BOUSFIELDS INC.

Planning & Urban Design Rationale



1029 and 1033 Waterdown Road

City of Burlington

Prepared For

Infinity Development Group Inc.

December 2021

BOUSFIELDS INC.

Job Number
18176-1

www.bousfields.ca

Urban Planning
Urban Design
Community Engagement

Toronto Office

3 Church Street, Suite 200
Toronto, ON
M5E 1M2

T. 416.947.9744
F. 416.947.0781

Hamilton Office

1 Main Street East, Suite 200
Hamilton, ON
L8N 1E7

T. 905.549.3005
F. 416.947.0781

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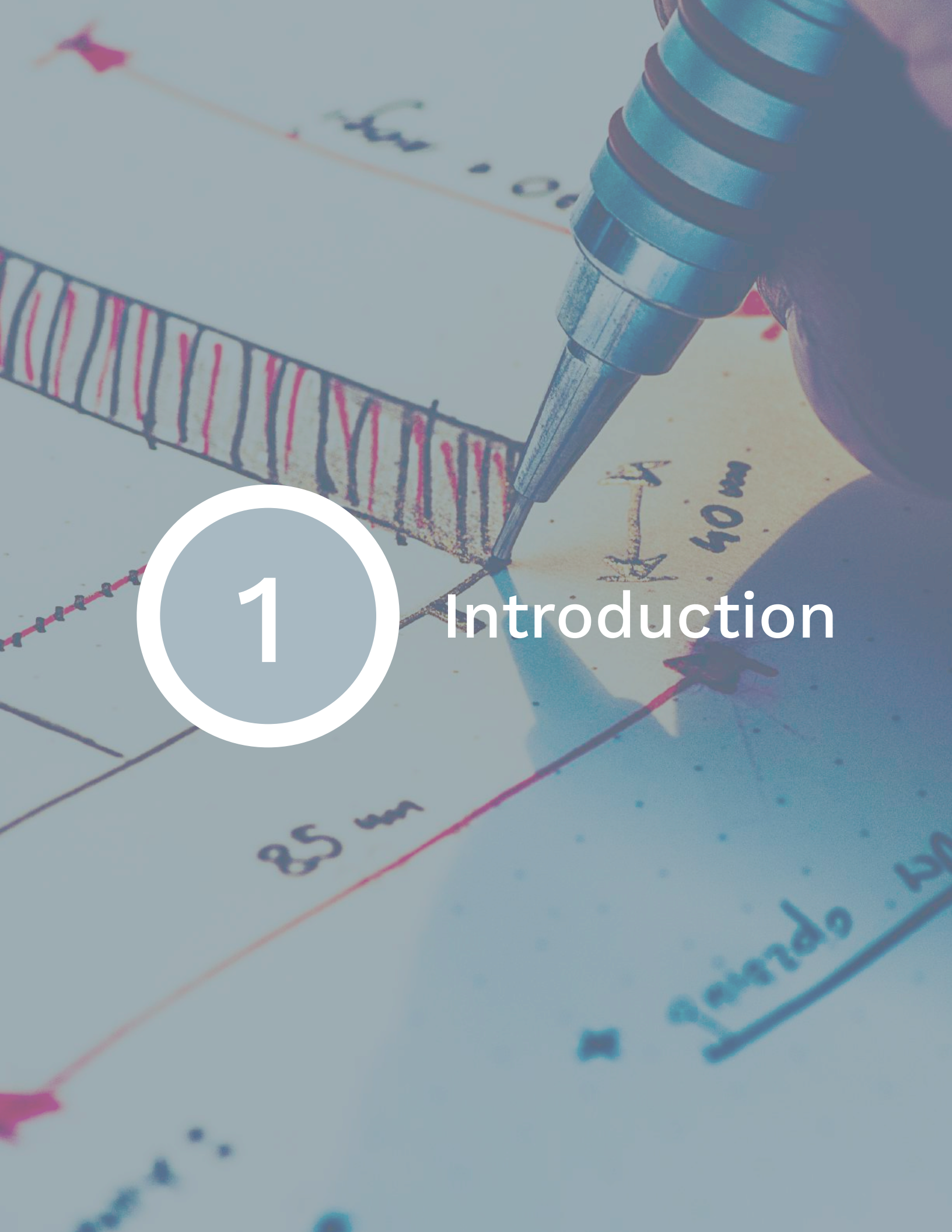
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This Planning and Urban Design Rationale report has been prepared in support of an application by Infinity Development Group Inc. to amend the in-force City of Burlington Official Plan and Zoning By-law 2020, as amended, to permit the redevelopment of a 0.26 hectare (0.64 acre) site, known municipally as 1029 and 1033 Waterdown Road.



1 Introduction

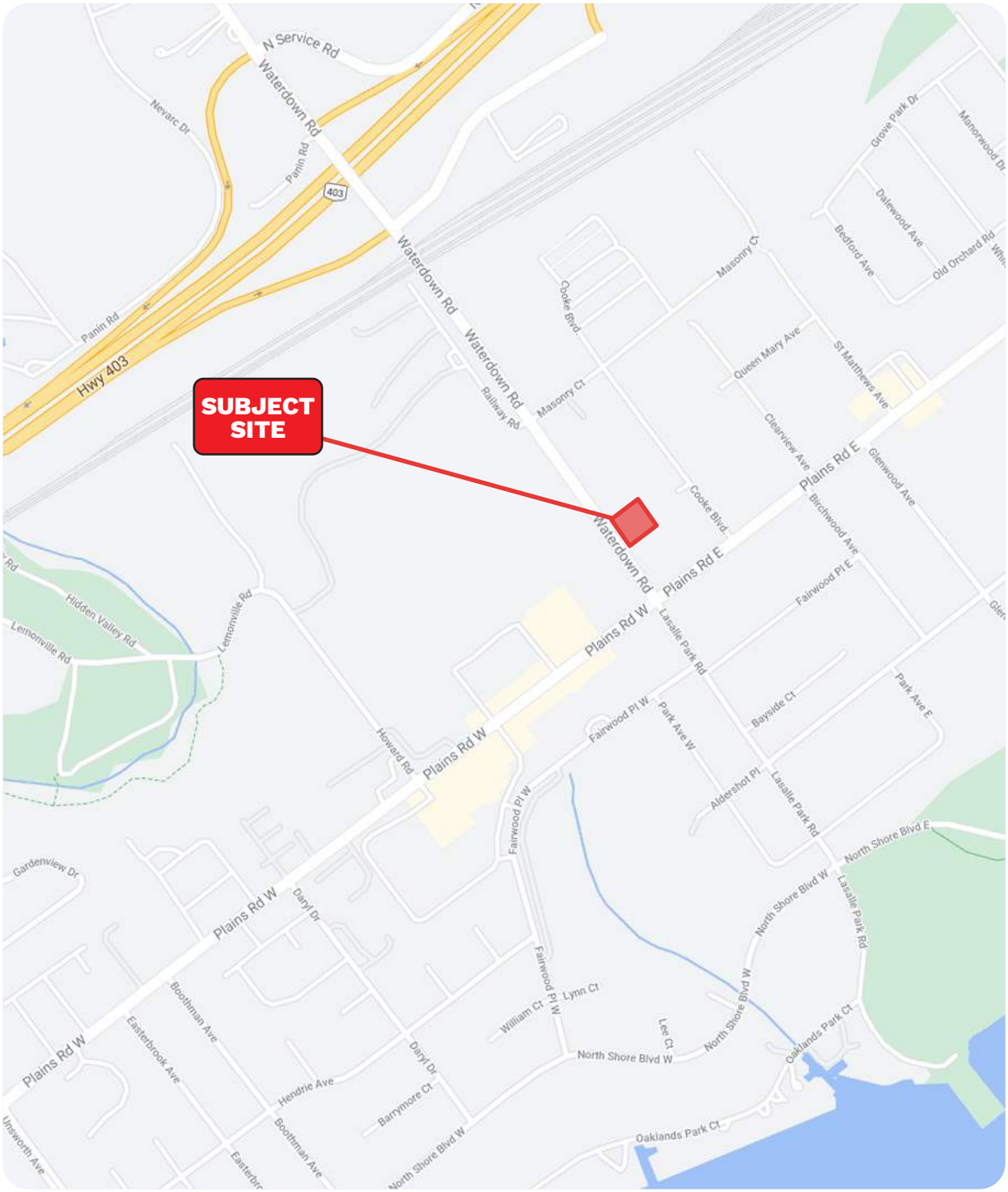


Figure 1 - Location Map

This Planning and Urban Design Rationale report has been prepared in support of an application by Infinity Development Group Inc. to amend the in-force City of Burlington Official Plan and Zoning By-law 2020, as amended, to permit the redevelopment of a 0.26 hectare (0.64 acre) site, known municipally as 1029 and 1033 Waterdown Road ("the subject site").

The subject site is located on the east side of Waterdown Road, north of Plains Road East, and south of Masonry Court (see **Figure 1**). The subject site is an assembly of two (2) properties which each contain a single detached dwelling that is 1 ½ storeys in height. The proposal is to redevelop the subject site with a 29-storey residential apartment building (103.9 metres in height, excluding a 3.2-metre-high mechanical penthouse). The proposed development will include a total of 295 residential units, resulting in an overall density of approximately 8.2 FSI.

This report concludes that the intensification of the subject site with a tall, point-tower mixed use building is in keeping with the policy directions articulated in the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe (2019, as amended), the Halton Region Official Plan, as recently amended through Regional Official Plan Amendment 48, the in-force Burlington Official Plan and the applicable urban design guidelines, all of which support and promote transit-supportive, pedestrian-orientated, compact built form, mixed use and intensification.

From a land use perspective, the proposal will contribute to the achievement of policy directions supporting intensification and infill within the built-up urban area, particularly in locations which are well-served by municipal infrastructure, including public transit. In this respect, the proposal will result in a desirable mixed use intensification project bringing additional residents within convenient walking and cycling access to the Aldershot GO station, and numerous Burlington Transit and GO Bus routes. It will also add new commercial amenities along Waterdown Road and provide additional permanent residents to make existing and planned commercial amenities in the area more viable.

The site is identified for urban intensification given its location within the Aldershot GO Major Transit Station Area ("MTSA"). From a built form and urban design perspective, the proposal will represent a high-quality architectural addition to the area and the proposed height and density are appropriate given the site's location along a multi-purpose arterial road, distance away from low-rise residential areas, and width of Waterdown Road. The proposed building will provide for a transition in height down from the Waterdown Road and Masonry Court intersection which is planned to accommodate the greatest level of height and density down to the mid-rise corridor along Plains Road East. Although the proposed tall building differs from the preferred Aldershot GO Mobility Hub Draft Precinct Plan, which has not yet been endorsed by City Council, it is our opinion that the Waterdown Road Corridor should be reconsidered as a tall building corridor that transitions from the Plains Road mid-rise corridor to the tallest buildings directed to the Masonry Court/Waterdown Road intersection. The proposed Block Plan illustrates how this transition can be achieved. The proposed development will provide an appropriate street wall condition along Waterdown Road, while contributing to an improved pedestrian environment at-grade with a ground level retail unit promoting an active streetscape and appropriate tower setbacks between the podium and the tower to help further define the tower and reinforce the planned mixed use "main street" form. The proposal conforms with the design policies of the in-force Official and is generally in keeping with the relevant urban design guidelines, specifically the City's Tall Building Design Guidelines, and including the under appeal policies within the adopted Official Plan.

Based on the foregoing, this Planning and Urban Design Rationale report concludes that the proposal is appropriate and desirable in land use planning and urban design terms and, accordingly, we recommend approval of the requested Official Plan and Zoning By-law Amendment Applications.



2 Site & Surroundings

2.1 Subject Site

The subject site is made up of two parcels, which are municipally known as 1029 and 1033 Waterdown Road, located on the east side of Waterdown Road, approximately 90 metres north of the Plains Road East and Waterdown Road intersection. The subject site is also located approximately 550 metres south of the Aldershot GO Station. The parcel at 1029 Waterdown Road comprises the southern portion of the subject site and the parcel at 1033 Waterdown Road comprises the northern portion of the subject site. The subject site is rectangular in shape and has an area of approximately 2,614 square metres (0.261 hectares) and a frontage of approximately 48.67 metres along Waterdown Road. The subject site has a depth of approximately 53.9 metres.

1029 Waterdown Road is currently developed with a 1.5-storey single detached dwelling that is proposed to be demolished to accommodate the proposed mixed-use development. A 6.25 metre-wide driveway and an associated curb cut exists along the south portion. The curb cut extends south beyond the boundaries of the subject site to the front surface parking area located on the abutting property at 1025 Waterdown Road. The existing combined curb cut between 1029 and the abutting property to the south totals approximately 21.0 metres.



Figure 2 - Aerial Photo of Immediate Context

The parcel at 1033 Waterdown Road is also currently developed with a 1.5-storey single detached dwelling that is proposed to be demolished to facilitate the proposed mixed-use development. There are currently two (2) driveways and curb cuts provided from Waterdown Road.

There is an existing boulevard within the Waterdown Road right-of-way that ranges between 5.0 and 5.7 and consists of sodded grass, recent tree plantings (within the last 2-3 years), overhead utility poles with street lighting and a 2.0 metre-wide municipal sidewalk. The subject site contains some existing vegetation including mature trees at the rear of the property.



1029 Waterdown Road



1033 Waterdown Road

2.2 Area Context

The subject site is located in south-west Aldershot, an area generally bounded by the fishway canal (York Boulevard) to the west, Highway 403 to the north, the Queen Elizabeth Way to the east and Burlington Bay and Hamilton Harbour to the south. South-west Aldershot is an area that is predominately residential in character, with commercial areas along Plains Road. There are also small pockets of lands that are used, or were previously used, for industrial purposes, generally located along the south side of the rail corridor, along Waterdown Road.

The surrounding area along the east wide of Waterdown Road and along Plains Road has traditionally been a grade oriented low-rise neighbourhood. Given the proximity to the railway, office, commercial, and prestige industrial uses have also historically existed in the area, particularly closer to the railway. However, the 1997 Burlington Official Plan developed a policy framework that would see Plains Road and Waterdown Road transform into mixed-use corridors with the land uses on Waterdown Road focused on the commercial and office uses.

In 2006, the Growth Plan for the Greater Golden Horseshoe was released and provided a policy direction to, among other elements, direct growth to major station areas and included a foundation that's based on intensification first. This policy framework led to the City of Burlington's GO Station Lands Intensification Opportunity Study and Mobility Hubs Opportunities and Constraints Study as part of its Official Plan Review. It has also led to a significant amount of new development proposals near the Aldershot GO Station. Mid- and high-rise residential and mixed use (commercial and residential) buildings have been developed along Plains Road East, particularly along the south side while Waterdown Road has seen less development activity than Plains Road over the last 10 years. The development that has occurred along the Waterdown Road corridor in this area has been focused north of masonry Court and east of Waterdown Road.



Figure 3 - Surrounding Developments

The subject site is located approximately 550 metres southwest from the Aldershot GO Station and forms part of the Aldershot GO Major Transit Station Area ("MTSA"), an area that is intended to accommodate a significant amount of intensification.

In terms of nearby development activity, 101 Masonry Court (Phase 1) located at the northeast corner of Waterdown Road and Masonry Court has received draft Site Plan approval for 140 stacked townhomes, 58 back-to-back townhomes, 35 regular townhomes, and 172 apartment units (2 6-storey buildings). Approved developments at 1085 Clearview Avenue (7-storey building), 35 Plains Road East (9-storeys), and 92 Plains Road Road East (6-storeys) will bring 3 new mid-rise buildings to the area.

There are also two (2) development applications that have been appealed to the Ontario Land Tribunal ("OLT") by the applicant including:

- **40-70 Plains Road East**
  - 10-storeys
  - Status: Appealed to the OLT by applicant
- **53-71 Plains Road East and 1025 Cooke Boulevard**
  - 12 and 10 storeys
  - Status: Appealed to the OLT by applicant

There are also 2 developments in the pre-application stage for which the owner has held a pre-application community meeting. These include:

- **1120 Cooke Boulevard** (formerly 101 Masonry Court – Phase 2)
  - 3 towers proposed with heights of 39 storeys, 39 storeys and 29 storeys
  - Pre-application community meeting held on September 29, 2020
- **1062-1074 Cooke Boulevard**
  - 2 towers proposed (32 storeys and 30 storeys) via a shared 6-storey podium
  - Pre-application community meeting held on October 20, 2021

2.3 Immediate Surroundings

To the immediate **north** of the subject site is a 1 ½ storey single detached dwelling at 1045 Waterdown Road. The building is setback approximately 4 metres from the side (south) lot line that abuts the subject site. Further, the building is set back approximately 10 metres from the front (west) lot line that abuts Waterdown Road. The lot has a frontage of approximately 30 metres along Waterdown Road and a depth of approximately 50 metres.

Further to the north of the subject site are three (3) low-rise single detached dwellings (1053, 1057 and 1063 Waterdown road) with a 1 ½ storey commercial building located directly south of Masonry Court (2 Masonry Court). The applicant also owns these lands and intends to develop and intensify these lands in the future.

North of Masonry Court is the approved and under-construction development at 101 Masonry Court which includes 140 stacked townhomes, 58 back-to-back townhomes, 35 regular townhomes, 16 rear lane townhomes, and 172 apartment units in 2 6-storey apartment buildings. Further North is the Aldershot GO Station and Highway 403.

To the immediate **east** of the subject site are two 1 ½ storey light-industrial, commercial, and retail buildings with surface parking lots and loading bays at 1026 and 1038 Cooke Boulevard. A Pre-Application Community meeting was held on October 20, 2021 for the properties at 1062-1074 Cooke Boulevard, located north east of the site. The preliminary concept illustrates two high-rise residential towers (32 and 30 storeys) atop a shared 6-storey podium (See Image on the following page).

On the east side of Cooke Boulevard are additional office and commercial uses (1037-1047 Cooke Boulevard). Approximately 170 metres further east of the site, along Clearview and Queen Mary Avenue, is a low-rise neighbourhood characterized by 1-2 storey single detached residential dwellings.



1045 Waterdown Road



On Waterdown Road looking south towards 1057 and 1053 Waterdown Road.



On Cooke Boulevard looking west towards 1026 Cooke Boulevard



Rendering of Proposed Concept at 1062-1074 Cooke Boulevard (No Application has been submitted). Source: Camarro Developments Inc./MHBC Planning, Urban Design & Landscape Architecture

Immediately to the **south** of the subject site is a 2-storey converted dwelling used as a lawyer's office at 1025 Waterdown Road. The property has a frontage of 20 metres along Waterdown Road and a depth of approximately 60 metres. The dwelling on the site is setback approximately 5 metres from the side (north) lot line that directly abuts the subject site. A surface parking area and driveway providing access to the rear of the property occupies the entire front yard and a curb cut extends across the site's frontage.

Further south is a 1-storey commercial building (1021 Waterdown Road), a 1-storey single detached dwelling (1017 Waterdown Road), with a 1-storey bank building (15 Plains Road East) located at the northeast corner of Waterdown Road and Plains Road East, followed by a mix of commercial and retail uses along Plains Road East. Located at the southwest corner of Waterdown Road and Plains Road is a 6 storey mixed-use retirement building with at-grade retail and medical uses which is located at the southwest corner of Plains Road West and Waterdown Road at 18 Plains Road West.

To the immediate **west** of the subject site, on the west side of Waterdown Road is 2-storey converted dwelling used as professional offices (1022 Waterdown Road), a vacant lot (1028-1030 Waterdown Road) and 1-storey single detached dwelling at 1036 Waterdown Road). The City of Burlington Fire Station No.3 and a St. John Ambulance station is located at 1044 and 1048 Waterdown Road.

Further north on the west side of Waterdown Road is a 1-storey single detached dwelling (1060 Waterdown Road) and two concrete batching plants at 1070 and 1077 Waterdown Road (St. Mary's/CBM and A Cosmos Concrete and Paving).



Fire Station No. 3 and St. John Ambulance Station



1025 Waterdown Road



At intersection of Plains Road East and Waterdown Road looking southwest towards 18 Plains Road West



On the west side of Waterdown Road looking north towards 1028, 1030 and 1036 Waterdown Road



LEGEND

- * Under Construction
- ** Approved/Not yet built
- *** Proposed
- **** Pending Application
- # Number of storeys
- 1 - 4 storeys
- 5 - 14 storeys
- 15 - 30 storeys
- 31 or more storeys
- Parks
- Subject Site
- Aldershot GO Major Transit Station Area

Note: Pending Applications are Subject to Change.

Figure 4 - Height Map

2.4 Transportation Context

Road Network

Schedule – J Classification of Facilities (South Side of No. 1 Side Road) of the City of Burlington Official Plan identifies the section of Waterdown Road directly abutting the subject site as a Minor Arterial Road. Both Waterdown Road and Plains Road are identified as "Primary Bus Service Roadways".

Table 2 – Road Allowance Widths in the Official Plan outlines a right-of-way of 30 metres for Waterdown Road from the north side of Plains Road to the northerly limit of the road, including the subject site.



On West side of Waterdown Road looking southeast towards subject site and Waterdown Road and Plains Road Intersection

Transit Network

The subject site is well-served with public transit. In addition to being within a 10-minute walk to the Aldershot GO station, Burlington Transit bus routes run along Waterdown Road and Plains Road. Bus route 4 provides service every 30 minutes on weekdays and every hour on the weekends between Aldershot GO, the Downtown Terminal, and Appleby GO with a bus stop approximately 50 metres south (1 minute walk) on Waterdown Road. Bus Route 1 also provides service between Appleby GO and Downtown Hamilton via Plains Road on weekdays, weekends and holidays, every 10-15 minutes.

The Aldershot GO station provides train service every 30 minutes to Union Station in Toronto and every 1 hour to West Harbour GO in Hamilton. There is also one train in the evening that provides train service to Niagara Falls GO with busses every 2-3 hours providing service to Brock University (GO Bus 18K). Go Bus Route 15 also provides hourly bus service between Aldershot GO and the Brantford Bus terminal. Aldershot GO Station also offers VIA train service to several other destinations including Toronto, London and Windsor, among others. (See **Figure 5**)

Cycling Network

With respect to the bicycle network, Waterdown Road currently contains painted bike lanes for both north and southbound cyclist traffic. These lanes are provided from North Shore Boulevard to the south to the rail corridor to the north, then continues on from just north of Highway 403 to just south of Flatt Road. Further, there are shared use lanes (sharrows) along Masonry Court, St. Matthews Avenue, and Townsend Avenue, that surround the subject site. (See **Figure 6**)

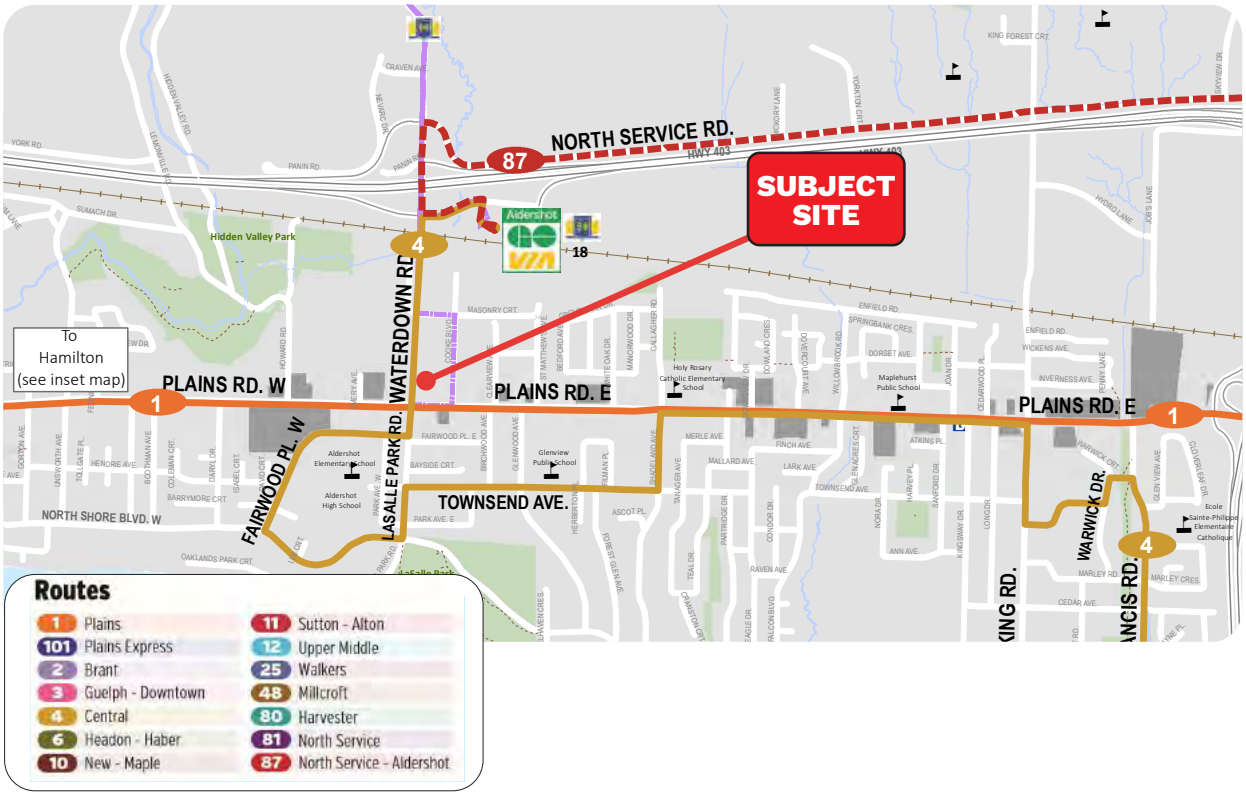


Figure 5 - Transit Map

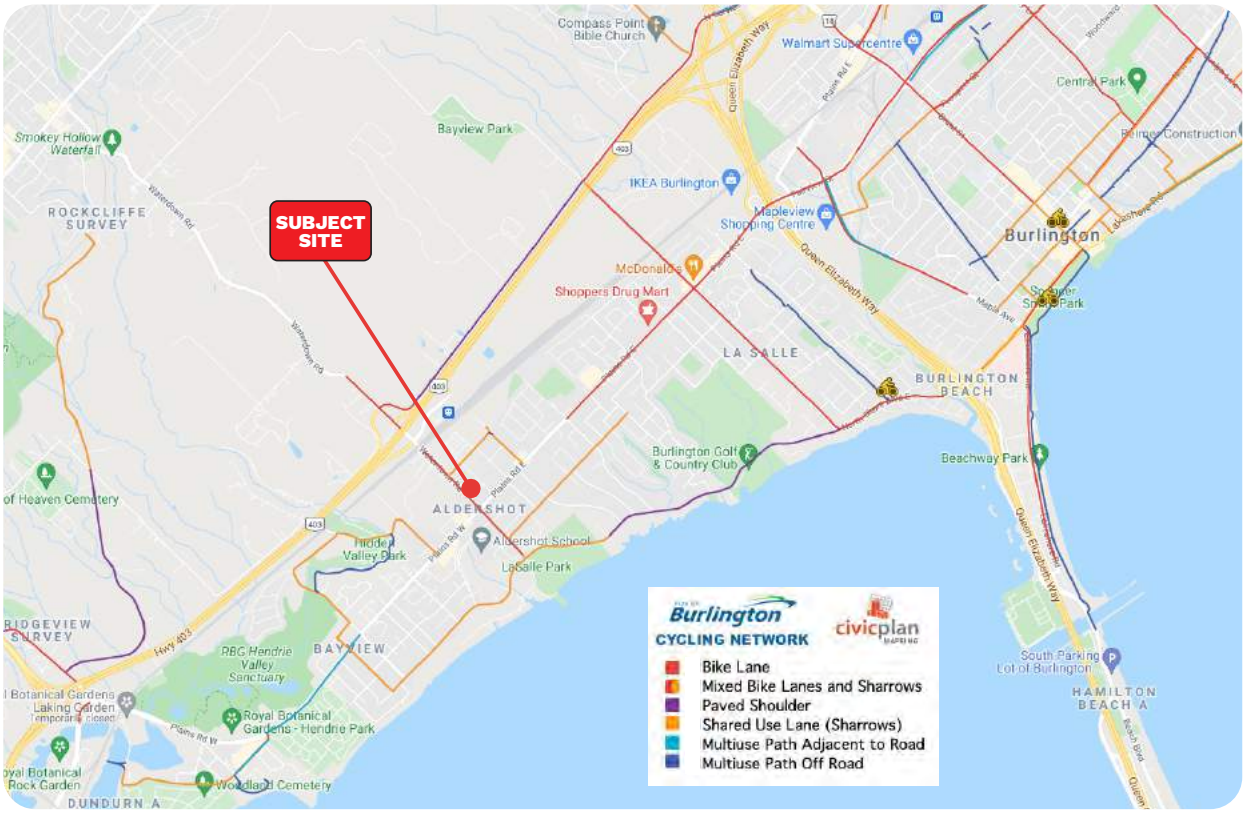


Figure 6 - Active Transportation Map



3 Proposal

3.1 Description of Proposal

The project will introduce a modern design aesthetic and tall-building form (29-storeys, 107.1 metres including the mechanical penthouse) with a defined podium and sleek, point tower with generous stepbacks and compact tower floorplate (750 square metres) helping to achieve a slender tower design. Cool, neutral, modern materials are proposed with building materials mainly comprised of dark-coloured metals (aluminum) and clear-glazed glass windows. External aluminum balconies are proposed beyond the tower floorplate except the southwest and northeast corners where balconies are not proposed. The external balcony design provides an industrial design aesthetic which contrasts with the modernity of the glass tower volume.

