legislation (e.g. sourcewater protection, public heath); and
- Other Regional services that have a land component

Regional Official Plan

- The subject lands are designated as 'Urban Area' and are located within the Built Boundary in accordance with Map 1 – Regional Structure and Map 1H – Regional Urban Structure. The subject lands are also considered a Strategic Growth Area as they are found within a Protected Major Transit Station Area (PMTSA) and are located along Plains Road East which is designated as Regional Intensification Corridor 'Plains-Fairview Corridor'. As previously discussed, the south-eastern portion of the property which is undergoing the consent process falls outside of the Protected Major Transit Station Area (PMTSA) Boundary.
- In accordance with Section 77, the Urban Area policies support a compact form of growth that is supportive of transit and non-motorized forms of transportation that takes place commensurately both within and outside of the *Built Boundary* and is focused on the *development* of *Strategic Growth Areas*. Further, development within the Urban Area is subject to Local Official Plan policy and direction. The ROP also provides identifying that the proper integration of uses with the surrounding neighbourhoods through urban design.
- In accordance with Section 84, the goal for housing is to supply the Region with an adequate mix of housing types. Additional housing polices in the ROP speak to making efficient use of serviced lands to increase the supply of housing and encouraging Local Municipalities and the development industry to be innovative in housing designs.

Urban Servicing:

- Section 89 of the Regional Official Plan require that approvals for all new development within the Urban Area be on the basis of connection to Halton's municipal water and wastewater systems, unless otherwise exempt by other policies of this Plan.
- In accordance with the direction being implemented to address Bill 185, technical comments from a municipal servicing perspective can be found under the Region's comment letter.

Site Contamination:

- Section 147(17) of the Regional Official Plan (ROP) requires the applicant of a development proposal to determine whether there is any potential contamination on the site they wish to develop, and if there is, to undertake the steps necessary to bring the site to a condition suitable for its intended use. This process is described in Halton Region's Protocol for Reviewing Development Applications with Respect to Contaminated or Potentially Contaminated Sites. The applicant is required to follow the processes outlined in O.REG 153/04 in the preparation of all Environmental Site Assessment (ESA) reports and supporting documentation.

Waste Management:

- Per Section 148 of the ROP, it is an objective of the Region to implement an integrated and sustainable waste management plan.
- In accordance with the direction being implemented to address Bill 185, technical comments from a municipal servicing perspective can be found under the Region's comment letter.

City of Burlington Housing Strategy

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

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

One of the Housing Strategy's objectives (Theme 1) is to support a Healthy Rental Housing Stock by protecting existing rental buildings and supporting the creation of new rental units and (Theme 2) to Support a Broad Variety of Housing Types and Forms to increase housing options that meet the needs of all current and future residents at all stages of life. Similarly, Action 7 of the Housing Strategy aims to support, permit, and encourage the development of alternate forms of housing, including higher density types of housing, where feasible and appropriate to ensure a flexible policy framework that allows for housing types that could facilitate multi-generational living, shared/ congregate living and co-ownership; promoting accessible and universal design that allows for aging in place; promoting the development of purpose-built rental units; and, expanding permissions where certain built form types can be located.

Another of the Housing Strategy's stated objectives is (Theme 2) of the Housing Strategy is to support a broad variety of housing types and forms to increase housing options to meet the needs of all current and future residents at all stages of life. Similarly, Action 4 of the Housing Strategy established minimum targets around housing that build upon the policies of the Official Plan (2020) and use the findings of the Housing Strategy Project Action 4 of the Housing Strategy includes an annual target for the 80% of new Apartment dwellings provided of 55% for 1- and 2-bedroom and 25% for 3-bedrooms or more.

Preliminary Review of the Concept Plan

- A peer review prior to the formal application may be required due to Regional Planning reviews now being responsibility of City staff which may include additional costs to be covered by the applicant. This includes the review of the required Land Use Compatibility Study. Given the proposed land uses sensitive to noise and vibration adjacent to railway lines, the proposed development will require a Land Use Compatibility Study, inclusive of a Noise and Vibration study completed by qualified consultants in accordance with Provincial policies, to the satisfaction of the City, and the Ministry of the Environment, in consultation with Canadian National Railway (CN), and to implement the study recommendations as approved, including the restriction of new residential and other sensitive uses.

- Planning staff also request additional information as requested by zoning staff later in this document to assess additional amendments required.

- Accessible and bicycle parking spaces are required to be shown on the Conceptual Site Plan and related statistics to confirm compliance with Zoning By-law regulations and related planning policies including but not limited to the policies under the Community Planning Permit By-law (CPPBL).

- Confirmation on the lot configuration, including parcel ownership, is required as well as clarity on the intent of the usage of the laneway for access and servicing to the proposed development (including fire and waste management).

- The south-eastern portion of the property which is undergoing the consent process falls outside of the Protected Major Transit Station Area (PMTSA) Boundary. The lands outside of the Protected MTSA boundaries would not be subject to the policies of OPA 2 and CPPBL policies. A Council resolution would be required to pursue an amendment to the boundary of a Protected MTSA, and the Minister would serve as the approval authority for any such amendment.

- Additional Amenity Area details are required to be provided in accordance with the Zoning By-law requirements including a breakdown of the amenity area by space (e.g. indoor area, at grade, private balconies, terraces, etc.). It is recommended that the amenity space provided at-grade, fronting onto Plains Rd. E., be relocated within the building and replaced with retail/commercial space to protect for the envisioned policies of the 'Urban Corridor' designation under Official Plan 2020 and related MTSAs policies as later discussed in this document. The indoor amenity area on the first or second floor (not fronting onto a Major Mixed Use Street) is recommended up to 15%. Please provide these calculations as part of the formal development application.

- Planning staff recommend an increased south-east setback to provide for the 30m setback required under the Zoning By-law as later discussed in this document. This would provide for increased separation between the proposed outdoor amenity and related uses on the 2nd floor terrace and the existing Canadian National Railway corridor. Additionally, justification under the required Land Use Compatibility Study would be required for any reductions to this.

- Staff recommend a reduction in building height from the proposed 25-storeys to 11-storeys (inclusive of a mechanical penthouse), as the proposed development exceeds the envisioned built form/height under the CPPBL policies. Justification for the increased height is to be accompanied by a review of the applicable Urban Design Guidelines including but not limited to the 'Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings'/'Tall Building Guidelines', Shadow Study Guidelines and Terms of Reference', 'Pedestrian Level Wind Study Guidelines and Terms of Reference' as well as the 'Sustainable Building and Development Guidelines' through the required Urban Design Brief.

- Additional design considerations are to be incorporated based on the 'Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings' provided that the height is reduced to approximately 11-storeys. These guidelines are grouped by the main components of a mid-rise building including the 'Lower Building' and 'Upper Building'. Elements to be considered include but are not limited to:
    - (Section 2.1 6)) the building should be set back to create a boulevard of approximately 6m that can accommodate wider sidewalks, street trees, landscaping, and active uses to establish a more pedestrian oriented relationship between the building and the sidewalk
    - (Section 2.3 5)) the streetwall for new mid-rise buildings should be limited to a height of 80% of the street width (up to a maximum of 6-storeys) with additional storeys stepping-back a minimum of 3m above the streetwall to maintain a human-scale and minimize shadowing. The deemed street width planned for this property along Plains Road East is 30m.
    - (Section 2.3 7)) Pushing (projecting) and pulling (recessing) building volumes from the main building form is encouraged to help break down the mass of larger buildings.
    - (Section 2.3 8)) Balconies are encouraged and should be integrated into the building design and massing with inset or Juliette balconies. Projecting balconies should not be within the streetwall to avoid negative impacts to the public realm including additional building massing and shadowing.
    - (Section 2.4 14)) Canopies should be located above the ground floor and provide a width of at least 1.5m. Therefore, please provide the width of the proposed balconies which currently act as canopies on the second floor. If possible, please provide canopies on the west building wall.

    - (Section 3.1 2)) Where the building fronts a street, step-back the upper floors a minimum of 3m above the streetwall. An additional step-back should be considered for buildings taller than seven (7) storeys in height. This additional step-back may be a minimum of 1.5m.
    - (Section 3.2 4)) balconies should have a minimum depth of 1.5m to provide functional space.

- As part of the Housing Accelerator Fund (HAF), on April 15, 2025, Council adopted the Burlington Affordable Rental Housing Community Improvement Plan (CIP). The CIP has 10 financial incentive programs that are intended to help create more diverse affordable rental housing options in Burlington's urban area that could be of interest to you for your development proposal. Please see the Latest News regarding the Community Improvement Plan Study: https://www.getinvolvedburlington.ca/housingstrategy

- Staff request that a 'Housing Impact Statement' be provided with considerations to the City's 'Housing Strategy' including but not limited to a breakdown of the number and percentage of unit sizes including 1-bedroom, 2-bedroom, 3-bedroom units, etc. The proposed development includes approximately 78% of 1-bedroom units, 18% of 2-bedroom units and 5% of 3-bedroom units. Staff request that an appropriate mix of unit sizes is provided, including increasing the number of 3-bedroom units as set out under the City's Housing Strategy (annual target for the 80% of new Apartment dwellings provided of 55% for 1- and 2-bedroom and 25% for 3-bedrooms or more).

- In terms of Urban Forestry, planning staff acknowledge that there are no specific trees Urban Forestry staff are currently requesting to be preserved, this may change through the review of the requested related reports and studies.

Application Requirements

- An Official Plan and Zoning By-law Amendment applications would be required to facilitate the proposed use. A subsequent Site Plan application and Condominium application would be required.
- Complete application Form and Fees for the processing of planning applications.
- Planning Justification Report
- Survey and Draft Reference Plan, prepared by an Ontario Land Surveyor, including PIN Report and copies of any registered agreements on title.
- Land Use Compatibility Study (including a Noise and Vibration Study) related to the sections later discussed under Section 5.27.1 of the CPPBL.
- Housing Impact Statement
- Conceptual Site Plan Layout
- Architectural Plans (including conceptual floor plans and elevations)
- 3-D Model of Proposed Buildings
- Burlington Urban Design Advisory Panel (BUD) Comments
- Shadow Analysis Plan
- Quantitative Wind Impact Study
- In accordance with Section 147(17) of the Regional Official Plan, a property is to be free of contamination prior to any development/change of use taking place. Submission of a Regional Environmental Site Screening Questionnaire (ESSQ) is required in addition to a Phase One (at minimum) (to O. Reg 153/04 standards and with a Letter of Reliance). Additional Environmental Site Assessments may be required depending upon the recommendation(s) of the Phase One ESA.
- Prior to submitting the application, a Pre-Application Public Consultation Meeting is required:
    - The meeting is to be organized by the applicant and must be held before the application is submitted. Please try to avoid holding meetings in late December.
    - Circulation of the meeting invitation to residents and tenants within 120 metres of the development site will be completed by the City. Provide a PDF of the meeting invitation on the applicant's letterhead for distribution. Notice must be sent a minimum of 20 days in advance of the meeting.

- Please notify the Ward Councilor, Planner and the Coordinator of Development Review of the date, time and location of the meeting. Be sure your meeting location is accessible and close to the development site. The meeting may be held virtually, hybrid or in-person. Please contact Mariana Da Silva, Development Review Planner at mariana.dasilva@burlington.ca and William Wallace, Coordinator of Development Review, at william.wallace@burlington.ca for further instructions.
- During the meeting, provide a detailed overview of the development proposal, allow time for questions and comments from the public and take notes of the discussion.
- As part of a complete application, the applicant must provide neighbourhood meeting minutes which include a written summary of public input received at the meeting. As part of the Planning Justification Report, the applicant must explain how this public input was used to modify the development proposal.
- If a complete application is not submitted within six months of this pre-consultation form or the development application has been revised to a large extent, another community meeting may be required.

