PLANNING JUSTIFICATION REPORT

PREPARED FOR:

Zoning By-Law Amendment
490-508 Walker's Line,
Burlington
2317892 Ontario Limited

File no. 22201A

December 2024

Your Vision

Designed | Planned | Realized

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MHBC | PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE

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Appendix A: Development Application Pre-Consultation Form

Appendix B: Draft Zoning By-law Amendment

1.0 Introduction

MHBC Planning has been retained by 2317892 Ontario Limited to coordinate a Zoning By-law Amendment application and prepare this Planning Justification Report for the development of the lands municipally known as 490-508 Walker's Line (the "subject lands"). The purpose of this Planning Justification Report is to provide a planning summary and analysis of the relevant policy framework, planning considerations, and technical studies required to support a Zoning By-law Amendment to permit medium density residential uses on the subject lands with site specific performance standards.

The subject lands are irregularly shaped and comprise three consolidated parcels of land with a total area of 0.4043 hectares (0.999 acres). The subject lands are located on the periphery of a residential neighbourhood in central Burlington and are currently used for residential purposes. The subject lands contain three single detached dwellings, one of which (496 Walkers Line) is designated under Part IV of the Ontario Heritage Act. The location of the subject lands is illustrated in **Figure 1**.

The subject lands are proposed to be redeveloped with multiple residential (townhouse) dwellings. To implement the development proposal, two of the three existing single detached dwellings would be demolished. The designated "Walker House" will remain in situ and will be incorporated as part of the proposed redevelopment of the subject lands.

A Zoning By-law Amendment application is required to rezone the lands from Residential Medium Density (RM2-189) Zone, Residential Medium Density (RM2) Zone and Residential Low Density R2.1 Zone to Residential Medium Density RM2 Zone with Site Specific Regulations to permit the 16 proposed townhouses and the retention of the heritage house. This Planning Justification Report supports the required applications and assesses the proposal in the context of the applicable planning framework. This Planning Justification Report includes:

- An introduction and general description of the subject lands, surrounding uses and existing conditions to provide and understanding of the local context;
- A description of the proposed development concept and the related Zoning By-law Amendment;
- A review of existing policy framework including an assessment of consistency with the Provincial, Regional and Municipal policy framework in relation to the proposed redevelopment;
- A review of the City's Sustainability Guidelines in the context of the proposed development application;

- A review and summary of other technical reports prepared in support of the proposed planning application; and,
- Confirmation of the Public Consultation Strategy and a summary of the Community Meeting held on May 9, 2024.

1.1 Pre-Application Consultation

An initial pre-consultation meeting was held on August 17, 2022 with the City of Burlington. Following the initial pre-consultation meeting the concept plan was revised based on feedback provided by the City with the most significant changes being the retention of the Walker House and a dramatic decrease in density. A revised Pre-Consultation package was submitted in 2023. The Development Application Pre-Consultation Form was updated by the City on October 20, 2023 and is attached as **Appendix A**.

The Pre-Consultation Form included a list of the technical requirements for the submission of a complete Zoning By-law Amendment application. The technical requirements to support the application are listed below:

- Completed Application Form and Fees for Applications for Zoning By-law Amendment;
- Planning Justification Report;
- Land Assembly Documents;
- Survey;
- Heritage Impact Assessment;
- Conceptual Site Plan Layout;
- Architectural Plans;
- 3D-Massing Model of Proposed Buildings;
- Arborist's Report;
- Tree Inventory and Preservation Plan;
- Conceptual Landscape Plan;
- Water and Wastewater Functional Servicing Report;
- Stormwater Management Report/ Functional Drainage Report, Storm Services Plan and Flooding Hazard Delineation and/ or Grading and Drainage Plans;
- Phase One Environmental Assessment;
- Phase Two Environmental Assessment (RSC) if required by Phase 1;
- Sustainable Building and Development Guideline Checklist (incorporated within the Planning Justification Report);
- Responses to Comments Received at a Community Meeting Held in Advance of a Formal Development Application;

- Urban Design Brief;
- Environmental Screening Checklist;
- Draft Zoning By-law Amendment;
- Waste Management Report;
- Title Search/PIN Report;
- Letter of Reliance.

At the request of the City, our client agreed to an informal submission of key plans and technical reports in order to identify and resolve technical issues prior to the submission of a formal application. The informal submission was filed in May 2024, with comments provided by the City in June and July of 2024.

The materials submitted in support of this formal Zoning By-law Amendment application have been revised in response to the City's preliminary comments. A number of comments provided in response to the informal submission will

2.0 Planning and Design Evaluation

The subject lands, comprised of 490, 496 and 508 Walker's Line, are within the City's Urban Area and are further located within the City's Established Residential Neighbourhood Area. The subject lands are located on the west side of Walkers Line, north of New Street. The location of the subject lands is shown on **Figure 1**.

The subject lands comprise a total area of 0.4043 hectares (0.999 acres) and have approximately 69.8 metres of frontage along Walker's Line. As previously noted, the subject lands are currently used for residential purposes and contain three single-detached dwellings, including the designated Walker House.

The surrounding area is characterized by a mix of residential and commercial uses. Surrounding uses include single detached residential uses along Rothesay Place to the west of the site, with multiple residential uses located directly to the south of the subject lands. Commercial and institutional uses are located predominantly to the east. The subject lands are located immediately to the north of the mixed-use node and intensification area at the intersection of New Street and Walker's Line. The surrounding context is described in detail below and illustrated in **Figure 2** to this report:

NORTH: A single detached residential dwelling and an office are located immediately north of the subject lands. These properties are designated for medium density residential uses. The Centennial Bikeway is also located to the north.

EAST: Commercial and institutional uses are located to the east of the subject lands, on the opposite side of Walker's Line, including a commercial plaza with a food store. Multiple residential uses including townhomes and apartments are also located on the east side of Walker's Line.

SOUTH: Lands to the south of the subject lands are comprised of multiple residential dwellings in the form of townhouses. The mixed-use node at the intersection of New Street and Walker's Line is located further to the south.

WEST: Single detached dwellings are located west of the subject lands.

The subject lands are well-connected to the existing Regional road network. The subject lands are located on Walker's Line, which is classified as a Major Road within the Region of Halton's Urban Structure and is further classified as a Minor Arterial Road in the Halton Official Plan.

In a similar manner and in consistency with the Region of Halton's Official Plan, Walker's Line is designated as a Minor Arterial Road under Schedule J of the City of Burlington's Official Plan. Walker's Line connects to New Street, another Minor Arterial Road to the south, and Fairview Street, a Multi-Purpose Arterial Road to the north. Walker's Line has a Bike Lane and is a part of the City Bike Lane under Schedule P of City's Official Plan. Walker's Line is also designated as an Existing Multi-Use Trail. Centennial Bikeway bisects Walker's Line a short distance north of the subject lands.

At present, Burlington Transit service operates along Walker's Line (Route 25), with the nearest stop being located approximately 30 metres west of the subject lands. Schedule B-2 of the Official Plan identifies Walker's Line as a candidate Frequent Transit Corridor, which, once implement, will increase the level of transit service to the area.

In summary, the subject lands are well situated along a Major Road with access to transit, commercial uses, and recreational and institutional amenities. The subject lands are well located for access to the broader city and Regional transportation network including the QEW.