A total of 295 vehicular parking spaces are proposed with 2 levels of underground parking and 3.5 levels of above-grade parking.

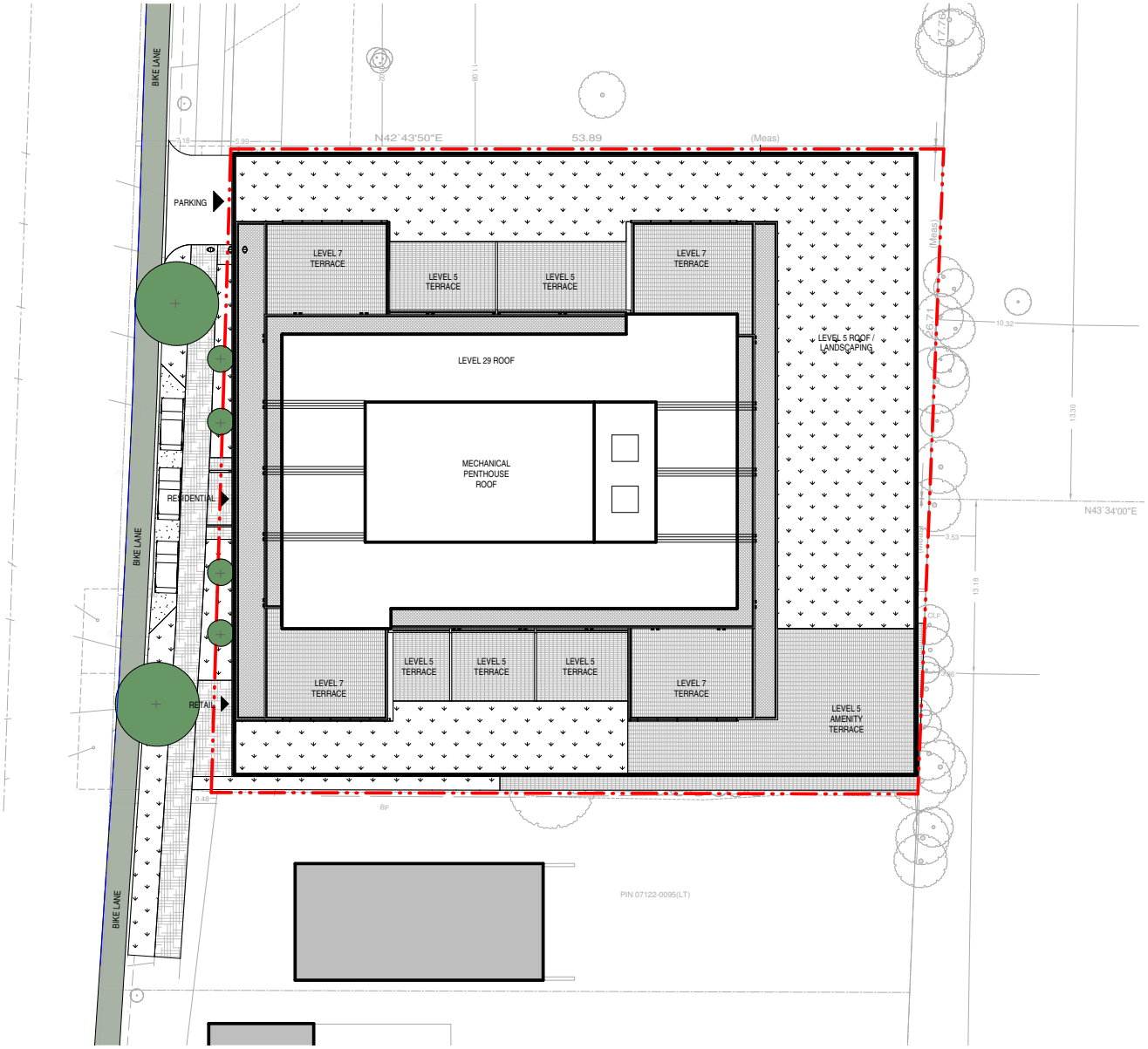


Figure 7 - Site Plan (Prepared by: Zedd Architecture)

Building Base

The proposed 4-storey building base frames the street and has been set back at grade to accommodate pedestrians, street trees, landscaping, and active at-grade uses. The boulevard, measured from the curb to the building face ranges between approximately 6.0 metres to 7.0 metres. No streetwall exists and the proposed podium height of 20.0 metres represents approximately 80% of the right-of-way width. The ground floor features a generous floor-to-ceiling height of 6.7 metres to accommodate active retail uses and servicing/loading. No windows or openings are proposed along the north, east, or south facades allowing the podium to be built with a 0 m setback.

The podium is proposed to be designed with high quality building materials and all building entrances will be clearly demarcated and will be a focal point of the building design. Clear glazing is proposed along the ground floor to provide visual connections between the public and private realms and to promote safety through passive surveillance. A cantilever provides weather protection for the ground floor for the length of the street. Parking will be screened from the street and the street-facing facades of the podium wrapping the above-grade parking with a cladding design that adds interest and includes similar materials to the rest of the building.



VIEW AT STREET LEVEL ALONG WATERDOWN RD.



VIEW AT STREET LEVEL ALONG WATERDOWN RD. AT RETAIL ENTRANCE

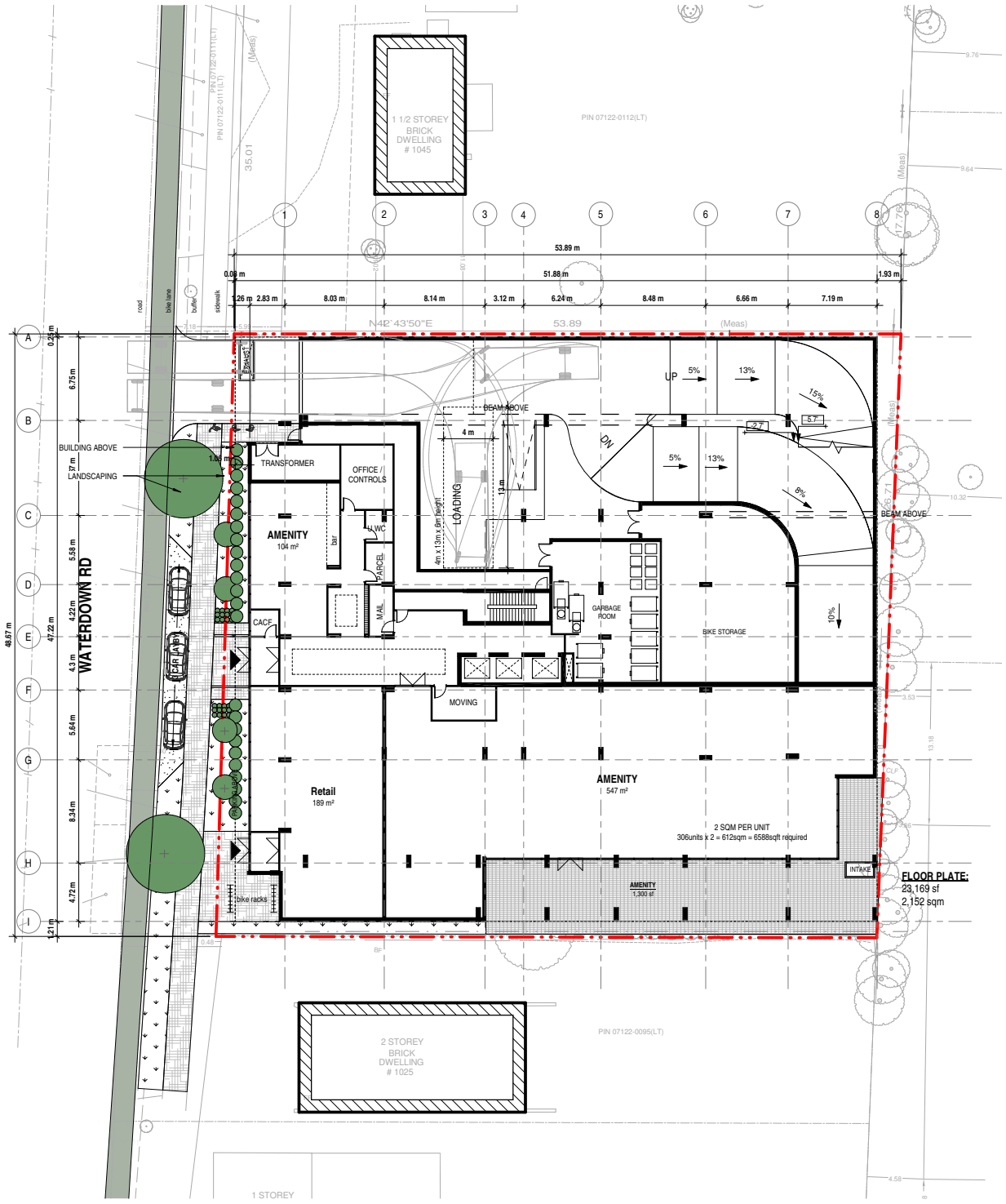


Figure 8 - Ground Floor Plan (Prepared by: Zedd Architecture)

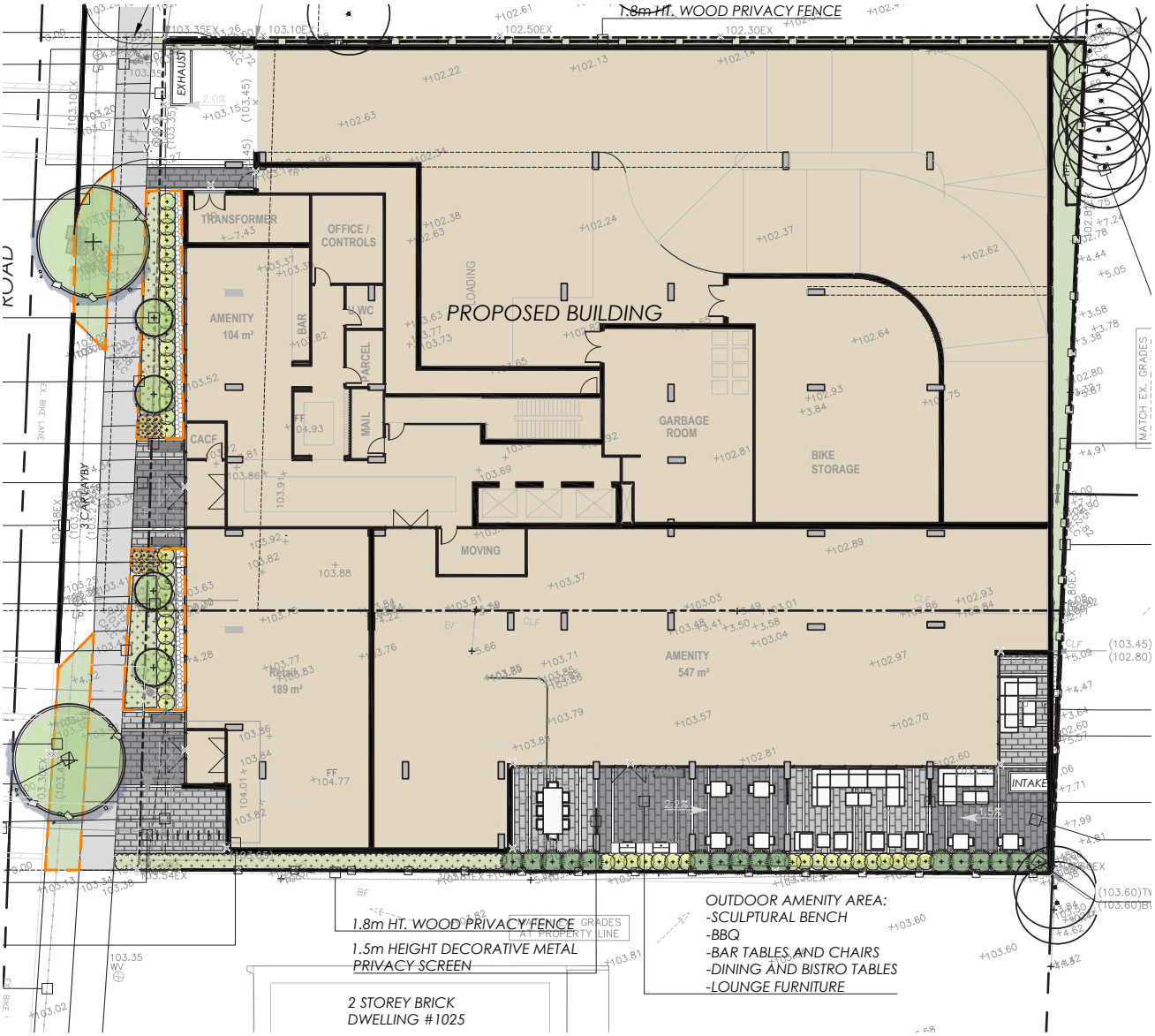


Figure 9 - Landscape Concept Plan (Prepared by: Adesso Design)

Tower

Above the building base, Floors 5 and 6 are stepped back approximately 3.77 metres from the edge of base along Waterdown Road, 5.5 metres from the north and south property lines and between 15.51 metres from the eastern property line. The footprint of these floors takes on an H-shape (see **Figure 10** – Floor 5)

Floors 7 through 29 employ a rectangular shape and have areas of 750 square metres. The tower is proposed to be set back a minimum of 12.5 metres from the north (12.59 m), east (13.55 m), and southern (12.5 m) lot lines to protect for a future minimum 25 metre separation distance to abutting towers and development. Above the 4-storey podium, a 3.77 metre step back is proposed along the western side of the building. A variety of design techniques are proposed to articulate the tower, both vertically and horizontally, such as the external aluminum balconies. Clear glazing is proposed for the tower and balconies are proposed to provide amenity space.

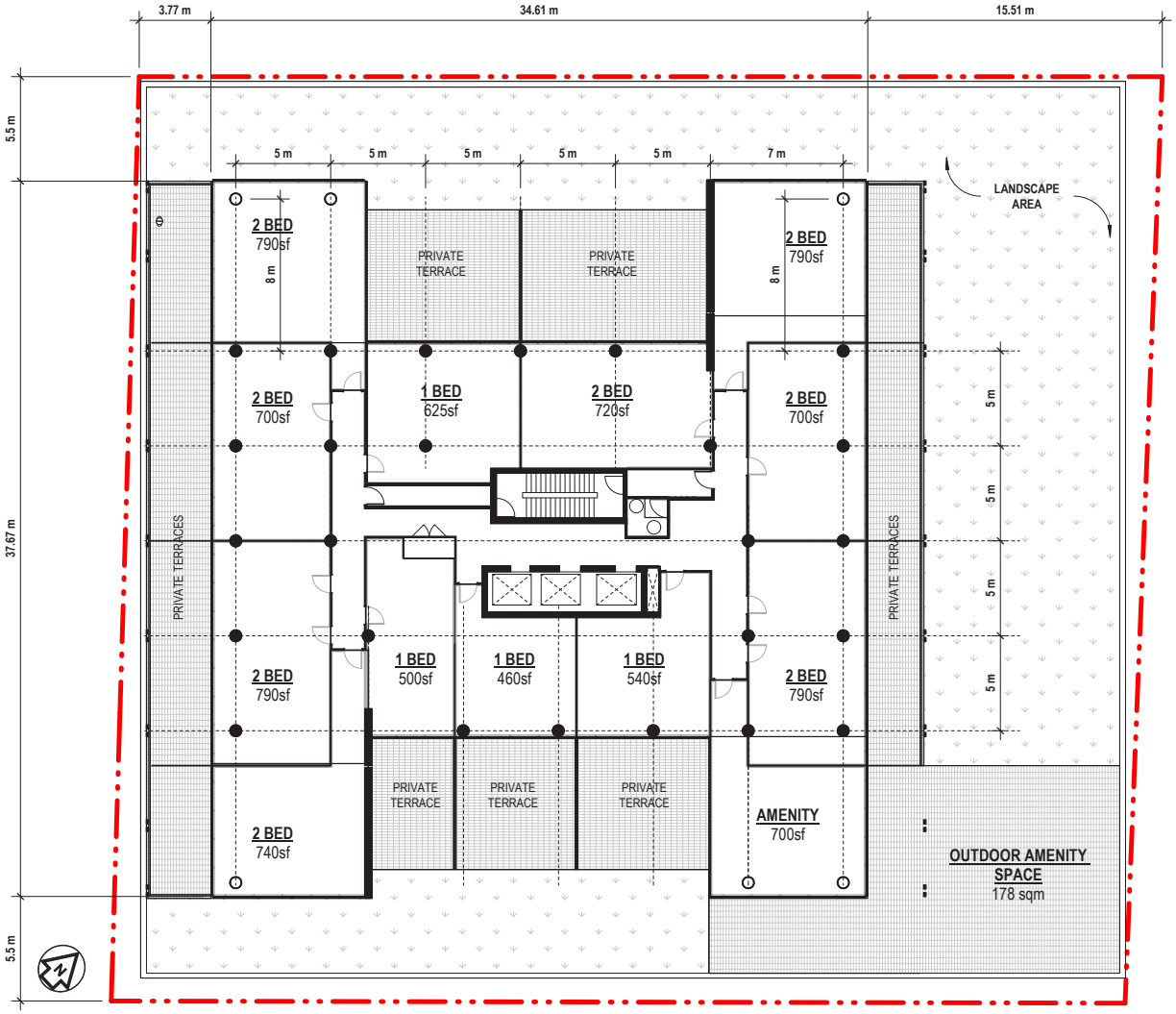


Figure 10 - Floor 5 (Prepared by: Zedd Architecture)

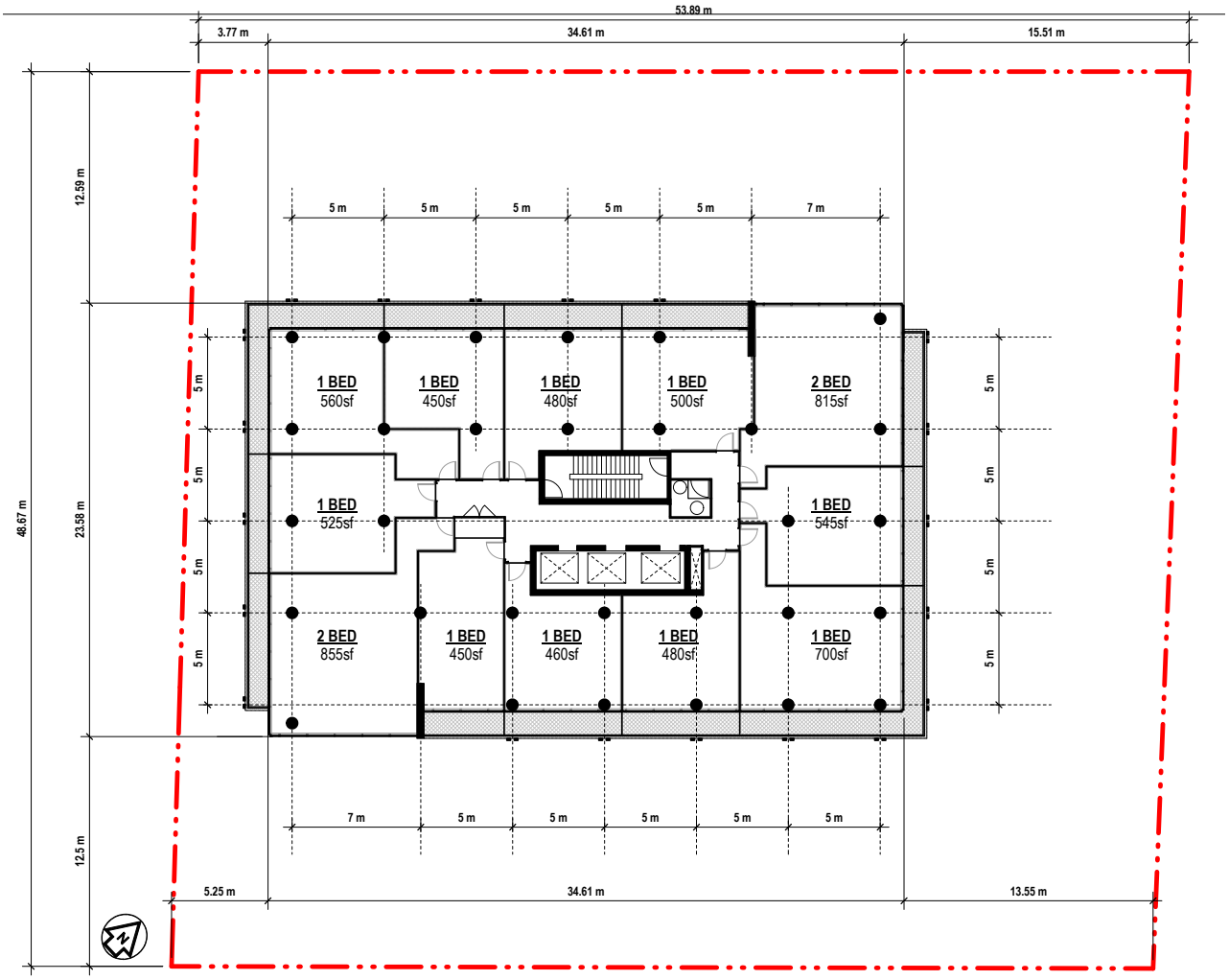


Figure 11 - Typical Floor 8-28 (Prepared by: Zedd Architecture)

Unit Distribution and Amenity Space

Approximately 77% of the units are proposed to be 1-bedroom units with the remainder (23%) proposed as 2-bedroom units.

Approximately 651 m^2 of indoor amenity space is provided on the ground floor with a connecting outdoor amenity area (120 m^2). An additional 65 m^2 of indoor amenity area is proposed in the southeast corner on Level 5 along with a connecting 120 m^2 outdoor amenity area. A total indoor amenity of 716 m^2 is proposed along with 4,508 m^2 of outdoor amenity area, including balconies, of which 298 m^2 is communal outdoor amenity area.

Large private terraces are proposed for the units on Level 5 which sit on the roof of the 4th floor. Additional terraces are proposed for units on the 7th floor on the roof of the 6th floor. Protruding balconies are proposed for all units and will be approximately 1.2 metres deep.

Access, Parking, and Loading

Vehicle access is proposed via a driveway from Waterdown Road along the northern property line which will provide access both up and down to resident parking levels. One (1) loading space is proposed on the ground floor (4.0 metres x 13 metres with 6 metres of vertical clearance) which will be located adjacent to an interior waste room.

Resident bicycle parking (60 spaces) will be provided on the ground floor. Resident vehicle parking (295 spaces) is proposed on 2 levels of underground parking and 3.5 levels of above-grade parking. In addition, 25 visitor vehicle parking spaces are proposed.

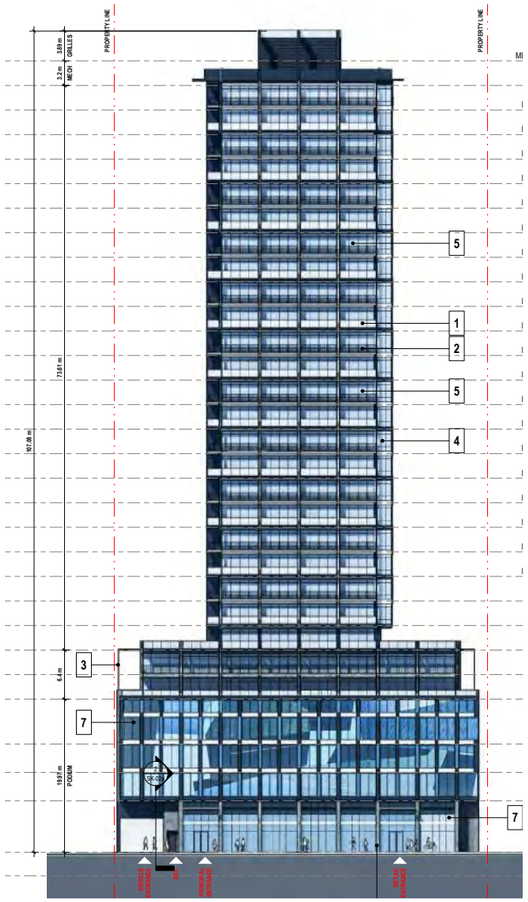


Figure 12 - West Elevation (Prepared by: Zedd Architecture)

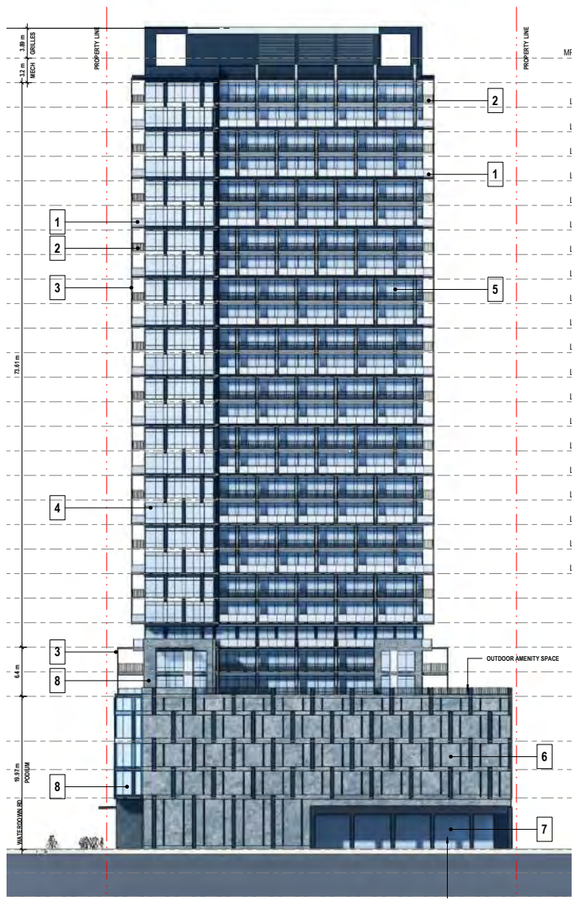


Figure 13 - South Elevation (Prepared by: Zedd Architecture)

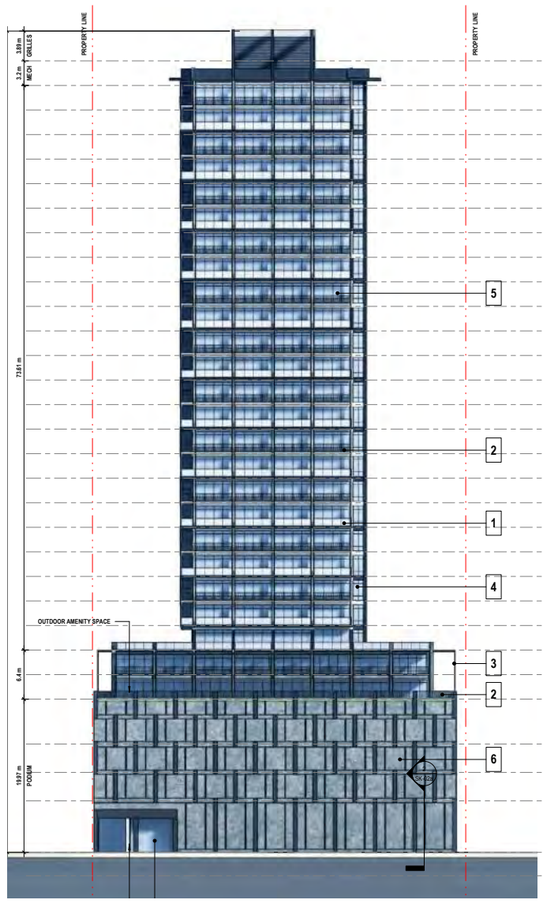


Figure 14 - East Elevation (Prepared by: Zedd Architecture)

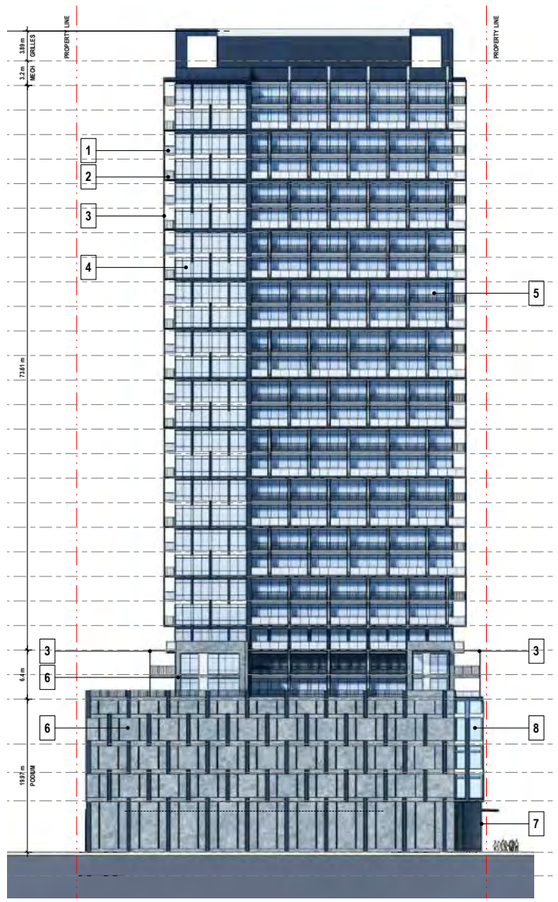


Figure 15 - North Elevation (Prepared by: Zedd Architecture)



Figure 16 - View Looking North

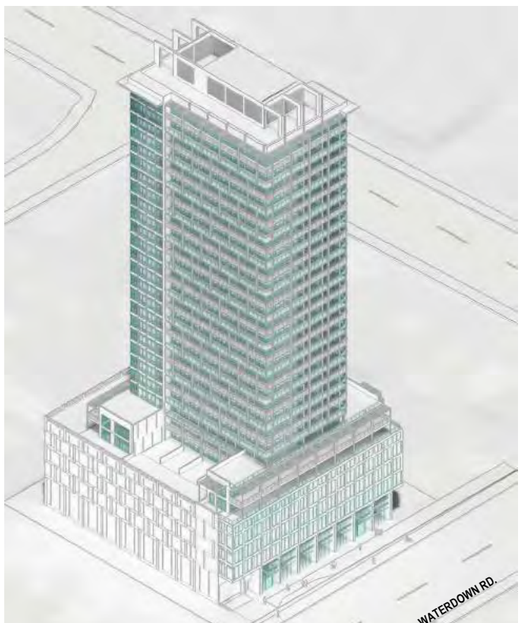


Figure 17 - View Looking East



Figure 18 - View Looking South

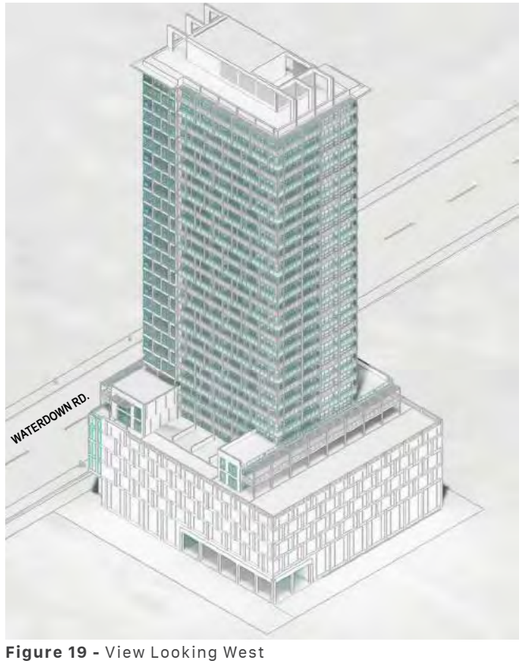


Figure 19 - View Looking West

3.2 Key Statistics

Site Area	2,614 square metres (0.26 ha)
Total GFA	21,439 square metres
FAR (Floor Area Ratio)	8.2:1
Height	103.9 metres in height, (107.1 metres including mechanical penthouse)
Residential Units	1 Bedroom – 228 (77%) 2 Bedroom – 67 (23%)
Amenity Space	**716 m² (indoor)** **4,508 m² (total outdoor)** 298 m² communal outdoor amenity area 4,210 m² private outdoor amenity area (terraces/balconies)
Vehicle Parking	**320 spaces in total** 295 residential spaces 25 visitor spaces
Bicycle Parking	60 residential spaces 15 visitor spaces

3.3 Required Approvals

In our opinion, the proposed development conforms with the applicable provincial policies in particular the Built-Up Urban Area designation of the Growth Plan and the Urban Area policies of the Regional Official Plan. However, the proposal requires an amendment to the in-force City of Burlington Official Plan to re-designate the subject site from *Mixed Use Corridor - Employment* to *Mixed Use Corridor* with a site-specific exception in order to increase the height and density and permit the proposed residential apartments.