- Urban Design Brief
- Sustainable Building and Development Guidelines Checklist
- Environmental Site Screening Checklist
- Draft Official Plan Amendment and Draft Zoning By-law Amendment
- Please consult with Canadian National Railway (CN) on required setbacks as well as Burlington Hydro and Union Gas in regard to servicing supply and requirements.
- **Please copy planning staff on all correspondence with staff.**
- Staff contact: Mariana Da Silva, mariana.dasilva@burlington.ca

Community Initiatives Staff Comments:

Background
On June 18, 2024, City Council adopted Official Plan Amendment No. 2 (OPA 2) to the City of Burlington Official Plan, 2020 (BOP 2020) and approved, in principle, the May 2024 Community Planning Permit By-law (CPPBL). **As of October 10th, 2025, the Minister of Municipal Affairs and Housing Approved OPA 2 with Modifications**. This has been posted on the Environmental Registry of Ontario website (ERO-019-8978): https://ero.ontario.ca/notice/019-8978. Portions of the decision can be appealed within 20 days from Oct. 10. Accordingly, if not appealed, OPA 2 comes into effect on Oct. 31, 2025.

The approved in-principle CPPBL is currently being refined by staff in accordance with staff's memo to Council dated June 18, 2024. In this memo, staff outlined a scoped set of remaining issues that staff will continue to work with interested and affected parties to address during the summer. These issues are:

- Land use compatibility
- Class 1 & 2 permit structure
- Facilities, Services and Matters
- EV parking requirements
- Implementation considerations
- Site-specific issues

The June 18th memo also outlined the next steps in implementing the OPA and the CPPBL. **It is anticipated that the final CPPBL, incorporating revisions to address the above noted core issues and to conform to any modifications made by the Minister on OPA 2 if applicable, will be presented to Council for approval in the future.**

Staff note the land use schedules included in the OPA and May 2024 CPP By-law are to be read in conjunction with the policies and regulations of both documents, as well as the broader Burlington Official Plan, 2020. Together they establish a vision for future growth in the MTSAs to the year 2051 and set the standards for future development over the long term. Copies of the Council-adopted OPA

and May 2024 CPP By-law, as well as staff reports and memos, can be found at www.getinvolvedburlington.ca/mtsa.

Community Initiatives staff have reviewed the proposal to construct a 25-storey mixed use building with 184m^2 of retail at grade and 283 residential condominium units with 58 parking spaces proposed underground and at-grade.

Materials Reviewed:

- Application Form, dated August 8, 2025;
- Cover Letter, dated August 13, 2025
- Architectural Plans, dated August 7, 2025;
- Surveyor's Sketch, dated January 22, 2025.

Staff provide the following comments of the proposal in relation to the applicable policies, provisions and development standards for the lands located at 1376-1382 Plains Road East, as set out in OPA 2 and the May 2024 Community Planning Permit By-law (CPPBL).

Staff note that the rear portion of the property falls outside of the MTSA Boundary. The applicant has not indicated ownership of those lands. The lands outside of the MTSA boundaries would not be subject to the policies of OPA 2. It is important to note that the MTSA boundaries were established through ROPA 48 and approved by the Minister. OPA 2, prepared as a conformity amendment, reflects these approved boundaries and also requires the Minister's approval. The lands proposed to be severed are outside of the Protected MTSA boundary. Without confirmation of ownership, it is possible that an OPA would be needed; however, a Council resolution would be required to pursue an amendment to the boundary of a Protected MTSA, and the Minister would serve as the approval authority for any such amendment.

Vision for Mid-Rise Residential Precinct in the Burlington GO MTSA
Within the Burlington GO MTSA, the subject site is located within the Mid-Rise Residential precinct per Schedule F of OPA 2, Policy 8.1.2 (2.2) a) of OPA 2 states that this precinct is envisioned to:

- Support the general housing and height transition objectives of the City's Major Transit Station Areas.
- Include a variety of low-rise and mid-rise building forms, with the tallest buildings framing main streets such as Plains Road East, Queensway Drive, Brant Street, Fairview Street, and along the rail corridor.
- Incorporate gradual transitions from the mid-rise buildings along Fairview Street, Drury Lane, Plains Road East and Leighland Road to the adjacent low-rise neighbourhoods, offering flexibility for new housing development to support the growing population of the area.

Permitted Uses
Permitted uses within the Burlington GO MTSA are listed in 8.1.2 (2.2) b) of OPA 2. Table 6.1 of the CPPBL provides more specific directions on permitted and discretionary uses for the Mid-Rise Residential precinct. Per Section 6.4.5 of the CPPBL, Development within the Mid-Rise Residential Precinct should contain a minimum of two (2) permitted or discretionary uses as identified in Table 6.1.

"Dwelling units above the first two (2) storeys of a mixed use building", and "Dwelling units above the first storey in a mixed use building" are both permitted in this precinct.

"Retail, mixed use building" is permitted in this precinct and is limited to bottom two (2) floors only.

Public Realm & Activated Streets
As shown in Schedule F-2 of OPA 2 and Schedule B-4 Public Realm and Active Transportation

Plan, Plains Road East is designated as a MTSA Major Mixed Use Street. Section 5.28.2 of the CPPBL establishes that,

a) Along Major Mixed Use Streets, retail, service commercial, institutional uses, day care centre, public service facility or office uses shall be required continuously at grade in buildings facing Major Mixed Use Streets, as identified on Schedules B-4, C- 4 and D-4 of this By-law, with the exception of the following:
   (i) Primary Public Entrances shall be allowed at grade facing Major Mixed Use Streets in conjunction with the required uses listed in by 5.28.2 a).
   (ii) Development located within a Low to Mid-Rise Residential and Mid-Rise Residential Precincts may be exempt from the requirements of Major Mixed Use Streets, provided it can demonstrate to the satisfaction of the City, through a Class 2 permit application, that the proposal will provide an enhanced public realm and will not compromise the objectives of Activated Streets.

d) Development located along a Major Mixed Use Street may be permitted to include indoor common residential amenity area on the first or second floor of a building, provided it is no more than 10% of the total first floor area and is not facing the Major Mixed Use Street. Up to 15% of the total first floor area may be considered through a Class 2 Permit application provided it will not compromise the objectives of Activated Streets.

Section 5.28.2 d) prohibits indoor common amenity spaces on the first and second floors from fronting onto a Major Mixed Use Street. Further, the maximum permitted indoor amenity area on the first or second floor (not fronting onto a Major Mixed Use Street) is limited to 10% of the first floor area, or up to 15% through a Class 2 Permit.

Transportation

The subject site has frontage onto Plains Road East. The classification of transportation facilities in the Burlington GO MTSA are shown on Schedule F-1; this schedule is to be read in conjunction with Table 1: Classification of Transportation Facilities and Table 2: Public Right-of- Way Widths of BOP 2020; and Table 3: Classification of Major Transit Station Area Facilities in Attachment 6 of OPA 2. Attachment 7 of OPA 2 includes Table 4: Major Transit Station Area Public Right-of-Way Widths, which contains amendments to Table 2: Public Right-of-Way Widths of the BOP 2020.

Plains Road East is classified as an Industrial Connector on Schedule F-1, which is the same as Schedule O-1 of the BOP 2020. OPA 2 does not propose any changes to Table 1 regarding the planned public-right-of-way width for Plains Road East.

Maximum Building Height

Per Schedule B-2 and B-3 of the CPPBL, the maximum building height envisioned on this site is – Building heights greater than 11 storeys will require a Class 3 permit approved by Council.

In addition, the CPPBL requires the provision of services, facilities and matters proportionate with permissions for height, and sets out development standards to ensure that development delivers a variety of community amenities and transitions appropriately to existing low rise areas outside of the MTSAs. See Section 5.29 for the Provisions of Services, Facilities and Matters of the CPPBL.

CPPBL Development Standards

Community Initiatives staff have reviewed the submitted architectural drawings and have the following preliminary comments. Please note that this review is only a preliminary review and does not include commentary on some sections of the By-law which would typically be reviewed by other City and agency reviewers.

Based on the submitted materials, it appears that the proposed development varies from the following applicable standards of the By-law:

- A 25 m setback from the railway right-of-way is proposed, whereas 30 m is required. This may be reduced in accordance with Section 5.27 of this By-law. Staff will require an impact

assessment to determine the compatibility of the proposed land use, to demonstrate the requirements of the Federation of Canadian Municipalities' Proximity to Rail Guidelines have been met and to recommend mitigation measures. (Table 6.2 and Section 5.27)
- Minimum number of EV parking spaces (Sections 5.23.2 and 5.23.3)
- Common indoor amenity spaces are not permitted on the □rst and second floors to front onto a Major Mixed Use Street. Common indoor amenity spaces on the □rst/second floor may be permitted if they do not front onto a Major Mixed Use Street and do not make up more than 10% of the total first floor area (up to 15% through a Class 2 Permit) ((Section 5.28.2 d)).

Additionally, the By-law establishes standards to ensure AODA compliance. Refer to Sections 5.21.4 and Table 5.2 regarding the required number and types of accessible parking spaces and the minimum width of accessible parking pathways.

More information is also required to confirm compliance with the following sections in the Bylaw:
- Mechanical Equipment (Section 5.15)
- Visibility Triangles (Section 5.17)
- Dimensions of parking spaces, loading space length, and bicycle parking spaces (Sections 5.18 to 5.25)
- Minimum spacing between columns in parking areas (Provision 5.20.3)
- Minimum number of short term and long-term bicycle spaces (Table 5.3)
- Overhead clearance of parking area entrances and circulation to and from accessible parking spaces, and of accessible parking spaces (Provisions 5.19.4 and 5.21.4 f))
- Electric vehicle parking spaces (Section 5.23).
- Loading Space dimensions and height clearance (Section 5.24.1)
- Land Use Compatibility (Section 5.26)
- Development in Proximity to Rail (Section 5.27)
- The Public Realm (5.28)
- Building Podium Design (5.29)
- Dimensions for the Below Grade Yard Encroachment relating to the Underground Parking Structure (Section 6.5.2 b) i)).
- Building Setbacks to the property line (Northern and Eastern yards) (Table 6.2).
- Landscape Open Space Area lot area calculation has not been provided (Table 6.2).
- Residential amenity area (per dwelling unit) calculation cannot be determined as there is no breakdown of private amenity area versus common amenity area (Table 6.2).

Other Matters – Transition of Applications
Provision 4.1.1 and 4.1.2 of the CPPBL states (underline added):

> 4.1.1 Any existing site specific application made under the Planning Act that has been approved or deemed complete at the time of passing this By-law, <u>but not finally disposed of prior to the day this By-law comes into force and effect</u>, **shall** be disposed of under the provisions of the former By-law, despite any repeal of such former By-law, and be incorporated in this By-law as appropriate as a site specific exception or Community Planning Permit.
>
> 4.1.2 Any site specific application made under the Planning Act that has been deemed complete at the time of the passing of this By-law, and subsequently approved prior to the day that this By-law comes into force and effect shall prevail over the provisions of this By-law in the event of any conflict and shall be incorporated into this By-law as a site specific exception or a Community Planning Permit.

In other words, if the subject OPA/ZBA applications are approved (whether before or after the CPPBL comes into force and effect), they will be incorporated into the CPPBL as appropriate as a site-specific exception or a Community Planning Permit.

- Staff contact: Amna Amir, Amna.Amir@burlington.ca

<u>Zoning Comments:</u>

1) The subject properties are zoned MXC, Mixed Use Commercial, and S, Utility Service, under By-law 2020, as amended.