Figure 1
Location Map

LEGEND

Subject Lands

Date:	April 2024
Scale:	1:2,000
File:	22201A
Drawn:	PL

north

K:\22201A- Walkers Line\RPT\Basemap.qgz

490-508 Walker's Line
City of Burlington
Halton Region

Image Source: City of Burlington 2023 Air Photo

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Figure 2
Context Map

490-508 Walker's Line
City of Burlington
Halton Region

LEGEND

- Subject Lands
- Parks
- 5 & 10 min. Walking Distances (400m & 800m)
- Bus Routes
- Bike lane
- Multiuse path adjacent to road
- Multiuse path off road
- Shared use - Sharrows painted on pavement

Image Source: City of Burlington 2023 Air Photo

Date:	May 2024
Scale:	1:10,000
File:	22201A
Drawn:	PL

north

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3.0 Description of Proposal

3.1 Proposed Development

The proposed development includes the demolition of two existing homes and the retention of the designated heritage house. The balance of the lands is proposed to be developed and intensified with the addition of 16 townhouse units.

As noted, the Walker House will be retained and incorporated into the redevelopment with four townhouse units to the north and four townhouse units to the south of the house, all with frontage along Walker's Line. Eight additional townhouse units are proposed to the rear (west side) of the subject lands. All proposed units will be accessed via a private driveway from Walker's Line.

The townhouse units along Walker's Line are proposed to be setback slightly behind the existing setback of the Walker House to protect views of the cultural heritage resource from the street, and to align with existing development to the south. A reduced front yard setback is required to implement the proposed concept and to retain the setback that has already been established by existing development along Walker's Line.

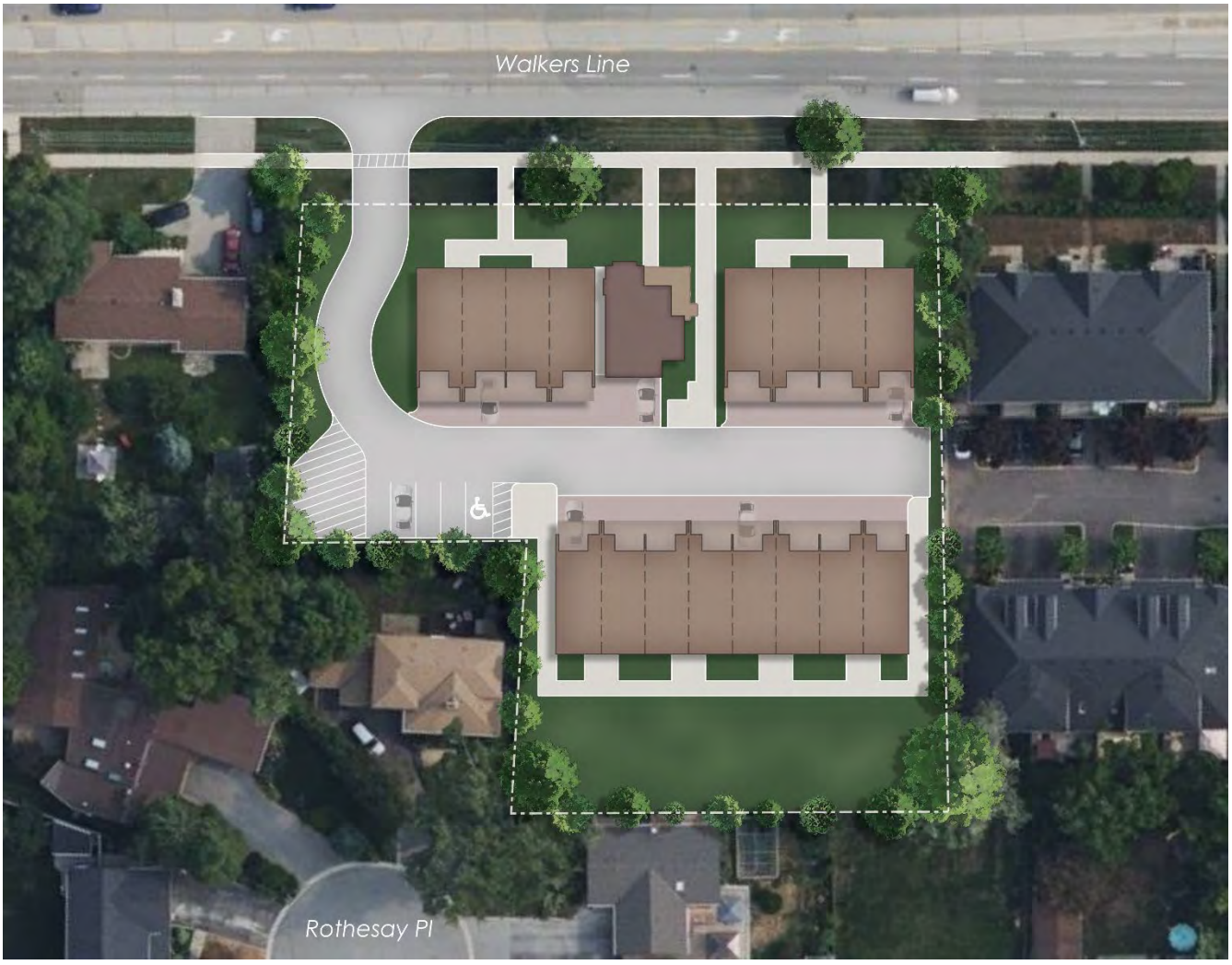
The townhouse units at the rear of the site have been located with consideration given to the abutting single detached dwellings on Rothesay Place to the west. This includes increased setbacks where possible and locating amenity space between the proposed units and existing single detached dwellings, thereby creating greater separation from the existing dwellings. The site design has also considered the existing townhouse development to the south and generally aligns proposed townhouse units with the existing townhouse blocks to minimize overlook. Privacy fencing will be provided along the perimeter of the subject lands.

Parking for the proposed development will be in the form of individual private-attached garages, which when combined with individual driveways, will provide two parking spaces per townhouse unit. Two surface parking spaces are provided for the heritage house, located at the rear of the dwelling. The development concept also includes five visitor parking spaces, including one barrier free space, for a total of 39 parking spaces.

The proposed development includes on-site amenity space including private amenity areas in the form of balconies and a common outdoor amenity space at the rear of the site, with a total amenity area of 1,108.44 sq. m. The outdoor amenity space has been located at the rear of the subject lands to provide for additional setback between the proposed development and the single detached residential units on Rothesay Place to the west.

The proposed development concept is illustrated in **Figure 3** below. The detailed site plan including site statistics is included as **Figure 4** of this report.

Figure 3: Proposed Development Concept



3.2 Proposed Zoning By-law Amendment

The subject lands are zoned Residential Medium Density Two (RM2), Residential Medium Density Two with Site Specific Exception 189 (RM2-189) and Low Density Residential Two (R2.1) in the City's Zoning By-law 2020 as illustrated on **Figure 5** of this report. The R2.1 zone applies to 508 Walker's Line and permits primarily single-detached dwellings. The lands zoned RM2 (496 Walker's Line and 490 Walker's Line) permit a broader range of residential uses including fourplexes, townhouses and retirement homes. Site specific exception 189, which applies to 490 Walker's Line, restricts permitted uses to townhomes only.

