APPLICATION FOR
OFFICIAL PLAN AMENDMENT
& REZONING

1167 AND 1134 Plains Road East
City of Burlington

PLANNING JUSTIFICATION REPORT

Fothergill Planning & Development Inc.

May 12, 2021

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Application for Official Plan Amendment and Rezoning

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Executive Summary

The proposed project helps to achieve intensification objectives of local, regional and provincial planning documents by introducing an exciting mixed use development in an area which can accommodate significant intensification. The project takes advantage of the strategic location between the Burlington GO station and the Aldershot GO station. Once fully developed, those new residents who will be enjoying the lifestyle in these buildings will help further strengthen the function of both of these Major Transit Stations.

A high density form of development can be supported in that it helps to achieve intensification targets by introducing new development in an area which can accommodate significant change and intensification without generating the resistance which is often faced by high rise intensification projects in other areas.

The establishment of higher density on the site is also consistent with Provincial policy directives to encourage transit supportive development in Urban Growth Centres in locations such as this which are well served by both local and regional transit.

The proposal will make a significant contribution to the range and mix of housing in the the Burlington community as a whole. Through further discussions and negotiations with the Region, opportunities exist for the provision of affordable housing for this project as has been implemented in other developments undertaken by the proponent.

The proposal can be accommodated with existing infrastructure and will not require any public funds to support the proposal other than the extension of a sidewalk along a portion of Plains Road.

A series of detailed technical studies undertaken by the proponent has confirmed that the project will not generate any adverse impacts, particularly with respect to matters related to shadow impact, noise, wind, air quality, or traffic.

The proposal is compatible and will be integrated into the existing community through the sharing of the services provided by ground floor commercial uses and by the generous public and private open spaces provided in the enhanced streetscapes.

The 22-35 storey height helps the design elements of the building to comply with the Tall Building Guidelines in terms of tower floorplate and setbacks. The proposed height also helps achieve higher standards of urban design as outlined in the Urban Design Brief prepared by Graziani+Corazzo and contributes to the establishment of an important and distinctive built form which will act as a GTA gateway feature.

From a design perspective, the project is generally consistent with the Tall Building Guidelines.

The final design of the project was the product of a collaborative design exercise which implemented recommendations arising out of Pre-Consultation discussions with staff, contact with the neighbourhood, and input from the Burlington Urban Design Panel.

This proposal will establish a strong and desirable precedent for further development projects in the area.

The project will provide an attractive living environment with accessibility to a variety of community services, as well as access to both pedestrian and vehicular transportation networks. The proposal will generate an attractive setting for residents who will enjoy a new facility with high quality amenities, significant open space on the site, proximity to a variety of retail service commercial uses, and spectacular views from units within each building.

The development of this site for the proposed use is supported as conforming to sound planning principles and will contribute to the success of an evolving retail and service commercial uses in the area by helping to support and sustain existing and future businesses.

The cumulative effect of these positive features provides support for an exciting and innovative development that will enhance the ability of the City of Burlington to become a complete community and a desirable place to reside.

1.0 INTRODUCTION

This report provides planning justification for the redevelopment of two properties located at the intersection of Plains Road East and Fairview Street as part of an application for an official plan amendment and rezoning. The proposal represents an opportunity to introduce a creative and innovative housing intensification project which includes 4 highrise towers in a mixed use development ranging in height from 22 storeys to 35 storeys. In addition, the proposal seeks to preserve and repurpose an existing heritage building on the site as well as introducing some service commercial uses and creatively designed open space on the property that will serve future residents as well as the general public.

This report describes the proposal and assesses it within the context of relevant planning policy documents at the local, regional and provincial level. It outlines the very thorough and productive pre-application process undertaken by the proponent in collaboration with staff at the City, the public as well as the Region and external agencies.

The report introduces a number of technical studies which were prepared to support the application and provides a summary of their key findings and conclusions.

With the input provided by this background information, the report provides a planning opinion which supports the proposed official plan amendment and rezoning by examining such matters as intensification, transit, housing, neighbourhood context, compatibility, potential impacts and livability.

The planning assessment concludes with a recommendation that the applications for official plan amendment and rezoning be approved. The report concludes with providing recommendations for the form and context of the proposed amendments.

Schedules 1-9 of the report contain background information including a location map, site survey details and development plans. It also includes details related to the Pre-Application process and a copy of a draft official plan amendment and a draft zoning by-law.

2.0 LOCATION

The property is located at the intersection of Plains Road East and Fairview Street, adjacent to the on ramp to the Queen Elizabeth Way, Highway 403 and Highway 407 and abuts the Freeman Interchange which is the intersection of Queen Elizabeth Way, Highway 403 and Highway 407.

Immediately north of the property is an existing rail line. There is also an existing Hydro corridor north of the property. Further to the north is the Queen Elizabeth Way. North of that transportation corridor is Leighland Park. While the site is separated from the park by the existing rail line, it is still walkable (15 minutes) from the site.

To the east along Plains Road are a number of employment and commercial uses including mini storage immediately to the east and a range of smaller employment and mixed use projects along both sides of Plains Road. This mixed use area also includes a number of retail and commercial uses including chiropractor office, dental office, personal service facilities together with low rise residential uses.

To the east along Fairview Street is a gas station at the north west corner. The plaza at the north east corner includes a food store and a range of retail service commercial uses.

To the south is Mapleview Mall, a major shopping centre. Further south is Maple Park and two gymnastic/fitness centres.

The site is within an approximately 20 minute walk to Spencer Smith Park to the south and a 5-7 minute walk to the Mapleview Mall and to the Longo's plaza to the east.

To the west of the Queen Elizabeth Way along Fairview Street are a number of commercial uses including an IKEA store and Fortinos Supermarket on the north side of Plains Road and a variety of commercial uses along Plains Road East. The Fortinos Supermarket is a 10 minute walk from the site. This area also includes a number of residential buildings including highrise buildings at Francis Street. A more detailed summary of surrounding land uses is found in Table 1.

TABLE 1
SURROUNDING LAND USES

1 USES WITHIN 500 m

1(a) Mapleview Mall

1(b) Corner of Maple and Fairview - on the northwest corner

- auto repair shop
- Colour Works
- Speedy Auto Glass
- automotive repair
- car wash

1(c) Longo Plaza

- Petro Canada gas bar
- Sunset Grill
- beer store
- dental office
- restaurant
- Dollarama
- pharmacy
- UPS
- convenience store
- nails and spa
- restaurant
- Pet Valu
- tax specialist
- LCBO
- Cobbs bakery
- meat store

1(d) East of the property - East side of Maple Avenue

– Plains & Fairview - Esso gas station, car wash and convenience store
– car dealership
– Discount car rental
– tire repair shop
– automotive
– carpet sales
– auto refinishing
– Burlington food bank

1(e) West of QEW

- IKEA
- Fortinos
– JYSK Bed Bath & Home
– Sleep Country
– Blur Eyewear
– cannabis store

2 USES WITHIN 500 m - 1 km

2(a) South Side of Plains Road - Rail underpass to Brant Street

– car dealership
– kitchen vanity sales
– used cars
– auto repair
– auto parts
– Budget rental
– Avis
– Shooterville Bar and Grill
– Afghan Restaurant
– nail salon
– car dealership at the southwest corner of Plains and Brant

2(b) On the north side of Plains Road from Brant Street to rail underpass

- auto parts
- restaurant
- tech emporium
- dental clinic
- hearing clinic
- medical office
- hair design
- spa
- kitchen and bath shop
- dentist
- cannabis shop
- doctor's office
- chiropractic office
- medical clinic
- Coral Reef shop
- barbershop

2(c) Maple Avenue - south of Fairview'

- gymnastic centre - 680 Maple Avenue
- boxing centre - 710 Maple Avenue

2(d) Commercial uses west of Francis north side of Plains Road

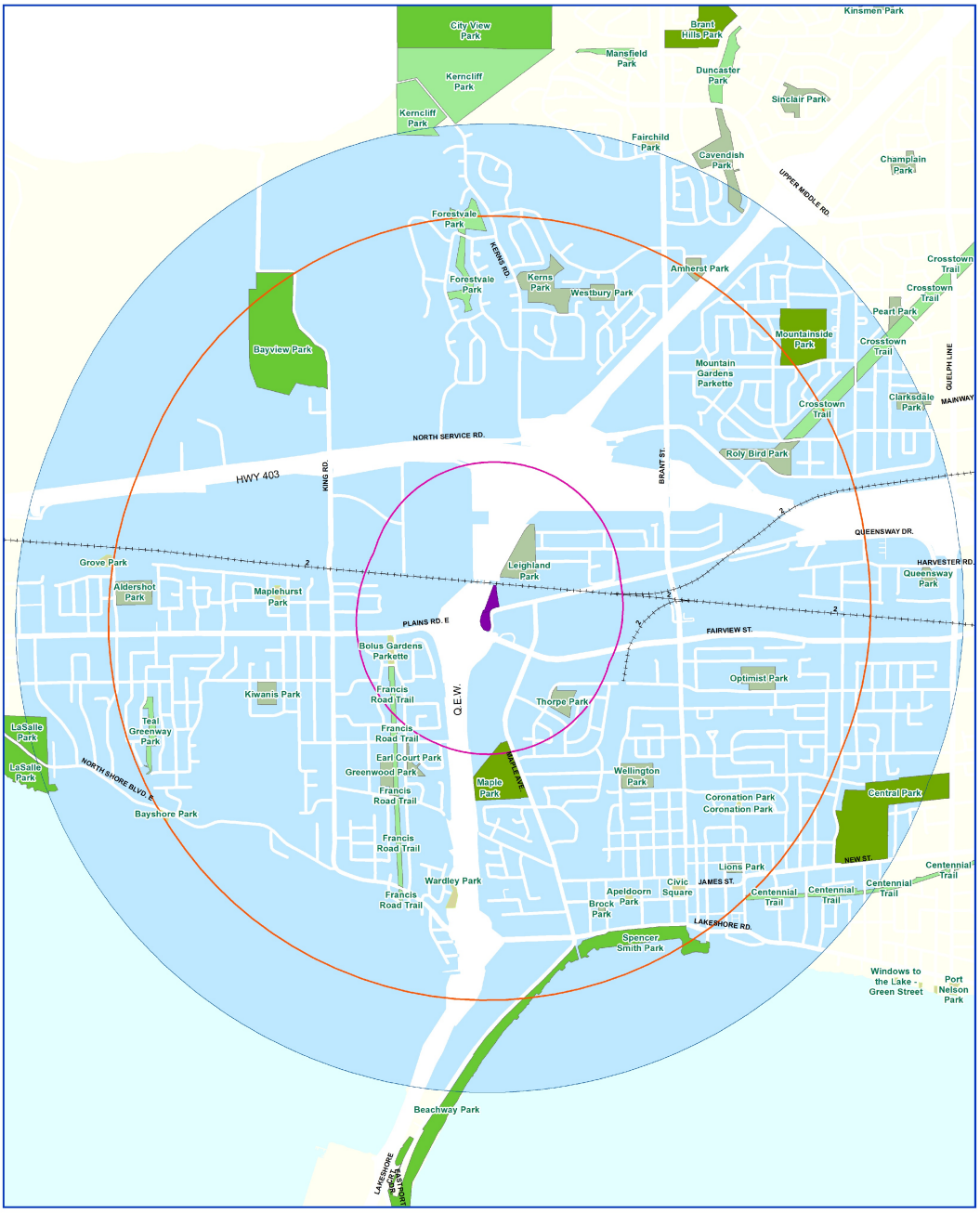
- plaza includes quilt store, glasses, kickbox, Pizza Hut and childrens hairstylist
- chiropractic office
- fish market
- dental office
- loans office
- childcare centre
- wine store
- cash store
- hairdresser

– physio
– dentist
– pizza
– Subway
– tanning spa
– check cashing
– private school
– medical office
– aesthetics
– nail salon
– animal hospital
– McDonalds (King Road)

2(e) Plaza on south side of Plains Road west of Francis

- convenience store
- restaurant
- laundromat
- Lord Nelson steakhouse
- hair and spa
- Shell gas station at the corner of Plains Road and King Road

Parks/Greenspace within 3km of 1134 and 1167 Plains Road East
11 March, 2021



Legend

- 1134 and 1167 Plains Rd East
- 3km Buffer "as the crow flies"
- 2.4km Buffer "as the crow flies"
- 800m Buffer "as the crow flies"
- Park - City
- Park - Community
- Park - Neighbourhood
- Park - Parkette
- Park - Special Resource

0 250 500 1,000 1,500 m

TERANET City of Burlington

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3.0 PROPERTY DETAILS

The property will be developed in two phases. The first phase at 1167 is an area of 0.8 hectares with a frontage of approximately 90 metres on Plains Road East. The second property at 1134 is 0.76 hectares in size with approximately 178 metres of frontage on Plains Road and 25 metres of frontage on Fairview Street. The property at 1167 is vacant. The property at 1134 contains a heritage building which is listed but not designated. The intent of the application is to retain the heritage portion of the structure and relocate the building such that it will be integrated into the development and face onto Fairview Street.

