BOUSFIELDS INC.

Planning & Urban Design Rationale



1056 and 1060 Brant Street

City of Burlington

Prepared For

2735842 Ontario Inc., 2060188 Ontario Inc., 2735841 Ontario Inc., and 2059977 Ontario Inc.

December 2025

BOUSFIELDS INC.

Job Number
21337

www.bousfields.ca

Urban Planning
Urban Design
Community Engagement

Toronto Office

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

416.947.9744

Hamilton Office

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

905.549.3005

Table of Contents

1 Introduction 1

2 Site & Surroundings 4

- 2.1 Subject Site 5
- 2.2 Surroundings 6
- 2.3 Immediate Surroundings 10
- 2.4 Transportation Network 14

3 Proposal 16

- 3.1 Description of Proposal 17
- 3.2 Key Statistics 19
- 3.3 Required Approvals 27

4 Policy Context 28

- 4.1 Overview 29
- 4.2 Provincial Planning Statement (2024) 29
- 4.3 Halton Regional Official Plan (May 2024 Office Consolidation) 32
- 4.4 City of Burlington Official Plan 37
- 4.5 New City of Burlington Official Plan (Partially in Force) 47
- 4.6 City of Burlington Zoning By-law 2020 59
- 4.8 Design Guidelines for Mid-Rise Buildings (March 2019) 61
- 4.9 Sustainable Building and Development Guidelines (April 2019) 65
- 4.10 Shadow and Pedestrian Level Wind Study Guidelines (June 2020) 66
- 4.11 Municipal Housing Pledge 68

5 Planning & Urban Design Analysis 69

- 5.1 Pre- Application Consultation 70
- 5.2 Intensification 74
- 5.3 Urban Structure 76
- 5.4 Land Use 77
- 5.5 Height, Massing, and Density 80
- 5.6 Built Form Impacts 82
- 5.7 Urban Design 85
- 5.8 Housing Strategy and Analysis 85
- 5.9 Transportation 86
- 5.10 Noise Emissions 88
- 5.11 Servicing and Stormwater Management 88

6 Conclusion 90

Appendix A Urban Design Brief A1

This Planning and Urban Design Rationale report has been prepared in support of an application by 2735842 Ontario Inc., 2060188 Ontario Inc., 2735841 Ontario Inc., and 2059977 Ontario Inc. to amend the 1997 City of Burlington Official Plan and Zoning By-law 2020, as amended, to permit the redevelopment of a site, known municipally as 1056 and 1060 Brant Street in the City of Burlington.

The Official Plan and zoning by-law amendments will permit the redevelopment of the subject site for an 11-storey (plus mechanical penthouse) residential building with 93 residential units.

In our opinion, the application presents an exciting opportunity to introduce new housing units along a regional intensification corridor and adjacent to the Burlington GO major transit station area, where growth is directed. The proposed development will be supportive of active modes of transportation, provide an attractive building design that responds to existing and planned local context, and improves the public realm along Brant Street at the entry to the City's urban growth centre and major transit station area.



1 Introduction

This Planning and Urban Design Rationale report has been prepared in support of an application by 2735842 Ontario Inc., 2060188 Ontario Inc., 2735841 Ontario Inc., and 2059977 Ontario Inc. (collectively, the "Owner") to amend the 1997 City of Burlington Official Plan (the "Official Plan") and Zoning By-law 2020, as amended, to permit the redevelopment of a 1,674 square metres (0.41 acre) site, known municipally as 1056 and 1060 Brant Street in the City of Burlington (the "subject site" or "site").

The Official Plan and zoning by-law amendments will permit the redevelopment of the subject site for an 11-storey (plus mechanical penthouse) residential building with 93 residential units.

In our opinion, the application presents an exciting opportunity to introduce new housing units along a regional intensification corridor and adjacent to the Burlington GO major transit station area ("MTSA"), where growth is directed. The proposed development will be supportive of active modes of transportation, provide an attractive building design that responds to existing and planned local context, and improves the public realm along Brant Street at the entry to the City's urban growth centre ("UGC") and major transit station area.

The proposal will contribute to the achievement of numerous policy objectives that promote intensification and a range of housing choices within built up areas. It supports active transportation modes and existing public transit infrastructure. The proposed development is in keeping with the policy directions associated with the Brant Street Intensification Corridor in the Region of Halton's Official Plan and City's new Official Plan, a designated Strategic Growth Area ("SGA") in the Provincial Planning Statement and Region of Halton's Official Plan and Secondary Growth Area in the City's new Official Plan. In our opinion, the requested official plan and zoning by-law amendments are consistent with the Provincial Planning Statement, 2024 (the "PPS"), in particular the policies promoting the efficient use of land and infrastructure, services and facilities and accommodating growth and intensification within SGAs. Additionally, the proposed development is in keeping with the policies of the in-force City of Burlington Official Plan, which directs for mid-rise intensification along corridors such as Brant Street.

From a built form and urban design perspective, the proposal is contextually appropriate and will represent a high-quality architectural addition to the area. The 11-storey (plus mechanical penthouse) building will fit harmoniously with the existing and planned context and will appropriate transitions to adjacent uses while balancing directions for increased focus on intensification, particularly in proximity to transit. The proposal will provide an appropriate street wall condition along Brant Street with an enhanced public realm and active uses at the grade including private amenity areas. The proposal conforms with the intent of the City's Official Plan and is generally in keeping with the relevant urban design guidelines. However, a site-specific amendment to the 1997 Official Plan is needed to increase the maximum height and density permitted on the subject site to align more closely with recent Provincial and Regional Policy direction subsequent to the approval of the in-force Official Plan.

Based on the foregoing, this Planning and Urban Design Rationale report concludes that the proposal is appropriate and desirable from a land use planning and urban design perspective; and that the implementing official plan and zoning by law amendments should be approved.

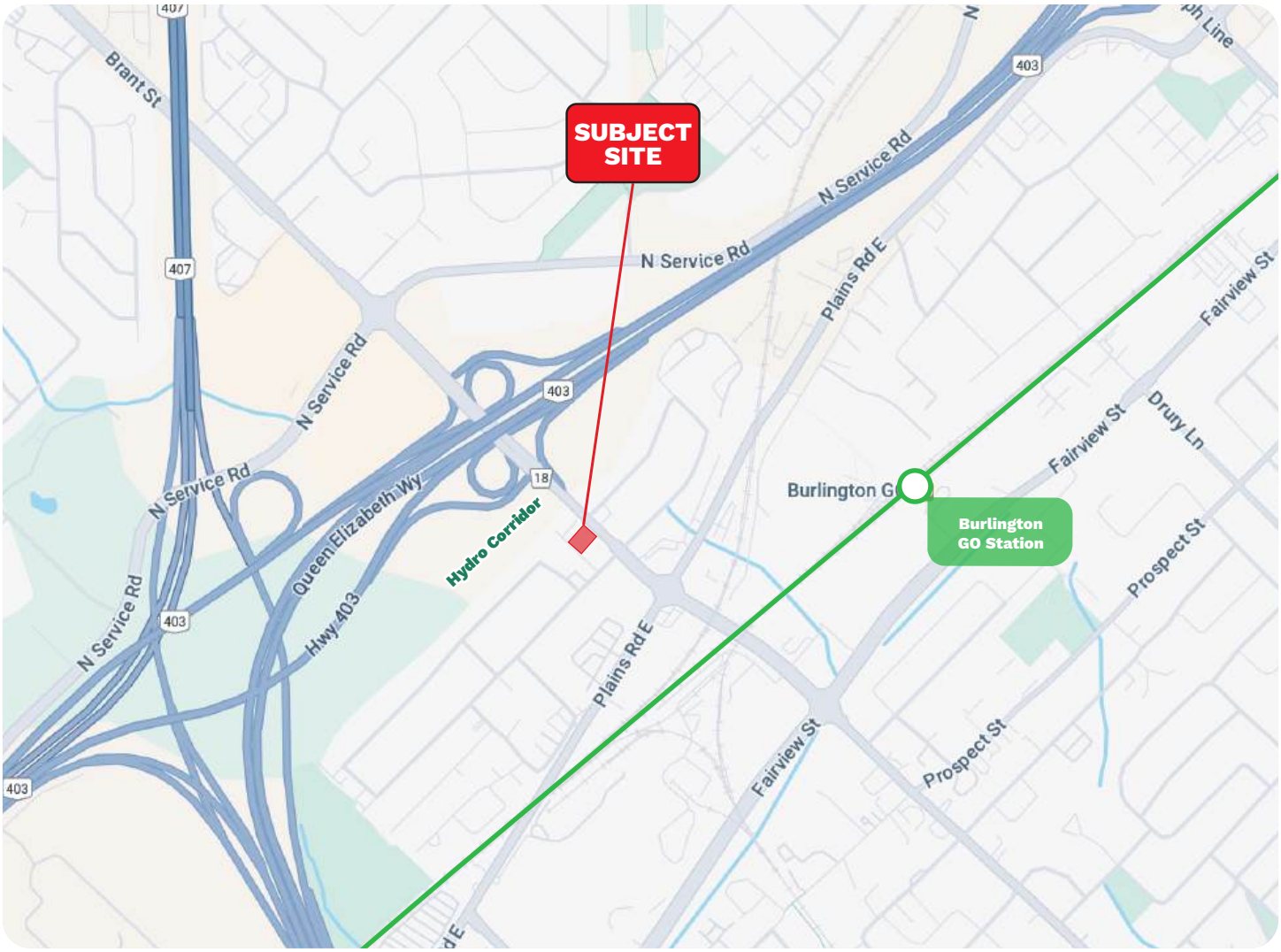


Figure 1 - Location Map



2 Site & Surroundings

2.1 Subject Site

The subject site consists of two parcels municipally addressed as 1056 and 1060 Brant Street, located within Ward 2 of the City of Burlington, south[1] of the Queen Elizabeth Way (QEW or Hwy 403), northwest of Burlington GO station, and approximately 65 metres north of the boundary of the MTSA and UGC. The site consists of approximately 1,674 square metres (0.41 acres) of land on the west side of Brant Street, and north-east side of Ryckman Common. The subject site is rectangular in shape with 36.58 metres of frontage onto Brant Street along its eastern lot line.

The site is currently vacant, generally flat, and has minimal vegetative cover beyond a small number of trees around the edge of the property. There is currently a curb cut in the northern corner of the site, accessible by Brant Street.



The subject site is currently vacant with minimal vegetation.

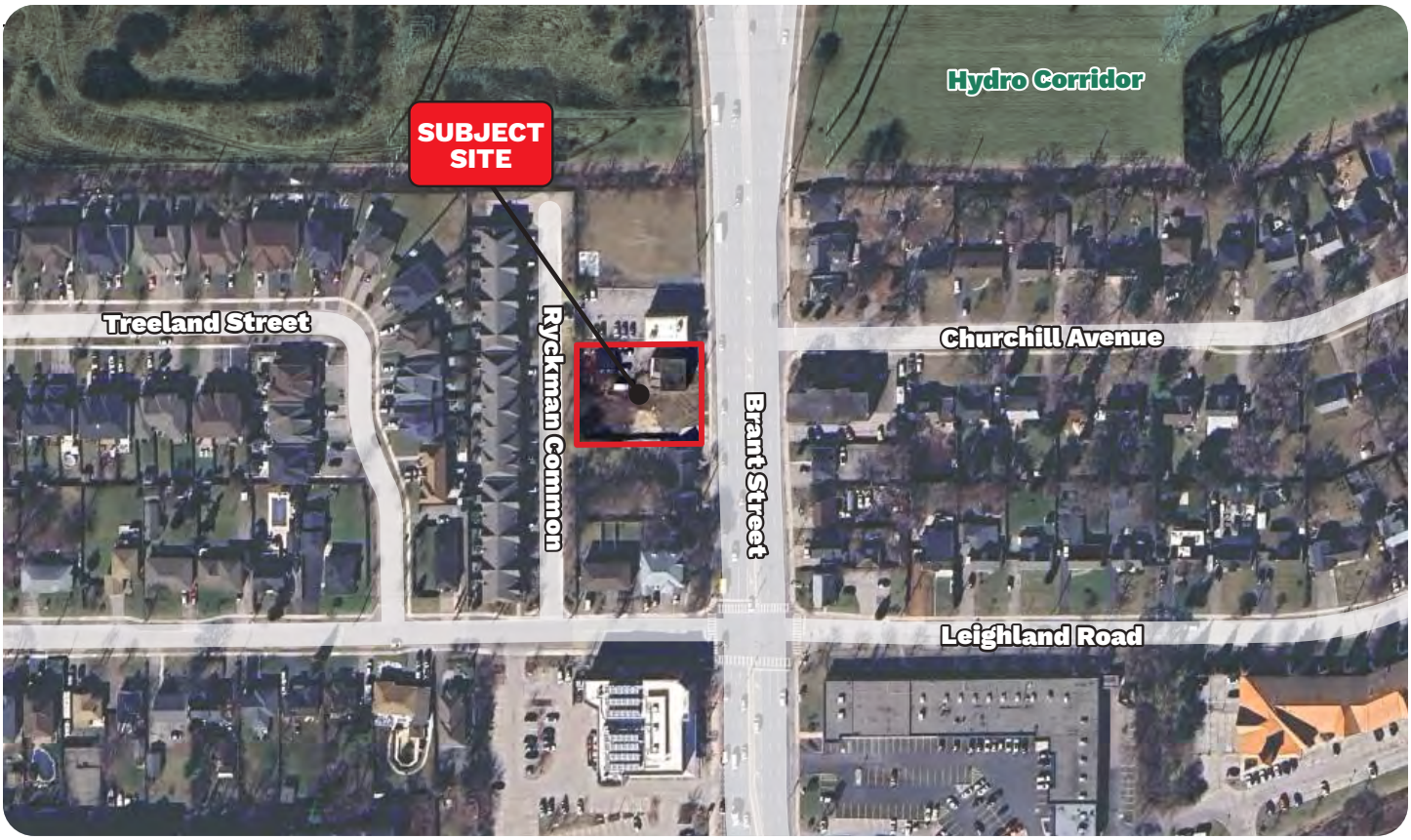


Figure 2 - Aerial Photo - Site Context

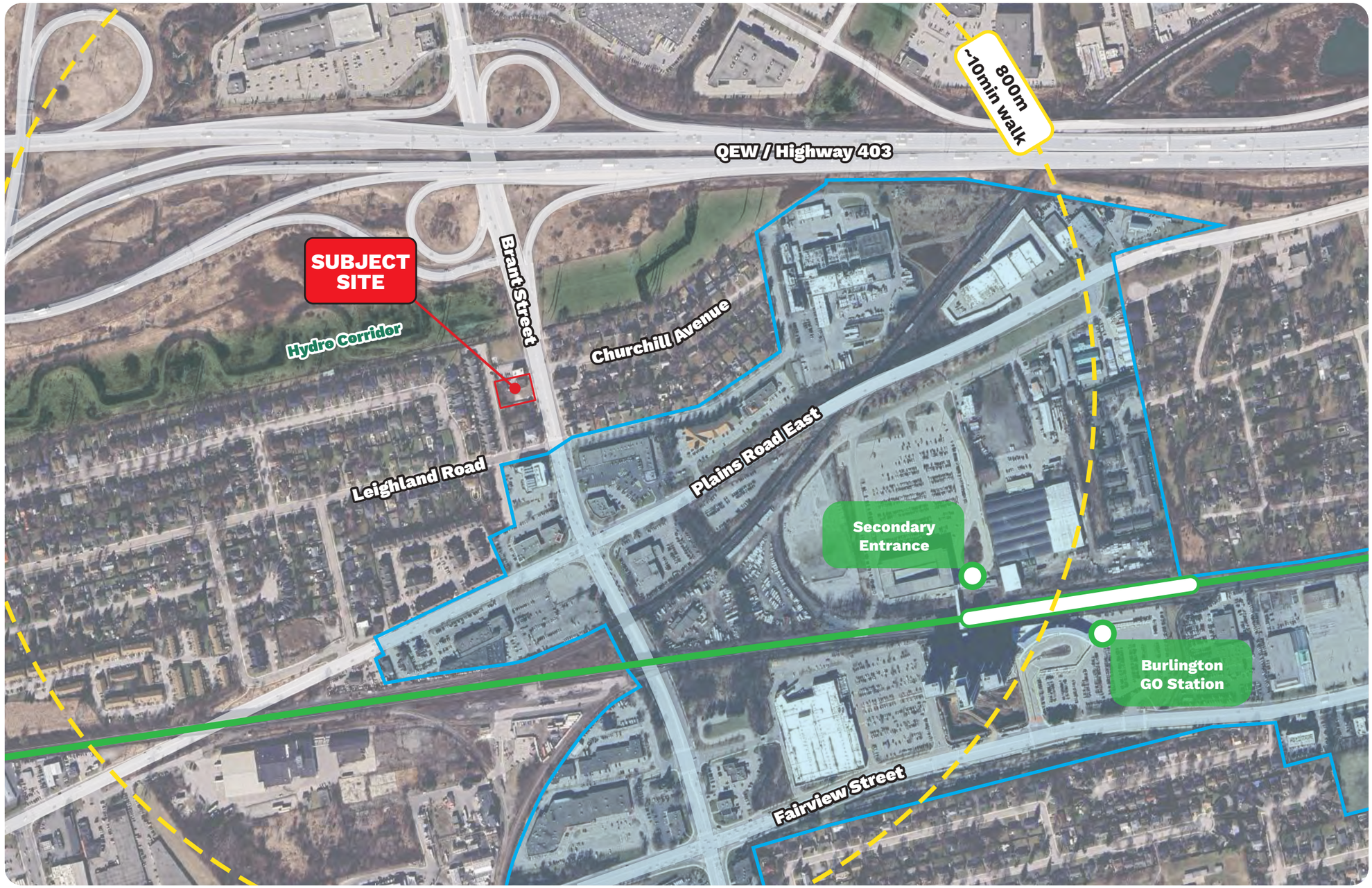
1 For the purposes of this report, descriptions of cardinal directions have been aligned with the street grid of the City of Burlington, which sits o ff axis of true north. For example, Lake Ontario is considered south of the subject site.

2.2 Surroundings

The subject site is located to the north of Downtown Burlington along Brant Street, which functions as the City of Burlington's main street with significant commercial activity, particularly in areas closer to Downtown Burlington. Along the subject site's frontage, Brant Steet provides a key connection between the provincial highway network and the northern portions of the City as well as Downtown Burlington. Brant Street is a Regional Road that has capacity for high volumes of traffic and provides access to a variety of commercial uses including Walmart, Mountain Equipment Co-Op, Costco, and others including restaurants, auto dealerships, restaurants and entertainment uses. Brant Street also includes strong transit access due to the nearby Burlington GO station and connecting bus routes. Burlington GO station is within a 15-minute walking radius and the site is just outside the boundary of the Burlington GO station MTSA (see **Figure 3**). The MTSA today is comprised of mainly low-density commercial, and employment uses, with limited residential development. However, recent City of Burlington policy amendments designate the MTSA as an area where future growth with the highest densities is expected. The area is envisioned as a complete community that is highly urban, walkable, and comprised of transit-supportive built form.

The area surrounding the subject site is characterized by residential and mixed-use development, as designated in the City of Burlington's Official Plan and Zoning By-law. Single detached dwellings and townhouses are located west of the site, with a mix of residential and commercial uses to the east on the opposite side of Brant Street and single-detached buildings beyond. The block of Brant Street where the subject site is located contains a more residential character. It is comprised of mainly low density residential and apartments on smaller lots fronting onto the street. with a few of small-scale commercial uses located in converted residential dwellings. South of Leighland Road, Brant Street transitions into a highly commercial street with a wide number of commercial uses, primarily located in several commercial shopping plazas. This commercial area, located within the MTSA., features larger lots and higher levels of activity.

Various high density residential and mixed-use developments have been approved within the MTSA and along Brant Street as identified in Table 1. This further supports the transition of lands within the MTSA to higher densities. These approvals range in building heights from 18- to 37-storeys.



Legend

- Subject Site
- GO Line
- Downtown Burlington UGC / Burlington GO MTSA Boundary
  (Under review by the Ministry of Municipal Affairs and Housing)

Figure 3 - Aerial Photo - Area Context

Table 1 - Surrounding Development Activity

Address	Max. Bldg. Height (Storeys)	Description	Application Status
		Proposed	
769-783 Brant St and 2023-2033 Ghent Avenue; and 747 and 761 Brant Street	25 & 8	Development or a 25-storey tower with 283 units and ground floor commercial are and an 8-storey building with 120 units and ground floor commercial area.	Under Review.
		Approved	
774 Brant Street	25 & 18	Development of an 18 storey and 25 storey residential tower atop a shared 5-storey podium with 444 residential units. Commercial space is proposed at grade.	Approved by City Council on July 16, 2024.
688-698 Brant St	11	Development of an 11-storey mixed use building. The proposed development includes 1,892m² of retail on the ground floor fronting Brant Street, as well as a mix of studio, one-, and two-bedroom residential units resulting in a total of 293 residential units.	Approved by City Council on July 11, 2023.
789-795 Brant	33	The proposed 33-storey development includes an 8-storey podium with 480m² of retail on the ground floor fronting Brant Street, as well as a mix of one-to-three-bedroom residential units resulting in a total of 329 residential units.	Approved at OLT on May 6, 2024.
2071 Fairview Street	18 & 18	Two 18 storey towers atop a shared 6-storey podium with 388 residential units, commercial uses at grade and office uses on the second floor.	Under Construction.
2243 - 2269 Fairview Street	37, 35, 34, 33, 33, 33, 29	Large-scale, multi-phase development of 7 new mixed use and residential towers of up to 37 storeys. 2,515 residential units are proposed as well as a new public park, public street network, and commercial uses at grade.	Approved at OLT on May 6, 2022.

There are a number of applications within the MTSA in proximity to the subject site as identified in Table 1. Further, the City of Burlington's MTSA Community Planning Permit By-law, described further in section 4 of this report, permits heights of up to 45 storeys in proximity to the Burlington GO Station. This reinforces the development direction for the MTSA and Brant Street Corridor as evolving into a higher density community. This is in line with applicable provincial, regional, and local planning frameworks that focus growth and development in strategic growth areas, such as MTSAs and intensification corridors, including Brant Street.

The QEW, a major provincial freeway, runs through the City of Burlington and is located approximately 250 metres north of the site. The freeway loops around Downtown Burlington from Hamilton and Niagara in the south towards Oakville and Toronto in the east.

The site is surrounded by low- to mid-rise residential and commercial uses in the wider context, with the Leighland residential neighbourhood located to the west and east of the site, which is then surrounded by the aforementioned QEW, Hydro Corridor, rail corridor and various commercial and employment uses.

Leighland Park is the nearest park located southwest of the site, accessible by travelling south on Leighland Road. The park offers amenities such as sports courts, baseball diamonds, and green open space. Wellington Park is located southeast of the site and offers walking trails and full tree canopy across the park. Wellington Park is closer to the city's downtown centre and is accessed by travelling south on Brant Street.

2.3 Immediate Surroundings

To the immediate east of the subject site is Brant Street, a regional road identified in the Region of Halton Official Plan as a major arterial road. (see **Figure 14**). Adjacent to the subject site, Brant Street has 3 south-bound lanes, one middle turning lane, 3 north-bound lanes, and sidewalks and bike lanes on both sides of the street. The east side of Brant Street is currently occupied by a 4-storey residential building with an approximate 1 metre setback from Brant Street (2006 Churchill Avenue). South of 2006 Churchill Avenue are several house-form commercial buildings which have setbacks of 6 to 7 metres from Brant Street. North of 2006 Churchill Avenue is Churchill Avenue, an east-west local street which meets Brant Street at an unsignalized intersection directly across the street from the subject site. The north side of Churchill Avenue, along Brant Street, is lined with 1-2 storey detached dwellings which have been subject to a pre-application consultation for a 12-storey residential building (1069-1077 Brant Street). Further east is a variety of low-rise residential uses, primarily 1-2 storey detached dwellings along Churchill Avenue.



Brant Street is a major north-south arterial road. Looking north towards the subject site



Former residential uses, since converted to commercial, line the east side of Brant Street



The east side of Brant Street is occupied by a variety of uses including a 4-storey apartment building



Low-rise residential uses exist further east beyond Brant Street like these along Churchill Avenue

To the north of the subject site, along Brant Street, is a 2-storey medical office building located close to Brant Street property line (1066 Brant Street). 1066 Brant Street features a 0.37 metre setback from the subject site along its south lot line, as well as surface parking in the rear, which is accessed by a driveway on the north side of the property. A Burlington Transit bus stop is located immediately adjacent to 1066 Brant Street. North of 1066 Brant Street is currently a vacant parcel (1070-1076 Brant Street). The north side of the vacant parcel is the location of an east-west Hydro Corridor, approximately 80 metres in width. The north side of the Hydro Corridor is occupied by the QEW, which includes a full-movement interchange with Brant Street approximately 150 metres north of the subject site.



1066 Brant Street and the adjacent vacant parcel at 1070-1076 Brant Street, looking west



A Burlington Transit stop is located adjacent to the site in front of 1066 Brant Street



Brant Street meets the QEW with a full access interchange north of the subject site

To the south of the subject site on the adjacent parcel of land is a single detached, 1.5 storey residential dwelling with a driveway that abuts the site's south lot line (1052 Brant Street). The dwelling features several mature trees in its rear and front yards. South of 1052 Brant Street, additional single detached residential dwellings front onto Brant Street for approximately 60 metres up to Leighland Road; where development transitions to commercial uses.

Leighland Road to Brant Street at a signalized intersection. with a dedicated left turn lane and one lane in each direction.

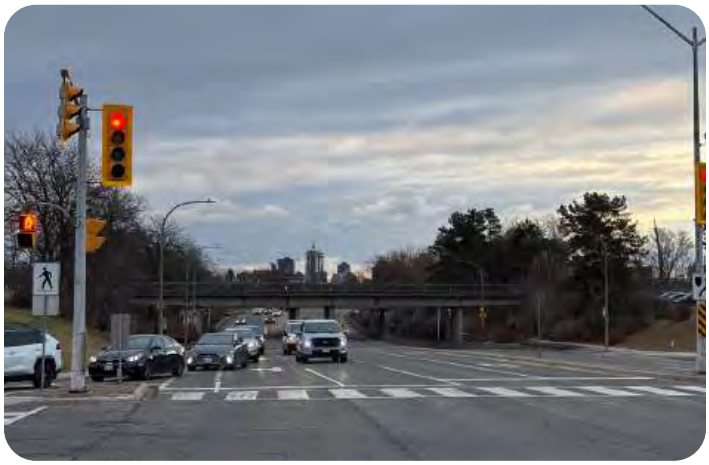
South of Leighland Road along Brant Street are a variety of commercial uses, including a Mountain Equipment Co-Op on the southwest corner of Leighland Road and Brant Street, and the aforementioned Brant Plains Village commercial plaza on the southeast corner. The Lakeshore West GO Corridor crosses Brant Street via an overpass approximately 330 metres to the south of the subject site. Burlington GO is approximately an 1,100 metre (~15 minute) walk to the southeast of the subject site. Burlington GO is on the Lakeshore West line, the busiest in the GO network, with train services as frequent as every 15 minutes in rush hours and regular express and local services, with expansion plans to further improve service.



1052 Brant Street is located south of the subject site with a driveway directly adjacent to the shared lot line. Various low-rise uses exist further south



The intersection of Leighland Road and Brant Street marks the edge of the Burlington GO MTSA, just south of the subject site



Brant street passes under the Lakeshore West GO corridor further south, close to Burlington GO station

To the immediate west of the subject site is Ryckman Common, a north-south private condominium road that branches off Leighland Road. Ryckman Common is a narrow private road that serves the adjacent townhouse community, with a sidewalk on the east side, and is separated from the subject site by a privacy fence along the common lot line. It contains an approximately 6-metre-wide landscaped buffer, which is punctuated by visitor parking for the townhouse complex. The west side of the road is lined with three blocks of 2-storey townhouses, each containing 7 residential units, for a total of 21 units. The brown brick rowhouses front towards the subject site onto Ryckman Common, and are fronted with street trees and front driveways, each having a single private garage. Ryckman Common notably shares an Official Plan designation and zoning designation with the subject site. While the property currently functions as a low-rise residential use, its planned use includes as-of-right permissions for up to 6-storeys of development.

West of Ryckman Common is a variety of single and semi-detached residential units, designated as low-rise residential in the City's Official Plan and Zoning By-law.



Ryckman Common is a private road serving a series of 2-storey townhouse dwellings. Looking north from Leighland Road



The interface with the Ryckman Common complex and the subject site includes an existing privacy fence and landscape buffer



Low-rise residential uses are located further west of Ryckman Common along Treeland Street

2.4 Transportation Network

Road Network

The subject site is located along Brant Street, which is identified as a Major Arterial Road in the Region of Halton Official Plan. Brant Street provides north to south connections to other major corridors and Burlington's downtown. It connects to a Provincial Freeway (the QEW) and transitions into a highly urban, pedestrian friendly street to the south past Fairview Street as it enters the downtown core. Along the portion of Brant Street adjacent to the subject site, the Brant Street consists of 3 travel lanes in the southern direction, 3 travel lanes in the northern direction, and one centre turning lane. Sidewalks and bike lanes are located on both sides of the street. According to Map 4 – Right-of-Way Requirements of Arterial Roads in the Halton Regional Official Plan, Brant Street has a right-of-way width of 36 metres. In this regard, the proposal provides a 1.2 metre wide road widening dedication along the subject site's Brant Street frontage. This is further supported by the 1997 City of Burlington Official Plan, which is identified as having an ultimate 36 metre right-of-way on Table 2.

Brant Street is also identified as part of the Regional Bike Network in Schedule P – Long Term Cycling Master Plan in the City's Official Plan (Figure X). As a part of Burlington's active transportation network, Brant Street services the site through connection of bicycle routes and multi-use paths and trails. This supports the community's ability for first and last mile trips – the journey from a person's origin to a transportation hub and vice versa.