Given the Medium Density Residential designation that applies to the subject lands, it is our opinion that the RM2 zone would be the most appropriate zoning category to apply to the proposed development. As such, the subject lands are proposed to be rezoned as RM2 in their entirety, with site specific regulations to implement the specific development concept.

Site specific exceptions include: a reduced front yard setback; reduced side yard setbacks; increased height permission; increased density permission; a slight reduction in the amenity space requirement; a reduction in the private amenity space requirement and a reduced landscape buffer as well as a parking reduction. A reduced visitor parking requirement is also being requested. While the intent is meet the visitor parking requirement (as illustrated on the concept plan) a reduction in the minimum requirement is requested to provide for some design flexibility during the detailed site plan phase (e.g. final transformer locations, tree protection considerations, etc). The specific relief requested is summarized in **Table 1** below.

Table 1: Requested Relief from RM2 Zoning Regulations

Regulation	Required	Requested
Front yard setback abutting a street having a deemed width of 30 m or greater	9 metres	7 metres
Maximum Building Height	Maximum of 2 Storeys for Townhomes	3.5 Storeys (13 metres)
Minimum Side Yard	4.5 metres	2.5 metres
Minimum Yard Abutting an R1, R2 or R3 Zone	9 m	3.0 metres (varies from 3.05 – 17.4 m in current plan)
Maximum Density	40 units per hectare	42 units per hectare

Minimum Privacy Area	20 square metres per unit	5.5 square metres per unit
Minimum Amenity Area	1,275 square metres	1,100 square metres
Minimum Landscape Buffer abutting R1, R2, R3 zones	6.0 metres	0.0 metres (varies from 0.0 m^2 to 5.57 m^2)
Parking – townhouse – visitor	2.0 spaces per unit (34 required) 0.25sp/unit (5 required)	Visitor parking rate of 0.20 spaces per unit requested.

The Zoning By-law Amendment application for the subject lands provides for the creation of a high-quality, medium density residential townhouse development that incorporates the Walker House into the integrated development of the subject lands.

The Draft Zoning By-law Amendment is included as **Appendix B**. Analysis of the proposed zoning and site-specific regulations is contained in **Section 4.5** of this Report.

FIGURE 4



SITE PLAN LEGEND

- ENTRANCE / EXIT
- PROPERTY LINE
- BY-LAW SET BACKS
- FIRE DEP. ACCESS DRIVEWAY
- PTD. WHEELCHAIR SIGN ON ASPHALT
- VISITORS PARKING
- ELEVATION MARK
- BUILDING SECTION MARK
- MH — MANHOLE (SEE CIVIL DRAWINGS)
- CB — CATCH BASIN (SEE CIVIL DRAWINGS)
- SWMT — STORM WATER MANAGEMENT TANK (SEE CIVIL DRAWINGS)

HATCH IDENTIFICATION MARKER LEGEND

- NEW PAVERS
- CONC. SIDEWALK
- RIVER STONE
- LANDSCAPED AREA
- COMMON OUTDOOR AMENITY AREA
- PAINTED LINES NO PARKING AREA
- NEW ASPHALT

SITE STATISTICS

PROJECT NAME: 496 WALKER'S LINE DEVELOPMENT
PROJECT ADDRESS: 490-508 WALKER'S LINE
MUNICIPALITY: BURLINGTON
EXISTING ZONING CATEGORIES:
RM2 RESIDENTIAL MEDIUM DENSITY ZONE
RM2-189 RESIDENTIAL MEDIUM DENSITY ZONE
RZ.1 RESIDENTIAL LOW DENSITY ZONE
REZONE/NEW ZONING CATEGORY: RM2 RESIDENTIAL MEDIUM DENSITY ZONE

ITEM	BY-LAW REQ.	PROVIDED	SOURCE
TOTAL # OF UNITS	N/A	16 TOWNHOUSES + 1 DETACHED	
UNITS AT FRONT		8 X (3 BEDROOM)	
UNITS AT REAR		8 X (3 BEDROOM)	
HERITAGE BUILDING		1 DETACHED HOUSE AT FRONT	
LOT WIDTH	45 m	69.80 m	SECTION 9.1; TABLE 2.9.1
LOT AREA	0.4 ha	0.4043 ha	SECTION 9.1; TABLE 2.9.1
FRONT YARD	9 m abutting a street having a deemed width of 30 m or greater	7.0 m	SECTION 9.1; TABLE 2.9.1 Footnote (a)
REAR YARD	9 m	17.4 m	SECTION 9.1; TABLE 2.9.1
SIDE YARD	4.5 m	2.7 m	SECTION 9.1; TABLE 2.9.1
STREET SIDE YARD	6 m	N/A	SECTION 9.1; TABLE 2.9.1
YARD ABUTTING R1, R2, R3 ZONE	9 m	varies (3.1 m - 17.4 m)	SECTION 9.1; TABLE 2.9.1
DENSITY: MINIMUM MAXIMUM	25 units/ha 40 units/ha	42 units/ha	ZONING BY-LAW, PART 2 SECTION 9.1; TABLE 2.9.1 Footnote (a)
AMENITY AREA: TOWNHOUSES: HERITAGE BUILDING: TOTAL:	16 u. x 3 bed. x 25 sm =1,200 sm 1 u. x 3 bed. x 25 sm = 75 sm 1,275 sm	LANDSCAPE (EXCLUDING COMMON OUTDOOR AMENITY AREA): 652.84 sm COMMON OUTDOOR AMENITY AREA: 339.55 sm BALCONIES / DECK / SIDE YARD - 116.05 sm TOTAL: 1,108.44 sm	SECTION 9.1; TABLE 2.9.1
PRIVACY AREA	20 sm per unit	TOWNHOMES VARIES: from 5.57 sm TO 5.92 sm per unit DESIGNATED BUILDING: 11.51 sm	SECTION 9.1; TABLE 2.9.1
LANDSCAPED AREA	6 m abutting a street having a deemed width greater than 26 m	7 m	SECTION 9.2
LANDSCAPED BUFFER	6 m abutting R1, R2, R3 zones	varies (0 m - 5.57 m)	SECTION 9.2
MAX. BUILDING HEIGHT	2 STOREYS	TOWNHOMES: 3 STOREY OVER BASEMENT (13m) HERITAGE HOUSE: 3 STOREY OVER BASEMENT	ZONING BY-LAW, PART 1 SUBSECTION 2.31; TABLE 2.31.1
GROSS FLOOR AREA		TOTAL: 3,263.4 sm 3,020.8 sm NEW + 242.6 sm EX. HERITAGE HOUSE TOWNHOUSES: 12 X 185.8 sm = 2,229.6 sm GFA 4 X 197.8 sm = 791.2 sm GFA HERITAGE BUILDING = ± 242.6 sm (INCL. FINISHED ATTIC, EXCL. BASEMENT)	
FLOOR AREA RATIO	N/A	TOTAL FLOR AREA GROSS BUILDING: 3,701.39 sm TOWNHOUSES: 3,369.36 sm HERITAGE BUILDING = 332.03 sm 3,844.43 sm /4,043 sm = 0.92	