4.0 DEVELOPMENT PROPOSAL

The intent of the proponent is to develop the project in stages beginning with Parcel A as Stage 1 and ending with Parcel B. Development details are illustrated in Schedule 2 to this report. A summary of details of each element of the proposal is included below.

Table 2 - Project Description

PROPERTY	AREA	RESIDENTIAL		COMMERCIAL FLOOR AREA (sq.m.)	HEIGHT (storeys)	DENSITY (units/ha)	FAR
		Units	Floor Area (sq.m.)				
Parcel A- 1167	0.81 ha	587	41834	791	30-35	734	5.33:1
Parcel B - 1134	0.76 ha	462	34559	207	22-25	608	4.57:1
TOTAL	**1.56 ha**	**1049**	**76393**	**998**		**673**	**4.90:1**

This table provides an estimate of parking requirements based on new City standards which include an allowance to count required commercial spaces toward visitor parking and to allow for a reduction in parking requirements for mixed use projects. For the purposes of this calculation, a 5% reduction has been applied. A similar reduction was applied to the Paradigm project on Fairview Street.

At this point, final unit layout and interior building design has not yet been completed. As a result, it is possible that the unit count may need to be adjusted. Similarly, at site plan and final design stage, the number of parking spaces may change. As a result, the implementing by-law being proposed for each site will be based on a parking ratio of 1.16 spaces per unit to include both resident and visitor parking.

TABLE 3
PARKING REVIEW

		PARCEL A	PARCEL B	TOTAL
1	Residential			
	1 space/unit	587	462	1049
	0.25 spaces - Visitor	147	116	263
2	Commercial (Counted as Visitors)	40	11	55
3	Sub-Total 1.25 spaces/unit)	734	578	1312
4	**Total** - Including Required Mixed Use Residential - reduction of 5%	**698**	**550**	**1248**
	Provided	**667**	**552**	**1219**

Parcel A includes 2577 sq.m. of indoor amenity space and 2879 sq.m. of outdoor amenity space which is located on the ground level and on the third floor. On Parcel B, the project includes 2039 sq.m. of indoor amenity space and 2071 sq.m. of outdoor amenity space on the ground floor and 3rd level.

In addition to the 4950 sq.m. of outdoor amenity area, there is an additional 4411 sq.m. of open space area within the required 14 m setback from MTO lands which will be utilized for landscaping and outdoor amenity areas. While it is understood that the Ministry could require that land for the purposes of highway expansion at some point in the future, there has been no indication that lands will be required for the foreseeable future. It is noted that a recent Environmental Assessment exercise to examine improvements and expansions of the current interchange has not identified the need for this land for the purposes of highway expansion. Details of how the generous amount of outdoor amenity area will be utilized are outlined in the Landscape Plan prepared for this submission by Seferian Design Group.

5.0 PUBLIC PLANNING POLICY DOCUMENTS

5.1 Provincial Policy Statement ("PPS") (2020)

All development projects in the Province must be consistent with the provisions in the PPS, which was approved by the Province in 2020. The intent of the PPS is to support strong, livable and healthy communities through the efficient use of land. Policies that will help achieve this objective are outlined in Section 1.1 of the Policy Statement and include the following:

> **"1.1.1 Healthy, liveable and safe communities are sustained by:**
>
> **a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;**
>
> **b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons),**

employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;"

In order to achieve these directives, the PPS includes a number of directives which promote intensification and redevelopment within existing Urban Areas, including the following:

"1.1.3.2 Land use patterns within *settlement areas* shall be based on densities and a mix of land uses which:

a) efficiently use land and resources;

b) are appropriate for, and efficiently use, the *infrastructure* and *public service facilities* which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;

c) minimize negative impacts to air quality and climate change, and promote energy efficiency;

e) support *active transportation;*

f) are *transit-supportive,* where transit is planned, exists or may be developed;

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for *transit-supportive* development, accommodating a significant supply and range of *housing options* through *intensification and redevelopment* where this can be accommodated taking into account existing building stock or areas, including *brownfield sites,* and the availability of suitable existing or planned *infrastructure and public service facilities* required to accommodate projected needs."

The Provincial Policy Statement includes policies for the housing sector which direct planning authorities to provide for an appropriate range of housing types and densities:

"1.4.3 Planning authorities shall provide for an appropriate range and mix of *housing options* and densities to meet projected market-based and affordable housing needs of current and future residents of the *regional market area* by:

a) establishing and implementing minimum targets for the provision of housing which is *affordable to low and moderate income households* and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;

b) permitting and facilitating:

1. all *housing options* required to meet the social, health, economic and well-being requirements of current and future residents, including *special needs* requirements and needs arising from demographic changes and employment opportunities; and

2. all types of *residential intensification,* including additional residential units, and redevelopment in accordance with policy 1.1.3.3;

c) directing the development of new housing towards locations where appropriate levels of *infrastructure and public service facilities* are or will be available to support current and projected needs;

d) promoting densities for new housing which efficiently use land, resources, *infrastructure and public service facilities,* and support the use of *active transportation* and transit in areas where it exists or is to be developed;

e) requiring *transit-supportive* development and prioritizing *intensification,* including potential air rights development, in proximity to transit, including corridors and stations; and

f) establishing development standards for *residential intensification,* redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety."

The Provincial Policy Statement also contains policies that promote the efficient use of existing infrastructure and public service facilities (Section 1.6). This includes municipal sewage services and water services, as well as other municipal infrastructure including roads, sidewalks, etc.

5.2 Growth Plan for the Greater Golden Horseshoe 2020 ("Growth Plan")

These lands are shown within the"Built-Up Area-Conceptual" in the Growth Plan.

The Growth Plan envisions increasing intensification of existing built up areas focussing on "Urban Growth Centres" which include, among others, the Burlington Urban Area. Concentrating new development in these areas provides a focus for infrastructure investments to support the future health and growth of the City.

Relevant guiding principles found in Part 1.2.1 of the Growth Plan include the following:

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

Consistent with the Provincial Policy Statement, the Growth Plan promotes development of complete communities (Policies 2.2.1.4 and 2.2.2(3)(d)). To achieve that objective, Policy 2.2 states that complete communities will:

> **"2.2.1.4(a) feature a diverse mix of land uses, including additional residential units and employment uses, and convenient access to local stores, services and *public service facilities*.**
>
> **2.2.1.4(c) provide a diverse range and mix of housing options, including additional residential units and *affordable* housing to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes.**
>
> **2.2.1.4(d) expand convenient access to:**
>
> **i) a range of transportation options including options for the safe, comfortable and convenient use of *active transportation*."**

5.3 Region of Halton Official Plan

The Official Plan for the Regional Municipality of Halton (ROP) does not include specific land use designations. Rather, the Plan prescribes overall policy direction at the Regional level. The Plan designates the subject property as being located within an "*Urban Area"* within the "*Urban Growth Area"*. This permits a range of Urban uses which are to be designated in accordance with local official plans and zoning by-laws.

In a manner consistent with Provincial policy documents, the Plan promotes redevelopment and intensification of Urban Areas through a number of policies, including:

"Urban Area

72. The objectives of the Urban Area are:

(1) 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.

(2) 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.

(3) 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.

(6) To identify an urban structure that supports *the development of Intensification Areas.*

78. The *objectives* of the *Intensification Areas* are:

(1) To provide an urban form that is complementary to existing developed areas, uses space more economically, promotes live-work relationships, fosters social interaction, enhances public safety and security, reduces travel by private automobile, promotes *active transportation,* and is environmentally more sustainable.

(4) To provide a diverse and compatible mix of land uses, including residential and employment uses, to support neighbourhoods.

(5) To create a vibrant, diverse and pedestrian-oriented urban environment.

(6) To cumulatively attract a significant portion of population and employment growth.

(7) To provide high quality public open spaces with site design and urban design standards that create attractive and vibrant places.

(8) To support transit and *active transportation* for everyday activities.

(9) To generally achieve higher densities than the surrounding areas.

(10) To achieve an appropriate transition of built form to adjacent areas.

80. *Intensification Areas* are parts of the Urban Area and consist of:

(1) *Urban Growth Centres,* which are shown as an overlay on top of the Urban Area on Map 1, subject to specific *policies* in addition to those for *Intensification Areas;*

81. It is the policy of the Region to:

(1) Direct *development* with higher densities and mixed uses to Intensification Areas

81.1 The *objectives* of the *Urban Growth Centres,* as shown on Map 1, are:

(1) To serve as focal areas for investment in institutional and region-wide public services, as well as commercial, recreational, cultural and entertainment uses.

(4) To accommodate a significant share of population and employment growth.

84. 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."

5.4 City of Burlington Official Plan ("BOP")

5.4.1 Existing Official Plan

The Official Plan for the City of Burlington (BOP) which is currently in effect provides guidance for the development of lands within the City boundaries, including the promotion of infill and intensification which is compatible with existing neighbourhoods. This consideration is one of the guiding principles for establishing a desirable urban environment in the City of Burlington.

The intent of this principle as shown in Part I Section 3.0 is:

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

The intent of the Plan, as outlined in Part I, Section 4.3, is to address how and where anticipated growth can best be accommodated. The Plan notes that new growth is directed to under-utilized or vacant parcels in existing communities, and in Part III Mixed Use Centres.

In anticipating the kind of development that is expected in Burlington, in Part I, Policy 4.3 notes as part of the Land Use Vision for the City that:

> ***"...new residential growth will be mainly in the form of more compact housing. This development will be served by various means of transportation and located in close proximity to jobs, shopping and leisure areas."***

A consideration of design matters is outlined in Part II, Section 6.0 of the Official Plan, and is included in the plan to promote the design of urban form in an efficient and attractive manner to enhance the well being of residents of the community, and to reflect the vision of the plan.

The City of Burlington Official Plan in Part III, Section 2.5 contains specific policies with respect to housing intensification. The main objective is found in Policy 2.5.1(a):

> ***"To encourage residential intensification as a means of increasing the amount of available housing stock including rooming, boarding and lodging houses, apartments and houses, infill, redevelopment and conversions within existing neighbourhoods, provided the additional housing is compatible with the scale, urban design and community features of the neighbourhood."***

The plan continues in Policy 2.5.4 to provide direction for infill development and reinforce the need for that development to be compatible with surrounding development in terms of height, scale, massing, siting, setbacks, coverage and amount of open space and use (Policy 2.5.4(b)) and development which is generally compatible with the existing neighbourhood (Policy 2.5.4(c)).

Both properties are designated as Mixed Use Activity Areas in Schedule A - Settlement Pattern. Therefore, development should be guided by the principles in Part III Policy 5.1:

> **"5.1 Principles**
>
> **(a) Mixed Use Activity Areas provide alternatives to low density, suburban *development* and *encourage* the efficient use of physical resources and municipal services;**
>
> **(b) The design and *development* of Mixed Use Activity Areas provide opportunities to create and/or maintain a special community identity and focal point for a variety of City-wide, community and neighbourhood functions.**
>
> **(c) Mixed Use Activity Areas address the demand for higher intensity *employment*, shopping and residential areas within the City."**

One of the general objectives of the designation is:

> **"5.2.1(a) To *encourage* comprehensively planned *Mixed Use Employment* shopping and residential areas that provide for the integration of uses such as retail stores, offices, hotels, *institutional and entertainment uses* with residential uses, *community facilities*, cultural facilities, institutions and Open Space in a compact urban form while retaining *compatibility* with nearby land uses."**

In summary, the Official Plan policies promote and encourage the form of development that is being proposed with this development, which fulfils stated policies with respect to infill and housing intensification. At the same time, the policies are clear that consideration must be given to the issue of compatibility with existing neighbourhoods and surrounding development.

The property is designated as **Mixed Use Commercial** (Parcel B - 1134) and **Mixed Use Employment** (Parcel A - 1167) in Schedule B - Comprehensive Land Use Plan - Urban Planning Area. It is subject to policies of Section 5.0 in Part III of the Plan with respect to Residential areas. The intent of these policies is to provide a framework that will guide future development decisions for residential areas.

Section 5.3 of the Plan provides objectives for all Mixed Use Corridor designations which include:

"5.3.1 Objectives

a) To provide locations along multi-purpose arterial or major arterial roads that will serve as areas of concentration for mixed use *developments* with *high density residential*, retail, *service commercial,* office, *entertainment, community facilities* and institutions, and open space uses.,

b) To *encourage* higher density, *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."

Parcel B at 1134 Plains Road East is designated as Mixed Use Corridor - Commercial Corridor. The following two objectives are applicable:

"5.3.3 Mixed Use Corridor Commercial Corridor

5.3.3.1 Objectives

a) To recognize certain sections of the Mixed Use Corridors which have been largely developed for space-extensive, automobile-oriented large retail uses, and are not expected to *re-develop* significantly in the short term.

b) To *encourage* the eventual long-term *re-development* of these sites in a more intensive, pedestrian and transit oriented manner, that is more consistent with the principles and objectives for Mixed Use Activity Areas."