An amendment is also required to the City of Burlington Zoning By-law 2020, as amended, to rezone the subject site from the MXE (Mixed Use Corridor Employment) zone to MXG (Mixed Use Corridor General) zone with site-specific exception to permit the proposed residential apartments increase the permitted height and density and to revise other development standards as necessary to facilitate the proposal.



4 Policy & Regulatory Context

4.1 Overview

As set out below, the re-development proposal is supportive numerous policy directions set out in the Provincial Policy Statement, A Place to Grow: the Growth Plan for the Greater Golden Horseshoe, the Region of Halton Official Plan, as amended, and the in-force City of Burlington Official Plan, all of which promote the efficient use of land and infrastructure within built-up areas, particularly in proximity to transit.

4.2 Provincial Policy Statement (2020)

On February 28, 2020, the Province released the new final approved Provincial Policy Statement ("PPS") which replaces the PPS issued on April 30, 2014. The 2020 PPS took effect May 1, 2020. While much of the PPS remains the same, key changes to the policy framework include:

- Adding further references to support a changing climate and green infrastructure;
- Policy direction that is responsive to the recommendations of the province's Special Advisor on Flooding.
- Increasing the minimum requirement for housing land supply to 15 years
- Clarifying the policies related to market-based housing by adding a reference to affordable housing
- Providing flexibility for municipalities to consider residential development on rural lands that is locally appropriate, including lot creation
- Enhancing land use compatibility policies for sensitive land uses

One of the main policy directions continually expressed in the PPS is to build strong communities by promoting efficient development and land use patterns. To that end, the PPS contains a number of policies that promote intensification, redevelopment, and a compact built form, particularly in areas well served by public transit and infrastructure.

Policy 1.1.1 of the PPS provides that healthy, livable, and safe communities are sustained by promoting an efficient development and land use pattern which sustains an appropriate range and mix of residential dwellings, employment (including industrial and commercial), institutional, recreation, park and open space and other uses. Policy 1.1.3.1 of the PPS states that Settlement areas shall be the focus of growth and development. Furthermore, Policy 1.1.3.2 of the plan states that land use patterns within settlement areas shall be based on densities and a mix of land uses that promotes efficient land uses, infrastructure and public service facilities and are transit-supportive, where transit is planned, exists, or may be developed.

Policy 1.1.3.3 requires planning authorities to identify and promote opportunities for transit-transit supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment, where this can be accommodated taking into account existing building stock or areas and the availability of suitable existing or planned infrastructure and public service facilities. Policy 1.1.3.6 of the plan states that new development taking place in designated growth areas should have a compact form, mix of uses, and densities that allow for the efficient use of land, infrastructure and public service facilities.

In terms of housing, section 1.4.3 states that planning authorities shall provide an appropriate range and mix of housing options and densities to meet projected market-base and affordable housing needs of current and future residents by, among others, permitting and facilitating all types of residential intensification required to meet the social, heath, economic, and well-being requirements of all residents, directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be, promoting densities for new housing which efficiently use land, resources, infrastructure and public services, as well as requiring transit-supportive development and prioritizing intensification in proximity to transit including corridors and stations.

The efficient use of infrastructure, particularly public transit, is a key element of the PPS found in Sections 1.6. Section 1.6.3 states that the use of existing infrastructure and public service facilities should be optimized, wherever feasible, before consideration is given to developing new infrastructure and public service facilities. With respect to transportation systems, Policy 1.6.7.4 promotes a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support the current and future use of transit and active transportation.

Section 1.7.1 of the PPS speaks to long-term economic prosperity and that it should be supported by encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce, optimizing the availability and use of land, resources, infrastructure, and public service facilities, and encouraging a sense of place by promoting well-designed built form and cultural planning.

Policy 1.8.1 of the PPS speaks to how planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through the land use and development patterns which promote compact form and a structure of nodes and corridors, promote the use of active transportation and transit in and between residential, employment (including commercial) and institutional uses, and to encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion.

For the reasons set out in Section 5.0 of this report, it is our opinion that the proposal is consistent with the Provincial Policy Statement and, in particular, the policies relating to residential intensification and the efficient use of land and infrastructure.

4.3 Growth Plan for the Greater Golden Horseshoe (2019, as amended)

On May 16, 2019, the Growth Plan (A Place to Grow: The Growth Plan for the Greater Golden Horseshoe) came into effect, replacing the Growth Plan for the Greater Golden Horseshoe, 2017. Furthermore, Amendment 1 (2020) to the Growth Plan (2019) (the "Growth Plan") was approved and came into effect on August 28, 2020. All decisions made on or after this date in respect of the exercise of any authority that affects a planning matter are required to conform with the 2019 Growth Plan, subject to any legislative or regulatory provisions providing otherwise. Section 1.2.3 provides that the Growth Plan is to be read in its entirety and the relevant policies are to be applied to each situation.

While many policies in the 2019 Growth Plan are unchanged from the 2017 Growth Plan, modifications were made to policies related to employment areas, settlement area boundary expansions, agricultural and natural heritage systems, intensification and density targets, and major transit station areas.

The Guiding Principles which are important for the successful realization of the Growth Plan are set out in Section 1.2.1. Key principles relevant to the proposal include:

- supporting the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime;
- prioritizing intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability; and
- supporting a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes and ages of households.

The Growth Plan policies emphasize the importance of integrating land use and infrastructure planning, and the need to optimize the use of the land supply and infrastructure. It includes objectives that support the development of complete communities and promotes transit supportive development in proximity to higher order transit. As noted in Section 2.1 of the Plan:

> *"To support the achievement of complete communities that are healthier, safer, and more equitable, choices about where and how growth occurs in the GGH need to be made carefully. Better use of land and infrastructure can be made by directing growth to settlement areas and prioritizing intensification, with a focus on strategic growth areas, including urban growth centres and major transit station areas, as well as brownfield sites and greyfields. Concentrating new development in these areas provides a focus for investments in transit as well as other types of infrastructure and public service facilities to support forecasted growth, while also supporting a more diverse range and mix of housing options... It is important that we maximize the benefits of land use planning as well as existing and future investments in infrastructure so that our communities are well-positioned to leverage economic change."*

Section 2.1 of the Growth Plan goes on to further emphasize the importance of optimizing land use in urban areas:

> *"This Plan's emphasis on optimizing the use of the existing urban land supply represents an intensification first approach to development and city-building, one which focuses on making better use of our existing infrastructure and public service facilities, and less on continuously expanding the urban area."*

The subject site is located within a "strategic growth area" as defined by the Growth Plan (i.e. a focus for accommodating intensification and higher-density mixed uses in a more compact built form). "Strategic growth areas" include urban growth centres, major transit station areas and other major opportunities that may include infill, redevelopment, brownfield sites, the expansion or conversion of existing buildings, or greyfields.

In this regard, the subject would fall within a Major Transit Station Area ("MTSA") as defined by the Growth Plan. The planned density targets for MTSAs are similar to those in the 2017 Growth Plan. However, in the 2019 Growth Plan, MTSAs have been redefined as the area within an approximate 500 to 800 metres radius of a transit station, as opposed to approximately 500 metres. In this regard, the subject site is located approximately 550 metres from the Aldershot GO Station. Halton Region, through Regional Official Plan Amendment ("ROPA") 48 delineated MTSAs throughout the Region, including within the City of Burlington. As per ROPA 48, the subject site falls within a MTSA.

Policy 2.2.1(3)(c) directs municipalities to undertake integrated planning to manage forecasted growth to the horizon of this Plan, which will, among other things, provide direction for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact built form.

Policy 2.2.1(4) states that applying the policies of the Growth Plan will support the achievement of complete communities that, among other things, feature a diverse mix of land uses including residential and employment uses, provide a diverse range and mix of housing options, expand convenient access to a range of transportation options, provide for a more compact built form and a vibrant public realm, mitigate and adapt to climate change impacts, and contribute to environmental sustainability.

Policy 2.2.2(1)a) of the Growth Plan states that by the time of the next municipal comprehensive review is approved and in effect, and for each year after that, a minimum 50 percent of all residential development occurring annually in the Halton Region should be within the delineated built-up area.

Policy 2.2.2(3) requires municipalities to develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will, among other things, identify strategic growth areas to support achievement of the target and recognize them as a key focus for development, identify the appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas, and ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities.

Planning for MTSAs is addressed in Section 2.2.4. Policy 2.2.4(3)(c) requires that MTSAs along the GO Transit rail network will be planned for a minimum density target of 150 residents and jobs combined per hectare. With regard to targets, Policy 5.2.5(1) provides that the minimum intensification and density targets are minimum standards and municipalities are encouraged to go beyond these minimum targets, where appropriate, except where doing so would conflict with any policy of the Growth Plan, the PPS or any other provincial plan.

Policy 2.2.4(6) states that, within major transit station areas on priority transit corridors, land uses and built form that would adversely affect the achievement of the minimum density targets will be prohibited.

Policy 2.2.4(9) provides that, within all MTSAs development will be supported, where appropriate, by planning for a diverse mix of uses to support existing and planned transit service levels; providing alternative development standards, such as reduced parking standards; and prohibiting land uses and built form that would adversely affect the achievement of transit-supportive densities.

Section 2.2.6 of the Growth Plan deals with housing. Policy 2.2.6(1) requires municipalities to support housing choice through, among other matters, the achievement of the minimum intensification and density targets in the Growth Plan by identifying a diverse range and mix of housing options and densities to meet projected needs of current and future residents, including establishing targets for affordable ownership and rental housing. Notwithstanding Policy 1.4.1 of the PPS, Policy 2.2.6(2) states that, in implementing Policy 2.2.6(1), municipalities will support the achievement of complete communities by: planning to accommodate forecasted growth; planning to achieve the minimum intensification and density targets; considering the range and mix of housing options and densities of the existing housing stock; and planning to diversify the overall housing stock across the municipality.

Generally, the infrastructure policies set out in Chapter 3 place an emphasis on the need to integrate land use planning and investment in both infrastructure and transportation. The introductory text in Section 3.1 states that:

> *"The infrastructure framework in this Plan requires that municipalities undertake an integrated approach to land use planning, infrastructure investments, and environmental protection to achieve the outcomes of the Plan. Co-ordination of these different dimensions of planning allows municipalities to identify the most cost-effective options for sustainably accommodating forecasted growth to the horizon of this Plan to support the achievement of complete communities. It is estimated that over 30 per cent of infrastructure capital costs, and 15 per cent of operating costs, could be saved by moving from unmanaged growth to a more compact built form. This Plan is aligned with the Province's approach to long-term infrastructure planning as enshrined in the Infrastructure for Jobs and Prosperity Act, 2015, which established mechanisms to encourage principled, evidence-based and strategic long-term infrastructure planning."*

Policies 3.2.3(1) and 3.2.3(2) state that public transit will be the first priority for transportation infrastructure planning and major transportation investments, and that decisions on transit planning and investment will be made according to a number of criteria including prioritizing areas with existing or planned higher residential or employment densities to optimize return on investment and the efficiency and viability of existing and planned transit service levels, and increasing the capacity of existing transit systems to support strategic growth areas.

Policy 5.2.5(6) addresses targets and states that, in planning to achieve the minimum intensification and density targets in this Plan, municipalities are to develop and implement urban design and site design official plan policies and other supporting documents that direct the development of a high-quality public realm and compact built form.

For the reasons set out in Section 5.0 of this report, it is our opinion that the proposed development conforms with the 2019 Growth Plan and, in particular, the policies that seek to optimize the use of land and infrastructure and to encourage growth and intensification in "strategic growth areas", including "major transit station areas".

4.4 Halton Regional Official Plan (2018 Office Consolidation and ROPA 48)

On July 7, 2021, Regional Council adopted Amendment No. 48, "An Amendment to Define a Regional Urban Structure" (ROPA 48) to the Halton Regional Official Plan through By-law No. 31-21. The Ministry of Municipal Affairs and Housing approved ROPA 48 on November 10, 2021 with modifications, and is now in-effect for the subject site.

Policy 31 of ROP sets a vision for planning Halton's future by building "healthy communities" and through defining a "healthy community" as one: where a full range of housing, employment, social, health, educational, recreational and cultural opportunities are accessible for all segments of the community (Policy 31(4)); and, where mobility is provided primarily through an affordable, convenient, safe and efficient public transportation system and non-motorized travel modes (Policy 31(5)), among others.

Policy 50.2 of the ROP discusses Halton's Regional Structure which implements Halton's planning vision for its future landscape by organizing land uses into the three broad categories, one of which encompasses the subject site, as described in Policy 50.2(1) with regard to Settlement Areas, consisting of the Urban Area land use designation.

Policy 51(1) describes the Urban Area land use designation as one where urban services are provided to accommodate concentrations of existing and future development. The applicable land use designation is also depicted on Map 1 – Regional Structure of the Official Plan (see **Figure 20**).

Policy 51.3 was added through ROPA 48 which defines a Regional Structure consisting of Strategic Growth Areas that are subject to the policies and/or conditions of development in Sections 78-82.2 which includes MTSAs. As shown on Map 6d, the subject site is located within the Aldershot GO MTSA (**Figure 21**).

Policy 55 of the ROP describes that the Regional Structure is accompanied by a growth strategy for Halton based on the distribution of population and employment for the planning horizon year of 2051, as contained in Table 1 of the ROP. Table 1 identifies a 2006 population of 171,000 for the City of Burlington with an increase to 193,000 by the horizon year of 2031 representing a 12% increase. Similar to population forecasts, the Region anticipates that the City of Burlington will increase their employment forecasts by 88,000 in 2006 to 106,000 in the horizon year of 2031 representing a -17% increase. Further, as per Table 2 of the ROP, the Region anticipates that the City of Burlington will increase their total number of new housing units in the Built-Up Area to 8,300 units between 2015 to 2031. These forecasts are further expanded in Table 2A – Regional Phasing with the City of Burlington being expected to contribute 2,758 dwelling units and 4,136 jobs in the 2017-2021 planning window. Although ROPA 48 extends the planning horizon of the ROP to 2051, the population and employment forecasts have yet to be included in the ROP and are to be determined upon completion of the Region's Municipal Comprehensive Review, expected to be done Q1 of 2022.

Table 2b was introduced to the ROP through ROPA 48 and outlines Strategic Growth Area Targets, including the Aldershot GO MTSA. Aldershot GO is located on a Commuter Rail Corridor, as shown on Schedule 5 of the Growth Plan and has a target proportion of 80% residents and 20% jobs and a minimum density target of 150 residents and jobs per hectare.

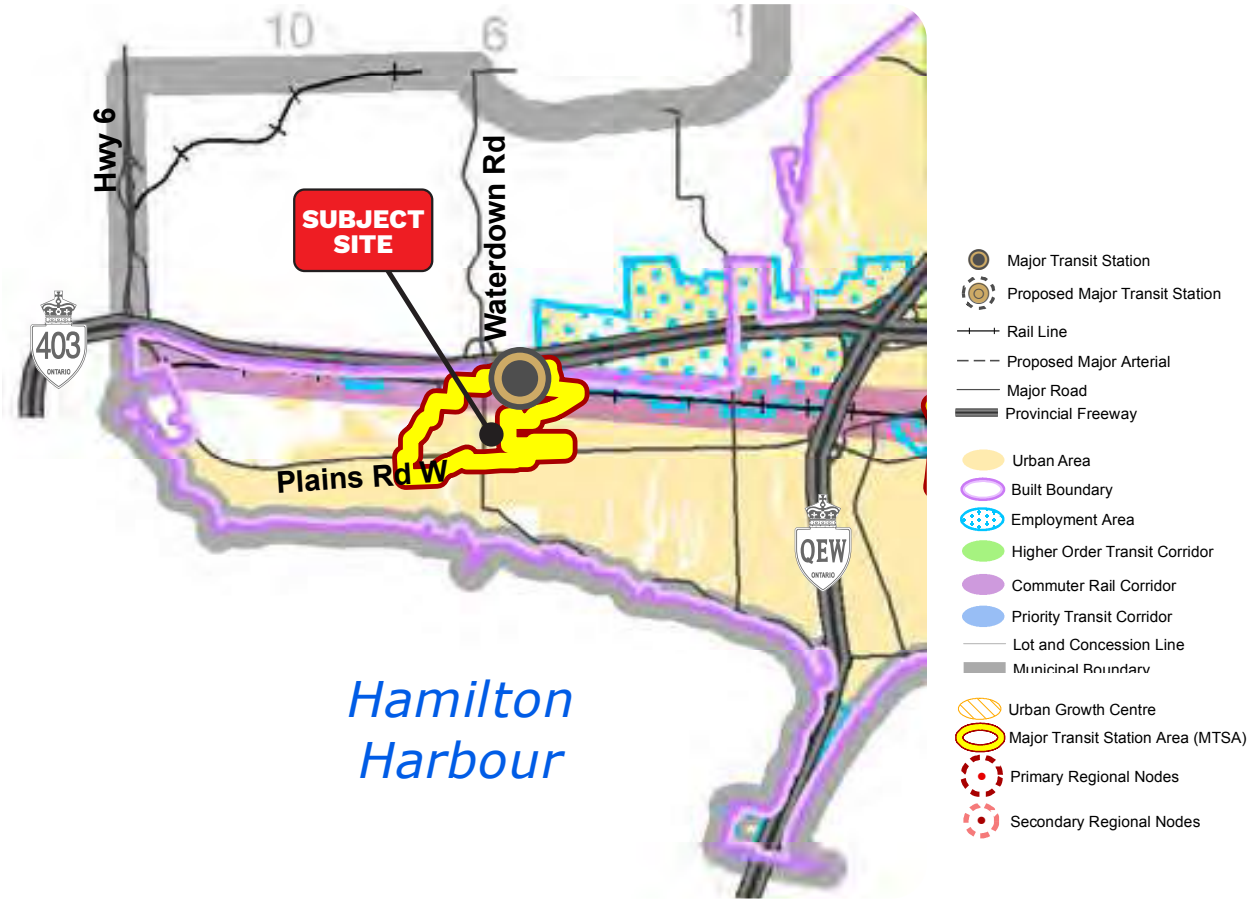


Figure 20 - Map 1H Regional Urban Structure (Halton Region Official Plan, as amended by ROPA 48)

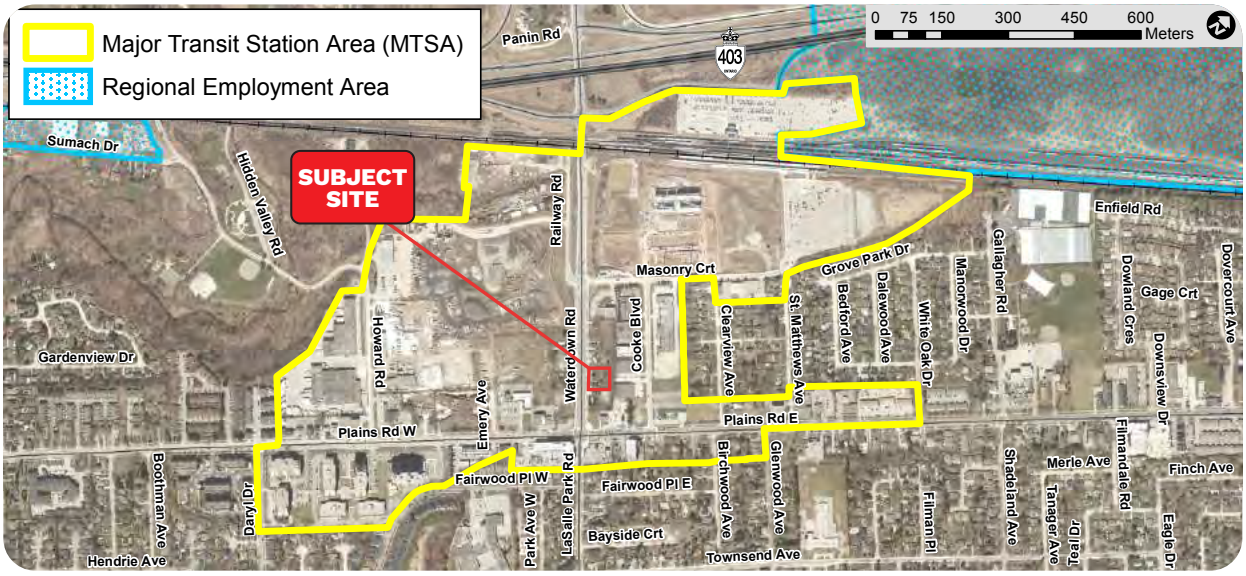


Figure 21 - Map 6d Aldershot GO MTSA

Urban Area Land Use Designation Policies

Policy 72 of the ROP states that the objectives of the Urban Area land use designation are to: support a form of growth that is compact and supportive of transit usage and non-motorized modes of travel and reducing the dependence on the automobile while promoting live-work relationships (Policy 72(2)); 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 (Policy 72(3));to identify a Regional Urban Structure that directs growth to Strategic Growth Areas and protects Regional Employment Areas (Policy 72(6)); to facilitate and promote intensification and increased densities (Policy 72(9)); and, to provide for an appropriate range and balance of employment uses including industrial, office and retail and institutional uses to meet long-term needs (Policy 72(10)). Policy 76 provides that the range of permitted uses in the Urban Area will be in accordance with Local Official Plans and Zoning By-laws.

Policy 77(2.1) provides that a minimum of 40% of new residential development occurring annually within Halton in 2015 and every year thereafter shall be directed to the Built-Up Area.

Strategic Growth Areas

Policy 79 of the ROP provides that the objectives of Strategic Growth Areas ("SGA") are to: provide an urban form that is complementary to existing developed areas, foster social interaction, is environmentally more sustainable, and reduce travel by private automobile and promote active transportation (Policy 79(1)); provide opportunities for cost-efficient and innovative urban design (Policy 79(2)); provide a diverse and compatible mix of land uses, including residential and employment uses, support neighbourhoods (Policy 79(4)); create a vibrant, diverse and pedestrian-oriented urban environment (Policy 79(5)); provide high quality public open spaces with site design and urban design standards to create attractive and vibrant places (Policy 79(7)); support transit and active transportation for everyday activities (Policy 79(8)); generally achieve higher densities than the surrounding areas (Policy 79(9)); and to achieve an appropriate transition of built form to adjacent areas (Policy 79(10)).

Policy 79.3(1) requires that development with higher densities and mixed uses be directed to SGAs in accordance with the hierarchy identified in Section 79.2 of the ROP which provides the following hierarchy:

1. Urban Growth Centres / Major Transit Station Areas on a Priority Transit Corridor;
2. Urban Growth Centres / Major Transit Station Areas on a Commuter Rail Corridor;
3. Major Transit Station Areas on a Priority Transit Corridor;
4. Major Transit Station Areas on a Commuter Rail Corridor;
5. Primary Regional Nodes;
6. Secondary Regional Nodes; and,
7. Regional Corridors.

The subject site is within the Aldershot GO MTSA which is an MTSA on a commuter rail corridor.

Policy 81 of the ROP speaks to the objectives of the MTSAs which are:

- to leverage infrastructure investments and the development of public service facilities to support a significant share of growth, achieve transit supportive densities through existing or planned frequent transit (Policy 81(1));
- to provide a range and mix of transit-supportive uses such as residential, office and public uses, as well as public service facilities and parks and open spaces that support the area in a pedestrian-orientated urban environment (Policy 81(2));
- To function as an important Strategic Growth Area component of the Regional Urban Structure and leverage infrastructure investment and frequent transit service to accommodate increased densities and transit supportive growth (Policy 81(3));
- to plan for a diverse mix of uses, included additional residential units and affordable housing, where appropriate (Policy 81(5));

- to protect existing employment uses within MTSAs by ensuring land use compatibility with adjacent new development is achieved (Policy 81(6)); and
- To maximize the number of potential transit users within walking distance of a station, while considering contextually appropriate intensification opportunities within stable residential neighbourhoods to ensure the protection of neighbourhood character, to be determined through the preparation of Area-Specific Plans (Policy 81(7)).

Housing

Policy 84 of the ROP establishes the importance of housing for the people of Halton as it is a goal of the Region to supply an adequate mix and variety of housing to satisfy differing physical, social and economic needs. Policy 86(6)(a) provides that the Region will follow housing targets to achieve a target of at least 50 percent of new housing units produced annually in Halton to be in the form of townhouses or multi-storey building. Policy 86(11) provides that the Region will permit intensification of land use for residential purposes such as infill, redevelopment and conversion of existing structures provided that the physical character of existing neighbourhoods can be maintained.

Transportation

One of the primary objectives of the Region of Halton as per Policy 172(2) is to develop a balanced transportation system that will reduce automobile dependency, include a safe, convenient, and accessible public transit system and promote active transportation. Further, Policy 172(6) provides that it is also a goal of the Region to provide seamless public transit services which provide a high level of service within Halton, are connected to a higher order transit network throughout the GTA and Hamilton and are complemented and supported by a network of active transportation facilities. Policy 172(9.1) provides that development should be designed to support active transportation and public transit.

For the reasons set out in Section 5.0 of this report, it is our opinion that the proposal conforms with the Halton Regional Official Plan.

4.5 City of Burlington Official Plan (In-force)

The City of Burlington Official Plan ("OP"), office consolidation October 2017, was approved by the Ontario Municipal Board (OMB) on October 24th, 2008. The OP was originally approved in 1997 and has been amended many times over the years in an effort to keep it generally up to date with emerging provincial and regional policy, with the text and maps having been updated in December 2019.

However, both the City of Burlington and the Region of Halton have identified that the existing OP is out of date and a City-initiated process has been ongoing to develop a new Official Plan.

Notwithstanding the status of the new OP, the current OP remains in force and effect as the guiding policy document for the City's long range land-use strategy and is intended to ensure that future planning and development within the City will also meet the specific needs of the community. It contains goals and policies to guide the City's decisions on growth, land use and good design.

Part I, Section 2.0 of the OP provides that the planning horizon for the Plan extends to the year 2021 and anticipates that the population of the City will not exceed approximately 182,000 people within approximately 73,600 households, by the end of the planning period. Further, it is also expected that the employment level in the City will be approximately 108,000 in the year 2021. Part I, Section 3.0(h) of the Official Plan promotes intensification of residential and other land uses in the Urban Planning Area, among others, to fulfill Provincial Growth management objectives.