PARKING REGULATIONS

ITEM	BY-LAW REQ.	PROVIDED	SOURCE
RESIDENTIAL PARKING SPACES	2 SPACES PER UNIT 2 x 17 = 34 SPACES	34 SPACES / 17 UNITS = 2.0 SPACES PER UNIT	SUBSECTION 2.25; TABLE 1.2.6
VISITOR PARKING SPACES	0.25 SPACES PER UNIT 0.25 x 17 = 4.25 SPACES	5 SPACES / 17 UNITS = 0.29 SPACES PER UNIT	SUBSECTION 2.25; TABLE 1.2.6
TOTAL PARKING SPACES	39 SPACES	39 SPACES (INCL. 1 B.F.)	SUBSECTION 2.25; TABLE 1.2.6
REQUIRED NUMBER OF B.F. SPACES (EXCL. 20% OF RES. UNITS)	5 TO 50 SPACES: 1 DESIGNATED ACCESSIBLE PARKING SPACE.	1 SPACE	SUBSECTION 2.26; TABLE 1.2.7
PARKING SPACE DIMENSIONS (m)	MINIMUM WIDTH OF 2.75 m AND A MINIMUM AREA OF 16.5 sq.m.	3.0 m WIDTH x 5.5 m DEPTH = 16.5 sq.m AREA RESIDENTIAL UNITS 2.75 m WIDTH x 6 m DEPTH = 16.5 sq.m AREA VISITORS PARKING	SUBSECTION 2.26 (1) (a)
INTERNAL PRIVATE GARAGE DIMENSIONS (m)	6.0 m DEPTH x 3.0 m WIDTH x 2.0 m HEIGHT	6.0 m DEPTH x 3.0 m WIDTH x 2.0 m HEIGHT	SUBSECTION 2.26 (1) (a)
B.F. PARKING SPACE DIMENSIONS (m)	6.0 m DEPTH x 3.0 m WIDTH x 2.0 m HEIGHT	6.0 m DEPTH x3.0 m WIDTH x 2.0 m HEIGHT	SUBSECTION 2.26 (9) (b)

REVISIONS

NO.	DATE	PARTICULAR
1	2023.06.12	ISSUED FOR CLIENT'S REVIEW
2	2023.07.26	EXISTING DWG ISSUED FOR REFERENCE
3	2023.08.09	PER MEETING W/CITY FOR CLIENT'S REVIEW
4	2023.08.10	ISSUED FOR PRE-CON
5	2023.08.31	ISSUED FOR CLIENT'S REVIEW
6	2023.09.20	MODIFIED PER CLIENT REQ.
7	2023.11.22	MODIFIED PER CLIENT REQ. (ELEVATOR)
8	2024.01.12	MODIFIED PER CLIENT REQUEST
9	2024.02.07	MODIFIED PER CLIENT REQUEST
10	2024.03.01	ISSUED FOR CLIENT REVIEW
11	2024.03.06	ISSUED FOR CONSULTANT COORD.
12	2024.03.21	ISSUED FOR CONSULTANT COORD.
13	2024.04.03	ISSUED FOR CONSULTANT COORD.
14	2024.04.05	ISSUED FOR CONSULTANT COORD.
15	2024.05.03	ISSUED FOR CONSULTANT COORD.
16	2024.09.13	ISSUED FOR CONSULTANT COORD.
17	2024.09.26	ISSUED FOR CONSULTANT COORD.
18	2024.10.21	ISSUED FOR CLIENT REVIEW
19	2024.11.08	ISSUED FOR CONSULTANTS COORD.
20	2024.12.09	ISSUED FOR ZBA

NOTES:

PRELIMINARY
NOT TO BE USED FOR CONSTRUCTION

Reproduction of drawings and related documents in whole or in part is forbidden without written permission of The Ventin Group.

All dimensions and measurements must be Checked and Verified by the General Contractor

KEY PLAN:

CLIENT:
2381792 ONTARIO LTD.

PROJECT:
22335

496 WALKERS LINE DEVELOPMENT

490-508 WALKERS LINE, BURLINGTON

ORIGINAL PAGE SIZE ARCH D - 24" x 36"
KEY TO DETAIL LOCATION:
A/B A - DETAIL NO.
B - DETAIL NO. ORIGIN

+VG ARCHITECTS
THE VENTIN GROUP LTD

CN
N

SITE PLAN

A1.1

DRAWN BY : XX CHECKED BY : XX

Plot Date: Dec 09, 2024 - 10:19am By: Jose Compos Filename: K:\TVG-Brantford\496 Walkers Line Burlington - 22335\Drawings\Design\490-508 Walker's line - 2024.11.28.dwg

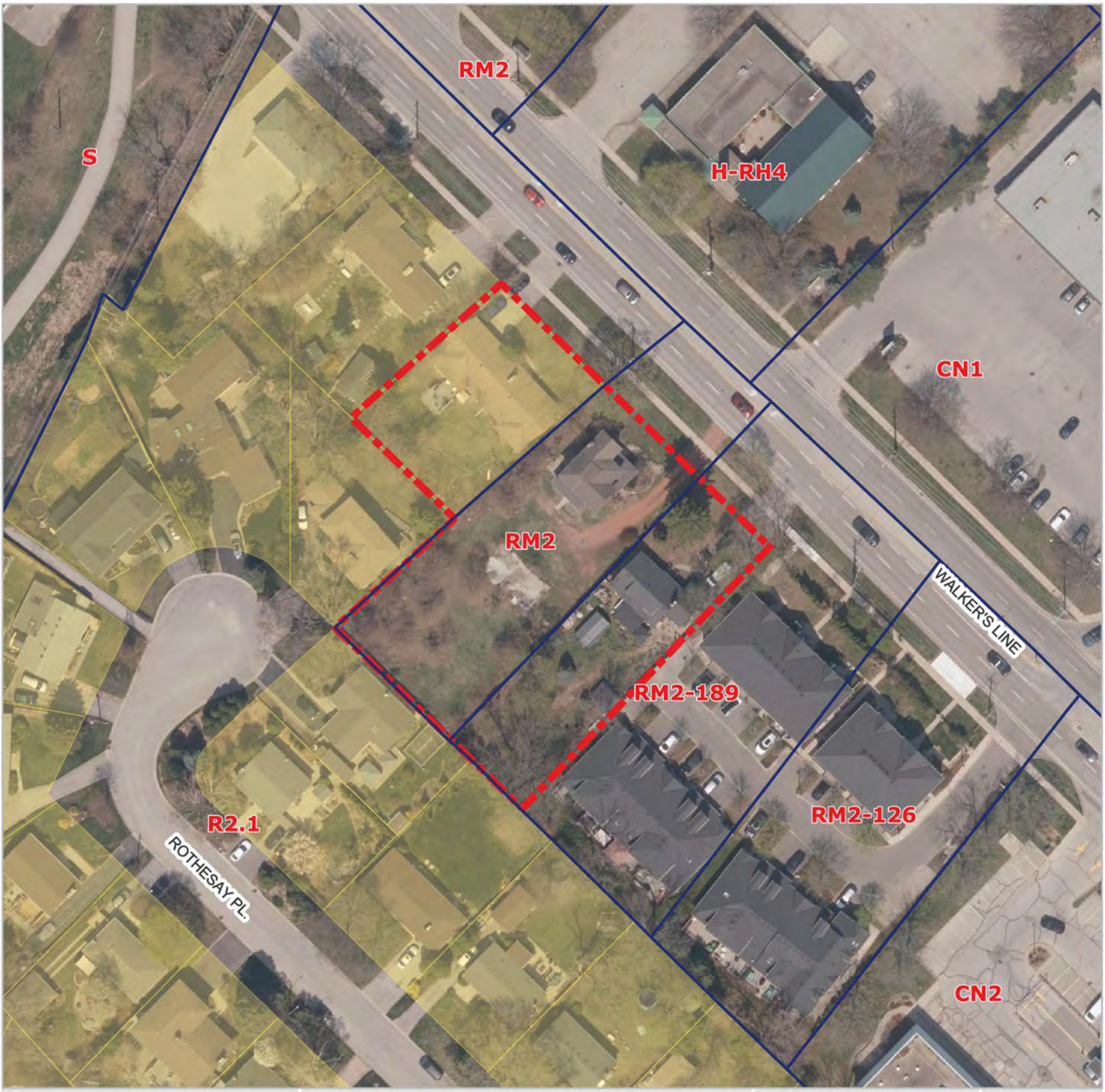


Figure 5
Zoning By-law 2020

LEGEND

- Subject Lands
- Zoning Bylaw
- Designated area for lot coverage

Date:	April 2024
Scale:	1:1,000
File:	22201A
Drawn:	PL

north

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490-508 Walker's Line
City of Burlington
Halton Region