Relevant policies include:

"5.3.3 2 Policies

b) The following uses *may* be permitted within the Mixed Use Corridor - Commercial Corridor locations:

(i) a range of retail, *service commercial* and personal service uses; financial institutions and services, a broad range of office uses; *entertainment, recreation* and other *community facilities* such as day care centres and motor vehicle dealerships;

(ii) *medium* and *high density residential* uses subject to the policies of Part III, Subsection 5.3.2 a) (ii);

e) Zoning By-law regulations affecting Mixed Use Corridor- Commercial Corridor locations *shall* be based on the following factors:

(i) the maximum *floor area ratio shall* be 1.5:1. City Council may consider a higher *floor area ratio* in conjunction with a site specific rezoning or variance application, subject to the consideration of various factors such as adequacy of services and *infrastructure;* the provision of *compatibility* with adjacent uses through measures such as terracing; a high quality of building design, landscaping and streetscaping; and the provision of underground parking;

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

g) *Transit-supportive* and pedestrian-oriented urban design *shall* be required in the development of Mixed Use Corridor - Commercial Corridor sites.

i) *Infilling* of existing, linear Mixed Use Corridors- Commercial Corridors shall be *encouraged* rather than the designation of new areas."

Parcel A at 1167 Plains Road East is designated as Mixed Use Corridor - Employment. The following policies are applicable.

"5.3.4 Mixed Use Corridor-Employment

b) The following uses *may* be permitted within the Mixed Use Corridor - Employment locations: *industrial uses;* a broad range of office uses, a limited range of retail, *service commercial* and personal service uses which serve the day to day needs of employees; financial institutions and services; *entertainment, recreation* and other *community facilities* such as libraries and day care centres and motor vehicle dealerships.

d) In Mixed Use Corridor-Employment locations, residential uses *shall* be prohibited. In addition, individual retail and *service commercial uses shall* be limited to a maximum size as set out in the Zoning By-law.

e) Zoning By-law regulations affecting Mixed Use Corridor-Employment locations *shall* be based on the following factors:

(i) the maximum floor area ratio of development at any site *shall* be 1.0:1, except *industrial* uses, where the maximum floor area ratio *shall* be 0.5:1;

(ii) the maximum building height *shall* be six storeys, except for industrial uses, where the maximum building height *shall* be two storeys;

(iii) buildings *should* be located so as to front and face the street, to provide a sense of human comfort and pedestrian scale and interest, and in close proximity to the street and to transit services; and

(iv) off-street parking needs may be reduced for sites with *transit-supportive* designs or shared parking arrangements

g) *Transit-supportive* and pedestrian-oriented urban design *shall* be required in the development of Mixed Use Corridor-Employment sites."

5.4.2 Adopted Official Plan (2018)

The City of Burlington initiated a review of their Official Plan in 2011 and undertook a number of background studies that led to the preparation of a new Official Plan entitled 'Grow Bold'. The plan was adopted by City of Burlington Council on April 26, 2018 and forwarded to the Region for approval.

One of the background reports that provided support for policies in the new Official Plan related to employment land needs. The Dillon study supported the removal of the Employment designation on the property at 1167 Plains Road. These findings led to the establishment of an Urban Corridor designation on both properties.

This designation was supported by City of Burlington staff and approved by Council.

The property is identified as being within a Mixed Use Node and Intensification Corridor designation in Schedule B - Urban Structure. The Mixed Use Intensification Areas are intended to accommodate significant amounts of intensification and as focal points for community activities for greater accessibility to public transit and higher intensity development (8.1.3.1 and 8.1.3.2).

5.4.3 New Official Plan (OPA #119)

Subsequent to the 2018 Plan being forwarded to the Region, Burlington Council on February 7, 2019 initiated a review of the Official Plan. The new Official Plan was approved by the Region November 30, 2020. Following approval by the Region, a number of appeals were filed. As a result, the existing Official Plan, approved by the OMB in 2008, is still in effect and represents the in force policies for the subject property.

In the new Official Plan (BOP-119), the urban structure of the city is composed of 7 major components including Mixed Use Intensification Areas. Within the overall designation, the subject property is designated as "Mixed Use Nodes and Intensification Corridors" in Schedule B - Urban Structure. Expectations for Mixed Use Intensification Areas are outlined in Section 2.3.1 of BOP-119 as identified in the excerpt below:

"2.3.1 MIXED USE INTENSIFICATION AREAS

a) Lands identified as Mixed Use *Intensification Areas* provide locations where a range and *intensity* of *employment,* shopping, *public service facilities,* residential uses and complementary uses such as open space and parks, *institutional,* and *cultural uses* will be developed with transit supportive densities in *compact built form*. Walking, biking, transit and other *transportation demand management* measures will be prioritized. Mixed Use *Intensification Areas* will offer substantial *development* opportunities and represent a key element in this Plan's strategy to accommodate and direct growth in the city over the planning horizon and beyond.

b) Mixed Use *Intensification* Areas will occur in either linear forms, along a transportation corridor, or nodal form, as a concentrated group of parcels located generally at a major intersection, at different levels of *intensity,* in accordance with the underlying land use designations.

c) Mixed Use *Intensification* Areas include the city's existing urban centres, emerging MTSAs and other mixed use nodes and *intensification corridors.* This organization reinforces that while all areas are considered part of the *intensification areas*, each has an important and distinct role."

Schedule C - Land Use - Urban Area designates both properties as Urban Corridor within the Mixed Use Nodes and Intensification Corridor designation. Relevant policies include:

"Mixed Use Nodes and Intensification Corridors

j) Lands identified as Mixed Use Nodes represent areas with a concentration of commercial, residential and *employment* uses with *development intensities* generally greater than surrounding areas. Nodes are generally located at points where two or more transit routes intersect.

k) Lands identified as *Intensification Corridors* consist of areas 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.

l) Mixed Use Nodes and *Intensification Corridors* will be a focus of reurbanization. These areas vary widely and will be guided by the underlying land use designations of this Plan. Some areas will be

planned to evolve with higher residential *intensities* and a full mix of uses, while others *may* permit a more limited range of *employment*-oriented permitted uses, both designed to achieve their planned function. These areas will support the *frequent transit corridors* and provide focal points of activity and a vibrant pedestrian environment and facilitate *active transportation* through careful attention to urban design, enhancing the opportunities for the location of *public service facilities* and *institutional uses."*

The site is within a Secondary Growth Area designation in Schedule B-1 - Growth Framework. Applicable policies in this section include the following:

"2.4.2.(2) SECONDARY GROWTH AREAS

(a) Secondary Growth Areas:

(i) are identified on Schedule B-1: Growth Framework, of this Plan, and are located within Mixed Use Nodes and *Intensification* Corridors, as identified on Schedule B: Urban Structure, of this Plan, with some exceptions. In addition, Secondary Growth Areas also comprise select vacant residential sites and *employment* designated sites located immediately adjacent to a Major Arterial or Multi-Purpose Arterial Street as identified on Schedule O-1: Classification of Transportation Facilities – Urban Area, of this Plan;

(ii) 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 this Plan;

(iii) are areas expected to transition over the planning horizon and beyond and will not result in a significant relocation of planned growth outside of the Primary Growth Areas in order to ensure that the objectives and policies of Chapter 6 Infrastructure, Transportation and Utilities can be met;

(iv) shall be limited to a maximum of mid-rise building form, unless otherwise permitted by the policies of this Plan; and

(v) where applicable, shall support the frequent transit corridors and accommodate development that is compact, mixed use and pedestrian-oriented in nature.

b) Secondary Growth Areas are also subject to the policies of Subsection 7.3.2(1) of this Plan."

Development within Secondary Growth Areas is subject to the following design principles:

"7.3.2(1) PRIMARY AND SECONDARY GROWTH AREAS

a) In Primary and Secondary Growth Areas, as shown on Schedule B-1: Growth Framework, of this Plan, development shall promote a transit-supportive and pedestrian-oriented environment and ensure compatibility with adjacent land uses, particularly Established Neighbourhood Areas.

(i) The design of development in Primary and Secondary Growth Areas shall address the policies of Subsection 7.3.2 a) of this Plan, where applicable, and additional considerations such as, but not limited to, the following:

a. locating buildings generally parallel to the public street to define the street edge and along the edges of parks, urban squares and other open space features, and in close proximity to the street and transit services;

b. providing appropriate transitions to adjacent land uses, particularly residential uses;

c. massing new buildings to frame adjacent streets in a way that respects the existing and planned street width but also provides for a *pedestrian-scale* environment;

d. locating building primary public entrances for uses located at grade towards a public right-of-way and visible and accessible from the public sidewalk;

e. including direct pedestrian access, including barrier free access from grade level, to the primary public entrances located on the building façade;

f. screening or integrating roof top mechanical equipment within the overall composition of the building;

g. creating an attractive and connected interface between the private and the public realms;

h. creating a continuous streetscape with emphasis on maintaining the continuity of grade-related activity areas, both inside and outside of buildings; and

i. providing appropriate outdoor amenity areas and open spaces and promoting the incorporation of private open spaces to the open space network of the immediate community.

(ii) development in Primary and Secondary Growth Areas should locate and organize parking, access and service areas to minimize their impact on surrounding properties and the public realm. The design of vehicle parking, access and service areas shall address considerations such as, but not limited to, the following:

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' travel 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;

f. incorporating landscaped islands and pedestrian walkways; and

g. incorporating fencing and/or screening of service facilities, such as loading bays or outdoor storage areas, in a manner which enhances screening from adjacent land uses and the public right-of-way and improves the aesthetic quality of the development."

In the Mixed Use Intensification Areas, the City has identified sub-areas including Urban Corridors. Lands are designated as Urban Corridor within the Mixed Use Intensification Area as identified in Schedule C - Land Use Plan - Urban Area.

The relevant objectives of the designation are as follows:

"8.1.3(7) URBAN CORRIDOR DESIGNATION

8.1.3(7.1) OBJECTIVES

(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.**

(f) **To protect the planned commercial function within Urban Corridors.**

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

Relevant policies from this section which are applicable to this proposal include the following:

"8.1.3(7.2) POLICIES

a) ***Transit-supportive*** **and pedestrian-oriented design** ***shall*** **be required in the** ***development*** **of Urban Corridor sites**

c) **The following uses** ***may*** **be permitted on lands designated Urban Corridor:**

(iii) **residential uses with the exception of single-detached and semi-detached** ***dwellings;***

f) **A maximum** ***floor area ratio*** **of** ***development*** **of 2.0:1 is an appropriate built form in Urban Corridor lands. An increase to this** ***floor area ratio*** **may occur through a site-specific Zoning By-law amendment or minor variance application, without the need for an amendment to this Plan, provided that the objectives of the Urban Corridor designation are maintained.**

g) **The minimum building height shall be two (2) storeys and the maximum building height** ***shall*** **not exceed six (6) storeys. Where required to ensure** ***compatibility,*** **four (4) to six (6) storey buildings** ***may*** **be required to be terraced back from adjacent residential areas and/or the street.**

h) **To ensure** ***compatibility*** **with adjacent residential areas the maximum six (6) 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.**

i) **The** ***City*** **has identified the Urban Corridor lands located at the intersection of Fairview Street and Walker's Line; at the south-west corner of the intersection of Fairview Street and Guelph Line; and at the intersection of Plains Road and King Road; as having significant** ***development*** **opportunities to achieve their transformation into vibrant gateway areas and to fulfill other City objectives, including a diversity of housing mix, high quality design, and enhanced connectivity and open spaces. In these Urban Corridor lands, the following policies apply:**

(i) taller buildings up to a maximum height of eleven (11) storeys may be permitted for a proposed ***development*** **through a site-specific Zoning By-law amendment, subject to the fulfilment of the following criteria:**

a. a significant reduction of parking at grade; and

b. the proponent submits and implements, to the satisfaction of the City, an *urban design brief* that demonstrates how the proposal's design achieves high quality of design and mitigates the adverse impacts of the increase in height on public sidewalks, public open spaces and adjacent uses.

(ii) *development applications* that introduce one or more *tall buildings* as part of a comprehensive site *development* may not be subject to the policies of Subsection 2.4.2(2) a) (iv) of this Plan, where the *development* is proposed on a large site. The *development application* shall be processed through a site-specific Official Plan amendment, in accordance with the policies of this Plan.

k) *Development* located on sites designated Urban Corridor *may* contain a minimum of one permitted use as outlined in Subsection 8.1.3(7.2) c) of this Plan, except in the following locations where mixed use buildings containing retail and service commercial uses at grade shall be required on:

(i) sites located at the intersections of:

a. Fairview Street and Walker's Line;

b. Fairview Street and Guelph Line; and

c. Plains Road and King Road."

The plan contains a number of community-wide policies, including those geared toward helping to establish complete communities in Chapter 3 of the Official Plan. As a part of developing complete communities, the plan includes a number of policies related to the supply of housing.

"3.1.1 HOUSING SUPPLY

3.1.1(1) OBJECTIVES

a) To ensure that a sufficient supply of suitably designated and serviced land is available to accommodate residential growth to meet existing and future housing needs.

b) To promote a land use pattern that mixes and disperses a full range and mix of housing types and tenures across the city, subject to the policies of this Plan.

c) To make more efficient use of existing developed lands, housing stock and available services to increase the supply of housing, while maintaining *compatibility* with the character of existing neighbourhoods.