Transit Network

The subject site is well serviced with public transit through a number of bus stops along Brant Street, including a stop immediately to the north of the subject site. A local bus stop and GO Bus stop is located at the northernmost corner of the site. Brant Street is serviced by local Bus Routes 2, 12, and 87 (see **Figure 4**):

- Bus Route 2 – Brant St: Provides connections from Downtown Burlington and Burlington GO to Highway 407 Park and Ride with regular service every 15 minutes on weekdays during the daytime (6am-6pm)
- Bus Route 12: Provides regular service every 30-59 minutes midday
- Bus Route 87: Provides peak only service every 30-59 minutes

Brant Street is also serviced by the Lakeshore West GO Bus service at Brant Street and Leighland Road (Bus Route 18) travelling between Toronto's Union Station and Hamilton GO. These bus routes provide connections to multiple GO Stations including Aldershot, Burlington, and Hamilton GO. Additionally, they provide connection to various transit nodes and community hubs inside and outside of the City. In addition to these bus services, Burlington Transit provides additional bus connections at all GO Rail Stations increasing local transit options to and from the subject site.

Brant Street is a Major Arterial as designated in Map 3 – Functional Plan of Major Transportation Facilities in the Region of Halton Official Plan. As a Regional Major Arterial, Brant Street is identified as serving mainly inter-regional and regional travel demands which accommodates truck traffic, carrying high volume of traffic and distributing traffic to and from provincial freeways. They are to support high density, transit supportive density and provide active transportation. The subject site is an approximate 15-minute walk from the Burlington GO Station, which is serviced by the Lakeshore West Line. This GO Regional Train line offers services east to Toronto's Union Station and south to Hamilton and Niagara Falls. The Lakeshore West Line currently includes all-day 30-minute frequencies, 7 days a week, with plans for electrification and increased service levels of a minimum of 15-minutes throughout the day in the near future.

The Provincial Planning Statement defines "frequent transit" as "a public transit service that runs at least every 15 minutes in both directions throughout the day and into the evening every day of the week". In this respect, the site in located in proximity to both a variety of bus routes and an MTSA, offering service every 15-30 minutes every day.

The area surrounding the subject site is identified in the Official Plan in Section 8.1.2(4) as a primary focus for transit-supportive development in the city due to its central and strategic location connected by rail, local and regional transit, provincial highways, and major arterials. Transit-supportive is defined in the Official Plan as "planning and development practices which make transit viable, optimize investments in transit infrastructure and improve the quality of the experience of using transit." The Burlington GO MTSA aims to achieve multi-modal access to the GO Stations and connections nearby to support major trip generation (8.1.2(4.1)). In this regard, it is our opinion that there is clear Official Plan policy direction to encourage transit supportive development in the surrounding area to support existing and future transit connections and optimize the transit modal split for transit through the development of land uses which support transit use.



Figure 4 - Burlington Transit Network Map



3 Proposal

3.1 Description of Proposal

The proposed development will introduce a new 11-storey mid-rise residential rental apartment building on the west side of Brant Street, approximately a 15-minute walk from the Burlington GO station. The development will expand the public realm space along Brant Street, with upgraded landscaping features. The compact built form provides a transit supportive and pedestrian oriented development which aligns within the existing and planned context, such as the taller buildings to the south and mid-rise buildings along Brant Street.

The 11-storey (plus rooftop mechanical penthouse) residential building is comprised of 93 residential units, with a total gross floor area of 7,182 square metres (see **Figure 5**). The proposed density is approximately 4.62 Floor Area Ratio (FAR) based on a post-widening lot area of 1,619 square metres and a Gross Building Floor Area of 7,542 square metres. The building height is 36.4 metres to the roof of the building, and 41.9 metres to the top of the mechanical penthouse.

The proposal would include one level of underground parking with a stacker based parking system, providing 66 parking spaces. Of these spaces, 13 would be provided for visitor parking and 53 for resident parking. At grade, two additional parking spaces (1 car-share and 1 visitor) would be provided, resulting in a total of 68 parking spaces for the development. The underground parking would be accessed via a parking elevator accessed from a proposed driveway access along the north side of the site, designed to maximize the driveway distance from the intersection of Brant Street and Leighland Road to the south in alignment with Regional Access Guidelines. An enclosed loading space would also be accessed from the proposed driveway, as well as the building lobby which would be located at the northeast corner of the building providing access from both the driveway and the upgraded Brant Street sidewalk.

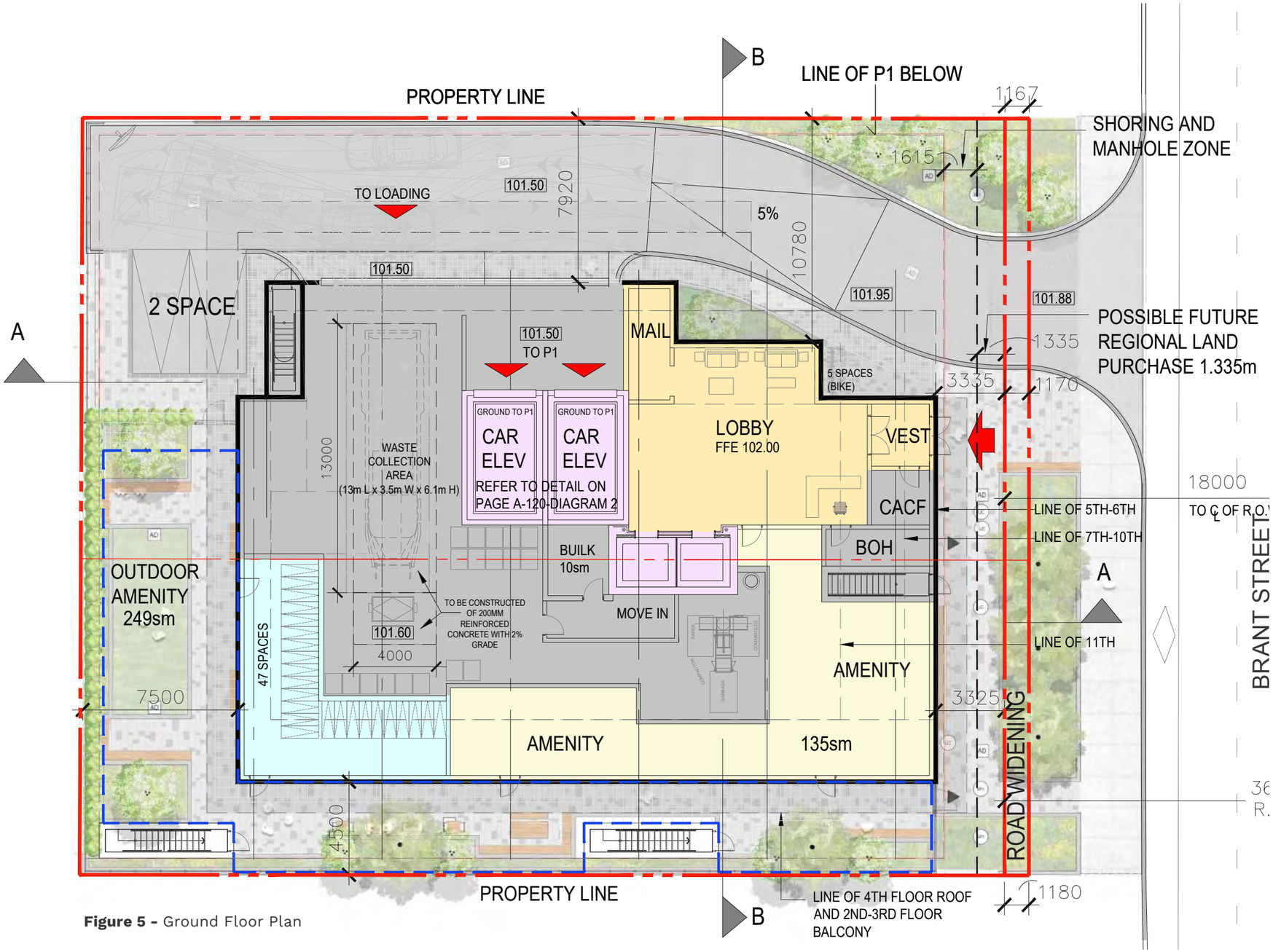


Figure 5 - Ground Floor Plan

Prepared by WZMH Architects

The overall massing of the building would include a 4-storey podium, which would be visually separated from the upper floors with brick cladding and over cladding of residential balconies. The podium has been designed to visually relate to the lower scale existing context and pedestrian scale, while acknowledging the evolving built form context of the site which is planned to see significant changes and increases in density over the coming years. The upper floors of the building would also feature several step backs to reduce the visual and shadow impacts of the development and to transition to adjacent uses and the public realm.

Base Building

The base building consists of a 4-storey podium that includes residential amenity space on the ground floor. The podium of the building features an exterior brick framing system around the proposed balconies to reference existing buildings in the immediate context and create a larger perceived building mass at grade and to create a more attractive public realm and pedestrian scale. The residential lobby is located on the northeast corner of the building, with direct sidewalk access to Brant Street as well as to a proposed east-west driveway along the northern portion of the site. The balance of the ground floor is utilized for the building's operational requirements (elevators, stairs, loading, garbage, mail, short term bicycle storage, etc.) and vehicular and loading access, that is fully enclosed. The upper 3 levels of the podium (levels 2-4) are proposed for residential uses with 30 units across the three floors. The podium is set back 3 metres from Brant Street, 4.5 metres from the south lot line, 7.5 metres from the west lot line, and 5.5 metres from the north lot line.

Upper Building

The upper levels of the building, from floors 4 to 11, are proposed to be stepped back on all four sides of the building to reduce the visual impact of the building and create a pedestrian-scale podium. Levels 4-10 are proposed to be set back 3 metres from the podium along the south lot line, 1.5 metres along the west lot line, and 3.78 metres along the north lot line. Along Brant Street, a 1.5 metre step back is provided above the 6th storey, with an additional 3.1 metre step back provided above the 10th storey. Also on the 10th level, a 3.1 metre step back is proposed along the west lot line to provide additional transition to the Ryckman Common townhouse complex to the west. These step backs and setbacks generally align with the City of Burlington's Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings.

Building Top

The mechanical penthouse has been deliberately stepped back from the upper building to minimize its visual impact, particularly from the public realm. The mechanical penthouse is stepped back 5.5 metres from the 11th floor along Brant Street, 1.5 metres from the north and south elevations, and 2 metres from the west elevation. Further, the penthouse is fully screened and enclosed.

Unit Distribution And Amenity Space

The development proposes a total of 93 residential units with a mix of unit types including:

64 one- bedroom and studio units (69%), 20 two-bedroom units (21%) and 9 three- bedroom units (10%).

In addition, the proposal provides 1,325 square metres of indoor amenity space for the building, equivalent to 14.247 square metres per unit. This space is demised as 135 square metres of common indoor amenity area, 249 square metres of at-grade common outdoor amenity space, and 941 square metres of private balconies for residents.

Access, Parking, And Loading

A total of 68 parking spaces are proposed for the development which will be provided through one level of underground parking. The P1 level is proposed to contain 66 parking spaces, 63 spaces of which would be provided in parking stackers. An additional 3 spaces would be provided as accessible parking spaces. At grade, an additional two parking spaces would be provided at the rear of the building which would include one short-term visitor space and a car-share space.

Access to the below-ground parking levels would be provided via two car elevators, accessed off of the north driveway running along the north lot line. Immediately adjacent to the parking ramp is the proposed dedicated loading space, which would be fully enclosed within the building.

At grade, the proposal also includes streetscape improvements along Brant Street. A 1.2 metre road widening would be provided along Brant Street in alignment with the Region of Halton Official Plan, and when combined with a 3.3-metre setback for the building from the revised lot line, would result in a substantially improved and generous public realm. Street trees are proposed along the building's frontage as well as upgraded landscaping and enlarged pedestrian spaces. Along the south and west side of the buildings, the aforementioned outdoor amenity space is proposed, with a variety of spaces and landscaping features throughout. This space would additionally serve as a landscaped buffer to the Ryckman Common townhouses to the west. 46 bicycle parking spaces are proposed on the southwest corner of the ground floor, accessed through the outdoor amenity area, as well as 5 additional spaces on an exterior bike rack along the rear of the building.

3.2 Key Statistics

Site Area Pre-road widening Post-road widening	 1,674 square metres (0.17 ha) 1,632 square metres (0.16 ha.)
Total GFA (Gross Floor Area) Total GBFA (Gross Building Floor Area)	**7,182 square metres** 7,542 square metres
FAR (Floor Area Ratio)	4.62
Building Height Including mechanical penthouse	**36.35 metres** 41.85 metres
Residential Units 1-Bedroom / Studio 2-Bedroom 3-Bedroom	**93** 64 (69%) 20 (21%) 9 (10%)
Units Per Hectare	570
Amenity Space	1,325 sq. m. (including balcony and terraces) 14.25 sq. m. per unit
Vehicle/Bicycle Parking	68 resident/visitor vehicle parking spaces 51 bicycle parking spaces

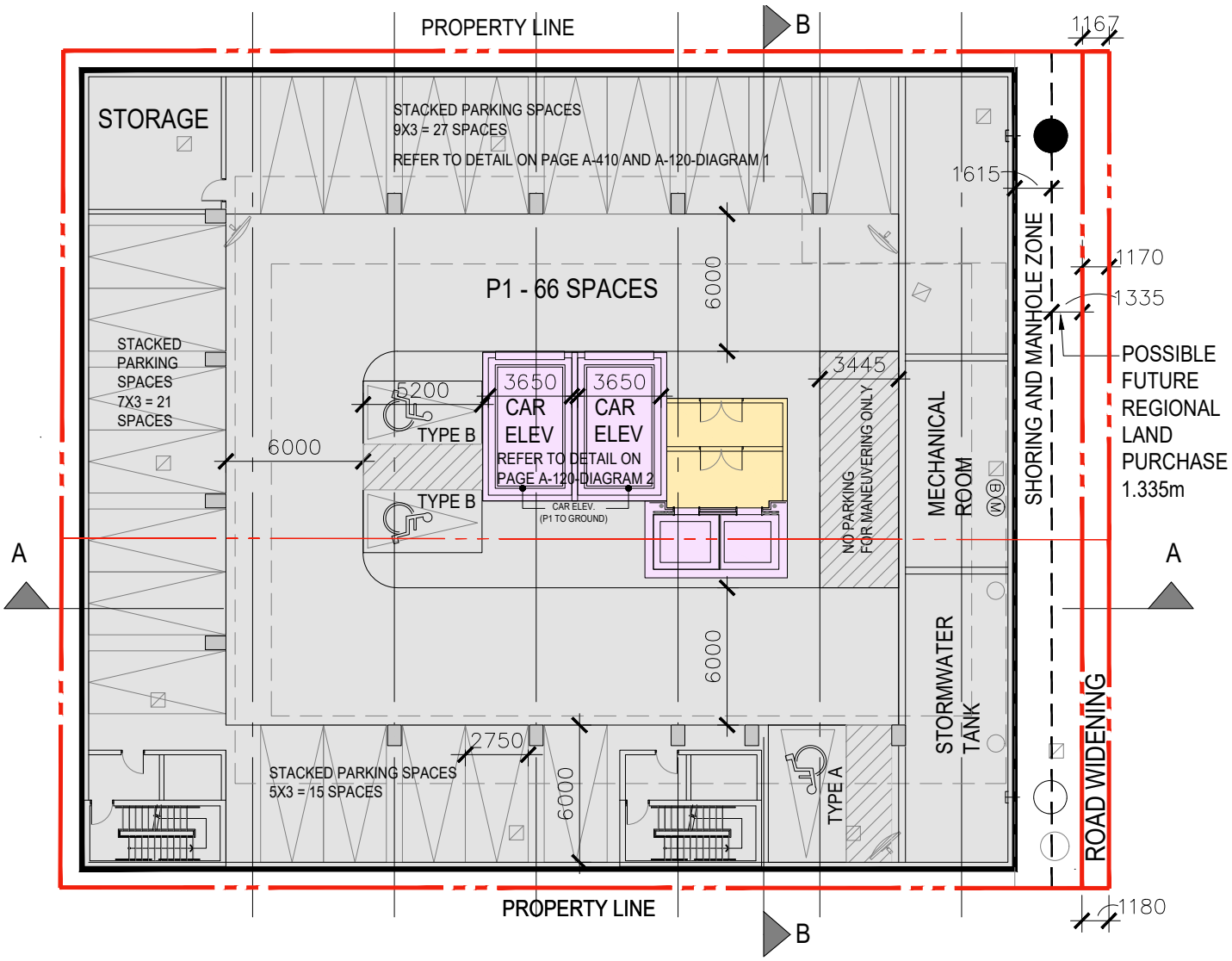


Figure 6 - P1 Plan

Prepared by WZMH Architects

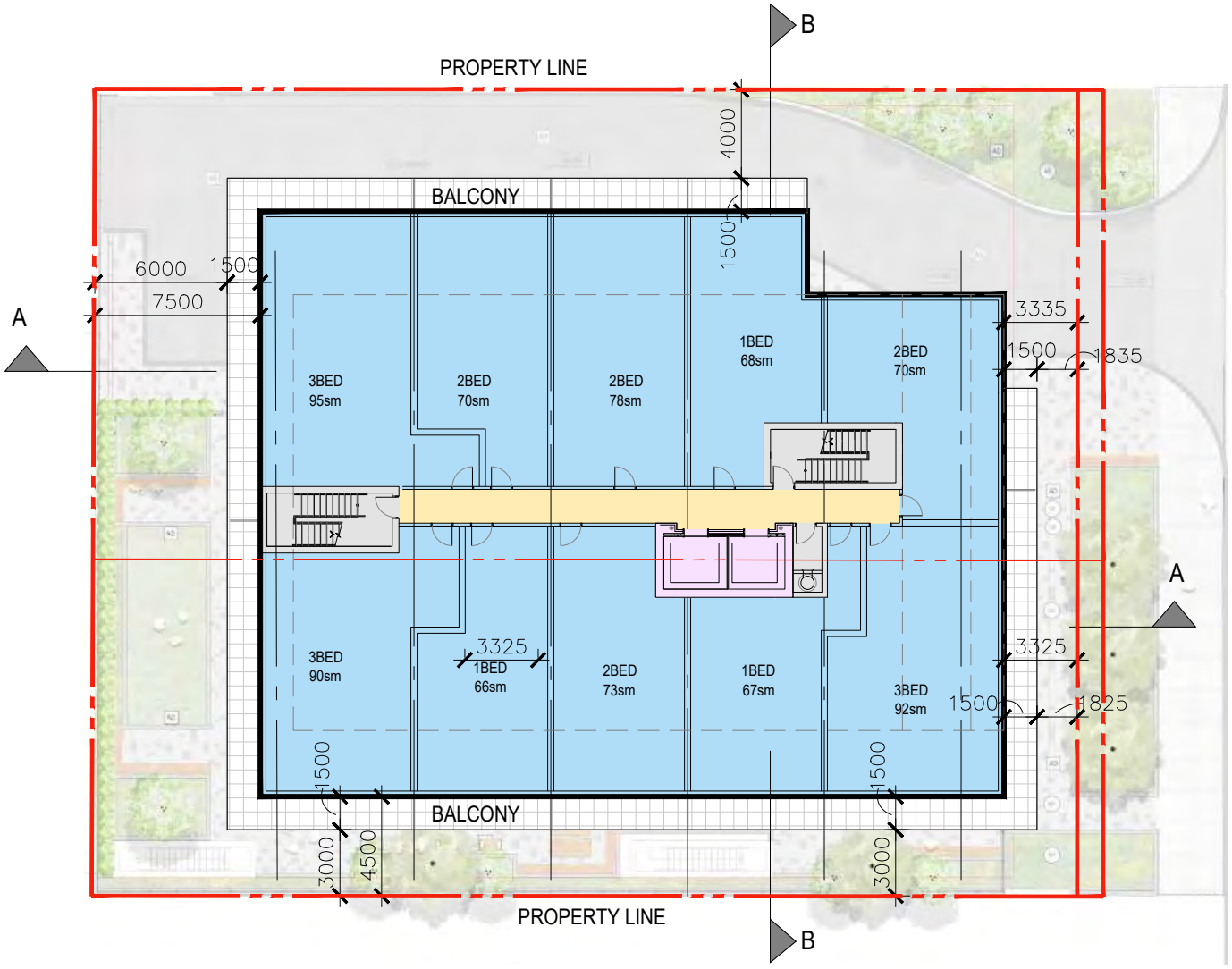


Figure 7 - 3rd-4th Floor Plans

Prepared by WZMH Architects

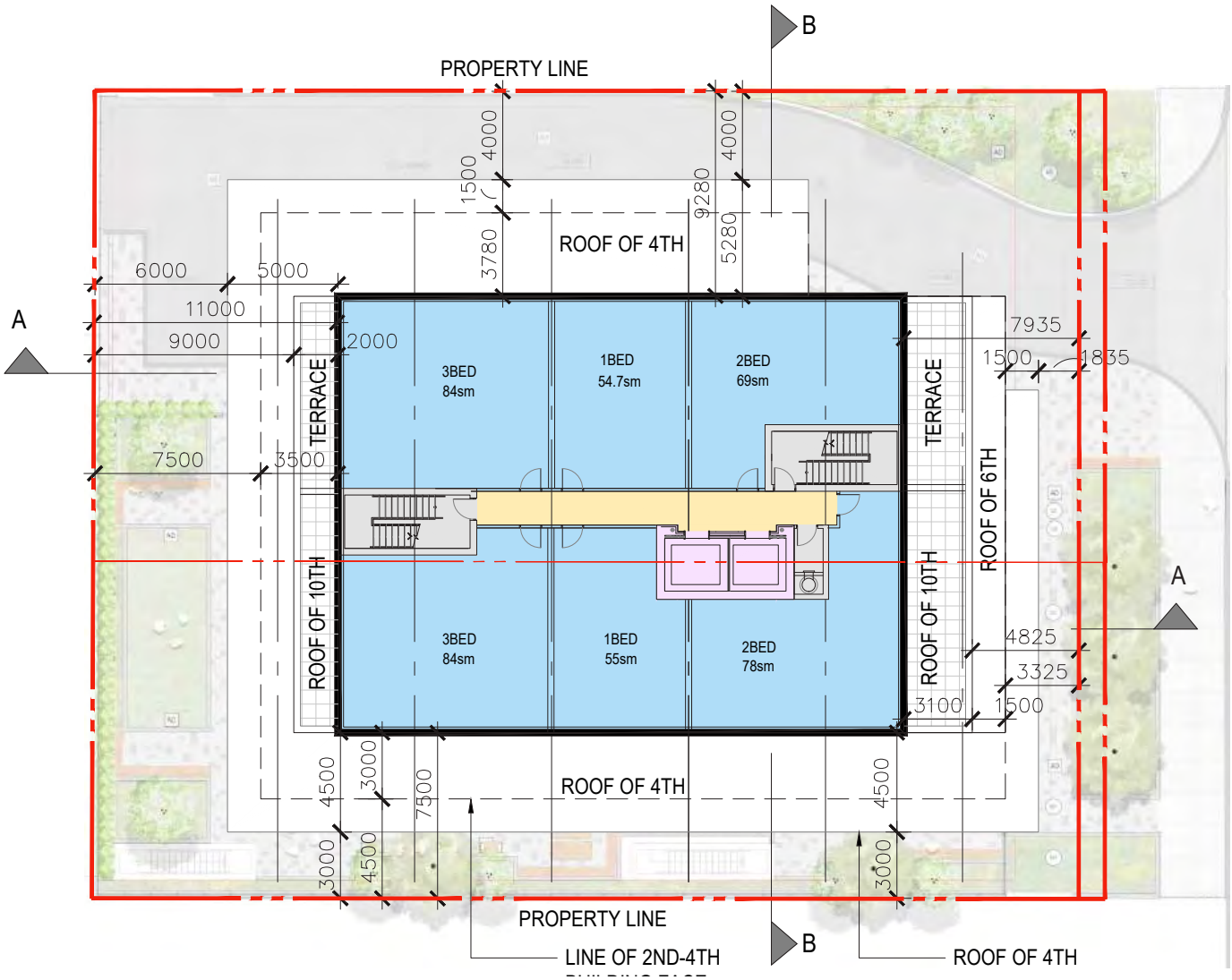


Figure 8 - 11th Floor Plan

Prepared by WZMH Architects



Figure 9 - North Elevation

Prepared by WZMH Architects



Figure 10 - South Elevation

Prepared by WZMH Architects



Figure 11 - East Elevation

Prepared by WZMH Architects



Figure 12 - West Elevation

Prepared by WZMH Architects

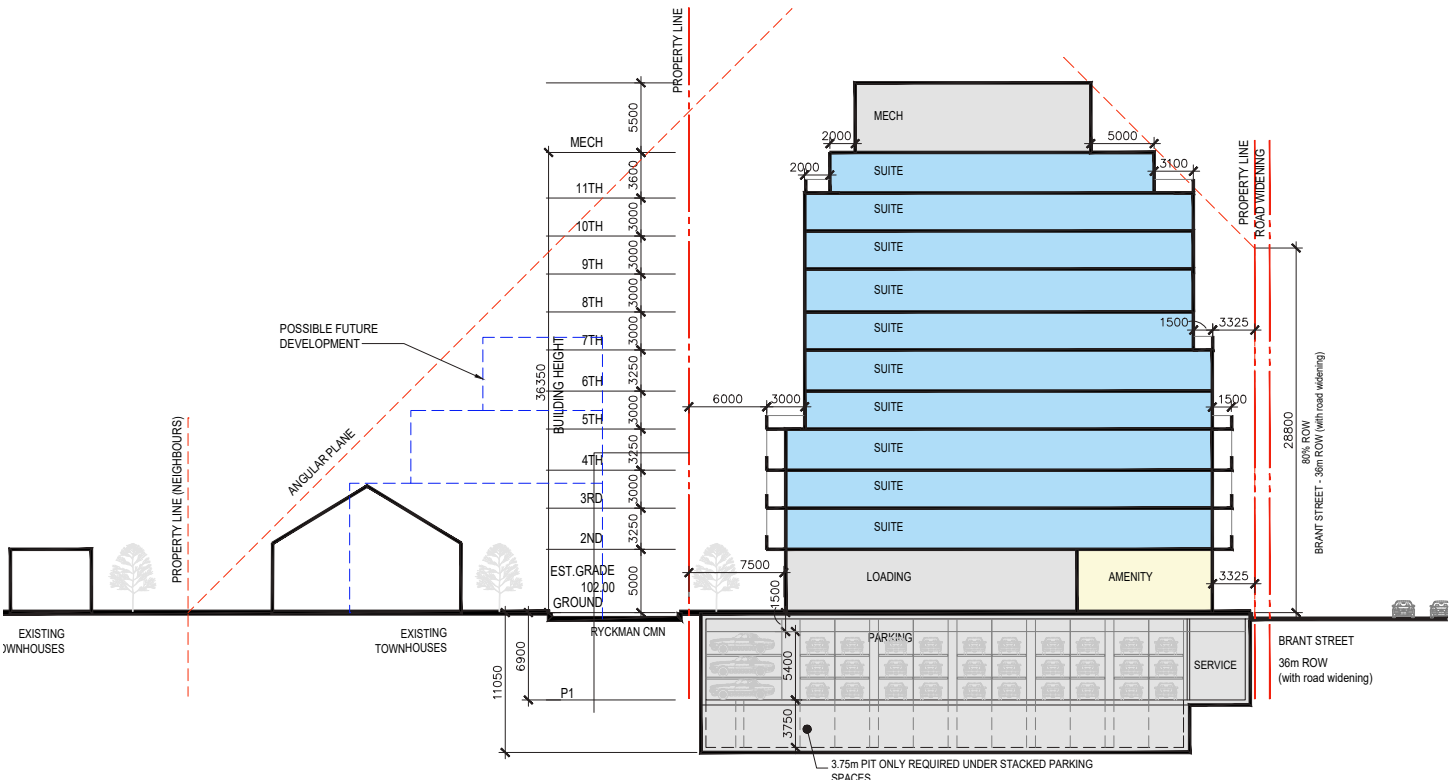


Figure 13 - Section with Ryckman Common

Prepared by WZMH Architects

3.3 Required Approvals

In our opinion, the proposed development is consistent with the Provincial Planning Statement and Region of Halton Official Plan, particularly policies that strongly support intensification in Strategic Growth Areas ("SGA"s). We believe the proposal conforms with and maintains the intent of the Official Plan, with the exception of Policy 5.3.2 d) (ii), which sets out maximum heights for the subject site. Accordingly, the proposal requires a site-specific amendment to the Official Plan to accommodate the proposed height increase.

A site-specific amendment is also required to the City of Burlington Zoning By-law 2020, as amended, to accommodate the proposed height and density, and to update other development standards necessary to accommodate the proposal.



4 Policy Context

4.1 Overview

The redevelopment proposal is supportive of numerous policy directions set out in the Provincial Planning Statement, Region of Halton Official Plan, and the City's Official Plan; all of which promote the efficient use of land and infrastructure within built-up areas, especially in SGAs, such as the Brant Street Regional Intensification Corridor.

4.2 Provincial Planning Statement (2024)

On August 20, 2024, the Ministry of Municipal Affairs and Housing released the Provincial Planning Statement (the "PPS"), which came into effect on October 20, 2024. The PPS replaces the Provincial Policy Statement (2020) as well as the Growth Plan for the Greater Golden Horseshoe (2019).

The PPS provides policy direction on matters of Provincial interest related to land use planning and development and applies to all decisions in respect of the exercise of any authority that affects a planning matter made on or after October 20, 2024. In accordance with Section 3(5) of the *Planning Act*, all decisions that affect a planning matter are required to be consistent with the PPS. In this regard, Policy 6.1 provides that the PPS "shall be read in its entirety and all relevant policies are to be applied to each situation".