Image Source: City of Burlington 2023 Air Photo

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4.0 Policy Analysis

The following sub-sections include a review of the land use policy framework as it applies to the subject lands, and a summary of how the proposal is consistent with or conforms to this framework.

4.1 Provincial Planning Statement (2024)

The Provincial Planning Statement, 2024 (the "PPS") was issued by the Province of Ontario in accordance with Section 3 of the Planning Act. The 2024 PPS applies to all decisions regarding the exercise of any authority that affects a land use planning matter made on or after October 20, 2024.

The Provincial Planning Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Planning Statement sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians. The 2024 PPS has an increased focus on the provision of housing when compared to the 2020 PPS, and references the Provincial goal of 1.5 million homes built by 2031.

Under the 2024 PPS Municipalities are directed to provide sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of at least 20 years including an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area. Planning authorities are directed to maintain at all times, the ability to accommodate residential growth for a minimum of 15 years through lands which are designated and available for residential development.

One of the key considerations of the PPS is that planning decisions 'shall be consistent' with the Planning Statement. The following is an analysis of the proposed development in the context of the policies in the PPS.

4.1.1 Housing

Section 2.2 of the PPS directs Planning authorities to provide an appropriate range and mix of housing options and densities to meet projected needs of current and future residents by

a) establishing minimum targets for the provision of housing that is affordable to low- and moderate-income households and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs;
b) by permitting and facilitating all types of residential intensification including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;
c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and
d) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.

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

4.1.2 Settlement Areas

Section 2.3.1 of the PPS provides that direction that settlement areas shall be the focus of growth and development and further states that land use patterns within settlement areas should be based on densities and a mix of land uses which:

a) efficiently use land and resources;
b) optimize existing and planned infrastructure and public service facilities;
c) support active transportation;
d) are transit-supportive, as appropriate; and
e) are freight-supportive.

The subject lands consist of three residential lots that have been consolidated into one larger parcel of land for allowing for redevelopment of an underutilized lot. The subject lands contain three residential dwellings, one of which at 496 Walker's Line, which contains a designated built cultural heritage resource. The proposed development provides for modest intensification of the underutilized and oversized lots located within City's Urban Area.

The subject lands are in a desirable location for intensification, as they are in proximity to a range of uses and are well serviced by the existing infrastructure and transit, active transportation and road networks. The lands are located proximately to Regional Roads (Walker's Line, New Street and Fairview Street), provincial highways (QEW) and various bus routes. The subject lands are also located near existing commercial, institutional and open spaces uses, including Centennial Trail, Makwendam Public school, Nelson High School, St. Raphael Catholic Elementary School and Strathcona and Iroquois parks.

The proposed development will make use of existing infrastructure and public service facilities and will not require extension of infrastructure. As outlined in the Functional Servicing Report, prepared by KWA Site Development Consulting Inc., municipal services are adequate to support the proposed development. Thus, redevelopment of the subject lands will make more efficient use of land, infrastructure and public services within the developed area, which is consistent with the PPS objective for efficient development patterns that optimize the use of land, resources and public investment in infrastructure.

The proposed development represents a compact form of development with a total of 17 units (including the retained CHR) where there are currently three, resulting in a modest increase in density and a more efficient use of the lands and infrastructure. The proposed development is designed to accommodate multiple residential units in the form of townhouses, which will contribute to the range and mix of housing types offered in the City of Burlington. The proposal efficiently uses the land and supports the existing active and public transit network through its proximity to existing bus transit and the Centennial Bikeway.

4.1.3 Settlement Areas

Policy 3.3.3 of the PPS states that Planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified. New development proposed on adjacent lands to existing or planned corridors and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, or where avoidance is not possible, minimize and mitigate negative impacts on and adverse effects from the corridor and transportation facilities.

The proposed development is well-connected to the existing road network with access to Walker's Line, which provides connections to New Street and Fairview Street and other intersection points further north including the QEW Highway, which is located within 1000 metres from the site and can be accessed from Walker's Line. Accordingly, the subject lands are also well-connected to the broader provincial road network.

As discussed, the subject lands are within walking-distance to existing transit routes along Walker's Line, New Street and Rexway Drive, which connect to the remainder of the City. At present, Burlington Transit service operates along Walker's Line (Route 25), with the nearest stop being located approximately 30 metres west of the subject lands. Schedule B-2 of the City's Official Plan identifies Walker's Line as a candidate for becoming a Frequent Transit Corridor, which would increase the level of transit service to the area.

Furthermore, the subject lands are close to various active transportation facilities and routes, including cycling routes along Centennial Trail, as well as dedicated bike lanes along Walker's Line and shared use pathways along Spruce Avenue.

In summary, the subject lands are well serviced by various transportation modes including active transportation. This ease of access will allow residents to rely less on personal vehicles and instead consider alternative options for daily transit. Walker's Line is designated as a Candidate Frequent Transit Corridor, which is a priority component of Burlington's public transit network and has existing and/or planned uses and street design conditions to enable frequent transit service. As a candidate for this designation, Walker's Line may receive more frequent transit service in the future, as the neighbourhood continues to develop. The proposed development of the subject lands at the proposed density will help support the transit use and the planned function of the planned transit corridor.

4.1.4 Cultural Heritage and Archaeology

Section 4.6 of the PPS states that protected heritage property, which may contain built heritage resources or cultural heritage landscapes shall be conserved. The subject lands contain a built cultural heritage resource (the Walker House), which was designated under Section IV of the Ontario Heritage Act in July of 2023. The house is being retained in "situ" and has been incorporated into the redevelopment of the subject lands. The cultural heritage resource will be further protected through a Conservation Plan which will be implemented as part of the site plan approval process. The Conservation Plan will outline any conservation work that has to be done and the timing for the completion of these works.

Based on the above, the proposed Zoning By-law Amendment is consistent with the policies of the Provincial Planning Statement.

4.2 Halton Official Plan 1995

On July 1, 2024, through changes to the *Planning Act*, the Province identified the Region of Halton as an "upper-tier municipality without planning responsibilities". As a result, the Regional Official Plan is no longer an official plan for the Regional Municipality of Halton. Instead, it has been deemed an official plan of each of the lower-tier municipalities in Halton (City of Burlington, Town of Halton Hills, Town of Milton, and Town of Oakville), until it is revoked or amended by the respective municipality.