2) Applicant to provide/update/revise the plans to include the following additional details to facilitate the Zoning By-law creation:
    a. Applicant to provide detailed Zoning statistics including:
        i. Lot area, including confirming the limits of the development
        ii. Lot width
        iii. Gross Building Floor Area (GBFA)
        iv. Floor Area Ratio calculation based upon the GBFA of the building (Gross Floor Area is not used to determine the Floor Area Ratio)
        v. Amenity area calculation
    b. Revised Site Plan with the following additional details (All plans are required to be signed and stamped by the Architect):
        i. Provide all yards to the proposed building and all levels to their nearest lot line
        ii. Confirm below grade parking garage setbacks to all lot lines
        iii. Confirm any balcony projections/setbacks, including outdoor amenity areas
        iv. All landscape area widths and details
        v. Confirm all parking space sizes, including all accessible spaces and accessible walkway widths
            1. All parking spaces should be labeled (occupant, visitor, commercial etc.)
        vi. Below grade parking structure ramp setback to street line/laneway
        vii. Confirming any existing/proposed fencing
    c. Elevation Plans for all building elevations
    d. Cross sections
    e. Floor plan for the roof top/mechanical areas (if proposed)
    f. Detailed Landscaped plans to confirm compliance with the landscape area and buffer regulations/definitions
    g. Amenity area plan showing areas being included in the amenity area calculations
    h. Confirm bike parking space sizes
    i. All bike parking to be labeled (short-term, long-term, non-residential)
    j. City of Burlington staff (Engineering/GIS/Transportation Engineering) to confirm the widening requirement

Additional Comments

- A zoning clearance certificate is required for proposed apartment building.
    - Separate zoning approvals will be required for each non-residential tenant fit-up
- Applicant to provide a draft Zoning Bylaw for the proposed development
- Application for consent (B007/2024) will be required to be finalized
- Portion of the subject property is outside the proposed MTSA/CPPS/OPA2 area
- Staff contact: Mark Dalrymple, mark.dalrymple@burlington.ca

LOCATION: 1376 – 1382 Plains Road East, 0000 Burlington-Spcls (railway corridor)			
MXC Regulations		**Proposed**	**VARIATION ON ZONING REQUIRED**
PROPOSAL:		25 storey apartment building (283 units) with 184 m^2 of retail	
LOT WIDTH:	25 m (Apartment)	**PROPOSED: applicant to confirm(*)**	
LOT AREA:	1000 m^2 (apartment)	PROPOSED: 2749.7 m^2	**Applicant to confirm. Proposed architectural**

			drawings don't reflect the final lot configuration as seen via the submitted survey/Consent application(*)
Apartment Buildings			
Yard Abutting a any other street (Plains Road) (Pt 5-Table 5.4.1) Canopies Pt 1, Sec 2.13.1(b) Encroachment into Yards: 2.13.1 Every part of a required yard shall be unobstructed with respect to the following encroachments: (b) In RH1, RH2, RH3, RH4 zones a canopy may project into a required front or street side yard up to half the distance of the required yard. In the following zones a canopy or awning may project into a required front yard or street side yard to the street line and 1 m maximum into any other yard: MXE DC UCR1 RH5 MXG DL-A, DL-B, DL-C UCR3 MXC DW URH MXT UMXE In all other zones a canopy may encroach 50 cm into a required side yard and 1 m into all other yards.	3 m minimum; 4.5 m maximum (a)	**PROPOSED: applicant to confirm the yards at all levels(*)**	**Increase maximum yard or remove the requirement**

Yard abutting any other street (Laneway West side) (Pt 5-Table 5.4.1)	3 m minimum; 4.5 m maximum **(a)**	**PROPOSED: applicant to confirm the yards at all levels(*)**	**Increase maximum yard or remove the requirement**
Yard abutting any other street (Laneway East and South side) (Pt 5-Table 5.4.1)	3 m minimum; 4.5 m maximum **(a)**	**PROPOSED: applicant to confirm the yards at all levels(*)**	**Increase maximum yard or remove the requirement**
REAR YARD: 3 m (Pt 5-Table 5.4.1)		PROPOSED: **applicant to confirm the yards at all levels(*)**	
West Side: no minimum (Pt 5-Table 5.4.1)		PROPOSED: **applicant to confirm the yards at all levels(*)**	
East Side: no minimum (Pt 5-Table 5.4.1)		PROPOSED: **applicant to confirm the yards at all levels(*)**	
BALCONIES Pt 1. 2.3 Pt 1, 2.13 Encroachments		PROPOSED: no balconies indicated for the units individually. **Large amenity terraces will have to meet principle building yards(*)**	**Implement regulation to allow amenity terraces to maintain the yard of the floor they are on-top of**
Yard Abutting a Residential Zone: (Pt 5-Table 5.4.1)	Floors 1 to 3: 12 m Floors 4 and 5: 15 m Floor 6: 18 m	PROPOSED: n/a	n/a
Building setback from a creek block: (Pt 5-Table 5.4.1)	7.5 m	n/a	n/a
Yard abutting a Pipeline Easement (Pt 5-Table 5.4.1)	7 m	n/a	n/a
Yard abutting a railway right-of-way (Pt 5-Table 5.4.1)	none required	**PROPOSED: applicant to confirm for all building levels(*)**	
Separation Distance from a railway right-of-way: (Pt 5-Table 5.4.1)	30 m for land uses sensitive to Railway rights-of-way Pt 16 - Definitions **Land Uses Sensitive to Railway Rights-of-Way** Buildings, amenity areas or outdoor spaces where humans may be adversely affected by the activities of a railway right-of-way. Land uses sensitive to railway rights-of-way shall include residences, schools, day care	**PROPOSED: applicant to confirm for all building levels(*)**	**Reduce or remove 30 m requirement to units and amenity spaces (indoor and outdoor)**

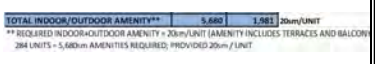
	facilities, hospitals, public health care and social services facilities, retirement homes, long-term care facilities, recreational and entertainment establishments, places of worship, monasteries, convents, and places of assembly.		
Yard abutting a PC or P zone (Pt 5-Table 5.4.1)	6 m	n/a	n/a
Separation Distance (Pt 5 – 4.2)	Standard Restaurant: 15 m between the use and a residential zone Fast Food Restaurant: 30 m between the use and a residential zone Night Club: 45 m between the use and a residential zone	n/a – no commercial uses proposed	n/a
Floor Area, Floor Area Ratio, and Density (Pt5 – 4.3) **<u>Pt 16 - Definitions</u>** **Floor Area Ratio** The mathematical relationship between building floor area and lot area, determined by dividing the gross building floor area of all buildings on a lot by the net area of that lot. **Floor Area, Gross Building** The total area of the floor measured to the outside of all outside walls, including a basement or cellar but excluding areas used for parking of motor vehicles or areas above an atrium.	Table 5.4.2 Requirement / Zone: MXG, MXC, MXE, MXT Maximum Floor Area Ratio for: Entertainment or Recreation buildings: 0.5:1, 1.0:1, 0.5:1, * * * Industrial buildings: * * *, * * *, 0.5:1, * * * Other buildings: 1.5:1, 1.5:1, 1.0:1, * * * Maximum Floor Area per Retail or Service Commercial Use: 1800 m², 5600 m², 500 m², * * * Minimum Floor Area Ratio for Buildings other than Entertainment, Recreational, or Industrial Buildings: 0.3:1, 0.3:1, * * *, 0.5:1 Minimum Density in a Residential Building: 30 units/ha, 30 units/ha, * * *, 55 units/ha	**PROPOSED: Applicant to provide the complete Gross Building Floor Area of the proposed building and provide a Floor Area Ratio calculation(*)**	**Increase FAR**
Maximum Floor Area per Retail or Service Commercial Use: (Pt5 – 4.3)	Table 5.4.2 Requirement / Zone: MXG, MXC, MXE, MXT Maximum Floor Area Ratio for: Entertainment or Recreation buildings: 0.5:1, 1.0:1, 0.5:1, * * * Industrial buildings: * * *, * * *, 0.5:1, * * * Other buildings: 1.5:1, 1.5:1, 1.0:1, * * * Maximum Floor Area per Retail or Service Commercial Use: 1800 m², 5600 m², 500 m², * * * Minimum Floor Area Ratio for Buildings other than Entertainment, Recreational, or Industrial Buildings: 0.3:1, 0.3:1, * * *, 0.5:1 Minimum Density in a Residential Building: 30 units/ha, 30 units/ha, * * *, 55 units/ha	PROPOSED: 184 m²	
Minimum Density: (Pt5 – 4.3) 30 units/ha	Table 5.4.2 Requirement / Zone: MXG, MXC, MXE, MXT Maximum Floor Area Ratio for: Entertainment or Recreation buildings: 0.5:1, 1.0:1, 0.5:1, * * * Industrial buildings: * * *, * * *, 0.5:1, * * * Other buildings: 1.5:1, 1.5:1, 1.0:1, * * * Maximum Floor Area per Retail or Service Commercial Use: 1800 m², 5600 m², 500 m², * * * Minimum Floor Area Ratio for Buildings other than Entertainment, Recreational, or Industrial Buildings: 0.3:1, 0.3:1, * * *, 0.5:1 Minimum Density in a Residential Building: 30 units/ha, 30 units/ha, * * *, 55 units/ha	Density: 1032.84 units/ha 284 units / 2749.7 m² lot area (to be confirmed)	
Landscape Area and Buffer	Landscape Area: Abutting a street (Plains Rd E, laneways	**PROPOSED: to be confirmed(*)**	**Reduced landscape**

(Pt 5 – 4.4) **<u>Pt 16 - Definitions</u>** **Landscape Area** An area of land within a lot dedicated to the planting of trees, shrubs, flower beds, or a combination thereof and which may include other decorative landscape features. A Landscape Area may be crossed by a driveway or walkway provided it is substantially perpendicular to the Landscape Area. A ground sign may be located within a Landscape Area. A Landscape Buffer may be included in the calculation of Landscape Area. Snow storage and transformers are not permitted in a required landscape area. **Landscape Buffer** The area of a lot which serves to provide separation and to partially obstruct the view of adjacent land uses by means of a dense landscape screen consisting of evergreen trees or a combination of solid screen fencing and evergreen or deciduous trees. Snow storage and transformers are not permitted in a required landscape buffer.	on the east and west side of the proposed development): 3 m An outdoor patio may encroach into a required landscape area abutting a street. Landscape Buffer: Abutting a residential zone: 6 m		**areas**
Building Height: (Pt 5 – 4.5)	**MXG Zone** Automotive uses: 2 storeys maximum Other uses: 2 storeys minimum, 6 storeys maximum In MXG , MXC, and MXT zones, the floor area of the second, third, and fourth storeys of a building containing more than one storey must be at least 50% of the floor area of the first storey.	PROPOSED 25 storeys **Applicant to provide rooftop/mechanical plan as well as elevation plans and cross sections showing all levels including any stairway access corridors between levels(*)**	**permit 25 storey apartment building**

REQUIRED PARKING: (Pt 5 – 4.6) Apartment Building: (Pt 1-2.25-Table 1.2.6) **Within a Primary Growth Area as identified on Schedule B-1 of the City Official Plan (2020), as approved by Halton Region on November 30, 2020, except for those properties identified in a Residential Parking Exemption Area shown on Diagrams 1B, 1C, or 1D, and as may be further amended**: 1.25 spaces per unit inclusive of visitor parking. *This is an interim rate and is subject to further study to be undertaken by the City. An application to reduce this parking rate will be required to be supported by a parking justification study deemed acceptable by the City.* **For all areas outside of Primary and Secondary Growth Area as identified on Schedule B-1 of the City Official Plan (2020), as approved by Halton Region on November 30, 2020, and as may be further amended:** 1 occupant spaces per one-bedroom unit 1.25 occupant spaces per two-bedroom unit 1.5 occupant spaces per three or more bedroom unit	Required Parking (as per Part 1-2.25-Table 1.2.6): 355 parking spaces, including 11 accessible parking spaces (284 units x 1.25 spaces per unit inclusive of visitor parking = 355 spaces) Accessible Parking: 355 x 3% = 11 accessible parking spaces	PROPOSED: 58 parking spaces including 2 accessible parking spaces <u>Surface Spaces:</u> 13 parking spaces, including one accessible spaces <u>Underground Garage:</u> P1: 45 spaces, including 1 accessible parking space PARKING COUNT PARKING COUNT P1 45 GRD 13 TOTAL 58 PARKING RATE 0.20	**Modify parking requirements as portions of the subject development are not in a MTSA (railway corridor portion of lands subject to the consent application)**

