

PLANNING JUSTIFICATION **REPORT**

441 MAPLE AVENUE

Burlington, Ontario

Date:

December, 2018

Prepared for:
Better Life Retirement Residence

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Our File 16295A

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1.0 INTRODUCTION

MacNaughton Hermsen Britton Clarkson Planning Limited ("MHBC") has been retained by Better Life Retirement Residence Inc. (the "Owner") to assist with planning applications to redevelop the property municipally known as 441 Maple Avenue in the City of Burlington (the "Subject Lands").

This Planning Justification Report has been prepared in support of the proposed Official Plan and Zoning By-law Amendments which will facilitate the redevelopment of the Subject Lands to include an eleven (11) storey residential building containing 153 dwelling units.

This Planning Justification Report provides the following:

- A general description of the Subject Lands, existing uses, surrounding uses and existing physical conditions to provide an understanding of the locational context;
- A description of the proposed development and its design elements;
- A summary of the technical reports prepared to support the proposal**;**
- A description of the proposed amendments to the City of Burlington Official Plan (in-force and adopted) and Zoning By-law (By-law 2020);
- A review of the existing and evolving policy and regulatory framework;
- An assessment of the proposed development's consistency and conformity with Provincial, Regional and City policies and regulations; and,
- A summary of key conclusions and recommendations related to the proposed development.

Since 2017, the project team and Owner have met with City and Regional staff at a number of pre-consultation meetings to discuss the proposal and receive feedback on the design concept. These pre-consultation meetings were held on May 17, 2017 and March 14, 2018. A record of the pre-consultation minutes is attached to this report as **Appendix 1**.

Following each pre-consultation meeting, the project team has incorporated changes to the concept to address comments from staff to ensure the redevelopment and intensification of the Subject Lands is in alignment with the City's vision for the development of the site as set out in the new Official Plan (adopted April 26, 2018). The resulting proposed redevelopment represents a well-planned, mid-rise building which meets the City's objectives for development within both the Downtown Medium and/or High Density Residential Precinct (in-force) and the Downtown Mid-Rise Residential Precinct (Adopted).

The following reports and materials were identified as required for a 'complete application' and are included as part of this application submission:

1. Planning Justification Report;
2. Conceptual Site Plan Layout;
3. Site Survey;
4. Functional Servicing Report (including water, wastewater and stormwater analysis);
5. Tree Inventory and Preservation Study;
6. Traffic Impact Study including Parking Justification Report;
7. Noise Feasibility Study;
8. Shadow Analysis;

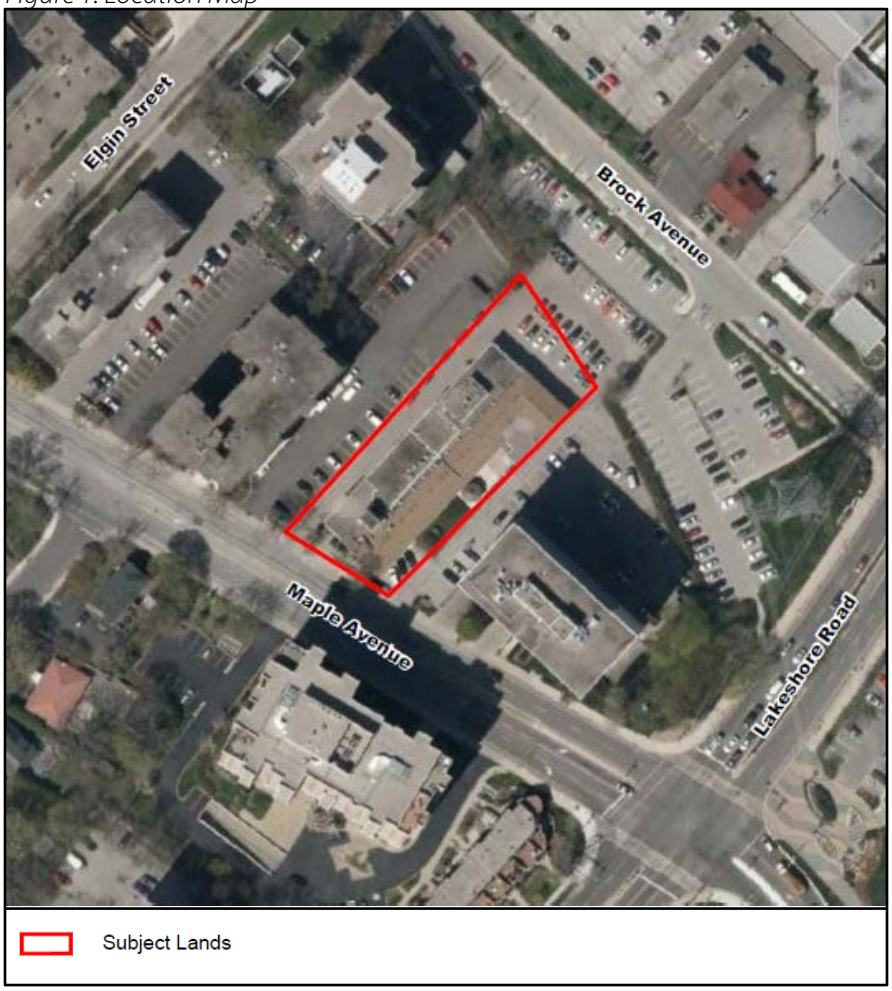
9. Environmental Site Screening Checklist;
10. Phase I Environmental Site Assessment;
11. Height Survey of Adjacent Buildings;
12. Wind Impact Study;
13. Burlington Urban Design Advisory Panel Meeting Minutes;
14. Urban Design Brief;
15. Grading, Drainage and Servicing Plans;
16. Geotechnical Report;
17. Draft Official Plan Amendment;
18. Draft Zoning By-law Amendment; and,
19. 3D Model of Proposed Building(s).

2.0 SITE DESCRIPTION AND SURROUNDING LAND USES

2.1 Site Description

The Subject Lands are located on the lands municipally addressed as 441 Maple Avenue and legally described as part of lots 64, 65, 77, 78 plan 65 with easements in favor of lot 79. A location map which identifies the subject lands within the context of the City of Burlington is included in this report as **Figure 1** below.

Figure 1: Location Map



The Subject Lands are approximately .28 hectares (including one 1.88m access easement on the property) with a frontage of 35.94 metres along Maple Avenue, which includes the 1.88 metre easement within the Subject Lands.

The site is currently developed with a two storey long term care facility with 93 beds in 35 rooms. The existing two structure is set back 1.76 metres from Maple Avenue. A 7.8 metre rear yard, 3.83 metre side yard (south) and 6.12 metre side yard (north) are currently provided. Vehicular access is currently provided from one driveway on Maple Avenue.

The applicable designations and density permissions for the Subject Lands, in accordance with the Provincial, Regional and Local planning and regulatory framework are set out below:

- **Provincial Policy Statement, 2014:** growth to be accommodated within existing built up areas via intensification;
- **Growth Plan, 2017**: 60% of growth within built up area to be achieved via intensification and a minimum of 200 persons and jobs per hectare to be achieved within the Urban Growth Centre;
- **Halton Region Official Plan (2018 Consolidation)**: 40% of all new residential growth to be achieved via intensification; at least 50% of new housing units produced annually to be in the form of townhouses or multi-storey buildings; and, a minimum density target of 200 residents and jobs combined per gross hectare to be achieved within the Urban Growth Centre by 2031;
- **City of Burlington Official Plan (in-force):** a minimum of 200 persons and jobs per hectare to be achieved within the Urban Growth Centre by 2031; a maximum density of 185 units per hectare within the Downtown Medium and/or High Density Residential Precinct (no height maximum);
- **City of Burlington Official Plan (adopted)**: a minimum of 200 persons and jobs per hectare to be achieved within the Urban Growth Centre; a maximum height of 11 storeys within the Downtown Mid-Rise Residential Precinct (no density maximum); and,
- **City of Burlington Zoning By-law 2020:** a maximum density of 185 units per hectare and a maximum height of 22 metres, in accordance with the DRH Zone provisions.

The existing long-term care facility is proposed to be closed, with residents relocated to a new modern and accessible facility over the next several years. This will occur in accordance with the Provincial requirements outlined in the *Long Term Care Homes Act, 2007*. Once the residents have been moved to the newly developed facility, it is the intent that the existing building be demolished and the site be redeveloped with a mid-rise (eleven (11) storey) residential building containing 153 dwelling units with underground parking.

2.2 Surrounding Land Uses

An aerial photograph showing the subject lands and the surrounding land uses is included in this report as **Figure 2**. The general surrounding context is described further in this section. The surrounding uses are also described as follows:

NORTH: Mid- and high-rise residential apartment buildings. A small, low-density commercial plaza is located immediately to the Northeast, as well as Brock Park. The Art Gallery of Burlington is located to the northeast of the site, directly behind the commercial plaza.

EAST: A mid-rise residential apartment is located southeast of the Subject Lands, as well as a municipal parking lot. Spencer Smith Park and the Burlington waterfront are located to the east, directly across Lakeshore Rd. A hydro corridor and pipeline right-of-way also

run along the east side of the property.

SOUTH: A number of mid- and high-rise residential apartment buildings are located directly south of the Subject Lands, as well as a row of 3-storey townhouses. The Joseph Brant Hospital is also located south of the Subject Lands, across North Shore Blvd E.

WEST: A number of mid-rise residential apartment buildings and a low-density residential neighbourhood are located to the west of the Subject Lands.

Photographs 1- 8 provide further contextual illustration of the Subject Lands and surrounding area.

Figure 2: Surrounding Uses

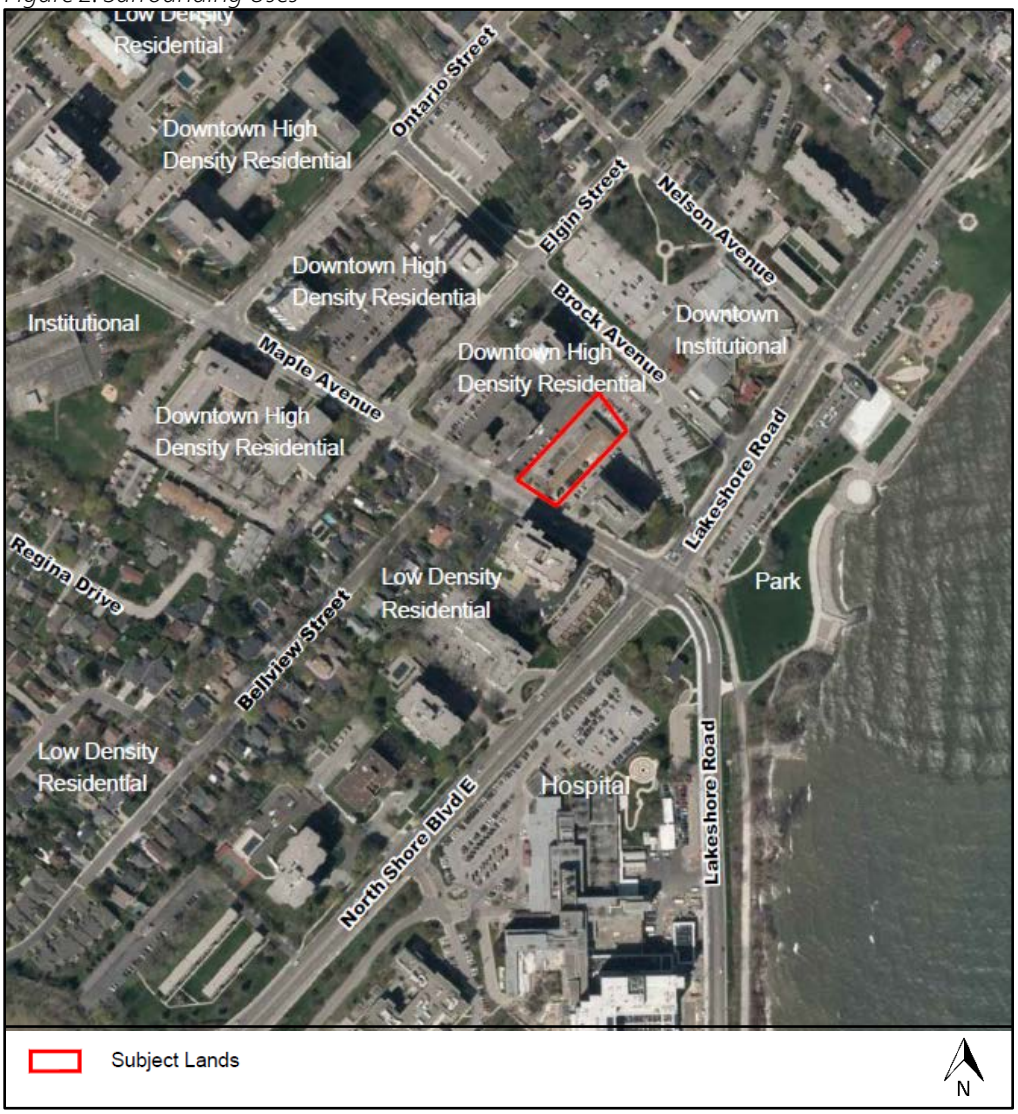




Photo 1: Front view of subject property from Maple Avenue



Photo 2: Side view of subject property from Maple Avenue



Photo 3: View of apartment building located at 455 Maple Avenue., directly west of subject property



Photo 4: View of single detached home located at 454 Maple Avenue, west of subject property



Photo 5: View of apartment building and townhomes located at 442 Maple Avenue, southwest of Subject Lands


Photo 6: View of apartment building located at 421 Maple Avenue, directly southeast of subject property



Photo 7: View of Burlington Towers located at 1305 Ontario Street, northwest of subject lands



Photo 8: View of apartment building located at 480 Brock Avenue, northwest of subject lands

2.3 Height Survey

A building height assessment of nearby properties was undertaken and included with this application. **Table 1** provides a summary of adjacent building heights as provided in the accompanying height assessment drawings prepared by Michael Spaziani Architect Inc, which are included in this report as **Figure 3** and **Figure 4**. MacKay Mackay and Peters Limited has conducted a height survey of adjacent buildings, which provides the metric height of those buildings sharing a property line with the Subject Lands, which is included as part of this submission. The metric height of these adjacent buildings is provided in Table 1, for reference

Table 1: Height Assessment Results		
Building Location	**Height (storeys)**	**Area (hectares)**
1201 North Shore Boulevard East	12	0.88
1225 North Shore Boulevard East	9	0.66
1233 North Shore Boulevard East	12	0.65
1249 North Shore Boulevard East	11	0.62
442 Maple Avenue	14	0.70
421 Maple Avenue	**11(31.1 metres)**	**0.31**
455 Maple Avenue	**6 (17.5 metres)**	**0.44**
456 Brock Avenue	11	0.30
1276 Elgin Avenue	6	0.26
1275 Elgin Avenue	15	0.78
470 Brock Avenue	14	0.33
1272 Ontario Street	13	0.22
490 Brock Ave	22	0.22
480 Maple Avenue	7	0.78
510 Maple Avenue	7	0.75
1265 Ontario Street	18	0.21
1285 Ontario Street	18	0.21
1305 Ontario Street	18	0.21
551 Maple Ave	20	0.59
1270 Maple Crossing Boulevard	20	0.96
1276 Maple Crossing Boulevard	20	0.96

Figure 3: Heights of Buildings in Immediate Context

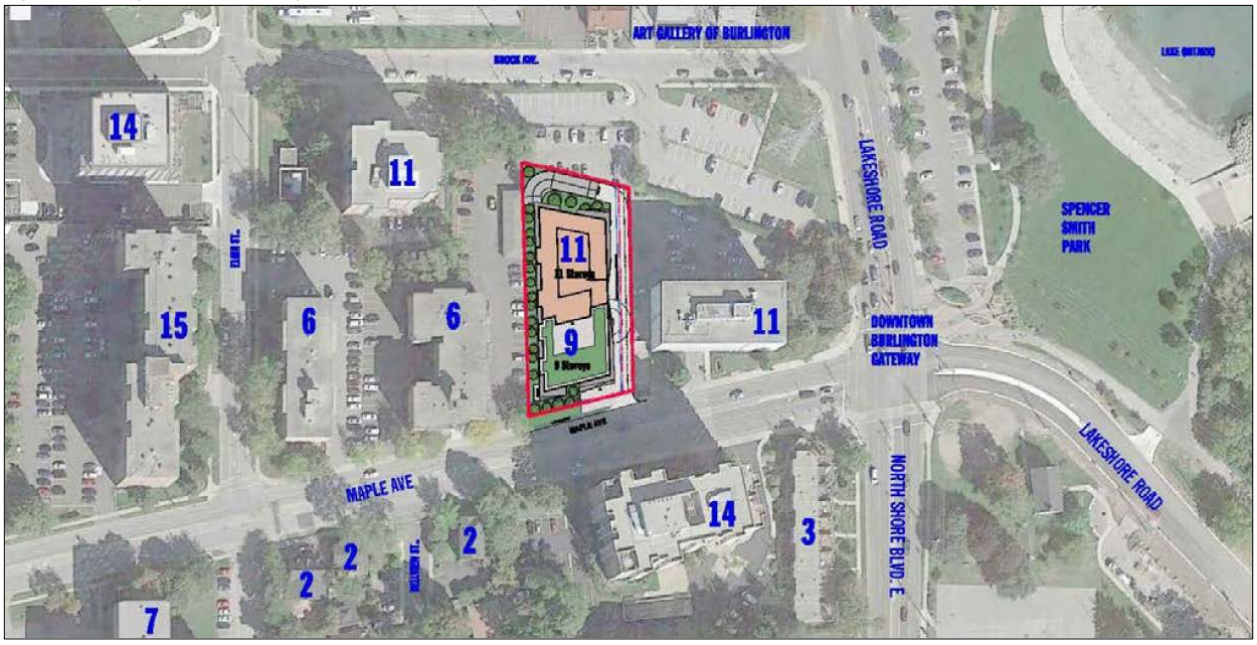


Figure 4: Building Heights in the Downtown



2.3 Neighbourhood Context

The subject lands are immediately surrounded by mid- and high-rise buildings to the north and south. The surrounding area is predominantly developed with mid- and high-rise apartment buildings and a low rise-residential neighbourhood to the west, with access to the neighbourhood provided via Bellview Street.

The Subject Lands are located within a 5 minute walk from Lake Ontario, Spencer Smith Park, the Waterfront Trail, Joseph Brant Hospital, and the Art Gallery of Burlington. Downtown Burlington is located within approximately 1000m of the Subject Lands, and within a 10 minute walk. The surrounding area amenities and services and their proximity to the Subject Lands are described in detail in **Table 2** below, while **Figure 5** provides a Neighborhood Context Map for visual reference.

Table 2: Proximity to Nearby Destinations

Destination	Travel Distance (km)	Travel Time (minutes)		
		Walk	Cycle	Car
Spencer Smith Park	0.35	4	1	1
Art Gallery of Burlington	0.4	4	1	1
Brock Park	0.45	4	1	2
Renaissance Elementary School	0.45	5	2	1
Joseph Brant Hospital	0.6	4	1	2
Burlington Performing Arts Centre	0.85	10	3	3
Burlington City Hall	1.0	12	4	3
Beachway Park (Burlington Beach)	1.2	16	4	2
Burlington Central School	1.4	18	4	4

Figure 5: Neighbourhood Context Map



The Subject Lands are serviced by 5 existing bus routes as shown on **Figure 6.** Direct access to routes 10, 50 and 30 are available along Maple Avenue, while access to Route 5 and Route 11 are available within a 200 metre walking distance along Lakeshore Road. Route 10 has a service frequency of 20 minutes and travels between Burlington GO, the Downtown Burlington Transit Terminal, and Appleby GO station. Route 50 provides late night service at a frequency of 1 hour, and travels a circular route throughout a large portion of southern Burlington. Route 300 has a service frequency of 1 hour, and operates as a community route to the Seniors Centre, Downtown

Burlington, Joseph Brant Hospital, Mapleview Mall, and Lasalle Park. Route 11 is operated by the Hamilton Street Railway and has a service frequency of 30 minutes. It provides a connection between the Burlington Transit Terminal and much of eastern Hamilton.

Figure 6: City of Burlington Transit Routes



2.4 Nearby Developments

There are several active developments and development applications within close proximity to the Subject Lands. **Table 3** provides a detailed list of development applications in and around the Subject Lands.

Table 3: Nearby Developments		
Address	**Description**	**Status**
2042-2054 Lakeshore Road	Two condo towers, 22 storeys (100 units) and 7 storeys (50 units) One hotel (8 storeys and 130 units with 855 square metres of ground floor commercial space)	Site plan application in process.
374 Martha Street	26 Storey condominium with 240 units and 423m^2 commercial	Official Plan and Zoning By-law Amendment approved by Ontario Municipal Board (OMB). Section 43 Review upheld Board decision.
2082, 2086 and 2090 James Street	18 Storey condominium apartment with 153 residential units	Official Plan Amendment and Zoning By-law Amendment approved. Site Plan application in process.
401, 403, 405, 409, 411 and 413 Brant Street, 450 John Street, 2002 and 2012 James Street	24 Storey residential building with ground floor commercial	Amended proposal for 18 storeys approved by Council. Decision appealed by applicant to the Local Planning Appeal Tribunal (LPAT).
421, 425, 427, 429, 431 Brant Street	Revised application for a 23 storey mixed-use building with 169 residential units with office and commercial space (original proposal for 27 Storey mixed-use building with 183 residential units office and commercial space)	Revised applications approved by Council May 22, 2018
452- 454 Locust Street and 1437-1445 Elgin Street	7 Storey mixed-use residential building with 60 residential units and ground floor commercial	Official Plan Amendment and Zoning By-law Amendment approved by Council. Site Plan Application in process.
2130 and 2136 New Street	Zoning By-law amendment to permit six single detached dwellings	Approved by Council September 24, 2018.

2025 Maria Street, 510 Elizabeth Street, 2030 Caroline Street	8 storey building (retail at grade and 7 storeys of office), 17 storey apartment, and 6 storey parking garage connected by shared podium.	Draft site plan approved, clearing conditions.
2087-2103 Prospect Street	Two blocks of stacked townhouses each containing 25 rental units (50 total)	Official Plan Amendment and Zoning By-law Amendment applications in process and under technical review by City staff.
1335-1355 Plains Road East	9 standard townhouse units, 24 back to back townhouse units, for a total of 38 units	Official Plan Amendment and Zoning By-law Amendment applications in process and under technical review by City staff.
22421 and 2431 New Street	Two joined 11-storey residential buildings (one retirement home with 223 units and one residential building with 139 units)	Official Plan Amendment and Zoning By-law Amendment applications in process and under technical review by City staff.
490, 492 Brock Avenue and 1298 Ontario Street	22 storey building containing 162 residential units and 186 square metres of ground floor commercial	Official Plan Amendment and Zoning By-law Amendment approved by Council May 22, 2018.
1401-417 Martha Street	11 storey ,132 unit residential building	Pre-submission, community meeting held Nov. 19, 2018. Formal application forthcoming.

3.0 DESCRIPTION OF THE PROPOSAL

As noted previously, the Subject Lands are currently developed with a two-storey Long-Term Care Facility, known as Maple Villa. Maple Villa provides 93 long-term care beds in 35 rooms. The existing building is nearing the end of its lifecycle and requires considerable upgrades to achieve compliance with current accessibility and design standards. Given the age of the building, the existing long term care facility is proposed to be closed, with residents relocated to a new, modern and accessible, facility over the next several years. Once the residents have been moved to the newly developed facility, it is the intent that the site be redeveloped with a mid-rise residential building (eleven (11) storeys).

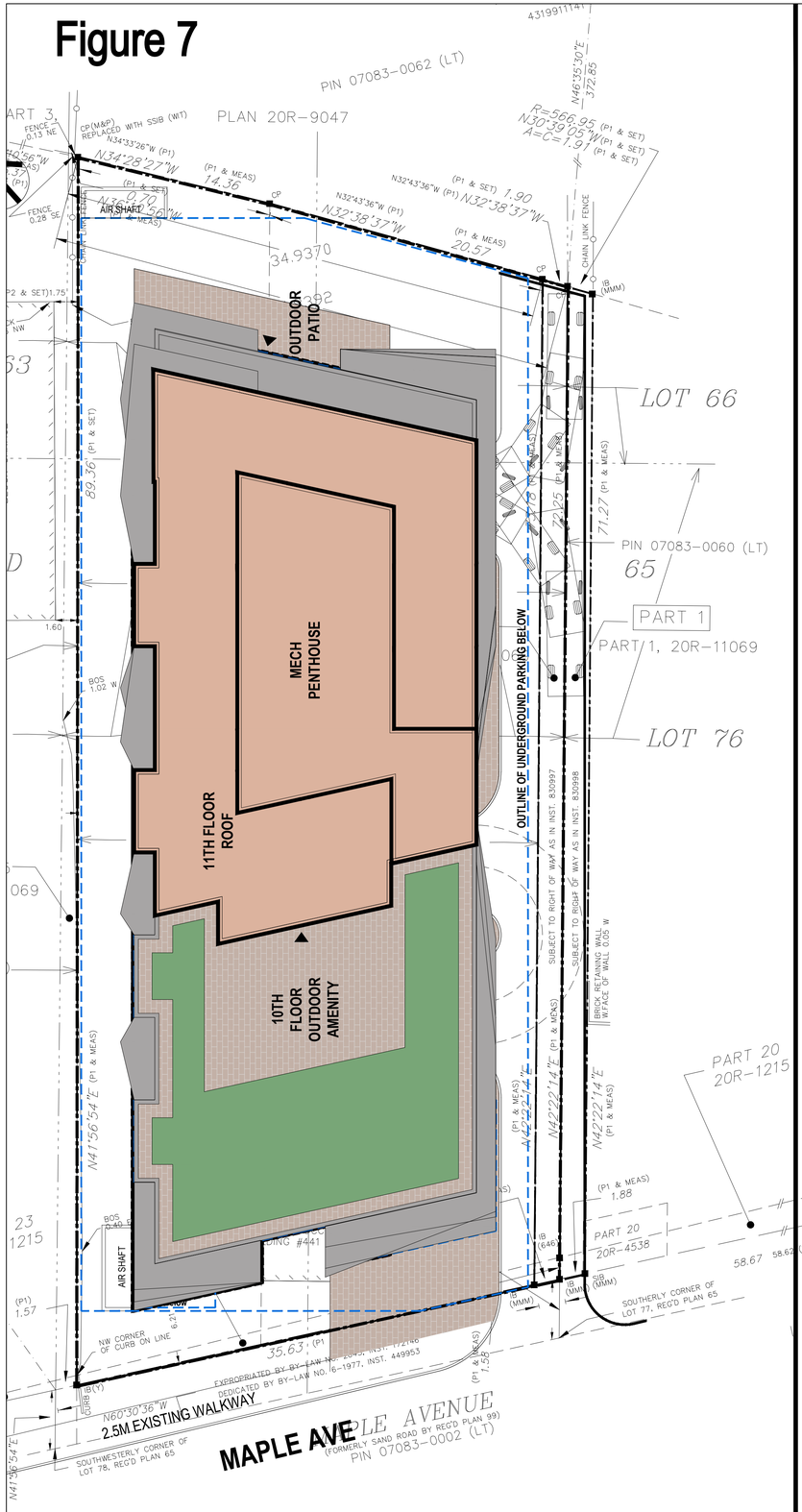
The new building will contain 153 residential units within 15,018 m^2 of residential Gross Floor Area (GFA). A total of 164 parking spaces are proposed within three levels of underground parking with an additional 15 parking spaces to be utilized for visitor parking on the adjacent hydro lands through a lease with Hydro One. The majority of the units will be one-bedroom and one-bedroom with den, with the remaining units containing a mix of two and three bedrooms. Common indoor amenity space will be provided on the east side of the ground floor, with common outdoor amenity space provided on the eastern portion of the tenth floor. Entry to the building will be provided on the east side of the building, along a walkway connecting to Maple Avenue. Interior amenity areas are located along the Maple Avenue frontage and vehicular drop-off and loading areas are located to the east of the lobby, screened from public view. As proposed, the building steps down from 11 to 9 storeys from east to west, presenting a lower mid-rise scale and height to the Maple Avenue public realm.

The proposed development has been designed to integrate with the surrounding neighbourhood and will provide 153 new residential units in the Downtown, which is a Provincially recognized Urban Growth Centre and Anchor Mobility Hub. This will provide an overall density on the Subject Lands of approximately 546.4 units per site hectare. **Table 4** and **Table 5** below express the proposed development in terms of dwelling type and density. **Figure 7** provides a conceptual site plan for the proposed development. The proposed site plan, parking plan, typical floor plans and elevation drawings are included in this report at **Appendix 2.**

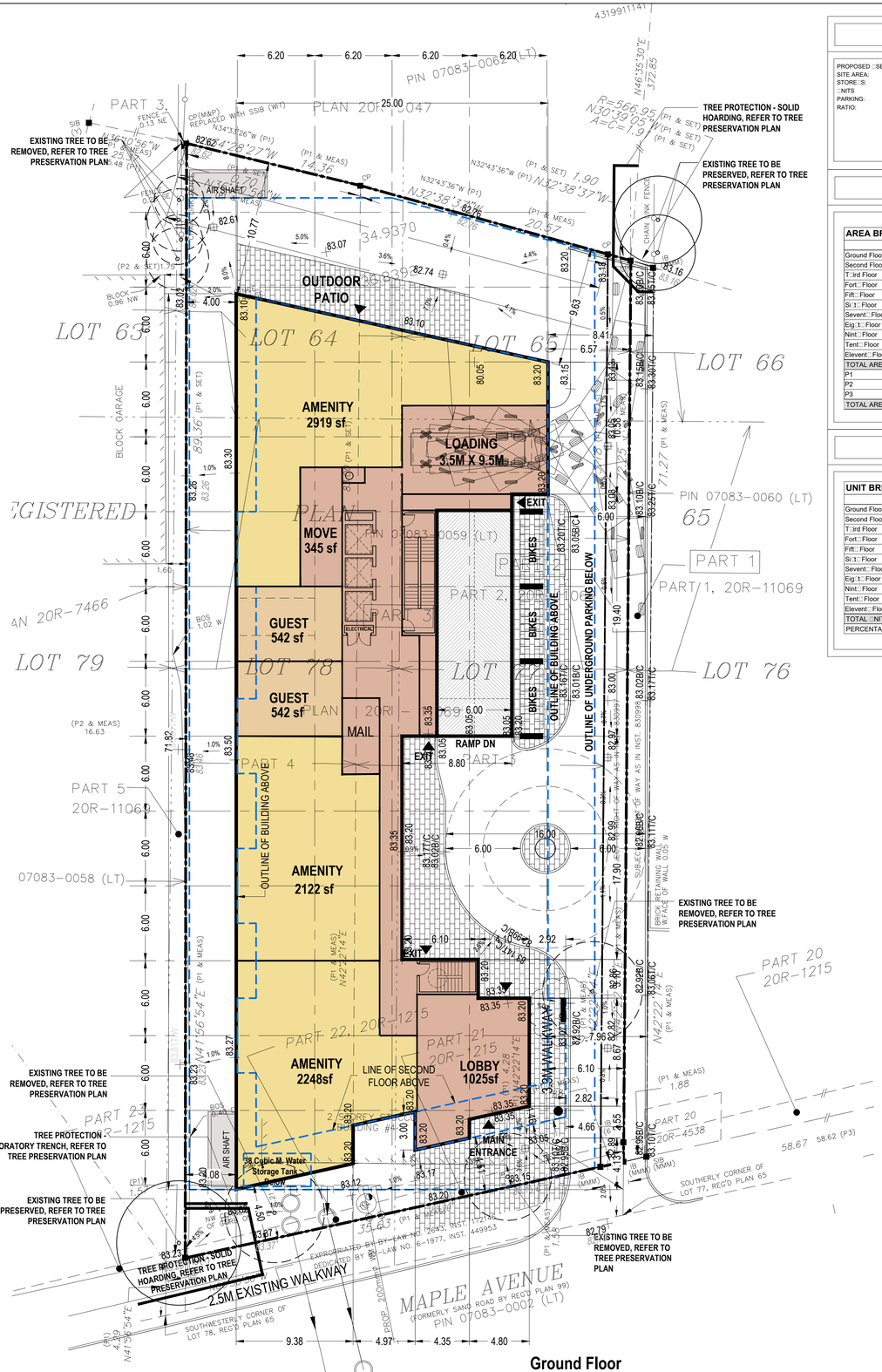
Table 4: Proposed Site Statistics – Unit Breakdown and GFA		
Description	**Units**	**Proportion of Unit Mix**
Residential – 1 Bedroom	30	20%
Residential – 1 Bedroom + den	56	37%
Residential – 2 Bedroom	40	26%
Residential – 3 Bedroom	27	17%
Total	**153**	**100%**

Table 5: Proposed Site Statistics – Density	
Site Area	0.28 hectares (including one 1.88m easement)
Total Residential GFA	15,018 m^2
FSI	5.25
Density	546.4 units per hectare

Figure 7



ROOF PLAN - 1:200



SITE PLAN SHOWING GROUND FLOOR - 1:200

Ground Floor
Area: 1230 sm

SITE STATISTICS

PROPOSED □SE:	Multi □Residential
SITE AREA:	0.28 HA 2,863.1□sm□
STORE□S:	11 Store□s
□NITS	153 □nits
PARKING:	17□□164 Cars on Site □ 15 Offsite□□
RATIO:	1.17

AREA CALC□LATION

AREA BREAK DOWN PER FLOOR

	AREA □S□□M□	AREA □S□□FT□
Ground Floor	1,230	13,240
Second Floor	1,507	16,220
T□ird Floor	1,507	16,220
Fort□ Floor	1,507	16,220
Fift□ Floor	1,507	16,220
Si□t□ Floor	1,507	16,220
Sevent□ Floor	1,507	16,220
Eig□t□ Floor	1,507	16,220
Nint□ Floor	1,507	16,220
Tent□ Floor	866	□,322
Elevent□ Floor	866	□,322
TOTAL AREA ABOVE GRADE:	15,018	161,644
P1	2,540	27,287
P2	2,540	27,287
P3	2,540	27,287
TOTAL AREA BELOW GRADE:	7,620	81,861

□NIT CO□NT

UNIT BREAK DOWN PER FLOOR

	1 BED	1 BED □D	2 BED	3 BED	TOTAL
Ground Floor	□	□	□	□	□
Second Floor	3	7	4	3	17
T□ird Floor	3	7	4	3	17
Fort□ Floor	3	7	4	3	17
Fift□ Floor	3	7	4	3	17
Si□t□ Floor	3	7	4	3	17
Sevent□ Floor	3	7	4	3	17
Eig□t□ Floor	3	7	4	3	17
Nint□ Floor	3	7	4	3	17
Tent□ Floor	3	□	4	1	8
Elevent□ Floor	3	□	4	2	□
TOTAL □NITS:	30	56	40	27	153
PERCENTAGE:	20□	37□	26□	17□	100□

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3631

NO:	REVISIONS:	ISSUED:
6		
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1	Issued for OPA / ZBA	Dec 07, '18

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CLIENT:
Better Life Retirement Residence Inc.

PROJECT:
441 Maple Street

Burlington, ON

SHEET TITLE:
Proposed Site Plan

PROJECT NO.
C6075

SCALE: 1:200	DATE: Nov, '18
DRAWN: msai	SHEET NO: SP1
CHECKED: ms	
FILE NO.	

3.1 Long-Term Care Facility Relocation

As noted previously, the Subject Lands are currently occupied by Maple Villa, a Long-Term Care Facility. In accordance with Provincial Legislation set out in the *Long-Term Care Act, 2007*, the operation of the Long-Term Care home must continue on-site until such time as an alternate facility is constructed within the Hamilton Niagara Hladimand Brant Local Health Integration Network (LHIN) to provide beds for the existing residents. When the new facility is built, the license and operation of the existing facility will be transferred and the residents will be relocated.

In this regard, there will be no net loss of long-term care beds within the LHIN, as the 93 beds that currently exist will remain; however, they will be at a new location within the LHIN boundary.

3.2 Summary of Technical Reports

The following sections contain summaries of all technical reports reviewed in consideration of the planning opinion provided in this report.

3.2.1 Functional Servicing and Stormwater Management Report

The Functional Servicing and Stormwater Management Report was prepared by GHD Limited and outlines a proposed strategy for site servicing and stormwater management, and addresses the engineering requirements for these connections. The findings of the report indicate that the Subject Lands can be adequately serviced by the existing municipal infrastructure surrounding the Subject Lands without negatively impacting existing developments. Water servicing will be provided through new 150 mm domestic and 200 mm fire connections to the existing 300 mm watermain on Maple Avenue. Sanitary servicing will be provided through a new 250 mmm sanitary connection to the 825 mm sanitary sewer on Maple Avenue, and Storm servicing will be provided through a new connection to the existing 1050 mm storm sewer on Maple Avenue.

3.2.2 Site Servicing and Grading Plan

The Site Servicing and Grading Plan was prepared by GHD Limited and outlines the proposed servicing and grading for the Subject Lands in accordance with the FSR and SWM report.

3.2.3 Geotechnical Investigation and Engineering Design Report

The Geotechnical Investigation and Engineering Design Report was prepared by Terraprobe and investigates the subsurface soil rock and groundwater conditions. A total of four boreholes were drilled at the site and samples were retrieved. The report contains recommendations on the design of foundation, floor slabs-on-grade, basement drainage system, and paving. Construction conditions pertaining to excavation, backfill, and ground water control are also discussed.

3.2.4 Pedestrian Wind Study

The Pedestrian Wind Study was prepared by RWDI and reviewed the wind conditions pre- and post-development. This study was conducted based on a review of long term meteorological data, 3D drawings of the proposed development, wind-tunnel studies, analysis of wind flows, and software estimation using generalized buildings forms. The impact of wind was reviewed on a variety of

areas including the main entrance, walkways and laneways, the parking lot, the southwest corner, outdoor patio and amenity space, and the surrounding area. This study recommends the installation of raised plants or shrubs along the southwest corner to control wind impacts in the ground floor outdoor amenity space, and wind screens to be installed near the main entrance to prevent damage from high winds.

3.2.5 Noise Feasibility Study

The Noise Feasibility Study was prepared by RWDI to assess the noise sources affecting the proposed development and determine whether the proposed development is feasible. The Study finds the development to be feasible with the installation of central air conditioning, acoustic barriers for the ground level patio, and perimeter railings for the 10th floor amenity area.

3.2.6 Urban Design Brief (including Shadow Analysis)

The Urban Design Brief prepared by MSAi outlines the previous development options considered for the site, describes the site and surrounding area, noting that the area has had a history of mid- and tall-rise intensification over the past five decades; and, provides a summary of surrounding developments and heights of adjacent building. The brief also provides a summary of the evolution of the development proposal and rationale for the built form proposed. A review of the proposal in light of the urban design policies of the in-force and adopted Official Plans is provided, as well as an angular plane study and shadow analysis which identifies that there are no negative impacts to the surrounding neighbourhood due to the increased shadow from the proposal. Overall, the study identifies that the proposal is similar to and compatible with the existing built form and context.

3.2.7 Transportation and Parking Study

C.F Crozier and Associates Inc. (Crozier) were retained to prepare both Transportation Impact study and a Parking Justification Study in support of the development proposal.

The results of the Transportation Impact Study identify that the proposed development will generate 50 two-way trips during the weekday a.m. peak hour and 55 two-way trips during the weekday p.m. peak hour and that the addition of site generated traffic to the roadway system will have a minimal effect on the operations of North Shore Boulevard/ Lakeshore Road at Maple Avenue during these peak periods. The Transportation Impact Study concludes by confirming that the proposed Zoning By-law Amendment and Official Plan Amendment can be supported from a transportation perspective as the boundary road system can accommodated the minimal increase in traffic volumes attributable to the proposed redevelopment.

The Parking Study reviewed the parking requirements for the DRH zone and identifies that a total of 191 spaces are required in accordance with the Zoning By-law (1.25 spaces per unit); however, the study provides analysis and support for a reduced parking rate of 1.17 spaces per unit (164 spaces on site plus 15 leased spaces on the adjacent hydro corridor lands). This rate was deemed to be appropriate and supported from a transportation perspective, as a result of ITE parking rate data, surrogate site data, and proximity to major active transportation facilities in the downtown.