3.1.3 HOUSING AFFORDABILITY

3.1.3(1) OBJECTIVES

a) To promote the provision of an appropriate range and mix of *affordable housing* to meet the needs of the existing and future population.

c) To *encourage* the development of *affordable housing* throughout the city"

5.5 Tall Building Guidelines

The City of Burlington has adopted a set of guidelines for tall buildings. While they remain as guidelines, they are important in helping to shape the design elements of new tall building throughout the city.

As can be seen in Table 4, the proposal is generally consistent with the Guidelines. A review of the proposal within the context of the Tall Building Guidelines is found in Section 5.2 of the Urban Design Brief prepared by Graziani+Corazza.

In their assessment of the one area, where there is a minor departure from the minimum stepback provisions, the architect notes:

> ***"The proposed design complies with Tall Building Guidelines, and is set back from the podium element in all careas except in selected sections where the tower form is desired to extend to grade. This is done in order to express the architectural expression of the dynamic form of the tower above."***

TABLE 4 MOLINARO - 1134 and 1167 PLAINS ROAD Review of Tall Building Guidelines				
Guidelines				
			1134	**1167**
1	Minimum Boulevard Width	6 m	5.6 m	11.2 m
2	Minimum Podium Setback from Property Line (north)	5.5 m	0.6 m	8.2 m
3	Minimum Podium Height	10.5 m	6.0 m	9.0 m
4	Maximum Podium Height (80% of R.O.W.)	20 m x 0.8 = 16 m	9.0 m	9.0 m
5	Minimum Ground Floor Height	4.5 m	6.0 m	6.0 m
6	Minimum Stepback	3.0 m	2.0 m	0.0 m
7	Minimum Width of Street Level Commercial Units	7 - 10 m	TBD	TBD
8	Balconies on 1st or 2nd floor	Not Permitted	Terraces on 2nd floor	No. 1st or 2nd floor balconies
9	Minimum Tower Separation	25 m	30.0 m	30.0 m
10	Minimum Tower Setback from Adjacent Property Lines	12.5 m	8.7 m (to 1167)	7.0 m
11	Maximum Footprint of Tower	750 sq.m.	750 sq.m.	750 sq.m.
12	Rooftop Mechanical - % of Top Floor (maximum)	50%	TwrC = 44.0% TwrD = 44.8%	TwrA = 43.9% TwrB - 33.2%
13	Minimum Setback from Edge of Floor Below for Mechanical Equipment	3 m	4.3 m	4.3 m

5.6 City of Burlington Zoning By-law 2020

Parcel A is zoned MXE (Mixed Use - Employment), while Parcel B is designated as HMXC-423 (Mixed Use Commercial with a Holding Provision and Site Specific Exception).

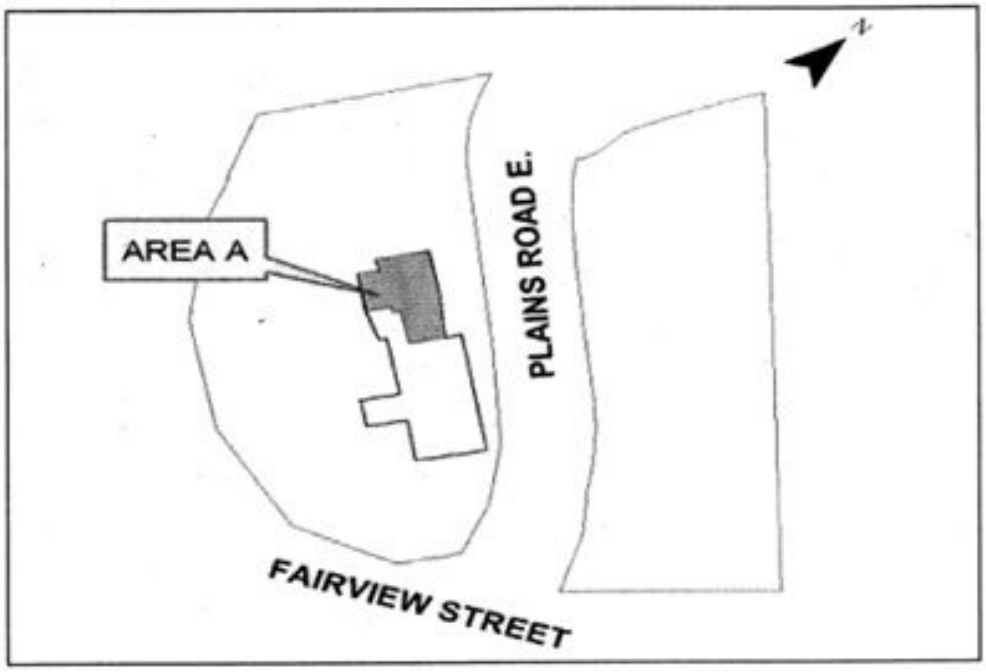
The Holding provision prohibits current permitted uses within the MXC zone until such time as a Noise and Vibration Study have been completed to the satisfaction of the City and Halton Region. Exception 423 contains the following provisions:

Exception 423	**Zone MXC**	**Map 10**	**Amendment 2020.300**	**Enacted May 3/11**

1. Regulations

a) Lot width:	14.0 m
b) Yard abutting the Queen Elizabeth Way:	14.0 m
c) Yard abutting Fairview Street:	3.0 m minimum; No maximum
d) Yard abutting any other street	3.0 m minimum, except for a building legally existing on the date of passage of this By-law, including a future second story addition over such building.
e) Landscape area abutting a street	3.0 m minimum, except for a building legally existing on the date of passage of this By-law, including a future second story addition over such building.
f) Parking	1 space per 100 m2 gross floor area of wholesale trade showroom space.

g)	No more than 50% of the total gross floor area shall be used as wholesale trade showroom.
h)	A pedestrian accessible door is not required on a building elevation facing Plains Road East, legally existing on the date of passage of this By-law.
i)	A pedestrian walkway shall not be required for a building elevation facing Plains Road East, legally existing on the date of passage of this By-law.
j)	Within Area A, permitted uses are only allowed within the existing heritage building.



Except as amended herein, all other provisions of this by-law, as amended, shall apply.

TABLE 5
ZONING COMPARISON CHART
Parcel A (1167) + Parcel B (1134)

REQUIREMENT	MXG ZONE	PROPOSAL
Minimum Lot Width	25 m	250 m
Minimum Lot Area	1000 m^2	15,585 sq.m.
Yard Abutting Street	Min 3.0 m Max 4.5 m	0.6 sq.m.*
Minimum Rear Yard	3.0 m	45 m
Minimum Side Yard	No min.	16 m West 0.6 East
Minimum Yard Abutting Residential Zone	Floors 1-3 = 12 m Floors 4-5 = 15 m Floor 6 = 18 m	N/A
Max FAR	1.5:1	5.0:1*
Min FAR	0.3:1	-
Minimum Density	30 upha	1049 units/1.5585 ha = 673 upha
Minimum Landscape Area Abutting Street	3.0 m	0.6 m*
Minimum Landscape Buffer Abutting Residential Zone	6.0 m	N/A
Maximum Floor Area Per Retail Use	1800 sq.m.	998 sq.m. (total phase 1 & 2)
Building Height	Min 2 storeys Max 6 storeys	22-35 storeys*
Minimum Parking - Apartment (N.B. Special requirements for mixed use building - see Part 5 - Section 4.6 of By-law 2020)	Residents: 1 per unit x 1049 = 1049 Visitors: 0.25 per unit x 1049 = 263 Total: 1312 1312 x 95% (Mixed Use) - 1248	1,219* 1.16 per unit
Minimum Amenity Area 15 sq.m./Efficiency Unit 20 sq.m./1 Bedroom 35 sq.m./2 Bedroom	670 x 20 - 13,400 298 x 35 = 10,430 84 x 35 = 2,940 Total: 26,770 sq.m.	24.811 sq.m.* (including Balconies / Terraces) Does not include the 14 m buffer)

*Variance Required.

6.0 Pre-Consultation

A Pre-Consultation was held with the City on Wednesday June 17, 2020. Notes from that meeting were provided by the City on June 19 and included an outline of studies required to be submitted with complete application and included:

- Planning Justification Report
- Conceptual Site Plan Layout and Site Survey
- Topographic Survey
- Stormwater Management Report
- Functional Servicing Report
- Tree Inventory and Preservation Plan
- Landscape Concept Plan
- Traffic Impact Study
- Noise and/or Vibration Feasibility Study
- Shadow Analysis
- Environmental Site Screening Checklist
- Phase 1 or 2 Environmental Site Assessment
- Record of Site Condition
- Land Assembly Documents
- Height Survey
- Heritage Impact Study
- Wind Impact Study
- Sensitive Land Use Report
- Urban Design Advisory Panel Meeting Minutes
- Urban Design Brief
- Grading and Servicing Plans
- Geotechnical Study
- Draft Official Plan Amendment and Zoning By-laws
- 3D Model of Proposed Buildings
- Construction and Mobility Management Pan
- Pre-Application Public Consultation Meeting Minutes
- Reference Plan and PIN Report
- Waste Management Report
- Flood Plain Analysis
- Air Quality Assessment

A Pre-Application Consultation virtual meeting was held on Thursday October 1, 2020 from 7-9 pm. The meeting was attended by Mr. Kyle Plas of the Planning Department along with Ward 1 Councillor Kelvin Galbraith, Ward 2 Councillor Lisa Kearns, and Mayor Meed-Ward. Attending on behalf of the proponent was Mr. Vince Molinaro of the Molinaro Group, Mr. Graziani, Project Architect, and Mr. Fothergill, planner. The meeting was facilitated by Ms. Alyssa Lai.

The notice of the meeting was provided by the City of Burlington who provided a standard notification distribution of all property owners within 120 metres of the site. The meeting was also advertised through the newsletters of councillors for Ward 1 and Ward 2 as well as the Mayor. Notice was also provided on the City website.

Following a presentation by City staff and the proponent, the project was open for review and comment by the public. There was very little response from the public to the proposal. Four calls were received from the public which included enquiries regarding whether the project would be fully residential, a question about privacy and obstruction of views to the escarpment and to the lake created by the location and angles of the buildings, and a question about number of parking spaces. One caller expressed concern about increased traffic that would be generated by the proposal.

A meeting was held with the Burlington Urban Design Advisory Panel on October 20, 2020. Along with members of the Committee, Mr. Kyle Plas from the Planning Department was in attendance along with Mr. Barry Graziani, project architect, and Carolina Schmitz of Seferian Design Group, and Ed Fothergill, planner. Following a presentation by the design team, the panel asked questions and responded to staff questions regarding outdoor amenity area, excising heritage building, and the relationship to the street and surrounding context.

The panel noted that the site is very isolated form the walkable amenities and that by providing more programming and outdoor amenity space, this could help create less isolation and foster a sense of community for future residents. The panel recommended reducing the size of the buildings to allow more outdoor amenity space using the easement for amenity space, and doubling up on some amenities to ensure they are accessible to residents in both buildings.

With respect to the heritage building, the panel was generally supportive of the relocation of the building to a more visible location on Fairview Street.

The panel also provided recommendations with respect to design elements of the building and recommended reducing the number of units to decrease the amount of parking required. A full review of responses to these comments and others are included in this report. A copy of the minutes of the October 20, 2020 meeting are included in Schedule 7.

Table 6 summarizes the main points arising from the consultation process including notes from the Pre-Consultation meeting on June 17, 2020, the meeting with the Burlington Urban Design Advisory Panel (BUD) on October 20, 2020, comments arising from the virtual Pre-Submission meeting with the neighbours, and ongoing dialogue and meetings with staff.

Responses to each of the comments include the identification of the source of each comment. As noted, there was overlap in terms of similar comments received from different sources.

Table 7 provides a more detailed outline of the changes made to the development proposal since the initial Pre-Consultation meeting in response to input received through this engagement process.

TABLE 6
Response to Comments

	Comment	Source	Response
1	Subject lands are not intended for stand alone residential use. Mixed use development is encouraged for the proposed development.	Formal Consultation comments (June 19, 2020)	Opportunities for service commercial and office space uses in the buildings have been introduced, including use of the heritage buildings as a head office for the Molinaro Group, the availability of ground floor space for a coffee shop, meeting area, as well as ground floor space in Phase 1 for the tenant who is currently occupying the heritage building.
2	Preferable to have a mid-rise built form	Formal Consultation	Mid-rise built form would not take full advantage of the opportunities of the site and would not achieve the design objectives being proposed by ths project.
3	Proposed residential use is not supported in this location.	Formal Consultation	We believe residential uses are appropriate in this location. Further justification to be provided in Planning Justification Report.