The policy framework in Part I, Section 4.3 provides for a number of policy directions, which include: directing population growth towards underutilized or vacant parcel in existing communities; a broader mix of residential dwellings in type, size, cost and ownership in low, medium, and high density forms with infill development encouraged on under-utilized lands; promoting a sense of community; and an integrated transportation system consisting of roads, public transit, pedestrian walkways and sidewalks and bikeways with emphasis on other forms of transportation to reduce congestion and improve environmental conditions.

Part II, Policy 3.3.2(b) of the Official Plan speaks to road extensions and widenings. More specifically, Part VII, Table 2: Road Allowance Widths identifies Waterdown Road, from the northerly limit, just north of the QEW to Plains Road as requiring a road allowance width of 30 metres. Policy 3.3.2(c) further establishes that existing roads shall be widened equally on both sides of the road, where feasible. Right-of-way widenings were provided for 1029 and 1033 Waterdown Road in 2015 and 2020, respectively (By-laws 86-2015 and 91-2020). A 4.0-metre-wide widening has been taken from 1036 Waterdown Road, across the street providing for a total ROW width of 30.0 metres. Where road widenings have not been taken from lands on the west side of Waterdown Road, the ROW width is 26.0 metres. It is expected that widenings would be taken from the west side at an appropriate time in order to achieve the ultimate road allowance width of 30.0 metres. Accordingly, a road widening is not required since the planned right-of-way width of 30 metres currently exists along the subject site's frontage.

Mixed Use Activity Areas Policies

As per Schedule A – Settlement Pattern in the Official Plan (**Figure 22**), the subject site is designated Mixed Use Activity Areas. Part III Section 5.0 of the Official Plan provides that Mixed Use Activity Areas are locations where *employment*, shopping and residential uses will be developed. Employment, shopping and residential land uses will be integrated in a compact urban form, at higher development intensities and will be pedestrian-oriented and highly accessible by public transit. While, Mixed Use areas will foster community interaction by providing focus on community facilities. One of the main land use designations that applies to Mixed Use Activity Areas and the subject site is *Mixed Use Corridor - Employment* as Identified on Schedule B Comprehensive Land Use Plan – Urban Planning Area (**Figure 23**).

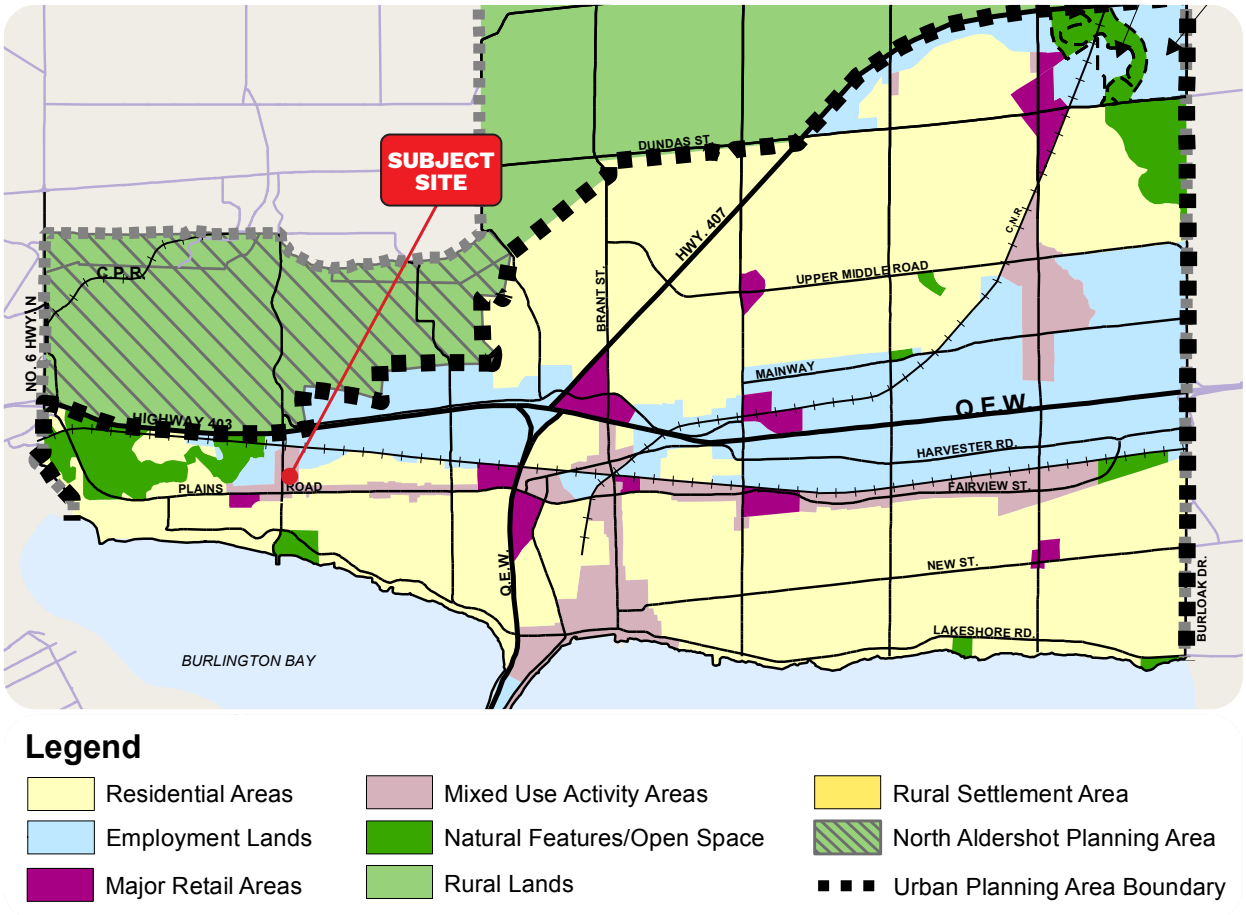


Figure 22 - Schedule A – Settlement Pattern (City of Burlington Official Plan)

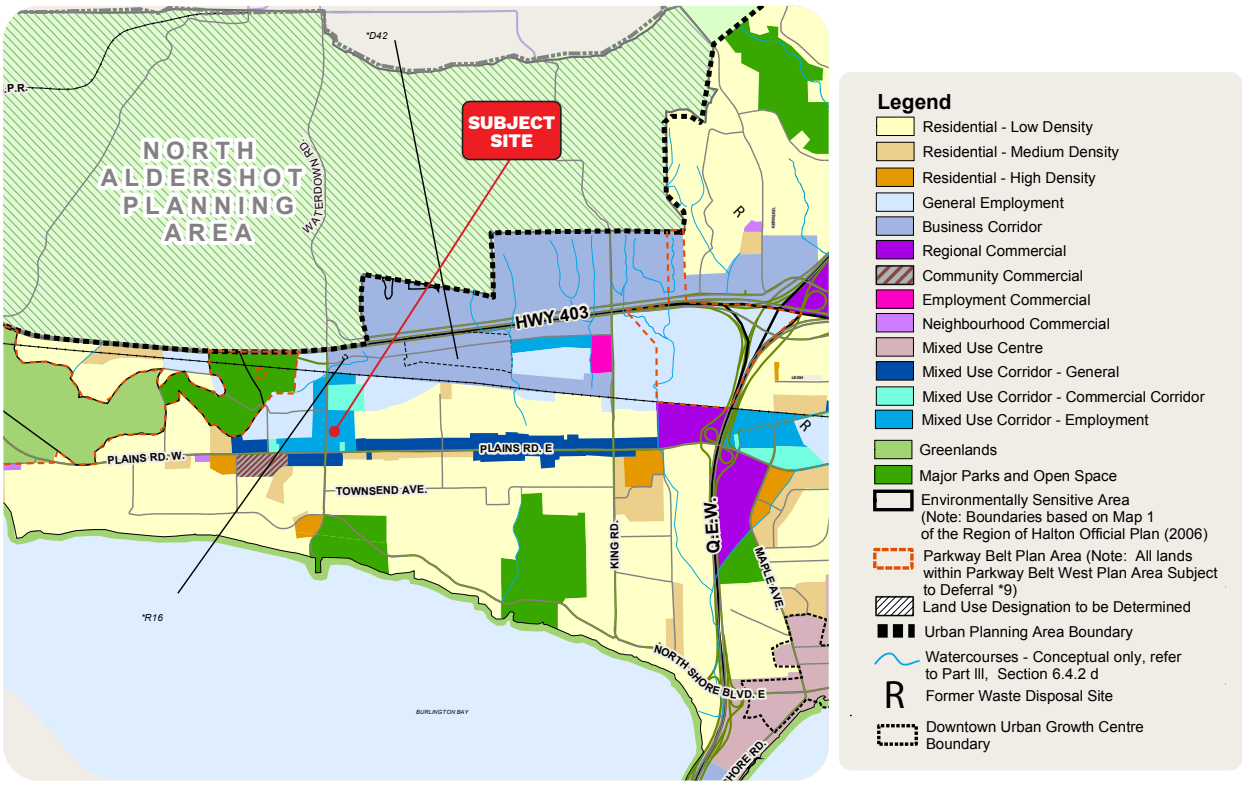


Figure 23 - Schedule B – Comprehensive Land Use Urban Planning Area (City of Burlington Official Plan)

Under Part III, Policy 5.1(a) provides that Mixed Use Activity Areas will encourage the efficient use of physical resources and municipal surfaces, while Policy 5.1(c) states that Mixed Use Activity Areas will address the demand for higher intensity employment, shopping and residential areas within the City. Further, Policy 5.2.1(a) encourages the integration of retail, office, hotel, institutional and entertainment uses with residential uses, community facilities, cultural facilities, institutions and open space in a compact urban form, while retaining compatibility with nearby land uses. Policy 5.2.1(b) promotes that compact urban form in Mixed Use Activity Areas are pedestrian-oriented, highly accessible by public transit, and foster community interaction.

Policy 5.2.2(d) provides that the design and development of Mixed Use Activity Areas shall promote these areas as focal points for community activities that are characterized by a compact form of development, pedestrian-orientation, greater accessibility to public transit and higher intensity development.

Section 5.3 provides policies for all of the Mixed Use Corridors (General, Employment, and Commercial). Policy 5.3.1 states the objectives for Mixed Use Corridors, including the encouragement of higher intensity, transit-supportive and pedestrian-oriented mixed use development, including land in the vicinity of a major transit station area, such as a GO Transit station, in a compact urban form (Policy 5.3.1(b)), while permitting mixed use development on individual sites where various combinations of residential, retail, office and other uses are located (Policy 5.3.1(c)).

Policy 5.3.2 (h) states that transit-supportive and pedestrian oriented urban design shall be required in development of Mixed Use Corridor sites. In this regard, the Plan defines "transit-supportive" as:

> *"Planning and development practices which make transit viable and improve the quality of the experience of using transit. When used in reference to development, it generally refers to compact, mixed use development that has a high level of employment and residential densities to support frequent transit service. When used in reference to urban design, it generally refers to design principles that make development more accessible for transit users, such as roads laid out in a grid network rather than a discontinuous network; pedestrian-friendly built environment along roads to encourage walking to transit; reduced setbacks and placing parking at the sides/ rear of buildings; and improved access between arterial roads and interior blocks in residential areas."*

Policy 5.3.2(i) further speaks to the encouragement of alternative forms of transportation through the design and development of Mixed-Use Corridors. Lands designated Mixed-Use Corridor shall encourage the use of public transit, pedestrian and bicycle travel as an alternative to automobile and shall encourage public safety through a number of design features including the orientation of the building and building entrances towards the street and public realm.

Policy 5.3.2(k) encourages retail, service commercial and other pedestrian oriented uses at the street level of Mixed Use Corridor Areas. Policy 5.3.2(l) states that infilling of existing linear Mixed Use Corridors shall be encouraged rather than the designation of new areas.

Section 5.3.4 contain the policies specifically related to the *Mixed Use Corridor - Employment* designation. Permitted uses within the *Mixed Use Corridor – Employment* designation include: industrial uses; a broad range of office uses; a limited range of retail, service commercial and personal service uses which serve the day to day needs of employees; financial institutions and services; entertainment, recreation, and other community facilities such as libraries and day care centres, and motor vehicle dealerships (Policy 5.3.4.(b)). As per Policy 5.3.4.(d), residential uses are prohibited.

Policy 5.3.4.(e) specifies that Zoning By-law regulations affecting this designation shall have a maximum floor area ratio ("FAR") of 1.0:1 except for industrial uses where a maximum of 0.5:1 shall apply as well as a maximum height of 2 storeys for industrial uses and 6 storeys for all other permitted uses.

Policy 5.3.4(g) provides that transit-supportive and pedestrian-oriented urban design shall be required in the development of Mixed Use Corridor – Employment sites. In addition, Policy 5.3.4(i) provides that infilling of existing, linear *Mixed Use Corridor – Employment* shall be encouraged rather than the designation of new areas.

Policy 5.3.4(k) states that proposals for the re-designation of lands designated *Mixed Use Corridor – Employment* to allow non-employment uses, or to add a range of uses to the *Mixed Use Corridor – Employment* designation that are primarily permitted in a non-employment designation, shall be evaluated based on meeting the following criteria:

> *"(i) the proposal shall only be considered in conjunction with the Comprehensive Review provisions identified in the Provincial Policy Statement and the policies of Provincial Plans;*
>
> *(ii) the proposal shall not detrimentally affect the short and long-term employment land needs of the City;*

(iii) the intensity and characteristics of the proposed non-employment uses shall not detrimentally impact the viability, desirability, or the proper servicing of existing and future surrounding land uses;

(iv) the site's physical and natural characteristics, development constraints and location shall justify the consideration of non-employment uses at the subject location;

(v) re-designation of lands abutting major transportation corridors including railways, highways and major arterial roads shall be discouraged;

(vi) support studies as identified in Part VI, Section 5.3, Other Studies Policies of the Plan are prepared;

(vii) in addition to (i) through (vi) above, the re-designation shall also meet at least two of the following conditions:

i. the amount of land affected is minor in area based on the projected land requirements within the planning horizon of the Plan;
ii. the development of the site is not feasible for employment uses within the planning horizon of the Plan;
iii. there are no alternative sites, designated and approved for the proposed use elsewhere in the City;
iv. the proposal will have a beneficial impact on the surrounding uses and the broader community;
v. the development of the land for non-employment uses will meet a public need identified by City Council resolution."

4.6 New City of Burlington Official Plan (Under Appeal)

Consistent with the Planning Act's requirement to review the Official Plan every five years (now ten), the City of Burlington began their review of the Official Plan in 2011. Concurrent with this Official Plan Review, the City of Burlington prepared a Strategic Plan in 2016, which was adopted by Council and brought forward new priorities and significant changes to Burlington's rural and urban areas.

Through this process the City determined that the current Official Plan did not align with its new policy directions and have therefore prepared a new Official Plan which will reflect and guide its civic priorities to 2031 as it transitions from a suburban to an urban community.

On April 26, 2018, Burlington City Council adopted a new Official Plan ("New OP"), which was subject to review and approval by Halton Region. On December 4, 2018, the City of Burlington received notice from Halton Region regarding the New OP advising that it does not conform with the Regional Official Plan in a number of respects related to policies and mapping in the areas of:

- 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.

On November 30, 2020, Halton Region approved the new Burlington Official Plan, and a twenty day appeal period ran from November 30 to December 21, 2020. In total, 48 appeals to the new Burlington Official Plan were received by the Region, including an appeal by the Owners of the subject site. As such, the new Burlington Official Plan is not in force and effect

Although the New OP, adopted on April 26, 2018, is not currently in effect and not determinative, the following mapping and policies are, in our opinion, informative:

Mapping

The new Burlington Official Plan identifies and designates the subject site within a new mapping framework, as follows:

Schedule B-1 – Growth Framework

The subject site is located within the City's MTSA Special Planning Area and located within a "Primary Growth Area' (**Figure 24**)

Waterdown Road and Plains Road are both identified as Frequent Transit Corridors and MTSA Primary Connectors (see **Figure 25)**

The subject site is located within a Mixed Use Intensification Area, specifically a Mixed Use Intensification corridor, and is designated *Urban Corridor – Employment* (**Figure 26**)

The subject site is also in proximity to a Proposed Multi-Use Trail Connection (Within Right-of-Way) (see **Figure 27).**

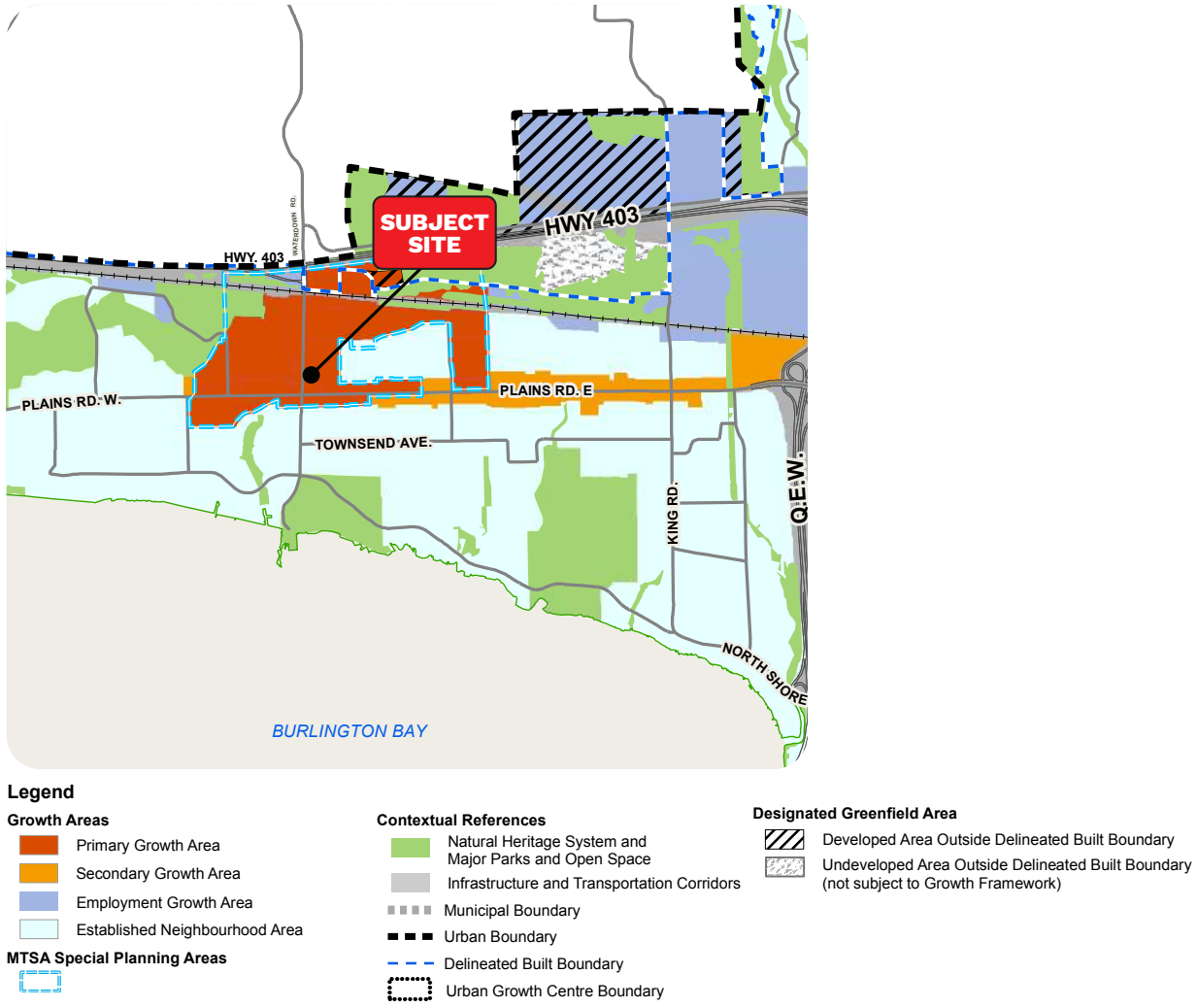


Figure 24 - Schedule B-1 Growth Framework (New City of Burlington Official Plan)

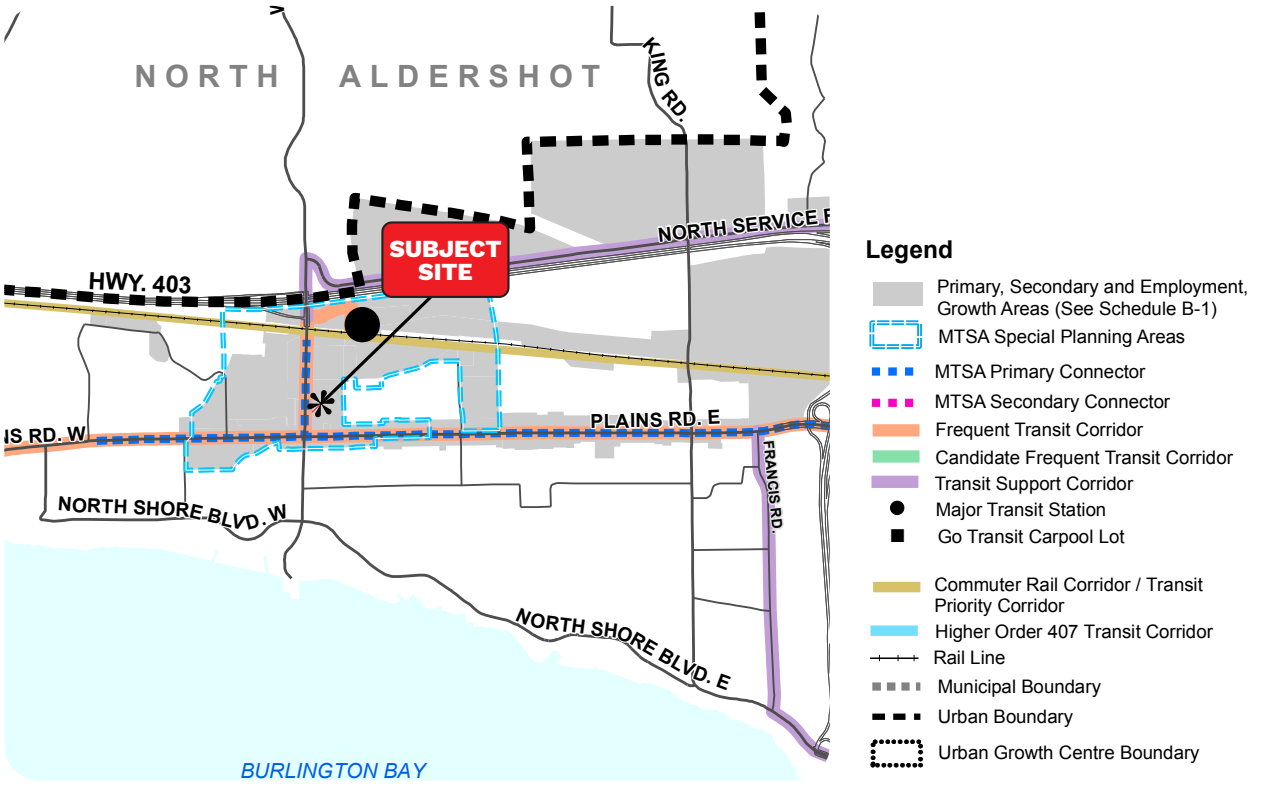


Figure 25 - Schedule B-2 Growth Framework and Long Term Frequent Transit Corridors

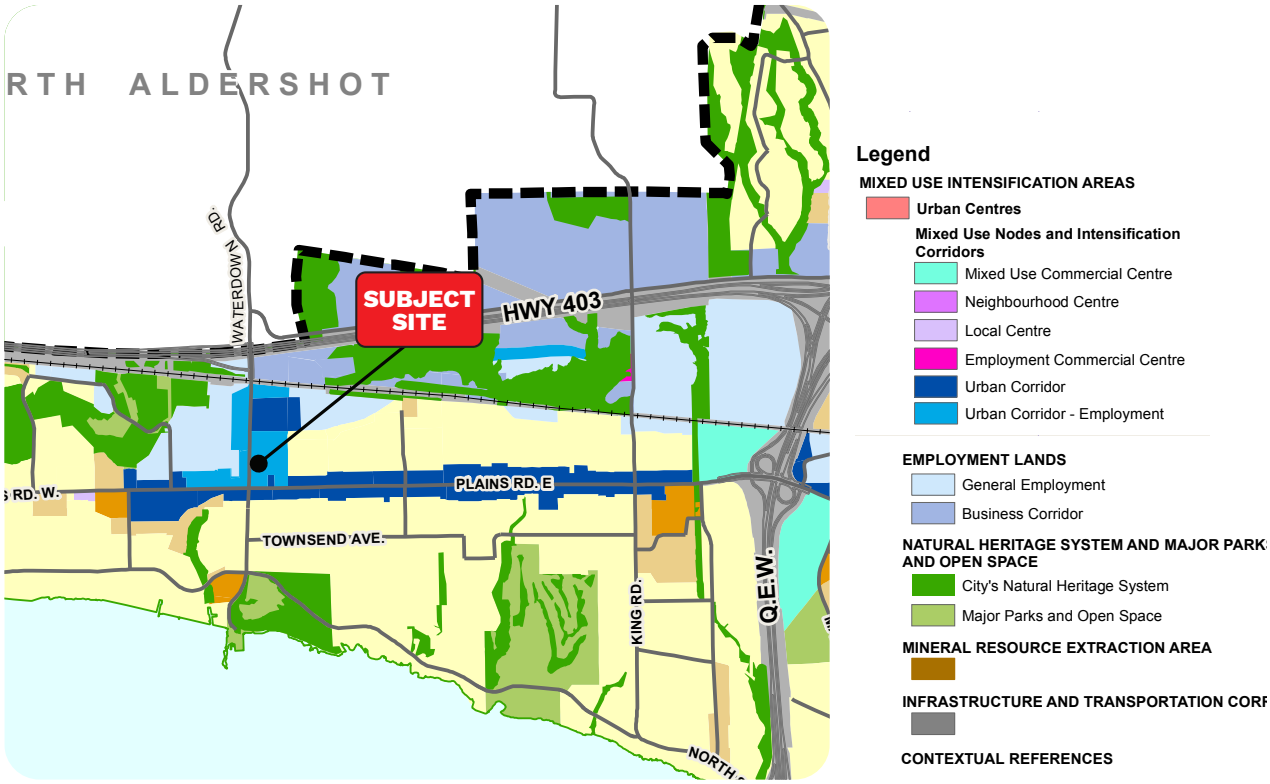


Figure 26 - Schedule C Land Use Urban Area (New City of Burlington Official Plan)

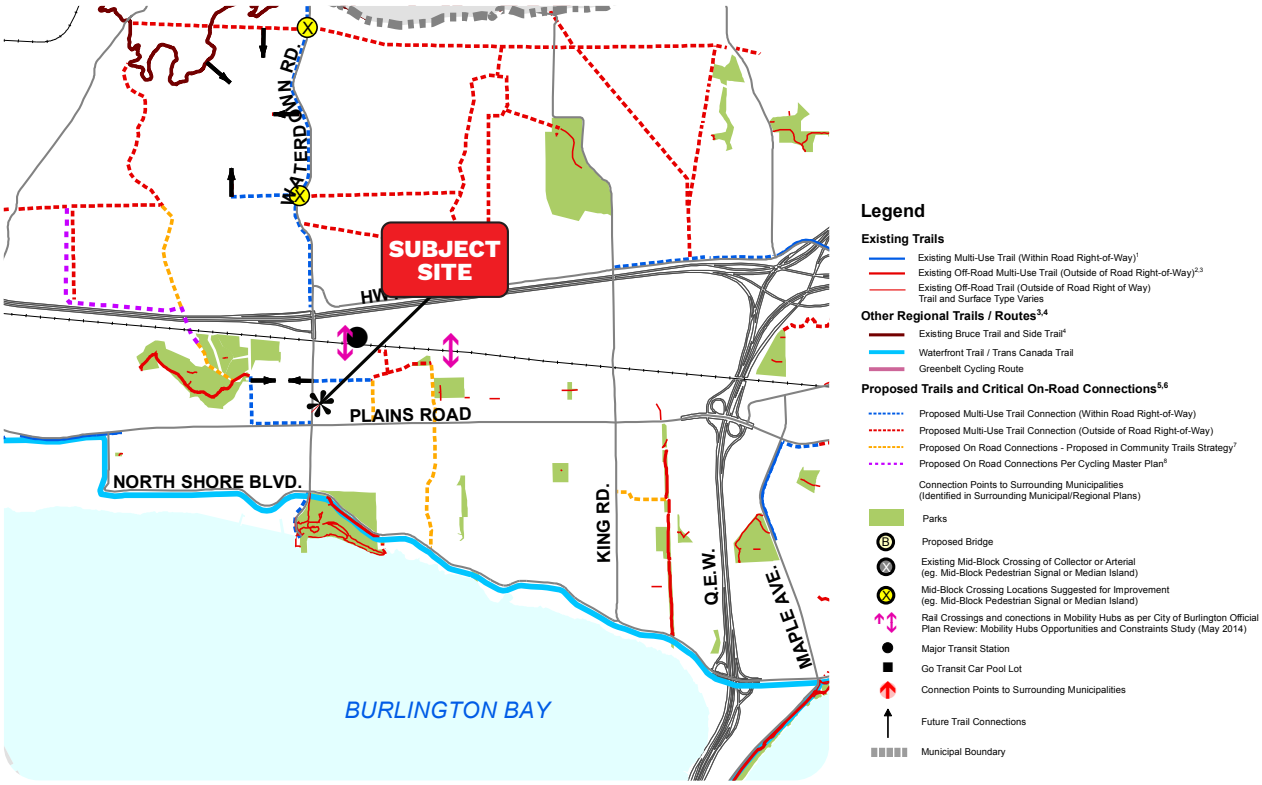


Figure 27 - Schedule Q Trails Strategy (New City of Burlington Official Plan)

Land Use Vision Policies

Section 2.1 provides that growth will be focused in the Urban Area to protect Burlington's natural heritage and Rural Area; to build compact, vibrant, sustainable, resilient, transit-supportive, healthy and complete communities; to optimize use of existing and future infrastructure and services; to support active transportation; to reduce energy use and greenhouse gas emissions; and to support a strong and competitive economy.