3.2.8 Tree Preservation Plan

A Tree Inventory and Preservation Plan was prepared by BTi, which identifies a total of 10 trees on the Subject Lands. Of these, two trees are proposed to be preserved, while eight will be removed. All trees inventoried were determined to have minor structural defects and a majority of the trees were determined to have minor damage and/or symptoms. One tree will be removed for construction, two trees require City approval for removal and four trees requires neighbor approval.

3.2.9 Phase I Environmental Site Assessment

The Environmental Site Assessment was prepared by Trow Consulting Engineers Ltd. to characterize the existing environmental conditions on the property. The site history does not identify and previous land uses that would have significant impact on the environmental condition of the property. Site reconnaissance inspection identified a former underground heating oil tank that was removed in 1992, and the potential presence of designated substances on the site. Recommendations for the handling, management, and disposal of these substances have been provided.

3.2.10 Environmental Update Letter

BlueFrog Environmental Consulting Inc. was retained to complete an update Phase 1 Environmental Site Assessment for the Subject Lands to identify potential or actual environmental concerns with the site from present and historical activities, as well as sampling three existing monitoring wells located on site. In completing this work, BlueFrog reviewed the Pase 1 ESA prepared by Trow, letter correspondence from Trow, the Geotechnical Investigation and observation of monitoring well and borehole locations installed by Terraprobe. They also completed a review of historical information, conducted interviews with people having knowledge of the site and conducted a site visit. The report notes that there were no MECP Table 3 gorundwater exceedances in the samples taken. It also identifies that On-Site designated substances may be present in building materials. If renovation or demolition of the building is planned, designated substances must be managed in accordance with applicable regulations and recommends that a designated substance survey should be conducted.

3.3 Proposed Official Plan and Zoning By-law Amendments

3.3.1 Official Plan Amendment

The proposed Official Plan Amendment (OPA) seeks to introduce a site specific provision to the Downtown Residential- Medium and/or High Density Precinct designation to permit the redevelopment of the site to a maximum of 547 units per hectare. The current maximum permitted density is 185 units per hectare. The OPA does not require any mapping changes. A copy of the proposed OPA is included in this report as **Appendix 3a**.

Although not subject of this proposed OPA application, a Draft OPA has been prepared for the City's Adopted Official Plan and is included in this report as **Appendix 3b**. The Draft OPA proposes to amend the OP to permit a podium height, as Policy 8.1.1 (3.14) a) i) requires all buildings within the Downtown Urban Centre, with the exception of low-rise buildings and properties located within the Brant Main Street Precinct or Downtown Mid-Rise Special Planning Area, to incorporate a podium element as part of a building's overall built form that is equal in height to the width of the public right-of-way immediately adjacent to the façade. Based on this policy, a podium height of 26 metres would be required, as the Maple Avenue right-of-way is 26 metres; however, the development proposal provides a 9.5 metre podium. It should be noted that the OPA is required to address urban design matters and the development concept, as the proposal meets the Adopted Official Plan in terms of both height and density and no amendments are required to address these elements. Further justification and rationale for the exception to podium height is provided in

Section 4.6 of this report.

3.3.2 Zoning By-law Amendment

The current Zoning provisions permit a residential building with a maximum density of 185 units per hectare and a maximum height of 22 metres. The proposed Zoning By-law Amendment (ZBA) seeks to apply a site specific exception to the existing Downtown High Density Residential (DRH) zone in order to address the following:

1. Maximum permitted height of 11 storeys and 36 metres exclusive of mechanical penthouse;
2. Maximum permitted density of 547 units per hectare;
3. Reduction in amenity area per unit;
4. Permission for a total required parking count of 164 spaces on site and 15 spaces on the adjacent hydro corridor, for a parking ratio of 1.0 resident spaces and 0.17 visitor spaces per unit; and,
5. Site specific modifications to setbacks, encroachments, and landscape buffers.

A copy of the proposed Zoning By-law Amendment is included in this report as **Appendix 4**.

3.4 Public Consultation Strategy

Effective July 1, 2016, changes to the *Planning Act* (O.Reg 545/06 and 543/06) require that applicants submit a proposed strategy for consultation with the public with respect to the application as part of the 'complete' application requirements.

The public consultation process for the proposed OPA and ZBA will follow the *Planning Act* statutory requirements and in accordance the City's requirements set out at the pre-consultation meeting and as outlined in the Engagement section of the Adopted Official Plan.

As mentioned in Section 1.0 above, two pre-consultation meetings have been held with staff to discuss the proposal. The initial concept for the site redevelopment contemplated a 23-storey building containing approximately 200 units as there are existing buildings within this Precinct of up to 15 storeys in the immediate area and 20 storeys further north. However, based on feedback received from staff related to height, which indicated that a height of 23 storeys was not preferred at this location, the project team discussed alternate design options and prepared a redevelopment concept option for the site to include a 19-storey building with a slender tower containing 153 units. This option was considered advantageous in this location as it would better preserve views to the lake, and was considered to be a reasonable and compatible massing option. At the pre-consultation meeting of March 14, 2018, staff provided additional feedback on the concept and identified that a mid-rise building was preferred for this site, given the evolving policy direction for the Downtown Mobility Hub contained within the draft Official Plan which identified the site as appropriate for intensification in a mid-rise form (maximum 11 storeys). Ultimately, instead of a tall building concept, a stepped mid-rise building containing 153 dwelling units was explored and determined by the project team to be an option to consider as it addressed staff's comments and concerns with respect to height and scale within the context of the City's evolving policy framework, while maintaining an efficient form of development and intensification for the site.

In accordance with the requirements for a complete submission identified at the pre-consultation, a presentation of the development concept was made to the City of Burlington Urban Design Advisory Panel on September 18, 2018 and a community information meeting was held on November 14, 2018.

At the BUD meeting, staff sought panel advice on balconies, building composition, and streetscape. As a result of comments received at the BUD, the following revisions to the plan were made:

- Underground parking ramp relocated to below the building;
- Garbage room relocated to P1 level to allow for additional amenity space;
- Rear yard reprogrammed to allow for more landscape features and an outdoor patio adjacent to amenity;
- Ground floor extended by 3.0m to provide a step-back condition on the 10th floor;
- Balconies revised to reflect a consistent presentation and language; and,
- Angles of balconies facing Maple Ave. reduced.

A copy of the minutes of the Urban Design Advisory Panel and the presentation made by MSA at the BUD meeting, which includes the original concept plan, can be found at **Appendix 5**.

The community information meeting was held at the Art Gallery of Burlington on November 14, 2018 and provided residents an opportunity to review the proposal in an open-house format in advance of a formal application submission. The project team provided an overview presentation of the proposed development to attendees and responded to individual questions on a variety of items including proposed redesign, tenure, and timeframe. In total, approximately 40-50 people were in attendance at the meeting, including the ward councilor and incumbent ward councilor. As a result of comments and feedback received at the open house, the overall unit count was reduced from 163 units to 153 units. A summary of the community meeting, including presentation materials and comments received, can be found at **Appendix 6**.

A statutory public meeting held by the City will provide further opportunity for public input. MHBC and the consulting team will also be available to meet with area residents and stakeholders prior to the meeting. Throughout the process, we understand all application materials will be publically available on the City's website and our contact information, as well as the staff contact information, will be available.

We will also summarize all public input received through the community engagement process and identify how community input has been addressed with any updates or changes to the planning and technical information in response to staff comments.

The consultation strategy described herein will ensure that members of the public are given an opportunity to review, understand and comment on the redevelopment.

4.0 POLICY CONTEXT OVERVIEW

The following section of the Planning Justification Report provides a review and assessment of the land use policy and regulatory framework related to the Subject Lands and the proposed redevelopment. Each subsection describes the applicable policies and regulations and identifies how the proposed redevelopment as well as the proposed changes to the City's in-force and Adopted Official Plans are consistent with and implement Provincial and Regional policy.

4.1 Provincial Policy Statement (2014)

The Provincial Policy Statement ("PPS") is issued under Section 3 of the *Planning Act* and the most recent Statement came into effect on April 30, 2014. The PPS establishes the policy foundation for regulating the development and use of land in Ontario and provides policy direction on matters of provincial interest related to land use planning and development. It provides a vision for land use planning in Ontario that encourages an efficient use of land, resources and public investment in infrastructure.

The PPS strongly encourages development that will provide long term prosperity, environmental health and social wellbeing. These directives depend on the efficient use of land and development patterns that support strong, livable and healthy communities that protect the environment and public health and safety, and facilitate economic growth. The 2014 PPS applies to planning decisions made on or after the effective date and apply to the proposed Zoning and Official Plan Amendment.

An analysis of Provincial policies contained within the PPS, and how the proposed Zoning By-law and Official Plan Amendment applications are consistent with these policies, is provided as herein.

Where Growth Should Occur

Section 1 of the PPS outlines policies intended to facilitate the development of strong, healthy communities. The PPS states that these communities are sustained by: promoting efficient land use patterns; accommodating a range and mix of residential, employment, recreation and other uses to meet the long-term needs of residents; promoting cost-effective development patterns and standards to minimize land consumption and servicing costs; improving accessibility for persons with disabilities and older persons; and, promoting development and land use patterns that conserve biodiversity and consider the impacts of a changing climate **(Policy 1.1.1 a) to h))**.

The Preamble of **Section 1.1.3** identifies that it is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures. **Section 1.1.3** provides direction to achieve these goals. Specifically, the PPS directs that settlement areas on full municipal services be the focus of growth and development in municipalities and their vitality and regeneration shall be promoted (**Policy 1.1.3.1**).

Policy 1.1.3.2 a) directs that land use patterns within settlement areas shall be based on densities and a mix of land uses which: efficiently use land and resources; efficiently use infrastructure and public service facilities and avoid the need for unjustified expansion; minimize negative impacts to air quality and climate change; support active transportation; are transit supportive; and, are freight

supportive. Additionally, **Policy 1.1.3.2 b)** states that a range of uses and opportunities for intensification are permitted, where they can be accommodated. **Policy 1.1.3.3** further clarifies how this is to be achieved, stating that "planning authorities shall identify and promote opportunities for intensification where this can be accommodated, taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected need."

The proposed development is located within a Settlement Area, as defined by the PPS, which will be developed on existing full municipal services. The redevelopment represents an efficient use of land and resources in the area. The redevelopment of the Subject Lands will achieve intensification within the built up area, in an area identified by the City, Region and Province for intensification. It will assist the City in meeting the long term and annual housing needs of residents. Further, the proposed development will provide access to the existing public transportation network and is supportive of active transportation due to its proximity to existing bus routes, the Downtown Burlington transit terminal, trails, parks and open space.

Housing and Complete Communities

Section 1.4 of the PPS provides policy direction related to housing, with the intent of ensuring that municipalities provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents. In order to achieve this, planning authorities are to permit all forms of residential intensification. Planning authorities are directed to ensure the development of new housing is located where appropriate levels of infrastructure and public service facilities exist. They are also directed to promote densities for new housing which efficiently uses land, resources, infrastructure, public service facilities, and supports the use of active transportation and transit in areas where it exists or is to be developed **(Policies 1.4.3 b), c)** and **d)**.

The proposed development represents a compatible form of residential intensification in an area identified by the Province, Region and City as appropriate for accommodating growth. Additionally, appropriate levels of infrastructure and public service facilities exist in the area. The development will efficiently utilize land and infrastructure by providing 153 dwelling units on a site that currently contains 35 long-term care units and 93 beds. The development proposal provides a variety of dwelling unit types (one, two and three bedroom units) in order to ensure housing needs are met for a wide variety of family sizes. The residents of the existing Long-Term Care Facility will be moved to a new modernized and accessible facility and there will be no net-loss of long-term care beds in the LHIN. The proposed development will also provide a transit-supportive density. The development has been designed to integrate with the surrounding community and will contribute to the range and mix of housing types in the neighbourhood to meet the current and future needs of residents.

Transportation and Servicing

Section 1.6 of the PPS provides direction for development as it relates to infrastructure and public service facilities. **Policy 1.6.6.2** states that the extension of existing municipal water and wastewater systems are the preferred form of servicing in settlement areas. Intensification and redevelopment within existing settlement areas on existing municipal water services and municipal sewage services should be promoted, wherever feasible. **Policy 1.6.7.5** states that transportation and land use considerations shall be integrated at all stages of the planning process, and **Policy 1.6.7.4**

states that a land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.

The Functional Servicing Report and Stormwater Management Report prepared in support of this application confirm municipal servicing requirements are satisfied. The proposed development has been designed to integrate with the surrounding community and will support the reduction in length and number of vehicle trips by ensuring easy access to the existing alternative transportation modes (i.e. walking, cycling) and public transit. A Traffic Impact Study has been prepared in support of the proposed development which further describes how this proposal responds to and satisfies transportation requirements.

Summary/Conformity Statement

For the reasons outlined above, it is our opinion that the proposed development and related Official Plan and Zoning By-law Amendments are consistent with the policies of the Provincial Policy Statement, 2014.

4.2 Growth Plan for the Greater Golden Horseshoe (2017)

The Growth Plan for the Greater Golden Horseshoe, 2017 was prepared and approved under the Places to Grow Act, 2005. The Growth Plan provides a framework for implementing Ontario's vision for building stronger, prosperous communities by better managing growth in the Greater Golden Horseshoe region for the land use planning horizon of 2041.

The 2017 Growth Plan builds upon the policy foundation of the Provincial Policy Statement (2014), and previous plans (2006 Growth Plan). It responds to key challenges in the Region by providing enhanced policy directions designed to achieve complete communities that are compact, transit-supportive, and make efficient use of investments in infrastructure and public service facilities while ensuring the protection of agricultural and natural areas and supporting climate change mitigation and adaptation. Guiding principles of the Plan are established to support the achievement of complete communities; prioritize intensification and higher densities to make efficient use of land and infrastructure; provide flexibility to capitalize on economic and employment opportunities; support a range and mix of housing options; improve the integration of land use planning with planning and investment in infrastructure; protect and enhance the natural environment; conserve and promote cultural heritage; and, integrate climate change considerations into planning and growth management.

The Plan provides policies for where and how to grow, stating that population and employment growth be directed to urban areas and rural settlement areas. Within these areas, the Growth Plan designates two different areas of growth: the built up area, where growth is to be directed and accommodated through intensification; and, designated greenfield areas, which are generally undeveloped, vacant land, where growth and development should achieve a compact urban form. **The Subject Lands are within a built up area of Burlington in accordance with the Growth Plan.**

The following is a summary of the policies applicable to the proposed development and how they

have been addressed.

Policies 2.2.1.1 – 2.2.1.3 set out growth management policies for the GGH, and state that development will be directed to settlement areas with delineated built boundaries on full municipal services that can support the achievement of complete communities. The policies further place a priority on directing growth away from hazardous areas and toward areas where there is higher order transit and existing or planned public service facilities. **The Subject Lands are located within a delineated built boundary and are a Provincially recognized Urban Growth Centre, where growth is to be directed. Further, the Subject Lands are in close proximity to transit, where intensification and growth are promoted under the Growth Plan, and support achievement of complete communities.**

Policy 2.2.1.4 a) to g) establishes that the policies of the Growth Plan should be applied to support the achievement of complete communities that: feature a diverse mix of land uses with convenient access to local stores, services and public service facilities; improve social equity and overall quality of life; provide a diverse range and mix of housing; expand convenient access to a range of transportation options, public service facilities, accessible public open space and healthy, local affordable food options; ensure the development of high quality compact built form; mitigate and adapt to climate change impacts; and, integrate green infrastructure and low impact development. **The Subject Lands are located within an area identified for intensification by the Province, Region and City, where convenient access to amenities that provide for a complete community is available. As discussed above, the Subject Lands are currently serviced by 5 bus routes and are in proximity to a number of public service facilities, including schools, parks, cultural facilities and a hospital. The proposed development will contribute to the provision of high quality compact built form by making efficient use of space through the provision of new residential units in a mid-rise building in a compact urban form.**

Section 2.2.2 sets out the general intensification strategy for delineated built-up areas and states that by the year 2031, a minimum of 60% of all residential development occurring annually within each upper or single tier municipality will be in the delineated built-up area **(Policy 2.2.2.1)**. **Policy 2.2.2.2** states that by the time the next municipal comprehensive review is approved and in effect, a minimum of 50% of all residential occurring within each upper or single tier municipality will be within the delineated built-up area. The policies direct municipalities to implement a strategy to achieve this target and to encourage, facilitate, and promote intensification (**Policy 2.2.2.4**). In accordance with **Policy 2.2.2.3**, until the next municipal comprehensive review is approved and in effect, the annual minimum intensification target contained in the applicable upper or single tier official plan that is approved and in effect as of July 1, 2017 will continue to apply. **The proposed development introduces additional needed residential uses within the area, which will provide a variety of unit types. It represents an intensification opportunity that will assist the City and Region in achieving the minimum intensification targets set out in the in-effect Official Plan to 2031 and each year thereafter. The proposal reflects a level of intensification appropriate within the Provincial, Regional and Local planning framework and physical site context.**

As noted previously, the Subject Lands are located within the Urban Growth Centre. **Section 2.2.3** establishes the intensification strategy for Urban Growth Centres, and states that the Downtown Burlington Urban Growth Centre is to be planned to achieve a minimum density target of 200 residents and jobs per hectare by 2031 or earlier (**Policy 2.2.3.2 b)**). It further states that Urban

Growth Centres will be planned: as focal areas for investment in regional public service facilities, commercial, recreational, cultural and entertainment uses; to accommodate and support the regional transit network and provide connections for inter-regional transit; and, to serve as high-density major employment centres **(Policy 2.2.3.1)**.

Section 2.2.4 also provides additional policy direction with respect to densities and intensification within Transit Corridors and Station Areas, stating that within Major Transit Station Areas on priority transit corridors or subway lines, land uses and built form that would adversely affect the achievement of the minimum density targets in the plan will be discouraged (**Policy 2.2.4.6)**. Further, **Policy 2.2.4.10** states that lands adjacent to or near existing and planned frequent transit should be planned t be transit supportive and supportive of active transportation and a range and mix of uses and activities.

The proposed development will assist the City in achieving the minimum density targets for Urban Growth Centres as established in the Growth Plan, by providing an intensification opportunity for mid-rise development that includes a variety of unit types. The Subject Lands are located on Maple Avenue which is served by 5 bus routes and is identified as a Frequent Transit Corridor and Mobility Hub Connector in the City of Burlington's Adopted Official Plan. The addition of 153 residential units will support the viability of the Frequent Transit Network and future residents directly benefit from the site's location as a result of existing and planned transit routes. Further, the proximity to existing transit connections to the City of Burlington, City of Hamilton, and Burlington Mobility Hub support the regional transit network and promote alternative methods of transportation.

Policies respecting housing are contained within **Section 2.2.6** of the Growth Plan. In particular, **Policy 2.2.6.3** states that, to support the achievement of complete communities, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes. **A range of unit types will be provided in the development, with approximately 43% of the units being larger (2-bedroom and 3-bedroom) to accommodate a range of household sizes and incomes.**

Policies related to infrastructure and transportation are provided in **Section 3** of the Plan. Generally, these policies direct the Province and municipalities to undertake an integrated and coordinated approach to land use planning, infrastructure investments and environmental objectives to achieve the outcomes of the Plan. These policies promote the transition from lower density development to a more compact built form. They place emphasis on transit as the first priority for planning or development, promoting a transit network that will support and facilitate improved linkages between strategic growth areas and other areas planned for a mix of uses and transit-supportive densities. These systems are to serve growth in a manner that supports achievement of the minimum density and intensification targets of the Plan. **The proposed development assists the City and Province in achieving the intent of the infrastructure and transportation policies of the Growth Plan by providing for a more compact built form that is within close proximity to amenities, services, and public transit. The development will contribute to the prioritization of public transit and the achievement of transit-supportive densities within the Downtown Burlington Urban Growth Centre. The introduction of new residential units on the site will support the economic viability of these services, resulting in a more efficient and cost effective uses of existing public resources.**

Section 4 of the Growth Plan provides policies for protecting resources including water systems, the Natural Heritage System, key hydrologic features, public open space, the agricultural system, cultural heritage resources and mineral aggregate resources. Additionally, Section 4 provides policies intended to mitigate the impacts of climate change. **Generally, the Subject Lands will not pose any impacts to water resources, natural features, aggregate operations or the agricultural system as they are in an urban context and are not located in proximity to any designated natural, agricultural or aggregate areas. Further, the proposal responds to the Growth Plan's policies related to climate change adaptation and mitigation by enhancing a complete community through intensification and opportunities for reduced dependence on the automobile.**

Summary/Conformity Statement

The Growth Plan guides development to achieve positive outcomes for the Region and the City with respect to the economy, environment and quality of life. The analysis above demonstrates how the proposed redevelopment conforms to and better achieves the Growth Plan objectives than the existing permissions of the in-force Official Plan and Zoning By-law by allowing for appropriate intensification, supporting public transit and municipal services, directing growth in a manner that builds complete communities and provides a range of housing opportunities which are well-connected to existing community services, parks, and local businesses. As such, it is our opinion that the development proposal and corresponding Official Plan and Zoning By-law Amendment provide conformity with, and serve to implement, the applicable policies of the Growth Plan.

4.3 Metrolinx 2041 Regional Transportation Plan

In March 2018, Metrolinx adopted an update to the 2008 Regional Transportation Plan (RTP) entitled "2041 Regional Transportation Plan". The RTP builds an integrated transportation system for the GTHA that is comprehensive, connected, accessible, sustainable, and focused on people. The 2041 RTP is an update to The Big Move, and intends to build upon the framework established in the previous RTP, while also supporting the 2017 Growth Plan for the Greater Golden Horseshoe. The RTP intends to provide detailed strategies and actions for addressing transportation challenges in the GTHA.

The 2041 RTP identifies a comprehensive transportation development plan for the region, consisting of 1,800 kilometers of rapid transit, 1,000 kilometers of cycling infrastructure, and 1,000 lane kilometers of high occupancy vehicle and transit lanes. **Strategy 4** identifies the creation of a system of connected Mobility Hubs and Major Transit Station Areas at key points in the regional transportation network that provide travelers with access to the system, support high density developments, and integrate various modes of transportation with an intensive concentration of places to live, work, shop, and play.

Mobility Hubs are identified and generally defined as "Major Transit Station Areas at the intersection of two or more Frequent Rapid Transit Network routes, designed to support a high number of boardings and alightings, and facilitate seamless, efficient transfers between modes. They have and/or are planned to have a high density mix of jobs, residences, public services, and other land uses that encourage and support transit use and active transportation, or the potential to develop

into areas with a high-density mix of land uses.

Downtown Burlington is identified as both an Urban Growth Centre and Mobility Hub in the 2041 RTP. As the Subject Lands are located within Downtown Burlington, the supporting actions and supporting policies developed to achieve **Strategy 4** are of relevance to the proposed development. Key policies to be considered include:

- **Policy 4.3**, which states that development is to be focused at Mobility Hubs and Major Transit Station Areas along Priority Corridors identified in the Growth Plan; and,
- **Policy 4.5**, which intends to plan and design communities, including development and redevelopment sites and public rights-of-way, to support and promote the greatest possible shift in travel behavior consistent with Ontario's passenger transportation hierarchy.

Summary/Conformity Statement

Based on the above, the proposed development is positioned to assist in the implementation of the policy objectives of the 2041 RTP, including density targets for mobility hubs and redevelopment that promotes a shift in travel behaviors through the provision of higher density development which will support alternate modes of transportation in this area. The proposal represents optimization of a development opportunity that will support the continued vibrancy of Downtown Burlington, as well as the Burlington Urban Growth Centre. As such, it will assist in implementing and achieving the vision of the 2041 RTP.

4.4 Region of Halton Official Plan (June 2018 Consolidation)

The Region of Halton Regional Official Plan (ROP) serves as Halton's guiding document for land use planning and is intended to manage growth across the Region's four municipalities. Regional Official Plan Amendment 38 (ROPA 38) was adopted by Regional Council on December 16, 2009 and was approved by the Province, with modifications, and appealed to the Ontario Municipal Board. The 2018 Office Consolidation of the ROP used in this planning assessment includes ROPA 38 as approved by the OMB.

The ROP establishes a broad set of land use designations as part of the Regional Urban Structure, which are intended to guide growth and development, while allowing flexibility for local municipalities to further define specific land uses within the broader designation. It also provides general guidance for redevelopment, creation of complete communities and intensification. The ROP requires that Local Official Plans direct development in accordance with local desires, while adhering to the policies of the ROP.

The Regional Structure is accompanied by a growth strategy for Halton based on population and employment forecasts for the planning horizon year of 2031. Overall, the Region is expected to grow by 324,000 and reach a population of 780,000 by 2031. Of the regional total, it is intended that the City of Burlington will grow by 22,000 and reach a population of 193,000 by 2031 (Halton ROP, Table 1). To achieve provincial directions and accommodate the forecast growth, the Region has adopted an intensification target of 40% of all new residential growth. The Region has assigned

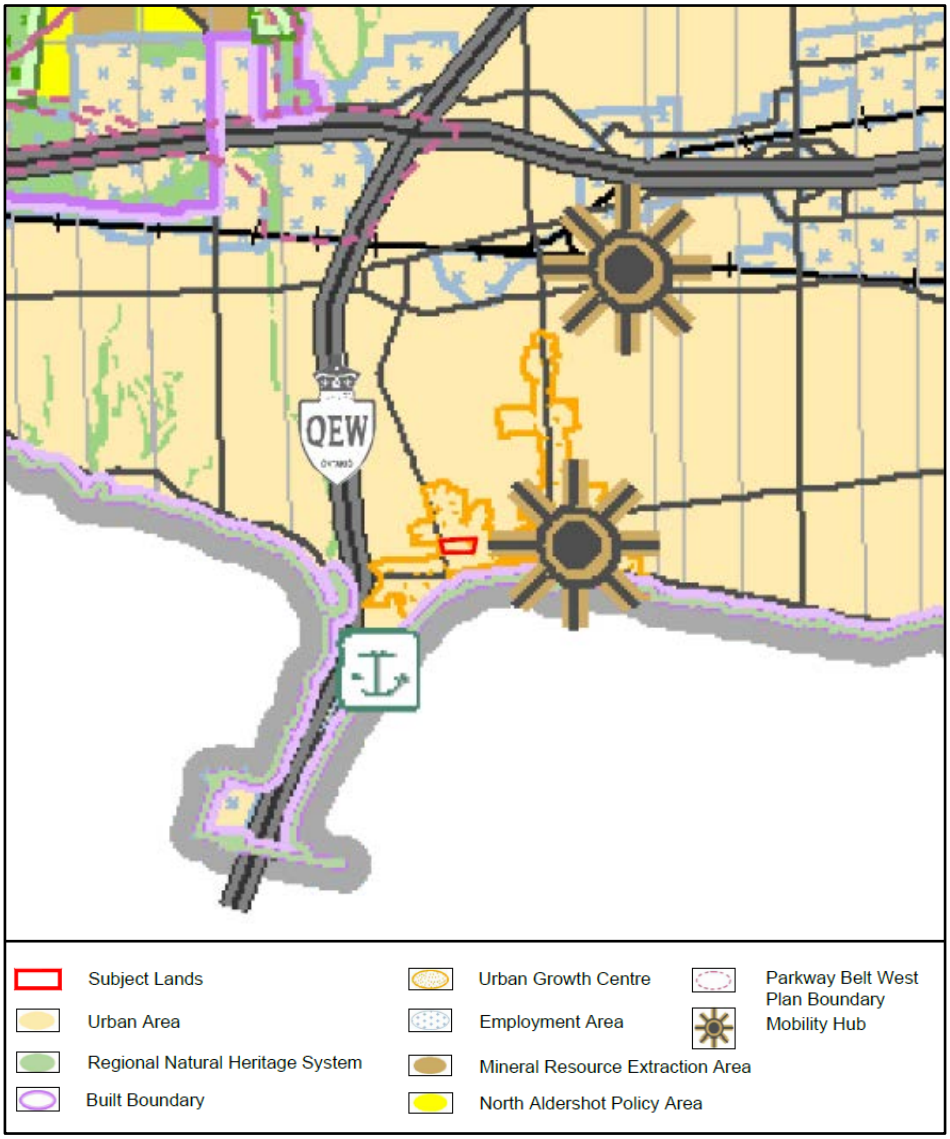
growth to the local municipalities in order to achieve this target. To achieve the intensification objectives within the Region, it is expected that the minimum number of new housing units to be added to the Built-Up Area of Burlington between 2015 and 2031 is 8,300 (Halton ROP, Table 2 and 2a). The ROP also contains policies related to housing targets. Specifically, Policy 86(6)(a) states that at least 50% of new housing units produced annually in Halton be in the form of townhouses or multi-storey buildings.

The proposed development contributes to the Region's growth targets and specifically provides new housing units in a multi-storey building form which conforms to the policy direction related to housing supply.

Urban Area

The Subject Lands are located within the Built Boundary and Urban Growth Centre and are designated an "Urban Area" in accordance with Map 1- Regional Structure of the ROP (**Figure 8**).

Figure 8: Halton Region Official Plan Map 1- Regional Structure



Section 72 provides objectives for Urban Areas which are areas where urban services are or will be made available to accommodate existing and future urban development and associated growth in accordance with the Region's desire to improve and maintain regional unity, retain local community identity, create healthy communities, promote economic prosperity, maintain a high quality, sustainable natural environment, and preserve certain landscapes permanently (**72(1), 74**). Growth that is compact and supportive of transit use and non-motorized modes of travel, reduces the dependence on the automobile, makes efficient use of space and services, promotes live-work relationships and fosters a strong and competitive economy is supported (**72(2)**). Urban areas are to provide a range of identifiable, inter-connected and complete communities of various sizes, types and characters, which afford maximum choices for residence, work and leisure (**72(3)**).

It is the intent that these urban areas form part of an urban structure that supports the development of intensification areas where intensification and increased densities are supported in which a balance of jobs and housing are provided in communities to reduce the need for long distance commuting and to increase the modal share for transit and active transportation (**72(6), 72(7), 72(9)**).

Generally, growth within Urban Areas should support compact, transit supportive development that allows for the creation of complete communities. While the ROP identifies that growth is to occur within both the Built Boundary and Greenfield Areas, the ROP promotes intensification and increased densities within the Built Boundary in order to support sustainable cost-effective growth.

Intensification Areas

As discussed in greater detail below under the City's Adopted Official Plan, the Subject Lands are identified as an Intensification area and, more specifically, a Primary Growth Area and Urban Growth Centre. Within the context of the ROP, intensification areas are part of the Urban Area and consist of Urban Growth Centres, Major Transit Station Areas, Intensification Corridors and Mixed Use Nodes as identified in Local Official Plans (**80(1-4)**).

The ROP contains a series of objectives for intensification areas within Section 78, which are to cumulatively attract a significant portion of population and employment growth and generally achieve higher densities than surrounding areas (**78(6). 78(9)**).

Within intensification areas, transit and active transportation for everyday activities is supported (**78(8)**). Space is to be used more economically to promote live-work relationships, foster social interaction, enhance public safety and security, reduce automobile travel, and promote active transportation and sustainability (**78(1)**). A diverse and compatible mix of land uses to support neighbourhoods are to be provided, including residential and employment uses (**78(4)**).

An appropriate transition of built form from intensification areas to adjacent uses and existing developed areas should be achieved (**78(10)**). These areas are envisioned as vibrant, diverse and pedestrian-oriented urban environments that provide high quality public open spaces with site design and urban design standards that create attractive and vibrant places (**78(5), (78(7)**). In terms of design, opportunities for more cost-efficient urban design are to be provided in intensification areas (**78(2)**).

The proposal will help achieve the objectives of the ROP for the Urban Area and

Intensification Areas. The development represents a compact urban form which will attract additional population at a higher density than other areas. It is located within close proximity to a variety of parks, hospitals, retail stores, professional services and other community facilities (see Table 2). Increased density on the site will support the existing and planned transit routes in the area and encourage the use of public transit and active transportation through the provision of a pedestrian-friendly public realm with direct access to local transit on Maple Avenue and accessible connections to inter-municipal transit (Hamilton Street Railway) and higher-order intra-regional transit (GO Transit).

The accompanying technical studies, including the TIS and FSR demonstrate that there is adequate capacity in the transportation network and the site can be adequately serviced.

The proposed development has been carefully designed to ensure an efficient use of space and achieve compatibility with the existing surrounding built form. The proposed height and density are similar to, and compatible with, adjacent uses and provide for appropriate transition within the precinct. The development optimizes the site's potential while respecting the existing character of the area by providing a stepped-back mid-rise built form that protects views to the lake. Further details with respect to urban design can be found in the Urban Design Brief prepared in support of this application and included as part of the submission.

The policy direction for Intensification Areas is contained within Section 81. In accordance with Section 81, it is the policy of the Region to direct development with higher densities and mixed uses to Intensification Areas (**81(1)**). Specific direction for how Local Municipalities are to identify and plan for Intensification Areas is also included within this section which are aimed at ensuring Local Official Plan policies meet intensification and mixed-use objectives for Intensification Areas, including minimum development densities that will support existing and planned transit services (**81(7) a) b)** and **d)**). Additionally, Official Plan and Zoning By-law amendments to reduce development densities within Intensification Areas are prohibited, unless they are part of a municipal comprehensive review of the Official Plan or a review of the Area-Specific Plan for the Intensification Area (**81(7) c)**).

The development proposal will introduce 153 new residential units to the site, which is consistent with the ROP's direction for higher densities in Intensification Areas. The proposed OPA and ZBA seek to facilitate and increase density on the site in order to optimize the use of the Subject Lands without any adverse impacts. The increased density will also increase transit ridership potential of the area and support the existing bus routes which serve the site. Reduced parking is proposed, which has been justified in the TIS, and is consistent with the ROP policies promoting active transportation and public transit use.

Urban Growth Centres

The ROP identifies Urban Growth Centres as parts of Intensification Areas, which in turn are a part of the Urban Area and, therefore, are subject to the objectives and policies for both Intensification Areas and the Urban Area (**81(2)**). Urban Growth Centres are to serve as focal areas for investment in institutional and region-wide public services, as well as commercial, recreational, cultural and entertainment uses (**81.1(1)**). They are to accommodate a significant share of population and employment growth and support major transit infrastructure (**81.1(2)**, **81.1(4)**). It is a policy of the

Region to require Urban Growth Centres to achieve a minimum development density target of 200 residents and jobs combined per gross hectare by 2031 or earlier (**81.3(1)**).

The development proposal will assist the Region and the City in meeting the objectives for achieving the minimum intensification target of 200 residents and jobs combined per gross hectare by 2031 by providing an additional 153 residential dwelling units of varying sizes within the Urban Growth Centre. The increased density will also support major transit infrastructure by providing the potential for increased local and regional transit ridership.

Housing

The ROP also contains policies and objectives related to housing, with the goal of supplying people with an adequate mix and variety of housing to satisfy differing physical, social, and economic needs while maintaining the quality of the housing stock (**84, 85(9)**). As noted previously in this report, the ROP includes housing targets and requires that at least 50% of new housing units produced annually be in the form of townhouses or multi-storey buildings (**86(6)**). It is also an objective for to meet housing needs through the provision of Assisted Housing, Affordable Housing and Special Needs Housing in Halton (**85(5)**).

The ROP identifies making more efficient use of existing developed lands, housing stock, and available services to increase the supply of housing while maintaining the physical character of existing neighbourhoods as an objective (**85(4)**). In this regard, the ROP promotes residential intensification through the development or redevelopment of brownfield and greyfield sites (**85(13)**). The ROP also encourages Local Municipalities and the building and development industry to develop innovative housing designs that stress flexibility in use, mix of compatible land uses, good environmental practices, universal physical access, public safety and security needs, cost-efficiency, affordability and energy and natural resource conservation while maintaining sound engineering and planning principles (**85(8)**).

The development proposal seeks to demolish the existing 2- storey, 93 bed, Long-Term Care Facility on the Subject Lands in order to develop a new 11-storey residential building. The existing long-term care home is at the end of its lifecycle and does not meet current provincial accessibility standards and requirements. In order for the facility to achieve compliance, considerable upgrades to the building are required which are not financially feasible given its age. Rather than upgrade the existing facility, it is the intent that the residents of Maple Villa be moved to a new facility within the LHIN, which will better meet their housing needs, before any demolition or construction of the new residential building begins. This will be done in accordance with provincial legislation with respect to long-term care homes. There will be no net loss of long-term care beds in the Region as a result of this proposal as the existing beds will be accounted for in a new facility.

Once this process is complete, development of the new building will commence. The new residential building will assist the Region in achieving the target for new housing. The proposal represents the redevelopment of an under-utilized site which will provide 153 residential dwelling units in a mid-rise built form. The increased residential density and mid-rise built form will more efficiently use the lands and increase the overall supply of housing in the area while maintaining the physical character of the neighbourhood, which is composed of buildings of a similar height and form. A mix of one, two and three bedroom

units will be provided, with a 43% share of these units being larger units.

Healthy Communities

Part IV of the ROP contains policies with respect to creating healthy communities. Overall, it is the goal to achieve a high-quality environment, for this and future generations that will sustain life, maintain health and improve the quality of living (**140**). In this regard, it is the policy of the Region to require all development proponents to have regard for the Healthy Communities Guidelines in considering and providing physical design features that promote safety and security (**156(1)**).

These policies are evaluated in the context of the Healthy Community Guidelines in **Table 6**. The Guidelines note that healthy communities encourage seven attributes which are presented as headings in Table 6.

Table 6: Healthy Community Guidelines Compliance	
Built Environment	
Contribution to healthy community:	**Elements:**
• Compact mixed use development, walkable and connected communities; • A range of densities and housing opportunities, choices and accessibility for all income levels and needs; • Redevelopment/regeneration areas; • Welcoming pedestrian-scaled environments; • A range of densities that will support public transit and amenities; and, • Community infrastructure.	• Compact Development • Community Structure • Diversity of Uses • Walkable & Connected Communities • Diversity of Housing • Complete Streets • Schools • Redevelopment / Regeneration Areas • Mixed Use Opportunities • Urban Forest • Streetscapes and the Pedestrian Environment
Compliance of proposed development: **The proposed development will provide an intensified use of the site, in a compact mid-rise built form. A range of unit types (one, two and three bedroom) will be provided to accommodate families at different income levels and stages of life with a 43% share comprising larger units (two and three bedroom). The development will replace an aging long-term care home with a mid-rise residential building that will be well connected to the existing transit system, parks and local community facilities. Existing residents of the long-term care home will be relocated to a new facility within the same Local Health Integration Network (LHIN) that will better address their accessibility needs. Future residents of the new building will increase the potential ridership pool for existing and future bus routes and will be able to take advantage of the community facilities located within the area.**	
Mobility	
Contribution to healthy community:	**Elements:**
• Encouraging physical activity; • Facilitating active transportation and public transit; • Providing access to services and amenities for vulnerable population groups including children, the elderly, persons with disabilities and low income individuals; • Providing safe, convenient and accessible environment for walking and cycling through	• Universal Accessibility • Street Network • Active Transportation • Transit Accessibility • Transit-supportive Density • Major Transit Stations • Pedestrian & Cycling Routes • Parking

Transportation Master Plans and Active Transportation Plans; • Reducing dependency on single occupant vehicles and improving access to transit; • Promoting integration within transit systems inter-regionally; and, • Providing connected street networks that are accessible to all modes of transportation.	
Compliance of proposed development:	
The proposed development is within walking and cycling distance of a number of community facilities (refer to Table 2). Residents will able to meet many of their day-to-day needs within the immediate neighbourhood without the need to use an automobile. Five bus routes run along Maple Avenue, while the Downtown Bus Terminal is located within walking distance of the proposed development, providing residents with increased accessibility to destinations located within and outside of the Region. Careful consideration has been given to the building design to ensure that it is safe and accessible to pedestrians and well connected to the public realm.	
Natural Environment and Open Space	
Contribution to healthy community:	**Elements:**
• Preserving and enhancing the natural heritage system; • Supporting recreational and cultural opportunities; • Providing access to a range of open spaces, parks and recreational facilities, pathways and trails; and, • Providing interconnected green space and urban forests within the urban boundary.	• Natural Heritage System • Parks & Public Spaces • Pathways & Trails
Compliance of proposed development:	
There are no elements of the Natural Heritage System president on the Subject Lands. The proposed development will replace an aging long-term care facility which contains surface parking and minimal landscaping with a mid-rise building where the majority of parking will be provided underground. The site is within close proximity to a variety of trails and parks as well as cultural facilities, providing future residents with opportunities to participate in local activities. Connections to the public sidewalk network will also be provided.	
Human Services	
Contribution to healthy community:	**Elements:**
• Integrating and co-locating providing social infrastructure to meet the current needs of all residents; • Providing social, cultural and recreational services such as Places of Worship, Community Centers, Libraries, social housing, youth centres, long term care homes and seniors centres; and, • Providing access to health care and ensuring public safety through design (CPTED);	• Co-location & Integration of Services • Social, Community, Cultural, and Recreational Services • Health & Public Safety • Education
Compliance of proposed development:	
The Subject Lands are located in proximity to a number of community facilities, including government buildings, schools, cultural facilities, hospitals, parks and trails (see Table 2).	

