BOUSFIELDS INC.

Project No. 18176-1

December 17, 2021

Kyle Plas, MCIP, RPP
Corrdinator of Development Review
Community Planning Department
City of Burlington
426 Brant Street, PO Box 5013
Burlington, Ontario L7R 3Z6

Dear Kyle:

***Re: Land Use Compatibility & D-Series Guidelines Review***
***1029 and 1033 Waterdown Road, Burlington***

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The purpose of this document is to provide a land use compatibility review for the proposed mixed-use development at the subject site, located at 1029 and 1033 Waterdown Road in Burlington. More specifically, this document is intended to address the pre-consultation request form requirement to produce a "land use compatibility assessment of the potential/actual impacts existing employment uses on the proposed development is required in accordance with ROP policy". Accordingly, the following will provide a description of the subject site, description of the development proposal, a review of the surrounding industrial uses, and a review of the provincial D-Series Guidelines.

## 1.0 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.

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.

## 2.0 Description of the 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. The following is a summary of the key statistics of the proposal:

| | |
|---|---|
| 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%)<br>2 Bedroom – 67 (23%) |
| Amenity Space | 716 $m^2$ (indoor)<br>4,508 $m^2$ (total outdoor)<br>• 298 $m^2$ communal outdoor amenity area<br>• 4,210 $m^2$ private outdoor amenity area (terraces/balconies) |
| Vehicle Parking | 320 spaces in total<br>• 295 residential spaces<br>• 25 visitor spaces |
| Bicycle Parking | 60 residential spaces<br>15 visitor spaces |

## 3.0 Review of Surrounding Uses

Policy 143 (12) of the Halton Region Official Plan (the "ROP") states that it is the policy of the Region to:

> "Require the proponent of sensitive land uses in proximity to industrial, transportation and utility sources of noise, vibration, odour and air pollutants to complete appropriate studies and undertake necessary mitigating actions, in accordance with the Region's Land Use Compatibility Guidelines, Air Quality Impact Assessment Guidelines, and any applicable Ministry of the Environment guidelines. Specifically, an air quality study based on guidelines under Section 143(2.1) is required for such development proposals within 30m of a Major Arterial or Provincial Highway, or 150m of a Provincial Freeway, as defined by Map 3 of this Plan."

The following table is a summary of a name and address of industrial uses surrounding the subject site including the distance from the subject site, identification of operations of each facility and the identified Class as per the provincial D-6 Guidleines. This information is taken directly from the letter prepared by dBA Acoustical Consultants Inc. letter dated December 14, 2021 (**Appendix A**):

| Facility Name | Distance from Subject Site | D-6 Guideline |
|---|---|---|
| King Paving & Construction | 200 metres | Class II |
| Bulkwood Products | 480 metres | Class III |
| CN Rail & Works Yard | 515 metres | Class III |

## 4.0 Review of the provincial D-Series Guidelines

The Province of Ontario's Ministry of Environment, Conservation and Parks ("MECP") D6 Series Guidelines (the "Guidelines) are intended to be applied in the land use planning process to prevent or minimize future land use problems due to the encroachment of sensitive land uses (i.e., residential uses) and industrial land uses on one another. The Guidelines categorize industrial facilities into three (3) Classes according to the objectionable nature of their emmisions, their physical size/scale, production volumes, and/or the intensity and scheduling of operations.

The Guidelines identify influence areas (i.e., areas within which adverse effects may be experienced) as well as recommended minimum separation distances for which incompatible development should not occur within. These influence areas and minimum separation distances are listed below:

| Facility Class | Potential Area of Influence (metres) | Recommended Minimum Separation Distance (metres) |
|---|---|---|
| Class I | 70 | 20 |
| Class II | 300 | 70 |
| Class III | 1,000 | 300 |

Based on the table in Section 3.0 above, the recommended minimum separation distances are achieved for all facilities. The subject site is located within the potential area of influence for three (3) out of the three (3) facilities. Included as Appendix A to this letter is an addendum prepared by dBA Acoustifcal Consultants which states that the noise emissions from any area industry are well below the MECP's noise criteria.