This means that there are now three Official Plans which apply to the City of Burlington- parts of the *Halton Regional Official Plan, 1995*, parts of the *Burlington Official Plan, 1997*, and parts of the *Burlington Official Plan, 2020*.

4.2.1 Urban Area and Regional Urban Structure

Section 72 of the Halton Official Plan states that the goal of the Urban Area is to manage growth in a manner that fosters complete communities, enhances mobility across Halton, addresses climate change, and improves housing affordability, sustainability, and economic prosperity.

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;
4. To ensure that growth takes place commensurately both within and outside the Built Boundary;
5. To establish a rate and phasing of growth that ensures the logical and orderly progression of development, supports sustainable and cost-effective growth, encourages complete communities, and is consistent with the policies of this Plan;
6. To identify a Regional Urban Structure that directs growth to Strategic Growth Areas and protects Regional Employment Areas;

7. To plan and invest for a balance of jobs and housing in communities across the Region to reduce the need for long distance commuting and to increase the modal share for transit and active transportation;
8. To promote the adaptive re-use of brownfield and greyfield sites;
9. To facilitate and promote intensification and increased densities;
10. To provide for an appropriate range and balance of employment uses including industrial, office and retail and institutional uses to meet long-term needs;
    a. To direct where employment uses should be located and to protect areas designated for such uses; and
11. To provide opportunities for post-secondary education facilities to locate within Halton.

The proposed development conforms to the Urban Area policies by providing increased housing options within Burlington, through a modest form of intensified use of land. While the subject lands are located within the Built Boundary and the Urban Area, the lands are located within "Residential Area" Urban Structure and are therefore not the focus area for growth. The proposed development is of a compact urban form that will help support transit usage and will make better use of existing infrastructure including transit.

4.2.2 Transportation

The subject lands are located along Walker's Line, which is designated as a Minor Arterial Road on Map 3 of the Halton Official Plan. Walker's Line is connected to Fairview Street Road to the north, both are a Minor Arterial Roads, and New Street to the south, another Minor Arterial Road. Minor Arterials serve mainly local traffic demands, accommodate local truck traffic and local transit services, carrying moderate to high levels of traffic, and accommodate active transportation.

The proposed development is supported by the Minor Arterial Road network, as well as the transit service within the Neighbourhood Residential Area of the Urban Area. All three objectives of a balanced transportation network as outlined in Section 172(2) which include:

a) reduction on automobile dependency;
b) safe, accessible and affordable and efficient transit system that is competitive with the automobile; and,
c) promotes active transportation.

This development is well-connected to transit, bike routes as well as multi-purpose trails, which all encourage active transportation and reduce the need to use the automobile. The lands are identified in Burlington's OP as a candidate for frequent transit service, which would provide more transit services to this area and this development would help support this regional

transportation objective. The density proposed will help contribute towards transit usage and active transportation opportunities in the area. This development and the associated density will help contribute towards the increase in modal split for transit usage to 20%.

Summary

As established through this section, the proposed development conforms to the Halton Official Plan.

- The proposed development will contribute to the intensification target through the provision of 16 townhouse units plus one single detached unit totaling 42 units per hectare for the proposed development, which aligns with the Halton and Burlington objectives of permitting densities up to 75 units per hectare;
- The proposed development provides a medium density housing option that more efficiently utilizes the site than current uses, providing a more sustainable and environmentally friendly use of the site;
- The design of the proposed development promotes public transit and active transportation through proximity and ease of access; and
- The proposed development contributes to an increased number of residents with access to public transit.

The proposed development will result in a neighbourhood with more housing options through a modest increase in density that aligns with official plan density objectives and will provide residents with easy access to a multi-modal transit system, in an efficient and sustainable manner. Therefore, the development conforms to the Halton Official Plan.

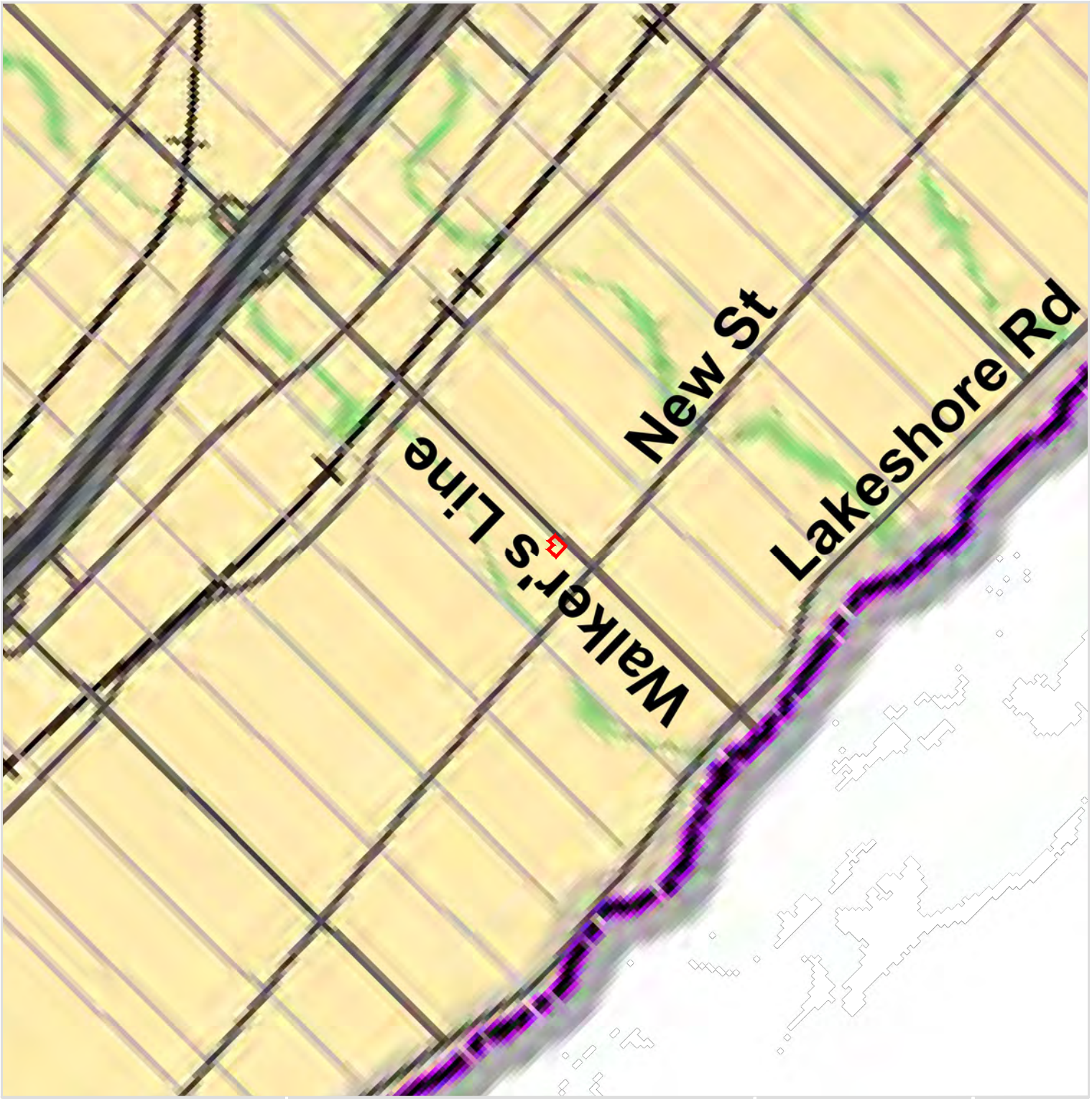


Figure 6
Region of Halton Official Plan Map 1 - Regional Structure

490-508 Walker's Line
City of Burlington
Halton Region

LEGEND

- Subject Lands
- Rail Line
- Major Road
- Provincial Freeway
- Lot and Concession Line
- Urban Area
- Regional Natural Heritage System
- Regional Urban Boundary