Sustainable Design	
Contribution to healthy community:	**Elements:**
• Designing new buildings, communities, and neighbourhoods to reduce water, waste, and energy use; • Promoting energy conservation and alternative energy sources; • Implementing Low Impact Design Standards in both new developments and established areas; • Improving air quality through addressing the impact of climate change; and, • Encouraging the design and construction of energy efficient green buildings.	• Energy • Water • Materials and Solid Waste • Air Quality • Green Buildings • Cool/Green Roof
Compliance of proposed development:	
The development proposal will replace a low-density building with a compact mid-rise development, which will allow for efficient use of land within the existing Urban Boundary on existing municipal services. The site is well served by public transit an is located proximate to a variety of community facilities and commercial land uses which form part of a complete community and increase the potential for a shift in mode share away from single-occupant automobile. Additional sustainable design elements will be identified as the proposal proceeds to the detailed design stage.	
Economy	
Contribution to healthy community:	**Elements:**
• Providing a balanced community between employment and residential areas; • Promoting a diversity of employment opportunities and densities at appropriate locations where transit is available; and, • Promoting the efficient movement of goods.	• Population and Jobs • Employment Lands • Retail / Commercial / Service • Mixed Use / Live Work Opportunities • Neighbourhood Jobs
Compliance of proposed development:	
The development proposal is located within an area designated for the intensification of residential uses and will contribute to the achievement of Regional and Provincial intensification targets by providing an additional 153 residential dwelling units within the Urban Growth Centre in an area that is well served by public transit. The Subject Lands are located within close proximity to a variety of retail stores and professional services which will provide residents with easy access to goods and services that do not require an automobile trip.	
Community Food Supply	
Contribution to healthy community:	**Elements:**
• Encouraging accessibility to healthy food; and, • Promoting locally grown food and farmers markets.	• Local Food / Farmers Markets • Retail Food Options such as Small, Medium, and Large Grocery Stores • Urban Agriculture • Community Food Centres • Local Food Distribution, Process, and Warehousing Facilities
Compliance of proposed development:	
The Subject Lands are located within close proximity to a food store and community gardens which will provide residents with access to healthy food.	

Summary/ Conformity Statement

Through the provision of additional density, in the form of residential dwelling units, the proposal contributes to the achievement of the Regional objectives for Urban Areas, growth management, intensification and housing. The proposal will not result in a net loss of long-term care beds within the Region, as they will be replaced in a new facility in advance of any demolition and construction. The new development will provide a density and built form consistent and compatible with the surrounding area and give residents additional housing choice by providing a diverse unit mix of one, two and three bedroom units within a mid-rise building. The proposal is also well-aligned with the Region's Healthy Community Guidelines. The proposed development, and associated Official Plan Amendment and Zoning By-law amendment, will contribute to the achievement of the Regional Objectives for Urban Areas, Intensification Areas, Urban Growth Centres, housing and healthy communities, and is in conformity with the applicable policies of the Region of Halton Official Plan.

4.5 City of Burlington Official Plan (Office Consolidation, October 2017)

Burlington's Official Plan (OP), was adopted by the Council of the Corporation of the City of Burlington on July 11, 1994. It was subsequently approved, with modifications, by the Region of Halton, on March 5, 1997. Certain parts of the plan were referred by the Region to the Ontario Municipal Board (OMB) for a decision, and certain parts were deferred for further consideration. The City's OP was approved by the OMB on October 24, 2008. The most recent Office Consolidation of the OP incorporates all modifications, subsequent approvals, and amendments to the Plan up to and including October 2017.

The OP has not yet been amended through a Municipal Comprehensive Review to bring it into full conformity with the PPS, 2014 or the Growth Plan, 2017. However, as discussed below, the City has adopted a new Official Plan through a comprehensive review which is reviewed in Section 4.6. The new Official plan is currently before the Region of Halton for approval.

The OP has a number of Parts which address the overall policy framework (Part I), Functional Policies (Part II) and Land Use Policies (Part III). The following is a summary of the OP policies relevant to the proposed development and an analysis of how the redevelopment conforms to these policies.

Mapping and Land Use Designations

In accordance with the in-force Official Plan, the following land use designations apply to the Subject Lands

- Mixed Use Activity Areas, Schedule A: Settlement Pattern;
- Mixed Use Centre, Downtown Urban Growth Centre Boundary, Schedule B: Comprehensive Land Use Plan- Urban Planning Area;
- Downtown Residential Medium and/or High Density Residential Precincts, Schedule E: Downtown Mixed Use Centre;
- Minor Arterial (Maple Avenue), Schedule J: Classification of Transportation Facilities South of No. 1 Side Road; and,

- Primary Bus Service (Maple Avenue), Appendix A Schedule 1: Long Term Transit Service Network.

Figures 9 to **13** show the above noted in-force Official Plan mapping as it relates to the Subject Lands.

Part I: Policy Framework

Part I of the OP sets out the City's context, with respect to the City's general location, Regional setting, demographics, and historical settlement patterns. It also outlines the mission statement and identifies the applicable planning horizon for the Official Plan. The broad mission of the Official Plan is to attain the highest standards of ecological health, economic growth and community development through implementation of the principles of sustainable development.

Section 3 of Part I includes high-level Guiding Principles that apply to the City's Plan as a whole. These are important in consideration of development and redevelopment throughout the City. These guiding principles are as follows:

a) Provide a community plan and growth strategy aimed at creating an attractive, liveable community that offers a wide range of housing, employment, transportation, and leisure opportunities for all its citizens;
b) Support a healthy, clean and sustainable community based on an ecosystem approach and the implementation of the principles of Sustainable Development, by ensuring that environmental integrity and diversity, social and economic factors, and compatibility are considered in land use decisions;
c) Ensure that the City's infrastructure and services are maintained or expanded at a level that is fair, realistic and affordable;
d) Foster a unique, vibrant and strong community identity;
e) Create a community development pattern that supports the existing business community and promotes new business development opportunities, by protecting critical areas of economic enterprise and promoting a variety of locations for economic activity;
f) Support a vigorous local economy;
g) Promote safety and health in the community as well as fair access to housing, municipal services, community facilities, education facilities and economic opportunity; and,
h) Promote the efficient use of land through intensification within appropriate areas of the City, in accordance with Provincial growth management objectives, while recognizing the need for balancing this objective with other planning considerations.

The proposal has carefully considered these guiding principles in its design. The redevelopment is an efficient use of land, providing intensification at an appropriate location in the City. It advances the Province's growth objectives while balancing other objectives of the OP. It will contribute to the achievement of an attractive, livable community providing access to housing within close proximity to parks, shopping, professional services, medical services and community facilities.

Section 4 of Part I provides the land use vision for the City, which considers both the view of the

physical landscape of the City in the future and how it will be experienced in terms of its quality of life. **Section 4.2** notes that the historical built form of the City reflected the belief that there were future limits to growth and reflected the abundant supply of developable land available at that time. This section acknowledges that a shift has occurred since this time and the vision has been modified to reflect this and, identifies that as the City approaches a mature state, a significant amount of its future growth will be in the form of intensification and redevelopment within the existing urban boundary. The Plan notes that, with fixed urban boundaries, the challenge will be to accommodate the various demands for land while maintaining stability and compatibility.

Section 4.3 identifies key changes encouraged by the Plan, which are: the development of a greater diversity of housing types to meet the changing needs of the population; the development of a more self-contained City by encouraging a greater live-work relationship; focusing more intense land uses into specified mixed use centres; a move toward a more balanced transportation system; and, a greater emphasis on the long-term preservation and conservation of significant natural features with greater public access. With respect to population growth, the Plan directs it toward underutilized or vacant parcels in existing communities where new residential growth will be mainly in the form of more compact housing that is served by various modes of transportation and in closer proximity to jobs, shopping and leisure areas. While infill development is encouraged, the Plan provides that preservation and enhancement of the quality of life features of neighbourhoods must be considered in the review of any new and/or intensified development proposals. With respect to the Downtown, Section 4.3 identifies that this area is to maintain its role as the City centre, encouraging residential development, redevelopment and intensification in areas where appropriate.

Overall, the vision set out in Section 4 seeks to maintain a strong network of residential neighbourhoods, a diverse economic base, a sound infrastructure system and a community that is fiscally stable and environmentally sensitive to ensure an attractive, healthy and liveable environment for future generations.

The proposed redevelopment conforms to the City's policy direction for land use by providing for an intensified form of development on an underutilized site within the Downtown. It is in alignment with the key changes identified in the Plan by providing an intensified land use within an identified mixed use centre which provides a mix of unit types. The form of housing proposed is compact in nature; is compatible with existing and future development in the surrounding area; and, is well served by transit and in proximity to jobs, shopping and leisure areas. Overall, it will assist the City in achieving the vision set out in Section 4.

Part II: Functional Policies

Part II of the OP provides principles, objectives and policies that apply to all land use designations and are related to functional elements of growth and development. **Section 2.1** identifies a series of principles to ensure that the City can continue to be a prosperous, livable and healthy community. Of relevance to the development proposal are **objectives a)** and **e)**, which are

provided below:

a) The City will endeavor to ensure that City operations and new development are consistent with the goals and objectives of sustainable development; and,
e) The City will support and participate in the worldwide movement for Healthy Communities.

Section 2.7 of Part II outlines the objectives policies for sustainable design and compatibility. It is the objective that these policies ensure that building layout and urban form is consistent with sustainable development principles so that new development is efficient, safe, accessible, affordable and energy efficient; and, to encourage, wherever possible, development to be accessible by pedestrians, cyclists and public transit (**Objective 2.7.2 a) and b)**). Policies within this Section speak to achieving an efficient urban form in terms of energy, travel time, diversity and intensity; ensuring compatibility with the existing urban fabric and enhancing natural features; encouraging development that provides choices in housing, shopping, employment and transportation; encouraging energy conservation through community and site planning, design, and the use of energy-efficient materials and landscaping; and, encouraging Transportation Demand Management (TDM) strategies to increase transit ridership, walking and bicycling (**Policies 2.7.3 c, d, e, f,** and **k**).

The proposed development conforms with the sustainable development direction provided in Section 2.1 a) and e) and Section 2.7 of the OP. The proposed redevelopment represents a more efficient use of the Subject Lands which is located within proximity to parks and trails and along a major arterial road and primary bus service route, making the area accessible to future residents by providing opportunities for active transportation, including walking, cycling and public transit.

The mid-rise form proposed is compatible with the surrounding urban fabric, and achieves a transition between tall buildings and mid-rise buildings in the sector, where buildings range in height from 6-20 storeys. The building has been designed to provide sculpted balcony projections, giving an undulated pattern to each face which will articulate the façade, mimic the wave patterns of Lake Ontario and enhance views and connections to the lake. Further details on the building design can be found in the Urban Design Brief.

Sustainable building design measures will be considered during the detailed design stage. The provision of cycling and walking route mapping in residential lobbies and the distribution of TDM information packages (including information on transit schedules, car share/ carpool programs and PRESTO cards) to new residents will be considered for implementation.

Appendix E of the OP contains Sustainable Development Principles and Objectives. An assessment of these in relation to the proposed development can be found at **Appendix 7** of this report.

Objectives and policies pertaining to transportation are included within **Section 3** of Part II. The main intent of these policies are to provide an integrated, diverse transportation system for all

residents and businesses that is safe, convenient, affordable, efficient and energy-conserving while minimizing environmental impacts. Objectives are aimed at encouraging alternate travel by creating an urban environment that encourages walking, cycling and transit uses and increase opportunities to live close to work and satisfy day-to-day needs locally without relying on the automobile; maximizing existing infrastructure to ensure optimal benefit is obtained from the transportation system; and, maximizing the effectiveness of the City's transportation plan through coordination with Provincial and Regional initiatives (**Objectives 3.2.1 d), e)** and **g)**). Policies are aimed at encouraging opportunities for developing travel demand management (TDM) measures to reduce single occupancy automobile use; enhancing roadways, sidewalks and transit facilities to maximize mobility and access; and, reducing parking ratios and/or standards (**Policies 3.2.2 e), g) and j)**).

The development achieves these objectives and conforms to the policies as it provides for an intensified use of the site which allows future residents to pursue alternate travel opportunities due to its location along an existing bus transit route, proximity to recreational trails for cyclists and pedestrians, and easy access to higher order transit (GO bus and train as well as connections to the Hamilton Street Railway) thereby maximizing effectiveness and coordination of local transit with Provincial and Regional initiatives. Improvements to the public realm (e.g. sidewalks) will occur through the redevelopment process to enhance accessibility and mobility for future residents and passers-by; and, reduced parking within the Urban Growth Centre location encourages modal shift and reduced automobile use.

Section 3.4 of Part II deals with transit services, and identifies that it is an objective of the Plan to promote the use of transit, and to reduce traffic and parking demands traffic congestion and air pollution, by providing increased levels of service, encouraging transit-supportive land use planning and introducing appropriate "transit priority" and Travel Demand Management (TDM) measures (**Objective 3.4.1 c)**). It is a policy of the Plan to promote the development of cost-effective transit services through transit-supportive land use and transportation plans in areas of development including Mixed Use Corridors and Mixed Use Centres (**Policy 3.4.2 d)**). With respect to development applications, the Plan states that they shall be reviewed to ensure that, where feasible, proposed land developments encourage the efficient and effective use of transit services (**Policy 3.4.2 e)**).

The reduced parking and utilization of leased spaces on the adjacent hydro corridor proposed for the site represents a TDM measure that will encourage and promote the use of transit, which is accessible to future residents due to the site's location along a Minor Arterial, as identified on Schedule J- Transportation Facilities. The site is currently serviced by 5 bus routes and, as identified on Appendix A- Schedule 1- Long Term Transit Service Network (Figure 9), abuts the planned Primary Bus Service along Maple Avenue. As such, the increased density at this location contributes to optimizing the use of the existing transit services and generates ridership for future planned upgrades to the system.

Figure 9: City of Burlington Official Plan Schedule J: Classification of Transportation Facilities

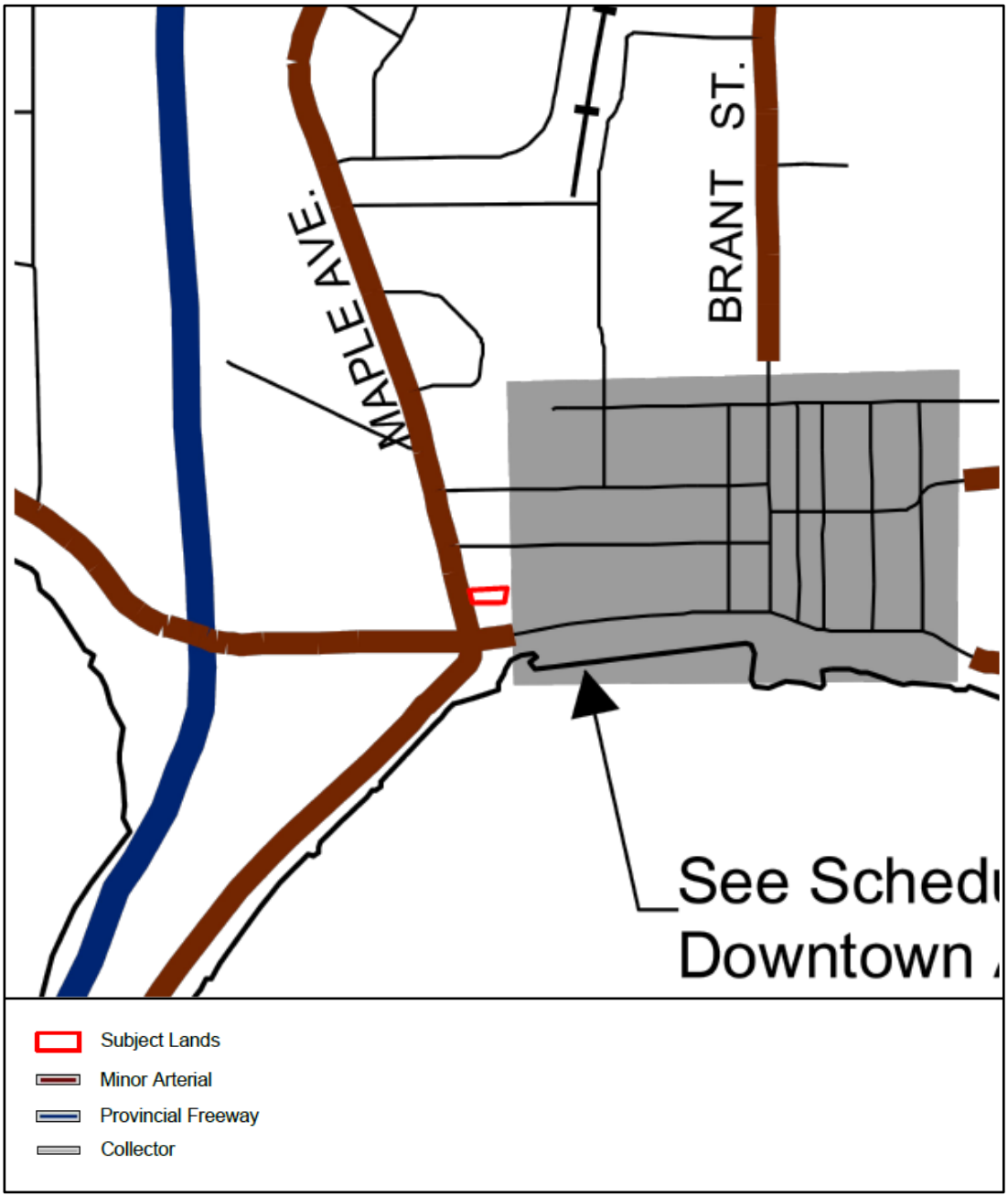
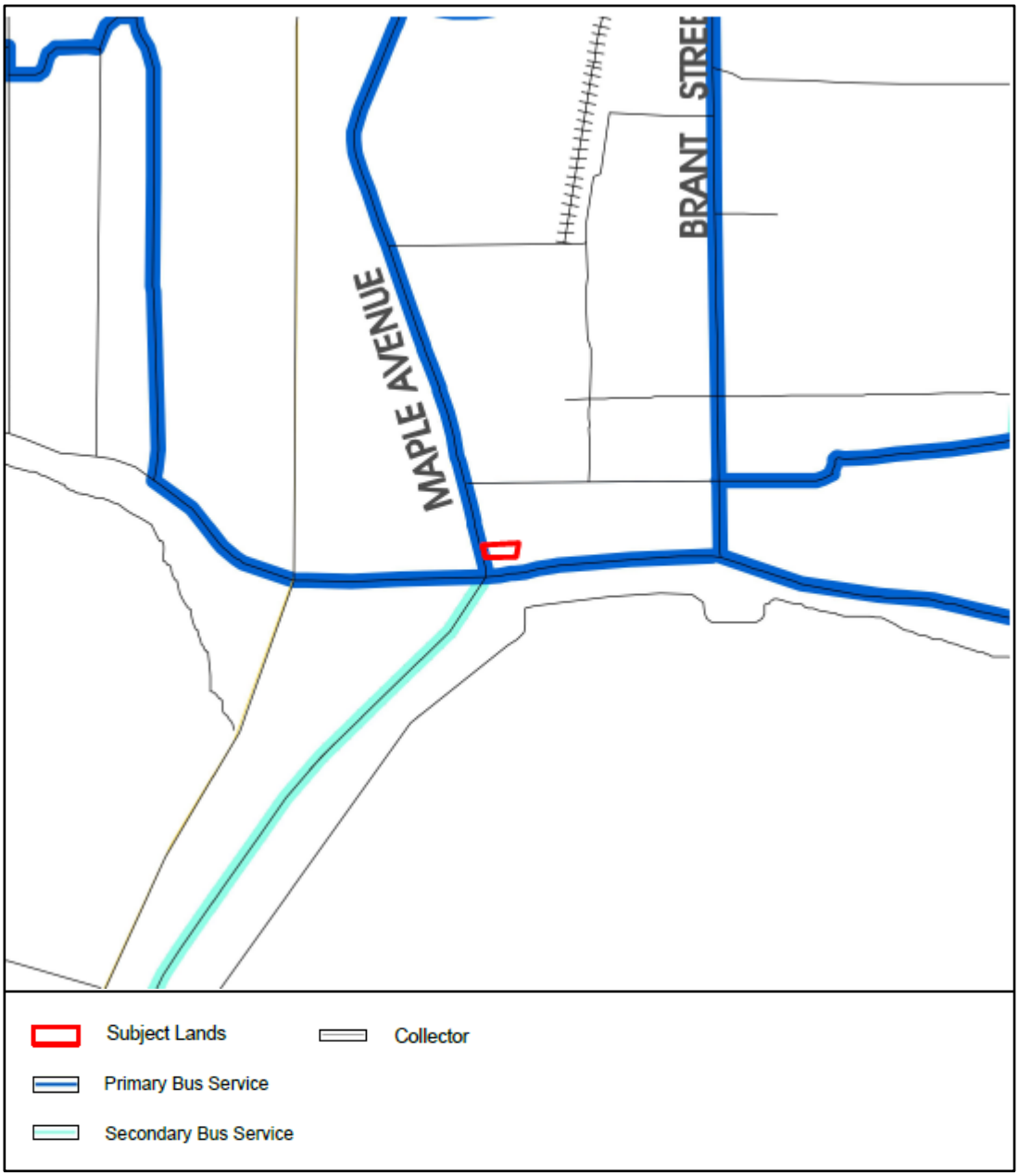


Figure 10: City of Burlington Official Plan Appendix A- Schedule 1: Long Term Transit Service Network



The general design intentions for the City are provided in **Section 6** of Part II. The Preamble of this Section identifies that the City is committed to a high standard of design and architecture and will bring this to the approval process for all land uses as a challenge to its development partners and through its regulatory jurisdiction. In this regard, the City has prepared design guidelines as well as principles, objectives and policies to guide development and redevelopment throughout the City.

The Urban Design Brief submitted in support of this application demonstrates how the policies in this section of the Plan are met by the proposed design. The Urban Design Brief notes that the directions are met through recognition of the context, scale and character

with a sensitive infill massing; introducing a fresh design and diverse image that is related to the design character of adjacent buildings in the context; the use of materials such as masonry and glass that exist in the context and are compatible with the surrounding area; the provision of a consistent and continuous streetscape; and, screening of parking away from view, with the majority provided underground. The design details will be further refined through site plan control.

Part III: Land Use Policies- Urban Planning Area

Part III of the Plan presents the principles objectives and policies for the land use designations identified on the Plan's mapping schedules for the Urban Planning Area. As noted above, the Subject Lands are identified as Mixed Use Activity Areas, Downtown Mixed Use Centre and Downtown Residential Medium and/or High Density Precinct on Schedule A, B and E, respectively, with the corresponding policies contained in **Section 5.5** of Part II of the Plan.

Figure 11: City of Burlington Official Plan Schedule A- Settlement Pattern

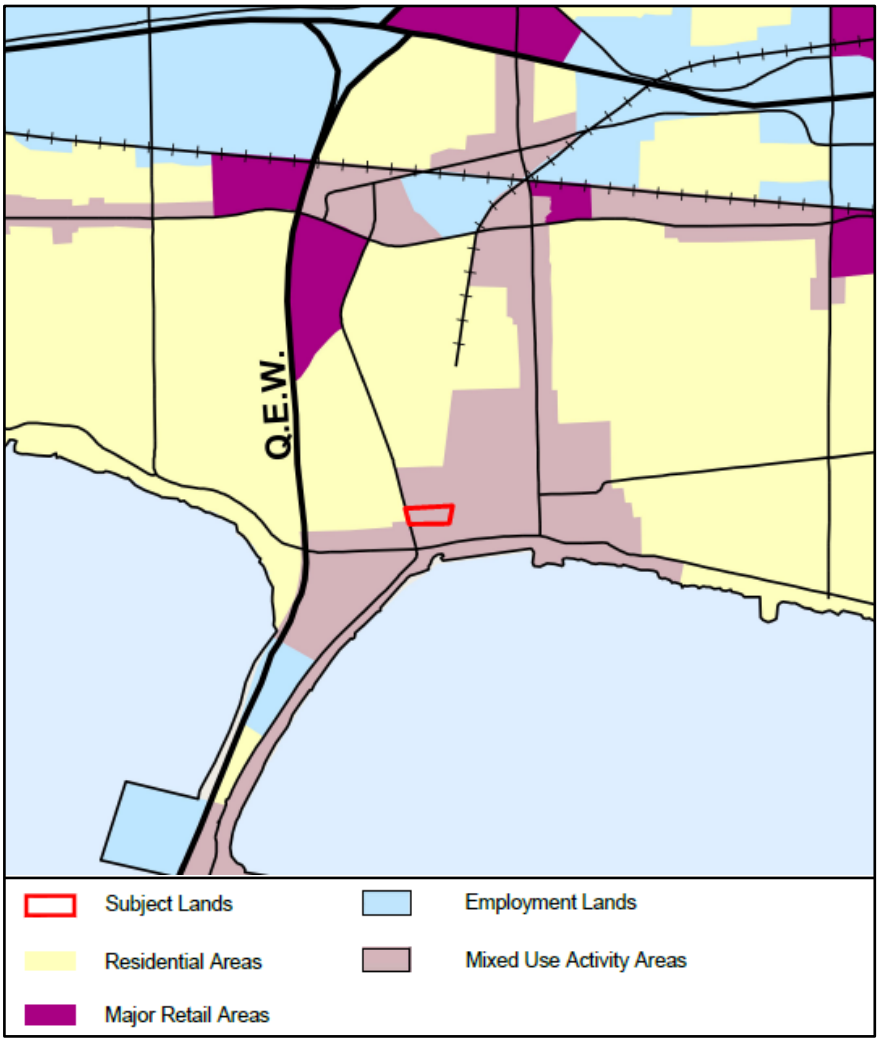
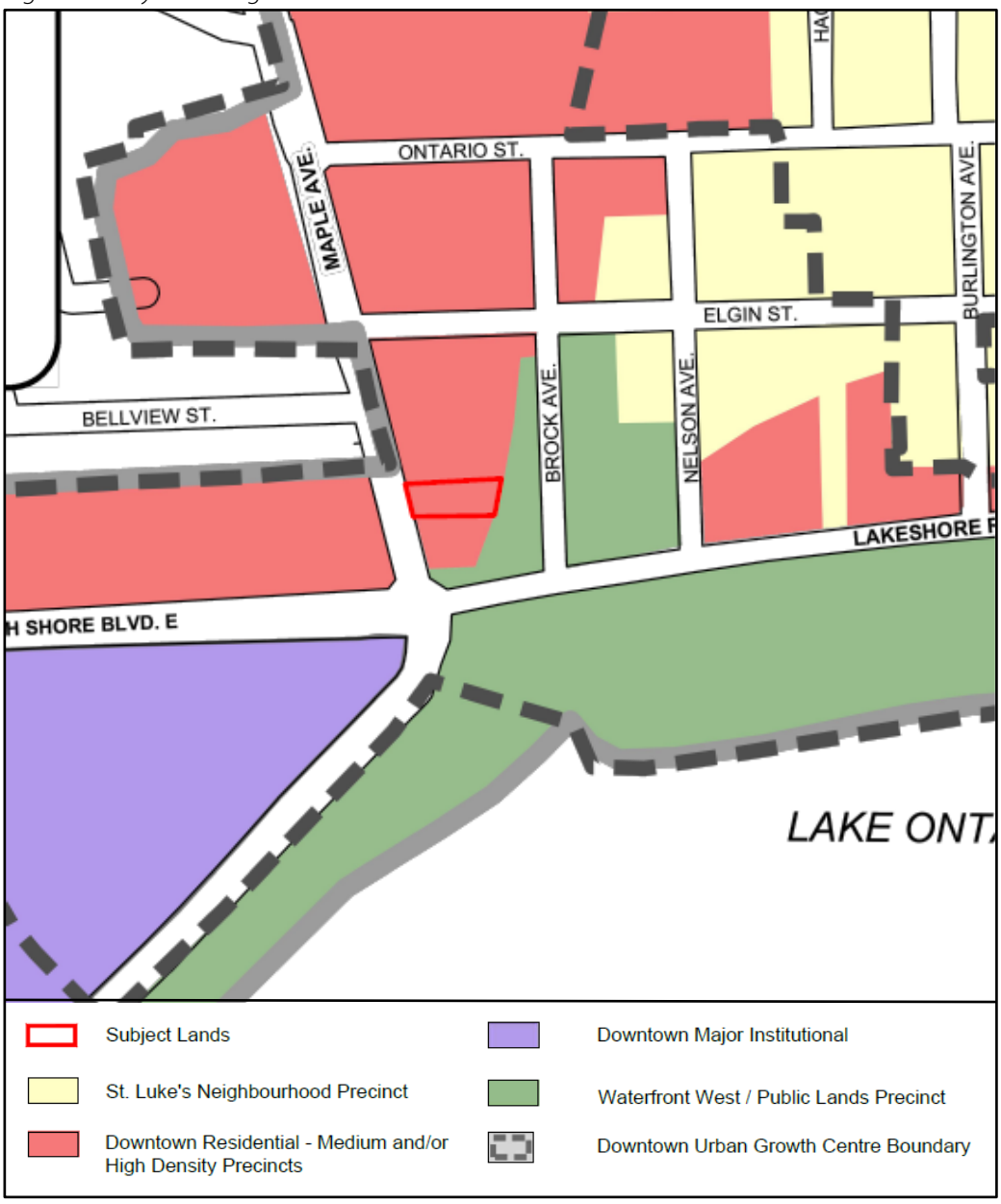


Figure 12: City of Burlington Official Plan Schedule B- Comprehensive Land Use Plan- Urban Planning Area



Figure 13: City of Burlington Official Plan Schedule E- Downtown Mixed Use Centre Land Use Plan



Principle 5.5.1 a) recognizes the Downtown Mixed Use Centre as the Growth Centre for the City, as defined in the Growth Plan (2006). As the Urban Growth Centre, this area shall accommodate a significant share of population and employment growth in the City; and, shall accommodate high density employment (**Principle 5.5.1 a) (i) and (ii)**). Additional principles identify that the Downtown shall be redeveloped through infilling of existing surface parking lots, the rehabilitation of existing buildings, and the intensification of under-utilized lands and buildings where such development shall be of high quality design (**Principle 5.5.1 g) and h)**).

The proposed redevelopment addresses these principles by providing an intensified land use through the redevelopment of an underutilized site which is of high quality design.

Section 5.5.2 provides the objectives for the Downtown Mixed Use Centre, many of which are applicable to the development, including creating a compact city core with a mix of residential, commercial and other uses; increasing the resident population mainly at medium and high densities to strengthen the live/work relationship and ensure the downtown is used after business hours; providing a variety of housing types; and, ensuring density, form, bulk, height and spacing of development is compatible with the surrounding area (**Objectives 5.5.2 a), e), g) and o)**).

The proposed redevelopment meets these objectives by providing a mid-rise residential development that is compact in nature and is compatible with surrounding developments in its design, form, function, height and density as demonstrated in Section 2 of this report. Further, the development will contribute to an increased resident population.

Policies for development within the Downtown are set out in **Section 5.5.3**. All of these policies are general and high-level in nature, providing guidance on items such as densities, the use of Holding zones, land banking, preserving cultural heritage resources, the integration of uses and inclusiveness, with more specific policies for various precincts of the Downtown provided in subsequent sections. With respect to density, **Policy 5.5.3 b)** states that, within the Urban Growth Centre, the target minimum gross density of 200 residents and jobs per hectare is to be achieved, in accordance with the "Places to Grow" Growth Plan for the Greater Golden Horseshoe, 2006 and **Policy 5.5.3 c)** states that higher densities and intensities will be encouraged within certain precincts of the Downtown Mixed Use Centre.

As noted above, the Subject Lands are located within the Downtown Residential Medium and/or High Density Precinct. Objectives and policies for this precinct are contained within **Section 5.5.5**. The objective of this Precinct is to recognize the variety of existing residential medium and/or high density development that currently exists within these precincts to provide for future medium or high density residential development or redevelopment which is compatible with existing development (**Policy 5.5.5 a)**). Within this precinct, a variety of ground or non-ground oriented housing units ranging between 26 and 185 units per net hectare are permitted, including assisted and special needs housing, retirement homes and long-term care facilities (**Policy 5.5.5 b) (ii)**). All development and redevelopment shall be compatible with the existing character of these precincts and the neighboring precincts with respect to such matters as heights, setbacks, massing, design and community features (**Policy 5.5.5 c)**).

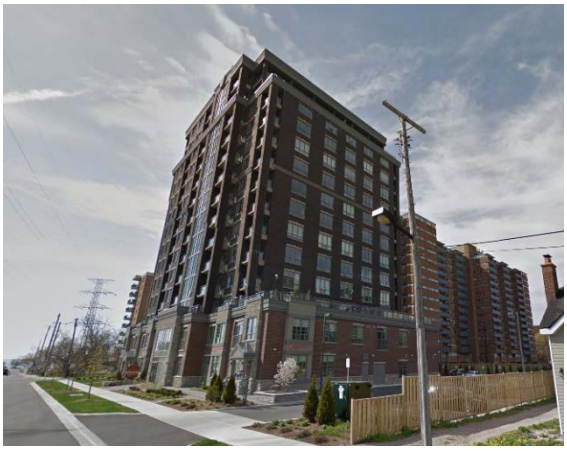
The proposed development introduces an eleven (11) storey building with 153 residential units on a .299 hectare site (including two 1.88m easements), which is a permitted use. This equates to a density of 546.4 units per hectare, which is in excess of the 185 units per hectare set out in Policy 5.5.5 b) ii). As a result, an Official Plan Amendment is required to modify Policy 5.5.5 b) ii) to permit a maximum residential density of 547 units per hectare (as noted earlier in this report, 547 units per hectare has been proposed for the OPA to allow for minor flexibility in the event of a minor change in the overall unit mix through the more detailed design stage of the development).

It is important to note that, with respect to intensification in the Downtown, a recent Ontario Municipal Board (OMB) decision determined that the City's intensification strategy, as implemented in the Official Plan, may not be able to achieve the minimum targets of population and jobs required by the 2006 Growth Plan and the 2017 Growth Plan (OMB File No.: PL150274, Adi Development Group). With respect to the site subject to the OMB decision (374 Martha Street), it was determined by the Board that "the current OP designation was no longer appropriate and that a taller and more transit-supportive development is both preferable and better implements the transit-oriented and intensification policies of the PPS 2014 and the GGH 2017".

It should also be noted that three site specific exceptions for increased density have been approved for the precinct, at 561 and 569 Maple Avenue, 480 Brock Avenue, 490-492 Brock Avenue and 1298 Ontario St. through OPA 71, OPA 85, and OPA 108. OPA 71 provides a site specific exception to Policy 5.5.5 b) (ii) to permit one 21 storey residential building with a density of 321 units per hectare located at 561 and 569 Maple Avenue, while OPA 85 provides a site specific exception to Policy 5.5.5 b) (ii) to permit one 14 storey residential building with a density of 353 units per hectare located at the northwest corner of Elgin Street and Brock Avenue. OPA 108 provides a site specific exception to Policy 5.5.5b) (ii) to permit a maximum density of 751 units per hectare (22 storey building). This suggests that increased density is appropriate in this context.



561 and 569 Maple Avenue



480 Brock Avenue

The City has recently approved Official Plan Amendments for developments within the downtown with densities in excess of the proposed 547 units per hectare. Within the context of the Downtown Urban Growth Centre, an increased density is appropriate to implement the Growth Plan. For example, the approved development at 421 Brant Street is permitted a maximum 169 units on a .2 hectare site, which equates to 845 units per hectare (OPA 106).

In summary:

- **The proposed use is permitted in accordance with the policies of the Downtown Residential-Medium and/or High Density Precinct;**
- **While the density proposed exceeds the permitted density within the Official Plan, it has been determined that the OP permissions for density are no longer appropriate as they may inhibit the City's ability to achieve the minimum intensification target set out in the Growth Plan. In fact, increased height and density was sought at the initial pre-consultation meeting for this application which, in our opinion could be supported on the Subject Lands, however the proposal was revised to 11 storeys to balance intensification interests against concerns raised at the pre-consultation;**
- **Increased densities in the precinct and surrounding area have been deemed to be appropriate by the City previously, through OPA 71, 85, 106, and 108, as noted above;**
- **The proposed development is compatible with the existing character of the precinct, which is composed of a variety of mid-rise and tall residential buildings, ranging in height from 6 to 20 storeys, where densities exceed those permitted in the Official Plan;**
- **The proposed development will assist the City in achieving the density target of 200 persons and jobs per hectare within the Urban Growth Centre;**
- **The proposed development meets the development criteria with respect to height (note: density is not specified in the Adopted Official Plan) for the Downtown Mid-Rise Residential Precinct in the adopted, but not approved, Official Plan (see Section 4.6 for further discussion) which represents the Planning Department's current position on the most appropriate form of redevelopment in the Downtown;**
- **The density provisions of the in-force Official Plan currently do not conform with the Growth Plan and Regional Official Plan and, as a result, the proposed Official Plan Amendment is appropriate; and,**
- **The amendments sought to the Zoning By-law include increased height and density, reduced parking, and setbacks to reflect existing conditions which all act to implement the direction of the PPS, Growth Plan, ROP and Official Plan to ensure efficient, compact and transit supportive development on the Subject Lands.**

While adopted but not yet approved, the new Official Plan represents the City's current position on the most appropriate form of redevelopment in the Downtown and it and does not include any maximum density for this precinct and instead institutes a maximum height which the development proposal meets (11 storeys). Accordingly, when taking these factors into consideration, it can be concluded that the increased density sought through the Official Plan Amendment is appropriate.

4.6 Grow Bold: City of Burlington New Official (Adopted April 26, 2018)

On April 26, 2018, Burlington City Council adopted Grow Bold: Burlington Official Plan (Adopted Official Plan) was forwarded of the Region of Halton on May 11, 2018.

The Subject Lands are identified as part of the City's Ubran Area under the newly adopted Official Plan and within the Mixed Use Intensification Area- Urban Centre, Urban Growth Centre and Mobility Hub. The Urban Growth Centre is a Primary Intensification Area. The Subject Lands are also identified as being within the Downtown Mid-Rise Residential Precinct.

While the Council-adopted Official Plan represents the City's evolving policy framework and direction, the Region of Halton recently issued a Statement of Opinion which states that the Adopted Official Plan is not In conformity with the Regional Official Plan. A copy of this statement of opinion and accompanying notice can be found at **Appendix 8**. This Statement of Opinion requires the City to work with the Region to bring the OP into conformity and may be subject to substantial modification. The most relevant and applicable policies to consider with the proposed redevelopment application of the Subject Lands are those in force and effect and the approved Provincial and Regional policies related to intensification and development within the Mobility Hubs as outlined earlier in this report.

While it is our opinion that the new Official Plan is in transition due to the Region's statement of opinion, it is a reflection of the Council adopted direction based on staff's recommendations. Accordingly, we have completed a review and analysis of the applicable policies of the new OP as this has been noted by the City to form part of a complete application. As demonstrated below, the development proposal generally conforms with the Plan.