As compared with the Provincial Policy Statement (2020) and Growth Plan for the Greater Golden Horseshoe (2019), the PPS is intended to reduce and streamline planning rules, simplify approvals to build homes and eliminate duplication between planning documents. It emphasizes flexibility, with the intent of helping get more homes built across the province, while continuing to protect agricultural lands, cultural heritage and natural areas.

Chapter 1 of the PPS sets out the Province's current vision for Ontario, emphasizing the importance of building housing to serve a fast-growing province:

> *"More than anything, a prosperous Ontario will see the building of more homes for all Ontarians. This is why the province has set a goal of getting at least 1.5 million homes built by 2031. Ontario will increase the supply and mix of housing options, addressing the full range of housing affordability needs. Every community will build homes that respond to changing market needs and local demand. Providing a sufficient supply with the necessary mix of housing options will support a diverse and growing population and workforce, now and for many years to come."*

Chapter 1 goes on to describe Ontario's land use planning framework, stating that this framework and the decisions that are made within it:

> *"...shape how our communities grow and prosper. Prioritizing compact and transit-supportive design, where locally appropriate, and optimizing investments in infrastructure and public service facilities will support convenient access to housing, quality employment, services and recreation for all Ontarians." (our emphasis)*

One of the key policy directions that continues to be expressed in the PPS is to build complete communities with a mix of housing options and promote efficient development and land use patterns.

With regards to population projections, Policy 2.1.1 of the PPS identifies that planning authorities shall base population and growth forecasts on projections published by the Ministry of Finance, and may modify, as appropriate. To that end, the Ministry of Finance projects that the Region of Halton will reach a population of 735,000 in 2031 and 980,000 in 2051. When compared to the 2023 population estimate for the Region of Halton of 642,000, the updated projections represent a substantial increase in population for the region of over 52% over the next 28 years, among the fastest growing regions in the province.

Policy 2.1.6 of the PPS provides that planning authorities should support the achievement of complete communities by, among other things, accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses, recreation, parks and open space, and other uses to meet long-term needs.

With respect to housing, Policy 2.2.1(a) provides that planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by establishing and implementing minimum targets for the provision of housing that is affordable to low- and moderate-income households.

Policy 2.2.1(b) provides that this should also be done by permitting and facilitating all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, and all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with Policy 2.3.1.3 (see below).

Further, Policy 2.2.1 (i) and (d) direct that an appropriate range and mix of housing options and densities is provided by promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation, and by requiring transit-supportive development and prioritizing intensification in proximity to transit.

Section 2.3 contains policies related to Settlement Areas. As it relates to the subject site, Policy 2.3.1.1 directs that settlement areas shall be the focus of growth and development, and that within settlement areas, growth should be focused in, where applicable, SGAs, including MTSAs. While the subject site is not within a delineated MTSA, it is located just outside of one and is located within an SGA. Policy 2.3.1.2 goes on to state that land use patterns within settlement areas should be based on densities and a mix of land uses which: efficiently use land and resources; optimize existing and planned infrastructure and public service facilities; support active transportation; are transit-supportive, as appropriate; and are freight-supportive.

Policy 2.3.1.3 directs planning authorities to support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.

Section 2.4 includes policies related to SGAs, which are relevant to the subject site. Strategic growth areas are defined as nodes, corridors, and other areas within settlement areas that have been identified by municipalities to be the focus for accommodating intensification and higher-density mixed uses in a more compact built form. Strategic growth areas include, among other things, major transit station areas, existing and emerging downtowns, and other areas where growth or development will be focused. In the case

of the subject site, it is located along a Regional intensification corridor as identified in the Region of Halton Official Plan and in the City of Burlington Official Plan. These areas are identified as locations for intensification and growth.

Policy 2.4.1.1 encourages planning authorities to identify and focus growth and development in SGAs. Policy 2.4.1.2 directs that, to support the achievement of complete communities, a range and mix of housing options, intensification and more mixed-use development, strategic growth areas should be planned: to accommodate significant population and employment growth; as focal areas for education, commercial, recreational, and cultural uses; to accommodate and support the transit network and provide connection points for inter-and intra-regional transit; and to support affordable, accessible, and equitable housing.

Policy 2.4.1.3 provides that planning authorities should, among other things, identify the appropriate type and scale of development in strategic growth areas and the transition of built form to adjacent areas, and permit development and intensification in strategic growth areas to support the achievement of complete communities and a compact built form.

Section 2.9 of the PPS addresses energy conservation, air quality and climate change. Policy 2.9.1 directs planning authorities to plan to reduce greenhouse gas emissions and prepare for the impacts of a changing climate through approaches that: support the achievement of compact, transit-supportive, and complete communities; incorporate climate change considerations in planning for and the development of infrastructure, including stormwater management systems, and public service facilities; support energy conservation and efficiency; promote green infrastructure, low impact development, and active transportation, protect the environment and improve air quality; and take into consideration any additional approaches that help reduce greenhouse gas emissions and build community resilience to the impacts of a changing climate.

Chapter 3 includes policies related to infrastructure and facilities. Generally, the infrastructure policies set out in Chapter 3, like those in Chapter 3 of the Growth Plan, place emphasis on the need to integrate land use planning and investment in both infrastructure and transportation.

Policy 3.1.1 provides that infrastructure and public service facilities shall be provided in an efficient manner while accommodating projected needs, and that planning for infrastructure and public service facilities shall be coordinated and integrated with land use planning and growth management so that they are financially viable over their life cycle, leverage the capacity of development proponents, where appropriate, and are available to meet current and projected needs.

The need to make good use of existing infrastructure is emphasized by Policy 3.1.2, which provides that, before consideration is given to developing new infrastructure and public service facilities, the use of existing infrastructure and public service facilities should be optimized, and opportunities for adaptive re-use should be considered, wherever feasible.

With respect to implementation, Policy 6.1.6 requires that planning authorities keep their zoning by-laws up to date with their official plans and the PPS, by establishing permitted uses, minimum densities, heights and other development standards to accommodate growth and development. Where a planning authority must decide on a planning matter before their official plan has been updated to be consistent with the PPS, or before other applicable planning instruments have been updated accordingly, Policy 6.1.7 directs that it must still make a decision that is consistent with the PPS.

For the reasons set out in Section 5 of this report, it is our opinion that the proposed development and the requested Official Plan Amendment and Zoning By-law Amendment are consistent with the PPS, specifically the policies relating to residential intensification and the efficient use of land and infrastructure.

4.3 Halton Regional Official Plan (May 2024 Office Consolidation)

The Halton Region Official Plan ("ROP") was adopted by Regional Council on March 30, 1994, and approved, with modifications, by the Minister of Municipal Affairs and Housing ("MMAH") on November 27, 1995. Between 2006 and 2009, the Region undertook a planning exercise called Sustainable Halton which resulted in the adoption of Regional Official Plan Amendment 38 on December 16, 2009. Regional Council subsequently adopted Regional Official Plan Amendment 48 ("ROPA 48") on July 7, 2021, which was approved by the MMAH on November 10, 2021, further updating the plan to identify a hierarchy of SGAs in the Regional Official Plan to accommodate population and job growth to 2051, as required by the then applicable Growth Plan. An additional amendment, Regional Official Plan Amendment 49 ("ROPA 49"), which was modified and brought into full force and effect on November 4, 2022 by the MMAH, brought further changes to the ROP with regards to accommodating growth to 2051.

Following the approval of ROPA 49 in November of 2022, the MMAH introduced the *Official Plan Adjustments Act, 2023* and subsequently the *Get it Done Act, 2024*. The two acts modified the approval of ROPA 49 as of November 4, 2022, rolling back many of the modifications made by the MMAH as a part of the approval in a manner so as the modifications are deemed to never have occurred. Several adjustments made by the MMAH remain within ROPA 49, and the revisions to the ROP which occurred as a part of the *Official Plan Amendments Act, 2023* and *Get it Done Act, 2024* do not result in substantial revisions to policies which relate to the subject site and proposed development.

On July 1, 2024, through changes to the *Planning Act*, the MMAH identified the Region of Halton as an "upper-tier municipality without planning responsibilities". As a result, the ROP is no longer an official plan for the Regional Municipality of Halton. Instead, it has been deemed an official plan of each of the lower-tier municipalities in Halton, until it is revoked or amended by the respective municipality. Section 70.13(7) of the Planning Act states that in the event of conflict, the portions of an official plan of an upper-tier municipality without planning responsibilities that are deemed to constitute an official plan of a lower-tier municipality prevail over the official plan of the lower-tier municipality that existed before July 1, 2024. As such, the ROP continues to be in-force policy but has transferred its administration to the City of Burlington, where applicable. It is anticipated that the policies of the plan will eventually be integrated into the City of Burlington Official Plan through the City's Official Plan review process.

Part II, Policy 31 provides Halton's planning vision for a healthy community. In subsection, 31(3) it states that a healthy community is one that is physically designed to minimize the stress of daily living and meet the life-long needs of its residents; in 31(4) where a full range of housing, employment, social, health, educational, recreational and cultural opportunities are accessible for all segments of the community; and in 31(5) where mobility is provided primarily through an affordable, convenient, safe and efficient public transportation system and non-motorized travel modes.

Map 1 (Regional Structure) of the ROP identifies the subject site as within the Urban Area and Built Boundary (see **Figure 14**). Policy 72 of Part III of the ROP sets out a series of objectives for the Urban Area, including:-

- to accommodate growth in accordance with the Region's desire to improve and maintain regional unity, retain local community identity, create healthy communities, promote economic prosperity, maintain a high quality, sustainable natural environment, and preserve certain landscapes permanently (1);
- to support a form of growth that is compact and supportive of transit usage and non-motorized modes of travel, reduces the dependence on the automobile, makes efficient use of space and services, promotes live-work relationships and fosters a strong and competitive economy (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 (3);
- to establish a rate and phasing of growth that ensures the logical and orderly progression of development, supports sustainable and cost-effective growth, encourages complete communities, and is consistent with the policies of this Plan (5);
- to plan and invest for a balance of jobs and housing in communities across the Region to reduce the need for long distance commuting and to increase the modal share for transit and active transportation (7); and
- to facilitate and promote intensification and increased densities (9).

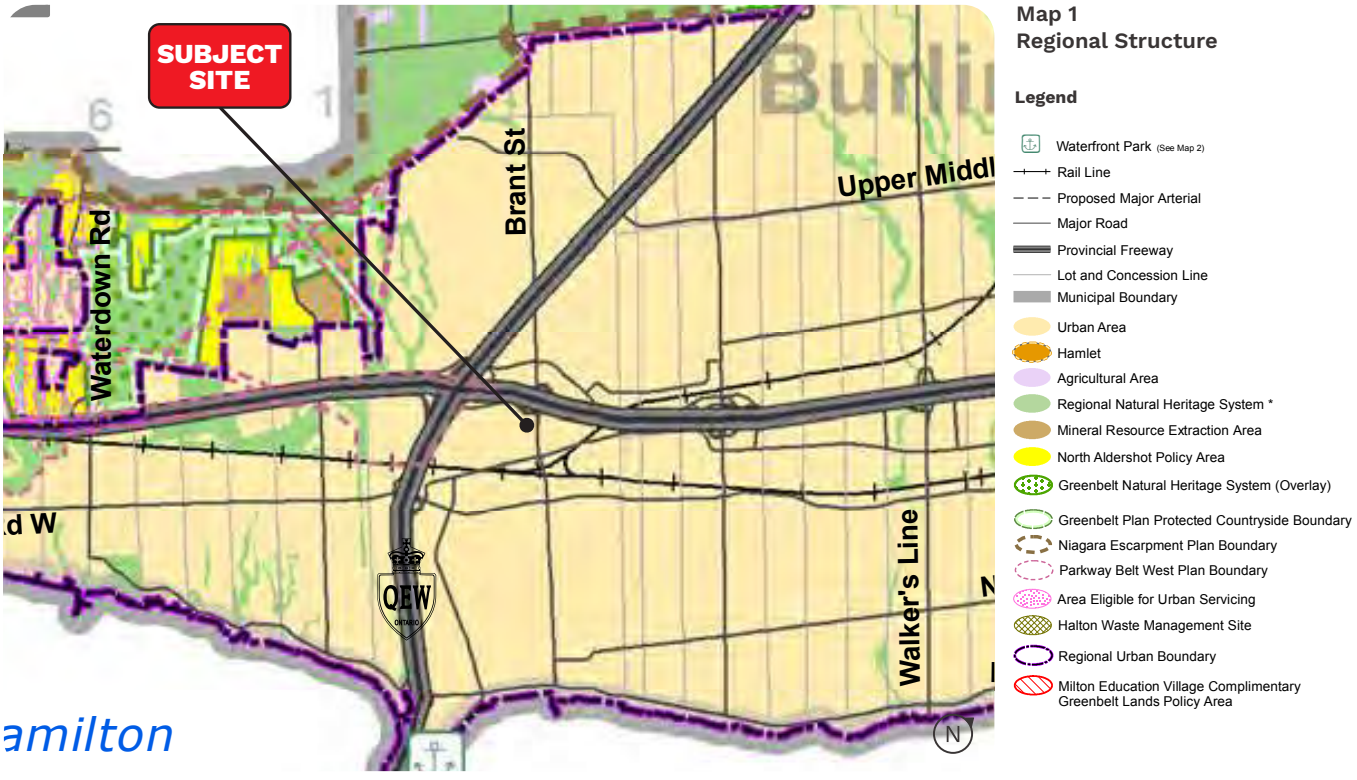


Figure 14 - Map 1, Regional Structure

Policy 75 of Part III of the ROP provides that the Urban Area is to be planned to accommodate the distribution of population and employment as set out in Table 1 of the ROP. It notes that the City of Burlington is planned to have a population of 265,160 persons by 2051. While Table 2, Intensification and Density Targets, provides that the City of Burlington is to add a minimum of 20,500 new housing units in the built-up area by 2051. Policy 77(2.1) provides that a minimum of 45 per cent of new residential development occurring annually within Halton Region shall be directed to the built-up area. We note that these population projections are significantly above that which has been modelled in both the in-force and under-appeal Official Plans, as discussed in sections 4.4 and 4.5 of this report.

Map 1h, Regional Urban Structure of the ROP shows the subject site as being along a Regional Intensification Corridor (see **Figure 15**). As the subject site is located within a Regional Intensification Corridor in the ROP, it is considered an *Intensification Area* and SGA for the purposes of the ROP. Within the urban structure, these areas are intended to accommodate intensification and transit-supportive development to support population and employment growth. *Intensification Areas* are further described as having a pedestrian-oriented urban environment with high-quality public realm elements at higher densities than surrounding areas.

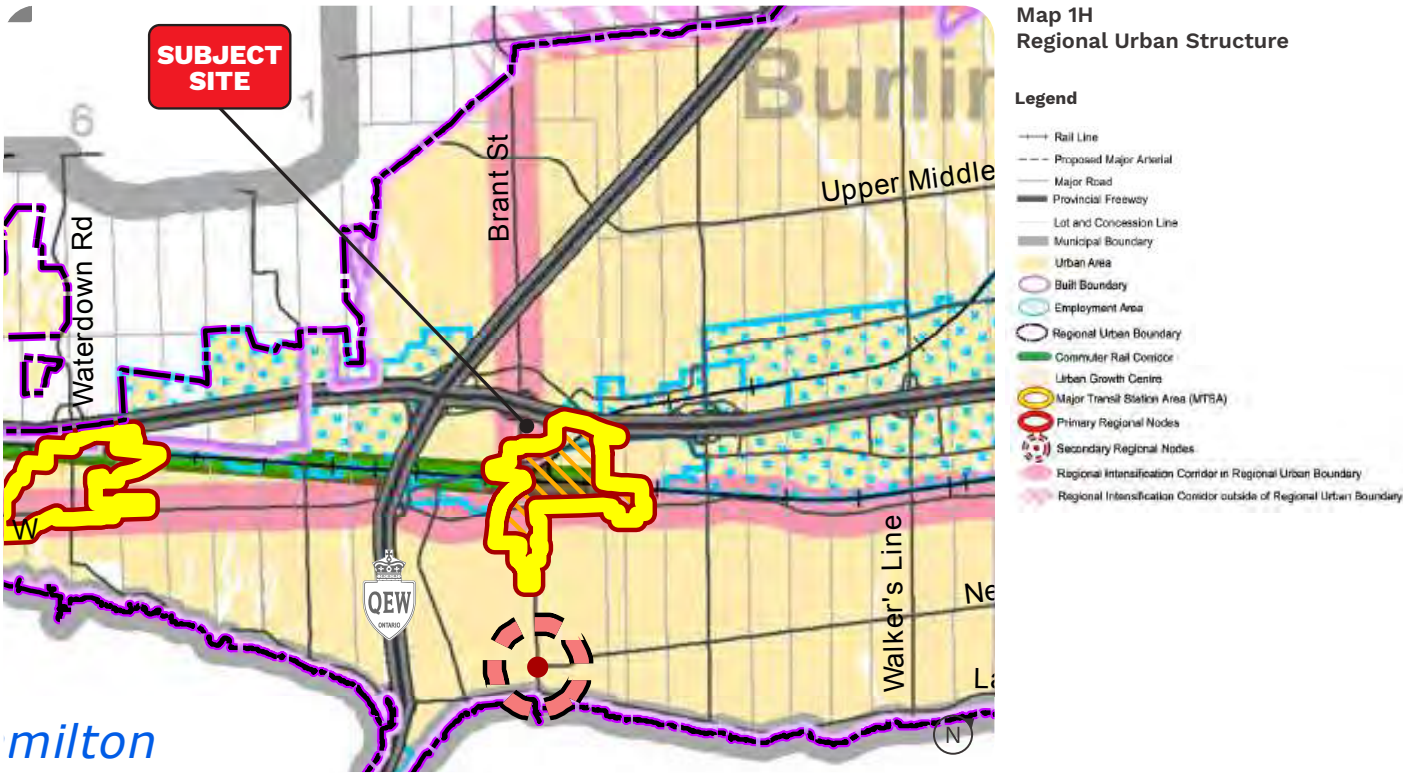


Figure 15 - Map 1h, Regional Urban Structure

Policy 79.1 of Part III of the ROP provides that SGAs are integral to the regional urban structure within the urban area, and that Regional Intensification Corridors are areas along higher order transit corridors and select arterial roads. They connect other elements of the regional urban structure and support achieving residential and employment densities to ensure the viability of existing and planned transit infrastructure and service

Policy 82.3 of Part III of the ROP directs that Regional Intensification Corridors have the objective of serving higher order transit, accommodating higher-density development, increasing residential land employment densities to ensure viability of planned transit infrastructure and service, achieve an appropriate mix of uses, accommodate local services, and reflect and reinforce the urban structures identified in local official plans such as the Burlington Official Plan.

Policy 82.4 identifies the corridor along the subject site as the "Brant Corridor" Regional Intensification Corridor, with Policy 82.7 providing specific policies relating to these corridors. Specifically in subsection 1, Regional Intensification Corridors are to direct development with higher densities and mixed uses to these corridors, based on the level of existing and planned transit service, and in subsection 2 and encourage local municipalities to identify these corridors in their Official Plans and develop policies that support accommodating growth at a scale appropriate for their context and existing and planned transit service.

Policy 84 of Part III of the ROP states that the goal for housing is to supply the people of Halton with an adequate mix and variety of housing to satisfy differing physical, social and economic needs, this includes rental housing options.

Policy 86(6) a) of Part III of the ROP provides housing targets that require at least 65 per cent of new housing units produced annually to 2031 and 75 per cent thereafter in Halton be in the form of townhouses or multi-storey buildings. Policy 86(6) b) provides that at least 30 per cent of new housing units produced annually in Halton Region be *Affordable* or *Assisted Housing*.

Policy 86(11) of Part III of the ROP permits intensification of land use for residential purposes through infill, redevelopment, and conversion of existing structures provided that the physical character of existing neighbourhoods can be maintained. Policy 86(19) further identifies that local municipalities are required to use a minimum rental housing vacancy rate of 3 per cent as the minimum threshold to permit the demolition of such housing. We note that the previous rental housing structures on the subject site have already been demolished, and this policy does not apply.

Map 3, Functional Plan of Major Transportation Facilities (see Figure X), identifies Brant Street as a *Major Arterial*, and Map 4, Right-of-way Requirements of Arterial Roads (See Figure X), provides that the Right of Way requirement for the street is 36 metres. *Major Arterials* are listed in Table 3 of the ROP and are described as serving mainly inter-regional and regional travel demands, accommodating all truck traffic and higher order transit services, carry high volumes of traffic, distribute traffic from provincial highways, and accommodate active transportation. General design criteria for these roads include having a high degree of access control, supporting transit-supportive, high-density mixed-use development, and providing pedestrian infrastructure as well as off road cycling facilities where possible.

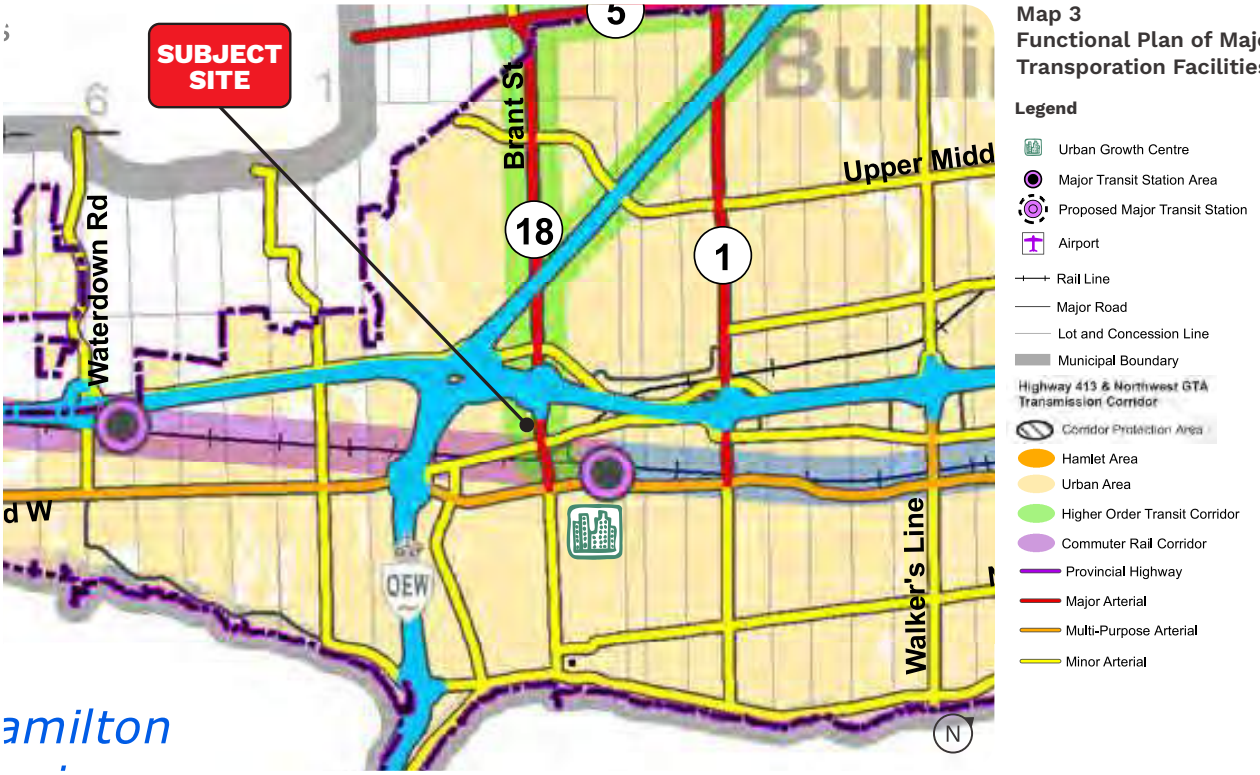


Figure 16 - Map 3, Functional Plan of Major Transportation Facilities

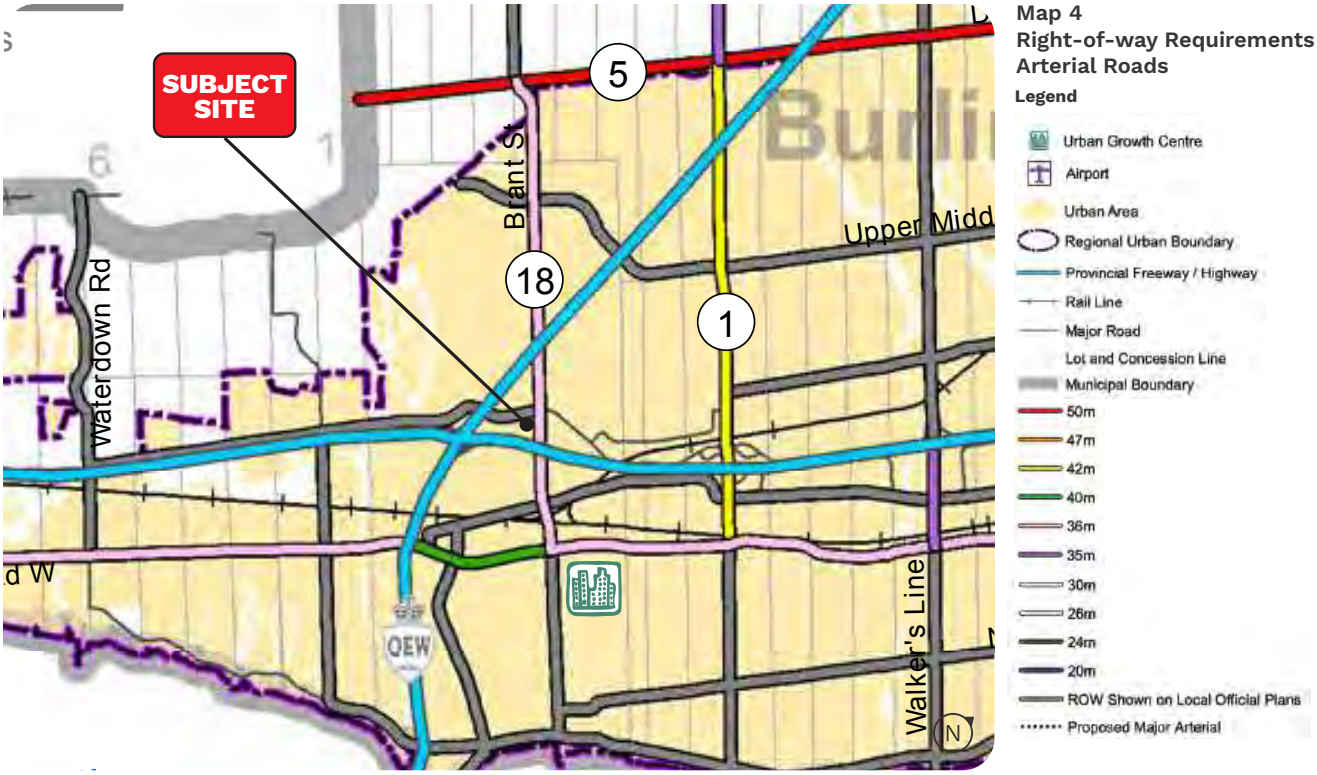


Figure 17 - Map 4, Right-of-way Requirements of Arterial Roads

Section 173 of the ROP identifies specific policies regarding arterial roads in the Region, including Brant Street. Specifically, Policy 173(1) identifies that the Functional Plan of Transportation Facilities, shown on Map 3 (**Figure 16**), is adopted for the purpose of meeting travel demands up to the year 2021, and protecting key components of the future transportation system to meet travel demands beyond 2021. The policy also identifies that development shall not preclude or negatively affect the use of the planned corridor for the purposes for which it was identified or being actively planned. Policy 173(1.2) expands on this, requiring local municipalities to develop policies that provide protection for the corridors and transportation facilities on Map 3 to ensure development shall not predetermine or preclude the planning and/or implementation of these facilities.

Policy 173(4) identifies that a right-of-way plan, as shown on Map 4 (**Figure 17**), is adopted to support future highway widenings to serve travel demands to the year 2021. Policy 173(5) further provides that road widenings shall be provided through the development process for these rights-of-way. This will be implemented based on a policy of being acquiring equal distance on either side of the original centreline of the road allowance, subject to site-specific factors. Policy 173(5)(a) states that arterial road rights-of-way of widths as shown on Map 4 shall be secured through the development process, and that when securing these rights-of-way, it is the general policy that lands be acquired of equal distance on either side of the centreline of the original road allowance, subject limited circumstances, and (d) identifies that rights-of-way on alignment and width, based on engineering studies completed for development approval, to the satisfaction of the Region, may be provided in addition to those shown on Map 4.

4.4 City of Burlington Official Plan

The Official Plan was adopted by Burlington City Council on July 11, 1994 and was approved, with modifications, by the Regional Municipality of Halton on March 5, 1997. A Five-Year Review of the Official Plan was initiated in March 2002, and amendments to the Plan were approved by City Council in October 2006. The Five-Year Municipal Comprehensive Review culminated in Official Plan Amendment 55 (the "OPA 55"), which was approved by the Region of Halton in January 2008 and by the Ontario Municipal Board in October 2008.

Although OPA 55 updated the Official Plan to address provincial policy changes, including consistency with the 2005 Provincial Policy Statement and 2006 Growth Plan, it has not been updated to address to the new 2024 Provincial Planning Statement and updates to the ROP, including ROPAs 48 and 49. The City of Burlington has implemented a new Official Plan, which is discussed in more detail in Section 4.5 of this report, which remains mostly under appeal, leaving the 1997 Official Plan as the in-force policy document for most policies applicable to the subject site. Based on the foregoing, it is our opinion that the Official Plan is outdated and has several issues regarding consistency and conformity with higher-level policy documents, but it remains as the City's primary in effect local planning policy document to direct and accommodate the City's long-range land-use strategy.