4	Parking garage should be located further from the property line.	Formal Consultation	The design has been adjusted to allow for greater separation of the parking garage from the property line as shown on the plan. In locations where this is not possible, innovative landscape design will still allow for proper visual separation between public and private realm.
5	Proposal is deficient in amenity area. 11,000 sq.m. required vs. 4505 sq.m. proposed. Outdoor common amenity space at ground level is especially important for future residents given the location of the proposal. Reduce the size of the buildings to allow more room for on site outdoor amenity space.	Formal Consultation Burlington Urban Design Advisory Panel (BUD), October 20, 2020	The size of the overall development has been reduced by approximately 5000 sq.m. Parking structures have been removed from the ground floor and replaced by outdoor amenity area. The outdoor amenity area has been increased significantly to 4949 sq.m. space has been provided.
6	New municipal sidewalk along the frontage connecting to the sidewalk on Plains Rd. E./ Fairview should be considered including pedestrian connections to the entrance of the proposed buildings.	Formal Consultation	A preliminary landscape plan has included those connections. To be refined at site plan stage.

7	The site master plan does not provide for a public park. This will require a resubmission that identifies a road facing public park that satisfies the requirements for parkland dedication.	Formal Consultation	Public access will be granted through the amenity spaces which are to remain within private ownership in a condominium corporation which will be established following construction of the buildings. The open space area will be developed into themed circuit areas which will include design elements that will focus on young adults, the elderly, and children.
8	The site is very isolated from walkable amenities.	BUD	The Planning Justification Report identifies a number of Service Commercial uses and municipal parks within walking distance of the site (see Greenspace Map on page 3 and list of uses in Table 1).
9	Providing more programming and ground level outdoor amenity space could help create less isolation and foster a sense of community for future residents.	BUD	While further details will be provided at the site plan stage for the preparation of a detailed landscape plan, the proponent has agreed to implement a themed amenity area as noted in comment 7 above.
10	Consider designing outdoor space with the needs of families, children and seniors in mind.	BUD	Agreed. These elements have been added.
11	There is opportunity for space to become a linear park or circuit including dog run.	BUD	These elements are proposed to be included in the final plan.

12	Connecting the path to a municipal sidewalk in a more convincing way.	BUD	This has been included.
13	Consider coffee shop in the heritage building.	BUD	An opportunity for a coffee shop has now been introduced into the design within the Phase 2 building.
14	Courtyards should be designed as gathering spaces.	BUD	Agreed. These design elements will be incorporated into the final landscape plan.
15	The history of the heritage building should be properly interpreted, including orientation of the building toward Fairview Street with a higher level of landscape treatment.	BUD	Agreed. The Molinaro Group intends to use this space for their corporate head office. The owner will ensure a high level of quality in terms of landscape design. Their presence on the site will ensure continued maintenance of the building and surrounding landscape elements.
16	Integrate materials of the heritage building into the new buildings in a modern way, including keeping existing larger trees and using pavers for loading and parking lot areas.	BUD	The podium is being proposed to have combined elements of precast, metal and brick, which relate and enhance the character of the building in relation to the heritage building.
17	Recommendation to reduce the number of units and scale of development to decrease the amount of parking required and create an improved amenity area.	BUD	Total unit numbers have been reduced by 18 units which decreased the required parking spaces for the development.

18	Overhead doors in parking areas should be reassessed and mitigated from view.	BUD	Overhead doors are being proposed in the underground parking between the visitor spaces and residents.
19	The massing of the buildings and the renderings make the towers appear closer than they are; other angles could be explored.	BUD	The perception from the renderings may be somewhat misleading as noted. The separation between towers satisfies the requirements of the Tall Building Guidelines. As one moves past the site, the perception of visual separation between the sites will change. We believe that the separation distances and angles are appropriate.
20	Transition between the podiums and towers is very noticeable due to the shape and could potentially be toned down.	BUD	We believe the relationship between the podium and tower is appropriate. Consideration was given to increasing the height of the podiums. However, it was felt this would add too much bulk to the overall project.
21	It is important to consider views to the buildings from other areas as they will be landmarks in Burlington.	BUD	Agreed. The striking and innovative design of these buildings will certainly establish this as a landmark site within the city from a variety of views, not only within the immediate area but also the surrounding region. As such, it will act as a gateway feature for both the region and the GTA.

22	Continuous balconies may need to be reconsidered.	BUD	This design question has been carefully considered by the proponent who has chosen to retain the design in its current fashion.
23	Less glazing, more punch walls can also emphasize the dynamic shapes and enhance the proportions of the building.	BUD	This design question has been carefully considered by the proponent who has chosen to retain the design in its current fashion.

TABLE 7
SUMMARY OF PROJECT CHANGES

Design Element	August 2020	May 2021
Phase 1		
GFA	50471m²	42625m²
Residential	50471m²	41834m²
Retail	0m²	791m²
Plains Rd podium setback	5.25m	3m
Underground Parking	Connected to phase 2	6.0m apart
Above grade parking spaces	110 (3 levels)	0
Below grade parking spaces	296 (2 levels)	667 (5 levels)
Residential lobby entrance location	Inner corners of podiums next to driveway	Mid to back of podiums, next to larger drop off area
Ground floor residential units	13 (8 1bdr, 5 2bdr)	0
Ground floor retail	0m²	791m²
Ground floor indoor amenity space	0m²	432m²
Second floor residential units	22 (10 1bdr, 12 2bdr)	6 (4 1bdr, 2 2bdr)
Second floor indoor amenity space	0m²	1849m²
Third floor residential units	24 (11 1bdr, 13 2bdr)	14 (8 1bdr, 5 2bdr, 1 3bdr)
Third floor indoor amenity space	0m²	296m²
Total residential units	**649**	**587**
1 bedroom units	381	347
2 bedroom units	268	213
3 bedroom units	0	27
Total indoor amenity space	1060m²	2577m²
Podium massing	3 and 6 storeys	2 storeys
Tower design	Unique angular towers with precast vertical elements. Balconies wrap continuously around 3 sides of each tower and align with angled facades. Horizontal precast elements accentuate intermittent balconies. Towers partially overhangs podium on the north elevation.	Same angular form with vertical and horizontal precast elements. Balconies wrap around 3 sides of each tower but are not continuous and align vertically instead of aligned to angled facade. Towers are set back from podiums on north elevation.
Mechanical penthouse design	Continuation of tower floorplates	Step back from tower floorplates

Phase 2

GFA	31833m²	34766m²
Residential	31833m²	34559m²
Retail	0m²	207m²
Plains Rd podium setback	1.8m	0.6m
Underground Parking	Connected to Phase 1	6.0m apart
Above grade parking spaces	94 (3 levels) + 8 commercial	9 commercial
Below grade parking spaces	190 (2 levels)	543 (5 levels)
Residential lobby entrance location	Inner corners of podiums next to driveway	Mid to back of podiums, next to larger drop off area
Ground floor residential units	9 (6 1bdr, 3 2bdr)	0
Ground floor retail	0m²	207m²
Ground floor indoor amenity space	0m²	937m²
Second floor residential units	18 (7 1bdr, 11 2bdr)	14 (7 1bdr, 6 2bdr, 1 3bdr)
Second floor indoor amenity space	0m²	802m²
Third floor residential units	19 (7 1bdr, 12 2bdr)	15 (9 1bdr, 5 2bdr, 1 3bdr)
Third floor indoor amenity space	0m²	300m²
Total residential units	**418**	**462**
1 bedroom units	221	219
2 bedroom units	197	187
3 bedroom units	0	56
Total indoor amenity space	885m²	2039m²
Podium massing	3 and 6 storeys	2 storeys
Tower design	Unique angular towers with precast vertical elements. Balconies wrap continuously around 3 sides of each tower and align with angled facades. Horizontal precast elements accentuate intermittent balconies. Towers partially overhangs podium on the north elevation.	Same angular form with vertical and horizontal precast elements. Balconies wrap around 3 sides of each tower but are not continuous and align vertically instead of aligned to angled facade. Towers are set back from podiums on north elevation.
Mechanical penthouse design	Continuation of tower floorplates	Step back from tower floorplates

7.0 PLANNING ANALYSIS AND OPINION

7.1 Intensification

All of the planning policy documents which were reviewed in this report are consistent in their position of encouraging intensification of urban areas through infill development. The Provincial Policy Statement (PPS) notes that intensification is one of the tools to ensure sufficient areas of land are available to accommodate 25-year growth projections (Policies 1.1.2, 1.1.3.3, and 1.4.3(b)(2) and (d)). The Growth Plan is premised on the expectation that intensification will occur in urban areas.

In a consistent manner, intensification is encouraged in the ROP Policies 77(11) and 86(11). In the BOP, intensification policies are included in the overall vision for the community (Part I, Policy 4.3) and as one of the guiding principles in Section 3.0, Part I, in Part III, Policy 2.2.1, 2.5.1(a). Relevant policies in BOP-119 include 2.3.1(a)(e), 8.1.3(7.1)(ii).

The proposal meets the requirements for the proper location of infill projects as outlined in Provincial Policy Statement Policy 1.4.3(c), (d) and (e) in the Growth Plan in Policy 2.2.1.4(a) , in BOP Part I Policy 4.3, Part III Policy 2.2.1 (e), 2.5.2(a)(viii) and in BOP-119, Policy 2.3.1(e)(j)(k)(l).

While supporting intensification, all planning policy documents provide a template against which intensification projects must be assessed, including matters related to community assimilation, compatibility and potential impacts on the surrounding neighbourhood. The public interest in this case is to place some limits on intensification to protect the stability of existing urban structures.

It is important to recognize that intensification initiatives will generate change. This is most noticeable in terms of built form which will produce a much more dense built environment, and increased height beyond existing standards and existing structures.

At the same time, there will be a functional change in the community that will involve a greater sharing of municipal resources. This will manifest itself in more traffic on existing roadways, busier pedestrian thoroughfares, more active parks, recreation facilities and public open spaces, and more activity for businesses and personal service providers. In a sense, those within existing urban areas will be called upon to share the urban amenities they now enjoy with those who will be added to the community as a result of the expectations of the Provincial Growth Plan. It is hoped that in addition to embracing the inherent benefits of intensification, those within existing communities will also learn to tolerate a reasonable level of change which will not only affect the look of their community, but will also add people and activity into their day-to-day routines.

7.2 Transit

The property is located approximately midway between the Burlington GO station, east of Guelph Line, and the Aldershot GO station at Waterdown Road. Due to its close proximity to two GO stations, this site can take advantage of the opportunities afforded by the proximity of two major transit facilities. The redevelopment of this site helps to support the long-term sustainability of both Major Transportation Stations.

The promotion of transit supportive development is found in Policies 1.1.3.2(f), 1.1.3.3 and 1.4.3(e) in PPS as well as Policies 2.2.1.2(c)(iii), 2.2.1.4(d), 2.2.4.2, 2.2.4.9(a), and 2.2.4.10 of GP in Policy 2.3.1(a)(l), and Policies 8.1.3(7.1)(v), and 8.1.3(7.2)(a) in BOP-119.

The site is within walking distance of a north-south transit connection along Maple Avenue which provides direct access to New Street by way of Route 10 and Route 50. Transit shelters on Maple Avenue are within a 5 minute walk of the site.

The property also has direct access to the east-west transit routes on Fairview Street which allow for connections easterly to the Burlington GO station and Appleby GO station by way of

Route 1, Route 10 and Route 50 and westerly to Aldershot GO station. Transit stops are located on the north and south sides of Fairview Street, east and west of Maple Avenue. Further details regarding transit are found in Section 2.4 of the Paradigm Transportation Impact Study.

This availability of transit meets the intent of Policy 1.4.3(d) of the PPS, GP Policies 1.2.1, 2.2.1.2(c)(iii), 2.2.4.2, 2.2.4.9(a), 2.2.4.10 and Part II, Policy 6.2(d), 6.6(e), Part III, Policies 2.2.1(c), 2.5.2(a)(iv) in the BOP and Policies 2.3.1(1)(e), 8.1.3(7.1)(v) and 8.1.3(7.2)(a) in BOP 119.

7.3 Housing

The redevelopment of this site contributes significantly to assisting with the provision of a range of housing types within the community. This project includes a mix of 1, 2 and 3 bedroom units.

The addition of this project to the residential housing market helps to achieve the objectives in Policies 1.1(a) and 1.4.3(a)(b) in the PPS, Policy 1.2.1 and 2.2.1.4(c) of the GP and Policy 84 of the Regional Official Plan. The proposal also helps to achieve the housing objectives in BOP-119 in Policies 3.1.1.1(b) and 3.1.3(1)(a)(c).

7.4 Neighbourhood Context

Because of this anticipated change, infill and intensification projects must be assessed within the context of the ability of the community to assimilate the form of development that is being proposed. That is, are municipal and community services available to accommodate the proposed development and the resultant increase in urban activity without creating any undue stress on the physical or social fabric of the neighbourhood. These considerations are articulated in the PPS in Policies 1.1.3.2(a)2, 1.1.3.3 and 1.4.3(c) and in Policies 1.2.1 in the Growth Plan. This consideration is also included in the BOP in Part III, Policies 2.1 (d), 2.2.1 (a), and 2.5.2(a)(i, iii, viii).