Mapping and Land Use Designations

In accordance with the Adopted Official Plan, the following mapping is proposed to apply to the Subject Lands:

- Urban Area, Schedule A: City System;
- Mixed Use Intensification Areas- Urban Centre and Mobility Hub, Schedule B: Urban Structure;
- Primary Growth Area, Schedule B-1: Growth Framework; and,
- Downtown Mid- Rise Residential Precinct, Schedule D- Downtown Urban Centre.

Additionally, several schedules are contained within the Adopted Official Plan which propose specific designations for Maple Avenue as it relates to the City's Transportation Network:

- Frequent Transit Corridor (Maple Avenue), Schedule B-2: Growth Framework and Long Term Frequent Transit Corridors;
- General Mixed Use Street (Maple Avenue), Schedule D-1: Commercial and Office Streets; and,
- Urban Avenue (Maple Avenue), Schedule O-3: Classification of Transportation Facilities, Downtown Urban Centre.

Figures 14 to **20** show the above noted Adopted Official Plan mapping as it relates to the Subject

Figure 14: City of Burlington Official Plan (Adopted April 26, 2018) Schedule A: Settlement Pattern



Figure 15: City of Burlington Official Plan (Adopted April 26, 2018) Schedule B: Urban Structure



Section 2 of the Adopted Official Plan contains the City's Community vision for the development of the City to the 2031 Planning Horizon. It includes a broad overview of the City System, identifies the Provincial Plan boundaries and concepts, provides the anticipated population and employment distribution to 2031 (193,000 people and 106,000 jobs) and establishes the City's Urban Structure. The Urban Structure elaborates on these systems, boundaries, concepts and projections by defining the planned function of seven specific elements, as follows:

- Mixed Use Intensification Areas;
- Region of Halton Employment Areas;
- Employment Lands;
- Residential Neighbourhood Areas;
- Natural Heritage System, Major Parks and Open Space;
- Mineral Resource Extraction Areas; and,
- Infrastructure and Transportation Corridors.

As noted above, the Subject Lands are identified as a Mixed Use Intensification Area (Urban Centre) on Schedule B. Corresponding policies in the Adopted Official Plan identify Mixed Use Intensification Areas as comprising City's existing urban centres, emerging mobility hubs and other

mixed use nodes and intensification corridors and are considered part of the intensification areas(**Policy 2.3.1 c)**).

Policy 2.3.1 a) establishes the planned function of Mixed Use Intensification Areas, stating that these provide locations where a range and intensity of employment, shopping, public service facilities, residential uses and complementary uses such as open space and parks, institutional and cultural uses will be developed with transit supportive densities in compact built form. The policy goes on to further state that these areas are intended to offer substantial development opportunities and represent a key element in the Plan's strategy to accommodate and direct growth in the City over the planning horizon and beyond. In terms of form, **Policy 2.3.1 b)** identifies that these areas will occur in either linear forms, along a transportation corridor, or nodal form, as a concentrated group of parcels located generally at a major intersection, at different levels of intensity.

Within the City's Mixed Use Intensification Areas, it is the intent that the Urban Centre areas represent established mixed use development areas with both established neighbourhood areas and dynamic evolving growth areas. They provide for a broad mix of uses in areas of higher, yet appropriate, intensity in relation to the surrounding neighbourhoods which are to be designed for a compact built form, oriented to support transit and facilitate active transportation (**Policies 3.2.1 d), e)** and **h)**). With respect to the Downtown Urban Centre, specifically, **Polity 3.2.1 f)** states that it will continue to develop as the City's centre, taking advantage of the unique qualities that contribute to its distinct identity.

The Adopted Official Plan has identified the Downtown as one of the City's four Mobility Hubs, due to the location of the Downtown Bus Terminal (a major transit station area) within this designation. The Mobility Hub system is intended to reinforce land use and transportation objectives in the Provincial Growth Plan, particularly the goal of focusing development growth around major transit station areas (**Policy 3.2.1 j)**). To further support the transit oriented nature of these areas, the Plan states that growth shall occur in the form of compact, mixed-use and pedestrian-friendly areas with residential and employment intensities greater than which exist in the surrounding areas **(Policy 3.1.1 j) and Policy 3.2.1 i)**). Specifically, **Policy 3.2.1 i)** states that these are emerging areas in the Urban Structure that represent opportunities to intensify and develop complete communities.

The proposed development represents an opportunity to intensify land within the Downtown Urban Centre and Mobility Hub and contribute toward the development of a complete community as envisioned by the Urban Structure set out in the Adopted Official Plan. The introduction of a mid-rise residential development on the existing site with 153 residential units represents appropriate intensification of the site, consistent with the surrounding neighbourhood context and as set out in the vision for the Downtown Urban Centre.

Growth Framework

Figure 16: City of Burlington Official Plan (Adopted April 26, 2018) Schedule B-1: Growth Framework

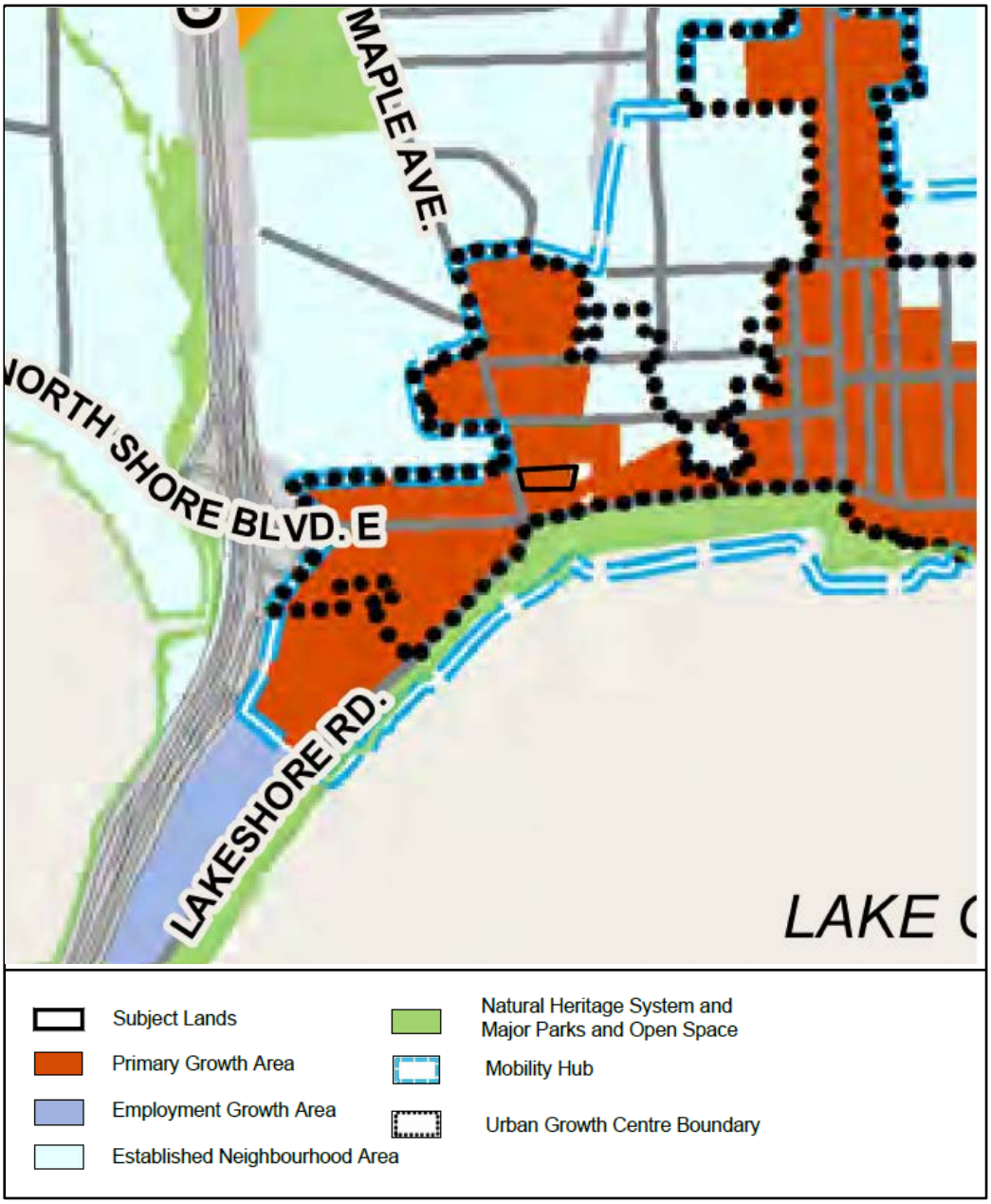
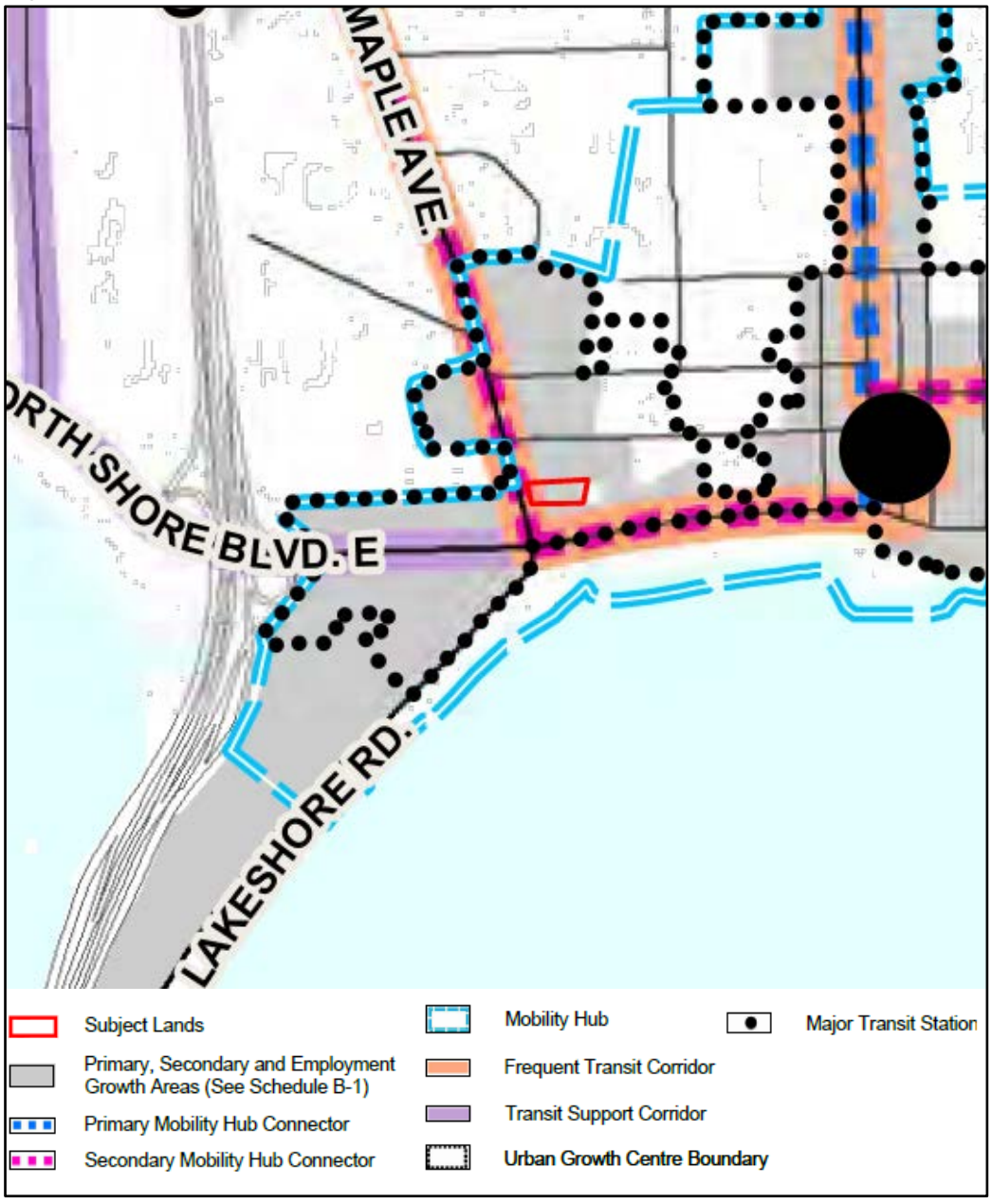


Figure 17: City of Burlington Official Plan (Adopted April 26, 2018) Schedule B-2: Growth Framework and Long Term Frequent Transit Corridors



In addition to establishing an urban structure for the City to the 2041 Planning Horizon, the Adopted Official Plan also includes a growth framework, to be used in conjunction with the urban structure, which provides policies that direct growth to key locations in the City which are identified as Primary Growth Areas, Secondary Growth Areas and Employment Growth Areas. These areas are where the City is planning to accommodate significant population and employment growth and higher intensity mixed uses in appropriate areas to make better use of land and infrastructure, transforming Burlington from a primarily suburban to a more urban community. The Plan also includes Established Neighbourhood Areas as part of the Growth Framework, noting that this is an area where intensification is generally discouraged.

As noted, above, the Subject Lands are identified as being located within a Primary Growth area. **Section 2.4.2.(1)** of the Adopted Plan provides the City's policy position with respect to Primary Growth Areas. These areas are generally located within Mixed Use Intensification Areas as Urban Centres and Mobility Hubs. They are recognized as distinct areas within the City's Urban Area, accommodating the majority of the City's forecasted growth over the planning horizon and, consequently, will experience the greatest degree of change (**Policy 2.4.2.(1) a) (i) and (ii)**). Further, Primary Growth Areas are the most appropriate and predominant location for tall buildings, are priority locations for City-initiated area-specific planning and for investments in transit and other infrastructure and facilities (**Policy 2.4.2.(1) a) (iii) and (iv)**). Finally, it is the intent that Primary Growth Areas support the frequent corridors and accommodate development that is compact, mixed use, and pedestrian-oriented in nature (**Policy 2.4.2.(1) a) (v)**). Finally, the Adopted Official Plan states that Primary Growth Areas shall be a priority for Provincial, Regional and City investment in new or upgraded infrastructure and/or public service facilities which may be required to facilitate intensification (**Policy 2.4.2. (1) b)**).

The redevelopment of the Subject Lands provides an opportunity to intensify residential uses on an underutilized parcel of land within the Downtown Primary Growth area and along a Frequent Transit Corridor and Primary Mobility Hub Connector. Currently, a two-storey, 93 bed 35 room, retirement facility exists on the site where the development proposal is to demolish the existing structure on-site and replace it with an eleven-storey 153 unit residential apartment building. This new use on the Subject Lands will assist the City in accommodating the anticipated population growth in a mid-rise development form that will provide residents with direct access to the transit network and connections to the City's mobility hubs due to its location along Maple Avenue. This type of intensification is appropriate for the Primary Growth Area and will support the Frequent Transit Corridor. This is both anticipated and supported by the Growth Framework policies of the Plan and upholds the Urban Structure.

Mobility Hubs

The Subject Lands are located within the Downtown Mobility Hub, which is one of four identified Mobility Hubs in the City. While the area-specific plan for the Downtown Mobility Hub has been completed and incorporated in the Adopted Official Plan, **Policy 8.1.2(2)** states that the general objectives pertaining to Mobility Hubs in Section 8.1.2 of the Plan also apply. In accordance with **Section 8.1.2**, Mobility Hubs form an important component of the City's Urban Structure, Growth Framework and transportation network and it is the intent that mobility hubs form the focal points for higher intensity and mixed use development that will accommodate a significant share of the City's future population and employment growth to 2031 and beyond.

The redevelopment of the Subject Lands provides an opportunity to provide higher intensity development within an area identified by the Plan intended to accommodate a significant proportion of anticipated future population growth within the planning horizon of the Adopted Plan.

Housing/ Complete Communities

Section 3 of the Adopted Official Plan identifies a series of elements necessary for creating a "complete community", including housing; public service facilities and institutional uses; parks, recreation and open space; cultural resources; and, cultural heritage resources. **Section 3.1** of the Adopted Plan provides for updated housing policies with objectives to increase housing supply that

are of relevance to the development proposal and examined in the following section.

According to the **Preamble of Section 3.1**, housing is fundamental to the social, economic and physical well-being of the City's residents and neighbourhoods. The City will promote an adequate and appropriate range of housing choices by type, tenure and affordability level, to accommodate the needs of all City residents and workers, regardless of age, income level, physical, sensory and mental health and ability, culture, level of support services, household structure and family composition.

The Plan includes a series of objectives with respect to the housing supply, including: promoting a land use pattern that mixes and disperses a full range and mix of housing types and tenures across the City; and, making more efficient use of existing developed lands, housing stock and available services to increase the supply of housing, while maintaining compatibility with the character of existing neighbourhoods (**Objectives 3.1.1(1) b) and c)**).

The proposal will introduce 153 residential dwelling units through the redevelopment of the Subject Lands. The proposed dwelling units will consist of a mix of one, two bedroom and three bedroom units that will provide a range of housing choices for a variety of household types within an area that is primarily developed with mid- to high- rise residential buildings of mixed tenure. The proposed addition of varied housing stock will contribute to achieving these objectives.

Many of the policies related to the City's housing supply are intended for the City and the Region to apply and address; however, **Policy 3.1.1 (2) h)** requires the submission of a housing impact statement where a development proposal includes more than one hundred (100) dwelling units. The policy is provided, in full, for reference below:

"The City shall require the submission of a housing impact statement where a development proposal includes more than one hundred (100) dwelling units, identifying:

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

An analysis of the proposed development, within the specific requirements of Policy 3.1.1(2) h), is provided below:

(i) The proposal will provide an additional 153 residential dwelling units, ranging from one-bedroom to three-bedroom units, with a rich mix of larger units (43% of units will be two and three bedrooms). These units will be provided in a multi-storey building, which will contribute to the achievement of the Region's target of 50% new housing units to be in the form of townhouses or multi-storey buildings;

(ii) It is not yet known what the sale price for the units will be, but it is anticipated some units will achieve market affordability thresholds and be comparable to similar units in the area;

(iii) There will be no phasing of the development. All units will come on the market upon completion of the building and other planning approvals as required (e.g. Draft Plan of Condominium);

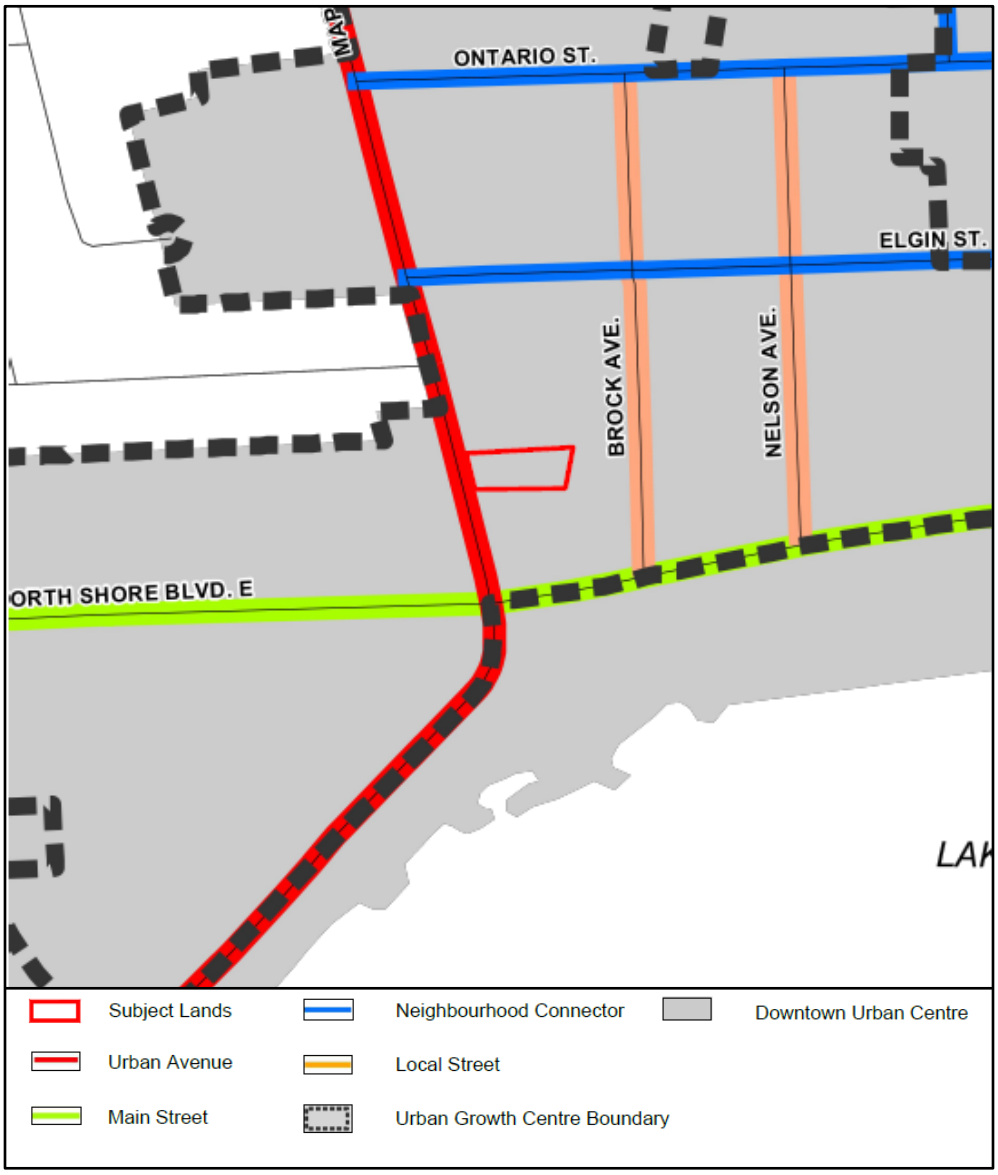
(iv) As noted throughout this report, the existing Long-Term Care Facility will be demolished, with the existing residents re-homed in a new, modern and accessible, facility within the LHIN. Accordingly, there will be no net loss of long-term care beds within the LHIN. There are no legal and/or financial mechanisms being explored to ensure the delivery of affordable housing.

Environment and Infrastructure

Section 4 of the Adopted Official Plan provides policies for the environment and sustainability and **Section 6** provides policies related to infrastructure, transportation and utilities. These policies collectively address climate change and air quality, urban forestry, water resources, land use compatibility, servicing and road systems. In accordance with Schedule O-3, Maple Avenue is identified as an Urban Avenue. Urban Avenues are considered as streets that serve regional and inter community levels; often connect mixed use intensification areas; function as high priority streets; and accommodate a moderate to high degree of people moving capacity.

As noted, the proposed redevelopment is supported by a number of technical reports related to functional servicing, stormwater management and transportation. A geotechnical report has also been submitted as well as a Phase 1 Environmental Assessment. All of these reports have been prepared to address the objectives and policies as provided within the Adopted Official Plan. The proposed development will provide a residential density that is appropriate for an Urban Avenue and will provide residents with direct access to transit, walking and cycling facilities.

Figure 18: City of Burlington Official Plan (Adopted April 26, 2018) Schedule O-3: Classification of Transportation Facilities Downtown Urban Centre



Urban Design

The Adopted Official Plan provides a new section on design excellence (**Section 7**). The Urban Design Brief has assessed the proposed redevelopment in accordance with these design objectives and policies.

Land Use Policies

Detailed land use policies for the various land use designations comprising the various Urban Structure elements are contained within **Section 8** of the Adopted Official Plan. Section 8.1 defines objectives and policies for Mixed Use Intensification Areas, which includes the Downtown Urban Centre designation that applies to the Subject Lands.

Section 8.1.1(1) and **8.1.1(2)** set out the general policies and objectives and policies for Urban Centres, while **Sections 8.1.1(3), 8.1.1 (3.1)** and **8.1.1 (3.2)** provide more detailed direction with

respect to the planned function, general objectives and general policies for the Downtown Urban Centre. Each of these are discussed below.

Urban Centres

Generally, Urban Centres are to provide locations for higher intensity, transit-supportive and pedestrian-oriented, mixed use development in a compact built form consisting of residential, retail, service commercial, office, employment, hotel, entertainment, public service facilities and institutional uses and open space uses which is compatible with the surrounding area (**Objectives 8.1.1(1) a), b) d) e) and j)**). With respect to residential uses, it is the objective that Urban Centres accommodate a diverse range of household sizes and incomes (**Objective 8.1.1(1) f)**).

These objectives are further enshrined in policy, several of which apply to the redevelopment proposal on the Subject Lands. In particular, it is the intent that Urban Centres shall be promoted as multi-functional activity centres and focal points characterized by mixed use and compact built form of development (**Policy 8.1.1(2) b)**). Further, the design and development of Urban Centres shall ensure compatibility with the Urban Centre uses and surrounding areas (**Policy 8.1.1(2) c)**). Finally, with respect to multi-unit residential developments in Urban Centres, the Adopted Plan states that they should incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes (**Policy 8.1.1(2) g)**).

The Subject Lands will contribute to the achievement of the stated objectives for Urban Centres by providing an intensified residential use of the site which is compatible with the surrounding area in terms of height, built form and use. The proposal will optimize the use of the Subject Lands by intensifying the site in a compact built form and considers the surrounding area by providing appropriate separation distances and setbacks form adjacent uses. Further, it provides a range and mix of unit types, from one-bedroom to three-bedroom options to ensure that a range of household sizes can be accommodated.

Downtown Urban Centre

The planned function of the Downtown Urban Centre is described in the preamble of **Section 8.1.1(3)**. In accordance with the preamble, the Downtown Urban Centre is a lively, vibrant, "people place" with a wide variety of employment, shopping, leisure, residential, recreational and tourism opportunities. In terms of provincial policies, the preamble acknowledges the Downtown Urban Centre's designation as an Urban Growth Centre in the Provincial Growth Plan which shall accommodate a significant share of population and employment growth within the City. Throughout the planning horizon of the Adopted Plan, it is the intent that the Downtown Urban Centre continue to develop as the City's primary centre and be an area where specialty retail, community retail, entertainment, cultural, public service facilities and institutional facilities, offices and residential uses shall be developed. Development within the Downtown Urban Centre is to make the best use of existing infrastructure and create a sustainable and compact community with a wide range of land uses and built forms. New development is to be of high quality of design and built to be compatible with buildings and neighbourhoods and complement the pedestrian activity and historical attributes of the area.

The proposed residential development represents an efficient use of existing land and infrastructure that will allow the Downtown Urban Growth Centre to accommodate additional population growth, as required by the Provincial Growth Plan. It will provide a building of high quality design that will be built to be compatible with existing buildings in the area, preserve views to the Lake; and, complement the overall attributes of the area.

With respect to the development proposal, several of the General Objectives are applicable. In particular, the general objectives aim to: require a mix of uses within developments and throughout the Downtown that reinforces the Downtown's role as a Complete Community; and, to ensure development incorporates effective transitions with adjacent development and surrounding areas while protecting significant public view corridors to Lake Ontario, the Brant Street Pier, City Hall/ Civic Square and other landmarks (**Objectives 8.1.1(3.1) d) e) and m)**). Additionally, it is an objective that a continuous, harmonious, safe and attractive pedestrian-oriented environment be provided through high-quality streetscapes including enhanced greenery/ landscaping and through new developments which achieve urban design and architectural excellence (**Objective 8.1.1(3.1) k)**). Building heights and intensities which support and enhance the City, Regional and Provincial significance of the Downtown and its role as a mobility hub will be supported.

The proposed development will assist the City in ensuring the Downtown is a Complete Community by providing an intensified residential use on the Subject Lands which is complementary to the surrounding area. The building has been designed to protect views to the Lake. The proposed height and intensity of development is in alignment with the vision for the Downtown Mid-Rise Residential Precinct and will support the role of the Downtown as a mobility hub by supporting the Frequent Transit Network and road classifications; and, providing residential dwelling units with direct access to local transit and connections to higher-order transit.

General Policies related to these objectives are contained in Section 8.1.1(3.2) of the Adopted Plan. With respect to Provincial targets, **Policy 8.1.1(3.2) b)** identifies that a minimum density target of 200 people and jobs combined per hectare by 2031 or earlier is required in accordance with the Growth Plan. The balance of the General Policies for the Downtown Urban Centre relate to specific development criteria for retail, service commercial and office uses at grade; retention of food stores; and, requirements for development along the street hierarchy for the Downtown Urban Centre.

The proposed development will provide an intensified and more efficient use of the Subject Lands than the existing building. It will add 153 residential units to the Downtown and assist the City in achieving the minimum density target of 200 people and jobs combined per hectare by 2031 or earlier as required by the Growth Plan.

Downtown Mobility Hub and Precinct-Specific Policies

As noted in **Policy 8.1.1(3.2) a)**, specific policies set out for the Downtown Mobility Hub and defined precincts within the Mobility Hub also apply. The Subject Lands are designated Downtown Residential Mid-Rise Precinct and located on a General Mixed Use Street in accordance with Schedule D and D-1.

Figure 19: City of Burlington Official Plan (Adopted April 26, 2018) Schedule D: Land Use- Downtown Urban Centre

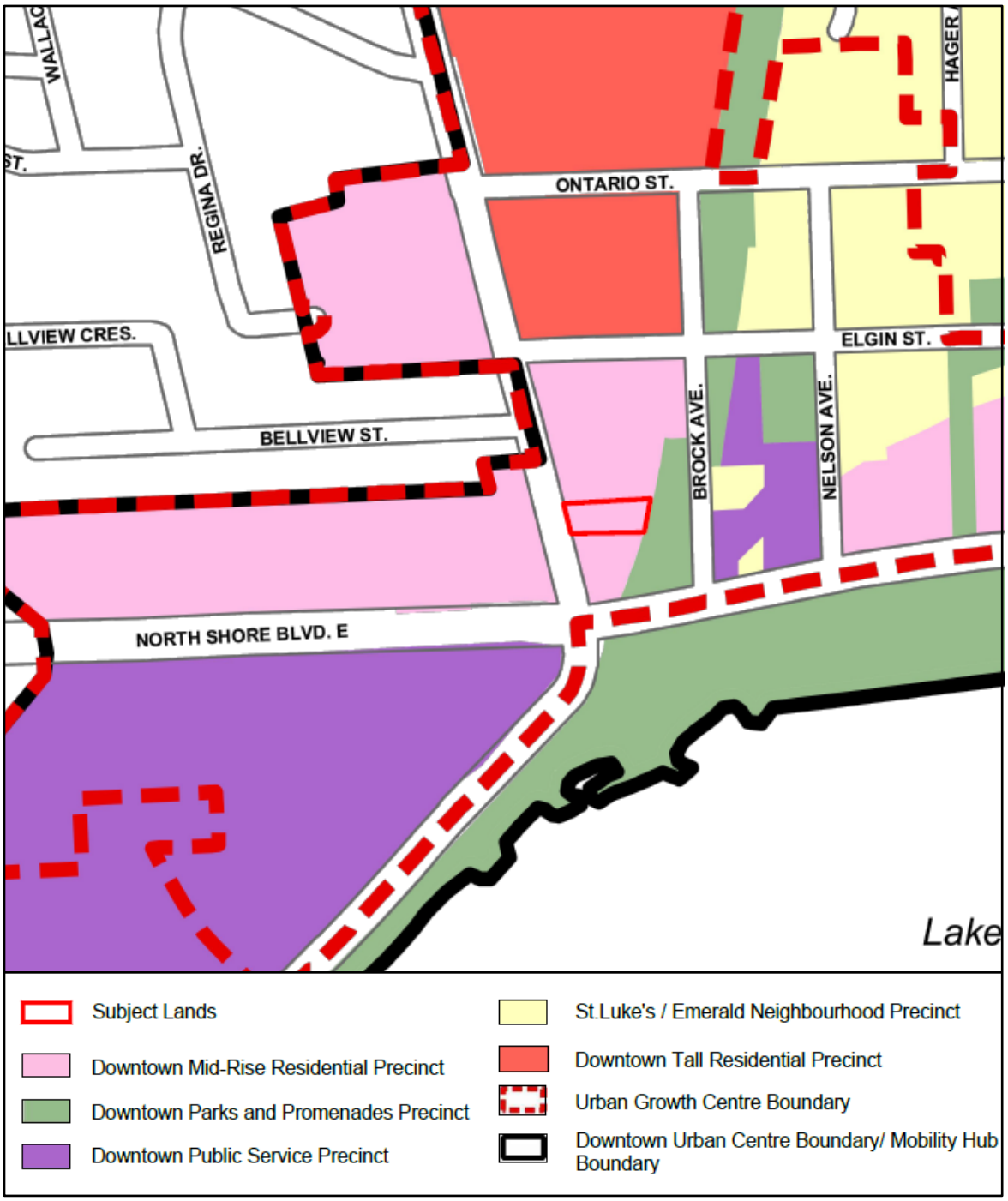
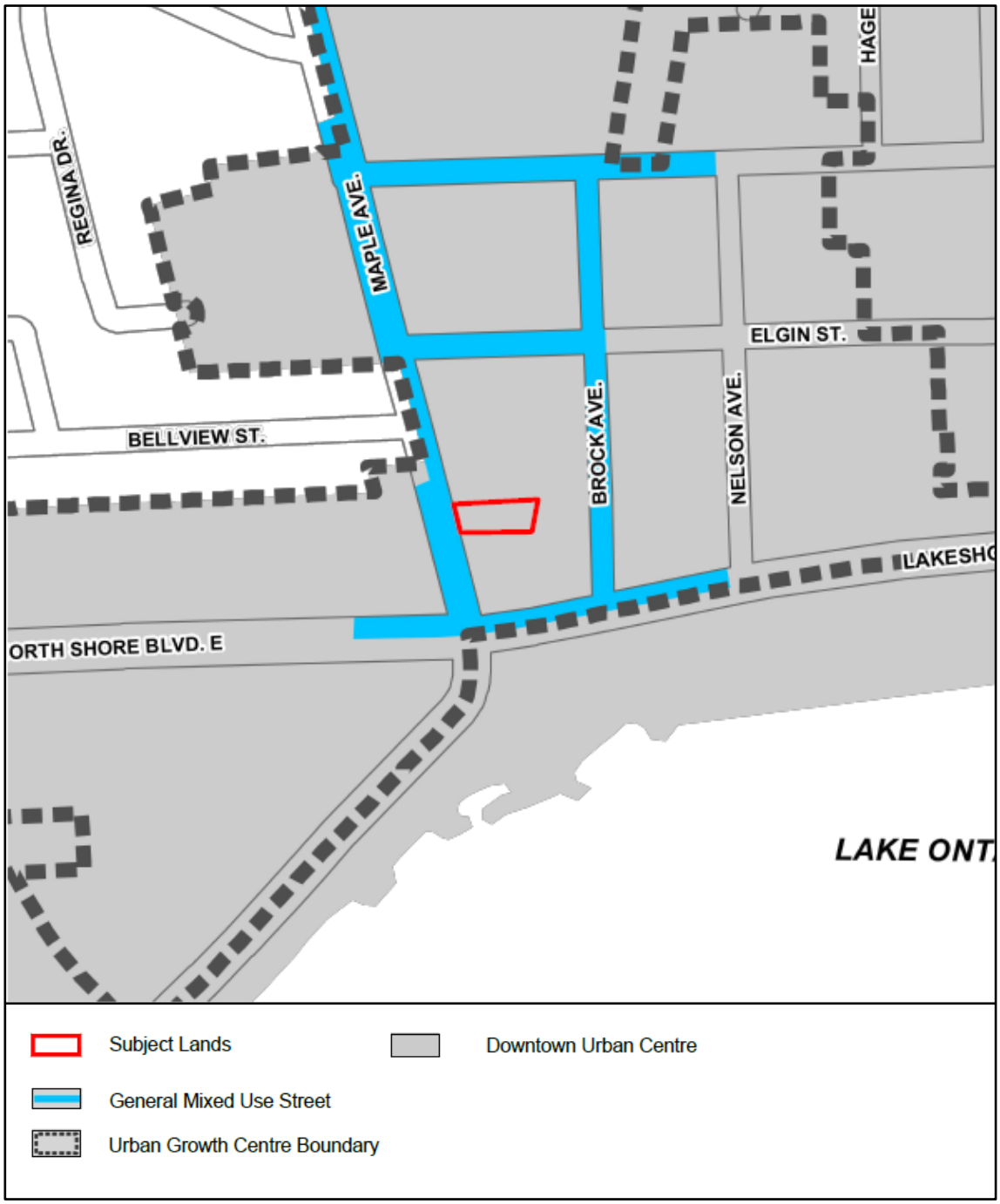


Figure 20: City of Burlington Official Plan (Adopted April 26, 2018) Schedule D-1: Downtown Urban Centre Commercial and Office Streets



Detailed policies that apply to the redevelopment are provided in **Section 8.1.1 (3.8)** as well as general policies related to urban design which are included in **Section 8.1.1 (3.14)**.

In accordance with the Preamble of Section 8.1.1 (3.8), the Downtown Mid-rise Residential Precinct will primarily accommodate existing development consisting of eleven (11) storeys or less, in predominantly residential areas of the Downtown. The preamble notes that there are limited

opportunities within this precinct for transition and redevelopment and states that any redevelopment is to achieve compatibility with surrounding established residential neighbourhoods where they are adjacent to these neighbourhoods.

The Policies of the Downtown Mid-Rise Residential Precinct allow for residential uses, retail and service commercial and office uses and recreation uses. Along General Mixed Use Streets, retail, service commercial and office uses may be permitted at grade (**Policy 8.1.1(3.2)(iii)**) Development is to achieve a mid-rise form, with a minimum height of five (5) storeys and a maximum height not to exceed eleven (11) storeys.

With respect to urban design, **Policy 8.1.1 (3.14) a)** states that all buildings within the Downtown Urban Centre, with the exception of low-rise buildings, and properties located within the Brant Main Street Precinct or Downtown Mid-Rise Residential Special Planning Area, shall incorporate a podium element as part of a building's overall built form that: (i) is equal in height to the width of the public right-of-way immediately adjacent to the façade. Where more than one public right-of-way is immediately adjacent to a building façade, the podium may be a consistent height equal to any of the public rights-of-way present; and, (ii) provides a minimum building setback from the remaining portions of a building above the podium element of three (3) m.

The proposed development will provide an eleven (11) storey residential building, which is permitted in accordance with the Downtown Mid-Rise Residential Precinct. As the Adopted Plan is currently written, an Official Plan Amendment would be required to facilitate the development as proposed to address podium height deficiencies as the development concept proposes a podium height of 9.5 metres, whereas a 26 metre podium height is required, since the right-of-way width of Maple Avenue is 26 metres. It is understood, through conversations with planning staff, that the wording of this policy has been flagged as an error and is to be revised before it is approved at the Regional level. It is our opinion that a 9.5 metre podium on an 11 storey building is appropriate. The accompanying Urban Design Brief discusses in detail how the proposed design achieves compatibility with the surrounding urban form and achieves other urban design objectives to ensure design excellence.

Implementation

Policy 12.1.1(3) j) of the Adopted Official Plan identifies criteria to be used by the City to evaluate Official Plan Amendment applications. **Appendix 9** provides a table which evaluates the proposal against this set of criteria.

Although not the subject of this application, a draft Official Plan Amendment has been included as **Appendix 3b** which includes a site specific exception to this policy.

4.7 City of Burlington Zoning By-law (By-law 2020)

The Subject Lands are currently zoned Downtown High Density Residential (DRH) Zone. The DRH Zone permits apartment buildings, retirement homes, offices in an existing building and offices on the ground floor of a residential building. The minimum density of development is 50 units per hectare and the maximum density is 185 units per hectare. Maximum permitted height for the DRH zone is 22 metres. As noted in the final bullet of Section 4.5 of this report, the Zoning By-law Amendment is required to implement the direction of the PPS, Growth Plan and ROP to ensure

efficient, compact and transit supportive development on the Subject Lands.