0.25 visitor spaces per unit 1 additional space per 75 units for the use of maintenance vehicles servicing the site.			
Parking Structures Pt 1 2.26(5)	i) Any part of an enclosed parking structure that projects 1.6 m or more above grade shall be subject to the yard requirements of the zone designation. ii) Entrance and exit ramps to below-grade and above-grade parking structures or buildings shall be set back 7.5 m from a street line. iii) Below-grade parking structures shall not extend into a required landscape buffer and shall be set back 3 m from all other property lines and street lines.	PROPOSED: i) Applicant to confirm all building yards/setbacks ii) applicant to confirm iii) **Abutting Plains Road East: to be confirmed(*)** **Abutting East Laneway: to be confirmed(*)** **Abutting South laneway: to be confirmed(*)** **Abutting West laneway: to be confirmed(*)** **East Side: to be confirmed(*)** **West Side: to be confirmed(*)** **Rear Yard: to be confirmed(*)** **Parking structure extends into the Landscape Areas: to be confirmed(*)**	**Modify the below grade parking garage setbacks and allow to extend into required landscape area/buffers / remove buffer landscape area requirements**
Pt 5 – 1 General Provisions (i) **Parking Spaces and Driveways** Refer to Part 2, Subsection 1 (ii) **Parking Structures** Refer to Part 2, Subsection 1	Pt 2 – 1 General Provisions (i) **Parking Spaces and Driveways** (i) For townhouses, back-to-back townhouses, stacked townhouses, cluster homes, and apartment buildings up to 3 storeys, driveways and parking lots shall be set back 3 m from a wall of a building containing windows of habitable rooms, except where a parking space and driveway is for the exclusive use of the unit occupant the setback shall not apply. Parking spaces shall be set back at least 6 m from an R1, R2, R3 zone. (ii) For apartment buildings 4 storeys or more in height, driveways shall be set back 9 m and parking spaces 6 m from a window of a habitable room in a dwelling unit located on the ground floor or	PROPOSED: (i) (i) n/a (ii) no at-grade residential units (j) **Abutting Plains Road East: to be confirmed(*)** **Abutting East Laneway: to be confirmed(*)** **Abutting South laneway: to be confirmed(*)** **Abutting West laneway: to be confirmed(*)** **East Side: to be confirmed(*)** **West Side: to be confirmed(*)** **Rear Yard: to be confirmed(*)** Parking structure extends into the Landscape buffer: n/a	**See above for the below grade parking garage.**

	basement. Driveways and parking spaces shall be set back 6 m from an R1, R2, R3 zone. (j) **Parking Structures** An enclosed parking structure that extends more than 1.6 m above finished grade shall be subject to the same yard requirements as a principal building. An enclosed parking structure below grade and up to 1.6 m above grade shall be set back 3 m from a street line. An enclosed parking structure below and above grade shall not encroach into a required landscape buffer abutting a residential zone.		
Pt 1 – 2.26(1)&(9) Typical parking space size: 2.75 m x 6 m = 16.5 m^2 (typical) Accessible parking space size: 2.75 m + 2 m x 6 m (typical) (Pt 1 -2.26)	Table 1.2.7 Required Parking / Designated Accessible Parking Spaces 5 to 50 spaces / 1 designated accessible parking space 51 to 90 spaces / 2 designated accessible parking spaces Over 90 spaces / 3% of required parking (a) Medical office and institutional uses shall provide a minimum of one designated accessible parking space. Where out-patient services are provided, a minimum of 10% of the required parking shall be designated accessible parking spaces. (b) Each designated accessible parking space shall meet the minimum width and area requirements of subsection (1) (a) above and shall be located adjacent to a delineated "accessible parking pathway" with a minimum width of 2.0 metres.	**PROPOSED:** **Applicant to confirm the size and area of all parking spaces including accessible parking spaces. Additionally, applicant to confirm the accessible walkway widths adjacent to the accessible parking spaces(*)**	
(10) Bicycle Parking Bicycle Parking spaces shall be provided in conjunction with office, retail, and service commercial, industrial and institutional developments, in accordance with Table 1.2.8 and (10)(a):	Table 1.2.8 Use / Required Bicycle Parking Retail, Retail Centre, Service Commercial, Office, Institutional / 2 spaces plus 1 space/1000 m^2 GFA Industrial / 2 spaces plus 0.25 spaces/1000m^2 GFA Elementary & Secondary School / 1 space/10 students & 1 space/35 employees Post-Secondary School / 1 space/20 students (a) Each bicycle parking space shall be 60 cm x 1.8 m in size <u>Math</u> Retail: 2 +0.18 (184 m^2) = 3 spaces	PROPOSED: 132 spaces **Applicant to confirm space sizes (*)** **Applicant to label bike parking spaces (occupant, visitor, retail)** BICYCLE PARKING COUNT BICYCLE PARKING COUNT GROUND 132 TOTAL 132 BICYCLE PARKING RATE 1.42	**short and long term and regulations created/defined**
Part 5, Section 4.6(f): <u>Pedestrian Walkway</u>:	A 3 m walkway shall be provided from the street connecting the sidewalk to the principal entrance of the building and shall be unencumbered except that the walkway may cross a driveway.	**PROPOSED: applicant to confirm/provide details(*)**	
Outside Storage (Pt 5 – 4.7)	(a) Only merchandise displayed for retail sale may be stored outside, provided the merchandise is not stored in a truck, trailer, or other	n/a – not retail uses proposed	n/a

	vehicle. (b) Perishable waste must be kept in refrigerated storage within a building. Alternatively, perishable waste may be stored outside if a deep collection waste disposal system, comprised of a sealed container with a lockable lid located primarily below grade, is used. (c) Non-perishable waste stored outside on lands abutting a residential zone shall be kept within a solid screen enclosure subject to Part 1, Subsection 2.2.3.		
Fencing (Pt 5 – 4.9)	On lands abutting a residential zone fencing shall be installed along the common boundary with the residential zone and shall have a minimum height of 1.8 m, which may be a solid screen fence or a combination of chain-link fence and landscape planting to form a dense year-round screen.	PROPOSED: property does not abut a residential zone	
Loading and Unloading (Pt 5 4.11) **Pt 1, 2.25.3** 2.25.3 At least one off-street loading space shall be provided in conjunction with every principal building, including mixed-use buildings, but excluding residential buildings less than 4 storeys high.	(a) Loading/unloading shall not take place within 7.5 m of a residential zone. (b) Loading/unloading docks shall be screened from view from a street or adjoining residential zone.	PROPOSED: One space provided (a) loading area is enclosed (b) n/a – no loading dock proposed	n/a
Amenity Area: (Pt5 – 4.12) **Efficiency Dwelling Unit** A dwelling unit containing not more than 60 m^2 of floor area, and consisting of not more than one room in addition to kitchen, dining, and sanitary facilities. For the purposes of computing density and parking, an efficiency unit shall be considered	15 m^2 per efficiency dwelling unit 20 m^2 per one-bedroom dwelling unit 35 m^2 per two or more bedroom dwelling unit Required: **Details required to confirm(*)**	**PROPOSED: applicant to provide detailed amenity area calculations including confirming all areas being included in the amenity area (*)**  	

~~215 m~~

a one-bedroom unit.			
Doors (Pt 5 – 4.13)	Every building located within 60 metres of a street with a deemed width of 26 metres or greater shall provide a pedestrian accessible door on the building elevation facing the street.	PROPOSED: complies	
Contiguous Lots (Pt 5 – 4.15)	Where multiple contiguous lots are developed under a single comprehensive site plan all lots shall be deemed to be one lot for purposes of applying zoning regulations. A lot shall be used in a manner that complies with all of the regulations and prohibitions of this By-law that govern the lot itself and all of the regulations and prohibitions of this By-law that govern the entire development.	n/a	n/a
S Zone – Utility Services			
2.1 PERMITTED USES • Any transportation, communication, or utility use. • Open space and outdoor recreation uses such as play fields, parks, walking trails, bike paths, and parking lots associated with such uses.		**PROPOSED: apartment building not a permitted use(*)**	
2.2 BUILDINGS AND STRUCTURES PERMITTED Buildings and structures required to implement a permitted use.		**PROPOSED: apartment building not a permitted use(*)**	
2.3 RAILWAY SAFETY Wherever development or redevelopment occurs within a railway right-of-way, appropriate safety measures such as setbacks, earth berming, fencing, and barriers shall be provided to mitigate the effect on abutting properties, to the satisfaction of the City.		**PROPOSED: apartment building not a permitted use(*)**	

Region of Halton Comments:

Description of Proposal:

- Pre-consultation for a proposed Local Official Plan Amendment and Zoning By-law Amendment (LOPA/ZBA)

- Construction of a 25 storey mixed use building
- 184 sq.m. of retail at grade
- 284 residential condominium units
- Total of 58 parking spaces within one level of underground parking and at-grade

Preliminary Regional Comments:

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

Due to Provincial legislation, as of July 1, 2024, Halton Region's role in land use planning and development has changed. The Region is no longer responsible for the Regional Official Plan as this has become the responsibility of Halton's four local municipalities. As a result of this change, a Memorandum of Understanding (MOU) between the Halton municipalities and Conservation Authorities was signed that identifies the local municipality as the primary authority on matters of land use planning and development. The MOU also defines a continued scope of interests for the Region and the Conservation Authorities in these matters.

The Region has an interest in supporting our local municipal partners by providing review and comments on a scope of interests that include:

- Water and Wastewater Infrastructure;
- Regional Transportation Systems including stormwater management infrastructure and acoustic mitigation on Regional right-of-ways;
- Waste Collection;
- Affordable and Assisted Housing;
- Responsibilities associated with a specific mandate prescribed by legislation (e.g., sourcewater protection, public heath); and
- Other Regional services that have a land component.

The following comments represent matters of retained Regional interest and are intended to help inform the City in consideration of the proposed planning applications.

Regional Servicing:

In accordance with the MOU, and to ensure water and wastewater services are provided in accordance with Regional requirements, Halton Region provides the following comments:

Existing Services:

Watermain	Sanitary Sewer
• A 100mm diameter watermain is located on Plains Road East adjacent to the property. • A 400mm diameter watermain is located on Plains Road East adjacent to the property.	• A 250mm diameter sanitary sewer is located on Plains Road East adjacent to the property.

Servicing Comments/ Requirements:

- A Functional Servicing Report (FSR) is required to be submitted, completed by a professional engineer.
- The FSR must demonstrate the following:
    - That both the existing water system and downstream sewer system are capable of supporting the proposed development.
    - How municipal services will be provided and/or upgraded in order to service the site.
    - Address if there are any existing downstream sanitary sewer capacity issues.

Regional Transportation:

In accordance with the MOU and to support an effective Regional transportation network, Halton Regional Staff have reviewed the proposed development and offer the following comments:

- While every effort will be made to provide detailed comments based on the provided information, our comments are subject to change as more information becomes available during the development application process.

Ministry of Transportation (MTO):

- The subject lands are located outside the Controlled Access Highway (CAH) limit (400m threshold) of the Ministry of Transportation's (MTO's) Central Region Corridor Management. As such, MTO's review and approval is not required for this development application (traffic impact study, access, etc.).

Transportation Impact Study (TIS) Requirement:

- The subject lands are within proximity to the Regional intersection of Brant Street (Regional Road 18) and Plains Road East (approximately 250m of separation).
- The Region will require a Transportation Impact Study (TIS) to be completed.
- The TIS must be completed by a qualified Transportation consultant and per Halton Region's Transportation Impact Study Guidelines (2015). The final study, its assumptions and recommendations must be to the satisfaction of Transportation Development Review and approved by Halton Region. The TIS Guidelines are available online at: https://www.halton.ca/Repository/Transportation-Impact-Study-Guidelines.
- A Scope of Work for the TIS will be required for review and approval by Transportation Development Review staff prior to preparing the study.