Part I, Section 2.0 of the Official Plan 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. It is also expected that the employment level in the City will be approximately 108,000 by the year 2021. We note that these projections are for a date which has already passed and identify a planning timeframe with population and employment targets that do not adequately address the requirements set out in the PPS and the ROP. As growth projections form the basis for the built form framework to meet the anticipated forecast within the Official Plan, it can reasonably be expected that the built form and density policies set out in the Official Plan face similar conformity issues with provincial policies. Additional analysis on this issue is provided in Sections 5.2 and 5.5 of this report.

The Official Plan also provides background information and trends, which reflect the context at the time the 1994 Plan was written (updated in 2006), which states:

- Burlington's population profile is aging, which is the result of an increasing elderly population and decreasing birth rate.
- Approximately 25 percent of dwellings are rented.
- Burlington's housing mix has remained relatively table with single-detached housing as the main housing form. The existing supply of housing is relatively new, with only 20% over 40 years old and approximately 36% less than 20 years old.
- The period of rapid growth in Burlington is described as follows:
    - Since the 1950s, Burlington has experienced constant growth and expansion of its urban area.
    - The period from 1958 to 1979 comprised the most extensive period of development, with construction activities occurring north of the Queen Elizabeth Way. Burlington's growth during this period resulted primarily from Hamilton's suburban expansion.
    - The period from 1980 to 1990 contained significant residential development in Burlington's northern communities of Brant Hills, Headon and Rose and some infill development in the South Aldershot, Maple and Tyandaga communities.
    - Since 1991, significant growth has continued in north-east Burlington in the Tansley, Uptown, Rose (Millcroft) and Orchard communities.

The guiding principles of the Official Plan are provided in Part I, Section 3.0 and include:

a. *Provide a community plan and growth strategy aimed at creating an attractive, liveable community that offers a wide range of housing, employment, transportation, and leisure opportunities for all its citizens.*

b. *Support a healthy, clean and sustainable community based on an ecosystem approach and the implementation of the principles of Sustainable Development, by ensuring that environmental integrity and diversity, social and economic factors, and compatibility are considered in land use decisions.*

c. *Ensure that the City's infrastructure and services are maintained or expanded at a level that is fair, realistic and affordable.*

d. *Foster a unique, vibrant and strong community identity.*

e. *Create a community development pattern that supports the existing business community and promotes new business development opportunities, by protecting critical areas of economic enterprise and promoting a variety of locations for economic activity.*

f. *Support a vigorous local economy.*

g. *Promote safety and health in the community as well as fair access to housing, municipal services, community facilities, education facilities and economic opportunity.*

h. *h) Promote the efficient use of land through intensification within appropriate areas of the City, in accordance with Provincial growth management objectives, while recognizing the need for balancing this objective with other planning considerations."*

Of particular note are guiding principals a) and h) in subsection 3.0, which seek to create a complete community and grow in a more compact urban form consistent with provincial direction which highlight the importance of accommodating growth in SGA's.)

Part I, Section 4.0 of the Official Plan describes the land use vision and states that the City as a typical suburban community composed mainly of residential neighbourhoods containing detached dwellings, separated from employment and shopping areas, with much of the development occurring in the 40 years following the end of the Second World War; at a time of increasing family size, increasing personal affluence and economic growth. It also states that a major shift has occurred in values and attitudes, demographics, and land use planning approaches as the City approaches a mature state.

Part I, Section 4.2 of the Official Plan identifies that the City has undergone a major shift in the values, attitudes, demographics and land use planning approaches away from unlimited sprawl towards a growth approach that favours intensification and re-development within the existing built boundary. The Official Plan recognizes that the challenge will be to accommodate the demand for land while maintaining stability and compatibility.

The 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."*

The policy framework in Part I, Section 4.3 provides a number of policy directions, which encourage a greater diversity of housing types to meet changing needs of the population. It notes that the development of a more self-contained city by:

- encouraging greater live-work relationships;
- the focusing of more intense land uses into specified mixed-use centres and along certain roads; and
- to direct population growth towards underutilized or vacant parcels in existing communities, specifically to mixed use corridors such as Brant Street.

The Section also provides that new residential growth will be mainly in the form of more compact housing to meet the needs of the changing population; encouraging a broader mix of residential dwellings in terms of type, cost, and size; and that new residential development will be planned considering all forms of travel and be supportive of safe pedestrian and vehicle movement. The section identifies the overall land use vision for the City as maintaining a strong network of residential neighborhoods, a diverse economic base, a sound infrastructure system and a community that is fiscally stable and environmentally sensitive to ensure an attractive, healthy and liveable environment for future generations.

Part II, Section 2.7 of the Official Plan contains the City's policies related to Sustainable Design and Compatibility. In this regard, the following is the definition of Sustainable Development:

> ***Sustainable Development*** *- Development that meets the needs of the present without compromising the ability of future generations to meet their own needs*

Policies 2.7.3 c), e), and k) state:

- that development will be reviewed to ensure efficiency of land use in the urban community in terms of energy, travel time, intensity and diversity;
- the City will encourage development that provides choices in housing, shopping, employment and transportation; and,
- transportation demand management strategies will be used to encourage increased transit ridership, walking and bicycling in the City.

Transportation Policies

Part II, Section 3.0 identifies transportation policies of the OP. Part II, Section 3.1 identifies specific principles of transportation policies, with 3.1 b) identifying that transportation and land use planning shall be integrated. Policy 3.1 c) identifies that transportation planning decisions shall be based on the cost-effective management and expansion of transportation infrastructure and services, as well as an assessment of social and environmental costs.

Part II, Policy 3.3.2(b) of the Official Plan speaks to road extensions and widenings. Policy 3.3.2(c) further establishes that existing roads shall be widened equally on both sides of the road, where feasible. Policy 3.3.2.d) states that upon receipt of a development application, the City will confirm whether a road widening is required as per the Official Plan and whether property for the widening has already been dedicated to the City. We note that through the Halton Region Official Plan a 36-metre right-of-way is identified for Brant Street. As Brant Street is a Regional Road, the policies relating to its widening are identified in the Halton Region Official Plan but are consistent with what is required in terms of a road widening the City's Official Plan.

Part II, Section 3.2 provides the general transportation policies, which includes the objective to encourage alternative travel by creating an urban environment that encourages walking, cycling, and transit use and increases opportunities to live close to work and satisfy day-to-day needs locally without relying on the automobile. Policy 3.2.2 j) states that reduced parking ratios and/or standards may be permitted subject to evaluation and appropriateness through development applications or other City initiatives.

Part II, Section 3.3 identifies policies relating to roads. Policy 3.3.1 identifies the OPs objectives for roads, identifying among other things that it is the objective to protect adequate public road rights-of-way to meet future needs (b), maximize the use of existing roads and rights-of-way instead of acquiring new rights-of-way and/or building new roads (c); providing adequate capacity to meet the needs of local traffic, transit services, and emergency response; provide pedestrian oriented streetscapes (f); and to re-evaluate width standards for road rights-of-way and indicate circumstances where reduced standards shall be permitted (h).

Design Policies

Section 6.0 of Part II provides design policies that direct growth in the City. Specifically, Part II, Section 6.1 defines the design principle for the City, noting that the tangible elements of the urban form (built form environment and open space) shall be designed in an efficient, attractive and compact manner to enhance the well-being of the residents of the community and to reflect the vision of the OP. Policy 6.2 of Part II outlines the design objectives, including:

- To ensure that the design of the built environment strengthens and enhances the character of existing distinctive locations and neighbourhoods, and that proposals for intensification and infill within existing neighbourhoods are designed to be compatible and sympathetic to existing neighbourhood character.
- To achieve a high quality of design within the public realm.
- To ensure consistency, compatibility and quality in the built environment while allowing for a diverse design expression.
- To ensure that the principles of sustainable development are considered in the design of the built environment.

Policy 6.3 e) of Part II states that preference will be given to community design containing more compact forms of development that support higher densities, are pedestrian oriented and encourage increased use of public transit. Policy 6.4 e) states that improvements to existing streetscapes shall be encouraged as part of any reconstruction. Policy 6.5 of Part II, provides the design guidelines policies, which include:

- The density, form, bulk, height, setbacks, spacing and materials of development are to be compatible with its surrounding area.
- The compatibility of adjacent residential and non-residential development shall be encouraged through site design and buffering measures, including landscape screening and fencing.
- The design of all buildings must recognize pedestrian scale, safety and the perception of safety and access and the preservation of public vistas and views.
- The creation of a continuous and harmonious streetscape environment shall be encouraged with emphasis on maintaining the continuity of grade-related activity areas, both inside and outside of buildings.
- All developments shall be designed having regard for public transit accessibility and access and parking for the physically challenged.
- The location, amount, position, and design of parking areas shall be reviewed to minimize their potential to erode the qualities of the public streetscape, and to lessen their visual impact.
- The streetscape appearance of major, multi-purpose and minor arterial roads and collector streets shall be enhanced by encouraging buildings to present their main building facades to these roads or to enhance their treatment to avoid the appearance of blank buildings at service entrances.

- Building setbacks from the street are to be minimized along pedestrian and transit-oriented streets.
- The functional and visual impact of site servicing, loading, air conditioning and ventilation equipment and waste handling facilities shall be minimized.
- All development shall be designed having regard for sustainable development considerations.

Mixed Use Activity Areas Policy

As per Schedule A – Settlement Pattern in the Official Plan (**Figure 18**), the subject site is designated Mixed Use Activity Areas. Part III, Section 5.0 of the Official Plan states that lands identified as Mixed Use Activity Areas will provide locations where employment, shopping and residential uses will be developed in a compact urban form at higher development densities and will be pedestrian-oriented with high accessibility to public transit.

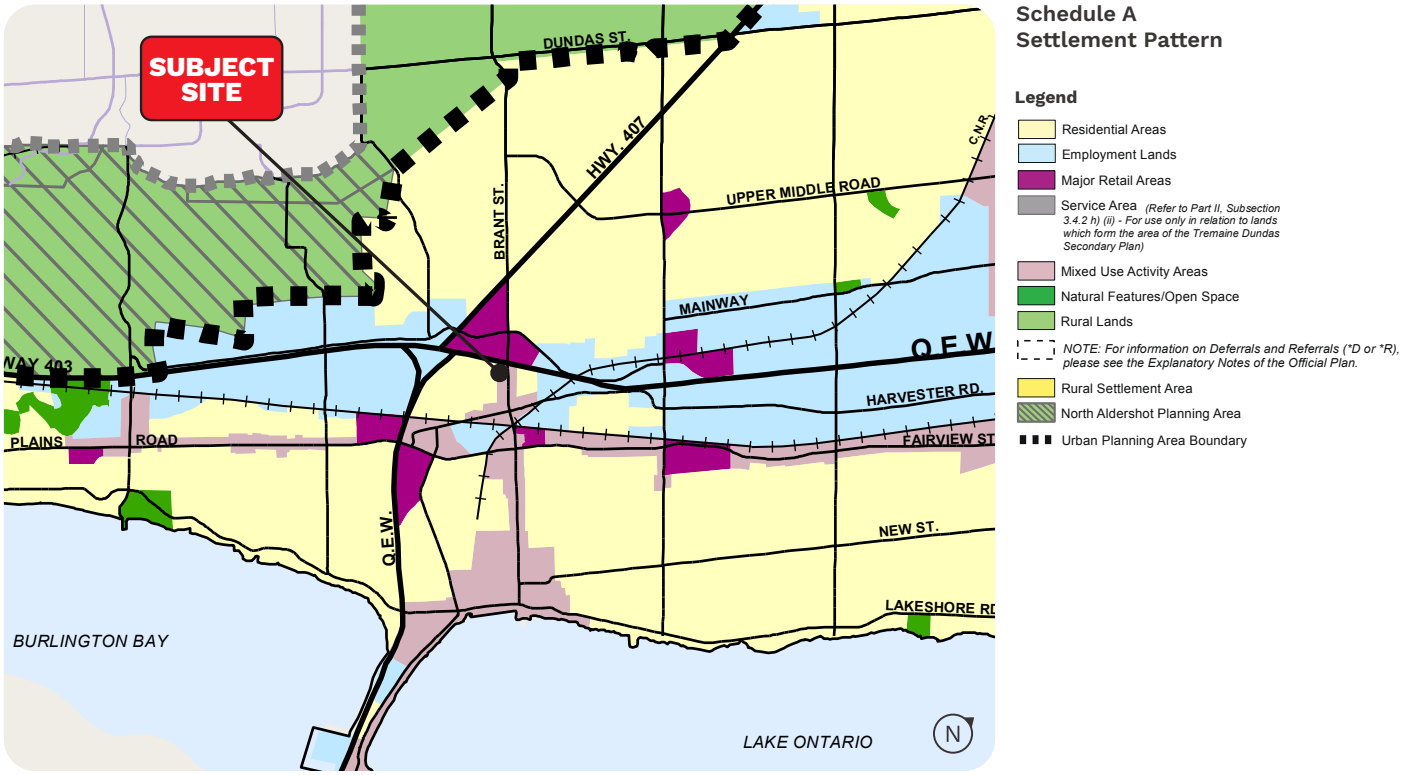


Figure 18 - Schedule A

Part III, Policy 5.1(a) of the Official Plan states that Mixed Use Activity Areas provide alternatives to low density, suburban development and encourage the efficient use of physical resources and municipal services while Part III, Policy 5.1(c) speaks to demand stating that Mixed Use Activity Areas address the demand for higher intensity employment, shopping, and residential areas within the City.

Policy 5.2.1 provides general objectives that are associated with Mixed Use Activity Areas that include encouraging comprehensively planned mixed use employment, shopping, and residential areas with integrated uses, ensuring Mixed Use Activity Areas are developed in a manner that includes a compact urban form, is pedestrian-oriented, and highly accessible by public transit to foster community interaction. Part III, Section 5.2.2 further provides policies related to Mixed Use Activity Areas, including amongst others, that lands designated Mixed Use Centre on Schedule B of this Plan shall be subject to policies contained in Part III, Section 5.4 to 5.6. The design and development of Mixed Use Activity Areas shall promote these areas as focal points for community activities characterized by a compact built form, is pedestrian-oriented, and provides greater accessibility to public transit, through higher intensity development.; They will be areas subject to a high quality of urban design where the City would consider reduced parking standards to encourage greater reliance on non-vehicular forms of transportation.

Mixed Use Corridor - General Policies

The land use designation that applies to the subject site is Mixed Use Corridor - General, as shown on Schedule B – Comprehensive Land Use Planning – Urban Planning Area (**Figure 19**).

Part III, Section 5.3 provides the policy framework relating to lands designated Mixed Use Corridor lands, including the General designation which applies to the subject site. Part III, Policy 5.3.1 states the objectives related to the Mixed-Use Corridors designation, including:

- to provide locations along multi-purpose arterial or major arterial roads that will serve as areas of for concentration for mixed use developments with high density residential, retail, service commercial, office, entertainment, community facilities and institutions, and open space uses (a);
- to encourage 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, while retaining compatibility with nearby land uses (b); and
- 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 residential, retail, office and other uses are located next to one another (c).

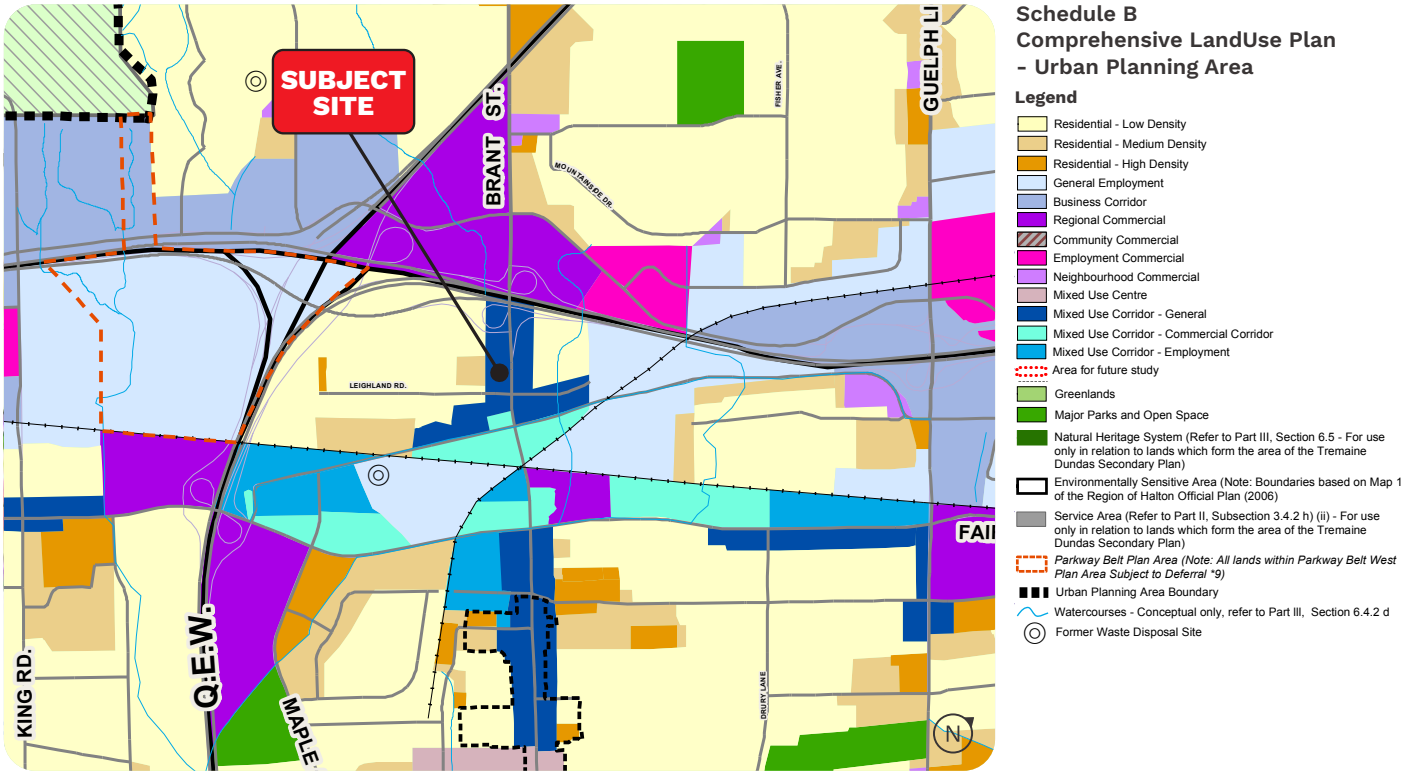


Figure 19 - Schedule B

General policies for Mixed Use Corridors are identified in Part III, Section 5.3.2 of the OP. Policy 5.3.2 a) identifies permitted uses in the designation, including a wide range of retail uses, office uses, community, entertainment, and recreation uses. High density residential uses are also permitted, including townhouses as a component of an overall development.

Policy 5.3.2 b) and c) identify that Mixed Use Corridor areas are intended to provide for the day-to-day and weekly shopping needs of residents within and in proximity to the corridor and states that these uses are to be located at street level in office or residential buildings. The OP does not require mixed uses and retail however, Policy 5.3.2 k) identifies retail and other pedestrian-oriented uses as "encouraged" at the street level.

Part III, Policy 5.3.2 d) includes factors which guide zoning by-law regulations in Mixed Use Corridor Areas. Specifically, in subpoint (i), floor area ratios are limited to 1.5, with an ability for City Council to allow higher ratios subject to the adequacy of infrastructure, compatibility with adjacent uses, a high-quality building design, landscaping and streetscaping, and the provision of underground parking. In sub point (ii) Building heights can vary between 2 and 6 storeys with terracing as necessary to transition to adjacent residential areas and/or the street. In subpoint (iii) Buildings are also to be located close to the street; and have a building entrance from the building façade closest to the street, as per sub point (iv).

Off-street parking requirements may be reduced for sites with transit supportive designs or shared parking arrangements as per Part III, Policy 5.3.2 e) which identifies that the zoning of individual sites may not allow for the full range of permitted uses or the full extent of development intensity at every location based on site specific factors.

Part III, Policy 5.3.2 f) identifies that high density land uses and taller buildings shall be permitted at locations where Mixed Use Corridors intersect with multi-purpose arterial roads, major arterial roads, or provincial freeways, or existing areas of development concentration subject to evaluation criteria identified in 5.3.2 d) (i).

Part III, Policy 5.3.2 g) identifies site plan considerations with regards to the design of buildings in Mixed Use Corridors. Specifically, it directs that development shall ensure compatibility with adjacent land uses, particularly residential uses by considering the following factors:

i. buildings should be located in proximity to the street;

ii. should include features that integrate the development with surrounding uses;

iii. provides safe, convenient and barrier-free pedestrian travel within the site and to adjacent uses and transit stops;

iv. limit the number and location of vehicular access points;

v. located off-street parking in side and rear yards away from residential uses and shall be screened and landscaped;

vi. promote public safety;

vii. screen outdoor storage areas; and

viii. direct lighting to minimize impacts on adjacent residential uses.

Finally, Part III, Section 5.3.2 identifies policies relating to the support of public transit through h) and i). Policy 5.3.2 h), states that transit-supportive and pedestrian-oriented urban design shall be required in Mixed Use Corridors, and Policy 5.3.2 i), notes that the design and development of these areas shall encourage the use of public transit, walking, and bicycle travel as an alternative to the automobile by encouraging features such as orienting buildings to the street and transit services (i); provide safe and convenient access for pedestrians to transit stops, parking areas, and other buildings (ii); and design roads for automobile use, efficient transit service, as well as pedestrian and bicycle travel.

Housing Supply Policies

Part III, Section 2.3 of the OP provides policies relating to Housing Supply. Policy 2.3.1 b) identifies that it is the objective of the Plan to encourage the retention of existing rental housing and the construction of new rental housing. Policy 2.3.2 f) identifies that the demolition of rental properties containing six or more rental properties shall not be permitted unless specific criteria are met. Further, Policy 2.3.1 h) identifies that the City shall encourage the provision of a range of housing types, including rental housing.

We note that City Staff identified concern with the policy through the pre-application process, however the subject site is currently vacant. Although rental dwellings historically existed on the site, those dwellings were demolished through official demolition permits issued by the City. The subject application does not propose to remove any dwellings and instead proposes to redevelop a site which is currently vacant with new rental units. Further details are provided in Section 5.8 of this report.

Housing Intensification Policies

Part III, Policy 5.4.2 (k) of the OP states that proposals for residential intensification shall be evaluated on the basis of the objectives and policies of Part III, Section 2.5.

Part III, Policy 2.5.1(a) encourages residential intensification as a means of increasing the amount of available housing stock, including infill and re-development provided that the housing is compatible with the scale, urban design, and community features of the neighbourhood.

Part III, Policy 2.5.2(a) further provides criteria that shall be considered when evaluating proposals for housing intensification within established neighbourhoods. These criteria include,

i. Adequate municipal services to accommodate the increased demands are provided;

ii. Off-street parking is adequate;

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

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

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

vi. Effects on existing vegetation are minimized;

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

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

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;

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 vehicle access to major arterial, minor arterial, or multi-purpose arterial roads.

Further policies related to housing intensification include that Council may adopt guidelines related to maximum building heights for consideration of applications proposing residential intensification; this is to ensure compatibility of with existing building heights (Part III, 2.5.2(d)). Section 2.4.5 speaks to infill development, wherein Policy 2.5.4(b) notes that new infill development shall be compatible with the surrounding development context such as height, scale, siting, setbacks, and coverage.

4.5 New City of Burlington Official Plan (Partially in Force)

Consistent with the Planning Act's requirement to review the Official Plan every five years, 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 Official Plan did not align with its new policy directions and therefore prepared a new Official Plan to 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 (the "New OP"), which was subject to review and approval by Halton Region. 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 OP were received by the Region. Following the Appeal of the New OP, the Ontario Land Tribunal approved some sections of the New OP on January 4, 2023, bringing them into full force and effect. As a result, the in-effect sections of the New OP are considered determinative for the subject application. The in-force policies are primarily related to the overall objectives of the New OP and population projections, with more specific policies such as land use designations remain under appeal. The current Official Plan continues to apply as the only local municipal planning policy document that applies to the redevelopment of the subject site.

As the New OP is partially in force, this report identifies the applicable in force policies for the subject applications, and those that remain under appeal, which are referenced only for consideration of more recent council direction.

Additionally, we note that the New OP, as originally approved by Council, is now over 7 years old and is not reflective of many changes to Provincial and Regional policies that have come into effect since. Particularly changes made to the ROP with regards to the urban structure and increased growth and intensification targets which were implemented through ROPA's 48 and 49 and a planning horizon extending to 2051. The implementation of the new Provincial Planning Statement has similarly not been reflected in the New OP. Additionally, the ROP is now a locally administered document by the City of Burlington, and needs to be integrated into the City's OP. We anticipate that the appealed policies will require substantial revisions to conform with the revised Provincial and Regional policy framework. Thus, the under-appeal policies of the New OP have been reviewed only for information purposes. Only the policies which have been brought into force are determinative at this time.

As a result of these policy changes, the City of Burlington is currently in the process of revising the New OP to address Provincial and Regional policy changes that came into effect subsequent to its approval in 2020. On July 22, 2022, Burlington City Council approved amendments to the New OP to address conformity issues with ROPA 48, as detailed in section 4.4 of this report. City Staff are further reviewing the Official Plan at this time to address ROPA 49, the Provincial Housing Pledge, the new PPS, and the upcoming integration of the ROP with the Official Plan. These updated policies, through a "Targeted Realignment" review process, are anticipated to be presented to City Council for approval in 2025. Due to the significant level of uncertainty that remains with respect to the New OP policies, we believe that the under-appeal policies should not be significantly relied on as part of this review. Notwithstanding, they are noted as part of this analysis for information purposes as they continue to reflect the most recent City policy direction.

In Force Policies

A small number of policies within the New OP are currently in full force and effect which are relevant to the subject site. Specifically, Section 1 of the New OP is in force, as well as the population and employment distribution projections contained in Policy 2.2.4.

Section 1 of the New OP serves as the introduction to the document, setting out high level direction for the City of Burlington. Section 1.4 of the New OP sets out several specific strategic directions for the city, including that:

- The City of Burlington attracts talent, good jobs and economic opportunity while having achieved intensification and balanced, targeted population growth for youth, families, newcomers and seniors;
- People and goods move throughout the city more efficiently and safely. A variety of convenient, affordable and green forms of transportation that align with regional patterns are the norm. Walkability within new/transitioning neighbourhoods and the downtown are a reality;
- The City of Burlington is a leader in the stewardship of the environment while encouraging healthy lifestyles; and
- Community members are engaged, empowered, welcomed and well-served by their City. Culture and community activities thrive, creating a positive sense of place, inclusivity and community.

These strategic directions are specifically broken down into several principles in Policies 1.4.2 through 1.4.5. Policy 1.4.2 principles including, among others: Co-ordinates land use and infrastructure to achieve complete, diverse, adaptable and sustainable communities that are attractive and livable (a); Maintains the urban boundary and recognizes the distinct role and function of the Urban Area, Rural Area and North Aldershot (b); Accommodates population and employment growth through development and intensification within targeted locations of the city's Urban Area (c); and Promotes design excellence at every scale to create safe, accessible, attractive, vibrant and sociable places that people are drawn to (e).

Section 1.4.3 provides principles including: Integrates and prioritizes land use planning and transportation decision making to provide a range of multi-modal and sustainable transportation choices connecting people, goods and places (a); and achieves land use patterns, densities and quality urban design that supports travel by walking, cycling and transit.

Section 1.4.4 provides principles including, among others: Promotes development measures and patterns to achieve a low carbon, energy secure and climate resilient community, protect life and property from natural hazards, and achieve sustainable community and building design (f); Promotes health, safety and social well-being in the community through equitable access to a wide range of choices in housing, jobs, transportation, health care and recreation facilities, parks, green spaces and other public spaces and facilities, and amenities for all ages and abilities (g); and Maintains and grows healthy urban greenspace through the provision of green infrastructure.

Finally, Section 1.4.5 provides principles including, among others: Involves citizens to enhance land use decision making and maintain active and engaged neighbourhoods (a); recognizes the important role that culture, arts and design excellence play in creating a liveable community, as shaped through engagement with citizens (b); fosters the evolving urban nature and community identity of key areas of the city, including the Downtown and Uptown Urban Centres, Major Transit Station Areas and identified Intensification Areas (c); and seeks partnership, collaboration and participation with other agencies, stakeholders and community groups to achieve the long term vision of the New OP (d).

Section 1.5 provides that the New OP will manage and direct the development and planning of land uses for a period extending to the year 2031, and that it is the intent of the New OP to accommodate and to plan for the growth associated with the underlying housing, population and employment projections set out in Policy 2.2.4. Additionally, the policy provides that the New OP should not be regarded as a static or inflexible document that is resistant to the pressures of economic, social or environmental change during the planning period. As we have already noted, the ROP through ROPA 49 has extended the planning horizon to 2051, and thus while Section 1.5 of the New OP is now in force, it is not representative on the most recent planning direction on this matter.

Finally, Policy 2.2.4 of the New OP sets out the planned population and employment projections for the City of Burlington through to 2031, providing a total population of 193,000 and 106,000 jobs by that date. The policy additionally directs that the distribution of population and employment shall be in accordance with the ROP, as discussed in section 4.4 of this report. We note that the ROP has now been updated through ROPA 49, increasing the projections for the City to 265,160 residents and 124,390 jobs by 2051, and notably, 195,000 residents and 98,340 jobs in 2021 – a higher residential population than what the New OP projects for 2031. This represents a significant increase in population growth projections for the City over the growth projections set out in the New OP. As Policy 2.2.4 directs that the distribution shall be in accordance with the ROP and the ROP provides for significantly higher population projections, we consider this policy, while technically in force, to be outdated and not accurate with regards to the level of growth for which the City of Burlington is expected to experience in the coming years. We instead rely on the ROP, as detailed in section 4.4 of the report, to provide the most recent and relevant direction regarding employment and population forecasts for the City.