A primary focus for intensification will occur in intensification areas around the City's GO Stations, called Major Transit Station Areas (MTSAs), the Downtown, the Uptown Urban Centre, Mixed Use Nodes and Intensification Corridors and other key locations. Development within these areas will promote connected, walkable, transit-oriented communities that offer convenient access to employment opportunities, a full range of housing, public service facilities including schools and parks, and convenient access to various daily needs.

The Urban Structure Policies

Section 2.3.1 of the Official Plan describes the land use framework for Mixed Use Intensification Areas, including Major Transit Station Areas and Mixed Use Nodes and Intensification Corridors both of which apply to the subject site. In general, Mixed Use Intensification Areas will 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 and where walking, biking, transit and other transportation demand management measures will be prioritized.

As per Schedule B – Urban Structure the subject site is identified within "MTSA Special Planning Areas" and "Mixed Use Nodes and Intensification Corridors'. Policy 2.3.1(h) provides that MTSAs are intended to serve as city-wide destinations and focal points for the provision of transit. Further,

MTSAs will exhibit a wide variety of land uses and building types, and densities that will be oriented to support and facilitate transit and active transportation. In addition, MTSAs are focal points for higher intensity and mixed-use, transit supportive development that will accommodate a significant share of the City's future population and employment growth. Policy 2.3.1(i) provides that there are three MTSA Special Planning Areas identified by the City around the Burlington GO, Aldershot GO and Appleby GO Stations. All three areas are major transit station areas. The subject site falls under the Aldershot GO major transit station area. The extent of the Aldershot Major Transit Station Area is shown in Schedule G – Aldershot Mobility Hub.

Policy 2.3.1(j) provides that Mixed Use Nodes and Intensification Corridors represent areas with a concentration of commercial, residential and employment uses with development intensities generally greater than surrounding areas. Nodes are generally located at points where two or more transit routes intersect. Policy 2.3.1(k) identifies Intensification Corridors of areas with street-oriented uses which incorporate a mix of commercial, residential and employment uses, including designated employment lands, developed at overall greater intensities, serving as important transportation routes along higher order transit corridors and selected arterial streets. Policy 2.3.1(l) states that Mixed Use Nodes and Intensification Areas will be the focus of re-urbanization.

Primary Growth Areas Policy

Schedule B-1: Growth Framework of this Plan identifies the subject site as a Primary Growth Area. Policy 2.4.1(b) identifies that Primary Growth Areas as the areas where the City is planning to accommodate significant population and employment growth and higher intensity mixed-uses. Policy 2.4.2(1)(ii) states that Primary Growth Areas shall be recognized as a distinct area within the City's Urban Area accommodating the majority of the City's forecasted growth over the planning horizon of this Plan and beyond, and consequently will experience the greatest degree of change. Policy 2.4.2(1)(iii) further provides that Primary Growth Areas shall be regarded as the most appropriate and predominant location for tall buildings in accordance with the underlying land use policies while Policy 2.4.2(1)(v) states that they shall support the frequent transit corridors and accommodate development that is compact, mixed-use, and pedestrian oriented in nature.

Policy 5.4.7 states that MTSAs will contribute significantly to accommodating employment and meeting the City's economic objectives (5.4.7.a) and that MTSAs are currently being considered through an area-specific planning process that will consider the importance of accommodating employment over the long term in areas targeted for intensification (5.4.7.b).

Housing Policy

Chapter 3 of this Plan speaks to the policy framework regarding housing and the importance on creating complete communities that meet people's needs for daily living by providing an appropriate mix of jobs, services, full range of housing, and convenient access to public transportation and options for active transportation. Section 3.1 states that the City will promote an appropriate and adequate range of housing choices by type, tenure, and affordability.

Section 3.1.1(1) states objectives regarding housing which include, among others: that a sufficient supply of suitable designated and serviced land is available to accommodate residential growth to meet the existing and future housing needs; to promote a land use

pattern that mixes and disperses a full range and mix of housing types and tenures; and to make more efficient use of existing developed lands, housing stock, and available services to increase the supply of housing.

Section 3.1.1(2) provides policies regarding housing, which include, amongst others: that the City will support housing initiatives that facilitate revitalization, particularly the identification and remediation of greyfields, compact built form, and increased variety of the housing stock; and encourage a mix of housing forms, however the city's existing areas of Residential-Low Density shall be considered sufficient to contribute towards the component of the mix.

Climate Change and Air Quality

Section 4.1 of this Plan speaks to climate change and air quality and that to achieve a sustainable community, climate change and air pollution must be addressed. Section 4.1 further provides that climate change and air pollution impacts are caused primarily by burning fossil fuels, resulting in greenhouse gas emissions and that these impacts can be reduced through sustainable, effective, and efficient land use and transportation policies.

Section 4.1.2 of the Plan outlines policies that relate to mitigating climate change and air pollution, which include working to improve air quality and energy efficiency to reduce greenhouse gas and fuel emissions, and mitigating and adapting to climate change through land use and transportation policies related to, among other matters:

i. maintaining the urban boundary and seeking a compact built form in Mixed Use Intensification Areas;
ii. achieving mixed use development to encourage walking, cycling and transit;
iii. locating intensification in areas which are well served by existing or planned transit;
iv. promoting and encouraging modal shift towards transit and active transportation, using tools such as transportation demand management;
    i. addressing parking management, primarily through the Zoning Bylaw, that does not undermine transit and active modes of transportation; and [...] (ix) encouraging sustainable, energy efficient and low carbon buildings [...].

Multimodal Transportation Policies

Section 6.2 describes policies relating to multimodal transportation in the City of Burlington. Section 6.2.1.(2), Policy (b) provides those public rights-of-way widths in Chapter 14, Table 2: Public Right-of-Way Widths shall be protected and secured through the processing of development applications, unless waived by the City in accordance with Subsection 6.2.7.(2) of the OP. Schedule O identifies the portion of Waterdown Road adjacent to the site as a "Multi-Purpose Arterial Road" and Table 2 identifies the Public Right-of-Way width for Waterdown Road between Plains Road and the Highway 403 Westbound On-ramp "as—is" and therefore no widening or road dedications would be required.

With respect to transit, Policy 6.2.3(2)(b) provides that long range transit planning will support the city's Intensification Areas with long-term frequent transit corridors and priority being placed on providing the highest level of transit service in the city's Primary Growth Areas. Policy 6.2.3(2)(f) states that the City will promote increased transit use through transit supportive densities, urban design measures, and parking measures to make development more accessible for transit users in Mixed Use Intensifications Areas.

With respect to active transportation, Policy 6.2.4(2)(k) states that the development of safe, convenient, accessible, and attractive streetscapes for pedestrians and cyclists shall be implemented through the selection of appropriate site-specific measures such as: wide sidewalks; bike lanes; illumination; ground-level retail/commercial uses to provide an active street frontage; and encouraging building designs that provide shelter.

Section 6.2.9 contains policies related to the MTSA Primary and Secondary Connectors. Policy 6.2.9(2)(b) states that enhanced levels of transit services and facilities such as frequent transit corridors shall be provided on MTSA primary and secondary connectors. Both Waterdown Road and Plains Road are identified as Primary Connectors. Policy 6.2.9.(2)(b) provides that enhanced levels of transit service and facilities such as frequent transit corridors shall be provided on MTSA primary connectors, which includes Waterdown Road. Policy 6.2.9(c) provides that area-specific plans for MTSAs will evaluate the role of the mobility hub connectors and provide recommendations on any works required along the connectors to support individual hub objectives and to achieve transit-supportive land uses.

Design Excellence Policies

The preamble in Chapter 7 outlines the role that urban design plays in promoting a sense of place and community and by inviting people to share a collective vision for where they want to live, work, visit, and enjoy. Section 7.1.2 provides policy framework that is related to design, which include among others; the design policies contained in this section shall be considered in the review and approval of all development applications (a); design guidelines may be developed for certain types of building forms, land uses, streetscapes, streets, and roads or specific areas in the city and that council approved design guidelines will be utilized in the review and evaluation of development applications (d); and development proponents may be required to prepare and implement an urban design brief to the satisfaction of the City that demonstrates how the proposed development meets the policies of this Plan and addresses the relevant design guidelines (e).

Public Realm Policies

Policy 7.2(a) provides that the design of the public realm shall address considerations such as, but not limited to, the following:

i. improving the quality of public spaces;
ii. providing appropriate and consistent treatments for streetscape elements such as sidewalks, lighting, signage, and street trees, among others;
iii. improving the quality and convenience of active transportation;
iv. creating attractive and comfortable environments for pedestrian movements;
v. implementing AODA design measures;
vi. applying Universal Design principles;
vii. improving multi-modal transportation and public space needs;
viii. improving the quality of streets, sidewalks and walkways and cycling facilities;
ix. improving links to existing public areas;
x. identifying opportunity for public art;
xi. promoting pedestrian scale and public safety;
xii. incorporating CPTED principles; and
xiii. designing safe and cost-effective infrastructure.

Urban Design and Built Form Policies

Policy 7.3.2 states that in areas identified on Schedule B-1: Growth Framework, and subject to the policies of Subsection 2.4 of this Plan, development shall address considerations such as, but not limited to the following: ensuring site and building design are compatible with the surrounding area; providing appropriate built form transition in scale between buildings, public realm, and abutting development through design methods such as angular planes, stepbacks, and building orientation; provide appropriate screening, landscape buffering, and other design measures to minimize impacts; provide pedestrian comfort and human scale at the street level reflecting the established and planned streetscape to frame the public realm, through various design methods including the use of podiums in tall buildings; provide façade articulation that achieves a scale of development that is attractive to pedestrians and avoids the use of blank walls; designing and orienting development that face public open spaces to contribute to the public realm and pedestrian environment; and implementing measures that adequately limit any resulting shadowing, uncomfortable wind conditions on the streetscape, neighbouring properties, and parks and open spaces.

Furthermore, Policy 7.3.2(1)(a) states that in Primary Growth Areas as shown on Schedule B-1: Growth Framework, development shall promote a transit-supportive and pedestrian-oriented environment and ensure compatibility with adjacent land uses. Policy 7.3.2(1)(a)(i) provides that the design of development in Primary Growth Areas shall address the policies of Subsection 7.3.2(a) as noted above, but also have additional consideration such as, amongst others:

- locating buildings generally parallel to the public street to define the street edge and in close proximity to the street and transit services;
- providing appropriate transitions to adjacent land uses; and
- massing new buildings to frame adjacent streets in a way that respects the existing and planned street width and also provides a pedestrian-scale environment; locating building primary public entrances for uses located at grade towards a public right-of-way and visible and accessible from the public sidewalk;

- including direct pedestrian access including barrier free access from grade level to the primary public entrances located on the building façade;
- screening or integrating roof top mechanical equipment within the overall composition of the building; creating an attractive and connected interface between the private and public realms;
- creating a continuous streetscape with emphasis on maintaining the continuity of grade-related activity areas, both inside and outside of the buildings; and providing appropriate outdoor amenity areas and open space.

Policy 7.3.2(1)(a)(ii) further provides that development is Primary Growth Areas should locate and organize parking, access, and service areas to minimize their impact on surrounding properties and the public realms. The design of vehicle parking, access, and service areas shall address considerations such as, but not limited to:

a. Locating off-street parking in the side and/or rear yards, in underground or structured parking where appropriate, away from the street edge and adjacent residential uses;
b. Integrating parking areas located at or above grade within the built form of the building and away from the street frontage, where appropriate;
c. Limiting the number and location of vehicular access points to minimize disruption to traffic flows, and to minimize the impact on local streets, pedestrian travel along sidewalks, or cyclists traveling along bikeways;
d. Screening and buffering of off-street parking areas from public view through the use of setbacks and landscaping;
e. Locating loading areas and service areas to avoid conflict between pedestrian and vehicular traffic and away from adjacent residential uses and adjoining streets;
g. Incorporating fencing and/or screening of service facilities, such as loading bays or outdoor storage areas, in a manner which enhances screening from adjacent land uses and the public right-of-way and improves the aesthetic quality of the development.

Subsection 7.4 provides policy framework regarding sustainable design. In particular, Policy 7.4.1(a) states that Official Plan Amendments, Zoning Bylaw Amendments, and Site Plan applications for high and medium density residential and mixed use developments shall address the following sustainable design measures, which include, among others: safe and direct on-site connections to public transit where available; on-site bicycle facilities; identification of appropriate snow storage areas to reduce the adverse impacts of salt and de-icing practices; a waste management plan with appropriate facilities; and bird-friendly design measures for glass buildings.

Land Use Policies

The subject site is identified as a Mixed-Use Intensification Area and is designated Urban *Corridor – Employment* on Schedule C – Land Use – Urban Area of the Official Plan (see **Figure 26**).

As describes in Section 8.1 of the Plan, lands identified as Mixed-use Intensification Areas

will achieve a multitude of planning objectives by combining a broad range of intensities of employment, commercial, and residential uses, among others. These areas will provide people an opportunity to depend less on their automobiles while creating distinguishable places along transit routes that are animated, attractive, and safe.

Subsection 8.1.2 contains policies related to MTSAs. The Aldershot GO MTSA is located along a higher order transit route with planned frequent transit service by way of Regional Express Rail ("RER"), however it is not identified on a Priority Transit Corridor on Schedule 5 of the Growth Plan. Policy 8.1.2(1)(b) states that the majority of growth within the City's four MTSAs will occur in the three MTSAs along higher order transit routes with planned frequent transit service by way of Regional Express Rail.

We note that the details of the GO Rail Expansion Program are in the process of being finalized. Based on a memo prepared for the City of Toronto presented to Council on September 30, 2020, the 15-minute service level goes as far west as the Burlington GO Station but the Aldershot GO Station is planned for a 20-minute service level.

Policy 8.1.2.(2)(b) states that in advance of the completion of area-specific plans or major planning studies and the approval of the implementing Official Plan amendments for the MTSAs, the policies contained in Subsection 8.1.2 shall apply to development applications in the MTSA Special Planning Areas. The following policies apply to the subject site:

Development applications shall be consistent with the overall role and function of the MTSA in which they are located (Policy 8.1.2.(2)(c));

- Development applications preceding the completion of an area-specific plan or major planning study and the approval of the implementing Official Plan amendments shall have regard for the Province's Mobility Hubs and Transit Supportive Guidelines, shall implement Regional and Provincial major transit station area policies and shall be consistent with the goals and objectives of the existing land use designation as contained in this Plan (Policy 8.1.2.(2)(d));
- Development in MTSAs should be planned to achieve transit-supportive densities in accordance with the Province's Transit Supportive Guidelines and the existing and planned level and type of transit service. The full extent of maximum development permissions on lands located in each MTSA may not be achievable on every site, due to site-specific factors including, but not limited to, compatibility, environmental impacts, hazard lands, transportation issues, cultural heritage resources and/or infrastructure capacity (Policy 8.1.2.(2)(e));
- The design and development of MTSAs shall promote these areas as multifunctional activity centres and focal points for a variety of activities that are characterized by a mixed use and compact built form of development, pedestrian-orientation, greater accessibility to public transit and higher intensity development (Policy 8.1.2.(2)(f));
- Development shall contain a mix of land uses and transit supportive development that supports the achievement of complete communities through a more compact built form, while ensuring compatibility with surrounding areas is achieved (Policy 8.1.2.(2)(g));
- Multi-unit residential developments should incorporate a mix of unit sizes and types to accommodate a diverse range of household sizes and incomes (Policy 8.1.2.(2)(i));
- Development applications shall incorporate minimal parking at grade or above grade through the provision of underground parking, except in areas immediately adjacent to a rail line or other areas where a buffer is required, where applicable (Policy 8.1.2.(2)(k));
- New green spaces such as trees and landscape areas, parks and open spaces shall be provided as part of development applications, which may include, but are not limited to, dedication of parkland, Privately-Owned Publicly Accessible Spaces (POPS) and/or trees and landscape areas located between a public right-of-way and a building, to be provided to the satisfaction of the City (Policy 8.1.2.(2)(l));
- Development patterns shall have regard for optimization of land, resources and public investment in infrastructure and public services. For clarity, the concept of optimization shall be applied to development patterns over the entirety of the MTSAs (Policy 8.1.2.(2)(q));

Subsection 8.1.2(3) contains policies related to development applications preceding an area-specific plan. Applications for Official Plan Amendments, Zoning By-law Amendments, and Site Plan Approvals shall have regard for Provincial guidelines for mobility hubs and transit, shall implement Regional and Provincial MTSA policies and shall have regard for the Mobility Hub opportunities and Constraints Study (2014) (Policy 8.1.2(3)(c)). A Transportation Impact Study shall address all modes of transportation, giving priority to active transportation and transit considerations (8.1.2.(3)(e)) and an urban design brief is required to be submitted to demonstrate how the proposed development contributes to achieving the objectives of the MTSA (8.1.2.(3)(g)). Development is also subject to the applicable policies of Subsection 7.3.2 (Urban Design and Built Form policies for existing community areas).

Subsection 8.1.3(2) contains general policies related to lands identified as Mixed Use Nodes and Intensification Corridors, which include, among others: the design and development shall promote these areas as focal points for community activities that are characterized by a compact form of development, pedestrian -orientation, greater accessibility to public transit and higher intensity development (a); multi-unit residential developments should incorporate a mix of unit sizes (e); transportation demand management ("TDM") measures shall be addressed and form part of the City's evaluation of opportunities for reduced parking standards (i); intensification of existing intensification corridors is encouraged rather than the designation of new areas (n); development shall ensure compatibility with surrounding areas in accordance with Section 7.3 (p); the City may encourage land assembly and/or the comprehensive development of adjacent properties to ensure that development meets, and does not compromise the ability of development on adjacent properties (r).

Development of Urban Corridor sites shall be transit-supportive and pedestrian-orientated (Policy 8.1.3(7.2)(a)) and are intended to meet the day-to-day goods and services needs of residents and employees of the corridor and surrounding area (Policy 8.1.3(7.2)(b)).

Subsection 8.1.3.(8) contains the policies and objectives for lands designated *Urban Corridor – Employment*. One objective of this designation is to encourage higher intensity, transit-supportive, and pedestrian-orientated mixed use development in a compact built form and to ensure an employment function on these lands while retaining compatibility with the surrounding area (8.1.3(8.1)(b)). Permitted uses include industrial uses, office uses, accessory retain and service commercial which serve the day to day needs of employees, home improvement stores, automotive commercial uses, entertainment uses, and recreation uses (8.1.3(8.2)(b)). A maximum floor area ratio ("FAR") of 2.0:1 is permitted. An increase to this FAR is permitted through a site-specific Zoning By-law Amendment or minor variance provided the objectives of the designation are maintained. The maximum permitted height shall not exceed six (6) storeys (8.1.3(8.2)(g)).

Similar to the in-force OP, the *Urban Corridor – Employment* designation does not permit residential uses and site-specific Official Plan Amendments to permit non-employment uses on these lands are only permitted on lands outside of the Region of Halton Employment area and where the following conditions have been met (Policy 8.1.3(8.2)(l)):

i. the subject lands meet the overall policy intent of the Urban Corridor – Employment designation; and,
ii. the proposed development ensures the inclusion of sufficient space to retain a similar number of jobs currently located on the site, or where the site is currently underutilized or vacant, the number of jobs proposed on the site should achieve 50 jobs per net hectare; and,
iii. where the proposed development is located within an MTSA Special Planning Area and is proposed in advance of an area-specific plan the policies of section 8.1.2 Major Transit Station Areas of this Plan shall apply.

4.7 Mobility Hub Guidelines (2011), Transit Supportive Guidelines (2012), and Mobility Hub Opportunities and Constraints Study (2014),

Policies 8.1.2.(2)(b) and 8.1.2(3)(c) of the New OP states that in advance of the completion of area-specific plans or major planning studies and the approval of the implementing Official Plan amendments for the MTSAs that development shall have regard for the Mobility Hub Guidelines (2011), the Ministry of Transportation's Transit Supportive Guidelines (2021) and the Mobility Hub Opportunities and Constraints Study (2014).

Introduced through Metrolinx's The Big Move (2008), Mobility Hubs consist of major transit stations and the surrounding area (approximately 800 metres). They serve a critical function in the regional transportation system as the origin, destination, or transfer point for a significant portion of transit trips. They are places of connectivity where different modes of transportation — from walking to riding transit — come together seamlessly and where there is an intense concentration of working, living, shopping and/or playing. Since their adoption, the Mobility Hub Guidelines have been effective in establishing a common framework for planning transit station areas in the Greater Toronto and Hamilton Area (GTHA). With updates to the Growth Plan in 2017 and 2019, a new 2041 Regional transportation Plan and the more recent Transit Orientated Development Program at Metrolinx, the term "Mobility Hub" has since shifted to Major Transit Station Area.

The 2011 The Mobility Hub Guidelines address nine key objectives:

1. Seamless integration of modes at the rapid transit station
2. Safe and efficient movement of people with high levels of pedestrian priority
3. A well-designed transit station for a high quality user experience
4. Strategic parking management
5. A vibrant, mixed-use environment with higher land use intensity
6. An attractive public realm
7. A minimized ecological footprint
8. Flexible planning to accommodate growth and change
9. Effective partnerships and incentives for increased public and private investment

For each of these objectives, the Mobility Hub Guidelines provide detailed strategies, best practices, case studies, and suggested resources.

The Ministry of Transportation's Transit Supportive Guidelines (2021) mainly relate to transit station design, the placement and design of transit stops, as well as guidelines for transit agencies to improve transit systems and ridership. Some of the guidelines relate to the layout and orientation of buildings within a block to help support the creation of pedestrian-friendly streets. These guidelines generally speak to the placement of buildings and entrances to the buildings to be orientated to the street, to consolidate vehicle access points, to avoid surface parking between the front building face and the streetline

As part of the City's New Official Plan project, it recognized the importance of considering its role in implementing The Big Move and initiated the Mobility Hub Opportunity and Constraints Study. The purpose of this study was to identify the opportunities and constraints related to the development of Burlington's mobility hubs, including the Aldershot Mobility Hub. Policy 8.1.2(3)(c)) of the New OP states that new applications for Official Plan/Zoning By-law Amendments as well as site plan approvals shall have regard for this study.

The main objective of this study was to delineate mobility hubs and major transit station areas and determine the opportunities and constraints at each, including land use and site development, transportation, public realm, green infrastructure and the environment.

Furthermore, the study aims to identify key urban design principles for the mobility hubs, to provide guidance to the City for the review of current development applications, and to set the framework for future design guidelines and master plan work.

Elements of Mobility Hubs

The critical elements for the Aldershot Mobility Hub which promote development, and create a strong sense of place are:

- Walking, Cycling and Transit Connections: The proposed development contributes to the network of enhanced boulevards, cycling connections and pedestrian pathways that over time, as other sites continue to develop, will provide improved connectivity to Aldershot Station.
- Street-Oriented Development: The proposed buildings frame the street, with high amounts of glazing at street level, enhanced facade articulation, and street trees and landscaping within the boulevard to create a strong transition between the public and private realm.
- Attractive Public Realm: The proposed street trees and landscaping contribute to an attractive public realm and a memorable pedestrian experience.
- Nodes/Entryways: The proposed development is located east of a major node (Waterdown and Plains) however, it facilitates transfers between different modes of transit and contributes to a walkable pedestrian network in proximity to major transit along Plains Road and to nearby Aldershot Station.
- Key Destinations the proposed development contributes transit-supportive amenities, such as retail/commercial uses that will encourage uses to travel to the mobility hubs for reasons in addition to transit.
- Landmark Buildings the proposed development incorporates highly visible built form and architectural elements that act as landmarks and distinguish it from other buildings in the area. The proposed building design, open space and public realm help reinforce the identity of the Aldershot mobility hub area.
- Opportunity Sites: The buildings promote redevelopment on an underutilized site along an intensification corridor, in the form of a multi-storey, development that contributes positively to its environment and to the Aldershot Mobility Hub area.
- Transit-Oriented Development: The proposed development contributes to the mixed-use residential and commercial area that is envisioned surrounding the Aldershot Mobility Hub to encourage and maximize the use of public transit.

4.8 Aldershot GO Mobility Hub Study (2018) and Major Transit Station Area (MTSA) Area-Specific Planning Project (2021)

As discussed previously in this report, the subject site is located within the Aldershot GO MTSA, previously known as a Mobility Hub. The Aldershot GO Mobility Hub Study was initiated by the City of Burlington and their consultant team in January 2017. In May 2017, the City hosted a Visioning Workshop to introduce the team members, discuss the framework for Mobility Hubs and to gain public feedback on what is most important to them within the Mobility Hub study area.

On July 12, 2018, the Aldershot GO Mobility Hub draft precinct plan was presented to Council for discussion and feedback. The subject site was identified within the Aldershot Main Street Precinct was located within the Aldershot Main Street Precinct and intended to advance the Plains Road village Vision and establish a unique community destination focused on creating a continuous retail frontage with main-street pedestrian experience. Key directions included: development will be in a mid-rise form; establishment of a maximum building height of 11 storeys on the north side of Plains Road and along Waterdown Road and 6-storeys on the south side of Plains Road with compatibility criteria to adjacent low-density residential uses; and, establishing a continuous building frontage along Waterdown Road to provide a predictable rhythm. The Mobility Hub study was put on hold in 2018 pending the re-examination of the now adopted Official Plan.

On October 13, 2021, the City of Burlington hosted a public meeting to release a draft precinct plan for the MTSA-Specific Planning Project 2021-2022, to the public. The subject site is identified within the Aldershot Main Street precinct (see **Figure 28**) Aldershot Main Street Precinct. The vision for the Aldershot GO MTSA is for a mix of residential, commercial and employment uses with a vibrant and livable community. Further, tall buildings concentrated along the rail line and multi-modal urban streets and active transportation facilities are proposed to enhance mobility and access to the GO Station.

Waterdown Road is designated as a Frequent Transit Corridor and an Existing & Planned Active Transportation Connection route. The Aldershot Main Street Precinct seeks to establish a unique community destination and contain a mix of maximum heights ranging from 6 to 11 storeys. The study has not been finalized nor has it been endorsed by Council.

The owner has been involved in both the Mobility Hub and Area-Specific Planning Project and has submitted comments to staff on multiple occasions including on May 15, 2018, July 6, 2018, October 4, 2018, and November 3, 2021. For the reasons outlined in section 5 of this report, it is our opinion that the ultimate precinct plan approved for the Aldershot GO MTSA should identify Waterdown Road as a high rise corridor given the width of and existing bus transit on Waterdown Road as well as the distance from the existing stable residential neighbourhood on the west side of Clearview Avenue. Finally, it is our opinion that a tall building form can achieve the "main street" mixed use streetwall envisioned by the "Aldershot Main Street Precinct" and accommodate additional density through interspersed towers.

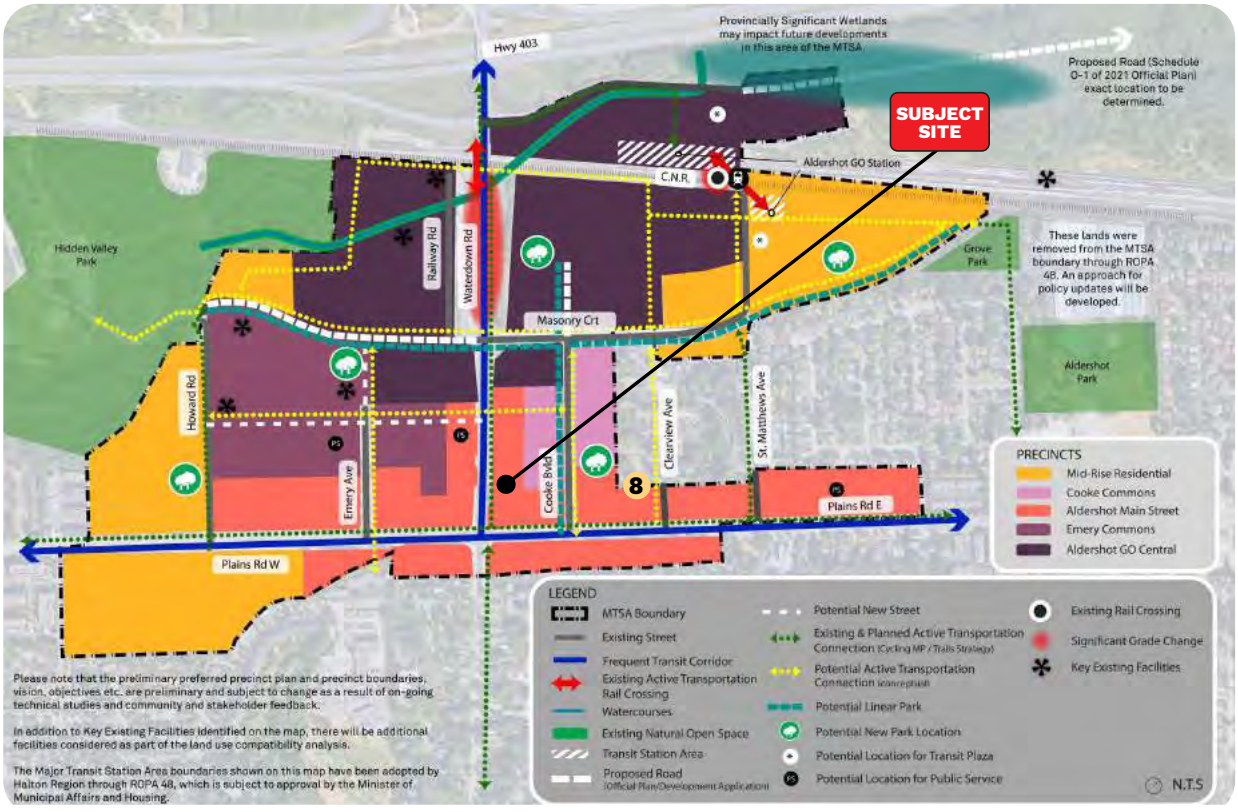


Figure 28 - Aldershot GO MTSA Preferred Preliminary Precinct Plan

4.9 City of Burlington Zoning By-law 2020

Pursuant to Zoning By-law 2020, the subject site is zoned MXE (Mixed Use Corridor - Employment) as shown on the City's interactive map (**Figure 29**). The MXE does not permit an apartment dwelling.