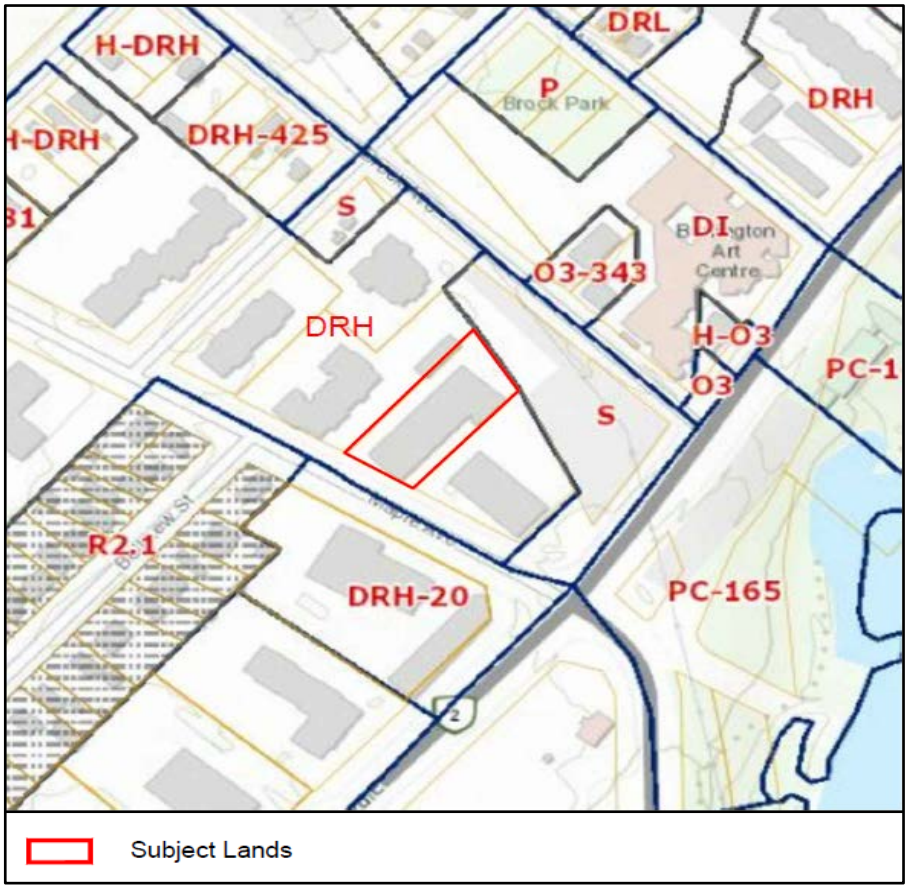
As noted in Section 3.3.2, the proposed Zoning By-law Amendment will allow for site specific exceptions to the DRH Zone for a number of provisions, including density, height, landscaping, setbacks, and parking. These amendments are briefly summarized below, while **Appendix 10** contains a full zoning analysis and rationale table for the proposed development. A draft Zoning By-law Amendment can be found at **Appendix 4**.

With respect to density, height and parking, the amendments are required to achieve consistency and conformity with Provincial and Regional planning documents which require increased density within the Urban Growth Centre and the application of reduced parking standards to promote transit ridership.

The alternate setbacks proposed are, in some respects, greater than what is currently provided on site by the existing building and are required as a result of the shape of the parcel to ensure optimization of the lands through redevelopment (e.g. the proposed development will provide a 4.5 metre front yard setback whereas the existing building is set back 1.76 metres). Additional modifications are required to address existing conditions (e.g. the shared access driveway along the side yard cannot provide landscape area).

Further discussion is included in Appendix 10.

Figure 21: City of Burlington Zoning By-law 2020



5.0 SUMMARY AND CONCLUSIONS

As outlined in this report, together with the supporting technical reports, the proposed development and associated Official Plan and Zoning By-law Amendments represent an appropriate intensification of the subject Lands.

The proposal will replace an aging long-term care facility with an 11-storey, 153 unit, residential building, within an Intensification Area and Provincially designated Urban Growth Centre. It will increase the range of available residential units in the downtown, by providing a mix of one, two and three bedroom units with a 35% proportion of larger units. The additional residential density will assist in supporting the existing and proposed public transportation and make efficient use of existing municipal servicing infrastructure.

The design of the building carefully considers the existing surrounding built form, providing an 11-storey mid-rise building within an area of similar heights and densities, allowing for an appropriate transition in the area. The building has been designed to optimize the use on the site and is stepped back from the street to allow for maintained views of Lake Ontario and a human-scaled environment at the street. The overall design complements the surrounding area by utilizing building materials which are compatible with the surrounding area and visually and aesthetically pleasing. The impacts from the redevelopment are minimized. There are no adverse impacts from wind, sun, shadows, noise and servicing.

Both the existing in-force OP and Adopted OP have been considered in the design of the proposed building and evaluated throughout this report. The proposal conforms to the direction of both Plans and represents a form of development which implements the objectives and policies of the PPS and Growth Plan.

Based on the existing physical context and surrounding neighbourhood, the technical assessment and proposal and our analysis of the proposal within the in-force and adopted policy and regulatory context, we conclude the following:

1. The proposal is consistent with the Provincial Policy Statement, 2014;
2. The proposal conforms to the Growth Plan for the Greater Golden Horseshoe, 2017;
3. The proposal conforms to the Halton Region Official Plan, 2015;
4. The proposal conforms to the in-force City of Burlington Official Plan, except for maximum density, which is proposed to be amended. This amendment is required as the density provision included in the in-force Official Plan is not consistent with the PPS and does not conform to the Growth Plan;
5. The proposal is in conformity with the City of Burlington Official Plan (Adopted, April 2018), except for podium height, which is proposed to be amended;
6. The proposal is well-served by existing community infrastructure including public transit, bike lanes, parks, schools and places of worship; and,
7. The proposal is in keeping with the character of the neighbourhood, provides an opportunity for intensification within the Urban Growth Centre, preserves and upholds the overall urban structure as set out in the in-force Official Plan and would implement the proposed urban structure as set out in the Adopted Official Plan.

Accordingly, we conclude that the proposed development is appropriate for the Subject Lands and represents good planning and, as such, the Official Plan and Zoning By-law Amendments should be approved.

Respectfully submitted,
MHBC



Dana Anderson, MA, FCIP, RPP
Partner



Kelly Martel, M.Pl, MCIP, RPP
Planner

APPENDIX 1: PRE- CONSULTATION MINUTES

CITY OF Burlington

DEVELOPMENT APPLICATION PRE-CONSULTATION FORM

Meeting Date: March 14, 2018	**Property Owner:** 2435481 Ontario Inc.
Site Address: 441 Maple Avenue	**Applicant / Address / Phone / Email** Kelly Martel MHBC Planning 442 Brant St., Suite 240 Burlington, ON, L7R 2G4 905-639-8686 x230 kmartel@mhbcplan.com
Site Area: 0.28 ha	

APPLICATION TYPE (check applicable applications):

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

1. **Brief description of proposed development:**

   -19 storey, 163 unit residential apartment with underground parking

   -existing long term care facility to be demolished

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. **Existing Official Plan Designation:** Downtown Mixed Use Centre, Medium & High Density Residential

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

   If 'NO' what is the nature of the OP amendment needed? Increased density

4. **Existing Zoning:** DRH

   Conformity with existing zoning? YES _____ NO x

   If 'NO' what is the nature of the zoning amendment needed? -site specific regulations including increased height and density

5. **Design Guidelines in effect?** YES __x__ NO _____

Name of Design Guidelines **Downtown Urban Design Guidelines, Tall Building Design Guidelines**

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

YES _____ NO **x**

---

7. **Fees Required at Time of Application**

APPLICATION	CITY	REGION	CONSERVATION HALTON	PROVINCE
Official Plan Amendment:	21,119.00	8,215.64	-	-
Rezoning - Base Fee: (70%) Rezoning - Variable Fee:	13,933.50 71,633.00	969.08	-	-
Subdivision - Base Fee: Subdivision - Variable Fee:		-	-	-
Parkway Belt Amendment:		-	-	-
TOTAL	$106,685.50	$9,184.72	-	-

Separate cheques are payable to City, Region, Conservation Halton and Province (Ministry of Finance.)

8. **Additional Agencies to be contacted:** **Burlington Hydro, Hydro One, TransNorthern Pipeline**

9. **Neighbourhood Meeting**

Is a neighbourhood meeting required? (e.g. residential intensification / infill, increased height and/or density, abutting residential zone, other neighbourhood/community impacts).

YES __x__ NO _____ TO BE DETERMINED ____

If "YES" a Neighbourhood Meeting **will be** required

- *The Neighbourhood meeting will be held after submission and public circulation of the application.*
- *Meeting logistics will be organized by the City Building Department.*
- *The Ward Councillor, the applicant, City planner and other City staff as determined will attend the Neighbourhood Meeting. Presentations will be made by the City planner about the planning process and by the applicant about the development proposal.*
- *The meeting will be chaired by the City planner, or by the Ward Councillor.*

10. **Section 37 Agreement**

Is this an application for increased height and/or density? YES __x__ NO ____

If "YES" a Section 37 Agreement **may be** required.

11. Required Information for Complete Application

	Reports, Studies, Plans * *(See Appendix for additional details)* **All identified reports must be submitted in Accessible PDF form before an application is deemed complete.**	Number of Paper Copies (plus one in PDF form) If Study is Required	Required Study (Yes/No)
6.1	Planning Justification Report	8	Yes
6.2	Conceptual Site Plan Layout & Site Survey	15	Yes
6.3	Draft Plan of Subdivision	15	No
6.4	Storm Water Management Report	9	FSR
6.5	Functional Servicing Report (Including Stormwater, Water & Wastewater)	9	Yes
6.6	Tree Inventory and Protection Plan	9	Yes
6.7	Traffic/Transportation Impact Study including Parking Justification Report	7	Yes Yes
6.8	Top-of-Bank Demarcation	6	No
6.9	Environmental Evaluation Report	7	No
6.10	Noise Feasibility Study	7	Yes
6.11	Shadow Analysis	3	Yes
6.12	Environmental Site Screening Checklist	5	Yes
6.13	Phase One or Two Environmental Site Assessment/ Record of Site Condition Report	5	Phase One TBD
6.14	Land Assembly Documents	2	No
6.15	Height Survey of adjacent buildings	2	Yes
6.16	Heritage Impact Statement	3	No
6.17	Archaeological Report	3	No
6.18	Wind Impact Study	3	Yes
6.19	Sensitive Land Use (Risk Assessment) Report	6	No
6.20	Burlington Urban Design Advisory Panel Meeting Minutes	4	Yes
6.22	Other (specify) Urban Design Brief Grading, Drainage & Servicing Plans Geotechnical Report Draft Zoning By-law 3D Model of Proposed Building(s)	 5 12 4 2 1	 Yes Yes Yes Yes Yes

12. **ADDITIONAL COMMENTS**: See attached notes

NOTES:

1. 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. Further fees, such as variable fees may be required at a later date as per the fee schedule by-law.

2. 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.

3. This document expires 120 days from the date of signing or at the discretion of the Director of City Building. 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.

4. The City may require the peer review of a technical report 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.

5. In the event this Pre-consultation Document expires prior to the application being accepted by the City, another document may be required.

6. An application submitted without the information identified in this Pre-consultation Document may be recommended for refusal based on insufficient information to properly evaluate the application.

7. Acknowledgement of Public Information:
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 photocopying 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.

8. 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.

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

10. 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.

11. 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".

12. Digital copies of all plans are required along with paper copies. Digital plans must be submitted in Autocad and/or GIS Shapefile format that must be geospatially positioned to match the City of Burlington's Geographic and Projected Coordinate Systems (Geographic Coordinate System: GCS_North_American_1983; Projected Coordinate System: NAD83_UTM_ZONE 17N).

13. 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. Questions about this collection can be directed to the Manager of Development Planning, City of Burlington, 426 Brant Street, Burlington, Ontario, L7R 3Z6, 905-335-7600, ex 7638.

14. 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:

Rosalind Minaji		March 14 2018
Planning Staff	Planning Staff (Signature)	Date
Annette Simpson		March 14/18
Site Engineering Staff	Site Engineering Staff (Signature)	Date
Site Engineering Staff	Site Engineering Staff (Signature)	Date
Capital Works Staff	Capital Works Staff (Signature)	Date
DAN CLIMKOVIC		3/14/2018
Transportation Staff	Transportation Staff (Signature)	Date
Sarah Cranston		March 14/18.
Regional Staff	Regional Staff (Signature)	Date
John Kisneris		March 14, 2018
Regional Staff	Regional Staff (Signature)	Date
Conservation Halton Staff	Conservation Halton Staff (Signature)	Date

Proponent Signatures:

In signing this agreement, I acknowledge that the drawings, reports and other requirements indicated above must be submitted, along with a completed application form, any information or materials required by statute, the required application fees and a copy of this agreement in order for the planning application to be considered complete. In addition, I have read and agreed to the Notes listed above.

Property Owner	Property Owner (Signature)	Date
Kelly Martel		mar. 14/2018
Agent	Agent (Signature)	Date

(I have authority to bind the owner)

APPENDIX—REQUIREMENTS FOR REPORTS/STUDIES AND PLANS

6.1 Planning Justification Report
A qualified planner (Registered Professional Planner) must submit a report providing planning justification for the proposed amendment in light of the principles, 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: describe the site context; address applicable provincial and regional policy; describe the proposal in detail including preliminary site plan details if applicable; address applicable local Official Plan policies (e.g. policies relating to compatibility, intensification, redesignation criteria and conversion policies); describe how the proposal meets Council approved Design Guidelines, discuss findings of the technical studies in the context of the Part II Functional Policies of the Official Plan; and other Council policy.

6.2 Conceptual Site Plan Layout & Site Survey
General plan required showing proposed building envelopes, driveways, parking and landscape areas. Survey of site showing PINs, easements, property boundaries etc.

6.3 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.

6.4 Storm Water Management Report
Required in accordance with Part II, Section 2.11.3 subsections a) & d) of the Official Plan.

6.5 Functional Service Report
Required in accordance with Part II, Section 2.11.3 subsection e) of the Burlington Official Plan. 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 Region of Halton.

6.6 Tree Inventory and Protection Plan
Required when a property under application contains woodlots, tree stands or hedgerows, in accordance with Part II, Section 6.0 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.

6.7 Traffic/Transportation Impact Study
Required for applications as set out in Part II, Subsection 3.2.2 d) of the City's Official Plan and Part IV, Sections 171-173 of the Regional Official Plan. Contact City Transportation Planning staff (City roads) or Regional Public Works staff (Regional roads) for background information and to discuss TIS assumptions. For Regional roads, applicants are referred to the "Guidelines for the Preparation of Traffic Impact Studies". MTO must be contacted for lands near provincial highways

6.8 Top-of-Bank Demarcation
Required for applications on any property containing, or abutting a creek or valley feature, Lake Ontario or Burlington Bay shoreline, in accordance with Part II, Section 9.2.2 subsection b) and Part III, Section 6.4.2, subsections d) and e) of the City's Official Plan. Applicant's surveyor must meet on-site with representatives of the City Capital Works Department and Conservation Halton to survey the top of bank and/or floodline, and this surveyed line shall be incorporated into the applicant's subdivision or site plan. A geotechnical report may be required to identify stable top-of-bank.

6.9 Environmental Evaluation Report
Required for applications as set out in Part II, Section 2.5 of the City's Official Plan, the Regional Official Plan and the Region's Environmental Impact Assessment guidelines. These assessments will be reviewed by the Halton Ecological and Environmental Advisory Committee (EEAC).

6.10 Noise Feasibility and Vibration Study
Required for applications as set out in Part II, Section 3.3.2, subsections r), s) and t), and Part II, Section 3.7.2, subsections d), e) and f) of the City's 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 the Region's "Noise Attenuation Policy for Regional Roads," dated October 2000.

6.11 Shadow Analysis
Required for all applications where, in the opinion of the City Building Department, the proposal may result in impacts on adjacent properties from sun shadowing, in accordance with Part III, Section 2.5.2, subsection (vii) of the City's Official Plan. Guidelines for this analysis are contained in the City's Site Plan Application Guidelines.

6.12 Environmental Site Screening Checklist
Required for all applications as set out in the "Protocol for Reviewing Development Applications with respect to Contaminated Sites," dated March 2003. Applicants should contact the Region of Halton for historical data and any environmental records.

6.13 Phase One or Two Environmental Site Assessment/Record of Site Condition Report (prepared in accordance with O.Reg. 153/04)
Required to assess site contamination in accordance with Part II, Section 2.4, subsections i) and j) of the City's Official Plan. 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.

6.14 Land Assembly Documents
Required for applications where, in the opinion of the City Building 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.

6.15 Height Survey of adjacent buildings
Required for all residential infill and intensification rezoning applications, in accordance with City Council policy. 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.

6.16 Heritage Impact Statement
Required as determined by Planning staff for any property designated pursuant to the Ontario Heritage Act, identified on the City's Inventory of Heritage Resources, or for any property located adjacent to a designated or otherwise inventoried property.

6.17 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 and the Regional Archaeological Master Plan.

6.18 Wind Impact Study
May be required, as determined by Planning staff, for any building over 6 storeys in height. The report will provide information related to wind comfort conditions for pedestrians both on and around the development.

6.19 Sensitive Land Use (Risk Assessment) Report
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 Part II, Section 2.7.3 subsections n) & o) and Part II, Section 4.3 subsection d) of the City's Official Plan, Part IV, Sections 146-147 of the Regional Official Plan, and the Ministry of the Environment D-6 series guidelines.

6.20 Agricultural Impact Assessment Report
Required for applications as set out in Part II, Subsection 13.3 e) of the City's Official Plan and for certain proposals in certain designations in the Regional Official Plan. Guidelines for these assessments are available from the Region of Halton, and these assessments will be reviewed by the Halton Agricultural Advisory Committee (HAAC).

6.20 Burlington Urban Design Advisory Panel Meeting Minutes
The Burlington Urban Design Advisory Panel (BUD) is an independent advisory body comprised of design professionals that provides urban design advice to the City Building Department on all tall and mid rise buildings (5 storeys or greater) and all public development projects. 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 minutesmust be submitted with the application along with a Design Brief explaining how their advice has been incorporated into the development proposal.

6.21 Hydrogeology Study
Required for all applications in areas subject to private water and septic services, as set out in Part IV, Subsection 2.1.3 b) and Part IV, Subsection 3.3 d) of the City's Official Plan, the Regional Official Plan and the Region's "Guidelines for Hydrogeological Studies and Standards for Private Services, revised June 2000. Applicants should contact the Halton Health Department for more details regarding site-specific studies, which must be approved by the Region following a peer review.

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

Preconsultation Meeting Notes

441 Maple Avenue - March 14, 2018

Attendees:

Agencies: Rosalind Minaji, John Kisneris, Annette Simpson, Dan Ozimkovic, Sarah Cranston

Applicant: Kelly Martel –MHBC

Description of Development Concept:

- Want to reconsider landuse in the context of the downtown mobility hub and the work being done by the City
- Existing long term care facility must be replaced prior to demolition
- 19 storey, 163 unit residential apartment with underground parking
- Parking for 162 cars
- Preliminary diagrams to show the approach for this site
- Surrounding context of 11 to 15 storeys – proposed building is stepped back from Maple Ave. in order to maintain views for surrounding lower rise buildings. Mid-rise height has been cut back and added to the storeys at the eastern side of the building.
- Looking at tower separation between new and existing buildings.
- Two levels of underground parking, & four levels above ground

Planning Comments:

- The current Official Plan designation of Downtown Mixed Use Centre Medium and/or High Density permits residential development up to 185 units per hectare. All development must be compatible with the existing character of the surrounding precinct.
- The DRH zone has a maximum height of 22m and density of 185uph
- The lands are located within the Downtown Urban Growth Centre and the Downtown Mobility Hub Study Area. Area Specific Plans for the City's four Mobility Hubs are currently underway. Designations for the Downtown Mobility Hub are expected to be adopted by Council in April 2018.
- This property has been designated as "Downtown Mid-Rise Residential Precinct" in the draft Official Plan. This Precinct will primarily accommodate existing residential development consisting of eleven storeys or less, in predominantly residential areas of the downtown. Limited development opportunities existing within the precinct will be expected to transition to, as well as achieve compatibility with the St. Luke's and Emerald Neighbourhood Precinct as well as other established residential neighbourhoods outside of the Downtown.
- The draft new Official Plan policies represent the Planning Department's current position on the most appropriate form of redevelopment in the downtown. Additional height and density will not be supported. However, through the ongoing Downtown Mobility Hub Area Specific Plan process, proposed height and or density permissions may be subject to change prior to the approval of the final Area Specific Plan.
- Planning policy for downtown Burlington is in flux. While development applications will continue to be processed under the current Official Plan 1994, staff is encouraging applicants to conform to the objectives of the Downtown Mobility Hub in the proposed new Official Plan.
- The applicant is therefore strongly advised to conform to the 11 storey height limit in any future redevelopment proposal.
- A Planning Justification Report is required:
    - to discuss the impact of Provincial, Regional and local planning policy on the proposed development;
    - to explain why the requested change to higher intensity and taller residential use is desirable and represents good planning;
    - to discuss how the results of required technical studies have been used to refine the redevelopment proposal; and

    - to explain how the proposed development is compatible with surrounding land uses including height, setbacks, massing, design and community features.
- Sun shadowing and height survey will be required. An angular plane should show how terracing can address pedestrian comfort.
- A wind study is required to address ground level wind conditions.
- Consider how additional landscaping may be included on the site.
- Prior to submitting the application, consultation with the Burlington Urban Design Panel will be required. An Urban Design Brief will be required to explain how the Tall Building Design Guidelines have been addressed and how the comments of BUD have been taken into account. A copy of the BUD meeting minutes must be submitted with the application. BUD Terms of Reference provided.
- Generally design of tall buildings should include the following:
    - avoidance of heavy massing and floor plates along street frontages –instead provision of articulated base buildings with a plenty of pedestrian interest and wide sidewalks;
    - provision of slender towers with approximately 750m^2 floor plates which are separated from other towers by at least 30m;
    - consideration of scale of the podium in relation to the tower;
    - orientation of buildings to consider impacts on surrounding development by providing appropriate setbacks, transitions in scale, terracing, and height limits to retain access to sunlight and privacy
- A 3D model of the proposed building is required with the submission to assist with public engagement. Model specifications provided.
- Section 37 Benefits may be required.
- Consider parking for visitors, as well as temporary drop off parking for part time workers (housekeeping, home care, etc.)

Region of Halton Planning Comments:

- The subject lands are located within the Urban Area and within the Urban Growth Centre as per the 2009 ROP
    - S. 76 of the ROP directs that the range of permitted uses and creation of lots within in the Urban Area is to be in accordance with local official plans and zoning bylaws.
    - S.81(1) directs development with higher densities and mixed uses to Intensification Areas
- All development within the Urban Area to be on full municipal services, as per Section 89(3)
- S.156(1) of the ROP requires proponents of development applications to have regard for the Region's Healthy Community Guidelines. A review the Healthy Community Guidelines should be included as part of the Planning Justification Report.
- Planning Justification Report will need to identify compliance with Provincial Legislation with respect to the conversion of a long term care facility to a freehold residential building
    - Please reference the Region's State of Housing Report 2016 and include a comprehensive analysis of the availability of long term beds in Halton.
- In accordance with In accordance with S.147(17) of the Region's Official Plan, a property is to be free of contamination prior to any development taking place
    - Regional Environmental Site Screening Questionnaire to be submitted with the application
    - Phase One ESA at the time of application (prepared to O.Reg 153-04 standards and with a Letter of Reliance), further studies may be required depending on the results of the ESA
    - Hydro vaults on private property will trigger need for Phase Two during process.
- Waste Management:
    - Concept plan shows internal Regional waste collection is proposed
    - Recommended a waste management plan be submitted with the application, as site-specific zoning may be affected
    - Please reference the Region's Development Design Guidelines for Source Separation of Solid Waste (Section 2.3) for design requirements
    - Region requires 9m overhead truck clearance and 13m truck turning radius
- Required Plans/Studies:
    - All submitted materials on a USB stick/CD

- Planning Justification Report (to include analysis of Region's Healthy Community Guidelines)
- Functional Servicing Report, Site Servicing Plan (part of FSR)
- Environmental Site Screening Questionnaire & Phase One ESA (prepared to O.Reg 153/04 standards and with a Letter of Reliance)
- Waste Management Plan recommended
- Regional review fees

Region of Halton Servicing Comments:

- There is a Halton Region local watermain, and a trunk watermain, within Maple Avenue adjacent to the proposed development. Any proposed trunk watermain service connection lateral requires special review and Regional permission to connect into, and it should be noted that permission is not always guaranteed.
- There is a Halton Region trunk wastewater main (sanitary sewer) within Maple Avenue adjacent to the proposed development. Any proposed trunk wastewater main service connection lateral requires special review and Regional permission to connect into, and it should be noted that permission is not always guaranteed.
- The Region forecasts a future capital works project for the replacement of the wastewater main within Maple Avenue tentatively for 2018-2020.
- The developer should undertake to locate the size and location of all watermains, water services, water meters, wastewater mains (sanitary sewers), wastewater (sanitary) services, stormwater mains and stormwater services that exist within the road right-of-way, to the property and within the property and place them on an Existing Site Servicing Plan drawings within their reports. Public and private utility companies can be utilized for this purpose.
- A Functional Servicing Report is required to be prepared by the developer's civil engineering consultant (watermains, water services, fire hydrants, sanitary sewer mains, sanitary sewer services, stormwater mains and stormwater services) to show options for how the property is proposed to be serviced according to City of Burlington and Halton Region standards. Local watermain and wastewater main (sanitary sewer) hydraulic analysis should be completed by the developer's consultant as well for the local sewers and the drainage area down the to the nearest trunk sewer. The consultant should include details about other developments properties in the drainage area in their analysis of the local sewers (if any). The report should speak to the number/type of units proposed and the phasing of the development with respect to the impacts on the Region's water distribution system and wastewater collection system. Phasing, timing of the development and required/available capacity shall be detailed in the report. The consultant will include details about potential external main upsizing or main extensions to accommodate the development, etc.
- The FSR report should incorporate Fire Flow Rate Testing. The proponent should undertake fireflow rate testing of representative Regional fire hydrants in the area, with the proponent's fireflow contractor and Region forces present. Include within the Report a copy of the fireflow rate testing results, and the Fire Underwriters Survey (FUS) requirements for the development. This information will help to assist in informing the watermain design and watermain hydraulic modelling analysis that is being undertaken by the proponent's consultants.
- Further to the formal hydraulic analysis requirement, the developer's consultant can utilize the Region's current water and wastewater models (if required). The developer's civil consulting engineering firm will be required to enter into a Data License Agreement prior to obtaining any digital information from the Region.
- The FSR should include information related to all other utilities infrastructure in the area and potential conflicts.
- The FSR should show the existing site services and note how they are proposed to be decommissioned to make way for the development.
- New development must be on the basis of full municipal services.
- The developer should be aware of the Region's Multi-Unit Servicing Policy with respect to the number and location of water meters.
- Regional policies state that water and sanitary services cannot cross lot lines, the owner will ensure this throughout the process. Each lot must be independently serviced if it is proposed to be a separate lot.

- Any major servicing works required for this project would fall under the Regional Servicing Agreement process, including securities, Agreement registration, developer's liability insurance and the payment of Agreement fees.
- Servicing of a standard nature is required to go through the Regional Services Permit process.
- The size and scope of, utility trench and road cut, road restoration shall be to the satisfaction of the City of Burlington for local roads.
- Watermain and wastewater main (sanitary) servicing capacity is not guaranteed at the LOPA and ReZoning stage. Servicing of development in the Burlington area of Halton Region is on a first-come-first-serve basis. The owner can pre-consult about servicing capacity with the Region at any time in the future going forward. This current development proposal capacity will be reviewed closely and commented upon at the time of Planning application receipt. Should a servicing capacity issue be identified at that time then it will have to be dealt with, working through it with the Region. Servicing capacity is deemed to be in hand at the issuance of a Regional Services Permit, which is reviewed and obtained toward the end of the City's Site Plan approval process, or Regional Servicing Agreement.
- The Region has initiated a Burlington Water Servicing Strategy Review and it is forecast to be completed this year. Please feel free to contact the Region at any time regarding the status of the review.
- As always, acquiring land for development purposes and hiring consultants, at this time, is at the risk of the developer.
- Any water services and sanitary services that currently exist to the property that will not be utilized for any reason will be required to be disconnected right at the respective main by the developer.
- The developer's site servicing consultant can preconsult with the Region at any time regarding their proposed draft site servicing water design, wastewater design and identified utility conflicts (including storm).
- The Region would like to receive confirmation in writing when any required formal land assembly has taken place at the LOPA and ReZoning stage in order for servicing to conform to Regional Policies, that water and wastewater services do not and will not cross lot lines for different property owners.
- The developer should prepare a Solid Waste Management Plan to the satisfaction of the Region. The Plan shall have regard for the Region's Solid Waste Management Guidelines. The Solid Waste Management Guidelines are available on-line at http://www.halton.ca , Regional Official Plan (ROP) Guidelines, Development Design Guidelines for Source Separation of Solid Waste.
- The developer will inform the City, and the Region, whether they will be submitting a Site Plan application at the same time as the LOPA and ReZoning applications for timing purposes and issues identification and resolution purposes.

Site Engineering Comments:

- The deemed Right of Way (ROW) of Maple Avenue is 26m, City of Burlington owned, no widening required.
- There is a project noted in our Capital Works 2018 – 2027 Budget and Forecast to resurface Maple Avenue in 2018, subject to change. Information on future Capital Works projects are available on our website www.burlington.ca . We are advising of the project to advise the applicant that a new Standard is in effect as of July 12, 2017, S-114-B, requiring any disturbance to the municipally owned ROW asphalt to be restored curb to curb for the entire frontage(s) of the property, it may also mean that a City contractor will complete the works, and the costs borne by the Applicant.
- From our GIS mapping it does not appear as though the property is within Conservation Halton regulated area, however, we would defer to Conservation to confirm.
- There is a Trans-Northern pipeline adjacent to the rear of the property, please contact Trans-Northern Pipelines Inc to determine any requirements they may have when constructing in close proximity to their utility.
- Hydro One is adjacent to the site (east), please contact them to determine any requirements they may have when constructing in close proximity to their utility
- 455 Maple is higher than 441 Maple, there is an existing retaining wall along the shared property line – this will need to be looked at closely during the design stage. We wouldn't want to see a narrow gap between

an existing retaining wall and the new wall of the building, the applicant will have to work with the adjacent landowner to appropriately address the grading between properties.

- There are two hydro vaults at the front of the property - need to consult with Burlington Hydro early on
- Streetscaping will likely be required, i.e. benches, coloured concrete, decorative lighting, etc. Please consult with our Planning and/or Landscape Architect for details.
- Existing south driveway is shared with 421 Maple, as noted on the draft site plan as "subject to right of way". This will need to be looked at carefully for access during construction, we will need know that it is feasible (i.e. 421 Maple will still have access during construction) to construct the building at the rezoning stage
- We appreciate the provision of at-grade and under/above ground bicycle parking for residents and guests
- We appreciate the design of the underground parking, consideration of pedestrian movements, i.e. safe/delineated areas at exits to stairwells and elevators, please ensure strategic placement of barrier free parking so that there is clear access aisles to the elevators, the accessible spaces are not labeled on the plan yet. We would also ask that the entrance to the elevator/stair area connect with the 2.0m pathway along the center of the parking.
- Please consider electric car charging stations in the underground parking, and consider ductwork for future electric car charging stations at individual parking spaces, if residents want to install in the future.
- Remedial work to the Hydro One owned parcel at the rear that the current property uses may be required, to be determined.
- Consider bird migratory routes and mitigation measures to avoid bird strikes.
- Trees: we defer to Vanessa Aykroyd to comment
- Phase One Environmental Site Assessment required – there is an existing monitoring well on site – please ensure the Phase ONE ESA includes information regarding the well, i.e. when was it installed, is it still active, well records, etc. The Phase One ESA needs to be completed in accordance with O. Reg. 153/04, including a letter of reliance stating the City (and Region) may rely on the information provided. Please note that depending on the results of the Phase One ESA, further environmental investigation may be required, up to and possibly including a Record of Site Condition.
- Stormwater Management Report:
    - Umar Malik has provided the following SWM criteria:
    - Enhanced Quality Control achieving 80% Total Suspended Solids Removal. We ask that a treatment train approach be utilized that incorporates Low Impact Development techniques. OGS units providing 80% TSS removal will be credited at 50%,
    - Quantity Control – post development flows controlled to pre development flow levels by providing on site storage for all storm events including the 2 to 100 year storm.
    - Provide storage details and location
    - Report to include servicing & grading plan
    - There is an existing storm system on site – a catch basin in the rear parking lot (that appears to be on Hydro One lands). The existing system will need to be shown on the drawings. If the system is to be reused or maintained we will need videos of the existing system to see the condition. If not, please note on the drawings what is to be removed. Typically we require removal to the mainline, i.e. not just abandoned.
    - Confirm if there is permanent dewatering required for underground parking – and incorporate into design
    - Please note that there should be no surface ponding in accessible parking spaces, and no surface ponding in a 5 year storm.
    - Landscape areas over underground parking will be considered 0.9 runoff coefficient.
    - Please clearly show the overland flow route for this address and neighbouring properties to ensure existing drainage patterns are maintained.
    - Quantity controls must use an orifice tube (not plates).
    - Need to confirm capacity of receiving system
    - Need to confirm condition of receiving system (i.e. video inspection)
    - Rooftop storage will not count towards the storage requirements
    - Control structures and their location with cross sectional details

- It's important to determine storage requirements as we need to ensure any tanks in the underground parking are sized correctly at the RZ/OPA stage to avoid having to use up parking spaces later on for an increase in tank size.
- If you have any questions regarding SWM criteria please contact us (umar.malik@burlington.ca or annette.simpson@burlington.ca)
- We encourage Low Impact Development Stormwater Management techniques, such as rainwater harvesting for irrigation, use of treatment train approach of quality control by using bio and infiltration swales, etc., currently we look to the CVC/TRCA LID guidelines and/or in the future MOECC guidelines.

- Geotechnical Report - underground parking, groundwater conditions – is any permanent dewatering required for underground parking, & to support possible LID for SWM
- Construction Management Plan – to show how the site can be constructed while maintaining access for 421 Brant (ex. easement) and ensure that the excavation/shoring/tiebacks/etc. are within the limits of the subject property. If it is proposed to use the back (un-owned) property during construction please note on the plan and obtain written permission/permit from the Owner, Hydro One, and include with submission. Additional details will be required at the Site Plan stage.
- Detailed Grading and servicing plans, also including:
  - city trees to be shown on drawing and boundary trees over 100mm in diameter within 3m of the property line), indicate which trees are proposed to be removed.
  - Need to include grades on adjacent properties enough to determine existing drainage patterns.
  - Show existing retaining walls (including existing walls on neighbouring property), need to see how grades will interface, may need to remove adjacent wall (With owner permission)
  - 100 year storm elevation
  - Catch basins in landscape areas to be sumpless
  - Show neighboring driveway/access/easement for 421 Brant – and show how it will remain accessible for the duration of construction.
  - We would strongly encourage the Applicant's Civil Engineer to daylight the area of the proposed service connections to accurately locate the existing infrastructure (sewers, water, bell, hydro, cable, etc.) and determine inverts before completing detailed design work. This will be a requirement before Site Plan approval (if application proceeds)
  - Although a site plan issue, we need to ensure there is room for snow storage. The ground floor plan does not look to have any "spare" room where snow could be stored. Stating that snow will be removed will not be accepted at the site plan stage. Our strong preference is to have snow stored on a landscaped (grass) area and then intercepted by catchbasins, this would allow for pretreatment of salty/sandy snow prior to entering the storm system.
  - Another site plan issue, however we ask that the architect and other consultants consider placement of utility meters/piping/vaults/etc. please ensure they do not block walkways or be placed near the main entrances, ensure there is enough room at the design stage of the building.
- Noise Feasibility Study – for the development itself and need to see if there are any negative impacts on surrounding residential.
  - Please note that adjacent to the site the existing high-rise buildings and adjacent developments with underground parking may be stationary sources that will need to be assessed in the report.
  - Please have the noise engineer consult with the architect and structural engineer as to the optimal placement of vents and fans for the underground parking
  - Please advise the noise consultant that reflective surface should be used in Stamson calculations
  - Please also advise the noise consultant that although NPC-300 tables indicate 60dBA in the OLA with warning clauses, it is not acceptable to the City, we request that all possible measures be taken to control the noise in the OLA to 55dBA or less, if not feasible, then we request calculations to confirm what levels could be achieved, i.e. 60dBA would require a 3m noise barrier, 59 a 3.5m, 58dBA a 4.0m, etc. all the way to 55dBA.
  - All STAMSON calculations should be included in the brief
  - Copies of correspondence from the City of Burlington confirming traffic counts must be included in the brief.