DATE:	April, 2024
SCALE:	1: 25,000
FILE:	22201A
DRAWN:	PL

north

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Figure 7
Region of Halton Official Plan Map 3 - Functional Plan of Major Transportation Facilities

490-508 Walker's Line
City of Burlington
Halton Region

LEGEND

- Subject Lands
- Major Transit Station Area
- Rail Line
- Major Road
- Lot and Concession Line
- Municipal Boundary

Highway 413 & Northwest GTA Transmission Corridor

- Urban Area
- Commuter Rail Corridor
- Regional Urban Boundary
- Provincial Highway
- Multi-Purpose Arterial
- Minor Arterial
- Provincial Freeway

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Figure 8
Region of Halton Official Plan Map 4 - Right-of-Way Requirements of Arterial Roads

490-508 Walker's Line
City of Burlington
Halton Region

LEGEND

Subject Lands

Urban Area
Regional Urban Boundary
Provincial Freeway / Highway
Rail Line
Major Road
Lot and Concession Line
50m
47m
42m
40m
36m
35m
30m
26m
24m
20m
ROW Shown on Local Official Plans

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4.3 City of Burlington Official Plan (1997)

Under the 1995 City of Burlington Official Plan the subject lands are located within the Urban Planning Area and are more specifically located within the "Residential Area". Lands within the residential area provide for a broad range of residential housing types.

The lands are designated Residential-Medium Density on Schedule B of the Official Plan.

Policy 2.2.1 encourages new residential development and residential intensification within the Urban Planning Area in accordance with provincial growth management objectives while recognizing that the scale and form of intensification must be balanced with other planning considerations such as infrastructure capacity, compatibility and integration with existing residential neighbourhoods, in proximity to employment. The provision of a variety of housing types and tenure are favoured over higher density residential blocks and new residential developments are further encouraged to be compatible with surrounding properties.

Policy 2.2.2d) permits either ground oriented or non-ground oriented housing units with a density ranging between 26 and 50 units per net hectare. Generally, within the Medium Density areas the following built form types are permitted: detached and semi-detached homes, townhouses, street townhouses, attached housing and walk-up apartments provided they meet the density as specified above.

Policy 2.3.1a) intends to ensure that a sufficient supply of suitably designated and serviced residential land is maintained to meet existing and future housing needs. P Planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

New development proposed on adjacent lands to existing or planned corridors and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, or where avoidance is not possible, minimize and mitigate negative impacts on and adverse effects from the corridor and transportation facilities.

Policy 2.3.2 directs that available land in the Urban Planning Area shall maintain a three-year supply of residential units through intensification and development as well as in draft approved and registered plans to meet the anticipated short term housing needs. In addition, a minimum of a 10-year housing supply is to be available to accommodate the long-term housing needs through intensification and redevelopment.

Policy 2.5.1 Encourages residential intensification as a means of increasing the amount of available housing stock through accessory dwelling units, infill, re-development and conversions within existing neighbouhoods, provided that that additional housing is compatible in scale urban design and community features of the neighbourhood.

2.5.2 General Policies sets out Evaluation criteria for intensification.

a) The following criteria shall be considered when evaluating proposals for housing intensification within established neighbourhoods:

i. adequate municipal services to accommodate the increased demands are provided, including such services as water, wastewater and storm sewers, school accommodation and parkland;
ii. off-street parking is adequate;
iii. the capacity of the municipal transportation system can accommodate any increased traffic flows, and the orientation of ingress and egress and potential increased traffic volumes to multi-purpose, minor and major arterial roads and collector streets rather than local residential streets;
iv. the proposal is in proximity to existing or future transit facilities;
v. compatibility is achieved with the existing neighbourhood character in terms of scale, massing, height, siting, setbacks, coverage, parking and amenity area so that a transition between existing and proposed buildings is provided;
vi. effects on existing vegetation are minimized, and appropriate compensation is provided for significant loss of vegetation, if necessary to assist in maintaining neighbourhood character;
vii. significant sun-shadowing for extended periods on adjacent properties, particularly outdoor amenity areas, is at an acceptable level;
ii. viii)accessibility exists to community services and other neighbourhood conveniences such as community centres, neighbourhood shopping centres and health care; (ix) capability exists to provide adequate buffering and other measures to minimize any identified impacts;
i. where intensification potential exists on more than one adjacent property, any re-development proposals on an individual property shall demonstrate that future re-development on adjacent properties will not be compromised
ii. natural and cultural heritage features and areas of natural hazard are protected.

The proposed development of the subject lands will be adequately serviced with available municipal services, has access to nearby trails and parks and is located on an existing transit route. The lands are located along a future frequent transit corridor and is proposed with a residential development that is compatible in scale and massing with the built form in the neighbourhood, which includes townhouses and single detached dwellings. The established

setback, the height and siting of the proposed townhouses were carefully considered in relation to the existing development in the area and seeks to maintain the character of the neighbourhood through thoughtful design, scale and use of materials.

Minimal vegetation will be removed from the subject lands and appropriate tree management and site landscaping methods will be implemented. There will be minimal sun impacts generated by the proposed redevelopment of the lands. As part of this redevelopment, a built cultural heritage resource will be conserved and will remain in "situ" and will be integrated into the overall development concept. The development will be sensitive to the cultural heritage resource and will ensure its prominence is maintained.

In our opinion the proposed development, including the proposed use and density conforms with the 1997 Official Plan.

4.4 City of Burlington Official Plan (2020)

All parts of the Burlington Official Plan (OP), 2020 that were not appealed came into effect on December 23rd, 2020. The 2020 Official Plan sets out a clear vision and establishes strategic priorities for sustainable growth, complete communities, environment and sustainability, economic activity, infrastructure, design excellence, land uses, and public participation. The Purpose of the Burlington Official Plan is to outline a long-term vision of the community and quality of life for Burlington residents through statements of objectives and policies.

Per Schedule C of the Official Plan, the subject lands are designated Residential – Medium Density.

4.4.1 Residential Neighbourhood Areas

The City's Urban Structure policies indicate that each element of the Urban Structure performs a specific function. The Urban Structure includes the following seven components:

1. Mixed use intensification areas;
2. Region of Halton employment areas;
3. Lands designated for employment use;
4. Residential Neighbourhood areas;
5. Natural Heritage System, Parks and Open Space;
6. Mineral Resources area; and,
7. Infrastructure and Transportation Corridors.

The subject lands are located within the Residential Neighbourhood area, which make up a significant portion of the Urban Area. The planned function of these areas is intended to accommodate a wide range of residential uses and forms together with supporting parklands and other land uses such as small-scale commercial uses or home occupations as part of the residential environment. According to Official Plan policies, the Residential Neighbourhood Area is not considered a primary area for intensification. Any development in these areas shall be compatible and should enhance the physical character of the area in accordance with applicable Land Use Policies for the Urban Area as described in Chapter 8 of the OP. A more detailed analysis of these policies as they relate to this development is provided herein.