From a review of the proposal and neighbourhood context, it is my opinion that the development can be properly accommodated within the existing neighbourhood. There are adequate municipal services in place to accommodate the proposed development including direct access to Plains Road and Fairview Street and availability of municipal services. The adequacy of existing municipal underground services is confirmed in the servicing report prepared by S. Llewellyn & Associates Limited which concludes that the site can be serviced in accordance with the requirements of the City of Burlington and the Region of Halton. The integration of the project with the existing road network is confirmed in the traffic report prepared by Paradigm which accompanies this submission.

The neighbourhood is well served by existing open space and parks, including Leighland Park to the north, Thorpe and Maple Park to the south and the Francis Road Trail that provides for bicycle and pedestrian connections from Plains Road to North Service Road, all of which are within 800 metres of the property.

Within a 2.4 km radius of the property, the following park facilities are found: Forestvale Park, Kerns Park, Westbury Park, Amherst Park, Optimist Park, Coronation Park, Wellington Park, Lions Park, Apledorn Park, Brock Park, Wardle Park, Teal Greenway Park, Kiwanis Park, Maplehurst Park, Aldershot Park, and Bayview Park, Centennial Trail, and the Crosstown trail on the hydro right-of-way from Roly Bird Park to east of Walkers Line.

The lack of low density residential development in the immediate area is an advantage in terms of minimizing potential impacts of new high rise development on surrounding residential neighbourhoods. In most high rise infill projects, careful consideration has to be given to a variety of compatibility policies in local and Regional Official Plans which require new development to be sensitive to and integrated with the surrounding residential community. In addition, development of high rise buildings in areas surrounded by an existing residential community often generates concern and opposition from local residents and is seen as a disruption or intrusion into their neighbourhood. In this case, however, the existing neighbourhood context does not generate similar design concerns with respect to integration and compatibility and is not expected to generate significant opposition from the surrounding

communities. This lack of concern from the surrounding community was evidenced in the low turnout and limited response received to the proposal from the Pre-Application Formal Consultation meeting and in the lack of any responses to the project since that time.

7.5 Compatibility

With the exception of the Provincial Policy Statement, compatibility requirements for intensification projects are required and articulated throughout the planning policy documents that have been reviewed. Compatibility in a planning context does not mean that the proposed development has to be the same as, or even similar to that which currently exists in the neighbourhood. It simply means that the proposed development has to coexist in harmony and be mutually tolerant with both the function and the form of the community, bearing in mind the need for the community to develop an ability to tolerate a manageable level of change and sharing of community services.

The theme of compatibility is identified in the GP in Policy 2.2.2.3(b) and ROP Policy 85(4) and 86 (11). Compatibility in the BOP begins with a statement in Part I. Policy 4.3 as part of the vision which calls for a balance of interests. It is articulated in Part II, Policies 6.2(c), 6.2(d), and in Part III, Policy 2.2.1 (a), 2.5.1 (a), 2.5.2(a)(v), and 2.5.2(a)(xiii). Policies related to compatibility in BOP-119 include 7.3.2(1)(v), 8.1.3(7.1)(v), and 8.1.3(7.2(g)(h).

7.5.1 Functional Compatibility

It is my opinion that the proposed development will be able to properly co-exist with adjacent uses and can be properly integrated into the existing community. While there are no immediate residential neighbours to the site, as noted on page 3 of this report, the property is in close proximity to 4 separate neighbourhoods north and south of Plains Road and east and west of the Queen Elizabeth Way.

As noted in Section 7.4 of this report, given that there are no immediate residential units abutting the site, the project does not generate community interest in terms of compatibility concerns that are normally found with significant infill projects.

The most important element of compatibility is the extent to which this proposed new development with 1049 units which could generate up to 1800 residents, will provide a significant benefit to surrounding retail and service commercial uses along Plains Road, Fairview Street and at adjacent Mapleview Mall. At a time when retail malls are experiencing challenges, the creation of a significant number of new residents will not only be able to function in a manner which is compatible, it will actually help to provide a significant benefit to the mall tenants.

This project could assist in setting a precedent for the consideration of redevelopment of other under-utilized properties in the area. This may include the possibility of the redevelopment of the Mapleview Mall site to add residential units in a manner which is being implemented and considered in other retail sites in Burlington and the surrounding area.

The site provides easy vehicular access to all major community facilities in Burlington, and to external destinations by way of convenient access to the Queen Elizabeth Way.

The ground level commercial uses will not only serve the needs of those residing in the residential units in each project, they will also provide a service function for the surrounding neighbourhood. In this manner, the project as a whole will be fully integrated into the surrounding community.

The project is self-sufficient in terms of parking and therefore will not create any spillover effects onto adjacent properties. As noted in Table 3, the preliminary design work undertaken so far illustrates that the site can generally accommodate a ratio of 1.16 spaces per unit, taking into account provisions in the by-law which allow non-residential parking to be counted toward visitor parking and allowing a 5% discount for mixed use buildings.

At this stage, there is a minor deficiency of 31 spaces for Parcel A and a surplus of 2 spaces for Parcel B. The net deficit of 29 spaces represents a 2.3% deficiency in terms of parking requirements.

The minor deviation from standard parking regulations can be supported given that the site satisfies a number of transit-supportive policies in the Provincial planning documents, the Regional Official Plan and the City of Burlington Official Plan. Specifically:

1. The site is close to the Burlington GO station and the Aldershot GO Station with direct bus and train connections to locations throughout the GTA.

2. With increased emphasis on intensification and transit usage, it is expected that over time, parking requirements for infill projects such as this will diminish.

3. The site is on a local north-south transit route along Maple Avenue and on a major east-west transit routes along Fairview Street with numerous transit shelters located in close proximity to the site.

4. Experience of the proponent with respect to parking demand on other properties.

5. The provision of a generous number of bicycle parking spaces and a growing shift to non-motorized forms of transportation.

Therefore, it is my opinion that the proposed use of the site for residential purposes is compatible with the functional operation of the existing neighbourhood. It can exist in harmony within this mixed use area and will strengthen the existing commercial and service uses in the area.

7.5.2 Visual Compatibility

The development proposal introduces a development form which is significantly different from that anticipated in existing Official Plan documents. However, the site offers a unique opportunity to accommodate significant residential density, thus helping to achieve intensification goals without creating the usual concerns regarding compatibility with surrounding residential uses.

As such, the site is able to accommodate heights that may not be appropriate in other infill locations.

The additional height and density being proposed on this site helps to better achieve the supporting role this development will have on surrounding retail and service commercial uses as noted above. The additional height and density will also help to support existing transit infrastructure and will make greater use of existing infrastructure.

The proposed height and design of these buildings will also create a signature design element that will be visible from a variety of locations throughout the city as well as from distant locations throughout the western GTA. The introduction of this new and exciting urban design feature will contribute significantly to the evolution of the built form of the City of Burlington as a gateway feature.

The urban design elements of the project were considered within the context the Tall Building Guidelines adopted by the City. As noted in Table 4, the proposal is consistent with the Guidelines.

The proposed height of these buildings also generates attractive living spaces whose residents which will enjoy spectacular views to the south to Lake Ontario, to the east to the GTA, to the north and west to the Niagara Escarpment, and to the west to the City of Hamilton.

The design elements of this proposal were carefully outlined in an Urban Design Brief prepared by Graziani+Corazza Architects in an Urban Design Brief dated May 2021. The brief described the proposed urban design character of the building, assessed its fit within the local context of the site, and reviewed its conformity with the City's Urban Design policy framework, including the Tall Building Guidelines. In the Urban Design Brief, the buildings are described as four dynamic sculpted elements.

The conclusions from the Urban Design Brief are as follows:

"1. The form, scale, and character of the proposal represents excellent urban design. The proposed development adds a desired street-related and pedestrian-oriented form to this section of Plains Road East and Fairview Street and will not have an adverse impact on the community.

2. The podiums' low-rise frontage creates a high quality and contemporary facade on Plains Road East. The towers are well set back from the podium edge, allowing for ample outdoor amenity space and private terraces. Shadow and wind studies will be conducted to ensure minimal affects.

3. The relocated heritage structure as a free standing built form is an appropriate solution.

4. The proposal conforms with the Burlington Tall Buildings Guidelines and is reflective of the broad aims of the Official Plan urban design policies.

5. Although the proposed development requires Official Plan and Zoning amendments, we believe that such approvals are warranted from an urban design perspective and that what is proposed will be a positive addition to Burlington."

7.5.3 Heritage Considerations

A Heritage Impact Study was undertaken by McCallumSather. The study was undertaken to evaluate the impact of the proposed development on the on-site built heritage which consists of a 2-storey brick house known as the Charles G. Davis House, dating back to 1883. The assessment also identifies the cultural heritage value that the property may possess.

The study found that the building does have cultural value or interest under the Ontario Heritage Act and provides recommendations for the identification and preservation of the heritage feature:

"• Provide documentation for the 1883 Queen Anne portion of the house and the two storey brick addition (measured architectural drawings and record photographs of the building interior and exterior) prior to the move.

- **Obtain the necessary municipal approvals for the building move and re-setting on a new foundation.**

- **Provide a letter from a moving company with experience relocating heritage structures assessing if the building is a good candidate for relocation and proposing a methodology for its safe relocation.**

- **Provide record photographs of the demolition of the rear two storey brick addition including brick wall, foundation and roof construction.**

- **Salvage and stockpile brick and stone from the two storey addition on weather protected skids.**

- **Provide a Heritage Protection Plan for the Davis Farmhouse including mothballing (secured, vented, etc), move protection (bracing, hoarding,etc) and methodology, protection (hoarding, fencing, etc) and monitoring during construction of new adjacent buildings by a team comprised of heritage architect, heritage structural engineer in consultation with a house moving company.**

- **Complete a Heritage Conservation Plan for the Rehabilitation of the Davis Farmhouse and scoped heritage impact assessment including but not limited to structural conditions assessment and architectural drawings describing the proposal for the new use by heritage consultants according to and depending on the scope of work once defined.**

- **Signage may be installed outside of the house as part of an educational component of the site's history; this may include an illustrative plaque depicting themes related to the cultural heritage value of the property and the area.**

- **It is recommended that all the proposed drawings show the house on the plans and elevations**

- **It is favourably noted that a separation distance has been provided between the proposed buildings and the relocated house. The distance is to be noted on the drawings for assessment**

- **It is recommended that the height of the podium show a deference to scale to the heritage resource and provide a transition in height from the heritage house to the towers**

- **That the horizontal datum lines and levels of the heritage house have a visual continuity and connection to those of the podium facade composition (rhythm and proportion of bays)**

- **That the materials for the podium be comprised of a traditional palette of masonry, brick wood and metal so as to complement the heritage house**

- **It is recommended that a sun shadow study be completed for the proposed development to evaluate potential negative impacts on the relocated heritage resource."**

7.6 Potential Impacts

Part of the consideration as to whether or not an infill project is compatible with the neighbourhood is to examine potential impacts that may be created by the proposed development. The need to assess potential impacts is generally considered with the compatibility of policies that were referred to in Section 8.3 of this report. In addition, policies of the Burlington Official Plan speak to specific impact issues including in Part III, Policy 2.5.2(a)(vi) Vegetation, 2.5.2(a)(vii) Sun Shadowing, and 2.5.2(a)(iii) Traffic.

7.6.1 Traffic

A Transportation Impact Study to determine the impact of development traffic on the surrounding road network was completed by Paradigm Transportation Solutions Limited. The report provided a review and assessment of transportation infrastructure surrounding the site and included identification of transit connections available to future residents of the development.

The traffic report found that many of the intersections of the area experienced capacity deficiencies under existing conditions. The report noted that:

> **"The capacity issues experienced under the background traffic horizon are expected to continue to occur with or without the development of the subject site. Site traffic impacts are minimal with minor changes in delay at the study area intersections."**

The conclusions and recommendations from the report are as follows:

"➢ **Existing Traffic Operations: Capacity issues are identified at the following intersections:**
- **Plains Road East/Fairview Street at the QEW East Ramp;**
- **Plains Road East and Brant Street; and**
- **Brant Street and Fairview Street.**

➢ **Estimated Site Generated Traffic: Phase 1 (Year 2027) of the subject site is estimated to generate approximately 161 AM peak hour trips and 186 PM peak hour trips. Phase 2 (Year 2029) of the subject site is estimated to generate approximately 103 AM peak hour trips and 118 PM peak hour trips. Full build-out of the subject site is estimated to generate approximately 339 AM peak hour trips and 434 PM peak hour trips.**

➢ **Background Traffic Operations: The capacity deficiencies identified under existing conditions will continue to occur with the forecast increase in non-site related traffic. Under background traffic conditions capacity issues are identified at the following intersections:**

- **QEW West Ramp and Plains Road East/Fairview Street;**
- **Plains Road East/Fairview Street at the QEW East Ramp;**
- **Plains Road East and Maple Avenue;**
- **Plains Road East and Brant Street; and**
- **Brant Street and Fairview Street.**

➢ **Total Traffic Operations: The capacity deficiencies identified under background conditions will continue to occur with the addition of site generated traffic. Site generated traffic results in new capacity deficiencies at the following intersections:**

- **Plains Road East/Fairview Street at the QEW East Ramp;**
  - **Eastbound left-turn;**

- **Plains Road East and Maple Avenue;**
  - **Eastbound through/right-turn.**

- **The site driveways to Plains Road East are forecast to operate with acceptable levels of services with exception to the Phase 1 driveway under the forecast Ten-Year Horizon.**

  The site driveway is forecast to operate with low levels of delay and v/c ratios during the AM peak hour. During the PM peak hour, the southbound left/right-turn movement is forecast to operate at LOS E and v/c ratio of 0.55.