We note that we anticipate the ROP's projections to be modified following the implementation of the new PPS, which rely on marginally lower population growth rates than that of the ROP, though still substantially higher than that contemplated in Policy 2.4.2 of the New OP.

Due to this significant imbalance between the population projections within the New OP and the more recent, significantly higher population projections contained within the ROP, we are of the opinion that much of the remaining portions of the New OP are now outdated and do not accurately reflect the scale of growth required to meet the population projections for the city within the ROP. As such, particularly given that the remaining policies remain under appeal, we are of the opinion that the densities, heights, and other directions provided within the New OP are not to be relied on for the review of the subject applications.

Under Appeal Policies

All other policies discussed below with regards to the New OP remain under appeal at the Ontario Land Tribunal and thus are not in force. These policies have been reviewed as they represent the most recent council direction with regards to planning matters for the subject site; but should not be viewed as policies which are determinative.

New Op Mapping

The New OP identifies and designates the subject site within a new mapping framework, as follows:

Schedule B – Urban Structure

The subject site is shown within the City's urban area boundary. The mapping in the New OP shows the subject site designated as "Mixed Use Nodes and Intensification Corridors" (**see Figure 20**).

Schedule B-1 – Growth Framework

The subject site is designated as a "Secondary Growth Area" on Schedule B-1 of the New OP.

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

The subject site is located along a "MTSA Primary Connector" and "Higher Order 407 Transit Corridor" and is located just outside of the Burlington GO "MTSA Special Planning Area" on Schedule B-2, Growth Framework and Long Term Frequent Transit Corridors.

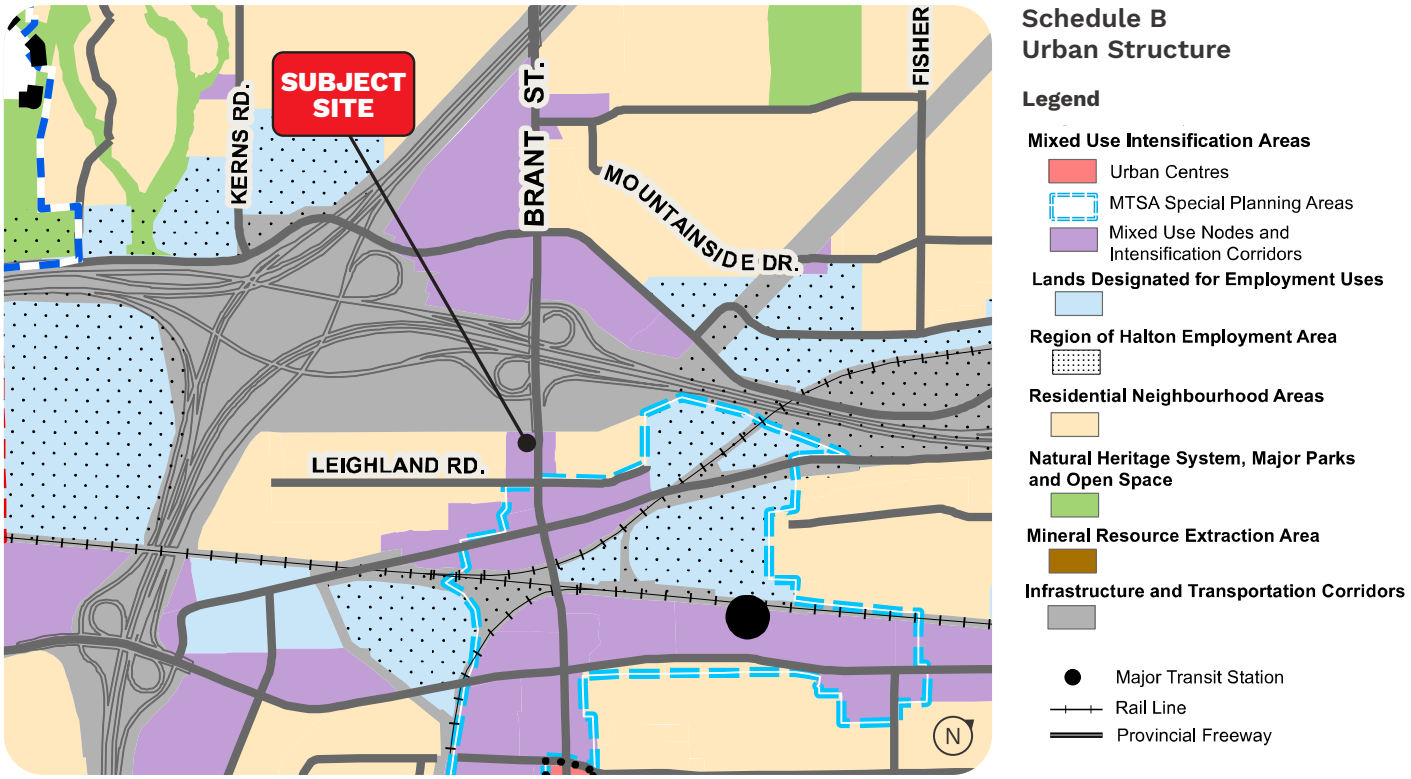


Figure 20 - New Burlington OP Schedule B – Urban Structure

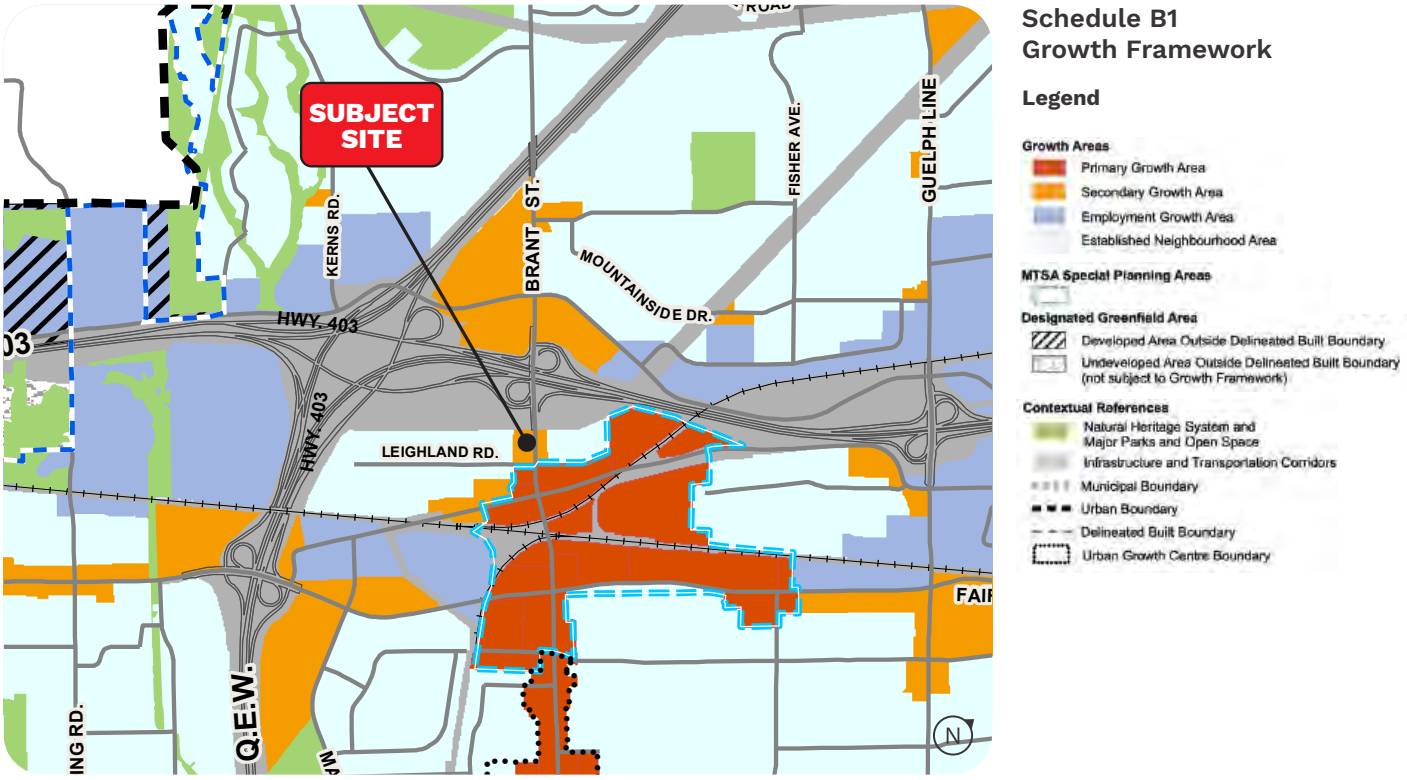


Figure 21 - New Burlington OP Schedule B1 – Growth Framework

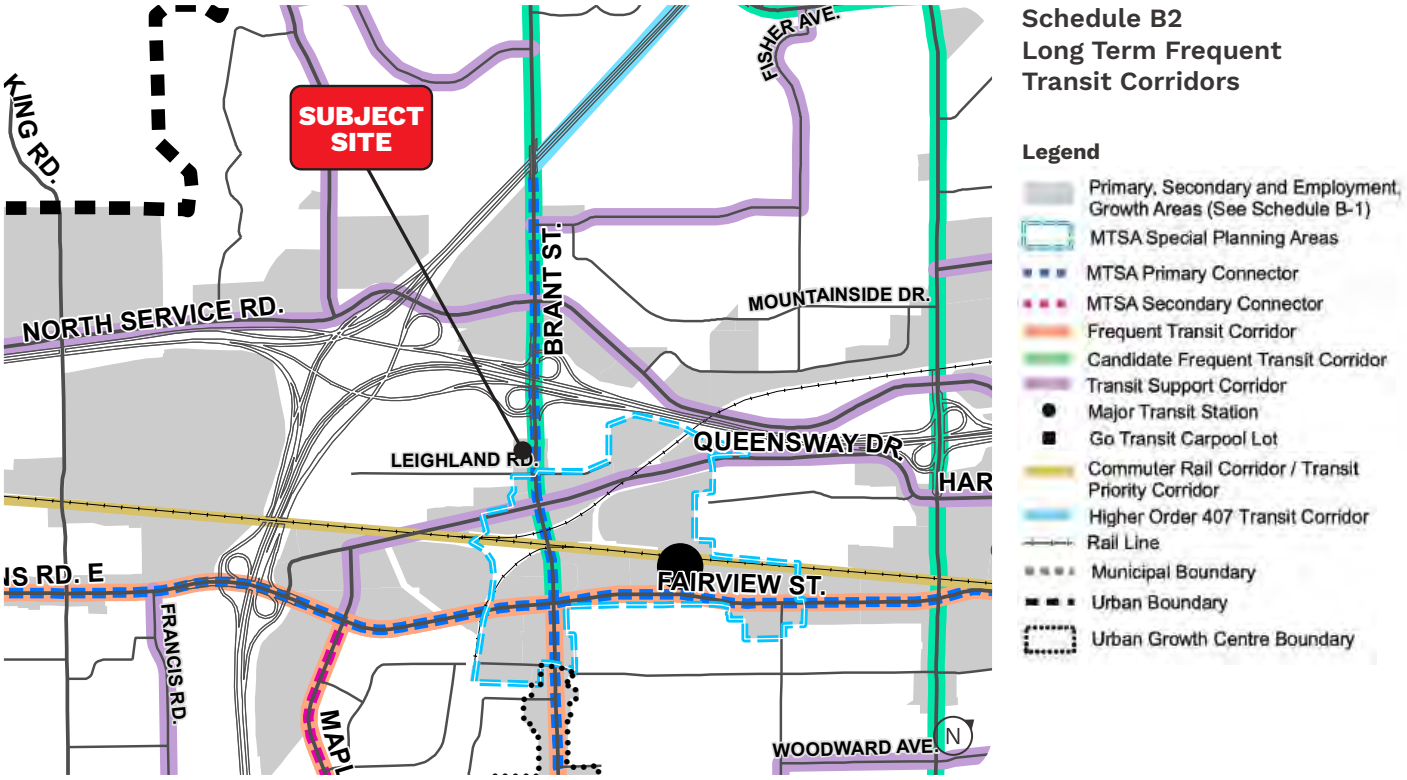


Figure 22 - New Burlington OP Schedule B2 – Growth Framework and Long Term Frequent Transit Corridors

Schedule C – Urban Area Land Use Plan

The subject site is designated as 'Urban Corridor' on Schedule C – Urban Land Area Land Use Plan.

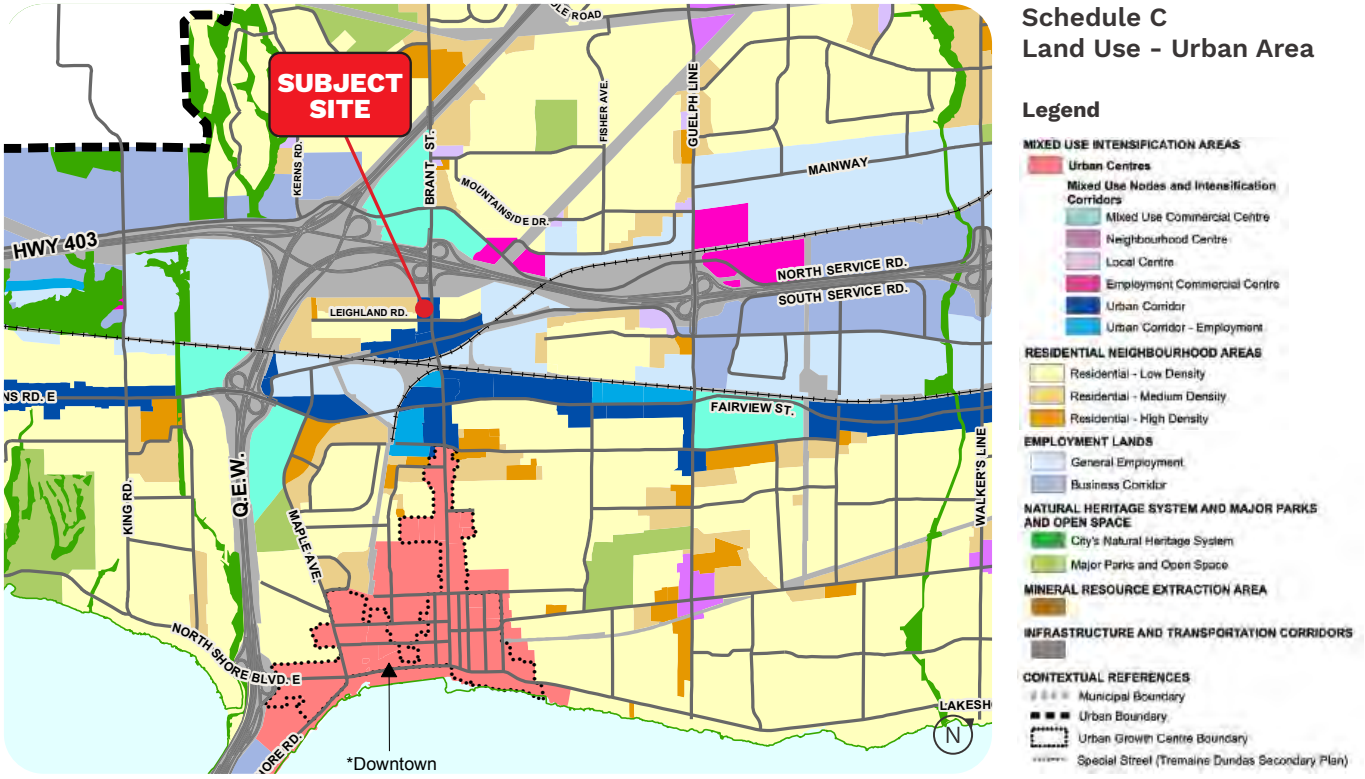


Figure 23 - New Burlington OP Schedule C – Land Use Urban Area

Land Use Vision

Section 2.1 provides a vision for land use within the City of Burlington and states that new development will be directed within the Urban Area to protect Burlington's natural heritage and Rural Area; to build compact, vibrant, sustainable, transit-supportive, healthy, and complete communities, as well as to optimize existing and future infrastructure and services, support active transportation, and to reduce greenhouse gas emissions and support a strong competitive economy.

Development intensification will be directed to 'intensification areas', which include areas around the city's GO Stations and intensification corridors, among others. Development in these areas will promote connected, walkable, transit-oriented communities that offer convenient access to employment opportunities, a range of housing types, public services including schools and parks, and various daily needs such as shopping and services.

The Urban Structure Policies

The City's Urban Structure establishes a vision for the Urban Area which is further refined in the Land Use Policies – Urban Area in Chapter 8 of this Plan. As noted in Section 2.3 of the Official Plan, the Urban Structure is composed of seven major components, including Mixed-use Intensification Areas such as the subject site. Section 2.3.1 provides the policy framework for the Mixed-use Intensification Areas, which include intensification corridors for which the subject site is designated as per Schedule B – Urban Structure (see **Figure 20**). Policy 2.3.1(a) provides that lands identified as Mixed-use Intensification Areas provide for the development of a range and intensity of employment, shopping, public service facilities, as well as residential uses. These developments will contain transit supportive densities and compact built form where walking, biking, and transit will be prioritized.

Policy 2.3.1 k) and l) speaks to the city's Intensification Corridors. These areas are to consist of 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 (k). These areas will also be a focus of re-urbanization. Policy 2.3.1 l) identifies that these areas vary widely and will be guided by the underlying land use designation, with some areas including high residential densities with a mix of uses while others will be more focused on employment uses. These areas will support frequent transit corridors and are anticipated to provide focal points of activity and a vibrant pedestrian environment. Active transportation is to be facilitated through careful attention to urban design, enhancing the opportunities for the location of public service facilities and institutional uses.

Secondary Growth Area Policies

Schedule B-1: Growth Framework (**Figure 21**) of the New OP identifies the subject site as a Secondary Growth Area. Policy 2.4.2.2 (a)(ii) sets out that these areas shall be recognized as a distinct area within the city's Urban Area accommodating growth in accordance with the permissions and densities of the current land use designations of the New OP. Policy 2.4.2.2 (a)(iii) expands on this, identifying that Secondary Growth Areas are areas expected to transition over the planning horizon and beyond, but will not result in a significant relocation of growth outside of the Primary Growth Areas. These areas are identified as being limited to a mid-rise built form unless otherwise permitted by the new OP (2.4.2 (a)(iv))., and where applicable, shall support the frequent transit corridors and accommodate development that is compact, mixed use and pedestrian-oriented in nature.

Housing Policy

Chapter 3 of the New OP 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.

Section 3.1.2 of the New OP identifies policies and objectives for housing tenure in the city. Specifically, policy 3.1.2(1) identifies an objective to maintain balance between rental and ownership housing stock in the city by protecting the existing supply of rental housing and encouraging the provision of new rental housing. This is further expanded upon in the policies of the section in 3.1.2(2), identifying that, among others, The demolition of residential rental properties or the conversion to freehold or condominium ownership of a residential rental property containing six (6) or more units, in part, or in whole, shall not be permitted subject to various conditions (a), or if the demolished units are replaced with the same number of bedrooms and a similar rent (b) and shall provide specific notice to tenants including a minimum of one tenant meeting and that the preparation of a tenant relocation and assistance plan may be required (c). Finally, it is identified that the city will encourage the construction of rental housing with a full mix and range of unit types and sizes.

Climate Change And Air Quality

Section 4.1 of the New OP 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 New OP outlines policies that aim 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;

v. 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 New OP. Policy 6.2.1 2 (b) further provides that The City will actively provide input in the planning of Regional and Provincial transportation facilities and services, in accordance with the policies of this Plan and the City's Transportation Plan. The City supports context sensitive design and alternative road standards for Regional Roads through intensification areas to better integrate land uses, and to support pedestrians, cyclists and transit while maintaining the mobility function of the Major Arterial Road.

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.

Design Excellence Policies

The preamble in Chapter 7 of the New OP 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 design policies to 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) of the New OP 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, pedestrian crossing, lighting, street furniture, street trees, and landscaping;

iii. Improving the quality and convenience of active transportation;

iv. Creating an attractive and comfortable environment for pedestrian movement;

v. Implementing AODA design measures;

viii. Improve multi-modal transportation and public space needs in design of streets and roads;

viii. Improving quality of streets, sidewalks, and cycling facilities to provide more direct active transportation; and

xiv. Implementing CPTED design standards.

Urban Design And Built Form Policies

Policy 7.3.2 of the New OP 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: 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, step backs, 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; 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) of the New OP states that in Secondary Growth Areas as shown on Schedule B-1: Growth Framework (**Figure 21**), 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 Secondary Growth Areas shall address the policies of Subsection 7.3.2(a) as noted above, and also have additional considerations 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; 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) of the New OP further provides that development in Secondary 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 including:

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; and

f. 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.

Section 7.4 of the New OP provides a policy framework regarding sustainable design. In particular, Policy 7.4.1(a) states that Official Plan Amendments, Zoning By-law 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 – Urban Area

The subject site is identified in the New OP as an Intensification Corridor and Urban Corridor on Schedules B and C of the New OP (**Figures 20 and 23**) respectively.

In Section 8.1.3 of the New OP, lands identified as Intensification Corridors will provide locations where mixed commercial, residential and employment uses will be developed and integrated through compact built form and at greater development densities, encouraging the efficient use of physical resources and municipal infrastructure. The Urban Corridor designation recognizes the diversity of the lands along the corridor and provides flexibility in the policies. Key intersections and areas within Major Transit Station Areas are identified as having the potential to develop into full mixed-use areas, while areas along the corridor may develop for single use, such as residential. These areas are envisioned as being pedestrian-oriented and highly accessible by public transit. They are designed to foster community interaction by providing opportunities for public service facilities, institutional uses, and open spaces. The areas are intended to be compatible with primarily residential adjacent uses. They are identified as focal points for the community where a mix of uses are established to support the achievement of complete communities.

General objectives for Intensification Corridors are outlined in 8.1.3(1), as follows:

a. To provide locations in the city that will serve as areas for more intensive integration of uses such as retail, service commercial, offices, institutional and entertainment uses with residential uses, public service facilities, cultural facilities, institutional uses and open space.

b. To establish for each element of the Intensification Corridors the appropriate range of uses, scales of development and levels of intensity.

c. To provide amenities and services closer to where people live, with the objective of creating complete communities.

d. To ensure Intensification Corridors are developed in a compact built form, are pedestrian-oriented and highly accessible by public transit.

e. To ensure the proper integration of Intensification Corridors with surrounding Established Neighbourhoods Areas, protecting the physical character of these neighbourhoods.

f. To ensure that development in Intensification Corridors is compatible with the surrounding area. To promote an innovative and sustainable built environment that uses infrastructure and public service facilities efficiently and encourages a high quality of life.

g. To encourage the accommodation of a diverse range of household sizes and incomes in Intensification Corridors.

h. To encourage the use of public transit, pedestrian and bicycle travel as an alternative to the automobile and to maximize personal safety.

i. To direct the phasing and/or expansion of municipal infrastructure and services to ensure the timely and orderly development of Intensification Corridors.

j. To ensure that development of Intensification Corridors is offset by a range of open space areas in a manner that is appropriate to the local context.

Section 8.1.3(2) of the New OP provides general policies for the Intensification Corridors, which include, among other matters: the design and development of Intensification Corridors shall promote these areas as focal points for community activities which are characterized by a compact form of development, pedestrian-orientation, greater accessibility to public transit and higher intensity development (a); Multi-unit residential developments in Intensification Corridors should incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes (e); the City will ensure the proper integration of Mixed Use Nodes and Intensification Corridors areas with surrounding neighbourhoods through measures such as pedestrian walkways, cycling paths and transit routes (g); Transportation demand management (TDM) measures shall be addressed, and form part of the City's evaluation of opportunities for reduced parking standards in proposed developments in Mixed Use Nodes and Intensification Corridors, subject to the policies of Subsection 6.2.10 of the New OP (i); development within Intensification Corridors shall ensure compatibility with surrounding areas in accordance with the applicable policies in Section 7.3 of the New OP (p); and that the City may encourage land assembly and/or the comprehensive development of adjacent properties in intensification corridors in order to ensure that development meets or does not compromise the ability of development on adjacent properties to meet the objectives of the OP (r).

Section 8.1.3(7) of the New OP identifies policies and objectives relating to the Urban Corridor designation which applies to the subject site. Specifically, Policy 8.1.3(7.1) notes the objectives for these areas, including:

a. To provide locations in the city along key Major Arterial or Multi-Purpose Arterial Streets that will serve as areas of concentration for mixed use development in a compact built form, with residential, retail, service commercial, office, entertainment, public service facilities and institutional uses, and open space uses;

b. To provide opportunities for a range of small and medium-scale retail and service commercial uses, and public service facilities in locations that meet residents' day-to-day and weekly goods and service needs;

c. To recognize the development of Intensification Corridors will occur over time, and that the timing of development may vary from one segment to another, depending on market conditions and community needs;

d. To encourage higher intensity, transit-supportive and pedestrian-oriented mixed use development in a compact built form, while retaining compatibility with the surrounding area;

e. To permit mixed use development on individual sites where various combinations of residential, retail, service commercial, office and other uses are located, or on sites where residential, retail, office and other uses are located next to one another.

f. To protect the planned commercial function within Urban Corridors; and

g. To ensure development along Urban Corridors provides a safe, accessible and attractive pedestrian environment with connections to adjacent residential neighbourhoods and Employment Areas.

Section 8.1.3(7.2) includes the following policies for Urban Corridors: : Transit-supportive and pedestrian-oriented design shall be required (a); Urban Corridor lands are intended to provide for the day-to-day and goods and service needs of residents and employees within and in proximity to the Corridor and may also serve a broader city-wide market (b); and retail and service commercial, residential, office, entertainment, and recreation uses shall be permitted in new development (c).

Policy 8.1.3(7.2) f) identifies the maximum floor area ratio for the site as 2.0:1. increases to this floor area ratio may occur through a site-specific Zoning By-law amendment or minor variance application, without the need for an amendment to the New OP. This would be acceptable provided that the objectives of the Urban Corridor designation are maintained.

Policy 8.1.3(7.2) g) identifies that a minimum building height of two storeys and a maximum of 6 storeys applies. Four to six storey buildings may be required to be terraced back from adjacent residential areas and/or the street. Policy 8.1.3(7.2) h) expands on this by noting that, to ensure compatibility with adjacent residential areas, the maximum six storey building height may not be permitted on sites that are small in size, have insufficient depth, are adjacent to areas designated Residential-Low Density, or front local streets.

Policy 8.1.3(7.2) j) identifies that retail, service commercial, and limited office uses, as well as other pedestrian-oriented uses, shall be located on the ground floor of office or residential buildings. This is caveated by Policy 8.1.3(7.2) k), where only a minimum of one permitted use is required for specific areas, not including the subject site, while through Policy 8.1.3 (7.2) (l) identifying that development may be required to provide a minimum floor-to-floor height at grade to facilitate land use flexibility and adaptation over time.

Finally, Policy 8.1.3(7.2) m) identifies that development shall retain the planned commercial function of the site, in accordance with the objectives of Subsections 8.1.3(7.1) b) and f), of the New OP, to the satisfaction of the City.

4.6 City of Burlington Zoning By-law 2020

Pursuant to Zoning By-law 2020, the subject site is zoned Mixed Use General (MXG) as shown on the City's interactive zoning map (see Figure X- Zoning By-law 2020).

Permitted uses in the MXG zone include retail commercial uses (convenience stores and retail stores), service commercial uses (e.g. restaurants, other retail stores, terrace patios, veterinary services, etc.), community uses, offices, automotive uses (car wash, service station, repair garage, sales and service), entertainment and recreational uses (e.g. night clubs), and residential uses including apartment buildings. Therefore, the proposed development for a residential apartment building is permitted in the current MXG zoning category. We note that multiple uses are not required on the site, and that single-use buildings are permitted as-of-right.

The maximum permitted height in the DL-A zone is 6 storeys while the maximum floor area ratio is 1.5:1 and a minimum density of 30 units/hectare apply. This corresponds to and implements the City's in-force 1997 Official Plan, which in our opinion, is out of date, and does not adequately reflect the current Provincial and Regional planning policy framework, or account for things such as land use compatibility, good urban design, updated growth forecasts, and the City of Burlington's Housing Pledge to build 29,000 homes by 2031.

With regards to setbacks, a 3-metre setback is required along Brant Street, and a minimum rear yard of 3 metres applies. No side yard setbacks are required. A minimum landscape area of 3 metres is also required along Brant Street.