The permitted uses in the MXE zone include limited retail commercial uses (i.e., office furniture and equipment, computer hardware, machinery and equipment, home improvement products, convenience/specialty food store), service commercial uses (i.e., restaurants), motor vehicle service station, sales, and repair garage, entertainment and recreational uses. Residential uses are not currently permitted in the MXE zone.

The maximum permitted height in the MXE zoning is 6-storeys while the maximum permitted Floor Area Ratio is 1.0:1. A rezoning is required to permit the proposed residential apartment use and to include site specific development standards to implement the proposal.

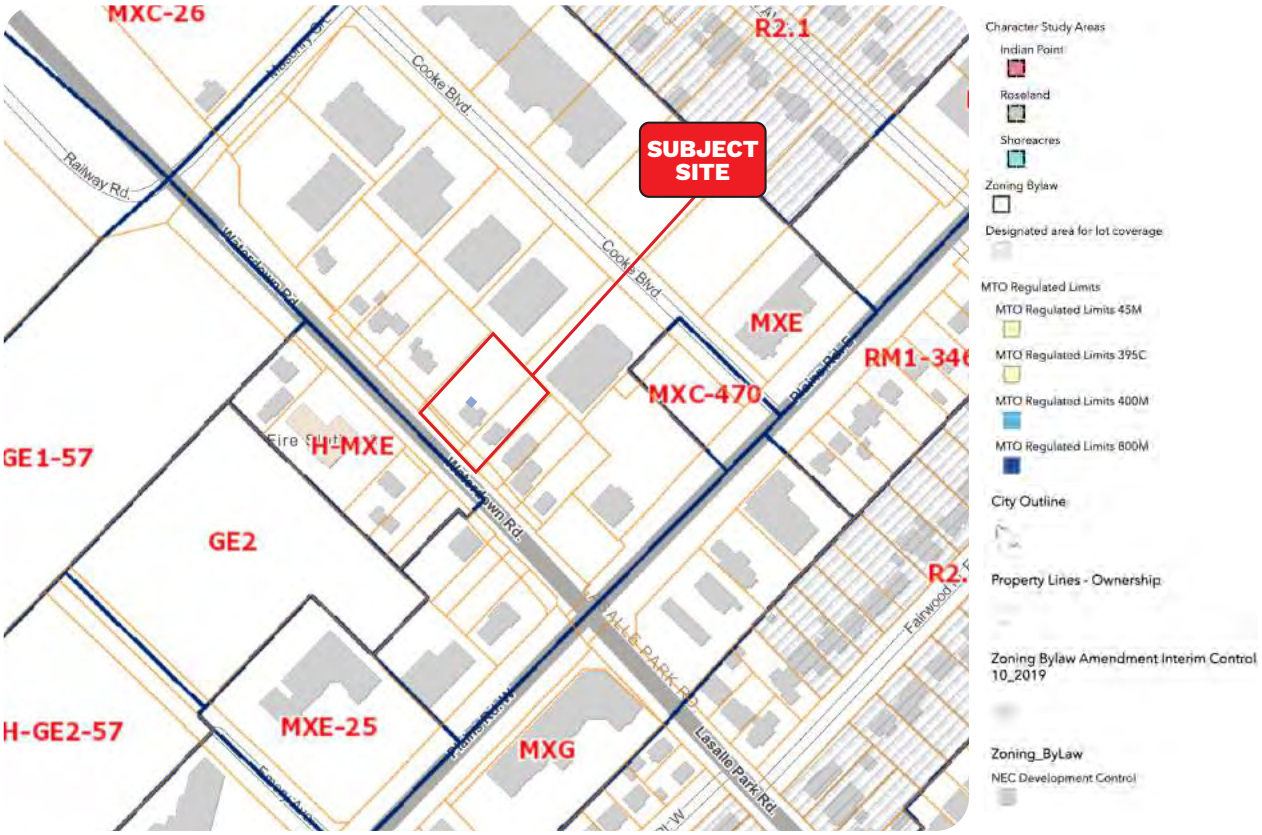


Figure 29 - Zoning By-law 2020

4.10 Tall Buildings Design Guidelines

The City of Burlington, in conjunction with Brook McIlroy, prepared the Tall Building Design Guidelines (the "TBG"), dated August 2016, and approved by Council on October 3, 2016, as "interim guidelines". The purpose for the "interim" status was to accommodate further consultation with the public and development industry and to facilitate revisions, as needed, prior to enacting the guidelines on a permanent basis.

Following public and industry workshops in January 2017, revised Tall Building Guidelines were prepared in April 2017. A final roundtable discussion was organized by City staff with the development industry on May 15, 2017, which led to the preparation of the final Tall Building Design Guidelines, dated May 2017, and approved by City Council on July 10, 2017.

The intent of the Tall Building Guidelines is to provide guidance for developers and architects designing tall buildings in the City of Burlington and will be used by City staff as one tool in evaluating development applications and mobility hub planning. The guidelines are applicable to all tall buildings (over 11-storeys) across the entire City and are broken down by the components of a tall building which include: building base (podium); building middle (tower); and, building top.

Building Base

Section 2.0 of the TBG provides design direction with respect to podiums of tall buildings, providing that the podium of a tall building anchors the tower and defines the pedestrian experience at the street. Its location and height should frame and create a positive relationship to the street. Specifically, tower bases should be carefully designed, including a mix of horizontal

and vertical elements, to reinforce a human scale. Clear glazing, and the arrangement of internal uses, should create a visual connection between the public and private realm, while promoting vibrancy and activity throughout the day.

Podium Location

a. Located to frame the street, and on corner lots, located to frame both streets.
b. On retail streets (i.e. Brant Street), and other streets where a strong streetwall exists, should reinforce the established streetwall.
c. Where no streetwall has been established, should be set back at grade to create wide boulevards that accommodate pedestrians, street trees and landscaping, and active at-grade uses. A 6.0 metre boulevard measured from curb is preferred, except where existing conditions preclude. The intent is that a road widening will not be required to specifically achieve this guideline.
d. On sites with multiple towers, mid-block pedestrian connections should be provided through the podium to enhance permeability, break-up the podium, and create additional corner conditions.
e. Where windows are proposed within the podium, an 11-metre separation distance shall be provided between adjacent buildings. Where no adjacent buildings exist, a 5.5 metre setback is appropriate. Where a continuous streetwall is desirable, no side-yard setbacks are necessary. Continuous street walls are generally desirable, except where special site or block conditions require breaks to access mid-block connections, public courtyards, or other open spaces.
f. Buildings can cantilever over side yard setbacks to create a weather protected mid-block connection, public courtyard, or other public open space. Buildings can cantilever above: a) a grade level height of 4.5 m or more; or b) above the second floor where the grade level height is less than 4.5 m.

Podium Height and Massing

a. The height of the podium, and the tower stepbacks above, should generally reflect the established and planned streetwall subject to the guidelines below. Small variations are encouraged to create a varied streetscape.

b. Where no established streetwall exists, the minimum height of the podium shall be 10.5 metres (3-storeys) to frame the streetscape and reinforce a human-scale.

c. The maximum height of the podium shall be 80% of the adjacent right-of-way width. A maximum height of 20 metres is recommended to maintain a human-scale.

d. The floor-to-ceiling height of the ground floor should be a minimum of 4.5 metres to accommodate internal servicing and loading, and active commercial uses (where permitted).

Shadows/Sky Views

a. Height and massing of buildings should ensure adequate access to sunlight in surrounding areas in compliance with the Shadow Study Guidelines and Terms of Reference.

Podium Design and Articulation

a. Sides constructed with highest quality architectural design and materials.

b. Materials to reflect intended use and should not mimic other materials, should complement the established character of the street where appropriate.

c. The use of 'heavy' materials (i.e. brick, stone, or metal) used to anchor building.

d. Portions of the podium roof that are not occupied by a tower should be used as outdoor amenity space to provide casual surveillance and interesting views from the street.

e. Large podiums to be visually broken into smaller components. Mixed-use podiums shall reflect multiple retail units, while residential buildings shall provide individual entrances for ground floor units. In the downtown, podiums shall reflect the traditional 7-10 metre lot width.

f. At grade residential units should be set back a minimum of 3.0 metres from street wall. Front yards should incorporate landscaping and enclosure to provide privacy to individual units.

g. Main building entrances clearly demarcated and provide focal point for building design.

h. Architectural elements and expressions, including entrances, windows, canopies, steps, and recesses and projections, should highlight individual units and reinforce a variety of scales and textures within the podium.

i. Within a retail podium, the ground floor shall be predominantly clear glazed to provide visual connections between public and private realm and enhance safety. Similarly, public elements of a residential podium (i.e. lobby, amenity space) shall be predominantly clear glazed.

j. On corner lots, articulation of the podium should acknowledge its important location through corner entrances, chamfering (and associated public space), and/or other architectural features.

k. Mixed-use buildings with retail at grade should incorporate vestibules, frequent building entrances, canopies, and structural overhangs to provide weather protection for the length of the street.

l. Weather protective design should be provided at grade and at the podium level through canopies, arcades, and cantilevers. Canopies located on the ground floor should be at least 1.5 metres deep. Weather-protection elements may encroach in building setbacks and should not encroach into the public right-of-way.

m. Projecting balconies should not be provided in podiums. Inset and/or Juliette balconies are appropriate within the podium.

Site Design, Open Space and Streetscaping

a. Parking, servicing, and loading accommodated internally within podium and screened from the street.

b. Access to parking, servicing, and loading provided from the rear of the building, or a laneway where possible. On corner sites, access may be provided from secondary streets provided the entrance facilities are well integrated into the rest of the frontage.

c. Publicly accessible privately owned open spaces ("POPS"), including courtyards, plazas, and parkettes should be encouraged where appropriate.

d. POPS designed and located to encourage public use, provide connections to the broader open space network, and/or highlight important site characteristics.
e. POPS should be used to provide mid-block pedestrian connections through the site and create short block lengths (80-120 metres).
f. Public art encouraged within tall building sites where appropriate through applicable planning tools. Selection and location of public art should reinforce objectives of City's Public Art Master Plan.

Building Middle (Tower)

Section 3.0 of the TBG provides design direction with respect to the tower component of tall buildings, providing that the middle of a tall building is the most substantial and impactful component. Specifically, the tower section enhances the City's skyline and provides a defining landmark. The design and massing of the tower should recognize and reflect this important role and should designed to minimize impacts on adjacent neighbourhoods, parks, and open spaces. The tower should maximize sky views and access to sunlight through slender floorplates and spacious setbacks between towers.

Tower Location

a. Where multiple towers are proposed on a site, they must be arranged to provide a gradual and appropriate transition in height to the adjacent established or planned context.
b. A minimum separation distance of 25 metres should be provided between towers to maximize privacy and sky views, and to minimize cumulative shadow and pedestrian level wind impacts of multiple tall buildings. Balconies may be provided within this separation distance provided they do not excessively contribute to a building's massing.
c. Where no towers currently exist, proposed towers should be set back 12.5 metres from adjacent property lines to protect for a future 25 metre separation distance (split between each property).
d. The tower should be stepped back at least 3 metres from the podium to differentiate between the building podium and tower, and to ensure usable outdoor amenity space (i.e. patios).
e. For design flexibility, a portion of the tower (i.e. up to 20%) may extend to the edge of the podium without a stepback provided it can be demonstrated that there are no adverse wind and shadow impacts.

Tower Height and Massing

a. Provide a gradual and appropriate transition in height to help mitigate potential impacts on the adjacent established or planned context. Where multiple towers exist on a site, this transition shall be reflected across the entire site.
b. The tower portion of a tall building should be slender and should not exceed 750 square metres, excluding balconies.
c. The massing of the tower, and its relationship to the building base, must not result in adverse wind effects at the street level.

Shadow/Sky Views

a. The design and placement carefully considered to minimize size of shadows on the opposite streetscape.
b. The design, height, and placement must be compatible with adjacent established residential neighbourhoods, parks, open spaces, or natural areas; or those stated in the Shadow and Pedestrian Level Wind Study Guidelines and Terms of References.
c. The widest edge of the tower generally oriented to minimize the impacts of shadows.
d. A shadow study must be provided with tall building application.

Tower Design and Articulation

a. Articulate the tower, both vertically and horizontally, to create visual interest and encourage unique designs.
b. All sides constructed with highest quality architectural design and materials.
c. Lighter materials, such as glass, are encouraged in the design to minimize perceived mass.
d. Heavier materials, such as metal, brick, or stone should be used to define unique components within the tower and/or to create vertical and horizontal articulation.

Balconies are encouraged within the tower to provide amenity space and additional articulation. They may be inset or extruding but should be a minimum of 1.5 metres to provide usable outdoor amenity space.

Building Top

Section 4.0 of the TBG provides design direction with respect to the tops of tall buildings and provides that the top of tall buildings defines the tower and helps distinguish a unique and interesting skyline. Specifically, a variety of elements, including stepbacks, material variations, lighting, and other architectural elements can be used to reinforce a strong presence at the top of the building. Where possible, rooftop amenity space is recommended to create activity at the upper levels of the building. Structural elements, such as the mechanical penthouse and elevator shafts should not be visible from ground level.

Rooftop Design and Articulation

a. Design upper floors to clearly distinguish top of building from tower to further reduce the building profile, and to achieve distinct skyline.
b. Where the design of the tower itself is unique, and creates an interesting and varied skyline, a clearly distinguishable top may not be required.
c. Where located at a gateway intersection or terminating view, the tower top is encouraged to act as a recognizable landmark with signature features defining its importance.
d. Where possible, outdoor amenity space should be included within the top of the building, including balconies and patios, terraces, rooftop gardens, pools, etc.
e. Decorative lighting could be included within the tower design but over lighting or up lighting should be avoided.

Mechanical Penthouse

a. Rooftop mechanical equipment sized, located, and screened from view.
b. Where possible, rooftop mechanical equipment wrapped by residential units, or other occupiable space (i.e. amenity areas).
c. Rooftop mechanical equipment should be stepped back on all sides, no less than 3 metres from the edge of the floor below. Equipment should be screened from view.
d. For the reasons set out below in Section 5.0 of this report, we are of the opinion that the proposed development is in keeping with the City's Tall Building Design Guidelines.

4.11 Sustainable Building and Development Guidelines (April 2019)

The purpose of the Sustainable Building and Development Guidelines is to encourage sustainable design approaches through Planning Act applications, in keeping with the City's declaration as a sustainable community, and in alignment with Burlington's Strategic Plan 2015-2040.

The guidelines address sustainability approaches related to site design, transportation, the natural environment, water, energy and emissions, waste and building materials, and maintenance, monitoring, and communication. The guidelines serve as a comprehensive checklist of various sustainable design, construction, and operation approaches, while the checklist is enabled by the Sustainable Design policies of the Official Plan and is meant to be a tool to encourage voluntary sustainable development practices and to highlight required sustainability measures as identified in the Official Plan, Zoning By-law, and other city by-laws.

Of the required sustainability measures outlined in the Sustainable Building and Development Guidelines, only 5 pertain to Official Plan and Zoning By-law Amendment applications. Those measures consist of site connections; bicycle storage (provided in accordance with Zoning By-law policy); stormwater quality with respect to stormwater runoff; urban heat islands which requires vegetated landscape areas in hard surface areas; and waste management plans to provide and implement waste management practices in accordance with Regional requirements. It is anticipated that the proposed development will meet all required sustainability measures outlined above.

4.12 Shadow and Pedestrian Level Wind Study Guidelines (June 2020)

The City of Burlington retained Brook McIlroy Inc. to assist with the creation of the Shadow and Wind Studies. The Community Planning, Regulation and Mobility Committee approved the Shadow and Pedestrian Level Wind Study Guidelines and Terms of Reference (PL-08-20) and was given final approval by Council on June 22, 2020.

The purpose of the Shadow Study Guidelines (the "SSG") is to provide a best practices approach to Shadow Studies in order to promote high-quality development proposals that ensure adequate access to sunlight is maintained for the enjoyment of public and private spaces. The SSG states that the document should be used by the development community to inform development proposals within the City of Burlington and that the document is a tool for City Staff to be used in the review and evaluation of development applications.

Shadow Study Guidelines

Section 2.0 of the SSG states that shadow studies are generally required for development proposals with building heights of 5- storeys of more. Section 3.0 speaks to the methodology for the Shadow Study and provides that the required dates and times for the studies will vary depending on the specific Shadow Impact Criteria. Section 3.0 further provides study date times which include the solstices, June 21, and December 21 as well as the equinoxes, March 21, and September 21; study test times, ranging every hour on the hour from 8:00 to 19:00; and the time zone, which states that all studies must be in the eastern time zone, with criteria for Standard and Daylight-Saving Time.

Section 4.0 of the SSG provides the shadow impact criteria related to the studies. It notes that the criteria cannot be applied universally due to unique site specific and surrounding built form and land use attributes. Five unique Shadow Impact Criteria have been developed to respond to desired uses, and, as such, each area will include unique evaluation criteria with different times, dates and standards as noted in the SSG.

Key Civic and Cultural Spaces

Proposed developments should not cast any net new shadows on Key Civic and Cultural Spaces between 10:00 and 16:00 on the following dates:

- March 21; and.
- September 21.

Key Civic and Cultural Spaces include but are not limited to:

- Civic Square (426 Brant Street)
- Elgin Promenade Square (391 Brant Street)
- Spencer Smith Park (1340 and 1400 Lakeshore Road)

The purpose of this criteria is to protect Key Civic and Cultural Spaces from new shadowing that would impede their use and enjoyment and recognize the importance of maximum sunlight on these identified landmark sites in Burlington.

Private Outdoor Amenity Spaces

To maximize the usability of private outdoor amenity areas such as rear yards, decks, and (rooftop) patios, including common outdoor amenity areas, shadows from proposed developments should not exceed 2 hours in duration, between 09:00 and 18:00 on:

- March 21

Where existing shadows limit access to sun during the times above, net new shadows resulting from proposed buildings should allow a minimum amount of sunlight to reach nearby private residential outdoor amenity areas, including common outdoor amenity areas, between the hours of 9:00 and 18:00 on the specified day. The criterion is met if the Sun Access Factor is at least 0.22 on each of the test dates

Parks and Open Spaces

Shadows cast by all existing buildings and proposed developments onto lands designated or used for Parks and Open Spaces must allow for either: a) full sunlight 50 per cent of the time; or b) 50 per cent sun coverage at all times during the specified periods.

- March 21st (09:00 to 18:00);
- September 21st (09:00 to 18:00); and,
- December 21st (11:00 to 15:00).

The purpose of this criterion is to ensure adequate access to sunlight at all times of the year. December 21st is included to encourage the use of lands designated or used for Parks and Open Spaces during the winter season. The criterion is met if the Sun Access Factor is at least 0.50 on each of the three test dates.

Places Where Children Play

On the following dates, shadows cast by all existing buildings and proposed developments onto places where children play including but not limited to school yards, playgrounds, and park features such as wading pools or other outdoor shadow-sensitive activity areas as identified by the City of Burlington, must allow for either a) full sunlight 50 per cent of the time; or b) 50 per cent sun coverage at all times during the specified periods.

- March 21st (09:00 to 18:00);
- September 21st (09:00 to 18:00); and,
- December 21st (11:00 to 15:00) - applies to school yards and playground areas only.

The criterion is met if the Sun Access Factor is at least 0.50 on each of the three test dates.

Public Realm and Sidewalks

On the following date, shadows cast by all existing buildings and proposed developments onto the full extents of the boulevard and sidewalk on the opposite side of the adjacent right-of-way, must allow for either a) full sunlight 50 per cent of the time; or b) 50 per cent sun coverage at all times between 09:00 and 18:00 on:

- March 21st

The criterion is met if the Sun Access Factor is at least 0.50 for the specified date

Section 5.0 of the SSG further provides mitigation measures for when shadow impacts are considered unacceptable. These measures include:

- Lot assembly;
- Reducing building footprint;
- Building massing adjustments;
- Reduction in building height; and.
- Building placement and orientation.

In support of the subject proposal, we have submitted a Shadow Study that provides a review and analysis of the proposal against the SSG and concludes that the proposed building achieves the intent and purpose of these guidelines. A summary of the results of that study is included in Section 5.5 of this report.

Pedestrian Wind Study Guidelines

The purpose for a Pedestrian Level Wind Study (the "PLWS") is to predict and assess the wind impacts of proposed buildings and site designs on surrounding public and private spaces in addition to on-site wind conditions. Section 1.2 of the PLWS provides that this document should be used by the development community to inform development proposals within the City of Burlington and that this document is a tool for City Staff to be used in the review and evaluation of development applications.

Section 2.0 of the PLWS provides the triggers for a wind study and include: building height; number of buildings; site location; and site area. Section 3.0 of the PLWS speaks to the methodology of the study and includes wind data collection; qualitative assessment; and quantitative assessment.

Section 4.0 speaks to wind impact criteria and states that "to evaluate wind impacts, the public realm context surrounding a proposed development is evaluated based on various intended uses in outdoor spaces within the boundaries of, and in proximity to the proposed development."

Section 4.2 of the PLWS provides five comfort criteria that are used when analyzing the proposed development and include: Sitting; Standing; Leisurely Walking; Fast Walking; and, Uncomfortable. Descriptions used in the Pedestrian Wind Comfort Criteria are to be applied to specific locations on and around a proposed development site, based on the intended use of each space.

Section 5.0 of the PLWS provides mitigation measures that can be used when wind conditions are considered unacceptable. These wind control measures may include:

- Building massing adjustments or alternative designs that are more responsive to the local wind climate;
- Incorporating podiums, tower setbacks, notches and/or colonnades;
- Strategic implementation of canopies, wind screens, façade elements, landscaping, planters, public art and/or other features that prove to be effective for mitigating problematic wind conditions; and,
- Modifications to the proposed function of an area.

In support of the subject proposal, a summary of the Pedestrian Wind Level Study is included within Section 5.5 of this report.



5 Planning & Urban Design Analysis

5.1 Pre-Application Consultation

Community Engagement

On November 17, 2021, a virtual pre-application community meeting took place for the subject proposal. As part of the community meeting, City staff outlined the process and existing planning framework, while the applicant's consultant team presented a conceptual proposal for the site. The proposal was similar to what is proposed now in Section 3.0 of this report with respect to height and density and some revisions were made to address specific design-related comments from the public. The following is a summary of the comments and concerns that were raised by the public:

General Comments

- Several comments and questions in opposition to the proposal including questions why developers are permitted to change the existing zoning.
- Question about impact on property values
- Questions of clarification regarding proposed retail unit size and amount of parking

Building Height and Land Use:

- Several comments were received regarding the proposed building height, indicating that it was too tall for the area, with the public expressing that the proposal should respect the mid-rise heights (6-storeys) contemplated in the precinct plan
- The public raised concerns that the proposal does not suit the character of the neighbourhood
- Commented on the need for a grocery store in the area

Traffic and Parking

- Concern regarding lack of parking for residents and the retail units
- Concerns of additional vehicle trips and how those vehicles could create traffic that may impede emergency vehicle response times.

Infrastructure and Capacity

- Concerns about inadequate infrastructure and public service facilities (schools, transportation, servicing)
- Concerns about capacity of the Aldershot GO being able to accommodate increased population, given that most of the trains are already full travelling to and from Union Station in Toronto

Burlington Urban Design (BUD) Review Panel

On October 21, 2021 the applicant's consultant team presented the initial conceptual proposal for the subject site. City Staff sought the Panel's advice on 3 main themes at the meeting. The following provides an extract of Staff's 3 questions and the Panel's advice on each:

Question #1: Response to Context – *Please comment on compatibility and the proposed buildings transition to and interface with neighbouring properties. Does the proposed development's building form represent an appropriate scale, massing and design response to its surrounding (existing and planned) context and how do its design elements enhance community character?*

Panel Response: The Panel commented that until the area-specific plan for this area is finalized and the structural elements of the area is established, the proposal is considered premature because the planned context and character of the area is still being planned (e.g. location of parks, plazas, other public amenities, street hierarchy and character.

Moreover, generally, the Panel felt that that the proposal will not set a positive context for the future. It was noted that the proposal will replace existing trees on site and sunlight access on all sides of the site with 4-storeys of parking and blank walls fronting a public street and no active uses at grade. Also, the podium is situated extremely close to the lot lines, which leaves little room for maintenance or vegetation, and could sterilize adjacent development. The Panel challenged the proponent to consider whether positive change is being provided through this development other than additional housing, and to provide broader community contributions and design themes for the public realm.

The Panel noted that the City's emerging vision for this part of Waterdown Road to take on a mid-rise character, particularly Plains Road which is becoming and is also planned to have a mid-rise character. The Panel was concerned that the proposal does not align with the City's emerging vision for this area and will negatively affect the ability to achieve appropriate transitions from Masonry Court to the mid-rise character of Plains Road. It was note that the Design Team presentation suggests an intention by the proponent to step-up in height from the proposed building to Masonry Court in the future on their remaining land holdings on Waterdown Road.

The Panel commented that a strong context analysis and tertiary plan for the block should be included in the formal submission of the application, as a fulsome discussion of the surrounding context and how the proposal will relate and integrate with the overall development of the block and impact adjacent properties is currently missing. The tertiary plan should include direction on matters such as: access points; location of non-residential uses and community amenities; how massing will evolve and transition to Plains Road; the role of the northeast corner of Plains/ Waterdown; transit access; and streetscape design.

Lastly, it was also noted that the submission package identifies the location of proposed developments in the vicinity of the subject site, but not the details (e.g. size, height). This information should also be provided in the future submission package.

Question #2: Architectural Design Features - *Please comment on the building's architectural expression, including: façade articulation (podium and tower); building placement and orientation; rooftop treatment; and, materiality.*

Panel Response: The Panel commented that the proposal appears to be an early concept. More work with respect to massing and design, with a focus on reducing parking, is needed. The Panel reiterated that the massing and design of the building should be informed by a strong context analysis and understanding of how the surrounding area will evolve.

Images and a 3D model showing how the area will develop based on the City's guidelines should be provided as part of the context analysis. Appropriate transitions and compliance with the City's urban design guidelines should be provided. Opportunities to coordinate with properties on Cooke Boulevard to establish a shared garbage lane could be explored.

Regarding massing, the Panel felt that the massing of the podium should be reduced. Blank walls at the sides may be appropriate up to a certain depth; beyond that, the podium should be set further back from the sides.

Moreover, considering the site is located within an MTSA, the ground level and above grade parking levels should be designed to allow for flexibility in use. The ground floor should be designed to allow for retail uses now, and employment and office uses in the future. Similarly, above grade parking

should be designed to be convertible to other uses in the future when there is less parking required. It was noted that the plans show column structures in the tower. The Panel welcomed the use of column structures as they would allow for flexibility in unit size in the future.

Improvements to the façade design of all sides of the podium along with appropriate setbacks for the ground floor amenity space were also recommended, as they will be quite visible for the short and medium time frames. Also, overall, the Panel recommended more active uses and amenity space at the ground floor. It was also noted that a 20 to 22 foot ground floor height is unusually tall and creates alignment issues with adjacent buildings.

Question #3: Site Design /Sustainable Design – *Please comment on the proposed site design; particularly, with respect to the private realm and its relationship to the public realm (i.e., the Waterdown Road streetscape); its treatment and on-site arrangement of buildings and uses in promoting promoting pedestrian and transit connectivity; and, location and accessibility of amenity areas in the context of an integrated community design. Does the Panel have any feedback on possible sustainable design strategies that could be incorporated into the design of the proposed development?*

Panel Response: The Panel expressed concern about the sustainability of the design of the façade. Glazed buildings do not meet environmental standards for heating and cooling. Even 40% glazing is too much. Correct decisions about glazing should start at the very early design stages.

The subject site is in an emerging transit-oriented community. Transit and active transportation should be encouraged and would help reduce greenhouse gases and the heat island effect. Providing onsite bike storage and employment uses for people should be considered. Site and building design should also take into consideration the active transportation design of Waterdown Road.

Social sustainability and resilience and a high quality of life should also be considered. Access to sun, trees, amenity space, and affordable housing are all important aspects of liveability.

More outdoor amenity space should be provided; it could be designed to address stormwater management and climate change issues (e.g. rooftops). Additionally, all neighbouring trees within 6 m beyond the property line should evaluated. All healthy neighbouring trees should be preserved to assist with stormwater management. The Panel emphasized these points by noting that the existing site is more than 80% permeable, whereas the proposal would result in a site that is 95% impermeable.