## 5.0 Summary and Conslusion

In Summary, there are existing Class II and III facilities in the vicinity of the subject site, as outlined in section 3.0 above. Based on our review, there are legally established existing residential uses on the site and in between the subject site and

the existing facilities. In addition, there are also approved high-density residential dwellings in proximity to both the subject site and in proximity to these existing facilities.

Furthermore, both the existing facilities and the subject site fall within the Aldershot GO Major Transit Station Area ("MTSA") which is planned to evolve and change over time into a compact, pedestrian-orientated mixed-use area that includes sensitive land uses such as residential apartments. It is our understanding that an additional compatibility assessment will be completed as part of the required future Site Plan Approval application for this site, as confirmed by RWDI in their attached letter (see **Appendix B**).

Yours very truly,

**Bousfields Inc.**



David Falletta, MCIP, RPP

Appendix A

# Acoustical Consultants Inc.

## Addendum

December 14, 2021

Infinity Development Group
2275 Upper Middle Road East
Oakville, ON
L6H 0C3

Attn: Arjun Anand

Our File NO: 21-2210

RE: Request an Addendum to Address D6 Noise Guidelines for 1029 & 1033 Waterdown Road & 2 Masonry Court, Burlington, ON

It has been brought to our attention that the City of Burlington is asking for dBA Acoustical Consultants Inc., to consider the Ministry of Environment, Conservation and Parks (MECP) D6 and if it applies to the noise study for the above noted development at 1029 and 1033 Waterdown Rd, Burlington ON.

Let us explain that area industries have been addressed in the noise study that was submitted to the City of Burlington for approval. The industries are located outside of 200m and are classified as a Class 1 Industry as defined by the MECP definitions. Furthermore, noise monitoring was conducted on site that clearly confirms that the noise emissions from any area industry are well below the MECP noise criteria. See attachment below for D6 setback requirements for a Class 1 Industrial.

It is also noted that CN/GO Rail is more than 500m and needs not be considered in the noise study as the distance separation (500m) cannot be supported by MECP Stamson traffic and train calculations.

CN basically considers a setback of 1000m from a rail yard to a residential development, irrelevant of the length of the rail yard. It should be noted that there are already numerous existing residential developments to the south of the CN/GO right-of-way along Enfield Rd and Cedarwood Place that have rear yards very close to the rail line. There is also a new residential development located at 101 Masonry Court, Burlington close to the CN Rail and was recently considered a Class 4 designation that had to achieve noise levels guidelines for the rail and rail yard and all other stationary noise sources. These residential buildings will provide ample shielding from any train noise at the proposed development site. It should also be noted that the rail yard noise levels predicted in the Valcoustics noise study for 101 Masonry Court were calculated to be within the MECP noise guidelines.

Due to the CN rail slow response to acquire current train traffic data (2-4 months) dBA was unable to obtain the train traffic data for this project although as previously stated not required as the CN rail is more than 500m from the proposed development.

It has been confirmed by noise monitoring noted in the noise study submitted that the following industrial businesses have no acoustical impact of the proposed development and that the area traffic background noise levels exceed the limits in the flowing Tables B1 & B2.

King Paving & Construction – 200m – Class 2
Bulkwood Products – 480m – Class 3
CN Rail & Works Yard – 515m – Class 3

It is our opinion that MECP D6 noise guidelines do not apply to this site development as all noise sources where addressed.

Should you require further information or clarification, please feel free to contact the undersigned.

Respectfully submitted,
dBA Acoustical Consultants Inc.