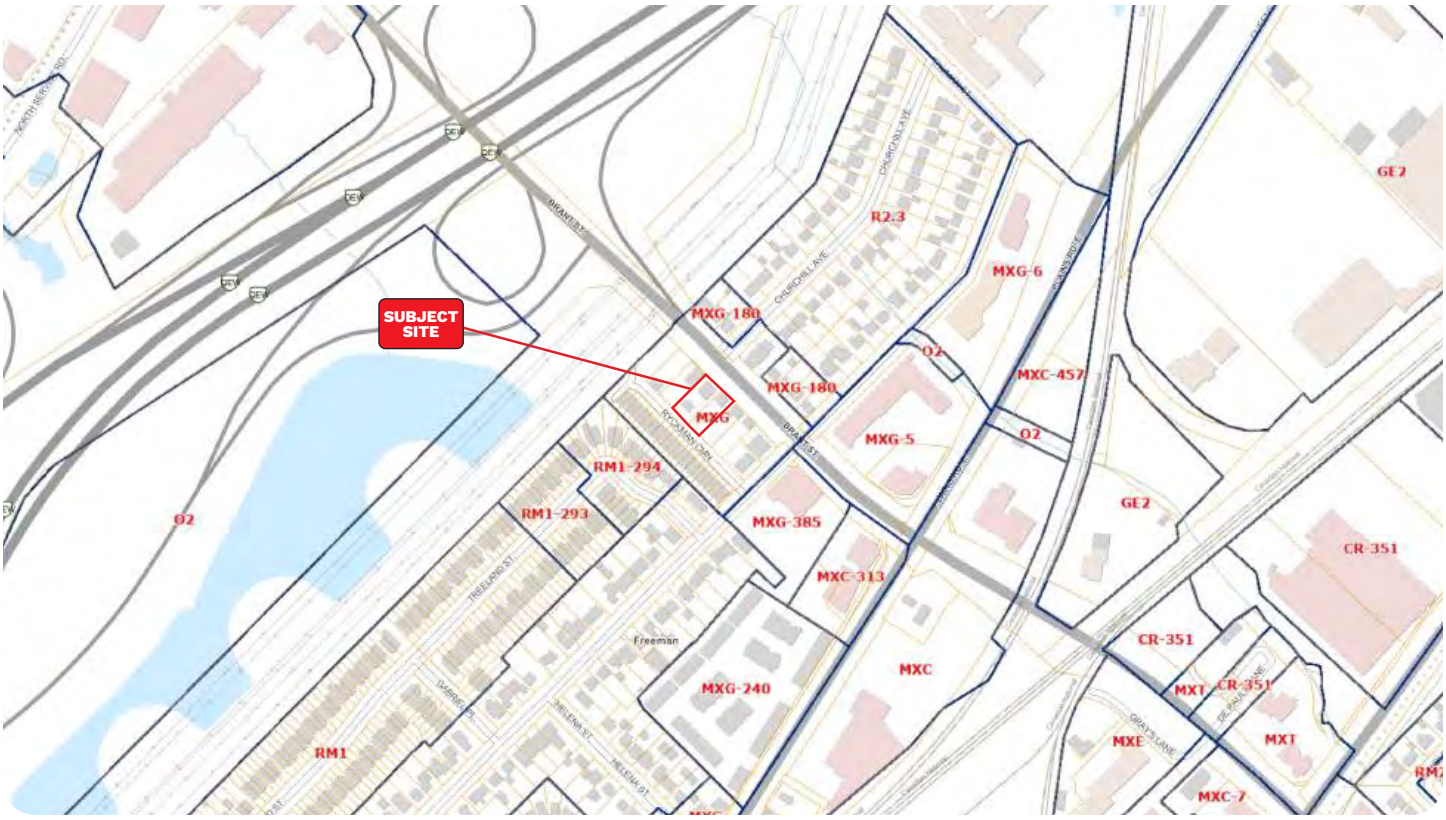


Figure 24 - New Burlington OP Schedule C – Urban Structure

In addition, parking requirements relating to the supply of vehicular parking applies. A minimum of 1.25 parking spaces per dwelling unit inclusive of visitor parking is required by the Zoning By-law.

The proposed development requires an amendment to the City's Zoning By-law in order to permit the proposed height, density, to create new site-specific exceptions to regulate the built form and site design as proposed, and to reduce the required amount of vehicular parking.

For reasons outlined in Section 5 of this report, it is our opinion that permitted regulations set out in Zoning By-law 2020 are not consistent with the Provincial Planning Statement and do not conform with the evolving (and in some cases, in-force) regional and local official plans. The zoning has not been updated to reflect the more recent planning policy documents and the contemporary zoning standards required to facilitate the type of redevelopment intended by provincial and regional planning policies. As a result, a Zoning By-law Amendment is being submitted to allow for the redevelopment proposal.

4.8 Design Guidelines for Mid-Rise Buildings (March 2019)

Section 1.0 of the Design Guidelines for Mid-Rise Buildings (Mid-Rise Guidelines) state that they represent best practices, developed to inform the urban design aspects of a mixed-use and residential mid-rise buildings and implement the City's Official Plan objectives and policies related to design excellence and the creation of a high-quality built environment that supports complete, compact, and sustainable communities. Section 1.1 states that a 'mid-rise building' is defined as any building between 5 and 11 storeys. Section 1.2 states that the Mid-Rise Guidelines are applicable across the City, wherever mid-rise building forms are permitted except for Employment Lands. It also notes that where there a conflict with any area specific policies or design guidelines exists, the area specific policies or design guidelines take precedent. Section 1.3 states that it is not the intention for the Mid-Rise Guidelines to limit creativity; and where an alternative built form can be demonstrated to achieve the intent of the guidelines, alternative solutions should be permitted and encouraged.

The following applicable guidelines apply to the proposal:

Building Placement

2.1.1) In general, buildings should be placed parallel to streets or public open spaces (within or along the edge of the site) to frame and define these spaces.

2.1.2) Consider the building's orientation to maximize south-facing walls for optimal access to sunlight to habitable rooms and other environmental benefits such as energy conservation, solar access to open spaces or areas for stormwater management and planting.

2.1.3) Placement should consider existing site conditions and look to retain and enhance certain features as assets such as mature trees and topography.

2.1.5) Where street setbacks are established but differ on each side of the development site, the building should reconcile the different setbacks.

2.1.6) Where there is no consistent pattern of street setbacks, the building should be set back to create a boulevard that can accommodate wider sidewalks, street trees, landscaping, and active uses to establish a more pedestrian oriented relationship between the building and the sidewalk. On streets where commercial / retail uses are required at the ground floor level, a minimum 6.0 metre boulevard is preferred, except where existing conditions preclude. The intent is that a road widening will not be required to specifically achieve this guideline.

2.1.9) All buildings should have a public front ('face') and private back. Buildings should not expose their back onto the front of a neighbouring building to minimize impacts such as "back of house" activities on adjacent properties.

Building Separation and Spacing

2.2.1) In general, taller buildings should provide greater separation distances. Separation distances should generally range between 15.0-20.0 metres. The intent of this guideline is to ensure that mid-rise buildings provide sufficient space to reduce any built form impacts.

2.2.2) Where windows are proposed within the lower building, a minimum separation distance of 15.0 metres should be provided between adjacent buildings.

2.2.3 Where a continuous street wall is desirable, side-yard setbacks are usually not required. Continuous street walls are generally desirable within areas designated for mixed use, except where special site or block conditions require breaks to access mid-block connections, public courtyards, or other open spaces.

2.2.7) The spaces between buildings provide opportunities for physical and visual connections, mid-block connections should be provided on larger sites to create pedestrian and cycling links and overall site permeability, circulation, and connections to parks, open spaces, trails, and neighbouring amenities and resources beyond the site.

Built Form: Height & Massing

2.3.1) When deciding on lower building height and massing consider the following:

- the permitted minimum and maximum heights set out in the Official Plan and Zoning By-law;
- the physical character of the surrounding area including the height and scale of adjacent buildings and the immediate streetscape;
- the views into, out of, and through the site;
- the potential shadowing impacts on neighbouring properties and adjacent public spaces – taller elements should be arranged accordingly;
- the micro-climate (particularly impacts created by wind); and
- the relationship of the building height to building depth and lot width. Use site characteristics such as width (narrow or wide), depth (deep or shallow) and number of frontages to inform an appropriate built form.

2.3.2) Design building massing to reinforce the street edge.

2.3.3) In general, a building's form should reflect the existing and planned context in terms of street character (including the planned street function and right-of-way width), land use, and built form.

2.3.5) Where a street wall is not established, the street wall for new mid-rise buildings should be limited to a height of 80% of the street width (up to a maximum of 6-storeys) with additional storeys stepping-back a minimum of 3 metres above the street wall to maintain a human scale and minimize shadowing.

2.3.6) In general, the building should not exceed a length of 60.0 metres apart from L-shaped building forms.

2.3.7) Pushing (projecting) and pulling (recessing) building volumes from the main building form is encouraged to help break down the mass of larger buildings.

2.3.8) Balconies are encouraged and should be integrated into the building design and massing with inset or Juliette balconies. Projecting balconies should not be within the street wall to avoid negative impacts to the public realm including additional building massing and shadowing.

2.3.9) Where ground floor commercial / retail uses are not required, projecting or semi-recessed balconies may be considered within the street wall provided they are integrated into the overall building design, appropriately setback from the public right-of-way, and do not contribute to the visual bulk or become the dominant feature of the building façade.

2.3.10) Stepping back upper level building volumes is encouraged to assist with transitions between neighbouring buildings with lower heights (Fig. 2.11 bottom image).

2.3.11) A variety of scales, colours and textures should be used to create visual interest across the building façades.

2.3.12) The height and massing of the building should ensure a minimum of five hours of consecutive sunlight on the sidewalk across the street at the spring and fall equinoxes (approximately March 21 and September 21, respectively).

Street Level Design, Façade Articulation & Materials

2.4.1) The lower building should be constructed with the highest quality of architectural design and materials.

2.4.4) Materials should reflect their intended use and complement the established physical character of the streetscape where appropriate. Do not use materials that mimic other materials or which deteriorate quickly.

2.4.5) The use of 'heavy' materials such as brick, stone, and metal should be used within the lower building to anchor the building. Other natural and sustainable materials such as wood is strongly encouraged.

2.4.6) Façade design should use architectural elements as well as materials to define unique components within the building and to create vertical and horizontal articulation.

2.4.8) Use architectural elements and expressions such as canopies, doors, windows, lively colours and the highest quality materials at street level to highlight individual units, differentiate between residential and non-residential entrances in mixed-use buildings, and engage the street.

2.4.9) Design the main entrance to be clearly distinguishable from other entrances through its architectural design and treatment, high visibility, wayfinding and direct pedestrian access.

2.4.10) Ensure that all main entrances are barrier free from the public sidewalk and on-site parking areas. Level access is preferred, where possible.

2.4.11) Emphasize grade-related entrances with high quality landscape design.

2.4.12) Buildings should maintain an appropriate relationship to the existing grade, especially at property lines. Design with existing grades and step buildings where there is a significant grade difference across a site. Avoid artificially raised or lowered grades, where possible.

2.4.14) The main building entrance should be designed to be pedestrian- and cycle-friendly with convenient, well-lit, and safe access. The main entrance should also provide for shelter from wind and rain through well integrated weather protection elements such as canopies, extended eaves and overhangs. Canopies should be located above the ground floor and provide a width of at least 1.5 metres.

2.4.15) The location of building entrances should consider the location of adjacent transit stops.

Site Design, Open Space & Streetscaping

2.5.4) Access to parking, servicing and loading should be provided at the rear of the building, or a laneway if possible.

2.5.6) Servicing and loading should be accommodated internally within the building.

2.5.8) Limit the extent of site area dedicated to servicing by using shared infrastructure and efficient layouts.

2.5.9) Most on-site parking should be provided underground. In general underground or structured parking is encouraged before surface parking.

2.5.12) Surface parking should be limited to visitor and retail / commercial parking and located at the rear of the building to be hidden from public view. Whenever possible, provide visitor parking in a convenient underground parking area adjacent to an elevator

2.5.15) In general, maximize outdoor amenity areas at grade. The width to depth proportion of this area should not exceed 4:1 and it should be provided in one contiguous area to ensure the space is functional.

2.5.16) When outdoor amenity area is provided at grade, design it to:

- be in a highly visible area to enhance the sense and perceptions of personal safety and minimize potential for crime and vandalism through natural surveillance;
- have consideration for micro-climatic conditions such as access to sky-views and sunlight as well as shade in the summer;
- be animated and framed by buildings with active uses such as at grade cafés;
- include multiple activities and functions such as a play area, dog run, seating, shade structure, or water features;
- incorporate high-quality landscaping to define areas and screen them from surface parking, mechanical equipment and other servicing areas to minimize noise and air quality impacts; and
- where possible connect to abutting open spaces.

2.5.18) Common outdoor amenity areas should be located next to interior amenity facilities with direct physical and visual access between these spaces through doors and windows.

Built Form: Transitions

3.1.1) When deciding on overall and upper building height and massing consider the following:

- the permitted minimum and maximum heights set out in the Official Plan and Zoning By-law;
- the physical character of the surrounding area including the height and scale of adjacent buildings; and
- the potential shadowing and pedestrian level wind impacts on neighbouring properties and private and public open spaces – taller elements should be arranged accordingly.

3.1.2) Where the building fronts a street, step-back the upper floors a minimum of 3.0 metres above the street wall to protect access to sunlight and sky view for streets while limiting shadowing). An additional step-back should be considered for buildings taller than seven (7) storeys in height. This additional step-back may be a minimum of 1.5 metres.

3.1.3) Where the building is on a site that is transitioning to a low-rise residential neighbourhood area (including properties designated Residential – Low Density and – Medium Density, Natural Heritage System, Parks and Open Space) a 45-degree angular plane should be applied from the shared property line. The building form should fit entirely within this angular plane and utilize setbacks and step-backs to ensure any impacts related to the change in height, overlook, and shadowing are mitigated.

3.1.5) Above the street wall, or the sixth storey for taller buildings, a minimum building separation distance of 20.0 metres should be provided to reduce impacts such as overlook and shadowing.

3.1.6) Design the upper building to clearly distinguish it from the lower building and to further reduce the upper level building massing. This should include step-backs, colour and material variations, and unique articulation.

A full review and analysis of the applicable design guidelines is provided in the Urban Design Brief, attached as an appendix to this report.

4.9 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. The proposed development will meet all required sustainability measures outlined above.

4.10 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 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 or 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. The SSG as related to the subject site is reviewed in Section 5.6 of this report.

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 Level 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, we have submitted a Pedestrian Wind Level Study that provides a review and analysis of the proposal against the guidelines and concludes that the proposed building passed the wind safety for both the existing and proposed configurations at all locations. A summary of the Pedestrian Wind Level Study is included within Section 5.6 of this report.

4.11 Municipal Housing Pledge

On March 21, 2023, the City of Burlington unanimously endorsed the Municipal Housing Pledge, a provincial directive to construct 1,500,000 homes by 2031 throughout the Province of Ontario. With regards to the City of Burlington, the Pledge targets 29,000 new homes within the municipality during a 10-year period, or 2,900 units a year. This number of housing units is significantly above the historic rate of construction in the City of Burlington, which according to Census data saw the number of dwellings within the City increase by only 471 units per year between 2016 and 2021. Additionally, we note that the City achieved only 27% of its housing target in 2023 under the Municipal Housing Pledge, starting construction on only 584 of the 2,127-unit target for the year. Further, as of October 2024, it has achieved only 31% of its target for the year. Although the pledge is not planning policy or legislation, municipalities are expected to support the objectives of the provincial initiative. There is merit in reviewing the City's in-force planning policy framework to facilitate housing construction, particularly given the City's current limited progress in achieving the pledge.



5 Planning & Urban Design Analysis

5.1 Pre- Application Consultation

The applicant consulted with the community and the Burlington Urban Design Advisory Panel (BUD) as part of the pre-application consultation.

Community Consultation

On May 6, 2025, a hybrid pre-application community meeting took place at the Burlington Art Gallery 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 proposed development presented to the community was substantially similar to the application subject to this rationale, consisting of an 11-storey residential apartment building. The following is a summary of the comments and concerns that were raised by the public:

Building Height and Built Form Impacts:

- Concerns were raised regarding the proposed building height;
- Residents identified concerns about lost views, specifically from the townhouses along Ryckman Common;
- Concerns were raised regarding the transition and facing condition between the proposed building and Ryckman Common;
- One resident identified concerns regarding shadow impacts from the proposed development;

Traffic and Parking

- Concerns were raised regarding the amount of parking proposed on the site;
- One resident questioned where construction workers would park during construction;
- Some residents identified concerns with safe access to the site from Brant Street for vehicles;
- Some attendees requested that additional bicycle parking be provided;

Tenure and Affordability

- Residents requested confirmation whether the development would be rental or condominium in tenure;
- Concerns about affordability were raised, including questions about building tenure, rental rates, and a request for affordable units;

Building Servicing, Loading, and Access

- Questions regarding the function of the loading area and potential noise impacts to Ryckman Common were received;
- Residents were concerned about how vehicle drop offs would function, and it was suggested that a dedicated pedestrian path be provided between the visitor surface parking spaces; and
- Residents identified concerns about servicing capacity for water, wastewater, and stormwater systems in the proposed building.

BUD Meeting

On May 22, 2025, the applicant's consultant team presented a conceptual proposal for the subject site to the Burlington Urban Design Advisory Panel. The proposal was for an 11-storey residential apartment building with a 4-storey podium. City Staff sought the Panel's advice on three main themes. The following is a summary of Staff's three questions and the Panel's advice:

Question #1 – Please comment on how the proposed building addresses the streetscape along Brant Street, including its contribution to a cohesive public realm, pedestrian experience, and relationship to surrounding built form and landscape character.

Nigel Tai: (Panel Member)	Have you considered flipping the driveway – it cuts the activity off from the health centre to the north, would it be a better experience to have the outdoor amenity on the north side instead.
Timmithea Chan: (Panel Member)	Brant St is a fast driving road. I have no objection to height, and the building overall seems to provide livable project for the street. I am concerned about the number of parking spaces and bicycle parking spaces. I am concerned about bicycle parking spaces which I don't see proposed. Consider putting the lobby where amenity is, shifting amenity to second floor and move ramp closer to Brant Street to open up rear of property for outdoor amenity.
Jessice Hawes: (Panel Member)	This will be the first property in the area to transition to higher densities; The neighbourhood character is really important and how it connects to the area. Adding trees on Ryckman Commons buffer could be helpful to improve function and landscaping. I encourage you to talk to the condo corporation about a through-block connection to provide connection from the townhouses to Brant Street directly. I agree with other comments to try to shift the parking ramp to shrink total amount of asphalt on the site plan.
Christopher Moise: (Panel Member)	I typically recommend illustrating both existing and planned context to show the proposal and how it doesn't stand out as starkly. I appreciate the building articulation and design and think it treats neighbouring properties quite well. The building needs additional screening to low rise communities there may be an opportunity for negotiation with the neighbour. Could perhaps use Ryckman Common for access.
Matt Reid: (Panel Member)	I also like the idea of flipping driveway side. Make sure the sidewalk is continuous across the driveway along Brant Street.

Question #2 – Please comment on the proposed building scale, and massing, including the use of setbacks, step-backs, and overall building articulation, as well as the functionality of ground floor circulation for pedestrians, cyclists, and vehicles.

Nigel Tai: (Panel Member)	I think articulation of massing, choice of materials, and breaking down massing into smaller chunks works well. I prefer a 3-metre step back, which is more "meaningful", though 1.5 metres works sometimes too. Overall, the massing works really well.
Matt Reid: (Panel Member)	There is a tricky situation at the rear, the building works well massing overall, though a 3-metre step back is better at rear. You should almost think of the rear as a frontage to the townhouses. There may be an opportunity to sculpt rear of the building overall and mimic step backs along Brant, providing more nuance and a bit of play with what is already going on. Also, it might make sense to move the bicycle parking along Brant Street across the driveway to remove conflict with vehicle traffic.
Jessice Hawes: (Panel Member)	I find the elevations read very differently – materiality in striping is really important to get it right, especially colour matching with brick with a different material. I find the brick podium to be less successful with inset at lobby, reads heavier in elevations than in the rendering. The proportions of brick face and corner cut are important to the success of the design.
Timmithea Chan: (Panel Member)	The surface parking at rear of the building has no sidewalk to the lobby for safe access, shifting the parking ramp would be preferred. I find the brick massing to be a bit heavy in some cases – perhaps introduce other materials to break it up and make it less heavy.
Christopher Moise: (Panel Member)	Balconies looking north seem very deep, I am concerned about access to natural light for those units, especially since they face north. I am also concerned about lack of resident bike parking and about short-term parking for drop-offs, deliveries, etcetera.

Question #3 - Please comment on the proposed landscape strategy, and whether there are opportunities to strengthen the project's sustainable and environmental performance through additional or enhanced measures.

Nigel Tai: (Panel Member)	For the trees on the ground floor, consider the soil volume for the trees and if it impacts the garage footprint. Also need to figure out the program of the amenity area and thinking about the amenity space – child friendly spaces are encouraged. Look at how it functions and how it can interact with the outdoor amenity space.
Matt Reid: (Panel Member)	Brant Street does not seem like a retail shopping street character, it's more residential. I like the landscape treatment with street trees and encourage you to explore landscaping elements throughout the site. There are lots of units proposed here, how will residents be using the site and the outdoor amenity to program and create useful functions for residents.
Timmithea Chan: (Panel Member)	I like the idea of the amenity terrace, though am concerned about the width of the amenity terrace and wonders if the balconies could not overhang the amenity area and if the indoor amenity could be moved to the second floor. Alternately consider outdoor and indoor amenity on the 5th floor to have a larger outdoor space.

Summary and Final Comments.

Matt Reid: (Panel Member)	I am generally comfortable around the building height and massing, though a bit of additional sculpting may be appropriate. Look at larger step backs to break down the massing. Also look at amenity space and the potential for moving it and improving the outdoor amenity with proper functionality and enhancing the ground floor space – thinking about parking design to shrink the overall servicing use footprint. I understand the notion of this being a constrained site and anything you can do to reduce impacts to residents would be helpful such as if the rock gardens make sense to move them to consolidate loading or relocate uses to other floors to give up some ground floor space for additional open space.

In response to the comments received from the Community Consultation Meeting and BUD Panel, the following is a summary of some of the key changes to the proposal:

- The ground floor service uses, particularly the parking ramp, were adjusted to reduce their overall size. This enabled a new outdoor amenity space at the rear of the building which:
  - Increases landscaped buffering to Ryckman Common;
  - Increases overall outdoor amenity space for residents with a larger, wider and more functional outdoor space;
  - Reduces the overall amount of paved space and area dedicated to vehicles on the site;
  - Preserves the two short-term surface parking spaces for drop-offs and deliveries;
  - Increases the amount of ground floor area available for indoor amenity space, improving access to private amenity and the interface between indoor and outdoor amenity areas; and
  - Enables the provision of a ground-floor bicycle parking room to provide bicycle parking spaces.
- 51 new bicycle parking spaces were added on the ground floor to supplement the proposed vehicular parking supply;
- New windows were provided on the east elevation on levels 2-4 to break down the proposed massing and reduce the perceived "weight" of the brick-clad podium levels of the building; and
- A new 3-metre step back on the 11th floor was introduced on the west elevation facing Ryckman Common to improve the building transition to the adjacent uses.

5.2 Intensification

Residential intensification on the subject site is appropriate and desirable and is in keeping with the policy framework set out in the PPS, the ROP and the Official Plan. Each of the noted policy frameworks promote intensification, redevelopment of underutilized lands, and direct a compact built form at transit supportive densities within defined Strategic Growth Areas (SGAs), which include the subject site. These policies direct intensification in areas serviced with existing infrastructure, such as public transit. In our opinion, the proposed development will achieve the policy objectives in each of the PPS, ROP, and the City's Official Plan.

Following the above noted policy framework, 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 the policies in the PPS can be realized, specifically those that encourage appropriate intensification, redevelopment, and creating a heathy community. Policies 2.3.1.1 and 2.3.1.2 of the PPS indicate 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 2.4.1.3 of the PPS identifies that planning authorities should permit development and intensification in SGAs, such as intensification corridors, and in proximity to public transit, to support the achievement of complete communities and a compact built form.

The proposal is also consistent with polices of the PPS relating to SGAs, specifically where growth and intensification is to be directed to SGAs such as the Brant Street regional intensification corridor and the adjacent Burlington GO MTSA, to accommodate significant population and employment growth in support of the transit network and complete communities.

With regards to the ROP, there are a series of objectives applicable for urban areas. These objectives include the facilitation and support of compact growth and intensification that support transit and non-automobile modes of travel. The subject site and proposed development is located along the Brant Street regional intensification corridor, a Secondary Regional Node, and an SGA. It would be supportive of these objectives by providing 93 new residential units in close proximity to transit services and amenities. It would also add new rental housing units that provide more housing options, as part of a complete community surrounding the Burlington GO Station.

The 93 residential units would also contribute to the Region of Halton's population and housing construction targets set out through Tables 1 and 2A of the ROP, which identify a population of 265,160 persons by 2051 for the City of Burlington, and a minimum of 20,500 new housing units to be constructed within the built-up area by the same time. Additionally, we note that the City of Burlington Municipal Housing Pledge aims for an even higher target of 29,000 housing units by 2031.

Intensification of the subject site would also support the ROP's direction for growth and intensification to be focused in SGAs such as the Brant Street regional intensification corridor.

Various other policies within the ROP further support intensification in SGAs and along regional intensification corridors. Specifically, Policy 86(11) states that the ROP permits intensification of land use for residential purposes through infill and redevelopment provided that the physical character of the existing neighbourhoods can be maintained. As discussed through Sections 5.5 and 5.6 of this report, the proposed development facilitates residential intensification in a form that is consistent with the planned built form context and applicable urban design guidelines. It provides appropriate transition to adjacent uses including building step backs in excess of urban design guideline and policy requirements, while incorporating appropriate landscaping buffers. These considerations help and maintain the character of the existing neighbourhood while facilitating the scale of redevelopment and intensification envisioned in Provincial, Regional policies.

The City's Official Plan provides similar direction with regards to intensification. Part 1, Section 4.3 provides specific direction that new residential growth will mainly be in the form of more compact housing. The proposed development would facilitate this through the provision of 93 new residential dwelling units within a high-density, compact development in a designated SGA.

Intensification is supported throughout the Official Plan, particularly in Policy 6.3 e) of Part II, as well as Section 5.0 of Part III, which encourage compact higher density forms of development w, that are pedestrian oriented and support public transit, within an SGA. In our opinion, the proposed development conforms and helps implement the Official Plan objectives through the intensification of the subject site. Part III, Policy 5.2.2 d), related to Mixed Use Activity Centres directs that these areas, which include the subject site, are characterized by compact built form of development, pedestrian orientation, accessibility to public transit, and higher intensity development. In our opinion, the proposal conforms to Section 5.2.2 of Part III of the Official Plan, as it intensifies an underutilized site in the Downtown SGA, where growth and intensification are directed.

Within Mixed Use Corridors, Policy 5.3.1 sets out objectives which support intensification through the development of higher intensity, transit supportive and pedestrian-oriented mixed-use development. The proposed development responds to these objectives by intensifying a vacant site along a Mixed Use Corridor with a high-density residential use that is transit supportive and pedestrian oriented. It provides additional residential dwellings to support the mixed-use nature of the wider corridor and the MTSA to the south of the subject site.

It is worth noting that the New OP, while under appeal for the majority of policies which apply to the subject site, is also supportive of intensification. Similar to the in-force Official Plan, the New OP directs the majority of growth and intensification to MTSAs and SGAs, where the subject site is located. The New OP directs growth to be developed with transit supportive densities in a compact built form where walking, biking, and transit will be prioritized. The subject site and proposed development would be supportive of this direction through the creation of a 93-unit residential building in close proximity to existing services and public transportation. The units will be in an area of the City within easy walking distance of the highest planned densities and mix of uses in proximity to the Burlington GO MTSA.

Additionally, it is noted that between 2016 and 2021, the number of dwelling units within the entire City of Burlington grew by only 2,356[2]. This rate of growth is approximately half of what was targeted for the 2022 to 2028 period, identified in the ROP. It is also approximately 1/6 the rate required to meet the Municipal Housing Pledge. As such, it is reasonable to conclude that the City of Burlington's existing Official Plan framework, approved in 1997, was not intended to support growth in areas such as intensification corridors, where Provincial, Regional, and Municipal policy direction envisions a higher amount of growth. The City of Burlington is currently reviewing its Official Plan to respond to the growth targets and urban structure set out in the ROP and the Municipal Housing Pledge. Until the New OP is finalized, new development proposed for intensification areas, which include the subject site, are expected to exceed in densities and heights, the current permissions of the Official Plan. This increase is in line with the direction provided in the ROP and the PPS.

5.3 Urban Structure

The ROP establishes a hierarchy of SGAs which identifies the subject site as being located along a Regional Intensification Corridor. However, it does not include any maximum density or height restrictions in any of its SGAs. In our opinion, the ROP is clear that the purpose of the Region's urban structure is to establish a growth management strategy and to "provide a structure and a hierarchy in which to direct population and employment growth within the Urban Area to the planning horizon" (Policy 78.1(1) of the ROP). It is also intended to "focus a significant proportion of population and certain types of employment growth withing Strategic Growth Areas through mixed use intensification supportive of the local role and function and reflective of its place in the hierarchy of Strategic Growth Areas" (Policy 78.1(2) of the ROP). In our opinion, there is no intent to preclude or limit intensification opportunities, as doing so would conflict with the intent of the PPS, which seeks to prioritize and optimize opportunities for intensification in SGAs. This is reinforced by the ROP's definition of a Regional Intensification Corridor which identifies it as an area that is planned to accommodate a significant amount of growth in alignment with the delivery of frequent transit and to support future transit projects.

2 According to 2016 and 2021 Census data provided by Statistics Canada.

When considering ROP's urban structure hierarchy, including proximity to higher order transit, the proposed development's height remains below those contemplated immediately to the south within the MTSA. At 11 storeys, the proposed development is shorter than the 19 storeys contemplated on the south side of Leighland Road within the MTSA and will act as a transitional built form as per the urban structure pattern of reducing building heights away from rapid transit station areas, while providing appropriate densities to support transit services along Brant Street, the designated Regional Intensification Corridor.

The ROP relies on local municipalities to establish a land use vision for their SGAs. The City has not yet updated its "vision" and Official Plan to conform to the ROP, as amended by ROPAs 48 and 49. In this regard, the City will need to permit a significant amount of intensification to accommodate the planned growth expected up to 2051. In the absence of a new "vision", it is our opinion that we can rely on the Official Plan as a general guiding document for this intensification, as it remains the sole in-force local policy document, but with consideration of changing policy directions at the Provincial and Regional levels. Notwithstanding this, the current Official Plan already directs high-density development along Mixed Use Corridors, where the subject site is located, to encourage higher intensity transit supportive development. This intent will only be strengthened by the City's planned updates to the Official Plan given that much of the identified growth is expected to occur outside of the City's Urban Growth Centre and MTSA's.

In our opinion, the proposed development conforms to the urban structure policies of the ROP and Official Plan and aligns with the policy direction for the Brant Street intensification corridor in both plans.