- Site plan to be included in the report
- Key plan showing points of reception to be included & a chart referencing the key plan, detailing the estimated noise levels, allowable levels, and mitigated noise levels
- Area context plan to be included showing potential sources of noise

- Summary for RZ/OPA:
  - Stormwater Management Report (Can be a section in the FSR)
  - Detailed Servicing, Grading & Drainage drawings
  - Noise Feasibility Study
  - Geotechnical Report (for underground parking & if LID proposed)
  - Phase One ESA (in accordance with O. Reg. 153/04 & letter of reliance)
  - Tree preservation (and removal) plan
  - Preliminary construction management plan
- At the Site Plan Stage:
  - Erosion control plan
  - Construction Management Plan – will need to be detailed to ensure access to 421 Maple is maintained for the duration of construction and to ensure all excavation/shoring/tie backs/etc. are within the limits of the subject property). As well as show trades parking, truck staging, sanitary facilities, site trailer, material storage, hoarding, etc. No trade's parking will be allowed on City streets. No Truck Staging will be allowed on City streets, unless permission/permit is obtained from Transportation. After hours emergency number to be posted on front gate. Solid wood hoarding (with concreted-in posts) around the site will be required.
  - Utility coordination plan, please no meters/valves/piping/vaults at the front of the building or near main entrances or blocking/encroaching into walkways.
  - Landscape plans – street-scaping will be required.
  - Clearly show pedestrian connections
  - Lighting/Photometrics details/drawing, as per City of Burlington Accessibility Design Standards and City of Burlington Outdoor Lighting Guidelines, available on our website
  - Snow storage – preferred on a soft surface, i.e. grass, as a pretreatment for quality control.
  - Precondition survey of surrounding properties as well as vibration monitoring during construction will be required.
  - Mechanical Engineer will need to confirm that they have reviewed the SWM and have designed the internal pipes accordingly.
  - Applicant is advised that a new Standard is in effect as of July 12, 2017, S-114-B, requiring any disturbance to the municipally owned ROW asphalt to be restored curb to curb for the entire frontage(s) of the property, it may also mean that a City contractor will complete the works, and the costs borne by the Applicant

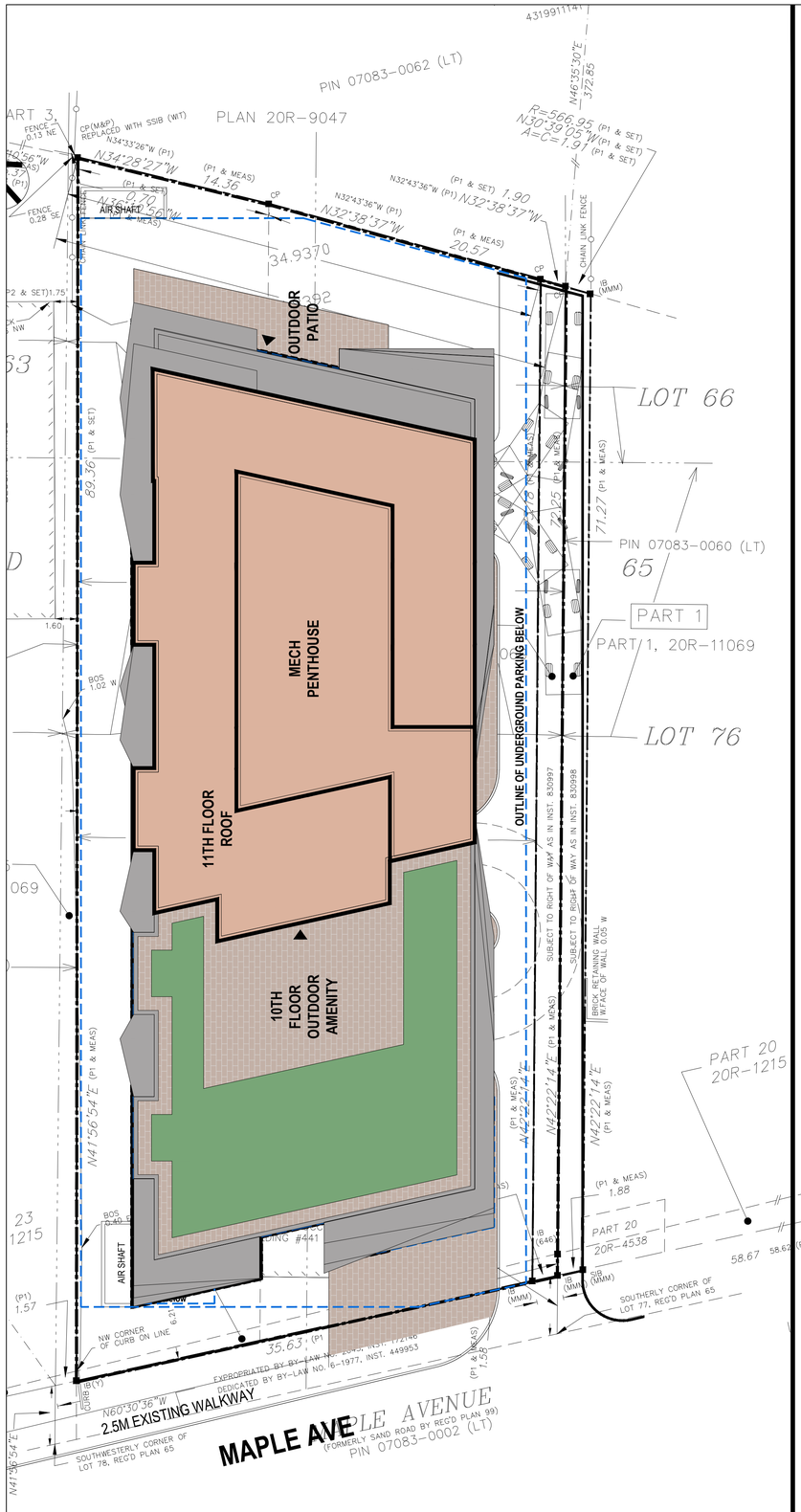
Urban Forestry Comments:

- There are two City Trees listed in the City's Tree Inventory along the Maple Ave frontage, exact location and ownership to be verified by OLS survey.
- Tree Inventory and Preservation Plan for all trees within the right of way, and all trees greater than 10cm DBH on site, and within 3m of any property line. The applicant is advised that trees whose trunks are located on a property line are protected under the Forestry Act of Ontario. Should there be impacted trees along property lines protected by the Forestry Act, the adjacent property owner(s) must provide informed consent in writing as to the proposed treatment of trees.
- We ask that no trees be removed from site until after the Official Plan Subdivision/Rezoning has been completed/ approved.
- Any proposed City Tree removal will require Council Approval. Removal of City trees should be avoided wherever possible. City trees proposed for removal will require an arborist's assessment of health and structural condition prior to the request being accepted.
- Please refer to the City of Burlington Tree Preservation and Protection Specification SS12A for further tree protection details.

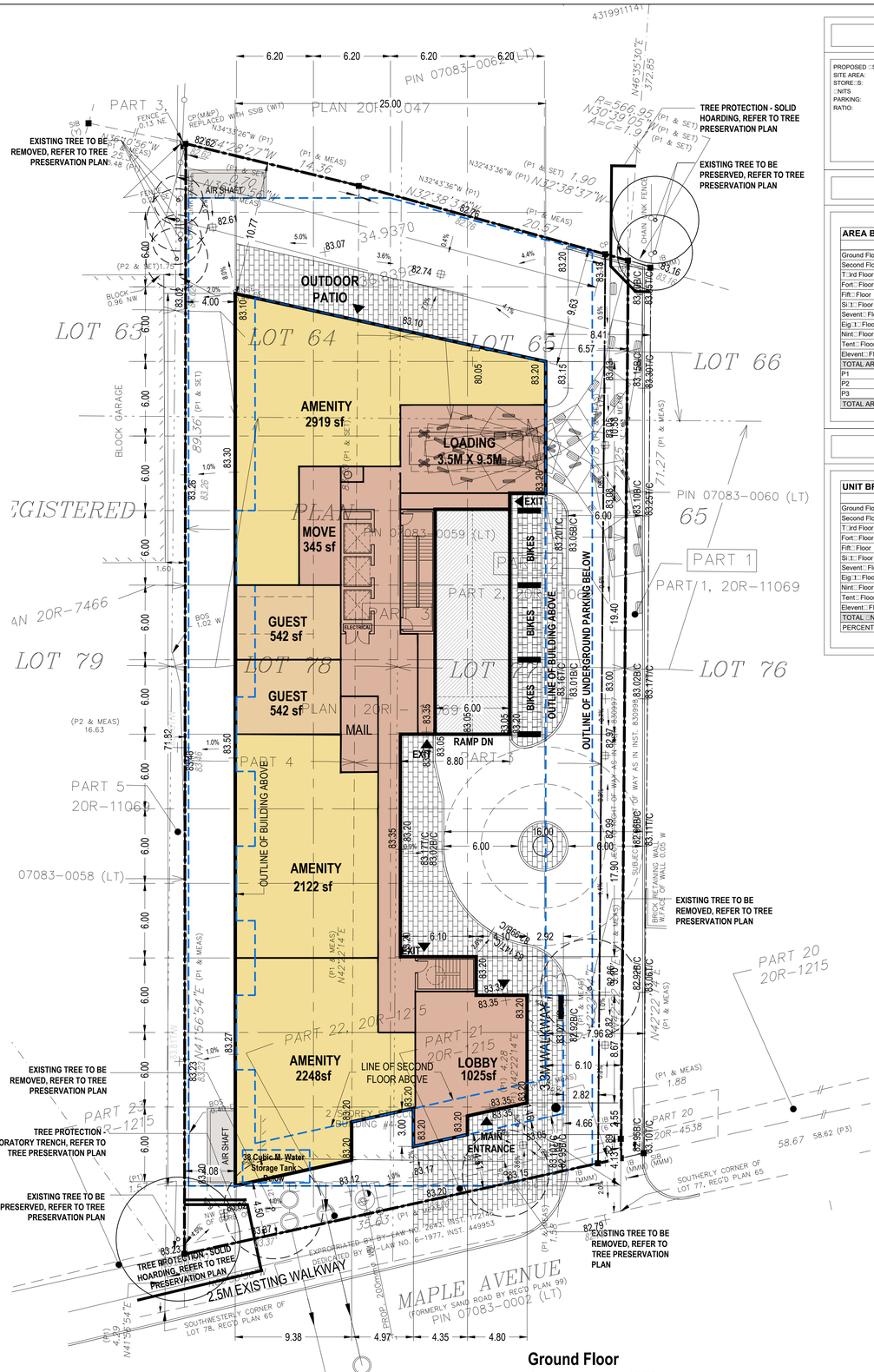
Transportation Services Comments:

- A Traffic Impact Study (TIS) is required
- A Transportation Demand Management (TDM) section is required as part of the TIS
- Bicycle parking is required (at-grade for visitors and secured bike parking for residents)
- A Parking Justification Report will be required since a parking deficiency is proposed, based on the parking rates outlined in the Zoning Bylaw
- The applicant is encouraged to refer to the City's Site Plan Application Guidelines early in the design process (ramp grades, stall dimensions, walls, columns etc.)
- Consider electric vehicle charging stations for the proposed development.

APPENDIX 2: PROPOSED CONCEPTUAL SITE PLAN, PARKING LAYOUT, TYPICAL FLOOR PLANS AND ELEVATIONS



ROOF PLAN - 1:200



SITE PLAN SHOWING GROUND FLOOR - 1:200

Ground Floor
Area: 1230 sm

SITE STATISTICS

PROPOSED □SE:	Multi □Residential
SITE AREA:	0.28 HA 2,863.1□sm□
STORE□S:	11 Store□s
□NITS	153 □nits
PARKING:	17□□164 Cars on Site □ 15 Offsite□□
RATIO:	1.17

AREA CALC□LATION

AREA BREAK DOWN PER FLOOR

	AREA □S□□M□□	AREA □S□□FT□□
Ground Floor	1,230	13,240
Second Floor	1,507	16,220
T□ird Floor	1,507	16,220
Fort□□Floor	1,507	16,220
Fift□□Floor	1,507	16,220
Si□□Floor	1,507	16,220
Sevent□□Floor	1,507	16,220
Eig□t□□Floor	1,507	16,220
Nint□□Floor	1,507	16,220
Tent□□Floor	866	□,322
Elevent□□Floor	866	□,322
TOTAL AREA ABOVE GRADE:	15,018	161,644
P1	2,540	27,287
P2	2,540	27,287
P3	2,540	27,287
TOTAL AREA BELOW GRADE:	7,620	81,861

□NIT CO□NT

UNIT BREAK DOWN PER FLOOR

	1 BED	1 BED □ D	2 BED	3 BED	TOTAL
Ground Floor	□	□	□	□	□
Second Floor	3	7	4	3	17
T□ird Floor	3	7	4	3	17
Fort□□Floor	3	7	4	3	17
Fift□□Floor	3	7	4	3	17
Si□□Floor	3	7	4	3	17
Sevent□□Floor	3	7	4	3	17
Eig□t□□Floor	3	7	4	3	17
Nint□□Floor	3	7	4	3	17
Tent□□Floor	3	□	4	1	8
Elevent□□Floor	3	□	4	2	□
TOTAL □NITS:	30	56	40	27	153
PERCENTAGE:	20□□	37□□	26□□	17□□	100□□

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CLIENT:
Better Life Retirement Residence Inc.

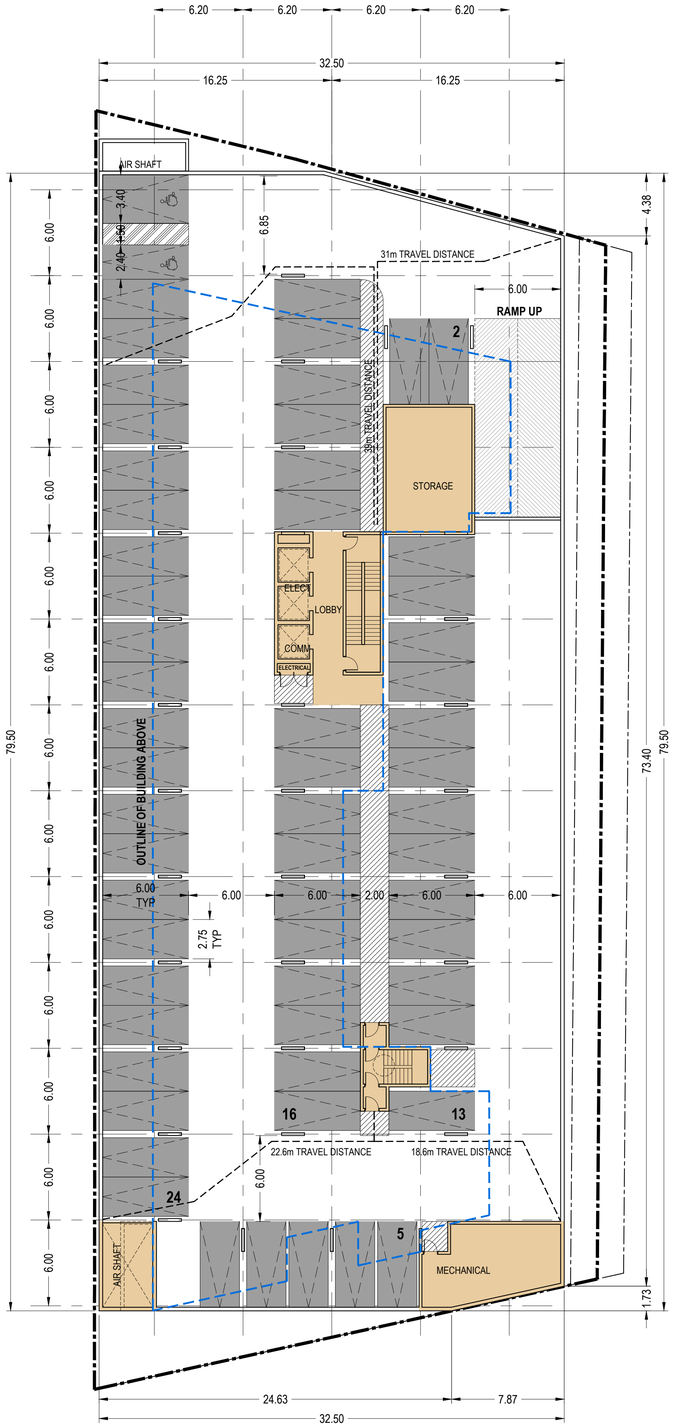
PROJECT:
441 Maple Street

Burlington, ON

SHEET TITLE:
Proposed Site Plan

PROJECT NO.
C6075

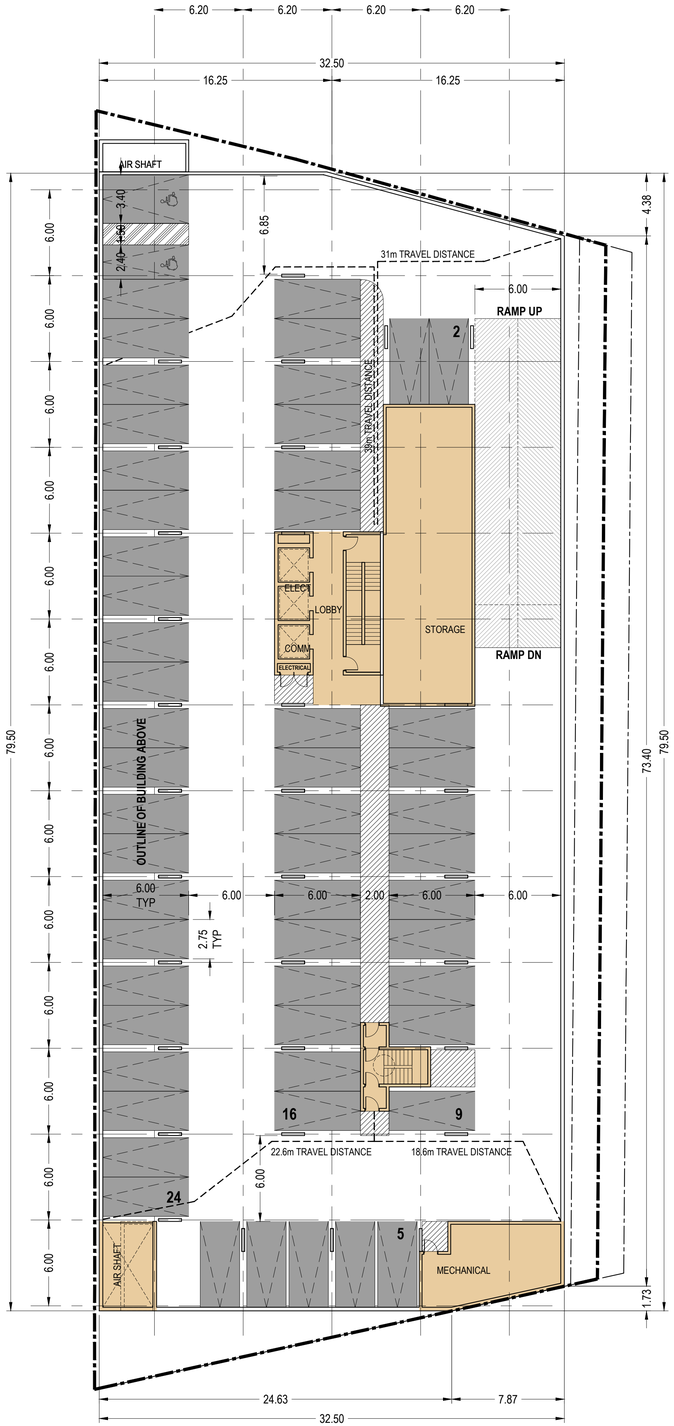
SCALE: 1:200	DATE: Nov, '18
DRAWN: msai	SHEET NO: SP1
CHECKED: ms	
FILE NO.	



P3 (Lower) - Underground Parking

Area: 2540 sm

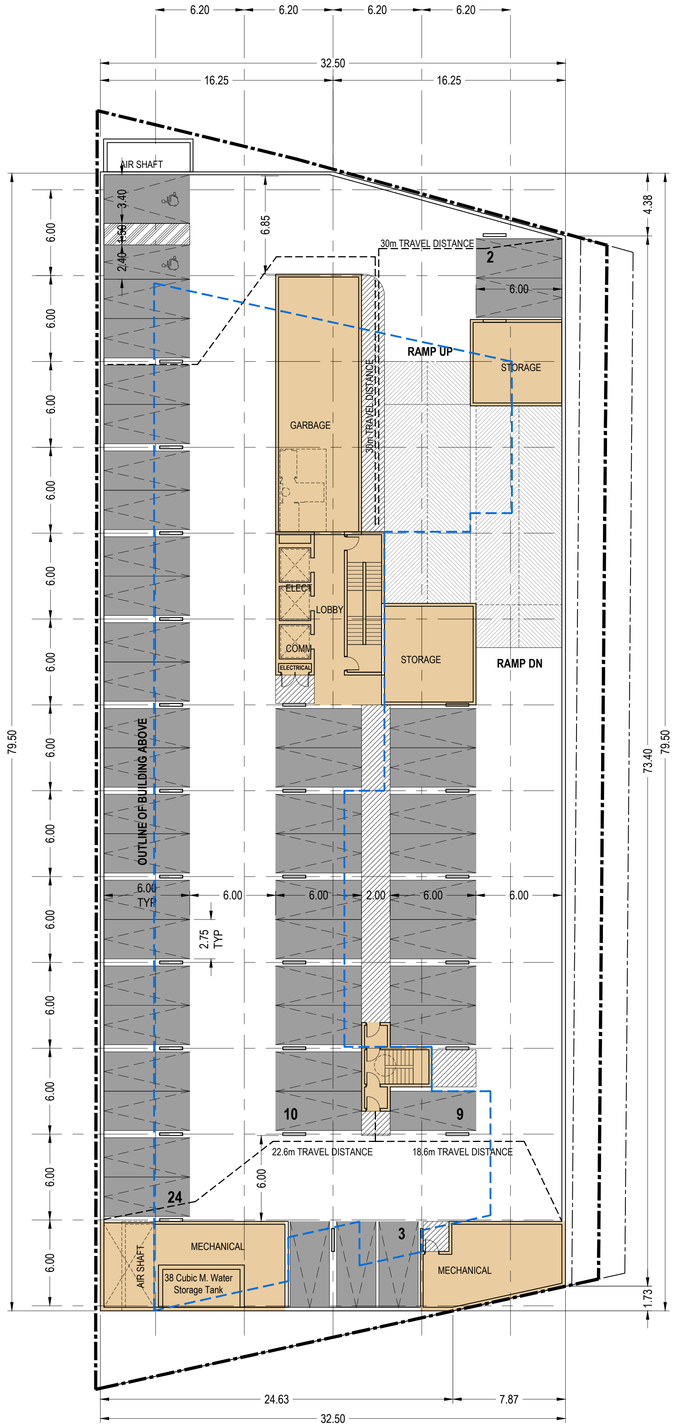
Parking: 60 Cars



P2 (Lower) - Underground Parking

Area: 2540 sm

Parking: 56 Cars



P1 (Typical) - Underground Parking

Area: 2540 sm

Parking: 48 Cars

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Better Life Retirement Residence Inc.

PROJECT:

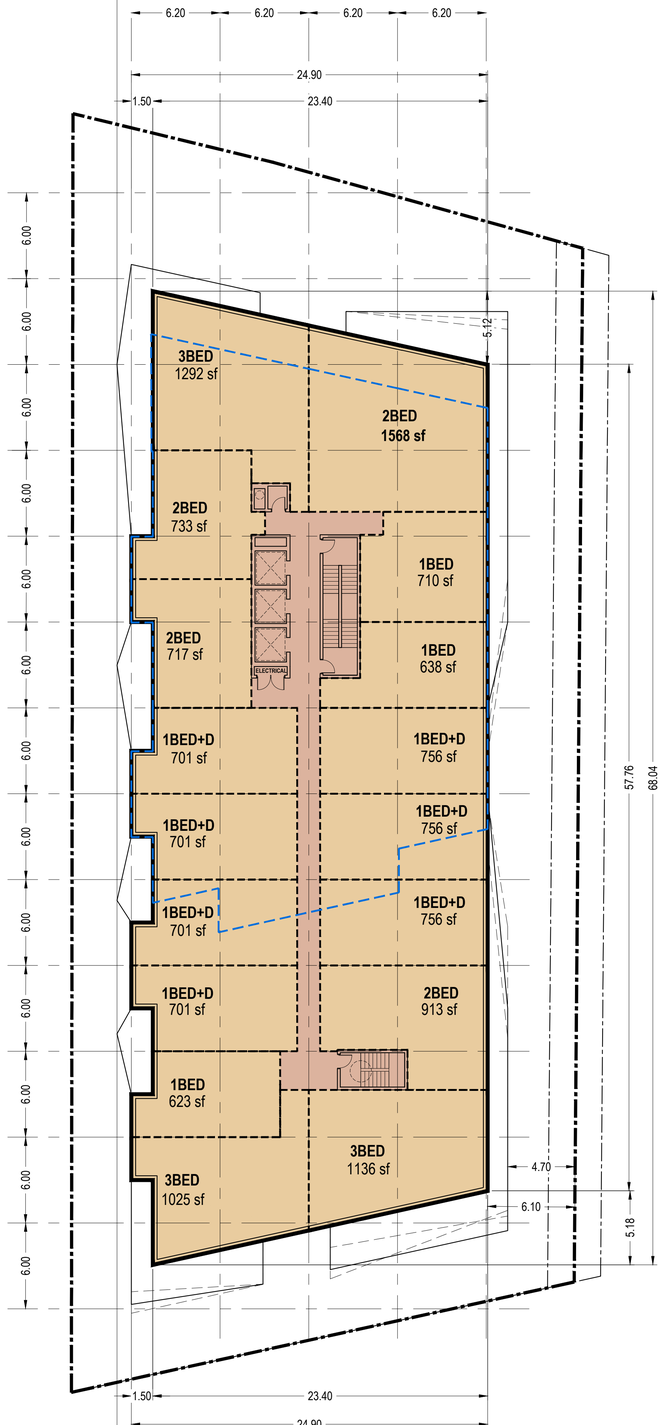
441 Maple Street

Burlington, ON

SHEET TITLE:

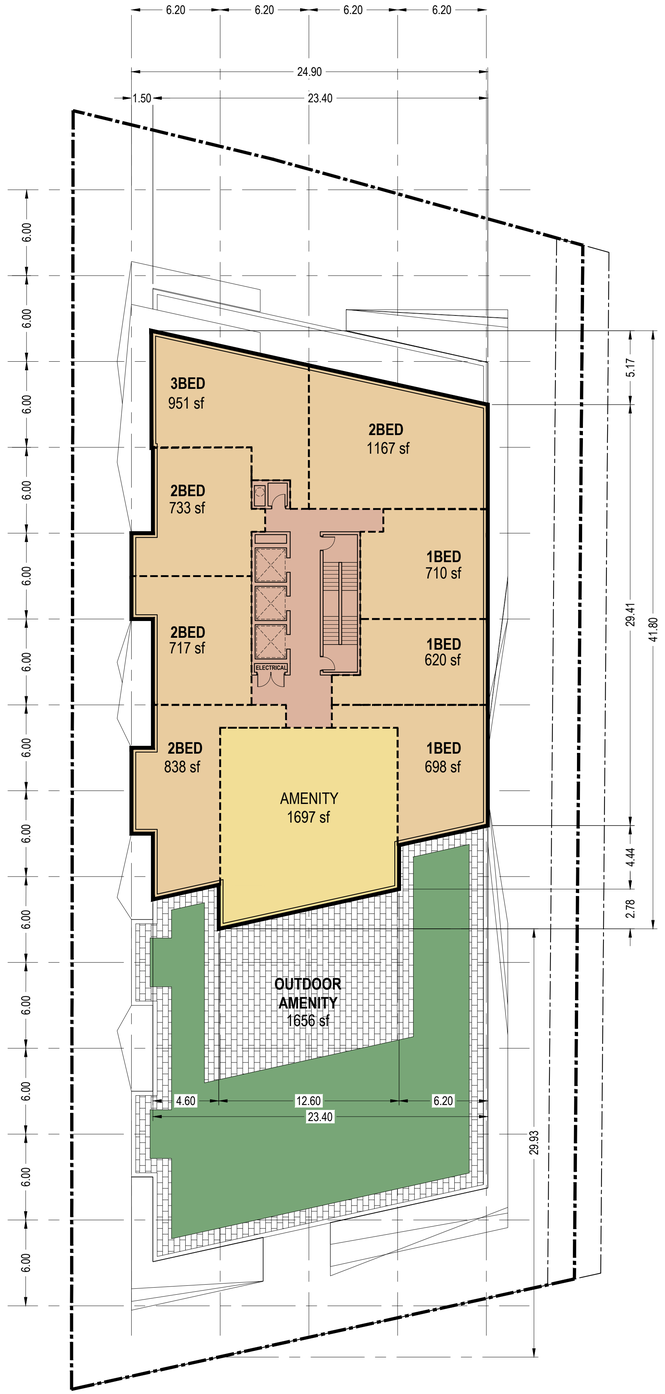
Proposed Floor Plans

PROJECT NO. C6075	
SCALE: 1:200	DATE: Nov, '18
DRAWN: msai	SHEET NO: A01
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FILE NO.	



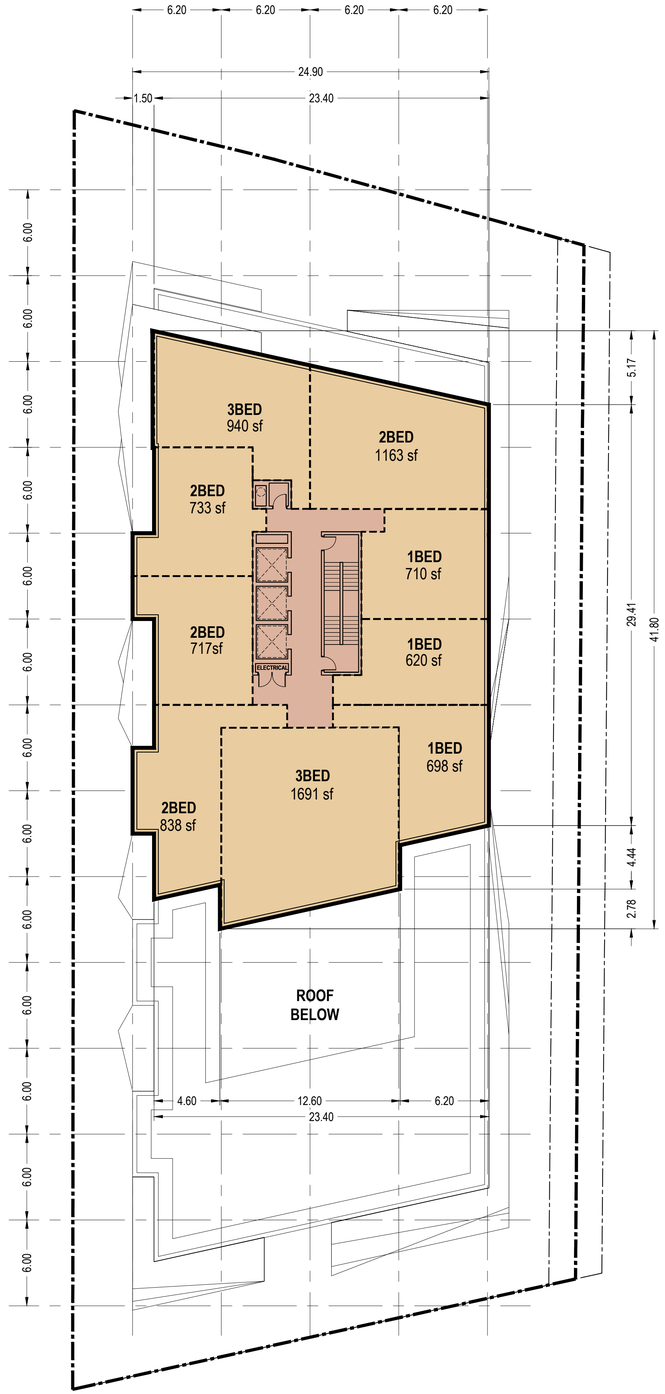
Typical Floor - 2nd-9th Floor

Area:	1507 sm	x 8 = 129,760 sm
Units:	17 Units	x 8 = 136 Units



10th Floor

Area:	866 sm	
Units:	8 Units	



11th Floor

Area:	866 sm	
Units:	9 Units	

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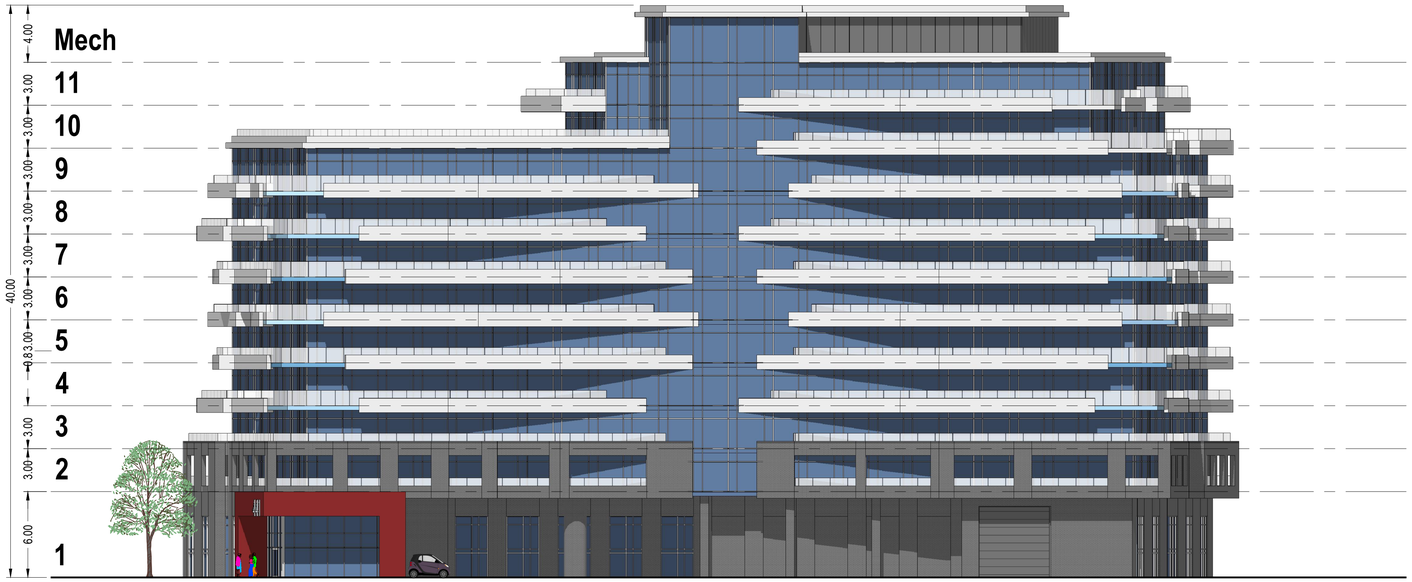
PROJECT:
441 Maple Street

Burlington, ON

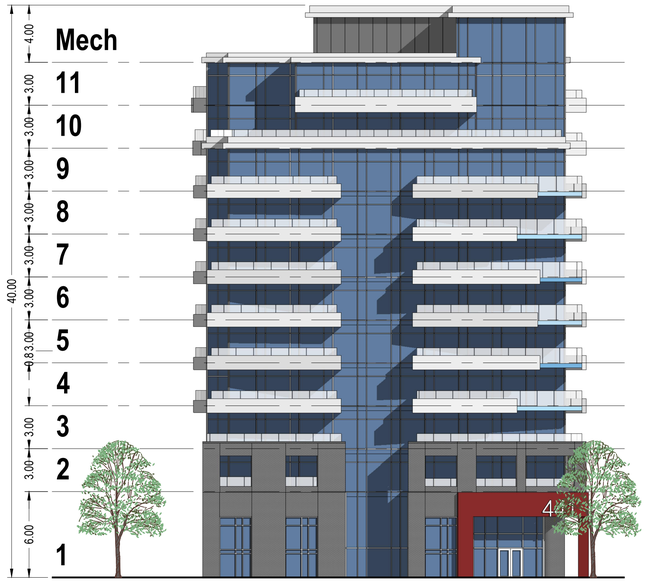
SHEET TITLE:
Proposed Floor Plans

PROJECT NO.
C6075

SCALE: 1:200	DATE: Nov, '18
DRAWN: msai	SHEET NO: A02
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FILE NO.	



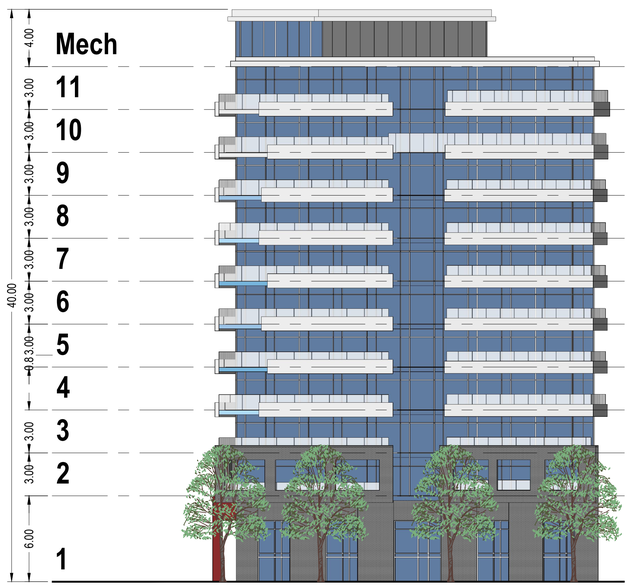
South Elevation



West Elevation



North Elevation



East Elevation

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CLIENT:
Better Life Retirement Residence Inc.

PROJECT:
441 Maple Street

Burlington, ON

SHEET TITLE:
Proposed Elevations

PROJECT NO.
C6075

SCALE:	DATE:
1:200	Nov, '18
DRAWN: msai	SHEET NO: A03
CHECKED: ms	
FILE NO.	

APPENDIX 3A: DRAFT OFFICIAL PLAN AMENDMENT (IN FORCE)

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

CONSTITUTIONAL STATEMENT

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

PART A – PREAMBLE

1. PURPOSE OF THIS AMENDMENT

   The purpose of this Amendment introduce a site specific provision that permit the redevelopment of the Subject Lands to include an eleven (11) storey residential building containing 153 dwelling units and 164 parking space on site and 15 parking spaces within the hydro corridor.

2. SITE AND LOCATION

   The Subject Lands are located at 441 Maple Avenue and is .28 hectares in area including one 1.88m easements.

3. BASIS FOR THE AMENDMENT

   a) The proposed Amendment is consistent with the Provincial Policy Statement (PPS) and the Growth Plan for the Greater Golden Horseshoe (Growth Plan).
   b) The proposed Amendment better implements the direction of the PPS and Growth Plan than the existing Official Plan policies.
   c) The proposal conforms to the Halton Region Official Plan and the Official Plan for the Burlington Planning Area;
   d) The proposal is in conformity with the general direction of the proposed intensification framework set out in the draft City of Burlington Official Plan dated April 2018;
   e) The proposal can be adequately serviced and does not create any impacts to the existing site and surrounding area;
   f) The proposal is well-served by existing community infrastructure including public transit, bike lanes, parks, schools, places of worship and an art gallery; and,
   g) The proposal is in keeping with the character of the neighbourhood, provides an opportunity for intensification within the Downtown Urban Growth Centre, preserves and upholds the overall urban structure as set out in the in-force OP and would implement the proposed urban structure set out in Grow Bold: Burlington Official Plan (Adopted April 26, 2018).

PART B – THE AMENDMENT

1. DETAILS OF THE AMENDMENT

   The text of the Official Plan of the Burlington Planning Area is amended by adding the following clause to Part III, Section 5.5.5, Downtown Residential Medium and/or High Density Precincts, which reads as follows:

DRAFT

"f) Notwithstanding Part III, Subsection 5.5.5 b) ii), within the Downtown Residential Medium and/or High Density Precincts designation located at 441 Maple Avenue, one 11 storey apartment building having a maximum density of 547 units per hectare is permitted. "

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

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

DRAFT

APPENDIX 3B: DRAFT OFFICIAL PLAN AMENDMENT (ADOPTED PLAN)

AMENDMENT NO. XXX TO THE BURLINGTON OFFICIAL PLAN (2018)

CONSTITUTIONAL STATEMENT

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

PART A – PREAMBLE

1. PURPOSE OF THIS AMENDMENT

   The purpose of this Amendment introduce a site specific provision that permit the redevelopment of the Subject Lands to include an eleven (11) storey residential building containing 153 dwelling units and 164 parking spaces on site and 15 parking spaces within the hydro corridor..

2. SITE AND LOCATION

   The Subject Lands are located at 441Maple Avenue and is .28 hectares in area including one 1.88m easements.

3. BASIS FOR THE AMENDMENT

   a) The proposed Amendment is consistent with the Provincial Policy Statement (PPS) and the Growth Plan for the Greater Golden Horseshoe (Growth Plan).
   b) The proposed Amendment better implements the direction of the PPS and Growth Plan than the existing Official Plan policies.
   c) The proposal conforms to the Halton Region Official Plan and the Burlington Official Plan.
   d) The proposal can be adequately serviced and does not create any impacts to the existing site and surrounding area;
   e) The proposal is well-served by existing community infrastructure including public transit, bike lanes, parks, schools, places of worship and an art gallery; and,
   f) The proposal is in keeping with the character of the neighbourhood, provides an opportunity for intensification within the Downtown Urban Growth Centre, preserves and upholds the overall urban structure as set out in the in-force OP and would implement the proposed urban structure set out in Grow Bold: Burlington Official Plan (Adopted April 26, 2018).

PART B – THE AMENDMENT

4. DETAILS OF THE AMENDMENT

   The text of the Burlington Official Plan is amended by adding the following clause to Chapter 8, Subsection 8.1.1(3.14):

   "g) **441 Maple Avenue**: Notwithstanding Policy 8.1.1(3.14)a) (i), a podium height of 9.5 metres is permitted.

5. INTERPRETATION

The Official Plan Amendment shall be interpreted in accordance with the interpretation policies of Chapter 12 of the Burlington Official Plan

6. IMPLEMENTATION
   The Official Plan Amendment will be implemented in accordance with the implementation policies of Chapter 12 of the Burlington Official Plan.

DRAFT

APPENDIX 4: DRAFT ZONING BY-LAW AMENDMENT

BY-LAW NUMBER XXX, SCHEDULE 'A' AND EXPLANATORY NOTE

THE CORPORATION OF THE CITY OF BURLINGTON
BY-LAW NUMBER XXX

A By-law to amend By-law 2020, as amended; 441 Maple Avenue,
File No.: XXX

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

WHEREAS the Council of the Corporation of the City of Burlington approved Recommendation PB-XX-XX on DATE, to amend the City's existing Zoning By-law 2020, as amended, to permit the redevelopment of the lands located at 441 Maple Avenue which will include a n eleven storey residential building.

THE COUNCIL OF THE CORPORATION OF THE CITY OF BURLINGTON HEREBY ENACTS AS FOLLOWS:

1. Zoning Map Number 9 of PART 15 to By-law 2020, as amended, is hereby amended as shown on Schedule "A" attached to this By-law.