Noise Impacts Review:

- As the subject lands are setback approximately 250m from the Regional Road, the requirement to evaluate the noise impacts from Regional Roadways is waived for this high-rise development.
- The Region does not require a Noise Feasibility Study (NFS) for this development.
- Should the City or rail authority require noise impact evaluation, Regional staff would receive the NFS for information.

Waste Management:
To ensure that Regional waste collection services can be provided in a safe and cost-effective manner, this proposal has been reviewed against the Region's Development Design Guidelines for Source Separation of Solid Waste. Based on this review, Regional Staff offer the following comments:

Residential Comments:

- The proposed residential portion of development may be eligible for Regional waste collection (recycling, organics and garbage), provided the requirements outlined in the Region's Development Design Guidelines for Source Separation of Solid Waste are met. These design guidelines can be found online using the following link: https://www.halton.ca/Repository/Development-Design-Guidelines-for-Source-Separatio.
- A Waste Management Plan must be submitted and demonstrate how waste will be managed, stored and collected in a manner that is safe, functional and accessible, to the satisfaction of Halton Region.
- The Waste Management Plan and associated representative scaled drawings should be designed per the Region's Development Design Guidelines for Source Separation of Solid Waste and demonstrate that the proposed development meets the minimum design requirements by providing the following information:
    - Design Elements

- Number of residential units/ types of units.
- Number of floors.
- Waste room(s) and collection areas labelled

- Vehicle Turning Drawing
  - Truck turning plan/auto turn plans showing turning radius from center line throughout the entire waste collection vehicle path from the municipal road to the collection point and back to the municipal road.
  - A minimum turning radius of 13 m from centre line is required for waste collection vehicles.
  - The turning radius must be clearly noted/labelled on development plans.
  - For two-way traffic, a 6 m road width is required. For one-way traffic, a 4.5 m road width is required.
  - The head-on approach of the waste collection vehicle to waste bins must be 18 m straight. If entering an internal waste loading area, the waste collection vehicle should be entering it straight and not on a turn.
  - Continuous forward movement of waste collection vehicles is required without reversing. A cul-de-sac or T-turnaround may be acceptable on-site.
  - The maximum back-up distance for waste collection vehicles is 18 m. Requiring waste collection vehicles to back up in front of doors is a safety concern and to be avoided.
  - Regional collection vehicles cannot back out onto a municipal road for waste collection.

- Elevation Drawing
  - The minimum required overhead garage door/opening height is 5.0m.
  - The minimum required drive through overhang clearance height is 4.5 min (i.e., drive through height).
  - The waste loading area must be a minimum of 7.5m high x 6m wide x 18m long to ensure the waste collection vehicle can fully enter the indoor loading area with space to operate and to ensure the minimum approach requirements are met.
  - Show/label with dimensions the vertical clearance of the waste loading and staging areas, and any drive through or garage doors along the truck path. This should be clearly shown on an elevation plan/development plans.

- Waste Capacity and Receptacles
  - For the proposed 25 storey, 284 unit residential portion of the building, the following is recommended:
    - Garbage: 3 yd. compacted – 54 units per bin = 5 bins
    - Recycling 3 yd. loose bins – 42 units per bin = 7 bins or 4 yard loose = 5 bins
    - Organics 360 L wheeled cart – 25 units per cart = 11 carts
    - It is recommended that a compactor be used for garbage and front-end recycling, and carts for organics.
    - The Region does not recommend loose garbage bins.

- Internal and External Waste Storage Area(s)
  - Residential waste must be stored separately from commercial/retail waste.
  - Door width for waste rooms and any door where a waste receptacle must go through is required to be a minimum of 2.2 m wide.
  - Ensure internal storage requirements are designed per Section 1.9 of the Guidelines.
  - Ensure sufficient storage is available for all waste receptacles (and compactors if required).
  - Indicate the location of the bulk waste storage room, including dimensions. The minimum requirement is 10 sq.m.

- Provide a scaled drawing of the internal waste collection/handling room(s), showing compacting and sorting equipment, dimensions, waste receptacle placement, and proposed doors per Section 1.3.7.
    - Illustrate how the required number of bins/carts will be configured in the waste collection room including dimensions and waste receptacle placement. The illustration must show there is sufficient space for the movement of bins/carts, the truck, and room to perform the work of collection.
    - All bins should be labelled indicating their size and what they are to contain (i.e., waste, recycling, organics).

- Movement of Waste from Waste Storage Area(s) to Collection Point
    - Provide a written description of the flow of waste receptacles from the waste storage room to the outdoor waste collection loading area.
    - Indicate who will be responsible for the movement of bins/carts from the storage rooms to the collection area and back (e.g., Site Supervisor, etc.).

- Waste Collection Point(s) and Loading Area
    - Show/label with dimensions, the available length of the head-on approach and, where applicable, the length the truck will be required to reverse. The minimum head-on approach and permitted reversing distance is 18m.
    - Show/label where the waste staging area will be within the loading area. Please indicate length and width of the space available. Note: The staging area is the minimum area required for waste receptacles and is considered separate from the loading area.
    - Include a scaled drawing indicating how the required number of bins/carts will be configured in the staging area including dimensions, grade, and illustrating waste receptacle placement. The illustration must show there is sufficient space for the movement of bins/carts, the truck, and room to perform the work of collection.
    - All bins should be labelled indicating their size and what they are to contain (i.e., waste, recycling, organics).
    - The waste loading area must be a minimum 7.5m high x 6m wide x 18m long to ensure waste collection vehicles can fully enter any indoor/covered loading area and to ensure the minimum 18 m head-on approach requirement is met. When entering the waste collection area, the vehicle must be entering from a straight position and not on a turn/angle. The requirement for head-on approach is to allow the collection vehicle to straighten and align with the waste bin.
    - Collection point level (+/- 2%).
    - It must be demonstrated that there is sufficient space for a rear packer collection vehicle and side loader collection vehicle to operate safely. Occupants of the vehicle must be able to open both doors and exit the vehicle, and be able to walk the perimeter of the vehicle unhindered. Please ensure there is sufficient space to accommodate the length of the truck with the forks extended to carry out waste collection of all waste receptacles.
    - The applicant should indicate what kind of safety warning system will be in place for when the collection vehicle is required to back up from the waste collection area and cars may be entering/exiting the drive aisle/underground parking. The Region recommends flashing lights and signs indicating a collection vehicle is backing up and is in the loading area.
    - Show any external enclosures (if required), including the configuration of the required number of waste receptacles.

Retail Comments:

- The retail/commercial portion of this development is eligible to receive cart collection by the Region.
- The retail/commercial unit will be entitled to 2 garbage carts and 2 recycling carts.

- Carts will be placed out on Plains Road East for collection curbside once construction is completed and the business is occupied. Sufficient space should be shown as available.
- Should the proposed retail/commercial use(s) generate more waste than the permitted cart allotment, then the retail/commercial unit(s) will be required to be serviced by private waste collection.
- The Region's Development Design Guidelines for Source Separation of Solid Waste and can be accessed online at: https://www.halton.ca/Repository/Development-Design-Guidelines-for-Source-Separation.

With respect to the current development concept:

- There is currently insufficient information to confirm if design requirements are met. Please address all waste comments and provide a Waste Management Plan that includes all required details with clearly labelled illustrations/dimensions (e.g., turning radii, height/width/length clearances, road width, bin configuration, etc.).
- The applicant should indicate what kind of safety warning system will be in place for when the collection vehicle is required to back up from the waste collection area as cars may be entering/exiting the drive aisle. The Region recommends flashing lights and signs indicating a collection vehicle is backing up and is in the loading area.
- Regional staff would strongly encourage the applicant to design the proposed development to meet the Region's Development Design Guidelines for Source Separation of Solid Waste in order to be eligible for on-site Regional waste collection.
- Design requirements should be reviewed at the Zoning By-law Amendment stage (where applicable) as site-specific provisions may be affected.
- The Region's Development Design Guidelines for Source Separation of Solid Waste and can be accessed online at: https://www.halton.ca/Repository/Development-Design-Guidelines-for-Source-Separatio.
- The Region would be pleased to further discuss Regional waste design requirements, if required. Should the applicant have questions or require a meeting, please reach out to the Region to schedule a meeting.
- Should the waste management vehicle be required to drive over top any underground structures (e.g., parking garage), a professional engineer must provide a letter certifying the underground parking structure can withstand the weight of a fully loaded truck (capacity 35 tonnes). This will be tied to the Site Plan stage.
- Should the development be deemed eligible for Regional waste collection, a completed Drive Through Agreement will be required to be submitted and approved by the Region prior to the commencement of collection. This will be tied to the Site Plan stage.

Affordable and Assisted Housing
In accordance with the MOU and to support the delivery of affordable and assisted housing, Halton Region provides the following comments.

- Should the provision of affordable housing units be considered as part of this proposal, information on Halton's affordable and assisted housing services and programs may be obtained through Kristen Delong at Kristen.Delong@halton.ca.

Source Water Protection:
In accordance with the MOU and to ensure protection of groundwater sources, Halton Region provides the following comments:

- The subject lands are located within the jurisdiction of the Halton-Hamilton Source Protection Plan (SPP). The Halton-Hamilton SPP can be accessed online at: http://www.protectingwater.ca/.
- The property is located within Highly Vulnerable Aquifer (VS=6).
- Based on the information provided by the applicant, this application is not subject to Section 59 under the Clean Water Act, 2006. Therefore, this application can proceed from a Source Water Protection perspective and a Section 59 notice will not be required.

- The Region has attached some reference materials for the applicant related to the Source Water Protection program and the important role landowners play in protecting drinking water sources.

Submission Requirements:
- All Submission Materials (Digitally)
- Applicable Regional Fee(s)
- Complete Application Forms
- Comprehensive Development Plans / Site Plan
- Functional Servicing Report (FSR)
- Transportation Impact Study (and approved Scope of Work)
- Waste Management Plan

In order to maintain the Region's Contaminated Sites Database, Regional staff request final copies of all environmental reports (if appliable) to be provided to Halton Region including: Geotechnical Studies, Hydrogeological Studies, Phase One and/or Two Environmental Site Assessments, Remediation Reports, Risk Assessments, Record of Site Condition (RSC), and/or Certificate of Property Use (CPU).

- Staff contact: Amanda McNeish, amanda.mcneish@halton.ca

Development Engineering Comments:

Please find below the Development Engineering comments for the Official Plan and Zoning By-Law Pre-Consultation for 1376 – 1382 Plains Road East (PRCN-DRT-014/25). Please communicate to the Applicant that they or their consultants are welcome to contact me directly if they have any questions about the comments/requirements. I would ask that they copy Planning on all correspondence.

The following items are not intended to be an exhaustive list but rather to help identify areas of possible concern. City staff are not responsible for any errors or omissions. The detailed design review will occur during the subsequent Site Plan application or Subdivision application or Pre-Building Approval application review and additional supporting materials may be required.

GENERAL COMMENTS

1. All plans to use the same base layer.
2. Identify existing and/or proposed property lines on all plans.
3. Identify existing and/or proposed municipal easements on all plans. For existing municipal easements, provide copies of registered instruments/agreements.
4. Identify limits of existing and/or proposed underground parking on all plans.
5. Identify all applicable external agency setbacks on all plans.
6. All private utilities must be constructed within the subject property limits.
7. As per the City's Hydro Services Policy for development sites within a designated MTSA and/or the downtown, any new 27.6 kV hydro service or other utility which is required for the multi-story development shall be buried. Additionally, any existing overhead 4 kV hydro service along the frontage of the subject property shall be buried. The costs associated with the hydro service works shall be borne by the Developer.
8. City Plan and Profile drawings may be downloaded from the Open Data Portal.