5.4 Land Use

The proposed residential apartment use is both appropriate and desirable, and it conforms to the policies in the PPS, ROP, and both the in-force City Official Plan and the New Official Plan, which seek to utilize and optimize the use of land and infrastructure that is transit-supportive. However, a site-specific amendment to the in-force OP land designation "Old Lakeshore Mixed Use Precinct" is required, to increase the height and density permitted on the subject site.

The proposal conforms to the policies laid out in the PPS as per Section 4.2 above. Policy 2.4.1.2 identifies that SGAs, such as the Brant Street intensification Corridor, should be planned to support the achievement of complete communities; including a range and mix of housing options and mixed-use development. SGAs are focal areas for education, commercial, recreational, and cultural uses, and are expected accommodate significant population and employment growth. The PPS identifies SGAs as areas that act as complete communities which contain a mix of uses, while not specifically within each development. The details of the location of uses within SGAs is to be determined by local municipalities. The proposed development is consistent with this direction by providing a residential development, which expands the range and mix of housing options, in close proximity to a wide variety of existing and planned commercial and employment uses, particularly to the south within the Burlington GO MTSA.

The proposed residential building conforms to the land use policies of the Region of Halton's Official Plan, more specifically, the "Urban Area" land designation. As mentioned in Section 4 of this report, Policy 72 of the ROP provides that Urban Areas are to include growth that is compact and supportive of transit usage and non-motorized modes of travel, to reduce the dependence on the automobile, and make efficient use of space

and services. These areas are to provide a range of complete communities of various sizes, types, and character, to promote the adaptive re-use of greyfields, and to facilitate and promote intensification and increased densities. The proposal meets these policy directions by providing a built form with increased density that support transit through higher densities, in proximity to transit services, which reduce automobile dependency. The proposal also helps create a complete community by providing additional housing types in the form of a compact residential building with a range of unit sizes for different lifestyles, in proximity to existing and planned commercial and community amenities.

Similar to the PPS, the ROP does not require each development to provide a mix of uses but looks to the larger Urban Areas and SGAs as having a mix of uses. This provides flexibility for uses to be located where appropriate. Specifically, policy 82.3 (1), calls for a mix of residential, office, institutional and commercial development, where appropriate. It is our opinion that Brant Street in this location is not appropriate for commercial uses given the high speed nature of the street its function as a primary vehicular corridor, with access to the QEW to the north, the constrained site size which limits the ability to create quality commercial spaces, and the presence of a significant amount of commercial amenities within walking distance directly to the south and north. Specifically:

Brant Street's high vehicle speeds and volumes lend to creating a larger scaled, highly landscaped public realm to increase pedestrian comfort. This design direction conflicts with the requirements of commercial spaces, which require clear sightlines for visibility. Similarly, Brant Street's existing and planned function as a regional arterial limits the ability to provide curbside parking to support street fronting retail amenities and limits the visibility of retail spaces.

The small scale of the subject site requires the majority of the ground floor of the building to be provided for core building functions, limiting the scale of non-residential space which would be possible to only smaller, less functional space with limited street frontage.

There are already a large number of commercial amenities located to the south along Brant Street, Plains Road, and Fairview Street as well as to the north along North Service Road and Brant Street. Further, the MTSA directly to the south of the site is expected to see significant levels of commercial, employment, and institutional growth and investment as the centre of the City's urban structure, providing appropriate access to commercial amenities for area residents.

As such, it is our opinion that the subject site is an appropriate location for a residential apartment building without a ground floor commercial use. Commercial uses to the south and north of the site can be more appropriately developed in an effective, desirable manner which will create more functional, attractive commercial amenities as the area continues to evolve and intensify.

The Official Plan outlines in Policy 5.3.1 of Part III objectives related to the Mixed-use Corridors designation, which envision multi-purpose arterial or major arterial roads that will serve as areas of concentration for mixed use developments comprised of high density residential, retail, service commercial, office, entertainment, community facilities and institutions, and open space uses. Part III, Policy 5.3.1 c) further identifies that the objective is to permit, but not require, mixed use developments on individual sites where various a combination of residential, retail, office and other uses can be located, or on different sites where such uses are located next to one another. Part III, Policy 5.3.2 a) provides additional policies for lands designated as Mixed use Corridor – General, applicable to the subject site. Specifically, Policy 5.3.2 a) (ii) identifies that high density residential uses are permitted, including residential or residential/commercial building forms.

Part III, Policy 5.3.2 b) and c) state that the intent for Mixed Use Corridor lands is to provide for the shopping needs of nearby residents and identifies specific locations for retail and service commercial uses within these areas. However, it does not require such uses on all properties or developments. Further, Part III, Policy 5.3.2 k) simply encourages, but not require, retail, service commercial, and other pedestrian oriented uses at grade. While the proposed development does not propose retail or service commercial uses for the reasons set out above, it does provide active residential amenity uses at grade to create a similar level of activation of the adjacent public realm.

Part III, Policy 5.3.2 e) identifies that the zoning of individual sites may not allow for the full range of permitted uses or the full extent of development intensity at every location based on site specific factors that may include, traffic, land use compatibility, market impact, natural hazards and features, and environmental factors such as soil contamination. This further recognizes that individual sites may not be able to accommodate a mix of uses. It is our opinion that it would not be appropriate to provide retail or service commercial uses at grade on the subject site given the high traffic levels, limited site size, residential character of this stretch of Brant Street, and presence of a significant amount of commercial amenity already located within walking distance of the subject site.

The proposal will support the Mixed Use Corridors land use objectives, including: creating a transit supportive density to encourage non-vehicular alternative forms of travel, orienting the building to the street and providing safe and attractive pedestrian connections, appropriately transitioning to and ensuring compatibility with adjacent uses, and providing heights and densities which align with the City's urban design guidelines.

With respect to the sustainable design policies in Section 2.7, the subject proposal conforms to policies 2.7.3 c), e) and k), since the proposal:

- seeks to develop a vacant site along an intensification corridor with access to good public transit, which will reduce travel time and intensify an underutilized site in a sustainable manner.
- will add new housing options in the neighbourhood.
- Will include transportation demand management strategies to encourage increased transit ridership, walking and bicycling.

The New OP designates the subject site as "Intensification Corridors", a "Secondary Growth Area" and as an "Urban Corridor". In our opinion, the New OP recognizes the subject site's strategic location along the Brant Street Intensification Corridor and Strategic Growth Area as a location which is appropriate for mid-rise residential development. Specifically, Policy 2.4.2(2) a) identifies that Secondary Growth Areas as areas expected to accommodate growth, including mid-rise buildings, to support frequent transit corridors and accommodate development that is compact, mixed use, and pedestrian oriented. Policy 8.1.3(1) sets out the objectives for intensification corridors, stating that they are areas for more intensive integration of uses, be developed in a compact and pedestrian oriented built form and in a way which is compatible with the surrounding area. Finally, the Urban Corridor Designation provides similar direction, identifying that mixed-use development including residential and other uses shall be concentrated. While the New OP does identify that retail and service uses shall be required through Policy 8.1.3(7.2) j); as we have identified in this rationale, the New OP remains under appeal and is expected to see significant revisions to align with more recent policy directions from the ROP and PPS. We reference the ROP which does not require a mix of uses on the Brant Street Intensification Corridor but instead directing them to be provided only where appropriate. For the reasons set out in this rationale, we do not believe non-residential uses would be an appropriate or desirable use on the lands.

Based on the foregoing, it is our opinion that a site-specific amendment to the Official Plan to permit the proposed development is appropriate and desirable from a land use perspective for the following reasons:

- It is consistent with the PPS and conforms to the ROP, particularly relating to policies encouraging intensification within SGAs;
- It conforms to the policies of both the OP and New OP that call for higher density intensification in a compact transit supportive built form along intensification corridors;
- We are of the opinion that it is not appropriate or desirable to introduce retail or service commercial uses on this portion of Brant Street;
- It appropriately transitions to and addresses adjacent residential uses, in the context of being located within a SGA which is expected to accommodate a significant portion of growth within the City of Burlington and given that the townhouse block immediately to the west shares the same intensification corridor designation, the subject site should be evaluated in context of the planned development scale and use, not existing;
- It represents good planning practice and will promote the evolution of the Brant Street Intensification Corridor from its existing low-rise form to a mid-rise, transit supportive and pedestrian oriented community in proximity to the commercial, and transit amenities of the Burlington GO MTSA, immediately to the south.

5.5 Height, Massing, and Density

In our opinion, as noted in Sections 5.3 and 5.4 above, the site is an appropriate location for intensification into a mid-rise residential land use. From a built form perspective, it is our opinion that the subject site is a contextually appropriate location for an 11-storey mid-rise building given its location along the Brant Street intensification corridor SGA, the scale of the adjacent public realm, and its distance from adjacent low-rise residential uses.

In terms of the urban structure, the Brant Street Intensification Corridor is identified as an area where growth should be directed at densities and scales generally below that of the primary growth areas of the City, including the MTSA directly to the south of the subject site. The proposed development addresses this with the 11-storey height representing a significant reduction in height and density in comparison to the 19-storey heights permitted within the MTSA on the south side of Leighland Road. The 11-storey (36.35 metre), mid-rise form generally matches the width of the adjacent 36-metre ultimate right of way of Brant Street and conforms to the direction of the OP that Mixed Use Corridors should generally be mid-rise in scale.

From a density perspective, we note that the OP permits increases in density without amendment to the plan subject to council approval, with consideration to the adequacy of services and infrastructure, the compatibility with adjacent uses, a high-quality building design, landscaping and streetscaping, and the provision of underground parking. The proposed development, at a density of 4.62:1 FAR, is in our opinion appropriate and desirable for the subject site. The development would provide a high-quality building design which would include high quality landscaping and streetscaping elements along Brant Street. This would represent a substantial improvement over existing pedestrian conditions on the street. Additionally, for the reasons set out in section

5.6 of this report, it is our opinion that the building appropriately transitions to adjacent and planned uses in proximity. Through the submitted functional servicing, stormwater management, and transportation impact reports as reviewed in sections 5.9 and 5.11 of this report, adequate services and infrastructure are available for the development. While the increased density above the 1.5:1 FAR permitted in the OP would be supportive of more recent planning direction to optimize land use and infrastructure on the subject site, given its location along a Regional Intensification Corridor and SGA, as well as its proximity to public transit. As already discussed, the Official Plan pre-dates the current provincial policy framework including the new PPS (2024), two previous Provincial Policy Statements (2014 and 2020), the 2019 Growth Plan, as well as its previous amendments in 2012 and 2013. Additionally, it precedes more recent direction from the ROP to focus intensification to areas such as Regional Intensification Corridors, which include Brant Street. 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 an SGA. This supports the rationale for increasing the height, resulting in a higher density, beyond the permissions of the Official Plan and the zoning by-law.

As is demonstrated in the Urban Design Brief, attached as an appendix to this report, the overall building mass will be reduced through its articulated design and its setback and step backs from the street. The overall mass does not create any unacceptable light, view, or privacy impacts; and is generally in accordance with applicable Urban Design Guidelines. The Urban Design Brief concludes that the proposed development makes a positive contribution to the planned character of Brant Street, one of the City's principal streets. The Brief finds that it will help establish a more continuous pedestrian zone along a stretch of Brant Street that functions today as a primarily auto oriented throughway, provide a built form that not only animates the street but creates an appropriate framing of the right of way, and furthermore, the architectural expression and design quality of the building establishes a desirable precedent for future redevelopment of Brant Street in this area. Finally, the report identifies that there are no unacceptable impacts in terms of shadowing or privacy. A further review of the buildings built form, including its massing, is provided in section 5.6 of this report.

In our opinion, the proposed massing would represent a desirable and appropriate built form for the subject site. The existing vacant property on the subject site represents a significant underutilization of land along a designated intensification corridor. The proposed development represents an opportunity to provide rental housing in close proximity to public transit and services, in a manner which supports alternative modes of transportation.

The proposed building represents the first step in the urbanization of this portion of Brant Street and provides an opportunity to introduce a new, attractive development on a corridor which functions as one of the key corridors and entrances to the City of Burlington; given its proximity to Downtown Burlington, the QEW, and the Burlington GO station. The proposal will enhance the streetscape along this portion of Brant Street, introduce new transit-supportive residential densities, appropriately transition to adjacent uses, and support the City of Burlington's goals of providing new rental housing and meeting its overall housing targets.

Based on the foregoing, it is our opinion that the proposed height, massing, and density are appropriate and desirable for the subject site.

5.6 Built Form Impacts

The housing intensification policies of the Official Plan require new development and redevelopment to be compatible with the scale, urban design and community features of the neighbourhood (Part III, Policy 2.5.1 a). That compatibility is achieved with the existing neighbourhood in terms of scale, massing, height, siting, setbacks, coverage, parking and amenity area so that a transition between existing and proposed buildings is provided (Part III, Policy 2.5.2). Policy 5.5.5 c) of Part III of the Official Plan requires that all development and redevelopment shall be compatible with the existing character of the precinct with such matters as heights, setbacks, massing, design and community features.

With regards to transition, the building falls within the required angular planes from adjacent residentially designated and zoned lands and provides an appropriate stepdown and transition towards the Brant Street public realm. The 4-storey podium is designed to reference existing uses in the immediate context along Brant Street and create a pedestrian scale, with step backs on the uppermost levels to increase access to sunlight along Brant Street and reduce the perceived scale of the building.

Along Brant Street, the building is proposed to be setback by 3.3 metres and provide a 1.2 metre road widening, creating a generous public realm along the building's frontage. A high-quality landscaping treatment of this space is proposed which will create an attractive public realm with new street trees, providing space to buffer pedestrians from the street and improve perceived pedestrian safety along a busy vehicular corridor. The building also introduces step backs, including a 1.5 metre step back above the 6th floor an additional 3.1 metre step back above the 10th floor, to reduce the building's perceived scale from Brant Street and allow adequate sun light and sky view from the public realm.

Similarly, the proposed building is set back and separated from the Ryckman Common townhouses to the west by a 7.5 metre outdoor amenity area which will include landscaping features to mitigate visual impacts. It will also include additional step backs on the 5th and 11th floors to further reduce impacts. We note that the Ryckman Common townhouses are similarly designated and zoned as the subject site, with an as-of-right permission for a 6-storey building. As such, we must review the interface on the basis of the planned built form rather than the existing. As such, the proposal provides an appropriate built form to ensure adequate separation from the planned uses (A mid-rise building) on the adjacent lands and ensure sufficient transition to the low-rise residential designated and zoned properties to the west of Ryckman Common. As measured from those properties, the proposed development falls under the required 45-degree angular plane and includes a significant physical separation distance.

Regardless of the planned context for Ryckman Common, it is our opinion that the proposed development appropriately transitions to the existing uses while acknowledging its higher density designation and zoning through the proposed 7.5 metre setback, landscape buffer, and the proposed upper-level step backs. The front-facing nature of the Ryckman Common townhouses where the front of the dwellings faces the subject site, reduces the sensitivity of the use, while the overall 20+ metre separation distance between the townhouse units and the proposed development, the orientation of dwellings in the proposed development to face generally north-south and away from Ryckman Common, and the existing landscaping buffer and features provided on the Ryckman Common property adjacent to the subject site further ensure sensitivity to the surrounding built form context. In addition, the relationship between the proposed building and the existing townhouses on Ryckman Common is a front (existing townhouses) to rear

(proposed midrise building) relationship, which is separated by a private road, parking, landscaping, a fence, and an outdoor amenity area. In our opinion, the orientation of both the existing townhouses and proposed mid-rise building, together with the separation distance and intervening elements provides for an appropriate built form relationship that does not create any unacceptable built form impacts.

In our opinion, the proposed facing condition with Ryckman Common and the low-rise neighbourhoods further east appropriately address the policies of the Official Plan, particularly Policy 2.5.2 a). The proposed setback, upper-level step backs, existing conditions on Ryckman Common, and proposed landscape buffer ensure compatibility with the existing townhouse complex while acknowledging its planned ultimate land use designation and development intensity as a mid-rise building and not low-rise residential uses as exist today. Lower level uses are screened from the complex by the proposed landscape buffer and existing buffers on the Ryckman Common property, overlook concerns are minimized by the facing condition of the fronts of the townhouses facing the subject site and the proposed and existing landscaping shielding overlook conditions, and the uppermost levels are proposed to be stepped back on both the 5th and 11th levels to reduce the perceived building mass. Similarly, these design interventions extend to improving the transition and compatibility with the low-rise uses west of Ryckman Common, ensure the building remains well below a 45-degree angular plane measured from these uses and enjoying a total separation distance from the proposed building to the low-rise uses over 45 metres.

To the north and south of the subject site, properties are generally of similar depth, scale, and share similar land use designations and applicable zoning. As such they can reasonably be expected to develop in the future at similar densities and sizes as the proposed development. The proposed setbacks of 4.5 metres for levels 1-4 and 7.5 metres for levels 5-11 from the south lot line and 5.5 metres for levels 1-4 and 8.78 metres from levels 5-11 from the north lot line are reflective of this planned context. These setbacks ensure an urban scale podium level with a consistent street frontage along Brant Street while providing adequate separation, and larger separation distances on the uppermost levels of the building to provide improved access to sunlight and sky view in anticipation of future developments to the north and south, and are generally aligned with the applicable urban design guidelines which direct for a minimum separation distance of 15 metres between buildings (7.5 metres from each property). The lower-level setbacks of 4.5 metres to the south and 5.5 metres to the north generally align with half of an 11-metre separation for access to sunlight for lower-scale buildings and residential facing distances while acknowledging the desire for a consistent, urban street frontage along Brant Street itself.

These setbacks and step backs specifically address Policy 2.5.2 a) of the OP by ensuring that the redevelopment of the subject site does not compromise the development of properties to the north, west, and south, which in our opinion can continue to be redeveloped at a similar scale to the subject site and with similar setbacks and separation distances provided in the proposed development in a manner which appropriately addresses the City's urban design guidelines.

On this basis, we believe the proposed 11-storey (plus mechanical penthouse) building will fit harmoniously within the existing and planned context.

Shadow Impact

Bousfields completed a shadow study to analyze the incremental shadows cast by the proposed development. Bousfields prepared the Shadow Study report in accordance with the City of Burlington Shadow Study Guidelines ("SSG") and Terms of Reference (June 2020).

Based on the findings of the Study, it is our opinion that the shadow impacts and resulting Sun Access Factors ("SAF") of the proposed development are relatively limited and acceptable based on the applicable Official Plan policies.

The proposed development meets all the applicable shadow impact criteria for key civic and cultural spaces, private outdoor amenity spaces, parks and open spaces, and places where children play.

The impact from the proposed building on the east and west sidewalks of Brant Street has been identified as falling within the acceptable range within the Shadow Study Guidelines with an SAF of 0.78, above the requirement of 0.5. Similarly, the proposed development's shadow impacts to private amenity areas in the immediate context will range from an SAF of 0.75 to 0.98, exceeding the required SAF of 0.22. The proposed development is not expected to have shadow impacts on any nearby civic and cultural spaces, parks and open spaces, or spaces where children play.

As a result, it is our opinion that the shadow impact is appropriate given the site's location along a designated intensification corridor. From a built form and urban design perspective, the proposed development's base building appropriately frames Brant Street while simultaneously incorporating mitigative measures, including upper-level step backs and setbacks, to ensure any adverse shadow impacts are minimized. The proposal conforms with the built form and massing policies of the Official Plan and is generally in keeping with the relevant urban design guidelines. The proposed development has ensured the continued provision of adequate sunlight and meets all standards set out for the key areas specified in the SGA's.

Based on our analysis, we believe there is no significant sun-shadowing impact for extended periods and the new net shadow impact, over the current as-of-right permissions, of the proposed development is at an acceptable level. A detailed analysis of the proposed development's shadow impact is provided in the submitted shadow study.

Wind Impact

Gradient Wind was retained to conduct a pedestrian wind assessment for the proposed development. The assessment was based on the wind-tunnel testing conducted for the proposed development under the Existing and Proposed configurations of the site and surroundings. In accordance with the Pedestrian Level Wind Study Guidelines and Terms of Reference (March 2020) (Guideline) published by the City of Burlington, the wind tunnel test results were analyzed using wind climate records from Hamilton International Airport and evaluated against the Wind Comfort and Safety Criteria specified in the local guidelines. The predicted wind conditions are summarized as follows:

- Most grade-level areas surrounding the subject site are predicted to experience conditions that are considered acceptable for their intended pedestrian uses throughout the year. Specifically, conditions over the nearby public sidewalks, transit stop, and neighbouring existing surface parking lots remain acceptable following the introduction of the proposed development. Conditions over the proposed surface parking, walkways, and in the vicinity of the building access points serving the proposed development are considered acceptable.

- Any windier areas within the proposed grade-level outdoor amenity serving the proposed development will include seating or lounging areas, comfort conditions at these areas may be improved by implementing targeted mitigation elements as described in Gradient Winds report.

Based on the foregoing and supporting wind study, the subject applications conform to the applicable wind impact policies in the Official Plan including the intensification and compatibility policies related to mixed use areas.

5.7 Urban Design

From an urban design perspective, the proposed development will result in an appropriately scaled building that will be compatible with adjacent uses while creating a pedestrian-oriented public realm along the site's three street frontages.

In our opinion, the proposed building design and site organization conforms with the applicable built form and urban design policies of the Official Plan, in particular policies Part I – 4.3, Part II – 6.5, and Part III – 2.5.2 a), 2.5.4 b) and c, 5.5.1 g), 5.5.2 l) and o), 5.5.5 c), and 5.5.12.

A fulsome review and analysis of the proposal against the applicable planning framework and City's applicable urban design guidelines is provided in the Urban Design Brief, attached as an appendix to this report, which concludes the proposal conforms to the intent of the Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings and is reflective of the broad aims of the OP urban design policies.

5.8 Housing Strategy and Analysis

Through the pre-consultation process, the City of Burlington identified the need for a "Housing Analysis" which addresses specific criteria set out in the New OP and other policies within the PPS, ROP, and in-force OP.

In our opinion, the proposed development conforms to the applicable housing policies of the PPS, ROP, and local Official Plans. Through the pre-application process for the subject applications, City Staff also identified the need for a rental housing replacement plan and tenant relocation plan. The subject site is currently vacant and as such the proposed development would not remove, and thus require replacement, of any existing residential rental units. As there are no current tenants on the property, a tenant relocation plan has not been provided.

With regards to the PPS, the proposed development helps address Policy 2.2.1, which among other thing directs for the provision of a full range of housing, permitting and facilitating all housing options including the development and introduction of new housing options in previously developed areas. The proposed development would create 93 new rental dwelling units on a currently vacant site, contributing to a full range of housing and providing new housing options for residents.

It is our opinion that the proposed development complies with the applicable housing policies in the ROP. Specifically, the proposal would introduce 93 new rental apartment units in proximity to transit and services. This aligns with Policy 84 of the ROP which directs for the supply of an adequate mix and variety of housing. It is acknowledged throughout the policy framework, including Policy 86.18 of the ROP, that rental housing is to be encouraged and the proposed development would assist the Region in achieving its targets for new rental and apartment housing forms, specifically their target of 65% of new housing to 2031 to be townhouses or multi-storey buildings as identified in Policy 86.6 a).

With respect to the rental demolition policies of the ROP contained in Policy 86.19, the proposed development would develop an existing vacant site and would not result in the removal of any existing rental housing. While rental dwellings were previously located on the site, they were already approved for demolition through the appropriate demolition permits issued by the City of Burlington. Given that the site is vacant, any rental demolition policies are not applicable for the proposed development.

This also applies to the OP, where Part III, Policy 2.3.2 f) states that no existing rental properties containing six or more dwellings should be permitted to be demolished without meeting several requirements. These requirements include the replacement of the dwellings with the same number of bedrooms and similar rents. As the site is currently vacant, no rental dwellings are proposed to be demolished as a part of the application and the policy does not apply. The proposed development does support Part III, Policy 2.3.2 h) however, which encourages the provision of a full range of housing types, including rental housing. The proposed development would provide 93 new rental housing units in the City in alignment with this objective.

Housing issues are identified Policy 3.1.1(2) h) of the New OP. As we noted in Section 4.6 of this report, the majority of the New OP remains under appeal, including Policy 3.1.1(2) h), and is in not in full force and effect. Additionally, the policy only requires a housing impact statement and analysis for proposed developments with over 100 residential units. As the proposed development would include 93 residential dwelling units, a housing impact statement is not required.

5.9 Transportation

LEA Consulting Ltd. (LEA) prepared a Transportation Impact Study (TIS) for the proposed mixed-use development. A copy of this report has been submitted as a part of this application. A summary of the report's conclusions include:

- The site is located in an area well-serviced by the existing Burlington transit network. There are a number of surface transit options available in the study area which connect the subject site to a variety of destinations, including the Burlington GO station. The site is within convenient walking distance of several bus stops along Brant Street, providing easy access to public transportation.
- The site is located in a neighborhood with access to nearby cycling infrastructure, including bike lanes along Brant Street and Fairview Street. Additionally, the site benefits from a mixed-use path (bike lane and sharrows) along Plains Road East, as well as sharrows on Queensway Drive, indicating shared use by cyclists and vehicles. The existing pedestrian network provides good connections between the residential and commercial uses in the area. The City of Burlington has developed its first Integrated Mobility Plan (IMP), a 30-year strategy aimed at enhancing the citywide transportation network. The IMP focuses on creating a sustainable and accessible transportation system, emphasizing improvements for pedestrians and cyclists. Within the study area, the plan identifies a cycling connection from Leighland Road that connects across the QEW at a future crossing to the east. In addition, Brant Street (north of Fairview Street) is identified as a Candidate Frequent Transit Corridor where transit improvements will be prioritized.

- The proposed development is anticipated to generate 25 two-way vehicle trips during the weekday AM peak hour (6 inbound, 19 outbound) and 30 two-way vehicle trips during the weekday PM peak hour (20 inbound, 10 outbound).
- The traffic analysis was undertaken based on a future horizon of 2030, 2035, and 2040. The analysis results confirm that the proposed development will have an acceptable impact on the surrounding road network, with all intersections operating similar to background conditions.
- There are no bicycle parking requirements for residential developments under the City of Burlington Zoning By-law 2020. However, to support the vehicle parking strategy, bicycle parking will be provided at the rates specified in the Burlington City-wide Parking Standards Review. This corresponds to a proposed bicycle parking supply of 46 long-term and 5 short-term bike parking spaces.
- Based on Zoning By-law 2020, the proposed development is required to provide a minimum of 116 spaces inclusive of both residential and visitor parking. The proposed development will provide 53 residential spaces, one (1) carshare space, and 14 visitor spaces for a total of 68 parking spaces (0.73 sp./unit). This represents a 59% reduction from the current zoning by-law requirements.
- The reduced parking supply aligns with the transportation and parking objectives of both the Province and the City of Burlington, particularly given the site's proximity to a MTSA and access to higher-order transit routes. While the site is not located in a parking exempt area as defined by Zoning By-Law Amendment 2020.478, the site has comparable or better transit access when compared to the approved exempt areas. The proposed development will be marketed to Burlington renters who typically use transit or walk/cycle and do not own a personal vehicle, providing an affordable alternative for these households who do not want to incur the sunk cost of a unit with vehicle parking. This parking strategy will be supported by a robust Transportation Demand Management Plan that will enhance the convenience of travelling by transit, cycling, and other modes. Based on this evidence, it is LEA's professional evidence that the proposed vehicle parking supply is appropriate and should be supported.
- According to Zoning By-law 2020 Section 2.25.3, at least one (1) off-street loading space shall be provided in conjunction with every principal building, including mixed-use buildings. The proposed development will provide one (1) loading space, satisfying the zoning by-law requirements.
- Transportation Demand Management (TDM) measures have been proposed to reduce automobile usage and encourage people to engage in more sustainable transportation mode

With regards to the proposed road widening, we note that while Region of Halton staff requested a 7.5 metre road widening for the subject site, the ROP and the Official Plan only identify a planned right of way of 36 metre for Brant Street, which is consistent with the identified right of way in the City's Official Plan. Given that Brant Street has an existing right of way of 33 metres, this represents the 1.2 metre road widening provided in the proposed development. Regional Staff requested a road widening to support a 47-metre right-of-way (7.5 metre road widening) based on an Appendix to the 2011 Region of Halton Transportation Master Plan ("TMP"), entitled "Regional Right-of-Way Guidelines". We note that that if any road widenings are required, these must be shown on or described in a municipalities' Official Plan as per section 41(9) of the Planning Act, along with the extent of the proposed widening. Although the ROP does state in Policy 173(5) (d) that additional widenings may be required by engineering studies completed for development approval, the Region's TMP (and specifically, an Appendix to this TMP) does not in our opinion meet the requirements of this policy. The Region's TMP was completed as part of an Environmental Assessment Act process in support of the Region's adoption of ROPA 38,

which approved the ROP to accommodate growth to the year 2031 as part of the Region's five-year review of its official plan under the *Planning Act*. The aforementioned "Regional Right-of-Way Guidelines" was filed as one of many Appendices to the Region's TMP and is dated July 2011, over 14 years ago. The Region has had multiple municipal comprehensive reviews and ROP amendments to update the Official Plan planned road widths to align with Appendix E to the Region's TMP, which does not form part of the ROP. Furthermore, it is our opinion that if the Region wanted to increase the road width for Brant Street, it should have done it through an update or amendment to the ROP where such changes are properly scrutinized through a public process.

Additionally, it is our understanding that the Region of Halton has in other instances, including 297 Queens Avenue in Oakville, accepted road widenings in alignment with the designated road within the ROP rather than rely on the Transportation Master Plan since the approval of the Master Plan in 2011. In our opinion the requested 7.5 metre road widening would significantly compromise the ability to appropriately intensify the subject site and surrounding properties given its constrained site area and lot depth; and would conflict with other policies of the ROP to intensify Regional Intensification Corridors, especially ones in close proximity to MTSA's and UGC's.

For these reasons, it is our opinion that the provided 1.2 metre road widening is sufficient and conforms with the applicable policy framework for the site.