Frank Westaway, Owner
Qualified Acoustical Consultant

**Table B-1**
**Exclusion Limit Values of One-Hour Equivalent Sound Level ($L_{eq}$, dBA)**
**Outdoor Points of Reception**

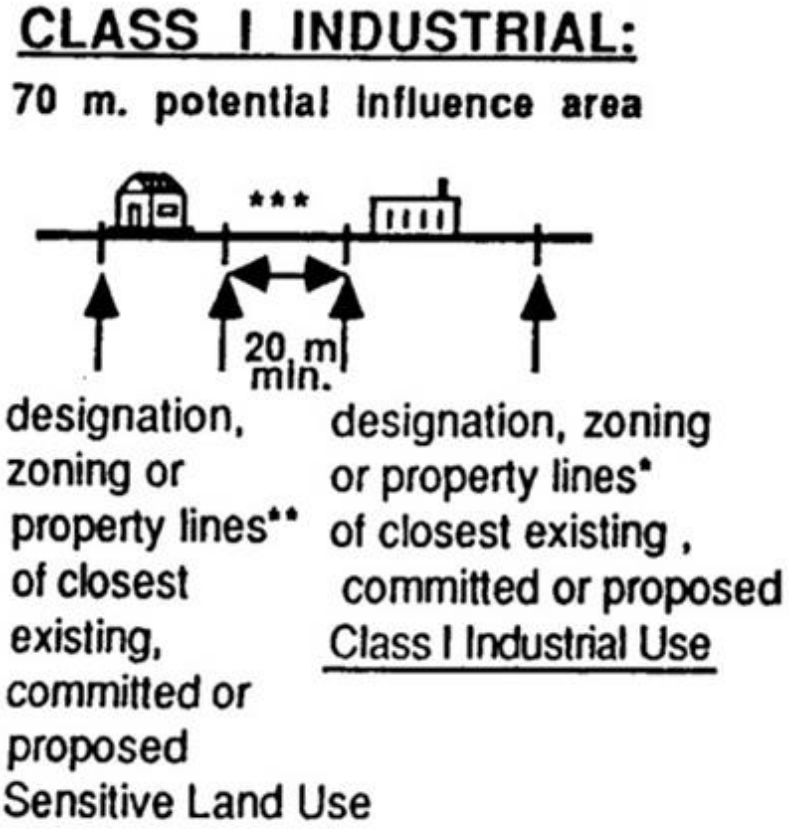
| Time of Day | Class 1 Area | Class 2 Area | Class 3 Area | Class 4 Area |
|---|---|---|---|---|
| 07:00 – 19:00 | 50 | 50 | 45 | 55 |
| 19:00 – 23:00 | 50 | 45 | 40 | 55 |

**Table B-2**
**Exclusion Limit Values of One-Hour Equivalent Sound Level ($L_{eq}$, dBA)**
**Plane of Window of Noise Sensitive Spaces**

| Time of Day | Class 1 Area | Class 2 Area | Class 3 Area | Class 4 Area |
|---|---|---|---|---|
| 07:00 – 19:00 | 50 | 50 | 45 | 60 |
| 19:00 – 23:00 | 50 | 50 | 40 | 60 |
| 23:00 – 07:00 | 45 | 45 | 40 | 55 |

# Section view

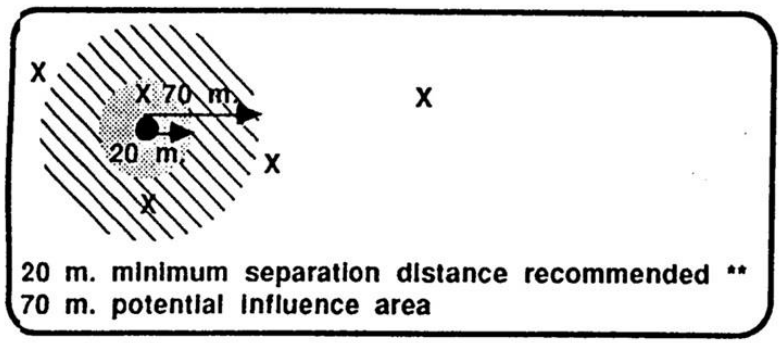
This diagram shows the designation, zoning or property lines of an existing, committed or p sensitive land use in relation to the designation, zoning or property lines of the closest exist committed or proposed Class I industrial use.