RIGHT OF WAY

1. Please be advised that any future land conveyances are to be free and clear of contamination and will not be accepted with a Certificate of Property Use. As such, for sites with contamination concerns environmental investigations should clearly delineate between lands to be conveyed and those to be retained.
2. Please be advised that a Municipal Consent By-law permit is required for any works on public lands, including but not limited to daylighting, temporary staging, grading, servicing, construction, or disturbance of vegetation, and may be required for temporary staging associated with demolition works. Fees for a Municipal Consent By-law permit shall be in accordance with the City's Rates and Fees By-law, as amended. Please contact engpermitrequests@burlington.ca for any Municipal Consent By-law permit questions.

ENVIRONMENTAL SITE ASSESSMENTS

1. Provide a Phase One Environmental Site Assessment (ESA), signed by a Qualified Person, and completed in accordance with Ontario Regulation 153/04, as amended.
2. The City requires that the Qualified Person indicates in the Phase One ESA either that the environmental condition of the site is suitable for its intended land use or that a Phase Two ESA is warranted to address actual or potential contamination on the property.
3. If the Phase One ESA indicates that a Phase Two ESA is warranted, the City requires that a Phase Two ESA, signed by a Qualified Person, and completed in accordance with Ontario Regulation, 153/04, as amended, be provided.
4. The City requires that the Qualified Person indicates in the Phase Two ESA either that the environmental condition of the site is suitable for its indented land use or that one or more criteria exceed the applicable Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act or property specific standards determined via risk assessment conducted in accordance with Schedule C or Ontario Regulation 153/04, as amended. If the Qualified Person indicates that samples contain contaminants at concentrations that exceed the applicable standards, remediation and/or risk assessment works will be required prior to change in land use.
5. If the during the Phase Two ESA the concentrations of one of more contaminants measure in the natural environment exceeds the applicable standard or is likely to cause an adverse effect, the site owner or person responsible for the source of contaminant must notify the Ministry of Environment, Conservation & Parks.
6. Include a Letter of Reliance that allows the City to rely upon the ESAs.
7. Include confirmation from Halton Region of the applicable potable/non-potable groundwater site condition standard.
8. Please be advised that ESAs shall not be older than 18 months, unless they are accompanied by a letter, signed by the Qualified Person, confirming the ESA information is still valid.
9. Please be advised that the intended land use is a change of property use to a more sensitive use and therefore, in accordance with Ontario Regulation 153/04, as amended, a Record of Site Condition will be required as a condition of the Site Plan application or Subdivision application or building permit.

FUNCTIONAL SERVICING & STORMWATER MANAGEMENT REPORT

1. Based on the survey plan, a portion of the CN lands drains towards the subject development lands at the rear and captured into municipally owned catch basins and associated 300mm, 375mm and 450mm diameter storm sewers. The proposed underground parking garage conflicts with the existing storm sewer. External drainage areas should not be blocked.
2. All documents to be prepared in accordance with the Council approved Stormwater Management Design Guidelines (COB SWM), as amended.
3. To be stamped and certified by a Professional Engineer.
4. Should an external agency have differing requirements then the most stringent criteria shall apply.
5. The City's Stormwater Engineer has provided the following criteria:
   a. **Quality Control (COB SWM 6.1.4.1 and 6.1.4.2):**
      - Enhanced 80.0% TSS removal achieved with a treatment train approach. An OGS will only be credited with 50.0% TSS removal.
      - OGS CA-ETV certified units only.
      - OGS to be sized to capture and treat a min. 90.0% of the runoff volume.
      - Rooftop areas may be considered clean if the flows are separated from non-roof areas as per COB SWM 3.6 and 6.1.4.1.
   b. **Quantity Control (COB SWM 6.1.1.1):**
      - Engineering consultant to contact the City's Stormwater Engineer (umar.malik@burlington.ca) and Development Engineering staff (peter.dimitroulias@burlington.ca) to determine the quantity control. Overcontrol of the post-development runoff will be needed.
      - Discharge to a storm sewer and control either the 100-year post development or Regional Storm, whichever is greater to the 5-year pre-development. The discharge to the storm sewer must not exceed the capacity of the receiver systems assigned to the property.

- A max. pre-development imperviousness of 36.0% (C = 0.50) for re-development is to be used for the pre-development calculations.

c. **Erosion Control (COB SWM 3.4 and 6.1.2)**:
   - Not required.

d. **Water Budget (COB SWM 3.5 and 6.1.3):**
   - Strongly recommend the first 5mm of rainfall be retained and infiltrated or reused onsite.

e. **Groundwater:**
   - If there is a foundation drainage collection system, flows must be accommodated in the quantity control for the site, and discharge must meet the Storm Sewer Discharge Bylaw 59-2022 Table 1 criteria, as amended.

f. **External Flows**:
   - Identify all external flows and safely accommodate them under the developed conditions to avoid upstream flooding or ponding.

g. **Overland Flow Route (COB SWM 5.3.2 and 6.1.1.3):**
   - Provide the emergency overland flow route on the plans and direct it towards Plains Road East. Include the neighbouring properties to ensure existing drainage patterns are being maintained.

6. Provide full sized scalable, signed, and stamped plans for the following:
   a. pre-development storm drainage area
   b. post-development storm drainage area
   c. grading
   d. servicing
   e. any additional applicable plans
7. Include a Letter of Reliance that allows the City to rely upon the documents.

NOISE AND VIBRATION FEASIBILITY STUDY

1. All documents to be prepared in accordance with the MECP's Environmental Noise Guideline Publication NPC-300, as amended.
2. To be stamped and certified by a Professional Engineer.
3. Should an external agency have differing requirements then the most stringent criteria shall apply.
4. The study shall include but is not limited to the following:
   a. Considered a Class 1 property.
   b. Identify offsite stationary noise sources that may require mitigation for existing and/or proposed development and provide the mitigation requirements. If offsite mitigation is required, then confirmation of a legal agreement between the development and offsite sources is required.

      Please be advised that adjacent property owners are not obligated to mitigate their onsite stationary noise sources, as it relates to stationary noise impacts on the subject development. The applicant is responsible for mitigating the exceedances within the limits of the subject development, which may require mitigation or a site redesign.

   c. Provide all model calculations for both onsite and offsite.
   d. Provide any onsite noise measurements.
   e. Use reflective surfaces for model calculations where applicable.
   f. Provide capacity volumes received from the City's Transportation Services Department for roads using model calculations. Include the correspondence within the appendix.
   g. Provide any correspondence from external agencies to confirm traffic and/or train counts within the appendix.
   h. Provide all mitigating measure calculations including but not limited to window glazing, façade requirements, noise walls, etc.
   i. Provide a key plan identifying points of reception.
   j. Provide a key plan identifying sources of noise for both stationary and linear noise sources and include distances from subject property.
   k. NPC-300 exceedances for every floor and side of building for high-rise development sites.
   l. Predictable worst case noise impact(s) to be identified for all development sites.
   m. Points of reception required for every neighbouring property.

n. Provide a table for the points of reception and include the allowable noise level under NPC-300, estimated noise level, and the mitigated noise level.
o. Provide warning clause recommendations where applicable.
p. Provide a summary and drawing of any required mitigation measures.

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

- Staff contact: Peter Dimitroulias, peter.dimitroulias@burlington.ca

Urban Forestry and Landscaping Comments:

Please be advised that the Urban Forestry and Landscaping review of this application is considered preliminary at this time. Urban Forestry and Landscaping may provide additional comments, raise additional concerns, or request additional information upon receiving the outstanding or revised information, and upon further comprehensive review of its contents.

1. A Landscape Concept Plan will be required showing the general layout and intent of what is proposed for landscaped areas, including landscape buffer planting, outdoor amenity areas, fence location and types and pedestrian circulation.
2. The property of 1376-1382 Plains Road East is regulated by Canadian National Rail (CNR). Please ensure the Landscape Concept Plan shows all regulated limits/hazard lines to the satisfaction of Canadian National Rail (CNR). Additionally, please ensure all active easements are outlined and labeled on the Landscape Concept Plan.
3. The Landscape Concept Plan must show the proposed layout and use of any outdoor amenity areas. This includes showing all wind mitigation and safety measures such as buffer planting, screens and fencing, trellises or awnings for outdoor rooftop amenity areas.
4. Where trees are proposed, ensure the minimum required soil volumes are provided and documented on the Landscape Concept Plan using good quality soil. The minimum requirements are as follows: $30m^3$ of soil per tree in a single tree pit, $20m^3$ per tree in a shared planting environment. Excavation for each planting environment should be 0.75m to 1.2m depth and should not exceed 1.5m depth and be tailored to stock size used. Smaller rooting volume (minimum 15-$20m^3$) may be proposed for smaller trees. This will be reviewed in detail at the Site Plan Stage.
5. Where required, landscape buffers should provide separation and be designed to partially obstruct the views to adjacent properties along shared property lines, parking lots and road frontages. The landscape buffers should consist of a dense landscape screen including a combination of evergreen trees, deciduous trees, and understory shrubs. Or alternatively, a combination of solid screen fencing with evergreen and deciduous trees and understory shrubs.
6. An Arborist Report and Tree Inventory and Protection Plan are required to document **all existing trees greater than 10cm DBH on site and on adjacent properties within 6m of the property lines** as well **all trees of any size on city property**.
7. Tree protection hoarding should be shown as per the City of Burlington's Tree protection hoarding should be shown as per the Tree Protection and Preservation Specification SS12A. Include a copy of the specification on the Tree Inventory and Protection Plan that includes all notes (1-8) from the specification. Visit the Forest Protection and Tree Permits page for more information.
8. Consider alternative design concepts that will result in fewer trees being proposed for removal. In the case that alternatives to the design are not possible, please provide detailed justification for the removal of every individual tree. The City of Burlington does not support the removal of trees due to condition alone. Similarly, work shall be modified to avoid working inside the minimum tree protection zone of all trees.
9. The City's **Public Tree By-law 68-2013** is applicable to the proposed development. A tree permit is required for all work around city trees, including the payment of the Tree Permit fee and securities for trees to be retained. Removal of public trees will require replacement plantings that are to be proposed shown on City property. Where there is no room for replacement trees, cash-

in-lieu of replacement will be required. Specific compensation and replacement quantities will be identified through the permit process.

10. The **Private Tree By-Law 40-2022** is not applicable to planning applications. Refrain from referencing this by-law in your submission material.
11. Private trees that are to be removed will require a plan for replacement. Private trees that are 15cm in DBH will be counted toward replacement requirements using the City's aggregate caliper method. Tree replacements will be based on the following sizes: a minimum of 50mm caliper for deciduous species and a minimum of 1.2m in height for coniferous species. Proposals for private tree replacements shall be shown on the subject property. Where there is no room for replacement trees, cash-in-lieu of replacement will be required. Specific compensation and replacement quantities will be identified prior to final site plan approval.
12. Removal and/or injury (MPTZ) of trees on neighbouring properties, or that are located on a shared property line (boundary trees) will require consent from the adjoining and/or adjacent owner(s).

    Where impacts are proposed (i.e., encroachment / injury) to neighboring and/or boundary trees the adjoining and/or adjacent owner(s) shall be consulted and made aware of the proposed development and potential impacts to their trees and/or boundary trees and the applicant shall submit a document in writing from adjoining and/or adjacent owner(s) that there are no concerns with the proposal for those trees, or the applicant's qualified tree professional address the potential impacts to the neighbor's trees and/or boundary trees and provide an attestation in the Arborist Report that the impacts proposed will not be a detriment to the trees, and they will remain in healthy condition. Information in the report shall also include the preservation methods, including pruning and fertilizing, that can be implemented by the owner to ensure the health of trees on neighboring properties.
13. All trees proposed to be retained and their corresponding tree protection hoarding (vertical and/or horizontal) shall be illustrated on all Civil drawings and on the Construction Management and Mobility Plans.

    For all submission requirements (Landscape Plan, Arborist Report, Tree Preservation Plan and Tree Inventory Table) refer to Parks Design and Construction webpage.
14. Please provide a comment matrix that identifies the above comments and how they were addressed with the site plan submission.