Responses to Public and BUD Comments

Based on the comments received from the pre-application community and BUD meeting, we note the following in response:

Built Form, Height, and Context

In our opinion, the subject site is in an area that is planned for significant intensification and physical change. As described in Section 5.2 and 5.4 of this report, it is our opinion that the site is an appropriate location for a tall building with both the in-force Official Plan and the New OP's vision of a high density, compact, and transit supportive MTSA with planned 20-minute Regional Express Rail service. Furthermore, the 6-storey height maximum in both the in-force and New OP, and contemplated maximum height of 6-10 storeys in the Aldershot GO Preliminary Preferred Precinct Plan, in our opinion, are arbitrary height limitations that do not appropriately consider the proximity to the GO station, the distance away from the low-rise residential areas, the width, classification, and purpose of Waterdown Road as a multi-purpose arterial road and are not based on a comprehensive built form structure evaluation that considers development on individual properties or on a block plan scale. The proposed development is not premature given that the Provincial and Regional planning policies for the last decade and more have stressed and mandated the need for compact development, higher

transit-supportive densities around existing and planned transit stations. The area surrounding the Aldershot GO is currently underdeveloped given the existing train service (7-days/week, all-day, 30 minute GO train service. VIA rail connections) and surface transit connections (GO bus, Burlington Transit etc.). There is a significant discrepancy between the existing context which is mainly 1-2 storey residential dwellings/converted commercial buildings/light industrial buildings in an automobile-dominated environment and the planned context which is a pedestrian and transit-orientated, higher-density neighbourhood with a mix of commercial and residential uses. In our opinion, although the existing context is important to consider, it is also appropriate to consider that the existing context represents a serious underdevelopment of the current land use designations and in-effect zoning regulations which permit 6-storeys as-of-right.

The characteristics of Waterdown Road which are listed above differentiates it from Plains Road in terms of the appropriateness for tall building forms versus mid-rise buildings. The Aldershot GO MTSA is expected and planned to undergo significant physical change, almost exclusively in the form of compact, transit-supportive, and pedestrian-orientated mid-rise and tall building forms.

The podium has been designed with the City's Tall Building Guidelines in mind with respect to proportions, streetwall height, and setbacks. Specifically, the podium has be located close the street edges so as to frame Waterdown Road, creating an improved streetwall with new active at-grade uses. In this regard, the building base has been set back far enough from the street to create a wide boulevard (between 6.0 and 7.0 metres) to accommodate pedestrian movement, street trees, landscaping, and bicycle parking.

With respect to the proposed towers, the proposed floor plates are approximately 750 square metres (excluding balconies), resulting in a slender tower, and are therefore, in keeping with the City's Tall Building Guidelines. Furthermore, the tower setbacks from the podium provide for additional articulation between the towers and podium. Specifically, the tower is setback 12.5 metres from all interior and rear lot lines to ensure that appropriate separation can be provided between abutting developments. A Block Plan was prepared for the subject applications to demonstrate how the development of the subject site can fit into the overall development of the block. This Block Plan is provided in Section 5.5 of this report. The block plan aligns with the preferred precinct plan, since it provides a built from transition along Waterdown Road from Masonry Court to Plains Road (north to south) and from Waterdown Road to Clearview Avenue (east-west). It also provides for a "main street" concept along Waterdown Road with articulated mixed-use podiums.

The public commented that a tall building does not fit within the character of the area. However, the preferred precinct plan contemplates tall buildings in various locations throughout the neighbourhood and in some circumstances much closer to existing stable residential neighbourhoods. As such, it is our opinion that the proposal should not be revised to address this concern, since the subject site and MTSA are appropriate locations for a tall building and optimization of density on the subject site conforms to provincial, regional and local planning policy.

The proposal has been designed and analyzed in detail by an interdisciplinary team from a variety of perspectives. Further to the completion of the detailed analysis that has been completed, the proposed development is appropriate, does not create unacceptable adverse impacts and is compatible with the surrounding existing and planned context. This is discussed in more detail in the following sections of this report and the supporting urban design rationale.

Traffic, Parking, and Infrastructure Capacity

In response to the concerns raised regarding parking, a Parking Justification Study is included in the Transportation Impact Study prepared by C.F. Crozier & Associates Inc. This parking study concludes that the parking supply is expected the slightly exceed the peak parking demand at the site by 3 spaces even after considering the peak retail parking demand at the site and that the total parking supply proposed on the site will be sufficient for the proposed uses.

In response to the concerns from area residents regarding infrastructure capacity (i.e., servicing, schools, public service facilities), it is the intent of the Aldershot GO Area-Specific Planning project that the MTSA area be looked at comprehensively to identify ideal locations for parks and additional public service facilities. This work is ongoing, however, the subject site was not identified as a potential location for any of these facilities. In terms of transportation and servicing capacity, C.F. Crozier and Associates Inc. have prepared a Transportation Impact Study for the proposed development and concluded that the addition of the future traffic generated from the proposed development is not expected to significantly impact operations at the surrounding intersections and the future traffic conditions are expected to be very similar to what exists today. S. Llewellyn & Associates prepared a Functional Servicing Report with respect to the water, wastewater, sanitary, and stormwater management of the site and concluded that, subject to implementing and installing the report's recommendations in terms of size and type of connections, that the proposed development can be serviced in order to meet the City and Region's requirements.

5.2 Intensification

Residential intensification on the subject site is appropriate and desirable and in keeping with the policy framework set out in the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, the Halton Regional Official Plan, including ROPA 48, and the in-force City of Burlington Official Plan. Each of the noted policy frameworks promote intensification, redevelopment of underutilized lands, and a compact built form, specifically within strategic growth areas including MTSAs. Furthermore, these policies direct intensification towards areas that are appropriately serviced by existing infrastructure including public transit. The proposed tall building will help achieve and conforms with the policies laid out in the Growth Plan, Regional Official Plan, and evolving Burlington Official Plan.

Following the above noted policy frameworks, it is important to ensure that lands which are well suited for intensification are utilized to their highest and best use. The subject site is located in an area where it will be able to implement policies set forth in the PPS, which include intensification, redevelopment, and creating a healthy community. Policy 1.1.3.1 and 1.1.3.2 of the PPS indicates that Settlement Areas are to be the focus of growth and development as well as promoting densities and land uses that efficiently use land, resources, and infrastructure. In addition, policy 1.1.3.6 of the PPS states that new development taking place in designated growth areas shall have a compact form, a mix of uses and densities that allow for the efficient use of the land.

> ***Response:*** *The proposal conforms to the Growth Plan policies, more specifically intensification policy that directs growth and intensification to settlement areas that consist of built-up areas, strategic growth areas (including MTSAs), and locations with existing or planned transit, with priority on higher order transit. Furthermore, with the subject site being located within the delineated built-up area, the Growth Plan policy states that this is the area where 50 percent of residential development shall occur. The proposal will assist in implementing this policy by providing residential development within the City of Burlington's built-up area. Subsection 2.2.4 of the Growth Plan contains policies regarding MTSAs and the proposed development conforms to these policies by proposing a transit-supportive density within an MTSA which will help optimize the turn on investment and efficiency and viability for the existing and future transit service levels (Policies 3.2.3(1) and 3.2.3(2)).*

The proposed development is supportive of many of the policies laid out in the Regional Official Plan relating to mixed-use intensification, specifically with SGAs and MTSAs. Policy 79 of the ROP refers to SGAs as part of the Urban Area, which include major transit stations and arterial roads. The subject site fronts onto a multi-purpose arterial road and is within the Aldershot GO MTSA.

Policy 79.3(1) requires that development with higher densities and mixed use areas be directed to SGAs in a hierarchy; the Aldershot GO MTSA, given its location along a Commuter Rail Corridor, is 2nd in priority, after MTSAs on a Priority Transit Corridor (i.e., Burlington GO MTSA) and the City's Urban Growth Centre.

> ***Response:*** *The proposal meets the intent of this policy as it is proposing a compact, higher-density form of residential development within an MTSA supported by existing regional and local transit service.*

The ROP goes on to further provide policies explaining that intensification areas are to provide an urban form, promote live-work relationships, foster social interaction, reduce travel by private automobile and promote active transportation, and to be more environmentally sustainable.

> ***Response:*** *The proposal implements these policies in a number of ways, specifically by creating a compact urban form of development, consistent with approved and proposed developments within the surrounding area and creates social interactions by increasing densities which encourages community involvement. The proposal also provides a more environmentally sustainable form of development by increasing the density, meeting provincial intensification targets and redeveloping already developed underutilized lands which limits the need for urban sprawl. The proposal would further promote the use of active transportation and the reduction of travel by private automobile by providing a higher concentration of people in a mixed-use area with nearby amenities that will help utilize the existing transit options in an area that can accommodate such.*

Although the in-force OP is outdated and has not been updated to reflect the current or previous Growth Plan documents, it does have a policy framework that encourages intensification, specifically within the Mixed Use Activity area, which the subject site is located within.

> ***Response:*** *In this regard, the policy framework directs growth to Mixed Use Activity Area which includes mixed use corridors and calls for a broader mix of residential dwelling types, encourages infill development on under-utilized lands, and emphasized other forms of transportation to reduce congestion and encourage active forms of transportation.*

The in-force OP requires that the design and development of Mixed Use Activity Areas be focal points for community areas that are characterized by a compact form of development, pedestrian-orientation, and higher intensity development (Policy 5.2.2(d)) and that development shall be transit-supportive (Policy 5.3.2(h)).

> ***Response:*** *The proposed building is located parallel to the public street which defines the street edge and the podium is designed to frame the adjacent street in a way that balances the right-of-way width of Waterdown Road with the provision of a pedestrian-scale environment. The primary public entrances for the residential lobby and ground level retail uses are located at-grade and orientated towards the public right-of-way which means they will be highly visible and accessible from the public sidewalks. The proposed Landscape Concept illustrates that the private and public realms will be connected via decorative paving walkways and adequate space is proposed to accommodate landscaping and street trees. Parking will be provided via underground and above-grade parking structures. For the portion of parking located above-grade, appropriate cladding and architectural treatment is proposed to integrate the above-grade parking and minimize its the visual presence. The number of vehicle entrances are limited to 1 located along the northern property line, helping to minimize the interaction between pedestrians and vehicles and promote pedestrian safety. The proposed development conforms to these policies by providing a compact form of development with a transit-supportive density that is pedestrian-orientated.*

In our opinion, the subject site is significantly underutilized in its current form and the level of intensification in the in-force Official Plan and contemplated in the New OP and Aldershot GO MTSA Precinct Plan is not appropriate given the site's location within 500 metres of the GO station along a 30.0 metre-wide arterial road, and given the site's distance away from low-rise residential areas. Further intensification on the subject site will more efficiently utilize and optimize the use of land and infrastructure by providing new housing in a transit-supportive and compact built form, directly supporting the policy directions of the PPS, Growth Plan, and Official Plan, which seek to integrate land use and transportation planning in identified intensification areas. The optimization of density on the subject site is consistent with both good planning practice and overarching Provincial, Regional and City policy direction, subject to achieving appropriate built form relationships which will be assessed in Section 5.4 below.

Although the in-force Official Plan is outdated and has not been updated to reflect the current or previous Growth Plan documents, it does have a policy framework that encourages residential intensification. In this regard, the policy framework directs growth to specific mixed use activity areas (including Waterdown Road), calls for a broader mix of residential dwelling types, encourages infill development on under-utilized lands, and emphasized other forms of transportation to reduce congestion and improve environmental conditions. The housing intensification policies encourages residential intensification and provides criteria (Policy 2.5.2(a)) that shall be considered when evaluating intensification within established neighbourhoods, which includes:

i. adequate municipal services to accommodate the increased demands are provided, including such services as water, wastewater and storm sewers, school accommodation and parkland;

Response: *S.Llewellyn & Associates Ltd. prepared a Functional Servicing Report in support of the application, which concludes that there are adequate municipal water, wastewater and storm sewers to service the proposal. Through the circulation of the subject applications to the school boards and City parks division will comment on the adequacy of schools and parks.*

ii. off-street parking is adequate;

iii. the capacity of the municipal transportation system can accommodate any increased traffic flows, and the orientation of ingress and egress and potential increased traffic volumes to multi-purpose, minor and major arterial roads and collector streets rather than local residential streets;

Response: *Paradigm Transportation Solutions prepared a Transportation Impact Assessment and concluded that the proposed development provides sufficient parking and the municipal transportation system can accommodate the proposed development.*

iv. the proposal is in proximity to existing or future transit facilities;

Response: *The proposed development is within walking distance to the Aldershot GO transit station and well served by Burlington Transit.*

v. compatibility is achieved with the existing neighbourhood character in terms of scale, massing, height, siting, setbacks, coverage, parking and amenity area so that a transition between existing and proposed buildings is provided;

Response: *As discussed further in this report, it is our opinion that the proposal is compatible with the existing neighbourhood character.*

vi. effects on existing vegetation are minimized, and appropriate compensation is provided for significant loss of vegetation, if necessary to assist in maintaining neighbourhood character;

Response: *Adesso Design Inc. prepared a tree preservation plan and landscape plan in support of the subject applications. The purpose of the tree preservation plan is to identify and minimize effects on existing vegetation*

vii. significant sun-shadowing for extended periods on adjacent properties, particularly outdoor amenity areas, is at an acceptable level;

Response: *Zedd Architecture Inc. prepared a shadow study, which illustrates the proposed development will not shadow adjacent properties for extended periods.*

viii. accessibility exists to community services and other neighbourhood conveniences such as community centres, neighbourhood shopping centres and health care;

Response: *There are a number of community services within walking distance of the subject site including Hidden Valley Park, LaSalle Park, Aldershot School, Glenview Public School, and Holy Rosary Catholic Elementary School. There are a number of neighbourhood shops and health care services also within walking distance along Plains Road East. There are no community centres within walking distance, however, they are accessible public transit and by automobile.*

ix. capability exists to provide adequate buffering and other measures to minimize any identified impacts;

Response: *As discussed further in this report, it is our opinion that the proposal is compatible with the existing and planned neighbourhood character and any built form impacts have been adequately addressed.*

x. where intensification potential exists on more than one adjacent property, any re-development proposals on an individual property shall demonstrate that future re-development on adjacent properties will not be compromised, and this may require the submission of a tertiary plan, where appropriate;

Response: *A conceptual block plan has been prepared to illustrate how the surrounding lands on the subject site's block can be development so that development on adjacent properties will not be compromised. Also, in our opinion, the conceptual block plan implements the City's preferred precinct plan for the Aldershot GO MTSA.*

xi. natural and cultural heritage features and areas of natural hazard are protected;

Response: *Through the City's pre-consultation process it was determined that there are no cultural heritage or areas of natural hazard and, as such, a cultural heritage impact assessment and natural heritage study were not required in support of the subject applications.*

xii. where applicable, there is consideration of the policies of Part II, Subsection 2.11.3, g) and m); and

Response: *S. Llewellyn & Associate, in their Functional Servicing Report, speak to stormwater management (Section 2.0 of their report), which did not identify any floodplain issues or any capacity issues with the existing storm sewer capacity.*

xiii. proposals for non-ground oriented housing intensification shall be permitted only at the periphery of existing residential neighbourhoods on properties abutting, and having direct vehicular access to, major arterial, minor arterial or multi-purpose arterial roads and only provided that the built form, scale and profile of development is well integrated with the existing neighbourhood so that a transition between existing and proposed residential buildings is provided.

Response: *The subject site is located at the periphery of a neighbourhood and along a minor arterial road (Waterdown Road). It also deviates from the City's preferred precinct plan for the Aldershot GO MTSA and shifts taller buildings to Waterdown Road, away from and providing transition to the stable residential neighbourhood to the east along Clearview Avenue, which conforms to Policy 2.5.2(a)(xiii).*

5.3 Land Use

The proposed mixed-use building is appropriate and conforms to the overarching policies found in the PPS, Growth Plan, Regional Official Plan and in-force Official Plan, which seek to utilize and optimize the use of land and infrastructure in a transit-supportive way. The proposal requires an amendment to the in-force Burlington Official Plan in order to re-designate the subject site from *Mixed Use Corridor – Employment* to a site specific *Mixed Use Corridor* designation. The re-designation is to allow for the proposed residential uses, while the site specific provisions are required to increase the height and density.

The proposal conforms to the policies laid out in the Growth Plan as per Section 4.3 above. Policy 2.2.1(3)(c) directs municipalities to manage forecasted growth in a manner that provides an urban form that will optimize infrastructure, more specifically along transit and transportation corridors and to support complete communities. The proposed development will contribute to this policy by providing an urban built form that is along a minor arterial road and within an existing MTSA. Policy 2.2.1(4) further states that by applying the policies of the Growth Plan, complete communities will be achieved by featuring a diverse mix of land uses including residential and convenient access to local stores, services and public facilities, and by providing a diverse range of and mix of housing options to accommodate people at all stages of life. The proposal conforms to this policy by helping the community provide a range of different styles of residential living in an urban compact form on land that is appropriate for the use. The development also allows for convenient access to local stores, services and public facilities by providing a housing option close to multiple transportation options and a walkable development to utilize the surrounding commercial and public uses. Furthermore, adding more residents to this area will make existing commercial amenities more viable.

The proposed mixed-use building with at-grade retail/commercial uses and residential uses above conforms with the land use policies of the Region of Halton's Official Plan Regional Structure, more specifically, the Urban Area land use designation which permits a wide variety of commercial and residential uses in a compact urban form. As mentioned in policy 72 of the ROP, the objectives of the urban area land use designation are to support a form of growth that is compact and supportive of transit usage and non-motorized modes of travel, provide a range of complete communities of various sizes, types and character and to promote intensification and increased densities. The proposal implements these policy directions by providing a built form that increases the density, allows for transit support with a higher concentration of people in one area, reduces independence on the automobile and helps to create a complete community by providing additional types of residential choices in the form of a mid-rise building. It also adds new commercial amenities that support walking and reduce vehicle travel. In our opinion, the proposed tall building is supportive and implements the policy framework and conforms to the ROP.

Policy 5.3.1 of the in-force Burlington Official Plan provides the objectives for Mixed Use Corridors, which is to provide a concentration for mixed use development with high density residential, retail, service commercial, office entertainment, community facilities, institutions and open spaces. Policy 5.3.1 b) states that the objective is also to encourage higher intensity, transit-supportive and pedestrian oriented mixed use development in a compact urban form, while retaining compatibility with nearby land uses. Policy 5.3.1c) states the objective to permit mixed use developments on individual sites where various combinations of residential, retail, office and other uses are located, or on different sites where a mix of uses are located next to one another. The proposal conforms to Policy 5.3.1, since it proposes a mixed use (commercial retail and residential) in a high density compact form, which is compatible with nearby uses. Furthermore, the proposal conforms with policy 5.3.2 a), since the proposed retail and high density residential uses are permitted.

Policy 5.3.4(k) of Part III of the in-force Burlington Official Plan provides criteria for developments that propose the re-designation of lands to allow non-employment uses (i.e., residential uses) on lands designated *Mixed Use Corridor – Employment*. In our opinion, the proposed redevelopment meets the criteria based on the following:

i. "the proposal shall only be considered in conjunction with the Comprehensive Review provisions identified in the Provincial Policy Statement and the policies of Provincial Plans;

ii. the proposal shall not detrimentally affect the short and long-term employment land needs of the City;

Response: *The Region, through ROPA 48, and the City, through its approval of the New Burlington Official Plan, have completed their comprehensive reviews as it relates to accommodating growth in accordance with the Provincial Policy Statement and Growth Plan. Through these processes, the subject site has been designated as falling within a MTSA and a "Primary Growth Area" both of which are planned for mixed use development in a compact urban form and not reserved for solely employment uses as "employment areas" as defined by the Growth Plan. Given the status of these lands and their designations in the ROP and New Burlington Official Plan, it is clear that the use of the subject site for non-employment uses shall not detrimentally affect the short and long-term employment land needs of the City.*

iii. (iii) the intensity and characteristics of the proposed non-employment uses shall not detrimentally impact the viability, desirability, or the proper servicing of existing and future surrounding land uses;

Response: *In our opinion, the proposal is appropriate and desirable and compatible with the existing and planned future uses on the surrounding lands.*

iv. the site's physical and natural characteristics, development constraints and location shall justify the consideration of non-employment uses at the subject location;

Response: *The size and shape of the subject site can comfortably accommodate the proposed tall building with adequate setbacks that are consistent with the City's tall building guidelines. The proposed retail and residential uses are appropriate and conform to the provincial, regional and City planning policy which directs housing and commercial amenities to areas that are well served by public transit including MTSAs. In our opinion, this criteria is intended to protect for employment areas, however, through the Region and City's comprehensive review processes, it has been determined that the Aldershot GO MTSA is planned for a mix of uses that will accommodate the planned population and employment growth and that the lands are not required solely for employment uses.*

v. *re-designation of lands abutting major transportation corridors including railways, highways and major arterial roads shall be discouraged;*

Response: *In our opinion, this policy is intended to protect employment areas along major transportation corridors. However, the Aldershot GO station and surrounding area has been designated and planned as an MTSA and not a planned "employment area". As the area is planned to accommodate population and employment growth in a mixed use compact urban form, it is our opinion that the proposal meets this criteria, since the rail corridor is utilized as a commuter rail corridor and not for large scale industrial purposes.*

vi. support studies as identified in Part VI, Section 5.3, Other Studies Policies of the Plan are prepared;

Response: *As part of the required pre-consultation process, City Staff identified the full list of required applications and supporting studies. These other studies were prepared in support of the subject applications.*

vii. in addition to (i) through (vi) above, the re-designation shall also meet at least two of the following conditions:

  i. the amount of land affected is minor in area based on the projected land requirements within the planning horizon of the Plan;

  ii. the development of the site is not feasible for employment uses within the planning horizon of the Plan;

iii. there are no alternative sites, designated and approved for the proposed use elsewhere in the City;

iv. the proposal will have a beneficial impact on the surrounding uses and the broader community;

v. the development of the land for non-employment uses will meet a public need identified by City Council resolution."

Response: *As previously noted, the subject site is not a designated "employment area" as defined by the Growth Plan. In our opinion, the subject proposal meets criteria iv and v, since the proposal will have a beneficial impact on the surrounding uses and broader community by introducing a mixed use development in a MTSA, which aligns and conforms to provincial, regional and City official plan policy. It will also meet a public need to accommodate population and employment growth in the Aldershot GO MTSA in a mixed use and compact urban form.*

The Council Adopted, but not in effect, new Burlington Official Plan designates the subject site Urban Corridor – Employment. The site is also identified within a "Mixed Use Nodes and Intensification Corridors", "Primary Growth Area", and is located with an MTSA. In our opinion, the proposal conforms with the overarching land use vision of the new Burlington Official Plan, which plans the Aldershot GO MTSA as a mixed use and compact urban form neighbourhood. It permits the proposed retail and residential uses. However, the new Burlington Official Plan includes certain policies that the Owners have appealed, including Policy 8.1.3(8.2)(l) which states that under utilized sites should achieve 50 jobs per net hectare. In our opinion, the new Burlington Official Plan is under appeal and will change prior to its finalization, especially as it relates to the subject site and its required and planned land uses.

Based on the foregoing, it is our opinion that the re-designation of the subject site from Mixed Use Corridor - Employment to Mixed Use Corridor in order to permit the proposed retail and residential apartment uses on the subject site is appropriate and desirable for the following reasons:

- It is consistent with the PPS and conforms to the Growth Plan and Halton Region Official Plan, as amended by ROPA 48;
- It conforms to the overarching policies of the in-force Burlington Official Plan, which call for a higher intensity development in a transit-supportive form along multi-purpose arterial roads and within Major Transit Station Areas;
- It meets the evaluation criteria established in Policy 5.3.2(k) in the in-force Official Plan with respect to site-specific Official Plan Amendments requesting non-employment uses on the subject site;
- The addition of residential uses on the subject site and along the Waterdown Corridor is appropriate considering the proximity to the GO station and will help optimize return on investment and the efficiency and viability of existing and planned transit service levels including the planned Express Regional Rail service;
- It represents good planning practice and will promote the continued evolution of the Aldershot GO MTSA, particularly the Waterdown Road corridor from a low-rise auto oriented one to a mixed-use, transit-supportive, pedestrian-orientated corridor.

5.4 Height, Massing, and Density

In our opinion, and as noted in Section 5.1 above, the site is an appropriate location for residential intensification in land use policy terms. From a built form perspective, it is our opinion that the subject site is a contextually appropriate location for a 29-storey building given its location within the interior of the Aldershot GO MTSA, location along Waterdown Road, a 30 m-wide multi-purpose arterial road and Frequent Transit Corridor, and its distance away from low-rise residential areas of approximately 159 metres.

From an urban structure perspective, the subject site is within a Mixed Use Activity Area (in-force OP) and an MTSA (ROP), an area planned for growth and to transition from a low-rise suburban residential and employment area to a compact mixed use urban area that is transit supportive and focussed on the pedestrian.

The Plains Road corridor is planned as a mid-rise corridor (up to 11 storeys) through both a number of existing and under construction buildings but also approved and proposed mid-rise developments. Mid-rise building forms along the Plains Road corridor are appropriate as this height and massing is able to meet a number of planning objectives such as the application of an angular plane and minimizing built form impacts (i.e., shadowing, wind, etc.) on low-rise stable residential areas beyond the corridor.

The subject site is along a section of Waterdown Road, from Plains Road to the rail corridor that forms part of the Aldershot GO MTSA and is currently occupied by underutilized single detached residential dwellings and employment uses on large parcels of land. In our opinion, this length of Waterdown Road provides an opportunity to achieve the City's vision of developing a mixed use "main street" character, which also optimizes density. In this regard, the Aldershot GO MTSA preferred precinct plan identifies Masonry Court, from Waterdown Road to the station, as the area planned for the tallest and most dense development. In our opinion, this length of Waterdown Road provides an opportunity to transition from the mid-rise corridor along Plains Road to the tallest development at Masonry Court and Waterdown Road, which includes buildings proposed as tall as 45-storeys. A built form structure that includes base buildings pulled close to the street with active uses at-grade and interspersed tall buildings that step up to Masonry Court and down to Plains Road provides is appropriate and desirable in planning and urban design terms.

From a height, massing, and density perspective, it is our opinion that the Waterdown Road corridor should include tall buildings and increased densities in order to optimize development with the Aldershot GO MTSA. These lands are large and deep parcels that front onto a wide (30-40 metres) minor arterial road, located along a bus transit line and within convenient walking distance to the Aldershot GO station, and a significant distance to stable residential neighbourhoods (the closest low-rise residential areas are ±160 metres to the south east and ±170 metres to the north east of the subject site). As already discussed, the in-force Official Plan pre-dates the current Provincial planning framework, including the current (2020) PPS, current (2019, as amended) Growth Plan, as well as its previous amendments in 2017 and 2019. These updated planning policy documents emphasize the need to optimize land use and density on the subject site and surrounding areas, given its location within a strategic growth area and within a Major Transit Station Area.

The 6-storey height maximum in both the in-force and New OP, and contemplated maximum height of 6-10 storeys in the Aldershot GO Preliminary Preferred Precinct Plan, in our opinion, are arbitrary height limitations that do not appropriately consider the proximity to the GO station, the distance away from the low-rise residential areas, the width, classification, and purpose of Waterdown Road as a multi-purpose arterial road and are not based on a comprehensive built form structure evaluation that considers development on individual properties or on a block plan scale.

A Block Plan was prepared for the proposed development to demonstrate the potential of the block bounded by Masonry Court to the north, Waterdown Road to the west, Plains Road East to the south, and Cooke Boulevard to the east. This Block Plan concentrates the tallest building forms at the Waterdown Road and Masonry Court

intersection and illustrates that an appropriate transition in height is achievable from this height peak down Waterdown Road to the existing, approved, and proposed mid-rise building forms along Plains Road East, and ultimately to the low-rise area to the south.

The respective shadow, wind and our urban design analysis demonstrate that the increased height of the building and its impacts on the surrounding properties and public realm are mitigated to an appropriate level.

As is demonstrated in our urban design analysis, the overall building mass will be reduced through its articulated design and its tower setbacks and step backs from the streets and interior and rear lot lines. Further, the overall mass does not create any unacceptable light, view, or privacy impacts by providing a slender tower floor plate. Additionally, the towers have been positioned to provide generous setbacks to the streets and adjoining property lines. In this regard, the tower is setback a minimum of 3.7 metres from the edge of the podium along Waterdown Road, a minimum of 12.5 metres from the southerly lot line, between 13.5 metres and 15.5 from the easterly lot line, and 12.6 metres from the northerly lot line which demonstrates the subject site can comfortably accommodate a tower.

In our opinion, the proposed building base and tower massing would represent an improvement in the quality of built form on the subject site, for the Waterdown Road corridor and for the overall MTSA. The existing detached dwellings and current height and density restrictions represent a significant underutilization of land along a Multi-Purpose Arterial road and within an MTSA. In contrast, the proposed building would continue the urbanization of the Aldershot GO MTSA into a compact, transit-supportive, urban form. The overall building mass will be reduced through its articulated design and step backs at the street as well as to interior and rear lot lines. In our opinion, the overall mass does not create any unacceptable light, view or privacy impacts.

From a density perspective, it is our opinion that the proposed density of 8.20:1 FAR is appropriate and desirable. Firstly, it is important and appropriate from a planning policy perspective to optimize density on the subject site given its proximity to transit and other municipal infrastructure and its designation and identification within a Mixed Use Activity Area within the in-force OP and Primary Growth Area in the New OP.