## Plan view

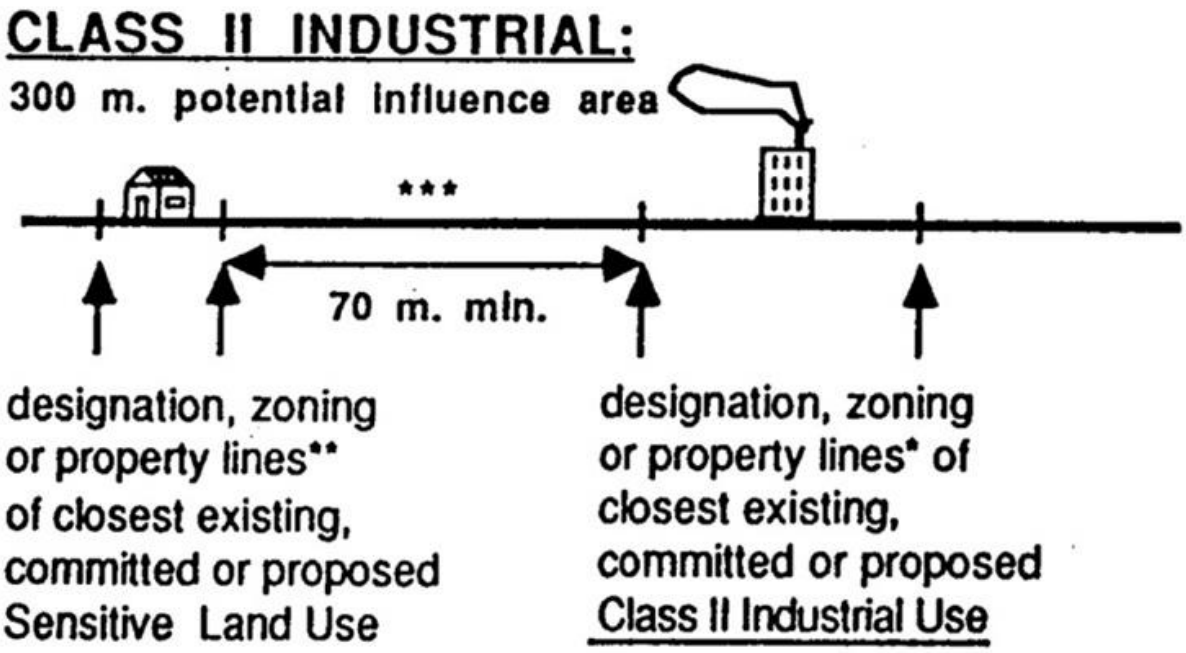
This diagram shows an overhead view of the recommended minimum separation distance (20 metres), potential or actual influence area distance (70 metres), and acceptable range (greater than 70 metres) between sensitive land use and Class I industrial use.

The solid black dot indicates an existing land use, and the Xs indicate a proposed land use.



## Section view

This diagram shows the designation, zoning or property lines of an existing, committed or proposed sensitive land use in relation to the designation, zoning or property lines of the closest existing, committed or proposed Class II Industrial Use.

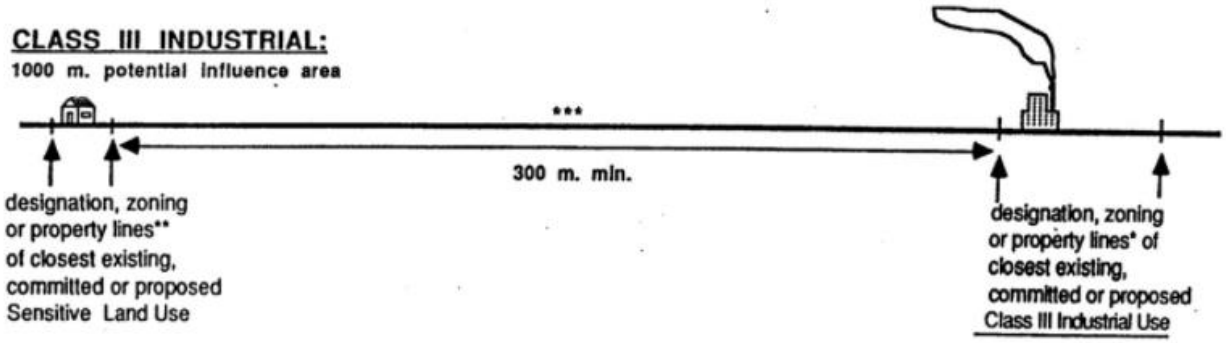



## Plan view

This diagram shows an overhead view of the recommended minimum separation distance (70 metres), potential or actual influence area (300 metres), and acceptable range (greater than 300 metres) between sensitive land use and Class II industrial use.