5.10 Noise Emissions

HGC Noise Vibration Acoustics (HGC) was retained to prepare a Noise Feasibility Study to support the Zoning By-law Amendment application submission to the City of Burlington. The results of the study indicate that the proposed residential development at 1056 – 1060 Brant Street is feasibly from a noise impact perspective, with the inclusion of upgraded acoustical design features which can be developed in greater detail as the design proceeds. Specific features identified in the study include upgraded building and glazing constructions for specific building elevations, central air conditioning, acoustic barriers along Brant St to shield the outdoor amenity area, and noise warning clauses to be included in development, sale, and purchase agreements.

5.11 Servicing and Stormwater Management

A Functional Servicing and Stormwater Management Report dated December 1, 2025 has been prepared by Counterpoint Land Development to demonstrate that adequate municipal servicing capacity exists on the subject site, and to outline the servicing and stormwater management strategy for the proposed development.

With regards to water servicing, the report identifies that the proposed development will be serviced through a proposed 200 mm connection to the existing 300 mm diameter watermain on Brant Street. The combined fire flow and maximum day demand is 8,139 L/min. A hydrant flow test was completed October 27, 2025 to confirm that the Brant Street watermain has an ultimate capacity of 12,796 L/min at a minimum pressure of 20 psi.

With regards to foundation drainage, the report concludes that the short-term groundwater discharge rate is expected to be 141,000 L/day (1.63 L/s). Short term groundwater discharge will be directed to the storm sewer that is situated within Brant Street. Long term permanent groundwater flux will be 25,000 L/day and will be discharged to the SWM tank and to Brant Street storm sewer.

The report further identifies that groundwater discharge from the subject site meets the permissible limits for Halton Sanitary and Combined Sewer By-Law (02-03) and the Burlington Storm Sewer By-Law (59-2022) for Total Suspended Solids (TSS). As such, groundwater treatment is not required prior to discharge for short-term dewatering and for the foundation drains (long term discharge).

Regarding Sanitary Servicing, the report concludes that a new 150 mm diameter sanitary connection is proposed to connect to the existing 200mm diameter municipal sewer along Brant Street. A single sanitary connection is proposed for the subject site. The sanitary design flow for the subject property will increase from 0.24 L/s under existing conditions to 4.17 L/s under proposed conditions. A downstream sanitary sewer analysis has been prepared and there are no downstream sanitary sewer capacity concerns under pre and post development conditions. No sanitary sewer infrastructure improvements are necessary to service the proposed development.

With regards to Stormwater, the report identifies that A new 300mm diameter storm connection is proposed to connect to the existing 300 mm diameter municipal sewer on Brant Street.

Finally, with regards to controls, the report concludes that the proposed quantity control release rate for the site for all storm events up to and including the 100-year storm event will be controlled to the allowable release rate of 27.3 L/s and will require 22 m^3 of storage within the proposed stormwater management tank in the underground parking structure of the building. Additionally, an 'Enhanced' level of quality control (80% TSS Removal) is required for the development and is proposed to be achieved through initial TSS removal from landscape and roof areas and a Jellyfish Storm filter unit, resulting in an overall TSS removal rate that exceeds 80%, and that the site water balance target of 5 mm retention 8.1 m^3 shall be met through the use of landscape areas and a water re-use cistern for onsite irrigation.

The report concludes that the proposed development can be constructed to meet the requirements of the City of Burlington and the Region of Halton through the site servicing strategy for the development identified in the report.



6 Conclusion

For the reasons set out in this report, it is our opinion that the proposed development will appropriately intensify an underutilized site on a designated intensification corridor, improve the streetscape along Brant Street, and provide new rental housing for the City of Burlington in a built form that fits harmoniously with the existing and planned context.

From a planning policy perspective, the subject site is an appropriate location for residential intensification, given its location along a designated Regional Intensification Corridor and SGA. It is in proximity to higher order public transit, including the Burlington GO station, which is approximately a 15-minute walk from the subject site. The proposal conforms with the ROP, particularly the land use, intensification, and SGA policies. The proposal also conforms with the intensification, housing, and mixed-use corridor policies of the Official Plan, which envision an urbanization of the city, especially in the Downtown. However, a site-specific amendment to the maximum permitted height in the Official Plan is required in order to better align with more recent policies at the Regional and Provincial levels. The amendment would also have appropriate regard for the City's applicable Urban Design guidelines, which direct mid-rise development to generally align with the width of the adjacent right of way. In our opinion, the proposed density is appropriate and desirable for the subject site and adheres to the criteria set out in the OP for increases to density on the site. Furthermore, it is our opinion that the requested Zoning Bylaw and Official Plan Amendments are consistent with the PPS, in particular the policies promoting the efficient use of land and infrastructure, and intensification within SGAs.

From a built form and urban design perspective, the proposed base building will appropriately frame the public realm, provide appropriate transition to adjacent residential uses, and contribute to an improved pedestrian environment along Brant Street. The building is appropriately set back and utilizes an appropriate mix of step backs to reduce its visual and shadow impacts on adjacent uses and the public realm. While the podium is appropriately setback from adjacent uses and is of a height which references existing uses and provides a pedestrian scale. The proposed height is reflective of the broader urban structure and is in keeping with range of planned heights in the surrounding area. The proposal conforms with the built form and massing policies of the Official Plan and is in keeping with the relevant urban design guidelines.

We believe that the proposed rental units will contribute to the City's housing policies regarding the provision of a full range of housing options. The proposed development represents an exciting opportunity to introduce a new, attractive development at a location which serves in many respects as a gateway to the city from the QEW to the City's downtown.

Accordingly, it is our opinion that the Official Plan and Zoning Bylaw Amendment applications are appropriate and desirable from a planning and urban design perspective and should be approved.

Respectfully Submitted,

Bousfields Inc.



David Falletta, MCIP, RPP

BOUSFIELDS INC.
PLANNING | DESIGN | ENGAGEMENT

Appendix A

Urban Design Brief

Table of Contents

1 Introduction A1

Subject Site A1

Surroundings A1

2 Site and Surroundings A1

Description of Proposal A2

Burlington Official Plan A3

3 Urban Design Analysis A3

Design Guidelines for Mixed-Use and Residential

Mid-Rise Buildings A5

4 Conclusion A10

1 Introduction

This Urban Design Brief ("UDB") has been prepared by Bousfields Inc. in support of an application by 2735842 Ontario Inc., 2060188 Ontario Inc., 2735841 Ontario Inc., and 2059977 Ontario Inc. to amend the City of Burlington Official Plan and Zoning By-law 2020 to permit an 11-storey residential development at 1056 and 1060 Brant Street ("the Subject Site").

The purpose of the UDB is to describe the urban design character of the building, assess its fit within the surrounding context, and to review its conformity with the City's urban design framework. This document is an Appendix to and should be read together with the Planning Rationale Report also prepared by Bousfields Inc.

2 Site and Surroundings

Subject Site

The Subject Site is located along Brant Street, a Multi-Purpose Arterial road in the City of Burlington and one of its principal streets. The site is comprised of two properties – 1060 Brant Street and 1056 Brant Street, both of which are vacant. Combined, the Subject Site has an area of 1,674 square metres and is generally rectangular in shape. Vehicular access is currently provided from a curb cut along Brant Street at the north end of the site.

Surroundings

The Subject Site is located in central Burlington – on the west side of Brant Street between Highway 403/ Queen Elizabeth Way to the north, and Plains Road East to the south. The area is generally characterized by a mix of residential, commercial and industrial uses, as well as transportation infrastructure including Burlington GO Station.

The Subject Site is also located in an area characterized by a mix of residential and commercial uses. Along Brant Street there is a mix of single detached dwellings, vacant properties, commercial plazas and apartment buildings.

At the rear of the Subject Site is a row of townhouses that front Ryckman Common, a private condominium road connecting to Leighland Road. The area further south and southwest of the Subject Site is made up primarily of single detached dwellings.

To the east of the Subject Site, centred around the intersection of Brant Street and Plains Road East, are several retail plazas and commercial buildings. Beyond this area is Burlington GO Station, which includes surface parking lots to the north and south of the rail corridor. Along the north parking lot are a number of industrial properties, while the south parking lot and primary station entrance is comprised of a mixed-use residential development.

Directly north of the Subject Site is an existing commercial property at 1066 Brant Street and two vacant lots at 1070 and 1076 Brant Street. Further north, running in an east-west direction is an 84m wide hydro corridor. The Queen Elizabeth Way ("QEW") and Highway 403 run concurrently northeast along the hydro corridor.

Description of Proposal

The proposal contemplates an 11-storey residential building with a total Gross Floor Area ("GFA") of 7,182 square metres. A 6-storey street-related lower building element creates a comfortable pedestrian scale along Brant Street, while a 4-storey element acts as a transition to the abutting low-rise building context to the west. The 4-storey element also extends south and north creating transition to adjacent properties along Brant Street. The upper portion of the building steps back along the Brant Street at the 7th and 11th floors and falls below a 45-degree angular plane taken from the *Residential – Low Density* properties west of the Subject Site.

At grade, the proposal accounts for a 1.2 metre road widening along Brant Street. The residential lobby, as well as an indoor amenity space, are located along the Brant Street frontage to help animate the public realm. An outdoor amenity space is also provided at the side of the building, along the southeast property line and at the rear providing an additional buffer to the existing townhouse development to the west. Vehicular access is located at the north edge of the Brant Street frontage and turns into the building envelope prior to reaching the back of the building. Loading is integrated into the building and located away from the Brant Street public realm to minimize its visual presence.

Apart from two parking spaces at the rear of the building at grade, all parking is located in a single level of below-grade parking.

3 Urban Design Analysis

A review of the relevant urban design policies is provided in Section 4.4 of this report. The following describes how the proposed development addresses the relevant policies and guidelines.

Burlington Official Plan

The in-force City of Burlington Official Plan ("BOP"), office consolidation December 2019, was approved by the Ontario Municipal Board (now Local Planning Appeal Tribunal) on October 24th, 2008. On Schedules A – Settlement Area and B – Comprehensive Land Use Plan, the Subject Site is identified as a *Mixed Use Activity Area* and *Mixed Use Corridor – General* respectively.

Part II of the BOP includes functional policies, in which there is guidance on the design of development within the City. Specifically, Section 6.0 emphasizes the increasing importance of design as an element of the planning process. Objectives set forth in Policy 6.2 and 6.5 provide guidance for urban design matters.

The proposed development is generally in keeping with the urban design directives of Policy 6.2 and 6.5 by:

- Providing compact and transit-supportive built form;
- Providing a building that both intensifies an existing neighbourhood and is designed to be compatible with the existing surrounding context in terms of height, scale and form, including through the use of setbacks, stepbacks and angular planes;
- Providing enhanced streetscaping along Brant Street that contributes to a high quality public realm;
- Activating the street frontage at grade by providing residential lobby and amenity space adjacent to Brant Street, and incorporating pedestrian-scaled articulation within the lower building;
- Locating the majority of parking below grade and locating servicing and loading internal to the building and away from public view, to minimize their potential to erode the qualities of the public streetscape and lessen their visual impact; and
- Providing the primary residential entrance along the Brant Street frontage in a location that is clearly visible and accessible from the public sidewalk.

In accordance with Policy 6.4 e) the proposal includes improvements to existing streetscape along Brant Street with a setback at grade, seating and a line of street trees in front of the indoor amenity space.

In terms of Section 5.4 to 5.6 which provides policy direction for development of *Mixed Use Activity Areas,* the proposal is a compact built form and is pedestrian oriented with a grade related focus along Brant Street and a well landscaped boulevard zone. The form of development is focused on creating an appropriate scale to frame the street while ensuring a pedestrian scale at grade.

The proposal appropriately addressed Part III, Policy 5.3.2 d) which includes direction for *Mixed Use Corridor Areas* as follows:

- The proposal is compatible with adjacent uses in terms of built form and configuration. The building allows for a comparable scale of development to take place along Brant Street to the north and south. At the rear, the proposal provides for adequate transition of scale.
- The proposal represents the first step towards implementing the vision of Brant Street becoming a mid-rise intensification corridor, balancing compatibility with the existing context and acknowledging the planned evolution of the corridor into a higher density corridor which supports intensification.
- The proposed development is a high-quality building design, landscaping and streetscaping. The design incorporates a variety of materials and architectural expression.
- With exception to two surface parking stalls at the rear of the building, all of the remaining parking, service and loading functions of the development are situated within the building envelope or below grade.

In terms of site plan considerations outlined in Part III, Policy 5.3.2 g) the proposal ensures compatibility with adjacent land uses, particularly residential uses by considering the following factors:

- The building is situated closer to Brant Street;
- The proposal incorporates building elements that help integrate the development with adjacent uses through expressed in the scale of the 4-storey lower building element and materiality (i.e. brick veneer and glazing);
- Appropriate transition of built form is provided to adjacent uses, particularly given the planned context of mid-rise buildings located to the north, south, and west of the subject site;
- The proposal provides safe, convenient and barrier-free pedestrian travel within the site and to adjacent uses and transit stops;
- There is a single location of vehicular access; and
- Limited off-street parking is situated in the rear away from residential uses and is screened.

Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings

The City of Burlington Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings (2019) provides guidance and best practices related to the urban design aspects of mid-rise buildings, including building height, massing, transitions, and building articulation.

The current proposal appropriately addresses the applicable guidelines in the following manner:

- The building is placed parallel to Brant Street, defining the street edge and establishing a street wall;
- The street-facing façade is arranged into a bottom, middle and top;
- The height and massing of the lower building responds sensitively to its context, including through the design of a 6-storey streetwall that maintains a human scale, minimizes shadowing on the sidewalk across the street and provides a height that does not exceed 80% of the planned right of way along Brant Street which is 36 metres;
- With an overall height of 11 storeys the upper building provides for a proportional relationship with the planned right of way of Brant Street and provide an adequate transition of scale to low-rise residential neighbourhoods. The building maintains a 45-degree angular plane applied from the *Residential — Low Density* neighbourhood west of the Subject Site.
- The lower building is designed to engage the street with high quality architectural design and materials - in particular, the main entrance is in a prominent location along Brant Street for convenient and safe access;
- Servicing and loading are internal to the building, and their access is located at the side of the building.
- Most of the parking provided is located underground, with ramp access at the north side of the building allowing additional outdoor amenity space at the rear; and
- At the upper floors, the building steps back above the streetwall to limit shadow impacts and to preserve sky view.

Site Organization and Circulation

The site is organized to ensure an appropriate framing of the street, to minimize any potential conflicts between pedestrian and vehicular circulation and to ensure adequate setbacks from adjacent properties. In that regard the proposal:

- Is situated close to Brant Street to help animate the public realm;
- Vehicular access is provided along a single driveway that provides access to parking, loading and servicing functions of the development which are enclosed within the building envelope;
- Provides adequate setbacks from adjacent sites to the north and south to allow for the orderly development of those sites in the future;
- Incorporates a 4-storey element and additional stepping of the building at the top to ensure appropriate transition of scale to residential neighbourhoods;
- Provides for continuity of pedestrian circulation along the street frontage; and
- Loading and servicing are consolidated along the north side of the building and located with in the building envelope.

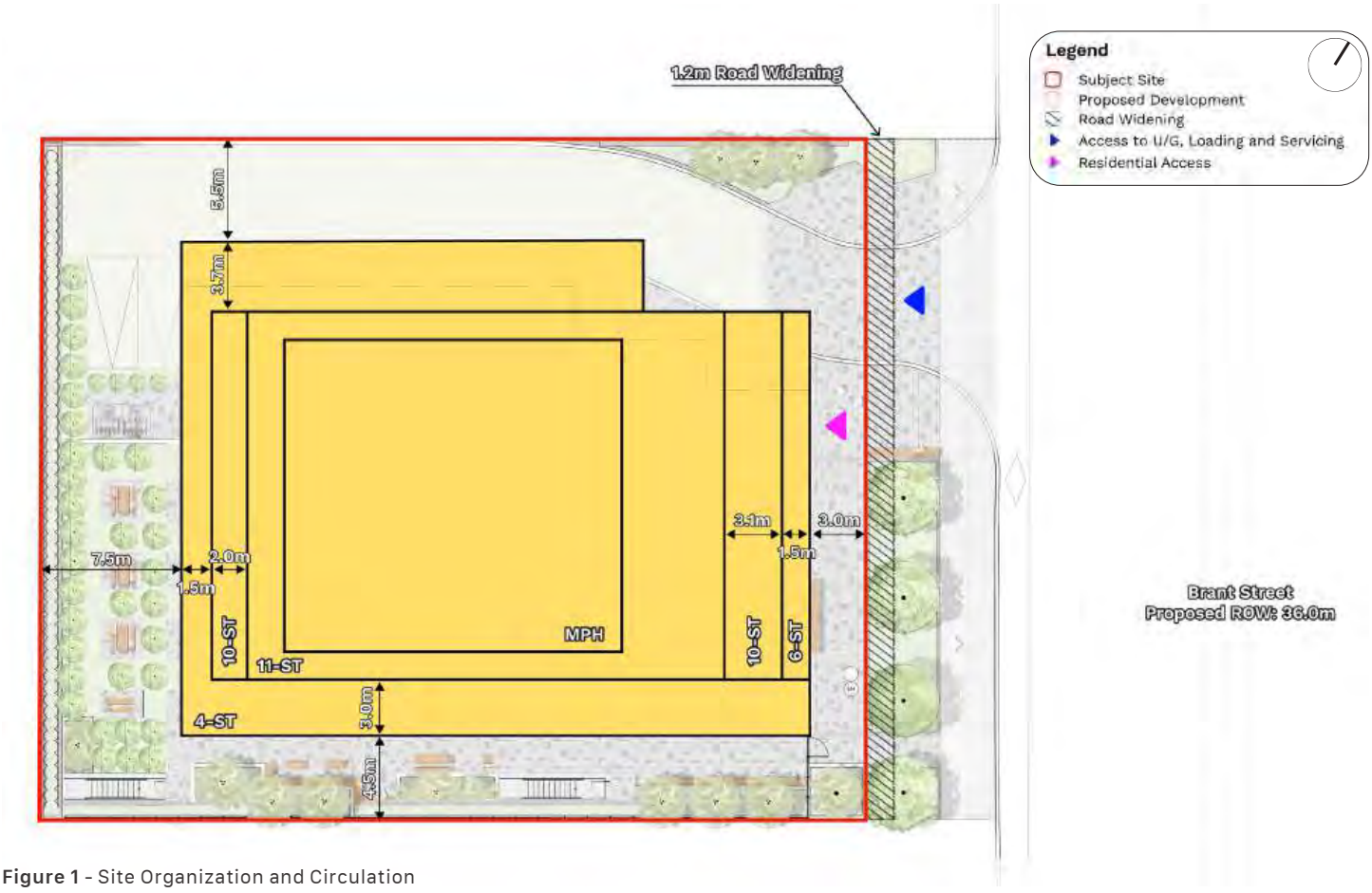


Figure 1 - Site Organization and Circulation

Built Form and Massing

The proposed built form and massing are configured to achieve the following:

- Appropriate framing of Brant Street: the overall building height of 11 storeys provides for a proportional relationship between the street right of way width of 36 metres and a metric height of 36.35 metres. Furthermore, the building incorporates stepbacks to maintain an angular plane of 45 degrees from a height equivalent to 80% of the right of way width to maintain sunlight on the sidewalks across the street.
- The building incorporates a 6-storey streetwall condition along Brant Street to ensure a pedestrian scaled environment. To the north, south and the rear of the site, the building incorporates a 4-storey element. The building also provides a 5.5 metre setback from the north and a 4.5 metre setback from the south at the lower 4 storey element. At the rear, the 4-storey portion is set back 7.5 metres.
- The building incorporates additional stepping at the top at the rear to maintain an angular plane of 45 degrees from the low rise residential properties designated *Residential – Low Density* to the west. We emphasize that the adjacent townhouse complex on Ryckman Common is not designated as such, with as-of-right and planned policies supporting mid-rise redevelopment of the complex.
- The proposed setback and stepping of the building mass help reduce any potential impacts with respect to shadowing or overlook. In terms of overlook, the proposal is situated a sufficient distance away from Residential – Low Density areas to the west, separated by the Ryckman Common townhouse development. In terms of the adjacent townhouse development to the immediate west, there is sufficient separation distance of approximately 26 metres from the townhouse dwellings to the proposed development, and the existing townhouses have a frontal relationship to the proposed development reducing overall view and overlook impacts. Please refer to Section 5.6 of this report for further details on shadow impacts.

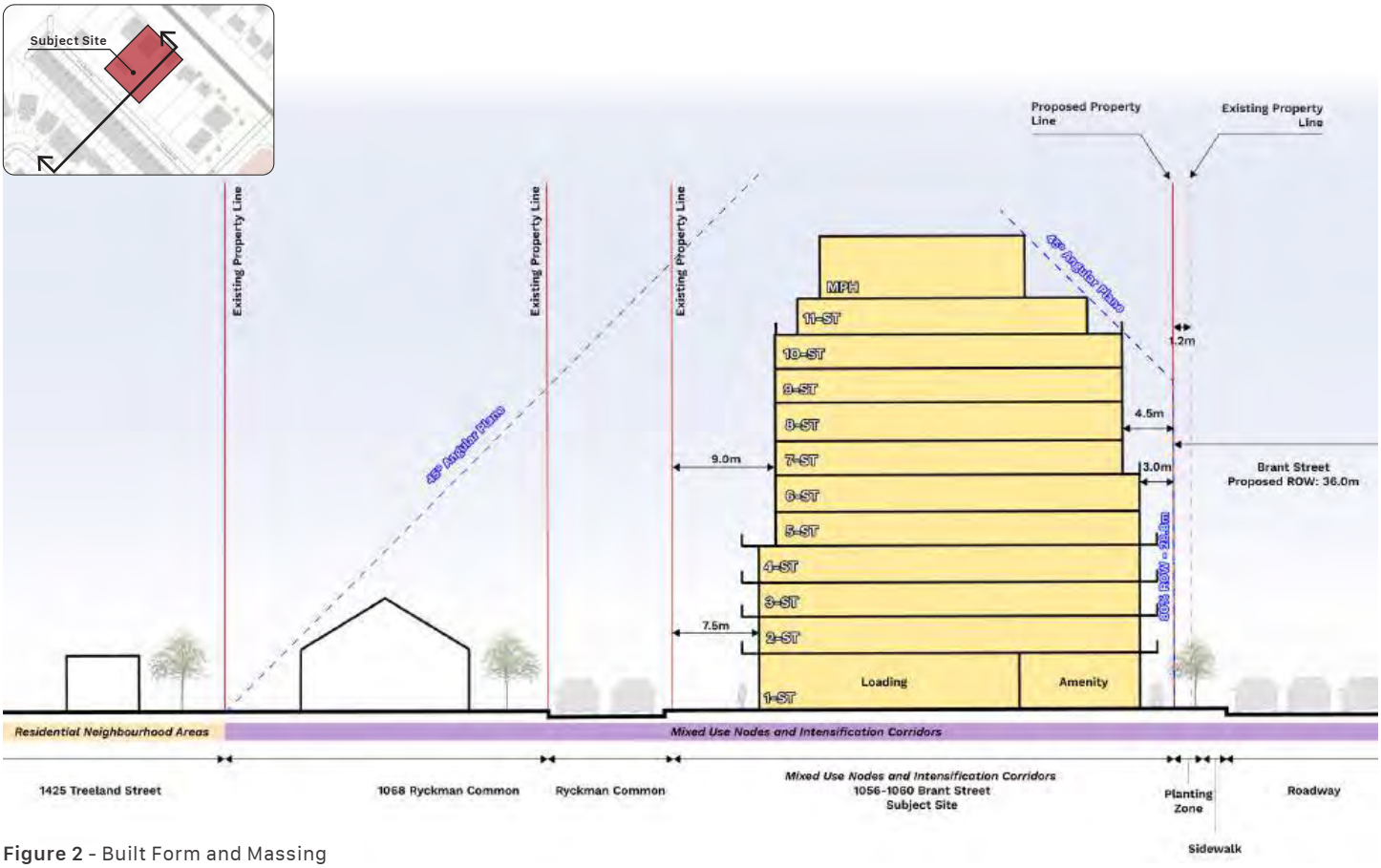


Figure 2 - Built Form and Massing

Architectural Design

The proposed development is a well articulated building with a variety of materials and architectural expression including:

- Ample glazing at the ground level to provide "eyes on the street" and help animate the public realm.
- A masonry veneer expression on levels 2 to 4 to establish a street wall condition and a more compatible relationship with existing brick buildings in the surrounding area. The balconies are inset within this brink veneer zone.
- A lighter materiality at the top to reduce the perceived massing of the building including glass guardrails.
- A rooftop mechanical penthouse that is well set back from the street frontage and a lighter colour.



Figure 3 - Bird's Eye View Looking Southwest (provided by WZMH Architects)

Landscape and Public Realm

The proposed development incorporates a number of open space elements including a well defined streetscape. The following provides a more detailed overview:

Along Brant Street, the edge of the building is defined by a 3m hardscaped zone with seating.

Beyond that, within the public right of way would be the planting zone for flowerbeds, trees and shrubs. The widened sidewalk would be situated along the edge of the curb.

The hardscape zone extends along the south edge of the building along with additional planting. The zone would function as outdoor amenity for the residents and would be gated at Brant Street.

The outdoor amenity extends along the back of the building creating a softer edge to the development and screening from the adjacent townhouses, lane and surface parking in the adjacent development.

The building is set back at grade along Brant Street providing weather protection at the lobby and a place to gather.

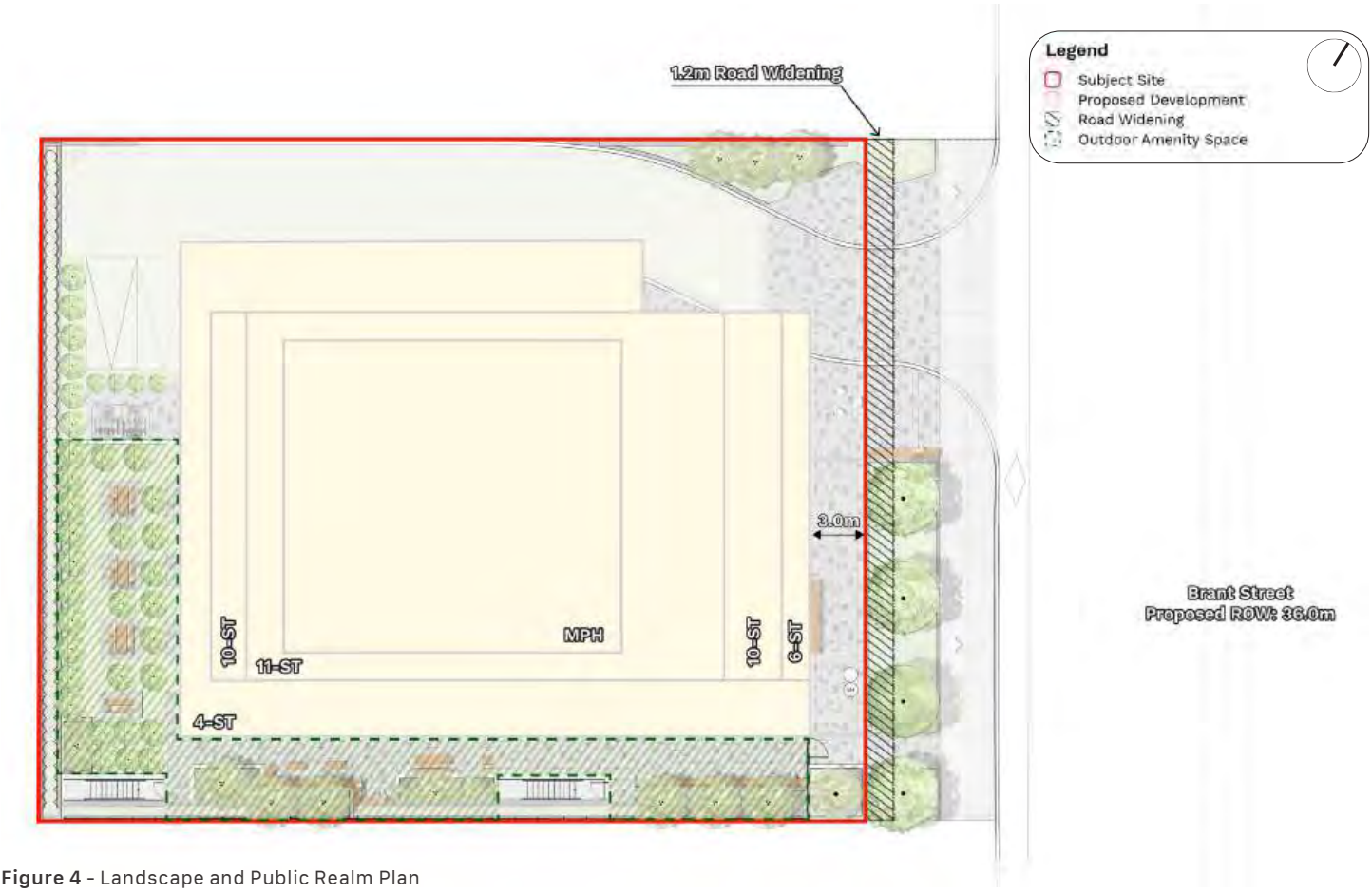


Figure 4 - Landscape and Public Realm Plan

4 Conclusion

The proposed development makes a positive contribution to the planned character of Brant Street, one of the City's principal streets. It will help establish a more continuous pedestrian zone along a stretch of Brant Street that functions today as a primarily auto oriented throughway. It provides a built form that not only animates the street but creates an appropriate framing of the right of way. Furthermore, the architectural expression and design quality of the building establish a desirable precedent for future redevelopment of Brant Street in this area. Finally, there are no unacceptable impacts in terms of shadowing or privacy.



BOUSFIELDS INC.
PLANNING | DESIGN | ENGAGEMENT