➢ **Remedial Measures: Left-Turn lane are warranted at the Phase 1 and Phase 2 (north) site access. To accommodate left-turn movements into the site the existing two-way centre left-turn lane on Plains Road East should be extended to the Phase 1 site access.**

Right-turn lanes on Plains Road East at the three site accesses are not warranted."

Based on the findings of this study, it is recommended that:

- **The City of Burlington should extend the municipal sidewalk along Plains Road East from Maple Avenue to Fairview Street.**
- **The existing two-way centre left-turn lane on Plains Road East be extended to the Phase 1 site access.**
- **The Halton Region and the City of Burlington monitor the future traffic volumes at the study area intersections and optimize the signal timings accordingly. The need for signal timing improvements at these intersections are noted to occur with or without the development of the subject sites."**

7.6.2 Wind

A Pedestrian Wind Assessment was undertaken by RWDI Consulting Engineers and Scientists to conduct a qualitative assessment of the pedestrian wind conditions expected around the four proposed highrise buildings.

As noted in Section 5.3, the report identifies some potentially uncomfortable or unsafe conditions. In Section 5.3.3 of the report, the consultant identified specific wind mitigation strategies to respond to the unfavourable conditions in specific conditions around the proposed building. It is noted that there are a variety of mitigation techniques available that can be used to mitigate wind impacts. These mitigating measures can be reviewed and implemented at the site plan approval stage.

The findings of the report can be summarized as follows:

"● The proposed masterplan includes several positive design features such as stepped podiums connecting towers of each parcel, and favourable locations for main building entrances.

- **During the summer season, appropriate wind conditions are predicted along sidewalks and walkways, however, winds higher than those desired are expected near the entrances, drop-off areas and Level 3 amenity terraces. With the proper mitigation in place, these areas will be improved.**

- **During the winter, elevated wind speeds around tower corners and in the opening between the towers may become uncomfortable or potentially unsafe. With the proper mitigation in the form of soft and hard landscaping wind conditions can be improved.**

- **Conceptual wind control measures are provided in the report and will be reviewed with the design team and validated through wind tunnel testing at a later design stage to quantify the level and frequency of high wind activity, and to develop and refine wind control solutions."**

7.6.3 Noise

A Noise and Vibration Feasibility Study dated May 6, 2021 was prepared by HGC Engineering to assess potential noise sources and propose appropriate mitigation. The report identified two primary services of noise including road traffic on Fairview Street and the Queen Elizabeth Way and rail traffic on CN railway to the north. In assessing those noise sources, the study found:

"The sound level predictions indicate that the future road and rail traffic sound levels will exceed MECP Guidelines at the buildings in the proposed development. The predicted sound level in the proposed outdoor amenity areas exceed MECP targets."

Based on these findings, the report recommended mitigation features including the specific design measures for the outdoor amenity areas, the installation of central air conditioning, upgrading building and glazing construction and introducing warning clauses to inform future residents of traffic noise impacts and the presence of nearby commercial/office/retail facilities.

The report also examined the impact of vibration from the rail corridor and found:

"The impact of vibration from the rail corridor, located approximately 45 metres west of the closest proposed building facade and 30 m west of the closest underground parking level wall, also has been assessed. Vibration associated with the rail corridor is expected to be within CN limits and vibration mitigation measures are not anticipated to be required."

The following list summarizes the recommendations made in the report:

"● Barriers greater than 3.0 m in height are required in the proposed outdoor amenity area to reduce sound levels to less than 60 dBA during the day. Consideration should be given in detail design to integrate smaller structures or landscaping features to create quieter pockets or zones. Alternatively, these outdoor amenity areas could be reduced in size or relocated to an area that experiences greater shielding from the proposed or adjacent buildings.

- **Central air conditioning is required for the buildings in the proposed development. Window or through-the-wall air conditioning units are not recommended for any residential units because of the noise they produce and because the units penetrate through the exterior wall which degrades the overall noise insulating properties of the envelope.**

- **Upgraded building and glazing constructions are required for the buildings in the proposed development. When detailed floor plans and building elevations are available, a detailed noise study should be conducted to refine acoustic requirements.**

- **Warning clauses should be included in the property and tenancy agreements and offers of purchase and sale to inform future residents of the traffic noise issues.**

- **Tarion Builder's Bulletin B19R requires that the internal design of condominium projects integrates suitable acoustic features to insulate the suites from noise from each other and amenities in accordance with the OBC, and limit the potential intrusions of mechanical and electrical services of the buildings on its residents. If B19R certification is needed, an acoustical consultant is required to review the mechanical and electrical drawings and details of demising constructions and mechanical/electrical equipment, when available, to help ensure that the noise impact of the development on itself are maintained within acceptable levels. Outdoor sound emissions should also be checked to ensure compliance with the City's by-law.**

To ensure that the noise control recommendations outlined above are fully implemented, it is recommended that:

- **At the site plan stage, a Professional Engineer qualified to perform acoustical engineering services in the Province of Ontario should review the architectural plans and building elevations to refine glazing requirement based on actual window to floor areas ratios.**

- **Prior to the issuance of occupancy permits for this development, the City's building inspector or a Professional Engineer qualified to provide acoustical engineering services in the Province of Ontario should certify that the noise control measures for the development have been properly incorporated, installed and constructed.**

The results of this study indicate that the proposed development is feasible on this site from a noise impact perspective, with the inclusion of appropriate acoustical features. Preliminary design recommendations are provided herein, and can be developed in greater detail as the design proceeds through tender and construction."

7.6.4 Shadow

A Sun Shadow Study dated May 5, 2021 was completed by RWDI. The objective of the study was to illustrate shadow patterns for the proposed development and determine potential exposure to sunlight and shadow on and around the site.

The summary and conclusions of this report are as follows:

1. **Per the City of Burlington requirements, the new shadows cast by the proposed building were predicted for every hour between 9:00 am EDT and 6:00 pm EDT on March 21 and September 21, as well as for December 21 between 11:00 am EST and 3:00 pm EST and June 21 between 8:00 am EDT and 7:00 pm EDT.**

2. **The simulations indicate that the new shadowing from the proposed project will not reach the residential areas to the north and east of the site.**

3. **Shadows were predicted to reach Leighland Park between 10:00 am and 1:00 pm on the equinoxes and from 11:00 am to 2:00 pm on December 21. In all cases the shadowed area is small compared to the area of the park and in the case of the equinoxes, the majority of the required study period (6 of 9 hours) no new shadowing was predicted.**

4. **Shadows are also predicted to fall at grade and onto the roofs of neighbouring buildings, however none of these areas are residential.**

5. **The roof top amenity spaces on both Parcels A and B are anticipated to receive new shadows during the morning hours. The majority of the spaces are exposed to sun by 1:00 pm with very little shadow occurring after 2:00 pm all year.**

6. **As noted above, RWDI received an updated design of this project subsequent to our analysis of the shadow impacts. Upon reviewing the drawings, the main change appears to be the massing of the podium structure. Given that the primary source of off-site shadowing was the towers, RWDI would not expect the change in the podium to significantly alter the conclusions of this study."**

7.6.5 Servicing and Infrastructure

A Functional Servicing Report dated May 2021 was prepared S. Llewellyn & Associates Limited for each of the two parcels. The reports for both sites outlined the functional servicing strategy for the site and provided details with respect to stormwater management, sanitary sewer servicing, and domestic and fire water supply servicing.

With respect to water services, the report noted that the proposed water servicing for both properties consists of connecting a 150 mm water service off of the existing 400 mm waterline adjacent to the site on Plains Road East. The proposed 150 mm water service will provide domestic and fire water service for the proposed mixed use buildings.

With respect to sanitary servicing and capacity, the report noted for Parcel A:

> **"The building will be serviced by 200 mm sanitary sewer off a proposed sanitary municipal extension, designed and constructed in accordance with the Region fo Halton standards and to be submitted and approved by MECP. Drainage from this sewer will discharge into the existing 300 mm sanitary sewer along Plains Road East, located south of the development. The proposed 200 mm sanitary sewer at 1.0% grade is adequately sized to service the proposed development."**

For Parcel B, the report noted:

> **"The proposed mix-use buildings will each be serviced by a 150 mm sanitary sewer at the northeast property line, ultimately discharging to the existing 300 mm sanitary sewer along Plains Road East. The existing 150 mm sanitary sewer to be reused will be video inspected to confirm it is in usable conditions prior to construction.**
>
> **Therefore, the proposed 150 mm sanitary sewer at 2.5% grade is adequately sized to service the proposed development."**

With respect to flood plain control, the report noted for Parcel B:

> **"The Halton Region Conservation Authority (HRCA) requires all door sill elevations to be a minimum of 0.15 m above the flood plain elevations for the 100-year and Regional Storm Events. A Floodplain Analysis was conducted by S. Llewellyn and Associates, dated March 23, 2021. It was concluded that the Regional Storm event governed through Phase 1, with a maximum floodplain elevation of 97.83 m when considering upstream stormwater management controls. The minimum door sill elevation proposed through Phase 1 is 98.10 m which is 0.27m above the floodplain elevation. Therefore, the grading design adheres to the HRCA requirements. The Floodplain Analysis was submitted to the HRCA for review and commentary. For additional information, see the Preliminary Analysis included in Appendix D."**

The report for Parcel B noted that at an elevation of 97.90, this opening is 0.17 m above the floodplain elevation.

The Functional Servicing Report provided the following conclusions and recommendations:

"Based on the information provided herein, it is concluded that the proposed development at Plains Road East can be constructed to meet the requirements of the City of Burlington and Region of Halton. Therefore, it is recommended that:

- **The development can be graded and serviced in accordance with the Preliminary Grading & Erosion Control Plan and the Preliminary Site Servicing Plan prepared by S. Llewellyn & Associates Limited;**

- **A 75 mm orifice pipe for Parcel A and a 100 mm orifice pipe for Parcel B be installed as per the Preliminary Site Servicing Plan and this report to provide adequate quantity control;**

- **An underground storage vault be incorporated into the underground parking garage as per the Preliminary Site Servicing Plan and this report to provide effective stormwater storage during storm events;**

- **Short-term dewatering will be required at a discharge rate of 0.8 l/s and will need to be filtered prior to discharging to the existing storm sewer system;**

- **Erosion and sediment controls be installed as described in this report to meet City of Burlington requirements;**

- **All door sill elevations are a minimum of 0.15 m above the Regional floodplain; and**

- **The proposed sanitary and water servicing system be installed as per the Preliminary Site Servicing Plan and this report to adequately service the proposed development."**

7.6.6 Air Quality

An Air Quality Assessment Report was prepared by RWDI. The Transportation Related Air Pollutants (TRAP) Study was undertaken to address air quality effects associated with vehicle and diesel locomotive traffic in the vicinity of the subject property.

The results of the study showed that air quality objectives are not met for all contaminants. The study provided the following conclusions and recommendations:

> **"The analysis indicates the air quality at the proposed development site is adversely affected by the proximity to the QEW and CN railway. At heights below approximately 73 m above grade, the predicted levels of some of the air contaminants of interest do not meet their air quality objectives. Above 73 m, the predicted levels either meet the objectives or, if they do not meet the objectives, it is because the objectives are not met anywhere in the urban area due to the existing background levels in the ambient air.**
>
> **Based on the above, we would recommend that the following items be taken into consideration at the site plan development and building permit stages.**

- **Central ventilation be provided to residential units with the fresh air supply located at no less than 73 m above grade;**
- **Commercial units could have the option of individual ventilation systems with appropriate particle filtering and activated carbon filtering for the environment;**
- **Consideration should be given to reducing the size or eliminating open balconies on floors below 73 m**
- **Outdoor amenity spaces, other than those designed only for brief transient use (such as a pedestrian podium) should be placed as far as possible from the highway or located where they are screened from the highway by intervening buildings.**
- **Warning clauses could be incorporated into condominium sales agreements.**
- **In addition, due to the high levels of some contaminants, as modelled and in background data, it may be valuable to consider completing an ambient air monitoring program at the subject lands to confirm the current ambient air quality at the site for the contaminants of concern.**
- **Air quality recommendations should be re-examined at Site Plan Approval, once built forms and construction phasing have been finalized."**

7.6.7 Environmental

For the property at 1167 Plains Road East, a Phase One Environmental Site Assessment was undertaken by Landtek to examine potential site contamination of the property. The report found that there were no potential contaminating activities identified on the site. However, there was potential contaminating activity on off-site locations. The Phase One study recommended that a Phase Two ESA be completed.