## Section view

This diagram shows the designation, zoning or property lines of an existing, committed or proposed Sensitive Land Use in relation to the designation, zoning or property lines of the closest existing, committed or proposed Class III Industrial Use.

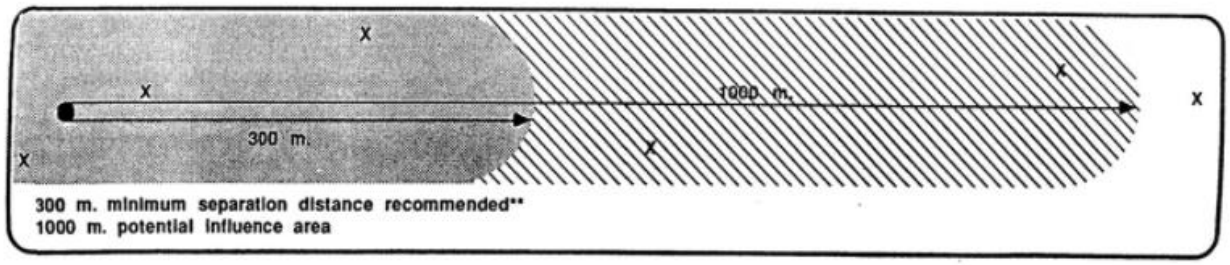



Enlarge this image.

## Plan view

This diagram shows an overhead view of the recommended minimum separation distance (300 metres), potential or actual influence area (1000 metres), and acceptable range (greater than 1000 metres) between sensitive land use and Class III industrial use.

The solid black dot indicates an existing land use, and the Xs indicate a proposed land use.



Appendix B

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December 17, 2021

**Arjun Anand, B.Eng., MBA, CFA**
Director
**Infinity Development Group**
2275 Upper Middle Road East
Oakville, Ontario, L6H 0C3

**Re: Air Quality Portion of Land Use Compatibility Study**
**1029-1033 Waterdown Road**
**Burlington, Ontario**

*RWDI Reference Number: 2103229*

Rowan Williams Davies & Irwin Inc. (RWDI) has been retained by Infinity Development Group to conduct the air quality portion of the land use compatibility study for the 1029-1033 Waterdown Road project in Burlington, ON, in support of the joint Official Plan Amendment (OPA) and Zoning By-Law Amendment (ZBA) application for the project. The requirement for this study at this planning application stage was confirmed by the City of Burlington in its Development Application Pre-Consultation Form dated February 10, 2021.

As such, RWDI has prepared this letter in an effort to:

i. Express the opinion that conducting the air quality portion of the land use compatibility study at the current submission stage (*i.e.*, OPA / ZBA) may not be as accurate as conducting the study in the near future (*e.g.*, at SPA), given that the Official Plan, the MTSA, and the specific building form and setbacks for the proposed development are currently in flux and are subject to changes that would impact the assessment and the opinions expressed in the report.
ii. Confirm that the air quality portion of the land use compatibility study will be conducted at a later submission stage (*e.g.*, at SPA).

We trust that the above confirmation and acknowledgment satisfies the City of Burlington's Planning and Development Department's requirements for this project's joint OPA / ZBA application submission at this time.

Should you have any questions or require additional information, please do not hesitate to contact us.

Yours truly,
**Rowan Williams Davies & Irwin Inc. (RWDI)**



**Stefan Gopaul, M.A.Sc., P.Eng.**
Project Manager | Senior Engineer

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