Regarding compatibility, the in-force Official Plan defines compatible as:

> *"**Compatible** – Development or re-development that is capable of co-existing in harmony with, and that will not have an undue physical (including form) or functional adverse impact on, existing or proposed development in the area or pose an unacceptable risk to environmental and/or human health. Compatibility should be evaluated in accordance with measurable/objective standards where they exist, based on criteria such as aesthetics, noise, vibration, dust, odours, traffic, safety and sun-shadowing, and the potential for serious adverse health impacts on humans or animals. **

In our opinion, the proposed development is capable of co-existing with and will not have undue physical or functional adverse impacts on existing and future development in the area. The abutting single detached dwellings to the north, the converted dwellings to the south, and single storey office and commercial buildings along Cooke Boulevard are designated and planned for a higher intensity use in the in-force OP with higher density planned in the Council adopted official plan. In this regard, the proposed development has been designed to adequately transition to the properties immediately abutting the site through the absence of any windows on the north, east, or south facades allowing for the abutting properties to build to the lot line, helping to facilitate a consistent streetwall. Accordingly, it is our opinion that the proposed development can accommodate additional density as the additional number of residential units can be supported from a servicing and transportation perspective which is discussed below in Section 5.7 of this Rationale.

Based on the foregoing, it is our opinion that the proposed height, massing and density are appropriate and desirable in land use planning terms.

5.5 Built Form Impacts

Light, View, and Privacy (LVP) impacts are generally dealt with through a combination of spatial separation, orientation, and mitigating measures between buildings. In our opinion, the proposed building has been carefully considered to reduce the impacts on the surrounding streetscape, park, commercial uses, mixed use towers, and low-rise residential neighbourhood.

Sky View

The proposed building will not result in any unacceptable sky view impacts, given the surrounding built form context. When viewed from Waterdown Road or Plains Road the proposed building will not create an enclosure that will limit sky views in any way, given the proposed slender tower floor plate (750 square metres), the width of Waterdown Road, and the tower stepbacks from the podium edge along the street. The tower is also set back between 12.5 metres and 13.5 metres from all interior and rear lot lines which pulls the tower away from the property lines, providing a significant separation distance to existing and future development on abutting properties.

Shadow Impact

In order to assess shadow impacts from the proposed development a shadow study was prepared by zedd architecture inc. The study illustrates the shadow impacts for March 21st, June 21st, and September 21st in hourly increments between 8:00am and 6:00pm.

The proposed development was assessed against the criteria contained in Section 4.0 of the City's SSG. The analysis done by zedd architecture determined the Sun Access Factor (SAF) on nearby existing residential amenity areas and the public boulevard on the opposite side of the adjacent right-of-way (Waterdown Road). The SAF for the nearby residential amenity areas on March 21st is 0.78 which greatly exceeds the City's criteria of 0.22. The SAF for the opposite-side boulevard on Waterdown Road is 1.03 which also greatly exceeds the City's criteria of 0.5.

Generally speaking, the shadows expected to be cast from the proposed development travel quickly given the slender tower floorplate. The shadow study illustrates that there is some shadowing on Waterdown Road for a short period in the morning between 8am and 10am on March 21st, June 21st, and September 21st and some shadowing on Cooke Boulevard to the east in the evenings on March 21st. At 6:00pm on June 21st and September 21st there is some incremental shadows expected on Plains Road East. This particular area of Plains Road East is expected to be impacted by the shadows cast from 3 different development applications, currently either appealed to the OLT or under review by the City: 53-71 Plains Road East/1025 Cooke Boulevard and 40-70 Plains Road East.

With respect to the lands to the northwest and east of the site that are impacted between 11:00 am and 5:00pm, it is our opinion that these lands are designated and intended for a higher density use and will eventually redevelop with a more intense land use than what is existing.

There are no parks, open spaces, key civic and cultural spaces, or places where children play that are affected by the proposed shadows and therefore SAFs were not assessed for these areas.

In our opinion, these shadow impacts are "adequately limited" given the site's urban context and satisfy the City's Shadow Study Guidelines.

Wind Impact

A Pedestrian Level Wind Study was prepared by RWDI, dated December 7, 2021. The purpose of the study was to investigate pedestrian wind comfort and safety within and surrounding the subject site, and to identify any areas where wind conditions may interfere with certain pedestrian activities so that mitigation measures may be considered, where necessary. The study concluded and recommended the following:

- Existing wind speeds are suitable for the intended use in most areas throughout the year; however, uncomfortable conditions occur at the southwest corner of Waterdown Road and Plains Road East.
- With the addition of the proposed development, grade-level wind conditions are expected to be comfortable for the intended pedestrian usage at all areas in the summer and at most areas in the winter. In the winter, uncomfortable wind speeds are predicted at the northeast and southwest building corners. A reduction in wind speed in the southwest corner can be achieved using a canopy wrapping the corner to deflect down washing southwesterly winds away from the grade level areas underneath the canopy. Examples of the proposed wind mitigation measures are provided in the RWDI report.
- Existing wind speeds meet the wind safety criterion at all locations tested. With the addition of the proposed development, wind speeds still meet the wind safety criterion at most grade-level areas and at all above-grade areas; however, wind speeds that do not meet the criterion are expected at the southwest building corner at grade. Additional mitigation measures such as a canopy wrapping is recommended.
- Wind conditions on the Level 5 and 7 terraces are predicted to be suitable throughout the year. Slightly elevated wind speeds predicted at northwest terrace space at Level 7 podium in the winter can be considered acceptable since this area would not be used during the colder winter months.

Based on the findings of the Wind Study, the City's Pedestrian Level Wind Study Guidelines can be satisfied, subject to the implementation of the recommended wind mitigation measures at the southwest corner of the building at the required site plan application stage.

5.6 Urban Design

From an urban design perspective, the Proposal will enhance the site's relationship to Waterdown Road and improve a site that is underutilized with the introduction of a new building. The proposed development will take advantage of the adjacent high-order transit station and increase the permeability of the Subject Site to the existing and planned community.

The overall built form strategy is predicated on the need to respond to the surrounding uses and provide appropriate built form transition between areas of different intensity and scale, particularly to the lower scale *Mixed-Use Corridor Industrial* properties to the north, east and south. The podium along Waterdown Road has been located with appropriate setbacks to define the street line and have height and massing that are of a comfortable scale. From an urban structure perspective, the stepping up of height towards the station demarcated it as a focal point in the community.

The proposed development will enhance the existing public realm along Waterdown Road, that will create new opportunities to urbanize an area that is starting to see revitalization and investment in recent years. Furthermore, the proposed development will contribute to ongoing and future transit-supportive development on adjacent lands and ensure those potential developments maintain a high-quality standard in terms of urban scale and the public realm.

The public realm will be animated with an entrance lobby that will connect to indoor amenity space that will be visible to passing traffic and pedestrians along Waterdown Road. Furthermore, entrance doors to grade related commercial uses will be located so that they are directly accessible from the public sidewalks. Vehicular traffic and servicing have been located away from pedestrian realm to the rear of the building and parking will be provided above grade on levels 2 to 4.

The proposal provides enhancements to the landscaping along Waterdown Road. Streetscape treatment strives to urbanize the street and provide for a more human-scale experience along Waterdown Road. The proposed design will improve the existing and planned public realm by integrating the public sidewalk zone with the private realm through the introduction of at-grade retail opportunities and active frontages, as well as providing streetscaping improvements such as lighting, landscaping, tree planting, street furniture and a 3-car lay-by.

In our opinion, from an urban design perspective, the proposed development is appropriate and desirable and generally conforms with the relevant built form and urban design policies of the in-force City of Burlington Official Plan. In particular, the design of the proposed development meets the intent of Policies Part I – 4.3, Part II – 6.1 a), 6.3, 6.4, 6.5, and Part III –5.2.1, 5.3.1, 5.3.2, 5.3.4 a), g) of the in-force Official Plan, since:

- The proposal provides an opportunity to focus intensification in Waterdown Road, the Aldershot GO MTSA, and Mixed-Use Corridor-Employment lands as an appropriate location;
- The proposed built form is compatible with the surrounding land uses and adequately limits any potential built form impacts;
- Adequate setbacks and step backs are provided to limit any potential built form impacts;
- The proposal will recognize pedestrian scale, safety, the perception of safety and access and the preservation of public vistas and views;
- The at-grade commercial uses, and residential lobby provide grade-related activity both inside and outside of the proposed building;
- The proposal will provide a higher density form of development that is pedestrian-oriented and encourages the increase usage of public transit;
- The building will be sited parallel and oriented to Waterdown Road;
- The proposed building is of high-quality architectural design that will enhance the Waterdown Road Street streetscape and Aldershot GO MTSA;
- Servicing and vehicular parking will be internalized and accessed from one access point; and,
- The proposal has considered, and it meets the intent and purpose of the City's Tall Building Guidelines as part of the subject proposal.

Tall Building Guidelines

In our opinion, the design of the proposed tall building is generally in keeping with the applicable guidelines set out in the City Tall Building Guidelines, as set out below.

Section 2.0 Building Base (Podium)

The podium of a tall building anchors the tower and defines the pedestrian experience at the street. Its location and height should frame and create a positive relationship to the street. It should be carefully designed, including a mix of horizontal and vertical elements, to reinforce a human scale.

As such, the following guidelines regarding the podium apply to the subject site:

- Guideline 2.1 – Podium Location
  - Waterdown Road is identified as a minor arterial road and is designed to frame the edge of Waterdown Road creating a strong streetwall condition, providing a pedestrian-scaled backdrop to the new public realm. To that end, the podium is further enhanced with the incorporation of soft and/or landscaping within the public realm. As such, the podium has been massed and located to frame the street by incorporating a 1.26 to 2.9 metre setback from the west (front) lot line and to accommodate a 4.8 to 6.9 metre boulevard measured from the curb to the building face.
- Guideline 2.2 – Podium Height and Massing
  - The proposed height of the podium (20.0 metres) occupies just over 66% of the adjacent right-of-way width and does not exceed the recommended maximum of 20 metres;
  - The podium is built to the south and north lot lines to provide for a contiguous street wall. A 3.77 metre setback is provided above the fourth storey along the west lot line to create terraces;

- The proposed street wall provides a height greater than the required minimum of 10.5 metres and provides 4-storeys that relates well to the established street wall height, frames the streetscape and reinforces a human scale; and,
- The proposed floor-to-ceiling height of the ground floor is 6.7 metres which exceeds the minimum recommended 4.5 metres to accommodate internal servicing/loading and active commercial uses at-grade.

- Guideline 2.3 – Shadows/Sky Views
  - As shown in the shadow study prepared by Zedd Architecture and dated August 24, 2021, the height and massing of the podium allow for a minimum of 7 consecutive hours of sunlight on the opposite side of Waterdown Street.
- Guideline 2.4 – Podium Design and Articulation
  - All sides of the podium have been designed with a high-quality architectural expression and materials;
  - The podium proposes materials that anchor the building and complement the emerging character of the street;
  - The design of the base building has been coordinated to generally step back above the 4th storey to establish a pedestrian scaled street wall;
  - The portion of the podium roof on level 5 proposes landscaped roof area and outdoor amenity area;
  - The main building entrances are clearly distinguished through architectural elements;
  - The articulation and materiality of the podium will create diversity and interest at the ground plane;
  - The ground floor retail podium consists of predominantly clear-glazing (with metal accents) to provide visual connections between the public and private realm;
  - The ground floor provides multiple entrances with a cantilevered ground floor to provide weather protection for pedestrians; and,
  - Inset balconies within the podium above the 4th-storey have been proposed.
- Guideline 2.5 – Site Design, Open Space, and Streetscaping
  - The proposed parking and loading spaces are proposed internally and are screened away from the street; and,
  - Access to parking and servicing is provided from Waterdown Road through an entrance that is well integrated into the building frontage.

Section 3.0 – Building Middle (Tower)

The tower is the most substantial and impactful component of a tall building as it enhances the skyline and provides a defining landmark throughout the City. The towers design and massing should be carefully considered to minimize adverse impacts on adjacent neighbourhoods, parks, and open spaces, and to maximize sky views and access to sunlight through slender floor plates and setbacks. As such, the following guidelines apply to the subject site:

- Guideline 3.1 – Tower Location
  - The proposed tower provides a 12.59 metre setback to the north property line, a 12.5 metre setback to the south property line and 13.55 metre to 15.51 metre setback to the east property line which equals and exceeds the recommended 12.5 metre setback in order to provide for an appropriate separation distance of a minimum of 25.0 metres to any potential future surrounding towers; and,
  - The tower steps back from 3.77 metres to 5.25 metres along the street frontage of the podium to differentiate between the building and podium as well as to provide for the proposed amenity space.
- Guideline 3.2 – Tower Height and Massing
  - The proposed height of the tower will provide a gradual and appropriate transition in height to help mitigate potential impacts on the adjacent planned context (Cooke Commons Precinct) which supports the tallest buildings. The subject site is an appropriate location for a tall building since it is located within the Aldershot GO major Transit Area, along Waterdown Road, is within the a Mixed Use Activity Area and is near other proposed high-rise applications.

Adequate transition is provided to the low-rise residential neighbourhoods further east through a combination of physical separation distance, tower location and orientation, as demonstrated by the block plan;

- The proposed floor plate of 750 square metres complies with the recommended maximum 750 square metres; and,
- The massing of the tower and its relationship to the building base mitigate against any adverse wind impacts, as demonstrated in the Wind Study prepared by RWDI.

- Guideline 3.3 – Shadow/Sky Views
  - The proposed towers typify slender floor plates atop appropriately scaled base buildings provide adequate setbacks and separation distance between any potential future buildings on adjacent properties. The design and placement of the tower has been carefully considered to reduce the impacts of shadowing on the surrounding streetscape and low-rise uses as shown in the Shadow Study submitted as part of the application package.
- Guideline 3.4 – Tower Design and Articulation
  - The tower design and materials incorporate horizontal and vertical accents to create visual interest. To that end, the design also incorporates inset balconies for the creating of useful outdoor amenity space, especially on the fifth level;
  - The tower design utilizes a high percentage of glass to minimize the perceived mass with heavier accents (metal) to define elements of the building; and,
  - Balconies are 1.5 metres in depth to provide additional articulation and useful amenity space for individual units.

Section 4.0 – Building Top

The top of the building defines the tower while further distinguishing a unique and interesting skyline. Roof top amenity areas are recommended to create activity at the upper levels and it is important to consider how the mechanical penthouse integrates into the theme of the building so as not to be visible from the ground level. As such, the following guidelines apply to the subject site:

- Guideline 4.1 – Rooftop Design and Articulation
  - The mechanical penthouse has been stepped from the tower portion of the building along all building façades to reduce the building profile;
- Guideline 4.2 – Mechanical Penthouse
  - The mechanical penthouse has been designed, located to be screened from view in order to protect or enhance views from other buildings and the public realm;
  - The mechanical penthouse has been stepped back a minimum of 6.0 metres from all sides of the subject site.

The proposed tall building, at its various base, tower, and top building levels achieves the intent and purpose of the Tall Building Design Guidelines as described above and further expanded in Section 5 of this report.

Block Plan

A block plan has been prepared in order to illustrate the built form structure of the block. More specifically, it is intended to respond to the Aldershot GO MTSA precinct plan, which designates the subject site as a mid-rise "main street". In this regard, the proposed development deviates from the preferred precinct plan and instead proposes a tall building that's anchored by building base podium pulled close to the street line with at-grade active uses in a "main street" form. The block plan illustrates the MTSA boundary and existing stable residential neighbourhoods. It also conveys a built form structure that includes:

- A comprehensive active transportation network including new mid-block connection from Cooke Boulevard to Waterdown Road;
- A Potential new public park location;
- A mid-rise mixed use corridor along Plains Road;
- A tall building corridor along Waterdown Road that increases in height and density from Plains Road to Masonry Court; and,
- A transition area that provides a built from that changes from the tall building context along Waterdown Road to the stable residential neighbourhood in the east along Clearview Avenue.

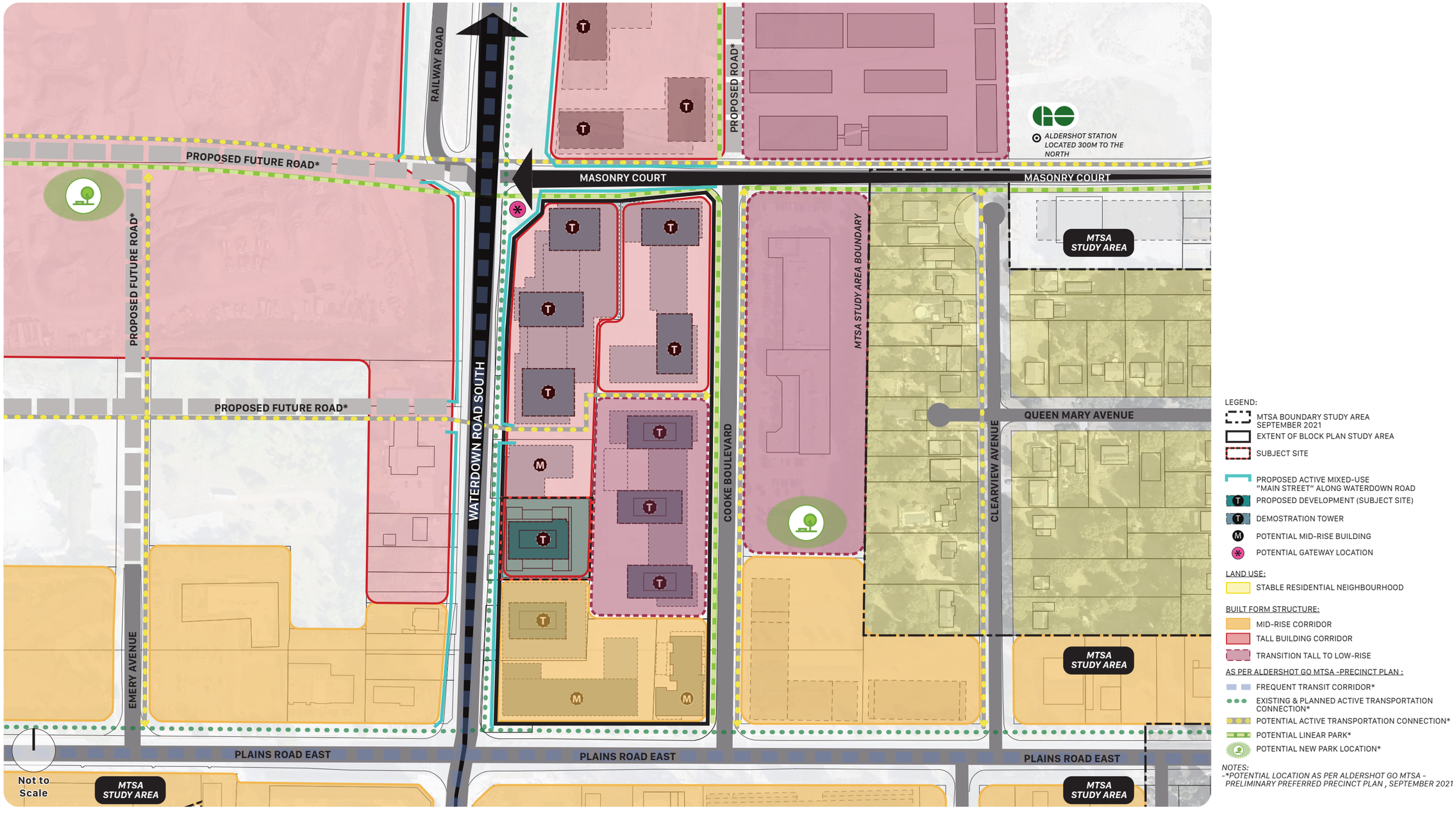


Figure 30 - Block Plan

5.7 Transportation and Servicing

C.F. Crozier and Associates Inc. were retained to conduct a Transportation Impact Study ("TIS"). The purpose of this study was to determine the net impacts of the development traffic on the surrounding road network and provide justification for the proposed parking supply. The TIS makes the following conclusions:

- Under 2024 and 2029 future background traffic, the intersection of Plains Road and Waterdown Road is anticipated to operate with LOS "E" or better, with over capacity movements expected for the eastbound left-turn movement during the morning peak hour for both horizon years. The stop-controlled intersection of Masonry Court and Cooke Boulevard is anticipated to operate with LOS "F" for all horizon years and peak periods under future background traffic due to the overcapacity movement on the northbound approach, Similarly, under future background traffic, the intersection of Masonry and Waterdown Road is projected to operate with LOS "F" during the 2029 morning peak hour due to the over-capacity southbound left-turn movement at the intersection. The intersection of Plains Road East and Cooke Boulevard is anticipated to operate with LOS "C" or better under future background conditions for all peak periods and horizon years.
- The proposed mixed-use development is forecasted to generate approximately 96 two-way trips (23 inbound and 73 outbound) during the weekday A.M. peak hour, and 108 two-way trips (66 inbound and 42 outbound) during the P.M. peak hour.
- The future total operations at the study intersections are anticipated to be very similar to that of the future background operations forecasted for both horizon years and peak periods. The addition of site-generated traffic is not expected to significantly impact operations at the boundary road intersections. Operational concerns at the study intersections are largely attributed to heavy volumes generated by background developments.
- The proposed site access to Waterdown Road is anticipated to operate with LOS "C" or better during the 2024 and 2029 horizon years for the morning and afternoon peak periods.
- Vehicle maneuverability diagrams were prepared and indicate that some waste and medium trucks may pose limitations circulating the proposed site. Future revisions of the site access will address the encroachments per the most recent site plan. The proposed site access is adequate with regards to sight lines and spacing per Transportation Association of Canada (TAC) requirements.
- The proposed parking supply at the site is below the City's By-law requirements but can be supported based on the prepared Parking Justification, which included a review of industry standard data, surrogate sites and development precedent in the surrounding area.

The TIS states that as per the results of the analysis contained within this report, the Official Plan Amendment and Zoning By-Law Amendment applications for the proposed site may be supported from a traffic operations and safety perspective.

From a servicing perspective, a Functional Servicing Report ("FSR") was prepared by S. Llewellyn & Associated Ltd. in order to outline the functional servicing strategy for the proposed development. The FSR concludes that the proposed development can be constructed to meet the technical servicing and engineering requirements of the City of Burlington and Region of Halton and makes the following recommendations:

- The development be graded and serviced in accordance with the Preliminary Servicing and Preliminary Grading & Erosion Control Plans prepared by S. Llewellyn & Associates Limited;
- An 85mmø outlet be installed on the cast-in-place storage tank as per the Preliminary Servicing Plan and this report to achieve effective stormwater quantity control;
- A pump with a discharge rate of 4l/s be installed on the cast-in-place storage tank as per the Preliminary Servicing Plan and this report to achieve effective erosion control;
- A cast-in-place concrete storage tank be installed as per the Preliminary Servicing Plan and this report to provide adequate stormwater storage;
- Erosion and sediment controls be installed as described in this report and shown on the Preliminary Grading & Erosion Control Plan prepared by S. Llewellyn & Associates Limited;
- The proposed sanitary and water servicing system be installed as per the Preliminary Servicing Plan and this report to adequately service the proposed development.

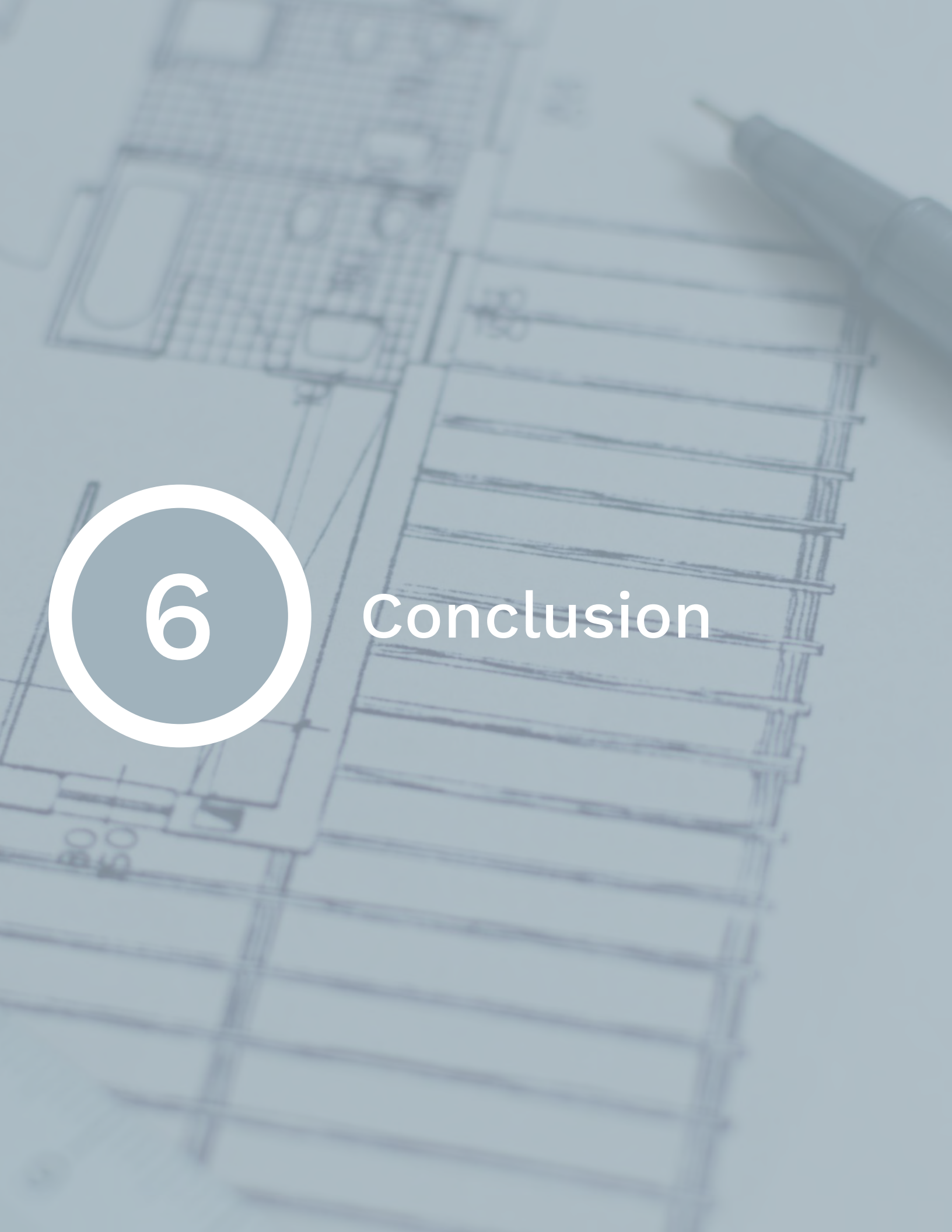
5.8 Noise

An Environmental Noise Impact Study ("Noise Study") was prepared by dBA Acoustical Consultants Inc. dated November 19, 2021. The purpose of the Noise Study was to determine the noise impacts on the proposed development and to determine the necessary noise control measures to meet the Ministry of Environment, Conservation, and Parks (MECP) Publication NPC-300 Noise guidelines.

The Noise Study made the following recommendations in order for the proposed development to meet the Ministry's required noise levels:

- Recommended 0.91 metre-high safety guardrail around the perimeter of the 5th level outdoor amenity area (with minimum surface density of 20 kg/m^2 and designed and constructed without cracks or gaps;
- Recommended specific wall and window construction material to ensure interior noise levels are met;
- Recommended inclusion of the following warning clauses to be inserted in all offers and agreements of purchase and sale or lease for all units:
    - Type A: Purchasers/tenants are advised that sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the Municipality's and the MECP noise criteria
    - Type D: This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the Municipality's and the MECP noise criteria

Upon the implementation of the recommendations made in the Noise Study, the proposed development is able to meet the Province's interior and outdoor noise requirements, as outlined in the NPC-300 guidelines.



6 Conclusion

The proposed redevelopment of the site at 1029 and 1033 Waterdown Road will appropriately intensify an underutilized site, improve the streetscape along Waterdown Road, and provide new residential units and commercial amenities in a compact built form that is in keeping with the existing and planned surrounding context. From a land use perspective, the proposal is consistent with numerous policy directions promoting intensification within built-up urban areas, particularly in locations which are well served by existing municipal infrastructure, including public transit.

The proposed development will help the community provide a range of different styles of residential living in an urban compact form on land that is appropriate for the use with convenient access to local stores, services and public facilities. It conforms to the overarching policies of the in-force Burlington Official Plan, which call for a higher intensity residential development in a transit supportive form to multi-purpose arterial roads and within Major Transit Station Areas; meets the evaluation criteria established in Policy 5.3.2(j) of Part III; represents an appropriate redesignation to the "Mixed Use Corridor – General" on a site that has the width and depth to accommodate a higher intensity use; and, represents good planning practice and will promote the continued evolution of the Aldershot GO MTSA from a low-rise auto oriented one to a mixed-use transit supportive development.

From an urban design perspective, the proposal will fit within the existing and planned built form context along the Waterdown Road minor arterial, while improving the pedestrian realm along street edge. The proposed development conforms with the design policies of the in-force Official Plan and is generally in keeping with the relevant urban design guidelines including the City's Tall Building Guidelines.

For all of the foregoing reasons, it is our opinion that the proposed development is appropriate and desirable in planning and urban design terms and, accordingly, we recommend approval of the requested official plan amendment and rezoning. I have reviewed all supporting technical studies in consideration of this planning opinion.

Respectfully Submitted,

Bousfields Inc.



David Falletta, MCIP, RPP



BOUSFIELDS INC.
PLANNING | DESIGN | ENGAGEMENT