The Phase Two study was completed by Landtek and examined two potential contaminating activities on off site locations. The report concluded:

"The soil samples collected for analysis as described in the relevant sections of this report indicated that the soils on-Site are not adversely impacted and concentrations don ot exceed the applicable O. Reg. 153/04 Table 3 SCS.

The results of the groundwater analysis from the monitoring well BH(MW)2 sampled was reported to meet the O. Reg. 153/04 Table 3 SCS for VOC (including BTEX) and PHC."

Based on the results of this Phase Two ESA, they noted that no further work is required on the site.

Landtek also undertook a Phase One Environmental Site Assessment from the property at 1134 Plains Road East. The report concluded that there were no contaminating activities identified on site or off site. Recommendations from the report included:

"O. Reg. 153/04 stipulates that for a change in land-use to a more *sensitive* us (i.e. from commercial to residential) a Record of Site Condition (RSC) must be prepared, filed, and acknowledged by the Ministry of the Environment, Conservation and Park (MECP).

An RSC (No. 85314) was filed on the property in September 2010 for 1134 Plains Road East for a proposed change in land use from commercial to residential. The Site has operated as the same commercial use form 2010 to the present. Therefore, in accordance with O. Reg. 153/04 the Site has RSC for the proposed land use of residential."

7.6.8 Land Use Compatibility

A Land Use Compatibility Assessment was undertaken by RWDI to assess the potential for impact from adjacent and nearby properties that may be a source of polutants, dust, odour, and/or vibration on the proposed development. The report provided the following conclusions:

> **"Industrial facilities within the 1000m study area were identified as Class I, II or III under the D-6 Guideline. Based on the desktop review for the industrial facilities within the study area, the potential influence area for some existing Class II and III industries overlap with the proposed development. However, all industries identified are located beyond the Guideline D-6 recommended minimum separation distance to the proposed development. In addition, any fugitive dust, odour and other air quality emissions from these facilities are expected to impact existing residential areas closer to these facilities rather than the subject lands which are located much further away. Noise emissions from stationary sources in the study area were not expected to significantly impact the subject lands; a noise study commissioned by the Proponent found that traffic on Fairview Street and the QEW and rail traffic in the nearby rail corridor were the dominant sources of noise at the**

proposed development. This is complemented by the desktop review and site visit observations at industrial sites which indicate that industrial sources of noise in the study area are located closer to existing residential areas which are more likely to be impacted than the subject lands further afield."

7.7 Livability

In order for any major redevelopment project such as this to be successful, it must generate a final product which is successful from a marketing perspective. This requires the proponent to pay careful attention to all of the functional and design elements of the building and the site that will make it an attractive, livable environment for future residents.

The desirability of this project from a livability perspective results in part from its strategic location which allows for easy and direct pedestrian connectivity to the surrounding community including a variety of retail service commercial uses and parks as well as walkable direct transit connections to the local Burlington transit system. It also provides easy and convenient vehicular access to two Major Transit Station Areas as well as the Queen Elizabeth Way, Highway 403 and Highway 407.

From a unit design perspective, the striking and attractive exterior design elements of the project contribute to the attractiveness of the site as a desirable place to live. The height and orientation of the buildings provide dramatic and panoramic views to Lake Ontario, the City of Hamilton, the Niagara Escarpment and the GTA west area to Toronto.

At the site level, attractive outdoor amenity areas normally associated with this form of development are augmented by the presence of the generous open space amenity area offered by the 14 m MTO setback. This extensive open space area allows for integrated open space uses as noted in the landscaping plans submitted with this proposal. It is anticipated that through the site plan process, the use, function and design of these features can be finalized through collaborative dialogue with the City.

It is expected that the project will have tremendous appeal to future residents and will contribute significantly to the appeal of the City of Burlington as a desirable place to live.

7.8 Summary

The proposed project helps to achieve intensification objectives of local, regional and provincial planning documents by introducing an exciting mixed use development in an area which can accommodate significant intensification. The project takes advantage of the strategic location between the Burlington GO station and the Aldershot GO station. Once fully developed, those new residents who will be enjoying the lifestyle in these buildings will help further strengthen the function of both of the GO stations.

Higher density is supported in that it helps to achieve intensification targets by introducing development in an area such as that enjoyed by the subject property which can accommodate significant change and intensification without generating resistance often faced by high rise intensification projects in other areas.

The establishment of higher density on the site is also consistent with Provincial policy directives to encourage transit supportive development in Urban Growth Centres in locations such as this which are well served by transit.

The proposal will make a significant contribution to the range and mix of housing in the the Burlington community as a whole. Through further discussions and negotiations with the Region, opportunities exist for the provision of affordable housing for this project as has been implemented in other developments undertaken by the proponent.

The proposal can be accommodated with existing infrastructure and will not require any public funds to support the proposal.

A series of detailed technical studies undertaken by the proponent has confirmed that the project will not generate any adverse impacts, particularly with respect to matters related to shadow impact, noise, wind, air quality, or traffic.

This proposal is consistent with those provisions and also, from a design perspective, complies with the Urban Design Guidelines.

The proposal is compatible and will be integrated into the existing community through the sharing of the benefits provided by ground floor commercial uses and by the generous public and private open spaces provided in the enhanced streetscapes.

This height helps the design elements of the building to comply with the Tall Building Guidelines in terms of tower floorplate and setbacks. The proposed height also helps achieve higher standards of urban design as outlined in the Urban Design Brief prepared by Graziani+Corazzo and contributes to the establish of an important and distinctive built form which will be enjoyed throughout the Region.

The final design of the project was the product of a collaborative design exercise which implemented recommendations arising out of Pre-Consultation discussions with staff, contact with the neighbourhood, and input from the Burlington Urban Design Panel.

This proposal will establish a strong and desirable precedent for further development projects in the area.

The project will provide an attractive living environment with accessibility to a variety of community services, as well as access to both pedestrian and vehicular transportation networks. The proposal will generate an attractive setting for residents who will enjoy a new facility with high quality amenities, significant open space on the site, proximity to a variety of retail service commercial uses, and spectacular views from units within each building.

The development of this site for the proposed use is supported as conforming to sound planning principles and will contribute to the success of an evolving retail and service commercial uses in the area by helping to support and sustain existing and future businesses.

In my opinion, the proposal represents good planning and should be implemented through the amendments to the Official Plan and Zoning By-law as proposed in this report.

7.9 Implementation - Modifications to Official Plan and Zoning Regulations

7.9.1 Official Plan Amendment

The development proposal can be implemented by designating both properties as Urban Corridor. This is consistent with the intent of the most recently adopted BOP-119.

Subsection 7.3 of Section 8.1.3(7) of the Urban Corridor designation provides site specific policies for a number of different properties throughout the City. It is recommended that the proposal be implemented by identifying the subject property with a site specific provision similar to those found in Section 8.1.3(7.3). The site specific provisions would allow for a floor area of 5.0:1 as opposed to the limit of 2.0:1 in subsection (f) as well as a maximum height of 35 storeys as opposed to the 6 storeys identified in subsection (g).

The increase in floor area ratio beyond that outlined in Policy 8.1.3(7.2)(f) can be supported in that the proposal meets the objectives of the Urban Corridor designation as contained in Policy 8.1.3(7.1).

As shown in Schedule O-1 of new BOP-119, the site is located at the intersection of an Industrial Connector (Plains Road), a Multi-Purpose Arterial Road (Fairview Street) and near an Urban Avenue (Maple Avenue). The property is also near the intersection of three long-term frequent transit corridors, including Transit Support Corridor on Plains Road, an MTSA Primary

Connector on Fairview Street, and an MTSA Secondary Connector on Maple Avenue as shown on Schedule B-2 in BOP-119. This strategic location helps to achieve objective 8.1.3(7.1)(a).

The site will provide an opportunity for small retail service commercial uses to satisfy Objective 8.1.3(7.1)(b).

Subsection (c) recognizes that these sites will develop over time. The timing of this project is appropriate at this point. All the community and infrastructure support services are in place. Development of this site will help to strengthen commercial activities in the area.

With respect to subsections (d) and (g), the additional height and density proposed for the site help to ensure that it is transit supportive as it is located near the intersection of three major transit corridors and is located between two Major Transit Station Areas. The site is very pedestrian oriented in terms of connecting the site to surrounding commercial and support uses, including Mapleview Mall and the Longos plaza which are within a 5 minute walk of the site, along with the Ikea/Fortinos plaza to the west.

Despite the presence of the adjacent Queen Elizabeth Way, direct pedestrian connections are available by way of existing sidewalks on Fairview Street with signalized crossings at Maple Avenue and at the Queen Elizabeth off ramp adjacent to IKEA and Fortinos. The development of the subject property will connect to this sidewalk network which allows for a 10 minute walk from the property to the front door of the Fortinos supermarket.

It is noted there are no sidewalks along Plains Road from the site to Maple Avene. Despite the absence of sidewalks in this area, future residents in this development project will be able to utilize the sidewalks on Fairview Street for direct pedestrian access to a range of retail and service commercial uses to the east. As noted in the Transportation Impact Study, it is recommended that pedestrian linkages in the area be enhanced through the extension of the municipal sidewalk along Plains Road East from Maple Avenue to Fairview Street by the City of Burlington.

Given the support the project will generate for surrounding commercial development, it is consistent with Objective (f) to protect the planned commercial function within the Urban Corridor.

7.9.2 Zoning Regulations

In order to implement the development proposal, it is necessary to remove the holding provision for Parcel A. The holding provision was to ensure that a Noise and Vibration Study have been completed to the satisfaction of the City. The The study submitted with the development application satisfies this requirement. Therefore, through the review of this study, the Holding provision should be removed.

There is a need to modify a number of the standard zone regulations for MXG identified in the Zoning Review Charts in Table 5 of this report. More specifically, a number of setback provisions require modification, in part because of the fact that regulations are not consistent with current urban design standards which promote the location of the building closer to the street. In addition, these setbacks, together with other design elements of the building, are consistent with the Tall Building Guidelines which represent a more current and acceptable standard of design excellence.

The reduction in parking for retail users and visitors represents a reasonable response to anticipated supply and demand factors affecting parking as outlined in Section 7.5.1 of this report.

Development on Parcels A and B are marginally deficient in terms of amenity areas being provided. In both cases, this is offset by the introduction of the POPS on Parcels A and B as well as the amenity areas that will be provided on the street level including both public and private spaces as well as the generous open space area provided by the portion of the site between the building and the QEW on-ramp.

8.0 RECOMMENDATIONS

8.1 Official Plan Amendment

It is recommended that:

1. The City of Burlington Official Plan be amended by placing an Urban Corridor designation on the property subject to the following Special Provision:

   8.1.3(7.3)(l) **1134 and 1167 Plains Road East:** Notwithstanding the *floor area ratio* and height policies contained in Subsection 8.1.3(7.2)(f) and g) of this Plan, for the property identified as 1134 and 1167 Plains Road East, the following policies *shall* apply:

   (i) the maximum *floor area ratio shall* be 5.0:1; and

   (ii) the maximum building height *shall* be thirty-five (35) storeys.

A copy of the proposed draft official plan amendment has been included with this report as Schedule 8.

8.2 Zoning By-law Amendment

1. The Holding provision on Parcel B is to be lifted.

2. That a site specific zoning be established on each property to modify the standard MXG zone provisions in the following manner:

(i)	Minimum yard abutting a street	0.6 metres
(ii)	Minimum landscape area abutting a street	0.6 metres
(iii)	Maximum floor area ratio	5.00:1
(iv)	Maximum building height	35 storeys
(v)	Minimum parking requirement	1.16 spaces per unit
(vi)	Minimum amenity area	24,000 sq.m.

A draft zoning by-law to implement the proposed development has been included with this report as Schedule 9.

9.0 Conclusions

1. The proposed infill project is consistent with and helps to achieve the overall urban growth objectives designed to encourage the development of complete communities in the Provincial Policy Statement, the Province of Ontario Growth Plan, the Official Plan for the Regional Municipality of Halton, and the Official Plan for the City of Burlington.

2. The proposed development will help to accommodate future growth anticipated for the City of Burlington which must be accommodated within the existing Urban Area.

3. The proposed development will offer an attractive living environment by providing needed housing opportunities which will contribute to the range and mix of housing in the community including an opportunity to collaborate with the Region in the provision of affordable housing.

4. The proposed development is transit supportive and will help strengthen the function of the Major Transit Station Areas at the Burlington GO station and Aldershot GO station as well as the local transit network.

5. The proposal will function in a manner which is both functionally and visually compatible with the existing residential and commercial community.

6. The ground level private and public pedestrian and open space areas will integrate the project with the existing community.

7. The proposed development form will create exciting new signature buildings which are described by the Project Architect as four dynamic sculpted elements.

8. The proposed development can be accommodated with existing municipal infrastructure including roadways, water and sewer services.

9. The proposed development will not create any adverse impacts on the immediate neighbourhood or on the broader community in terms of traffic, noise, wind, or shadowing effects.

10. For the above reasons, the proposal is considered to represent good planning and will provide a positive contribution to the urban fabric of the City of Burlington.

Respectfully Submitted,

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Edward Fothergill

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