- Staff contact: Taylor Stapleton, taylor.stapleton@burlington.ca

Transportation Services Comments:

BACKGROUND

Transportation Planning are in receipt of Pre-consultation documentation for Official Plan and Zoning By-law Amendments for the subject site at 1376 and 1382 Plains Road East.

Transportation Planning reviewed the following documents:

- Pre-Application Consultation Cover Letter, dated August 13, 2025,
- Preliminary Architectural Plans, dated August 7, 2025:
  - Context Plan,
  - Statistics,
  - Site Plan,
  - Parking Level P1, and
  - Ground Floor.
- Surveyors Sketch, dated January 22, 2025.

This memo serves to inform the Applicant what they are required to submit in support of their application.

DEVELOPMENT PROPOSAL

The proposed development is located approximately 300 metres west of the intersection at Plains Road East and Brant Street. The proposal consists of a 25-storey high-rise residential condominium building with 184 square metres of retail at grade within a 3-storey podium, 284 residential units, 58 parking spaces in an underground parking garage and on the ground floor, and 132 bicycle parking spaces. A total Gross Floor Area of 19,549 square metres is proposed.

TRANSPORTATION PLANNING REVIEW and PRE-CONSULTATION COMMENTS

Transportation Planning offer the following comments, recommendations, and information to assist the Applicant when preparing their applications for Official Plan and Zoning By-law Amendments. If they choose not to follow them, it is at their risk of reducing the efficiency of the approval process. From a Transportation Services perspective, successfully addressing these comments will support a more efficient and successful application.

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

- Transportation Impact Study (TIS),
- Transportation Demand Management (TDM) and Implementation Strategy,
- Sight Line Analysis, and
- Street Lighting Plan.

Site Context – No Action Required

The following information was used by Transportation Planning to inform the recommendations and requirements provided within.

1. The Burlington Official Plan 1997:
    a. Schedule J, Classification of Transportation Facilities, classifies Plains Road East as a Minor Arterial.

2. The Burlington Official Plan 2020:
    a. Schedule O-1, Classification of Transportation Facilities – Urban Area, classifies Plains Road East as an Industrial Connector, and
    b. Schedule P, Long Term Cycling Master Plan, shows that Plains Road East has an existing Bike Lane within the City Bike Network.

3. The Integrated Mobility Plan (IMP) identifies the Preferred Network Solution:
    a. Shows the subject property within an Enhanced Pedestrian Realm (EPR), and
    b. Shows Plains Road East as an Arterial Road.

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

Site Limits – Confirmation Required

1. Transportation Planning are seeking to confirm the site limits. The Pre-Application Cover Letter notes that the site merely includes 1376 and 1382 Plains Road East, but the provided Surveyor Sketch includes more parcels; Figure 1 illustrates Transportation Planning's understanding of subject property.

Deemed Right-of-Way Width – Additional Lands Required

2. Plains Road East is under the authority of the City of Burlington, and the deemed right-of-way width is 30 metres. To meet the deemed width, a right-of-way widening of approximately 2 metres is required along the frontage of Plains Road East adjacent to the subject property (refer to Figure

1). A survey prepared by an Ontario Land Surveyor (OLS), fully at the Applicants' expense, will confirm the exact widening requirements.

3. The Applicant shall submit a draft reference plan (R-Plan), with application for Site Plan Control, prepared by an Ontario Land Surveyor (OLS) showing the required widening of approximately 2 metres along a portion of the frontage of Plains Road East adjacent to the subject property (refer to Figure 1), free of existing and/or proposed private infrastructure, above, below, or at grade, for review and approval by the Director of Transportation Services and Director of Engineering Services, or their designate.



Figure 1: Interpretation of Site Limits

Driveway Access - Revisions Required

4. Transportation Planning understand the existing access to Plains Road East is a Fire Route and/or has existing access easements for other properties adjacent to the site.

Automobile Parking and Supply – Supportable

5. Transportation Planning understand that the subject property is partially within a Major Transit Station Area (MTSA), so the parking requirement is zero.

6. Transportation Planning do support the proposed parking supply for the site. The proposed development includes a total of 58 residential parking spaces, comprising of 45 underground and 13 ground floor parking spaces.

7. It is strongly recommended the parking layout and design be determined with application for Zoning By-law Amendment. **Transportation Planning advise the Applicant that the parking layout and dimensions are to follow the** Burlington Site Plan Application Guidelines. **Although Site Plan Control issues,** they affect the proposed parking supply and the Applicant's ability to meet the parking rate.

8. The Accessibility Specialist will provide comments on accessible parking supply.

9. Zoning staff will confirm automobile parking supply requirements.

Bicycle Parking Facilities, Supply and Sizes – Revisions Required

10. Transportation Planning do not support the proposed bicycle parking supply for the site. The proposed development includes a total of 132 long-term bicycle parking spaces, which does not meet the requirements in the Burlington City-Wide Parking Standards Review (2017). Furthermore, short-term bicycle parking is not proposed.

11. Bicycle parking shall be shown and labeled on the site plan and shall follow the minimum recommendations in the Burlington City-Wide Parking Standards Review (2017).
    a. For Residential Apartment uses, the requirement is summarized in
    b.
    c. Table 1.
    d. The short-term bicycle parking (bicycle racks) shall be highly visible, near the pedestrian entrance to the building of the proposed development, and easy to use, whereas the long-term bicycle parking shall be placed in an indoor, weather-proof, secure location.

Table 1: Bicycle Parking Summary

Use	# of units / GFA	Long-term parking spaces Required	Short-term parking spaces Required	Total Parking Spaces Required	Parking Spaces Provided
Residential Apartment (Intensification)	284	0.5 per unit (142 spaces)	0.05 per unit (15 spaces)	157	132
Retail (Intensification)	184m^2	2 long term spaces plus 1 space/1000 m^2 GFA (3 spaces)	3 Short term spaces + 1 space/1000 m^2 GFA (4 spaces)	7	
Total				**164**	**132**

12. Zoning staff will confirm retail bicycle parking supply requirements.

Transportation Impact Study – Required

13. The proposed development requires an Official Plan Amendment and Zoning By-law Amendment, which triggers the necessity for a Transportation Impact Study, also known as a Mobility Assessment (MA). The TIS/MA shall be completed by a qualified/recognized traffic/transportation engineering consultant. It shall be submitted to the satisfaction and approval of the Director of Transportation Services or designate.

14. The Applicant's Transportation Consultant is to provide a proposed Terms of Reference (ToR) for review and approval by Transportation Planning, prior to commencement of the study.
    a. The TIS/MA shall follow the Region of Halton's Transportation Impact Study Guidelines (https://www.halton.ca/Repository/Transportation-Impact-Study-Guidelines).
    b. The TIS shall include Multi-modal Level of Service (MMLOS) Analysis. MMLOS performance targets will be provided by Transportation Planning during the process of ToR.

Transportation Demand Management (TDM) and Implementation Strategy – Required

15. A Transportation Demand Management (TDM) and Implementation Strategy shall be integrated with the required TIS/MA to meet the needs of the proposed development.

16. TDM measures shall be thoughtfully designed to ensure their effectiveness in changing travel behaviour and to meet or exceed desired outcomes. At Site Plan, all proposed TDM measures are required to be implemented.

Vehicle Turning Plans – Required

17. The Applicant shall provide vehicle turning plans, provided by a qualified transportation professional, for review and approval by the Director of Transportation Services and Director of Engineering Services, or their designate.

18. The Applicant shall provide a Vehicle Turning Plan with Site Plan Application illustrating how the design vehicles will maneuver through proposed development. This submission will determine the functionality and suitability of the parking supply to meet the Site Plan Application Guidelines and will include:
    a. Maneuver in and out of the site without limitations, including entering the site in a forward manner, turn around on private property and exit in a forward manner.
    b. Circulate successfully within the surface level of the site.
    c. Circulate successfully within the underground parking garage.
    d. Confirm successful garbage truck circulation.
    e. Maneuvering to and from the loading areas shall be entirely on private property.

FUTURE SITE PLAN CONTROL CONSIDERATIONS

Driveway Visibility Triangles - Revisions Required

19. **The driveway access to Plains Road East shall be designed to provide 5 metres x 5 metres visibility triangles, on either side of the driveway. The visibility triangles shall be illustrated and clearly identified on the site plans and be fully contained on private property and the subject property, behind the property line. Nothing over the height of 1.0 metres shall be permitted within visibility triangles. Refer to** Figure 2**.**

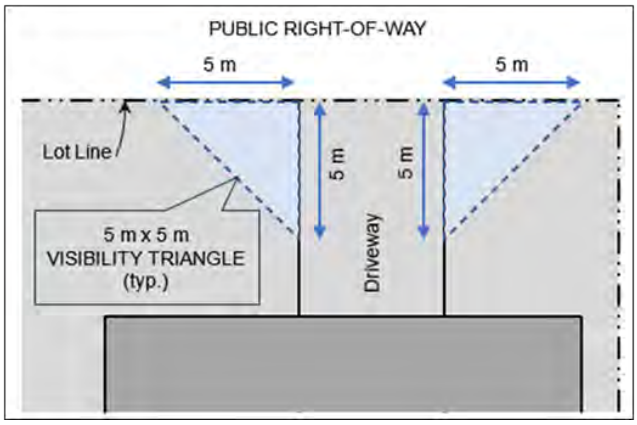


Figure 2: 5m X 5m Visibility Triangles

Parking Layout and Dimensions – Revisions Required

20. The Site Plan shall include revisions according to the Burlington Site Plan Application Guidelines which include the following:
    a. Where the use of a parking space is limited on one or both sides by a wall or column, increase the stall width by 30 cm (0.3 m) for each obstructed side.
    b. Structural columns to be set back 0.5 metres on both sides of the driving aisle to provide for 7.0 metres clear (face of column to face of column).
    c. Delineate the parking stalls on the site plan and include typical stall sizes.
        i. Underground parking stalls to be minimum 16.5 m^2 in area, with minimum width 2.75 metres by minimum length 6.0 metres.
    d. Parking aisles are to be a minimum of 6 metres wide. Aisle widths must allow efficient movements of traffic through the site and access to parking spaces.
    e. The maximum ramp grade is 12%; ramps with grades 8% or more will require heating coils.
        i. If a ramp slope over 12% is necessary, documentation from a licensed engineer is required to ensure ramp functionality.
        ii. A flat landing pad area of 6 metres in length with appropriate transition grades is required at the top of ramps.

iii. Appropriate transition grades are required at the bottom of ramps.

Pedestrian Facilities – Revisions Required

21. It is recommended the Applicant provide some sort of pedestrian treatment (i.e. painted crossing(s) or raised crosswalk(s)) within the development to provide safe access for pedestrians to/from the building(s) to/from the parking(s) area. It is to be illustrated and dimensioned on the site plan.

22. Plains Road East is designated as an Enhanced Pedestrian Realm (EPR) in the Integrated Mobility Plan (IMP). The Enhanced Pedestrian Realm (EPR) need to accommodate sidewalks as wide as possible and decorative paved boulevards, which could include a variety of street furniture (benches, large planters, trash, and recycling cans) with decorative street lighting. The reconstruction of the sidewalk at along the site frontage shall accommodate an Enhanced Pedestrian Realm (EPR).

23. The municipal sidewalk must be continuous and level through the driveway approach which prioritizes the pedestrian movements.

Street Lighting – Required

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

Construction and Mobility Management Plan (CMMP) – Required

25. The Applicant shall submit a Construction Mobility Management Plan (CMMP) with the Application for Site Plan Control, which shall be to the satisfaction and approval of the Director of Transportation Services or designate. During construction, staff will not support the closure of vehicle lanes, bike lanes, boulevards, or sidewalks. For additional information, please visit https://burlingtonpublishing.escribemeetings.com.

If further information, clarification, or discussions are needed, please contact Transportation Planning at DevAppTransportationPlanning@burlington.ca with a cc to the undersigned.