2. The lands designated as "A" on Schedule "A" attached hereto are hereby rezoned from DRH (Downtown High Density Residential) zone to the DRH-XXX (Downtown High Density Residential) zone with site specific regulations.

3. PART 14 of By-law 2020, as amended, Exceptions to Zone Classifications, is amended by adding Exception XXX as follows:

Exception	Zone	Map	Amendment	Enacted
XXX	**DRH**	**9**	**2020.XXX**	**XXX**

1. Notwithstanding regulations of the DRH Zone and other general provisions to the contrary, the following provisions apply:

   a) Minimum front yard: 4.5 metres

   b) Minimum side yard (south): 6.0 metres

   c) Minimum side yard (north): 4.0 metres

   d) Maximum density: 547 units per hectare

   e) Maximum building height: 11 storeys up to 36.0 metres, exclusive of mechanical

penthouse

f) Parking: 1.0 occupant spaces per unit and 0.17 visitor spaces per unit

g) A portion of the required parking spaces shall be permitted to be provided off site

h) Required landscape areas may include transformers, exhaust shafts and air shafts

i) Landscape buffer (south): 0.0 metres

j) Balconies may encroach:

   a. 1.0 metres into a required side yard (north)

   b. 1.5 metres into a required side yard (south)

   c. 1.5 metres into a required rear yard

   d. 1.0 metres into a required front yard

k) Below grade parking structures shall be permitted to extend into the lot line and into the required landscape areas, landscape buffers and all other property lines and street lines.

l) Each level of underground parking shall provide one (1) 2.4 m stall and one (1) 3.4 m stall separated by a 1.5 m access aisle for a total of 6 spaces on site

Except as amended herein, all other provisions of the By-law and the DRH zone, shall apply.

4 a) When no notice of appeal is filed pursuant to the provisions of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, this By-law shall be deemed to have come into force on the day it was passed;

4 b) If one or more appeals are filed pursuant to the provisions of the Planning Act, as amended, this By-law does not come into force until all appeals have been finally disposed of, and except for such parts as are repealed or amended in accordance with an order of the Local Planning Appeals Tribunal this By-law shall be deemed to have come into force on the day it was passed.

ENACTED AND PASSED this ……..day of …… 2019.

DRAFT

_____MAYOR

_____CITY CLERK

DRAFT

APPENDIX 5: URBAN DESIGN ADVISORY PANEL MEETING MINUTES

Department of City Building
Burlington Urban Design Advisory Panel (BUD)

MINUTES

September 18, 2018, 2:55pm
414 Locust Street, 2nd floor boardroom.

Members of BUD

	present	absent / regrets
Ken Coit (Chair)	✓	
Jana Kelemen (Vice Chair)	✓	
Naama Blonder		regrets
Wai Ying Di Giorgio	✓	
Jessica Hawes	✓	
Matt Reid	✓	
Nigel Tai	✓	
Alexandru Taranu	✓	

Item #2: 441 Maple Avenue

Design Review: First Review
Application: OPA and Rezoning

Presentations:
City Staff: Jamie Tellier
Applicant: MHBC Planning



Disclosure of conflict-of-interest

None

City Staff Overview

City staff outlined the project details, site context and planning framework.

Staff are seeking the Panel's advice on the following:

1. **Balconies:** Please comment on the overall balcony design and how they can be used to enhance overall design excellence of the proposed building. Do the varying balcony designs/alignments on each side of the proposed building create an inconsistency?

Would a more consistent application of the balcony design inspiration identified in the BUD submission generate a more coherent architectural expression?

2. **Building composition:** Please comment on the overall building composition. Does the building design properly define the lower, mid and top levels? Would the building benefit from side and rear stepbacks at upper levels? Additionally, does the location of ramp to the underground parking prevent having usable ground level amenity area at the rear – is there a more urban solution?

3. **Streetscape:** Please comment on how the building presents itself to the street. Is the height of the streetwall appropriate? Does the front entry feature and adjacent public area relate to the street and create an inviting pedestrian space? Is the underground parking too close to the front property line and will it compromise appropriate landscaping/street trees? Should we consider how the building presents itself to Brock Avenue (across the hydro corridor and parking lots)?

Applicant / Design Consultant Presentation

The planning consultant provided the Panel with an overview of the site and proposal. The architect explained the concept development and described that the proposed design tries to bring a scale that addresses the surrounding context. The consultants acknowledge that the design is challenged by the tightness of the site as they would no longer utilize the adjacent hydro corridor.

Panel Questions:
The panel asked questions of clarification on the following topics:

- What's happening toward the lake?
- Is the southern boundary maintained as a shared access (driveway)?
- What's the distance between the existing building to the south and proposed?
- Are the parking lots to the east city owned/leased?

Panel Advice:

Question #1: **Balconies:** Please comment on the overall balcony design and how they can be used to enhance overall design excellence of the proposed building. Do the varying balcony designs/alignments on each side of the proposed building create an inconsistency? Would a more consistent application of the balcony design inspiration identified in the BUD submission generate a more coherent architectural expression?

The Panel commented that it is great to include design precedent images within submissions, however, in the case of the proposal there are too many different techniques that are conflicting with each other. A simplified approach to the balcony design would be preferred, and the panel suggested utilizing one technique or two techniques at most that compliment one another. The Panel liked how the balconies on the west elevation break down the building and create a unique facade. However, they may read more strong than intended and should be toned back. The Panel also suggested that there is an opportunity to use the balcony treatment effectively on the east elevation facing the Art Gallery of Burlington. It was also suggested that the design

emphasis should be focused more on the two corners of the building for optimal visibility rather than emphasizing the south elevation. Lastly, the skin and mass of the building should be more than a box; consider a little shape.

Question #2: **Building composition:** Please comment on the overall building composition. Does the building design properly define the lower, mid and top levels? Would the building benefit from side and rear stepbacks at upper levels? Additionally, does the location of ramp to the underground parking prevent having usable ground level amenity area at the rear – is there a more urban solution?

The Panel commented that the landscaping along the north and east (rear) elevations are not accomplishing anything and recommended that the at-grade landscape design (amenity space) could be consolidated in one place.

The Panel agreed that overall the proposed building fits its surrounding context in terms of the composition, but it still feels a little tight on the sides. It was suggested to soften edges and increase setbacks where possible. The Panel also commented that definition and transition between the 9th storey and two storeys above is important and suggested that the distribution of volumes of glazing be reconsidered to assist with this.

The Panel acknowledged that the ultimate treatment of the ramp is important. The Panel suggested the following considerations: integrating the underground access to the centre of the building or starting the ramp sooner on site to create more potential for meaningful green space at rear.

Question #3: **Streetscape:** Please comment on how the building presents itself to the street. Is the height of the streetwall appropriate? Does the front entry feature and adjacent public area relate to the street and create an inviting pedestrian space? Is the underground parking too close to the front property line and will it compromise appropriate landscaping/street trees? Should we consider how the building presents itself to Brock Avenue (across the hydro corridor and parking lots)?

The Panel liked the architectural treatment of highlighting the front corner entry feature. The Panel suggested increased glazing along the front facade to carry the theme forward and make the edge condition more transparent. This could highlight the public interface between the front plaza space and the ground floor of the building.

The Panel agreed that a 2-storey (10m) height for the base building next to Maple Avenue makes sense given the existing context and built form on the westside of Maple Avenue but commented that there is opportunity to make it taller.

It was suggested that a high-profile soffit treatment be added to the drop-off area which incorporates down lighting and provides a dramatic design opportunity. A uniform treatment of the forecourt could establish a plaza or pedestrian space and link to drop off area.

End...Item 2

APPENDIX 6: COMMUNITY MEETING SUMMARY AND PRESENTATION MATERIALS

441 Maple Open House, November 14- Comments Received

Height

- We may have an 11 storey building planned but the concern is it will rise higher as the Strata and the building across from the Burlington Performing Arts Centre.
- We do not need any more high rise developments- please do not proceed with this
- I'm glad the building will only be 11 storeys
- More than 11 true storeys?
- New building needs to be lower than the existing 11 floor building and higher than the 6 floors- the proposed building is the equivalent of a 16 floor building

  A tactic employed by other developers is to get approval for one height then once the building begins construction apple for an increase in height. Ie. Saxony Developments Locust & Elgin. What assurance do residents have that building height won't change between now and construction?

Traffic/Access

- The increasing traffic congestion will add to the air pollution already suspect with the steel companies.
- Not enough space for more cars
- Streets too small to accommodate
- City already doesn't take care of maple in winter- to add more cars & people (sidewalks) is insane
- I am against this development proposal with the increase in traffic there will be a safety issue as well as an environmental issue with more pollution related to increase cars
- Concerned about traffic- with the apartment and condo buildings currently at the corner of Maple & Lakeshore how will they funnel traffic into the new building?
- Traffic is already heavy on Maple and this building won't help.
- Do they have an entrance off Brock Road?
- Access to common laneway maintenance
- Traffic concerns- already a high problem
- Traffic on Elgin, Maple and Lakeshore around 5pm is nearly impossible to turn on Maple
- With all the existing projects approved can we include them in the traffic study (not just the existing ones)?
- Fire access on the building side

Parking

- Levels of underground parking with ground water
- How many accessible parking stalls are planned?
- Is any visitor parking included in the plan?
- Visitor parking needs to be on the owner land-> they plan to use Ontario Hyrdo Land for parking
- Moving truck area and maintenance truck parking area

Noise

- Noise of mechanical room (rooftop)
- 10th floor outdoor area noise
- Noise and vibration effect on 421 maple ave

WELCOME!

OPEN HOUSE FOR 441 MAPLE AVENUE DEVELOPMENT PROPOSAL

Please take a moment to sign in.

Please feel free to leave a note on the comment board or fill out a comment form.

MHBC PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE

MSAi

THE DEVELOPMENT APPLICATION PROCESS

(OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT PROCESS)

MAY 2017, MAR. 2018

PRE-CONSULTATIONS WITH CITY STAFF

SEPT. 2018

CITY'S URBAN DESIGN REVIEW PANEL

NOV. 2018

PUBLIC OPEN HOUSE

WE ARE HERE

APPLICATION SUBMISSION

ASSESS COMMUNITY INPUT & DESIGN REVIEW PANEL

TECHNICAL REVIEW BY CITY & AGENCIES

WINTER 2019

RESPONSES & REVISIONS TO APPLICATION

SPRING 2019

STATUTORY PUBLIC MEETING

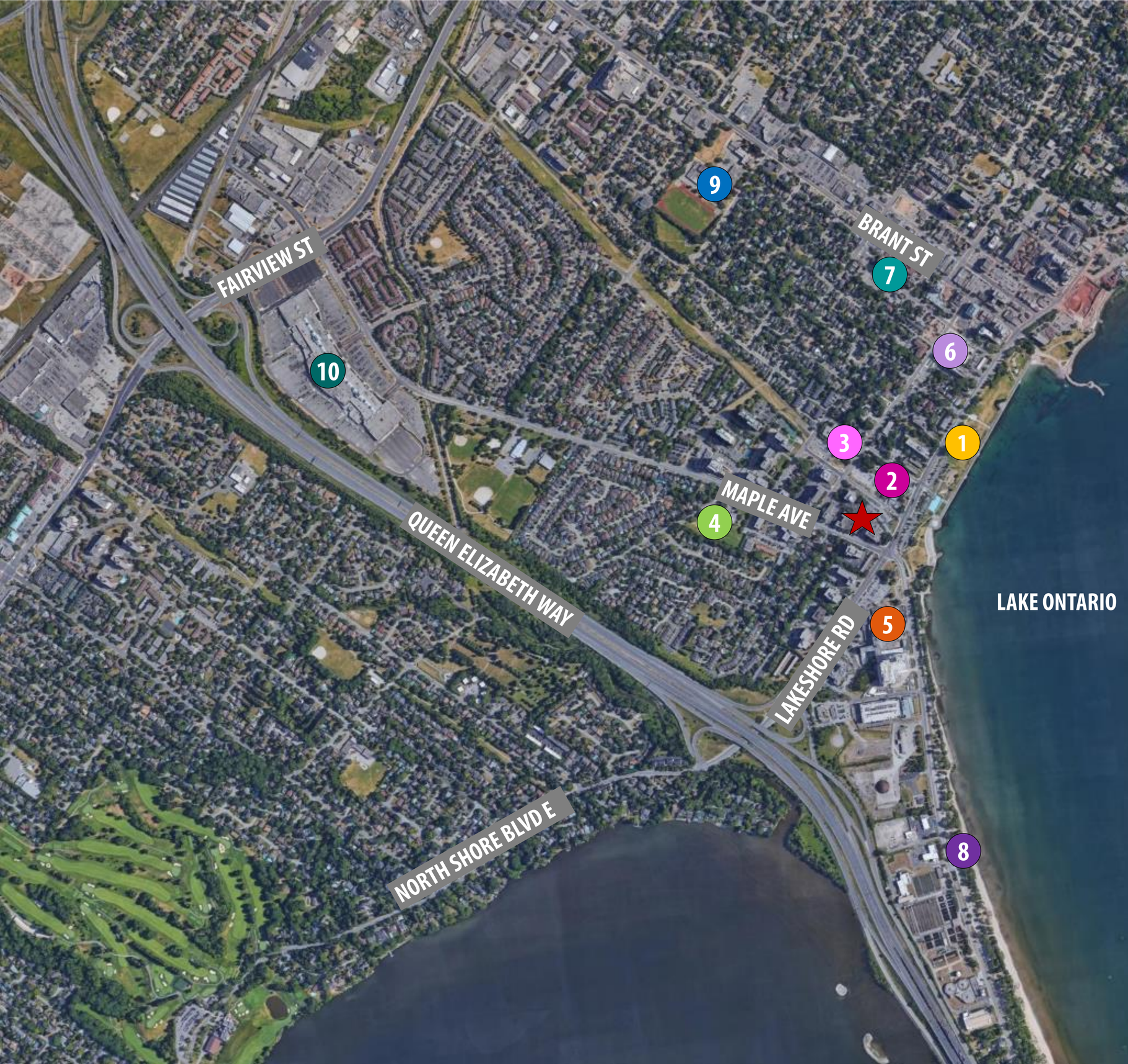
SUMMER 2019

RECOMMENDATION TO COUNCIL

MHBC PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE

MSAi

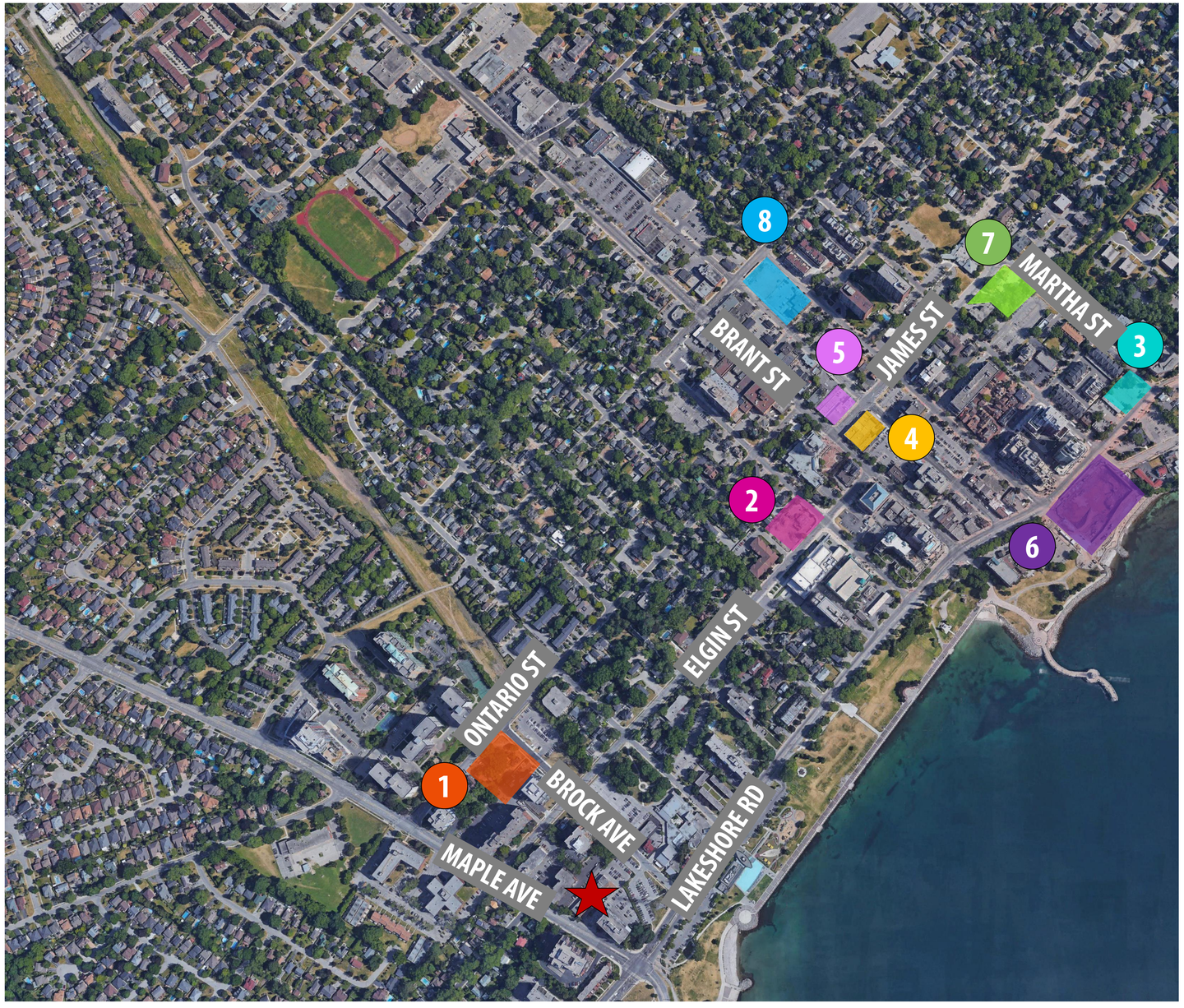
COMMUNITY CONTEXT



1. SPENCER SMITH PARK
2. ART GALLERY OF BURLINGTON
3. BROCK PARK
4. RENAISSANCE ELEMENTARY SCHOOL
5. JOSEPH BRANT HOSPITAL
6. BURLINGTON PERFORMING ARTS
7. BURLINGTON CITY HALL
8. BEACHWAY PARK
9. BURLINGTON CENTRAL SCHOOL
10. MAPLEVIEW SHOPPING CENTRE

★ SUBJECT SITE

DEVELOPMENT ACTIVITY



1 **490 - 492 BROCK AVE. & 1298 ONTARIO ST.**
APPLICANT: The Molinaro Group
22 storey mixed-use building with ground floor commercial and a roof top amenity area approved.

2 **452-454 LOCUST ST. & 1437-1445 ELGIN ST.**
APPLICANT: Saxony Developments Inc.
7 storey mixed-use residential building with ground floor commercial under construction.

3 **374 MARTHA ST.**
APPLICANT: ADI Development Group
26 storey mixed use building approved by the Local Planning Appeal Tribunal (LPAT).

4 **409 BRANT ST.**
APPLICANT: Reserve Properties Ltd.
Proposal for a 24 storey mixed-use building with ground floor commercial and a roof top amenity area. 18 storeys approved by City Council. Decision appealed to LPAT.

5 **421-431 BRANT ST.**
APPLICANT: 421 Brant Street Inc.
Approved for a 23-storey mixed-use building with a rooftop amenity area.

6 **2042, 2048, 2054 LAKESHORE RD.**
APPLICANT: New Horizon Development Group
3 mixed-use buildings (22, 7 & 8 storeys) under construction.

7 **2082, 2086 & 2090 JAMES ST**
APPLICANT: Mattamy (Monarch) Limited
18 storey residential building approved.

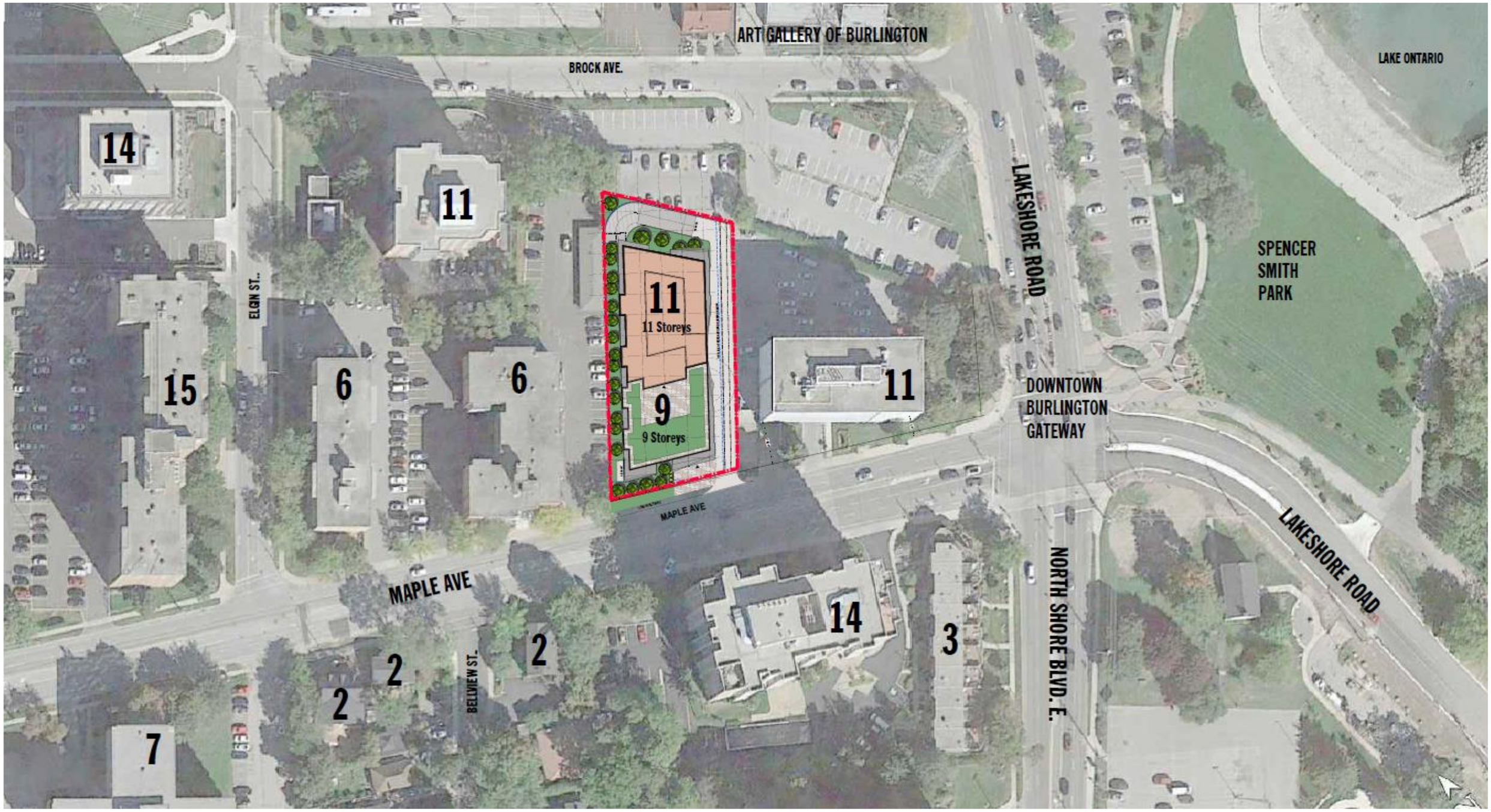
8 **2025 MARIA ST, 510 ELIZABETH ST & 2030 CAROLINE ST**
APPLICANT: Carriage Gate
8 storey office building, 17 storey residential building & 6 storey parking garage connected by shared podium under construction.

★ **SUBJECT LANDS**

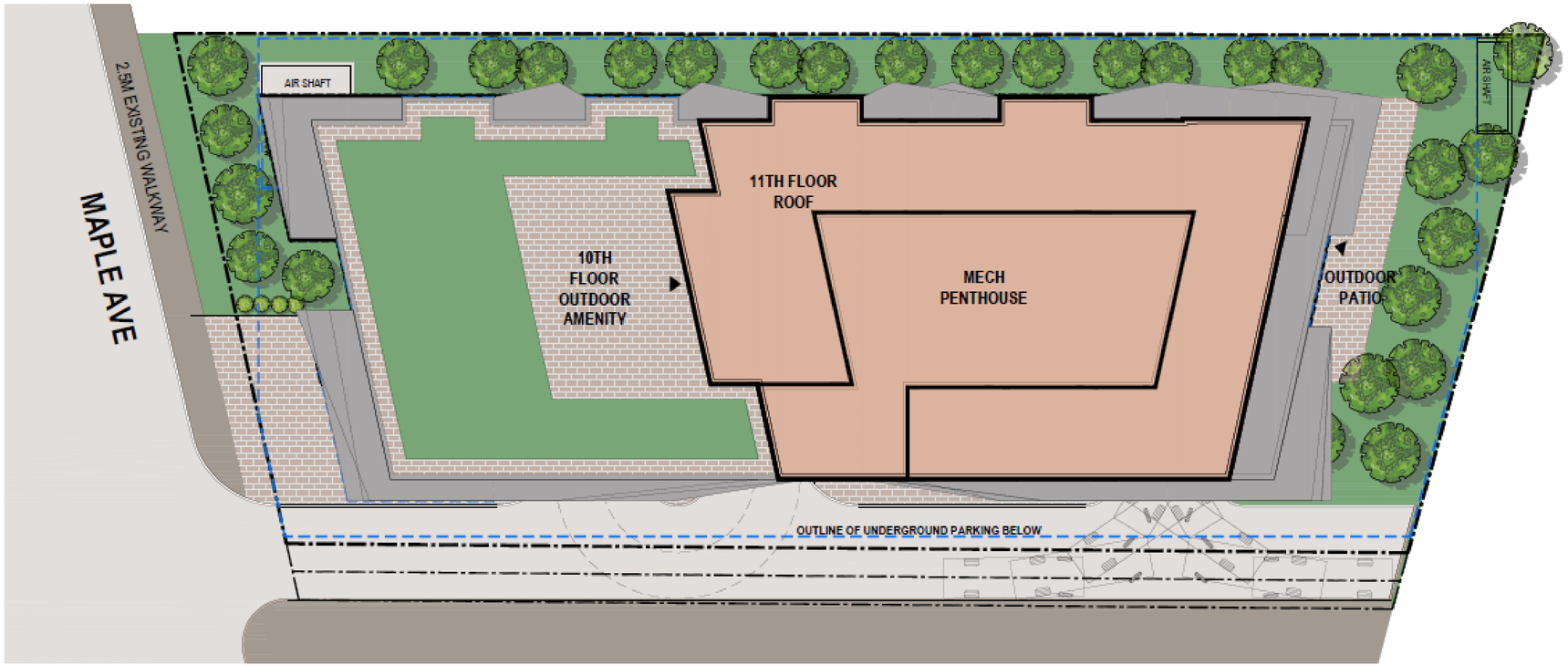
MHBC PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE

MSAi

SITE CONTEXT



SITE PLAN



PROPOSED USE: Multi - Residential
SITE AREA: 0.27 HA (2,730.60 sm)
STOREYS: 11 Storeys
UNITS: 163 Units
PARKING: 164 Cars
RATIO:1.0

SITE STATISTICS

AREA CALCULATION

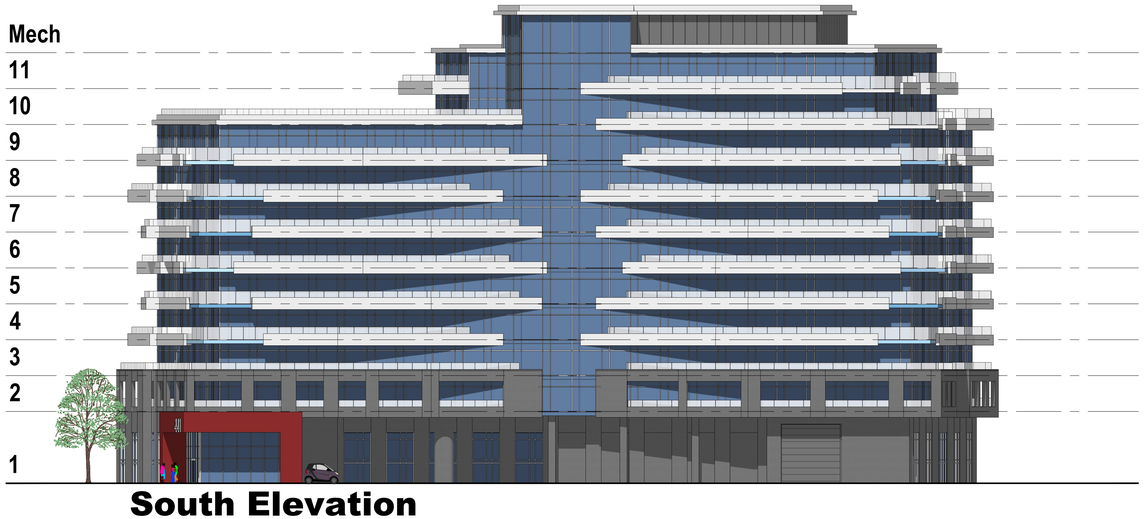
AREA BREAK DOWN PER FLOOR		
	AREA (SQ.M)	AREA (SQ.FT)
Ground Floor	1,230	13,240
Second Floor	1,507	16,220
Third Floor	1,507	16,220
Forth Floor	1,507	16,220
Fifth Floor	1,507	16,220
Sixth Floor	1,507	16,220
Seventh Floor	1,507	16,220
Eighth Floor	1,507	16,220
Ninth Floor	1,507	16,220
Tenth Floor	866	9,322
Eleventh Floor	866	9,322
TOTAL AREA ABOVE GRADE:	15,018	161,644
P1	2,540	27,287
P2	2,540	27,287
P3	2,540	27,287
TOTAL AREA BELOW GRADE:	7,620	81,861

UNIT COUNT

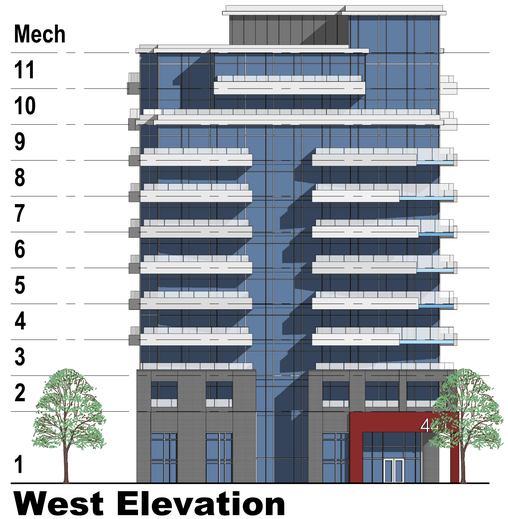
UNIT BREAK DOWN PER FLOOR					
	1 BED	1 BED + D	2 BED	3 BED	TOTAL
Ground Floor	-	-	-	-	-
Second Floor	5	7	3	3	18
Third Floor	5	7	3	3	18
Forth Floor	5	7	3	3	18
Fifth Floor	5	7	3	3	18
Sixth Floor	5	7	3	3	18
Seventh Floor	5	7	3	3	18
Eighth Floor	5	7	3	3	18
Ninth Floor	5	7	3	3	18
Tenth Floor	5	-	3	1	9
Eleventh Floor	5	-	3	2	10
TOTAL UNITS:	50	56	30	27	163
PERCENTAGE:	31%	34%	18%	17%	100%

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ELEVATIONS



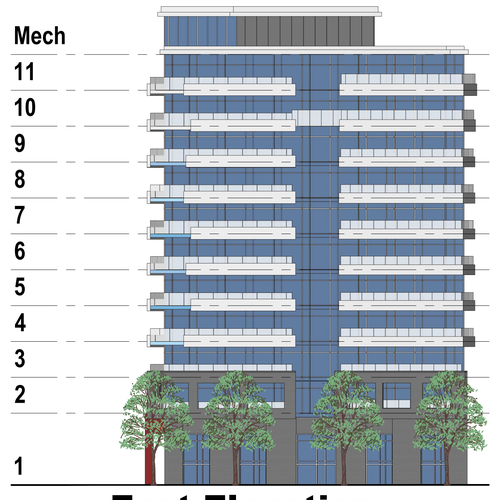
South Elevation



West Elevation



North Elevation

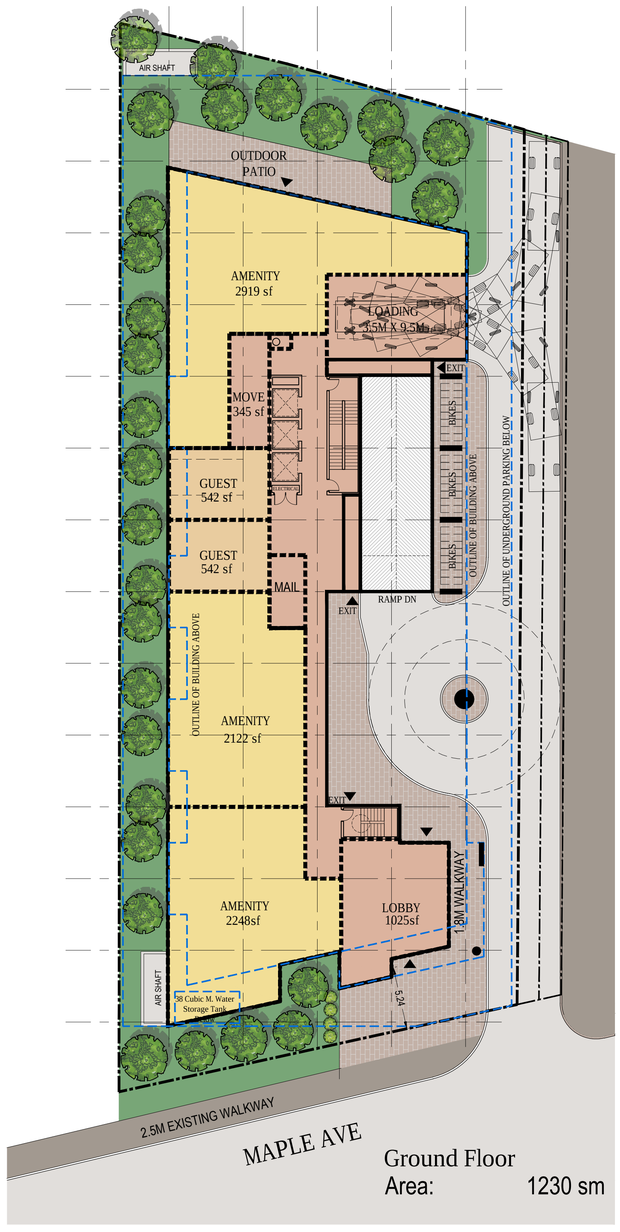


East Elevation

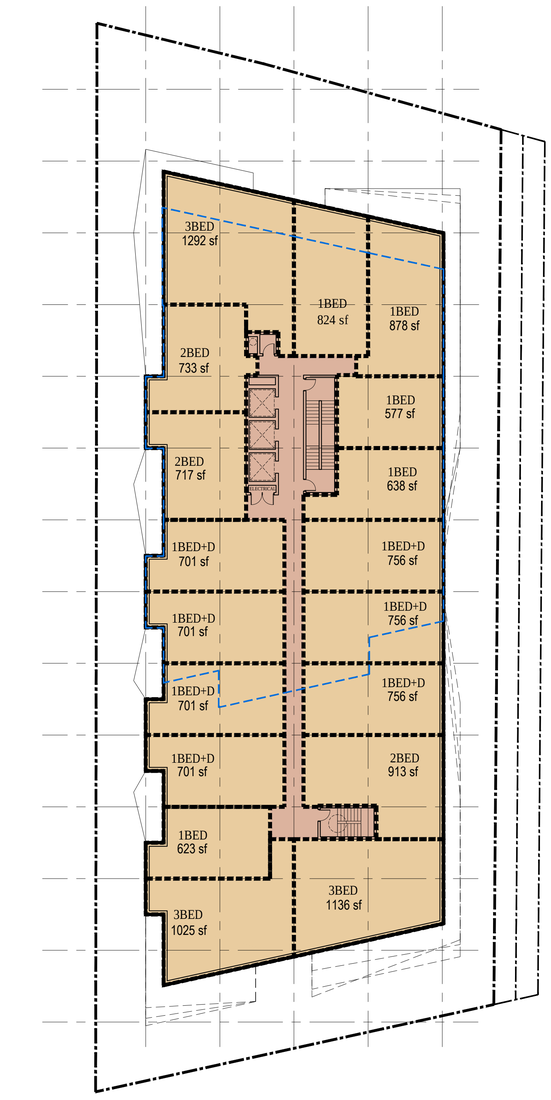
MHBC PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE

MSAi

FLOOR PLANS

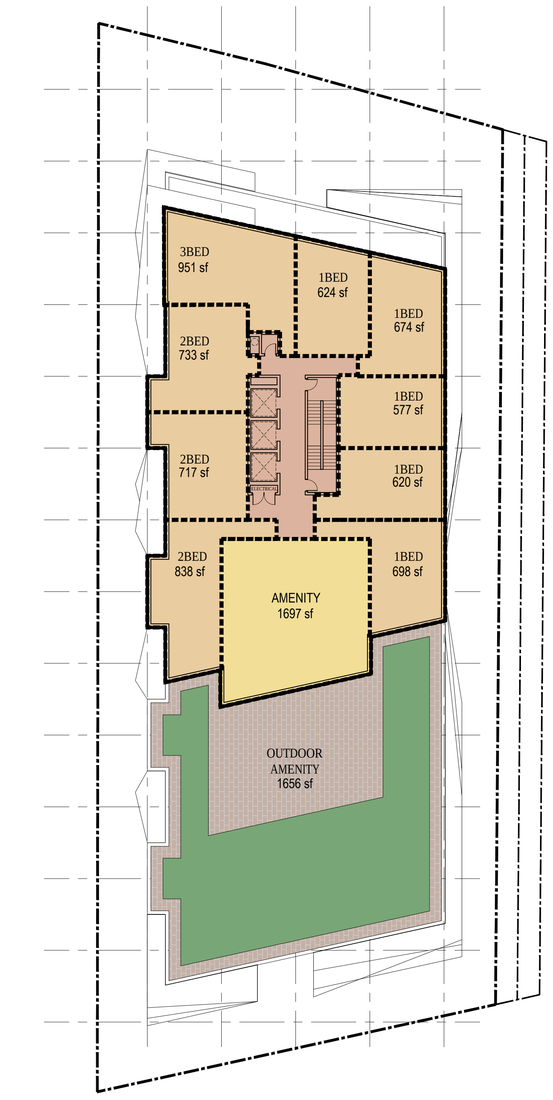


Ground Floor
Area: 1230 sm



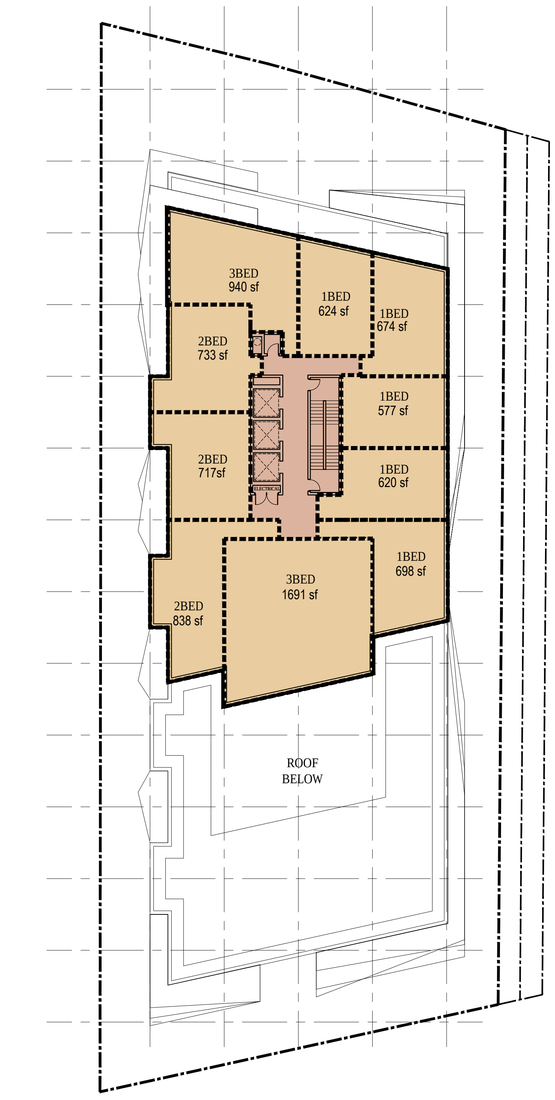
Typical Floor - 2nd-9th Floor

Area:	1507 sm	x 8 = 129,760 sm
Units:	18 Units	x 8 = 144 Units



10th Floor

Area:	866 sm
Units:	9 Units



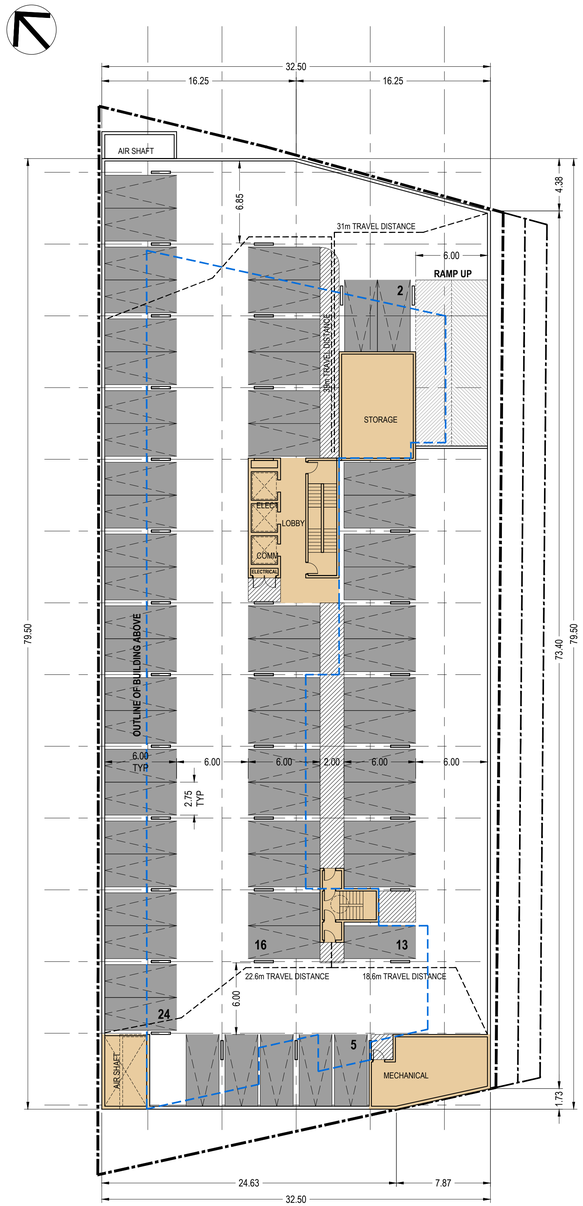
11th Floor

Area:	866 sm
Units:	10 Units

MHBC PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE

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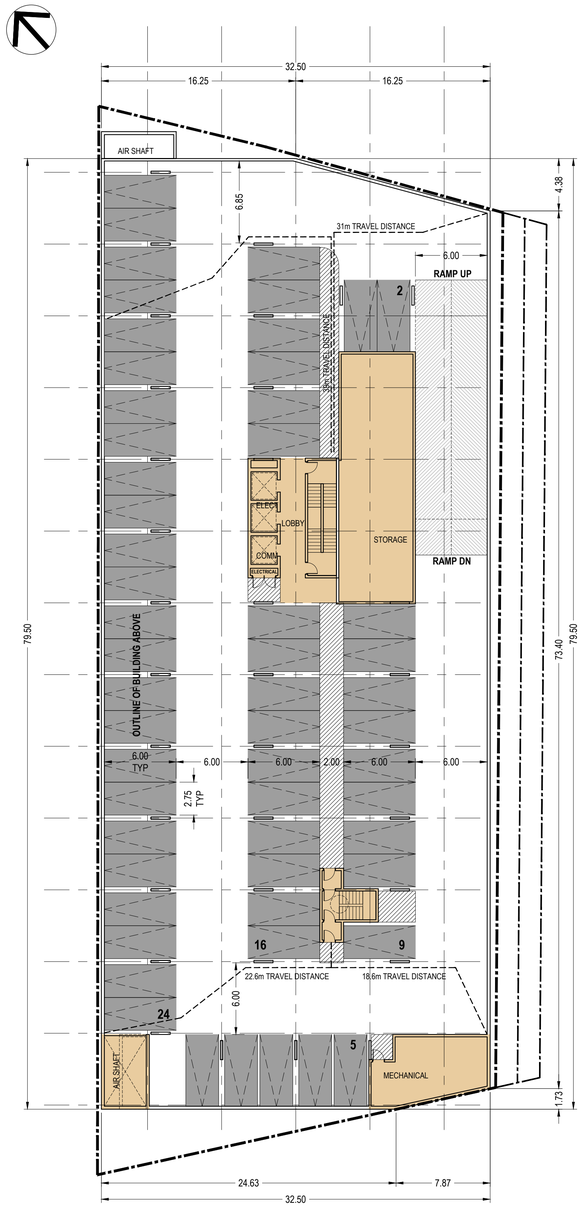
PARKING PLANS



P3 (Lower) - Underground Parking

Area: 2540 sm

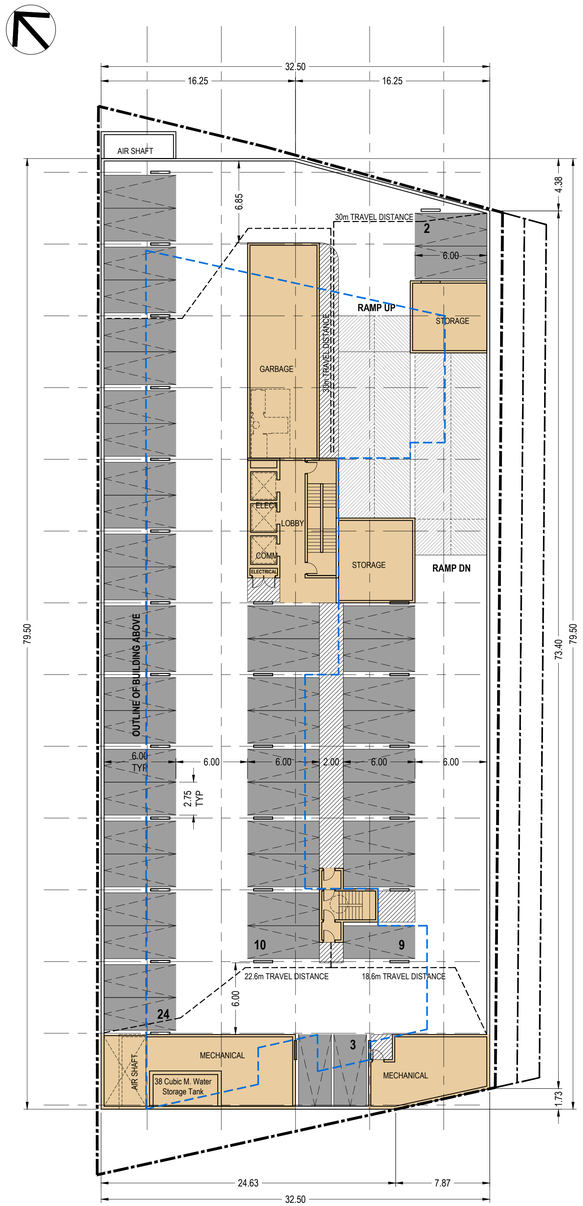
Parking: 60 Cars



P2 (Lower) - Underground Parking

Area: 2540 sm

Parking: 56 Cars



P1 (Typical) - Underground Parking

Area: 2540 sm

Parking: 48 Cars

RENDERINGS

LOOKING SOUTHEAST



LOOKING NORTHEAST



LOOKING NORTHWEST

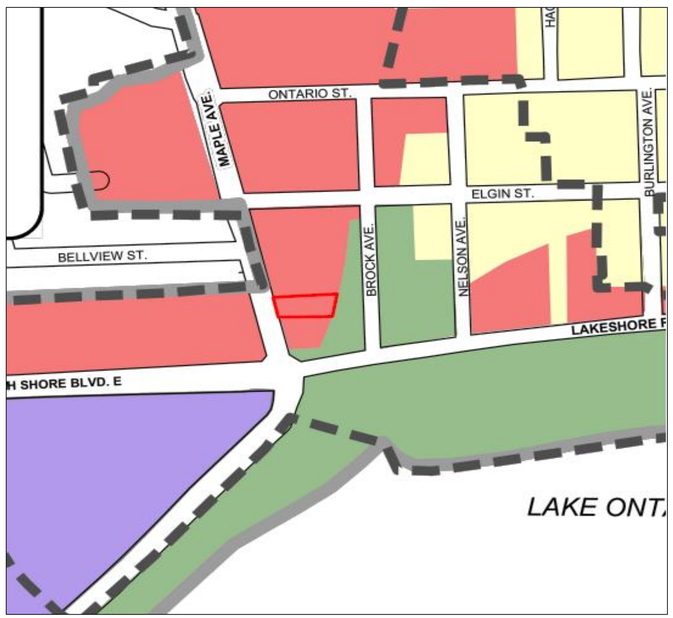


LOOKNG SOUTHWEST



IN EFFECT OFFICIAL PLAN & ZONING

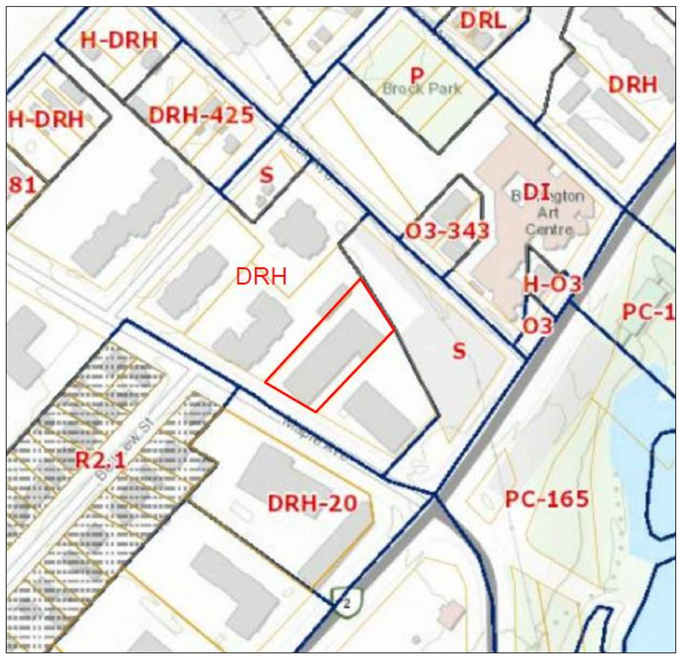
Official Plan Schedule B: Comprehensive Land Use Plan



Subject Lands
St. Luke's Neighbourhood Precinct
Downtown Residential - Medium and/or High Density Precincts
Downtown Major Institutional
Waterfront West / Public Lands Precinct
Downtown Urban Growth Centre Boundary

The proposed use is permitted in accordance with the policies of the Downtown Residential-Medium and/or High Density Precinct. An Official Plan Amendment would be required to permit the proposed density. The Official Plan does not limit height.

ZONING BY-LAW

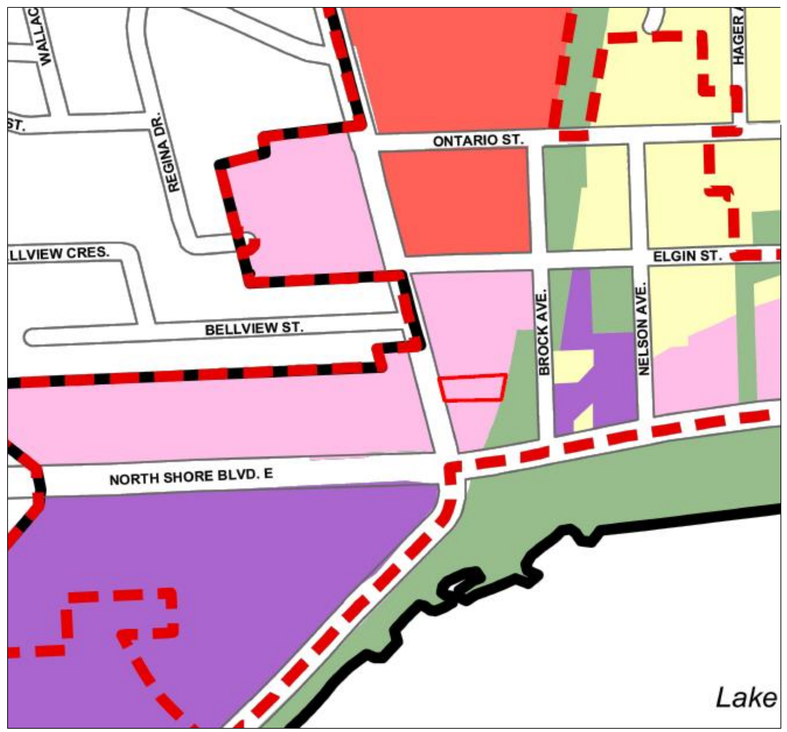


Subject Lands

The subject lands are currently zoned Downtown High Density Residential (DRH). Apartment buildings are a permitted use. A Zoning By-law Amendment would be required to permit site specific exceptions to the DRH Zone.

COUNCIL ADOPTED OFFICIAL PLAN

Draft Official Plan Schedule D: Land Use- Downtown Urban Centre



Subject Lands
Downtown Mid-Rise Residential Precinct
Downtown Parks and Promenades Precinct
Downtown Public Service Precinct
St.Luke's / Emerald Neighbourhood Precinct
Downtown Tall Residential Precinct
Urban Growth Centre Boundary
Downtown Urban Centre Boundary/ Mobility Hub Boundary

The development as proposed is in alignment with the height and density requirements of the Downtown Mid-rise Residential Precinct in the City's adopted Official Plan.

FREQUENTLY ASKED QUESTIONS

1. What is the proposed timing for redevelopment?

Timelines for decisions can vary significantly, depending on the nature of the issues identified through the review process and the size of the project. The City has 210 days to make a decision on the Official Plan and Zoning By-law Amendment. Subsequently, the condominium and site plan processes can take another 6 months to 1 year following the completion of the Official Plan and Zoning By-law Amendment process.

2. Where will the current residents go?

The site is currently developed with a two storey long term care facility. This facility is proposed to be closed, with residents relocated to a new, modern and accessible, facility over the next several years. The operation of the Maple Villa Long-Term Care Facility will continue on-site until such time an alternate facility is constructed within the Hamilton Niagara Haldimand Brant Local Health Integration Network (LHIN) to provide beds for the existing residents. When the new facility is built, the license and operation of the existing facility will be transferred and the residents will be relocated.

3. Will the residential units be rental or condominium?

The current proposal is for condominium units.

COMMENTS

Please feel free to comment below using a post it note or fill out a comment form and submit it using the box below or via email by November 30, 2018.

Other

- The business in the downtown area cannot support this kind of density in the 8 buildings proposed to go up.
- I live at 455 Maple Ave and I am concerned about loss of day light and direct sun in my unit. I will also not be able to see any of the lake.
- Not having more rental units is a concern.
- Garbage smell- traffic in alley- we are in the building beside traffic
- When problems on Skyway vibration effects on 421 Maple ground water leaking into 421 Maple garage
- Garbage location & smell
- Official Plan -I own 1323 Lakeshore Rd- the plan shows the land west of my garage as city land - this is not so.
- Over 60o/o of the units are 1 bedroom
- I really like this proposed development. It's very much in line with the existing character of the neighbourhood. The height is appropriate. I particularly like the roundabout at the entrance of the building.
- Will the condo corporation be owned by a single owner or by residents?

APPENDIX 7: ASSESSMENT OF SUSTAINABLE DEVELOPMENT PRINCIPLES AND OBJECTIVES

Note: The Sustainable Development Principles and Objectives do no form part of the OP and reviewed here for reference purposes.

Principles	
Principle	**Compliance Statement**
Principle 1: Recognize the interdependence of humans and the rest of nature in a common ecosystem; seek to prevent and reverse degradation of the earth, air, water, plants and animals by human activity.	The proposal does not displace elements of the Natural Heritage System
Principle 2: Recognize the urgency of climate change and take measures to reduce greenhouse gas emissions and to adapt.	The proposal will contribute to reducing greenhouse gas emissions by supporting active and public transportation and encourage modal shift through a reduction in parking requirements in conjunction with TDM measures. The proposal also represents a more efficient use of the site and forms part of a complete community, where commercial and retail uses, parks, schools, hospitals and other community facilities are located in close proximity to one another which further encourages active transportation modes.
Principle 3: Promote conservation, stewardship and responsible use of resources. Discourage processes and practices that result in natural resources being consumed at a rate faster than they can be replenished.	The proposal represents a compact and land-efficient built form which utilizes existing, serviced land in a responsible manner.
Principle 4: Discourage the production and use of persistent and harmful substances. Reinforce proper disposal practices for such substances.	Not applicable.
Principle 5: Affirm and promote practices that provide a safe and healthy environment and build resilience, and engage our community in not only meeting the economic and social needs of all citizens but enhancing quality of life.	The proposal provides a mid-rise residential building which forms part of a complete community. It is proximate to complementary land uses and provides easy access for future residents to local parks, trails, shops and community and government facilities. The proposal also provides accessible connections to the public realm to create a comfortable pedestrian environment.
Objectives	
Objectives	**Compliance Statement**
1. Leadership: Take a leadership position on sustainability issues both within and outside of the City of Burlington. Recognize that our local actions can have global implications.	The proposal will provide a more efficient, intensified use on a site within the Urban Growth Centre that represents a good example of context-sensitive redevelopment throughout the region.

2. Protection and Enhancement of Natural Features: Protect and enhance Burlington's natural features to ensure that shorelines, natural water courses, wetlands, flood plains, woodlands and forestry tracts, as well as notable landmarks such as the Niagara Escarpment, are preserved for future generations. Improve the connectivity of natural features to enhance the natural heritage system. Preserve habitat to maintain and increase biodiversity and protect species at risk.	The Subject Lands are currently fully built out and have minimal landscaping. The proposal will remove a significant proportion of at-grade parking to provide additional landscaped open space; the proposed building has been designed to maintain views to Lake Ontario.
3. Protection of Natural Resources: Sustainably manage and protect natural resources such as water, minerals and fertile lands. Reverse degradation of natural resources when feasible.	The proposal is not located abutting any Natural Resources.
4. Responsible Use of Natural Resources: Reduce the consumption of natural resources and ensure users are responsible for the full local costs of services such as water, electricity and sanitary sewers. Provide educational programs to encourage conservation of natural resources and increase awareness of the full costs of services.	The proposal represents a compact and land efficient built form that will make more efficient use of the subject lands and existing services in the area.
5. Waste Reduction: Reduce waste generation and increase resource recovery. Minimize waste in designing, building, operating, renovating, demolishing and re-purposing buildings.	Not Applicable.
6. Greening of the City: Promote the preservation, management and planting of trees and other vegetation on private and public property within the City. Encourage the use of native, non-invasive and diverse species.	The development proposal provides natural outdoor amenity space for residents to enjoy. While the development will result in the removal of 8 trees, two are proposed to be retained and further plantings will be added at the detailed design stage.
7. Natural Features and Green Space: Ensure natural features and greenspace are fundamental components of the City including new developments and redevelopments.	The development proposal provides natural outdoor amenity space for residents to enjoy. While the development will result in the removal of 8 trees, two are proposed to be retained and further plantings will be added at the detailed design stage.
8. Superior Neighbourhood Design: Make land-use decisions considering the natural features, site characteristics and location relative to employment, transportation and amenities. Apply an ecosystem approach to assess the impacts of development and to ensure environmental integrity, diversity and resiliency. Create vibrant, equitable communities that are healthy, walkable and transit supportive.	The proposal will replace an aging, 2-storey building on an underutilized parcel of land within the downtown with a mid-rise residential building which will form part of a compact complete community. The proposal will utilize existing services and make use of and support the existing transit routes serving the area. The proposal will result in increased residential density in the area which will contribute to the achievement of intensification objectives, consistent with the direction of the Growth Plan. The building has been designed

	to take advantage of views to the Lake and proximity to parks and trails, providing residents with a pedestrian-friendly vibrant space. Transit connections will provide residents with access to employment opportunities in close proximity to their residence.
9. Sense of Community: Create sustainable and appropriate forms of development that reflect the human scale, promote a sense of community, and connect and integrate urban development and natural surroundings.	The proposal is in the form of a mid-rise building, which provides step backs from the street to allow for a more human scale environment at grade. An angular plane study prepared in support of this application and included in the urban design brief shows that the proposed step backs meet a 45 degree angular plane to provide a pleasant pedestrian experience at the ground level.
10. Neighbourhood Connectivity: Promote community development where residents can easily access necessities and amenities, such as housing, employment, locally produced food, retail, green spaces, education, recreation, and arts and culture through active transportation or transit.	As noted above, the proposal is located in close proximity to a number of parks, community facilities, food stores, retail and commercial outlets and professional services which will serve the daily and weekly needs of the future residents and existing community. It is also served by several bus routes, as noted in Section 2.
11. Sustainable Transportation System: Prioritize walking, cycling and transit and make the best use of the existing road system for the safe movement of goods and people. Support multi-modal connectivity within the City and with neighbouring municipalities.	The proposal supports active and public transportation and encourages modal shift through a reduction in parking requirements in conjunction with TDM measures. It is located on a street identified as a mobility hub connection and frequent transit corridor and is served by 5 bus routes, one of which provides connections to the city of Hamilton, thereby supporting multi-modal connectivity with nearby Municipalities.
12. Efficient Urban Design: Increase the efficiency of land use in the urban community with the goal of reducing greenhouse gas and other air emissions and provide efficient, well connected routes for active transportation and transit. Promote urban intensification and development policies, rather than suburban policies that generate sprawl.	The proposal will provide for an optimized use of the land by replacing an aging two-storey building with a more intensified mid-rise building as part of a compact complete community. The proposal will utilize existing services and make use of and support the existing transit routes which serve the area. The proposal represents an appropriate urban intensification project that makes efficient use of existing urban land and services.
13. Natural Storm Water Management: Protect water courses in their natural state and encourage the restoration of water courses that have been degraded. Encourage low impact development design and use of best practices to improve storm water quality and reduce the quantity of storm water sent to traditional storm water infrastructure.	Stormwater quality will be treated as per the applicable municipal standards.

14. Energy Conservation, Efficiency and Generation: Promote net zero carbon energy generation and usage. Increase energy conservation through efficient land use planning and building design. Encourage sustainable local thermal and electrical energy generation and the supporting distribution network. Adopt low emission forms of transportation. Take all opportunities to switch from fossil fuel to renewable and electricity-based technologies.	Sustainable and energy efficient building methods and materials will be considered during the detailed design stage of the project.
15. Agriculture and Food: Promote policies that improve long-term food security with sustainable local agriculture in urban and rural communities. Increase the supply of local, accessible, affordable, culturally diverse and nutritious food. Protect agricultural land from loss and fragmentation.	The Subject Lands are located within close proximity to a food store, providing residents with access to food. There will be no impact on the agricultural system and agricultural land as a result of this application.
16. Healthy Lifestyles: Promote and support healthy and active lifestyles through the development of complete neighbourhoods, active transportation infrastructure, recreational facilities and parks.	The Subject Lands are located within close proximity to Spencer Smith Park and the Waterfront Trail, both of which are easily accessible via pedestrian connections provided from the site to the public sidewalk and provide opportunities for healthy activities.
17. Community Engagement: Seek and encourage public participation and education, and consider public input in City decision-making. The economic, environmental and social aspects of proposed developments should be considered. Decisions should address all aspects and build consensus among stakeholders.	A pre-application open house was held in order to receive preliminary community feedback on the proposal. Additional community engagement will occur as the application progresses through the approvals process.
18. Evaluation of Development: Continuously monitor and evaluate community development to assess its sustainability in relation to social, environmental or economic impacts.	Not Applicable.
19. Sustainability Assessment: To assess progress towards sustainability, the City of Burlington should prepare a performance review of the entire municipality at regular intervals and develop and implement an action plan based on the findings.	Not Applicable.

APPENDIX 8: STATEMENT OF OPINION ON NON-CONFORMITY WITH THE REGIONAL OFFICIAL PLAN

Legislative & Planning Services
Department
Planning Services
1151 Bronte Road
Oakville ON L6M 3L1

December 4, 2018

To All Prescribed Agencies and All Persons who have requested
Notice of the Region's Decision of the
City of Burlington Official Plan:

RE: Statement of Opinion of Non-conformity with the Regional Official Plan under Subsection 17(40.2) of the *Planning Act*

On April 26, 2018, Burlington City Council adopted its new Official Plan (the "Plan"). On May 11, 2018, the record pursuant to subsection 17(31) of the *Planning Act* was received by the Region of Halton as the approval authority to make a decision on the Plan.

Over the last number of months, Halton Region staff have been working closely with City of Burlington staff in the review of the newly adopted Plan to address conformity to the Region of Halton Official Plan. Through this review, Regional staff have identified a number of matters with respect to the Plan's conformity to the Halton Region Official Plan that need to be resolved prior to making a decision on the Plan. The attached Notice provides additional information related to these matters in accordance with s. 17(40.2) of the *Planning Act*.

Halton Region staff will continue to work with City of Burlington staff to resolve matters of non-conformity with the Halton Region Official Plan in an expeditious manner.

Sincerely,

Curt Benson MCIP, RPP
Director, Planning Services and Chief Planning Official

cc: Heather MacDonald, Director of City Building, City of Burlington

Date of Notice:	December 4, 2018
Municipality:	City of Burlington
Subject Lands:	All Lands within the City of Burlington

NOTICE OF STATEMENT OF OPINION OF NON-CONFORMITY WITH THE REGIONAL OFFICIAL PLAN UNDER SUBSECTION 17(40.2) OF THE *PLANNING ACT*
With respect to the City of Burlington Council adopted new Official Plan

On April 26, 2018, Burlington City Council adopted its new Official Plan (the "Plan"). On May 11, 2018, the record pursuant to subsection 17(31) of the *Planning Act* was received by the Region of Halton as the approval authority to make a decision on the Plan.

Under subsection 17(40) of the *Planning Act*, if the approval authority fails to give notice of a decision in respect of all or part of a plan within 210 days after the day the plan is received by the approval authority, any person or public body may appeal to the Tribunal all or any part of the plan. An exception to this provision applies if the approval authority states that the plan or any part of it does not, in the approval authority's opinion, conform with the upper-tier municipality's official plan.

The purpose of this Notice is to inform you that the Region of Halton, through its delegated authority to the Chief Planning Official, is of the opinion that the Plan does not conform to the Region of Halton Official Plan (2009) ("ROP"). The Plan does not conform to the ROP with respect to policies and mapping related to, among other matters:

- proposed employment land conversions and permitted uses within the employment areas and lands;
- the identification of and permitted uses within agricultural lands;
- the identification of and permitted uses within the Natural Heritage System; and
- transportation matters, including road classifications.

Pursuant to subsection 17(40.4) of the *Planning Act*, the 210-day period does not begin to run until the Region of Halton confirms that the non-conformity with the ROP is resolved. As such no appeals under subsection 17(40) of the *Planning Act* may be filed at this time.

APPENDIX 9: ASSESSMENT OF DEVELOPMENT CRITERIA FROM ADOPTED OFFICIAL PLAN

The following table assesses the development application evaluation criteria, as outlined in Policy 12.1.2 (2.2)c).

Criterion		Compliance Statement
i.	the development shall be consistent with the land use compatibility policies contained in Section 4.6, Land Use Compatibility, of this Plan;	The proposal does not create any land use conflicts with employment uses. A Traffic and Stationary Noise Feasibility Study has been submitted in support of the proposal which demonstrates that traffic noise impacts can be mitigated.
ii.	the development achieves built form compatibility;	The proposal achieves compatibility with the surrounding area by providing a mid-rise residential building, which is consistent in form and intensity to surrounding developments which range in height from 6 to 20 storeys. Building step-backs also assist in mitigating height impacts on surrounding lands and providing a pedestrian-scaled environment at grade.
iii.	the development shall be consistent with the intent of the Urban Structure as outlined in Section 2.3, Urban Structure of this Plan and maintains the land use vision established in the land use designations of this Plan;	The Subject Lands are identified as "Mixed Use Intensification Area- Urban Centre and Mobility Hub" and "Primary Growth Area". The proposal will allow for an intensified use of the subject lands at a height, density and form that is consistent with, and upholds, the Urban Structure.
iv.	the development achieves high quality of urban design and is consistent with the policies contained in Chapter 7: Design Excellence, of this Plan;	The proposal achieves a high quality of urban design which is evaluated in detail in the accompanying Urban Design Brief.
v.	the development, where located outside the Established Neighbourhood Area as identified on Schedule B-1: Growth Framework, constitutes intensification;	The Subject Lands are identified as a Primary Growth Area on Scheduled B-1 and represent intensification, as defined by the Plan, due to the introduction of 153 residential units in an 11-storey building on a property where 35 rooms and 93 long-term care beds exist in a two-storey built form. (Note: demolition of existing building is required to facilitate the development and cannot occur until a new long-term care facility is built.
vi.	the development can be supported by available infrastructure and public service facilities including, but not limited to, such services as water, wastewater, stormwater and parks;	The accompanying technical reports identify that the development can be supported by available infrastructure. As demonstrated in Table 2 of this report, there are a number of public service facilities in the vicinity including parks, schools, places of worship, government buildings and a hospital.
vii.	the development preserves and protects trees, consistent with the policies contained in Section 4.3, Urban Forestry, of this Plan;	The Tree Inventory and Preservation Plan submitted as part of this application identifies a total of 10 trees on site, two of which will be preserved. The redevelopment will add new plantings and landscape

		features to the site to ensure green space is provided.
viii.	the development provides adequate buffering and other measures to minimize any identified impacts to an acceptable level;	The proposal provides adequate buffers to adjacent buildings. The front, rear and side yard setbacks are appropriate for the site and surrounding area. Tree plantings, outdoor amenity space and the shared driveway assist in buffering the building from adjacent uses.
ix.	the development shall:	
a.	demonstrate that future development on the adjacent property(ies) will not be compromised by the proposal;	The proposed development is an intensification project in a developed area with limited potential for redevelopment on surrounding lands. Many nearby sites have already intensified or are in the process of redeveloping. The proposal will provide a built form which is compatible with surrounding buildings in terms of height, density and design. The shadow analysis submitted in support of this application demonstrates that no shadows fall onto low rise residential neighbourhoods, open spaces and pedestrian streets
b.	be designed to facilitate future pedestrian, cycling and/or private street connections across one or more adjacent properties, where such opportunities exist, as determined by the City; and	The building has been designed to provide a contrasting coloured frame, highlighting the building entry and creating a visible point of entry for pedestrians. The building is set back to allow for a covered pedestrian walkway further into the site. The site provides access to the public sidewalk and is in walking distance to local parks and trails, including Spencer Smith Park and the Waterfront Trail.
c.	demonstrate, to the satisfaction of the City, the appropriate phasing of development where existing retail and service commercial uses are being re-developed, to minimize adverse impacts on the provision of goods and services to support the surrounding areas;	Not Applicable
x.	the development maintains, enhances and restores the City's Natural Heritage System in accordance with the policies in Section 4.2, Natural Heritage System, of this Plan;	The proposal is not adjacent to a component of the Natural Heritage System.
xi.	the development, where residential uses are proposed demonstrates, the degree to which public service facilities and other neighbourhood conveniences, such as community centres, recreation, neighbourhood shopping centres and healthcare are located within walking distance or accessible by	Table 2 in the report shows that a variety of community facilities are located in proximity to the Subject Lands, including parks, schools and places of worship. Five bus routes are accessible directly on Maple Avenue, while access to additional bus routes is provided along Lakeshore Road and at the bus terminal, which is nearby and within

	transit;	walking distance. Connections within the community and outside of the community are provided (Burlington Transit, Hamilton Street Railway, GO Transit).
xii.	The development addresses multi-modal transportation considerations and is consistent with the policies in Section 6.2: Multi-modal Transportation, including but not limited to:	The proposal will encourage modal shift from automobile use to public transit and active forms of transportation through reduced parking provisions, bike parking and efficient pedestrian connections. The increased residential density will support the existing bus routes that operate in the area by increasing the pool of potential riders.
f.	the development shall mitigate potential impacts on the municipal transportation system to an acceptable level with regard to transportation flow and capacity;	The accompanying TIS demonstrates that the surrounding street network is able to accommodate the increase in traffic caused by the proposed development.
g.	the development accommodates sufficient off-street parking and transportation demand management measures in accordance with the policies in Subsection 6.2.10 of this Plan;	The accompanying parking study demonstrates that the parking supply at the proposed development can be supported from a transportation perspective
xiii.	the development conserves cultural heritage resources, where applicable, in accordance with the policies in Section 3.5, Cultural Heritage Resources, of this Plan;	The Subject Lands currently contain a two-storey long term care centre. No cultural heritage resources are present on site.
xiv.	the development provides stormwater management in accordance with the policies of Subsection 4.4.2(2) of this Plan;	The accompanying FSR and SWM report detail a proposed SWM scheme consistent with City standards.
xv.	the development addresses hazardous lands and hazardous sites in accordance with Subsection 4.4.2(3) of this Plan;	The proposal is not located on hazardous land nor is it considered a hazardous site.
xvi.	the development considers the relationship to existing or planned transit facilities including a frequent transit corridor, higher order transit, bus routes and/or transit shelters;	On Schedule B-2 of the Plan, Maple Avenue is identified as a Secondary Mobility Hub Connector and Frequent Transit Corridor. The proposal will support these transit corridors by increasing the pool of potential riders.
xvii.	the development complements and connects with the public realm, including walking and cycling facilities;	As described in the Urban Design Brief, the building face along Maple Ave. is setback 4.5m from, and parallel to, the property line creating a public realm boulevard area of approximately 9.3m from the curb to building face. This area would be dedicated to landscaping and the municipal sidewalk, except for a single mutual driveway access along the south boundary and will provide access and connections to the public realm.
xviii.	the development shall be consistent with the contaminated sites policies contained in Section 4.7, Contaminated Sites, of this Plan; and;	The accompanying Phase I Environmental Site Assessment provides a number of recommendations for the handling, management, and disposal of possible substances on the Subject Lands. A review of the site

		history did not suggest any former uses that would have a substantial impact on the environmental condition of the property.
xix.	the development shall consider all other relevant principles, objectives and policies of this Plan.	The proposal is consistent with the intent of the Plan as reviewed in this report.

APPENDIX 10: ZONING ANALYSIS TABLE

Regulation	Required	Provided	Note
Lot Width	30 m	35.63 m	Requirement met
Lot Area	0.1 ha	0.28 ha	Requirement met
Front Yard and Street Side Yard	6.0 m	4.5 m	Amendment required Setback proposed is greater than the setback provided for existing building
Rear yard	7.5 m	9.63 m	Requirement met
Side yard	6.0 m	North: 4.0 m South: 6.0 m	Amendment required for reduced side yard (north) Existing residential building (455 Maple) provides a generous setback from the proposed development and the reduced side yard setback requested should not result in negative impacts to current residents of 455 Maple or future residents of the new development
Density	50 UPH minimum, 185 UPH maximum	547 UPH	Requested density is required to achieve conformity/consistency with Provincial and Regional planning documents
Height	22 m maximum	11 storeys and 36.0 metres, excluding MPH (40.0 metres including MPH)	Requested height is required to achieve conformity/ consistency with Provincial and Regional planning documents. Height sought is in keeping with the proposed height parameters established for the Subject Lands in the adopted Official Plan
Amenity Area	20 sq.m per unit 20 sq.m x 153 = 3060 sq.m	3116 sq.m	Requirement met
Parking	1.0 occupant spaces per unit .25 visitor parking spaces per unit	1.0 resident spaces per unit .17 visitor spaces per unit A portion of the required parking to be provided on adjacent Hydro lands	Amendment required Parking justification report prepared by Crozier demonstrates the proposed rate and utilization of spaces on the adjacent Hydro lands is appropriate

Regulation	Required	Provided	Note
Enclosed occupant parking	100% of occupant parking shall be enclosed	All parking provided underground	Requirement met
Parking Lot Street Line Setback	A parking lot may be setback 1 m from a street line provided a decorative wall or fence having a height of 1m to 1.2 m screens the parking lot from the street	N/A	N/A
Parking Space Setbacks	Parking spaces and driveways shall be setback 3 m from a wall of a building containing windows of habitable rooms in dwelling units	Parking provided underground Driveway meets setback requirements	
Landscape Area	Abutting a street having a deemed width of up to 26 metres: 3 m	4.5 m provided along Maple Avenue	Requirement met
Landscape Buffer Abutting all other residential zones	3 m	0.0 m (south) 4.0 m (north)	Amendment required Driveway/ access provided at this location, which is shared with adjacent building (421 Maple)
Balcony encroachments	c) A bay window, balcony, vestibule, fire escape or open stairway may project 50 cm maximum into a required side yard and 1.6 m maximum into any other required yard, provided that: (i) The sum of the length of these projections does not exceed one third of the permitted length of a building wall, (ii) The length of any one projection does not exceed 3 m. (iii) A bay window that projects into a required yard may not have a foundation and must have at least 30% of the surface	North side: 1.0 m South side: 1.5 m Rear: 1.5 m Front: 1.0 m	Amendment required to provide balconies

Regulation	Required	Provided	Note
	area of the projection as window.		
Below Grade Parking encroachments	A Parking structure below grade and less than 1.6 m above grade may encroach into a required yard but shall not encroach into a required landscape buffer, provided that a minimum 3 m setback shall be maintained from a street line or property line	Setbacks for underground parking: 0.0 m	Amendment required to permit parking structure to extend to the property lines beneath the landscaped buffer
Loading dock encroachments	A roofed or unroofed loading dock may project 3 m into a required yard except a yard abutting a residential zone	Loading area forms part of building	Requirement met/ not applicable
Parking Space Size and Accessibility	a) Each parking space shall have a minimum width of 2.75 m and a minimum area of 16.5 m2 and be readily accessible without obstructions at all times for parking and removal of a motor vehicle without the necessity of moving any other vehicle or obstruction. The minimum area of a parking space may include walkways for residential uses only.	Stalls, save and except for accessible stalls, meet requirement	Amendment to Zoning By-law required for alternate stall and walkway size for accessible spaces only; however, proposal conforms to OBC and AODA standards.
Parking Structures	(ii) Entrance and exit ramps to below grade and above grade parking structures or buildings shall be setback 7.5 m from a street line.	Parking access provided at rear of building	Requirement met/ not applicable
Parking Structures	(iii) Below grade parking structures shall not extend into a required landscape buffer and shall be setback 3 m from all other property lines and street lines.	0.0 m on all sides, except 1.88 m on south	Requirement not met. Amendment required to permit underground parking to extend into the landscape buffer and all other property lines and street lines, except on south side
Designated Accessible Parking spaces	Where parking facilities are required, designated accessible parking spaces for the exclusive use of persons with disabilities shall be identified with a Provincially regulated vertical sign displaying the international symbol for accessible parking spaces.	6 designated spaces provided (two on each underground parking level)	Proposal provides the required amount of accessible parking spaces (6/179 spaces= 3.3%) Amendment to Zoning By-law required for alternate stall and walkway size; however, proposal conforms to OBC and AODA standards.

Regulation	Required	Provided	Note
	Designated accessible parking spaces shall be included in the calculation of required parking and shall be provided in accordance with Table 1.2.7, 9(a) and 9(b): Over 90 spaces- 3% of required parking 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 walkway with a minimum width of 2.0 metres.	Dimensions 2.40 m space, 1.5 m walkway, 3.40 m space	
Bicycle Parking	The By-law does not include a bicycle parking ratio for residential uses	24 spaces are provided	