- Staff contact: Thalia Thompson, thalia.thompson@burlington.ca and Enosh Chen, enosh.chen@burlington.ca

Building Comments:

1- At least two exits to be provided from the underground floor area per Div. B, 3.4.2.1. for the minimum number of exits.
2- Direct access to firefighting and access routes shall be designed per Div. B, 3.2.5. OBC 2024 – Provisions for firefighting.
3- Ground floor: Location of exits shall be designed per Div. B, 3.4.2. OBC 2024 Exits shall lead to an open public thoroughfare or an exterior open space protected from fire exposure from the building and having access to an open public thoroughfare.
4- Exits shall comply with Div. B, 3.4.2.3.(4) – Exit shafts on the ground level
5- Means of egress from floor areas shall comply with Div. B, 3.3.1.5. OBC 2024
6- Area of unprotected openings and exposure protection shall be designed per Div. B, 3.2.3. OBC 2024
7- Proposed design shall comply with barrier-free design requirements, Div. B, 3.8. OBC 2024
8- Area of rooms and window areas shall comply with Div. B, Part 9 per Div. B, 3.7.1.2.(1) and 3.7.2.1.(1) OBC 2024

- Staff contact: Mahrous Ebtessam, ebtessam.mahrous@burlington.ca

Burlington Hydro Comments:

- Via Architectural plans, it appears the transformer is proposed by the developer to be at P1, inside the building. Equipment inside customer building will need to be customer owned. Please confirm this is the intention for this project.
- Applicant to provide more information on proposed duct locations on site. Easements will be required.
- Provide loading schedule of the development, we are unable to estimate accurately due to the mixed-use nature of the development containing both residential and commercial.
- Provide phasing & timeline of the development, if applicable.
- The proposed road widening appears to affect existing pole line locations. Please provide more information on this.

In addition, we are able to provide the following information:
- The capacity along Plains Road East is extremely limited, we would recommend the developers to establish a proposed load ASAP and reach out to @Engineering to schedule a meeting, preferably with the abovementioned items.
- From initial review, it appears the building underground footprints are very close to the Plains Rd E side of the property line (where primaries would likely enter), please note any BHI assets such as a transformer cannot be on top of an underground parking garage.

Ministry of Transportation (MTO) Comments:
- The subject lands are out of MTO permit Control, we have no further comments.
- Staff contact: David Pillay David.Pillay@ontario.ca

Conservation Halton (CH) Comments:
- According to our approximate regulation limit mapping, 1376-1382 Plains Rd. East, Burlington are not regulated by Conservation Halton. As such we will not be reviewing or providing comments on this pre-consultation, and do not need to be circulated on the forthcoming applications.
- Staff contact: Laura Schreiner, lschreiner@hrca.on.ca

Halton District School Board (HDSB) Comments:

General Comments - Student Accommodation The Halton District School Board has provided an overview of the potential impact of this development application on student accommodation needs:

1. **Elementary Review Area (ERA) #101**

- **Central:** is a K-6 enrolment English program school. Utilization is projected to remain above 90%. There is a potential for the redevelopment of this campus into a K-12 campus.
- **Tom Thomson:** is a dual-track (English and FI) K-6 elementary school. The school is above building capacity; portables are required. Should the school continue to grow in enrolments, a boundary and program review will be recommended. Students from this development will be directed to this school for French Immersion.

2. **Secondary Review Area (SRA) #:101**

- **Burlington Central:** is a 7 to 12 dual-track school that also offers the International Baccalaureate and English as a second language program.

Based on the yields, this development is expected to have between 18 students (conservative yield) and 43 students (aggressive yield) between grades K-12.

The Board's Long Term Accommodation Plan (LTAP), available on its website, offers detailed projections and strategies to address the changing accommodation needs within these review areas.

Comments

Please be advised that the Halton District School Board has no objection to the proposed development as submitted, subject to the following conditions being completed *prior* to site plan approval.

1) The Owner agrees to place the following notification in all offers of purchase and sale for all lots/units and in the City's subdivision agreement, to be registered on title:
    a) Prospective purchasers/tenants are advised that schools on sites designated for the Halton District School Board in the community are not guaranteed. Attendance at schools in the area yet to be constructed is also not guaranteed. Pupils may be accommodated in temporary facilities and/or be directed to schools outside of the area. School attendance areas are subject to change, and/or student redirections can be implemented to accommodate students outside of their community to address immediate school accommodation pressures.
    b) b) Prospective purchasers/tenants are advised that school buses will not enter cul-de-sacs, and pick up points will be generally located on through streets convenient to the Halton Student Transportation Services (HSTS). Additional pick-up points will not be located within the subdivision until major construction activity has been completed.
2) That in cases where offers of purchase and sale have already been executed, the owner sends a letter to all purchasers that includes the above statement.
3) That the Owner agrees that, should the development be phased, a copy of the phasing plan must be submitted prior to final approval to the Halton District School Board. The phasing plan will indicate the sequence of development, the land area, the number of lots and blocks, and units for each phase.
4) That the Owner shall supply, erect, and maintain signs at all major entrances into the new development advising prospective purchasers that pupils may be directed to schools outside of the area. The Owner will make these signs to the specifications of the Halton District School Board and erect them prior to the final approval.
5) That a copy of the approved sidewalk/active transportation plan, prepared to the satisfaction of the City of Burlington, be submitted to the Halton District School Board.
6) The Owner shall provide Halton District School Board a pdf copy and a geo-referenced AutoCAD file of the Draft M-plan once all Lot and Block numbering has been finalized. Should any changes occur after the initial submission to Lot and Block configuration or numbering on the draft M-plan, the Owner shall provide a new AutoCAD file and a memo outlining the changes.

In addition, the following note should be included in the conditions:

Educational Development Charges (EDC) are payable in accordance with the applicable Education Development Charge By-law and are required at the issuance of a building permit. Any building permits that are additional to the maximum unit yield specified by the Subdivision Agreement are subject to Education Development Charges prior to the issuance of a building permit, at the rate in effect at the date of issuance.

Should you have any questions regarding our comments, please contact the undersigned.

- Staff contact: Michelle D'Aguiar, daguiarm@hdsb.ca

Imperial Infrastructure Comments:

- There is no Imperial infrastructure in the vicinity of this location, and there is no need for further engagement.
- Staff contact: Máté Mihály Keleti, mate.m.keleti@exxonmobil.com or

Trans Northern Pipelines Comments:

- Trans-Northern Pipelines Inc. has no infrastructure in this area.
- Staff contact: landroweast@tnpi.freshdesk.com

City of Burlington: Pre-Submission Document Terms of Reference
Address: 1376-1382 Plains Rd E
Date: October 17, 2025

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

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

2) **Planning Justification Report**
   - Signed by a Registered Professional Planner
   - Contains a written acknowledgement by the RPP that they have reviewed all supporting technical studies in consideration of their planning opinion.
   - Contains a review of the applicable policies of the Provincial Planning Statement.

- Contains a review of Ontario Regulation 162/06.
- Contains a review of all other relevant Provincial legislation.
- Contains a review of the applicable policies of the Region of Halton Official Plan.
- Contains a detailed explanation of how the proposed development is consistent and/or conforms to all relevant Provincial Plans and policies.
- Contains a review and analysis of the applicable policies of the City of Burlington Official Plan (1997, as amended) and 'New Official Plan' (2020, as amended).
- Contains an analysis of the Intensification Criteria in the Burlington Official Plan.
- Contains a fulsome discussion of the results of the required technical studies and how they have been used to refine the redevelopment proposal.
- Contains a discussion of how input received at the Pre-application consultation meeting has been used to refine the redevelopment proposal.
- Contains a discussion of how input received from the Burlington Urban Design Panel has been used to refine the proposal.
- Contains a discussion of how the requested change addresses the objectives of Burlington's Housing Strategy.
- Contains an explanation of how the proposed development is compatible with surrounding land uses including height, setbacks, massing and design.
- Draft Official Plan Amendment and Draft Amending Zoning By-law.
- Contains an explanation of why the requested change represents good planning and adheres to Provincial and municipal plans and policies.
- If land division is required, contains an explanation of the proposed process (condominium type, subdivision, consent), timing and next steps.

3) Survey and Severance Sketch / Conceptual Site Plan

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

4) Housing Impact Statement

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

- Should identify and discuss other relevant and current housing information available;

5) Pedestrian Level Wind Study

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

6) Shadow Study:

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

7) Functional Servicing Report

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

8) Noise & Vibration Feasibility Study

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

9) Traffic Impact Study

- Confirmation of Scope of Work by Burlington Transportation Services staff

- Signed by CET or signed and stamped by a Professional Engineer
- Follows Regional TIS Guidelines for Regional roads
- Follows MTO Guidelines for sites within MTO permit control area
- Includes correspondence about traffic projections from City, Region and MTO in an Appendix.
- Includes SYNCHRO files as an electronic attachment (not a PDF)
- Traffic counts are not completed during school holiday times, and are completed during the mid-week period (Tuesday through Thursday).
- Traffic counts are no older than one year.
- Electronic copy of all signal warrant calculation files (not a PDF)
- Includes all traffic counts and modelling data in an Appendix and electronically
- Includes a multi-modal approach to transportation analysis
- Incorporates Travel Demand Measurement measures

10) Stormwater Management Report

- Please refer to the City of Burlington Stormwater Management Design Guidelines, approved by City Council on June 22, 2020, please be advised of new IDF curves for the City of Burlington: https://www.burlington.ca/en/services-for-you/Stormwater.asp
- Refers to the Ministry of the Environment "Stormwater Management Planning and Design Manual" and the TRCA/CVC Low Impact Development Stormwater Management Planning and Design Guide.
- Is prepared, signed and stamped by a Professional Engineer
- Includes pre and post development drainage area plans that are legible, plotted to an acceptable metric scale, plotted on 24" by 36" paper and plotted on a consistent base map layer
- Includes site grading and servicing plans that are legible, plotted to a metric scale of 1:200, 1:250, 1:300 or 1:500, plotted on 24" by 36" paper and plotted on a consistent base map layer
- Includes digital copies of modeling, modelling program acceptability to be confirmed with City Staff prior to use and prior to submission of report.
- Includes a list of all past reports and current technical documents that have been consulted.
- Includes all calculations, modelling, and parameters (as per City Standard Drawings S-IDF, S-2D, S-3D, etc., as amended)
- Includes clearly defined stormwater criteria for the site (including source) and demonstrates in report how these criteria will be satisfied.
- Addresses all interim conditions as well as the ultimate condition
- Contains engineering details and cross-sections showing existing utility locations if any temporary and/or permanent encroachments are proposed.
- Provide chemical analysis of groundwater to determine if it satisfies the City's storm sewer discharge criteria for water quality. (including documentation from the Geotechnical or Environmental Engineer in the appendix)

- If groundwater cannot be directly outletted to the municipal storm system, detail where it will outlet, i.e. treated then outlet to storm or outlet to the sanitary system.
- Provide an estimate of groundwater flow to be permanently managed in the site storm system (including documentation from the Geotechnical Engineer or Hydro-geologist in the appendix)
- Provide comment on whether or not it is anticipated a permit to take water would be necessary either temporarily during construction or permanently.

11) Grading and Servicing Plans

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

12) Environmental Site Assessment Report

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

13) Urban Design Brief:

- Contains a itemized and detailed analysis of how the proposed development meets the urban design objectives and policies of the Official Plan and any relevant approved urban design guidelines.
- Indicates how the proposed development responds to its surrounding context (both existing and planned).
- Provides a close examination and understanding of the surrounding area including blocks, streets, and buildings that could influence overall site and building design.

- Describes the overall architectural expression; building relationship to streetscape and adjacent properties; pedestrian, cycling, and transit connections; sustainable building elements; and other urban design features that ensure design excellence.
- Contains an explanation of how the proposed development is compatible with surrounding land uses including height, setbacks, massing and design.
- Contains a discussion of how input received from the Burlington Urban Design Panel has been used to refine the proposal.
- Include the BUD Meeting Minutes as an Appendix.

14) Waste Management Report

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