The subject lands are proposed with a medium density residential townhouse built-form use, which is compatible in scale to a similar townhouse development on lands to the south of the subject lands. The proposed development is also compatible in form and scale with single detached dwellings located to the north and west.

4.4.2 Established Neighbourhood Areas

Section 2.4.2 (3) of the Official Plan identifies the subject lands as being within the Established Neighbourhood Area within the Delineated Built Boundary. Lands within this area are a distinct area within the Urban Area, where intensification is generally discouraged and as such there is an expectation that development or redevelopment will comply with the height and density permissions of the Official Plan. The use, height and density proposed as part of the development concept complies with existing permissions and as such, the proposed development does not require an amendment to the Official Plan and meets this policy direction for the established neighbourhood area.

4.4.3 Cultural Heritage Resources

Section 3.5.2(5) of the Official Plan establishes policies for cultural heritage resources within the land development process. The policy states that all development shall consider the cultural heritage resource and where feasible, incorporate these resources into any development plans in a way that conserves the heritage attributes of the cultural heritage resource. The policy goes on to discuss possible designation and encourages that all options for retention of the cultural heritage resource in its original location should be exhausted.

In this regard, the development contains a designated cultural heritage resource (the Walker House) that will be retained and incorporated into the development of the subject lands. The Walker House is proposed to remain in situ, which is the preferred method of conservation as

per the policy. In conclusion, the development conforms to the cultural heritage policies outlined above.



(Left) Preliminary Rendering illustrating how the Walker House has been retained and incorporated as part of the overall development concept.

4.4.4 Infrastructure, transportation and utilities

The City of Burlington establishes its hierarchy of level of transit services in Section 6.2.3 and further refines the policies in Section 6.2.3(2)(b) which indicates that long range planning will support Intensification Areas with long term frequent transit corridors where the priority will be on providing the highest level of transit service to these areas. While the subject lands are outside of an *intensification area*, transit service to these lands is readily available and this provides an alternative to the future residents of the development to the automobile. Furthermore, Walker's Line is a candidate for a Frequent Transit Corridor service. This development will be well served by the level of transit service in the area and residents have a choice in an alternate mode of travel.

Section 6.2.4 provides policies that encourage active transportation and in particular paragraphs (j) and (k) state that streets, sidewalks and walkways shall be designed to provide for more direct active transportation access from the interior blocks to transit and public right of ways and to develop streetscapes that area safe, accessible and convenient for pedestrians and cyclists. The proposed development integrates direct walkway access to the public sidewalk system along Walker's Line to provide for safe access to the broader street and sidewalk network. This will encourage active transportation of future residents.

4.4.5 Residential- Medium Density

Section 8.3 sets out the policy framework for Residential Neighbourhood Areas (RNA) which are intended to provide housing and other residential supportive land uses that are part of an Urban Residential Environment. A range of housing forms is permitted in the Residential

Neighbourhood Areas, including the townhouse built form contemplated by this development. The RNA's are comprised of three land use designations Residential- Low Density, Medium Density and High Density. The subject lands are designated Residential–Medium Density.

The following is a list of the general objectives of the RNA's:

a) To encourage residential development and residential intensification within the RNA in accordance with all tiers of growth management, while balancing other planning considerations such as available infrastructure and public service facilities and that new development is compatible with existing neighbourhoods;
b) To provide housing in a form and location that supports transit and active transportation;
c) To encourage a range of household sizes and incomes;
d) To encourage a strong live/work relationship within the city by providing housing that reflects the existing and future socio-economic, employment and demographic characteristics of local residents;
e) To provide, where compatible, housing opportunities in proximity to Employment Areas and other land uses that support residential neighbourhoods, such as commercial and recreational activities, in order to improve access to places of work and neighbourhood amenities with a reduced dependence on private automobiles;
f) To provide opportunities for limited small-scale commercial uses within medium and high density residential neighbourhood areas, where compatible, which serve the day-to-day needs of residents without the need for a private automobile;
g) To encourage the integration of a wide range of housing types and tenures within Residential Neighbourhood Areas, including assisted and special needs housing, affordable housing and rental housing;
h) To ensure that development within the Residential Neighbourhood Area is compatible with surrounding properties.

The proposed development provides for gentle intensification in a residential area and offers and alternative built form to the single detached housing in the areas to the west of the subject lands. The townhouse style contemplated by the development is of a size that would be attractive to families and be suitable for persons that no longer wish to have a larger lot but wish to remain in the neighbourhood to age in place. The subject lands area is well located along a street that has access to transit, bike lanes and nearby trails and parks. This encourages alternate forms of transportation including active transportation. The proposed townhouses are appropriately scaled and are compatible with the surrounding development including towns to the south of the subject lands. There are commercial and institutional areas nearby, which provide for a complete community setting and convenience for the residents.

Section 8.3.4 specifically provided direction regarding lands that are designated Residential – Medium Density. Townhouses are ground-oriented dwelling types that are permitted within this designation together with single detached, semi-detached and other multiple built form typologies to a density ranging from 26 to 75 units per hectare, and a height of 3.5 storeys.

The proposed development is proposed for 3.5 storeys and achieves a density of 42 units per hectare. The height and density proposed is therefore consistent with existing permissions as outlined in the 2020 Official Plan.

Based on the above, the proposed development adequately addressed the development criteria for Residential - Medium Density uses established in the Official Plan.

4.4.6 Active Transportation

The proposed development is located along a Candidate Frequent Transit Corridor which has been designed to accommodate sidewalks and bike lanes on both sides. The proposed driveway has connections to Walker's Line, which itself has connections to Centennial Bikeway and the broader transportation network, giving residents easy access to Burlington's active transportation network. Based on the foregoing, the objectives related to active transportation are addressed.

4.4.7 Transit

Presently, the closest public transit stop is located approximately 30 metres to the east on Walker's Line. Walker's Line is a Candidate Frequent Transit Corridor, which has existing and planned land uses and street design conditions that may enable frequent service in the future. The proposed development designed with sidewalks to ensure that access to public transit is efficient, convenient and safe for future residents.

Summary

As established through this section, the proposed development conforms to the 2020 Burlington Official Plan.

- The proposed development will contribute to the minimum density target through the provision of 42 units per hectare for the proposed development;
- The proposed development provides medium density housing options to accommodate the various needs of Burlington residents and contribute to a wider range of housing types available in the City;

- The subject lands are well located with respect to parks, recreational uses (bike trails), schools and existing and future public transit;
- The subject lands are designed to encourage active transportation through the provision of sidewalks on the proposed internal road, and connectivity to the existing active transportation network along Walker's Line;
- The proposed development protects, enhances and conserves the cultural heritage building on the subject lands; and
- The proposed development can be fully serviced through existing infrastructure.

The proposed development will result in a that is safe, attractive, pedestrian friendly and integrated with the surrounding planned community. That promotes a housing option that is compatible with the medium density designation objectives. The future residents of the development have access to public transit and other active transportation options.

Having reviewed all three Official Plans that are in effect, it is our opinion that the proposed development and the proposed implementing zoning conforms with all applicable Official Plan policies.

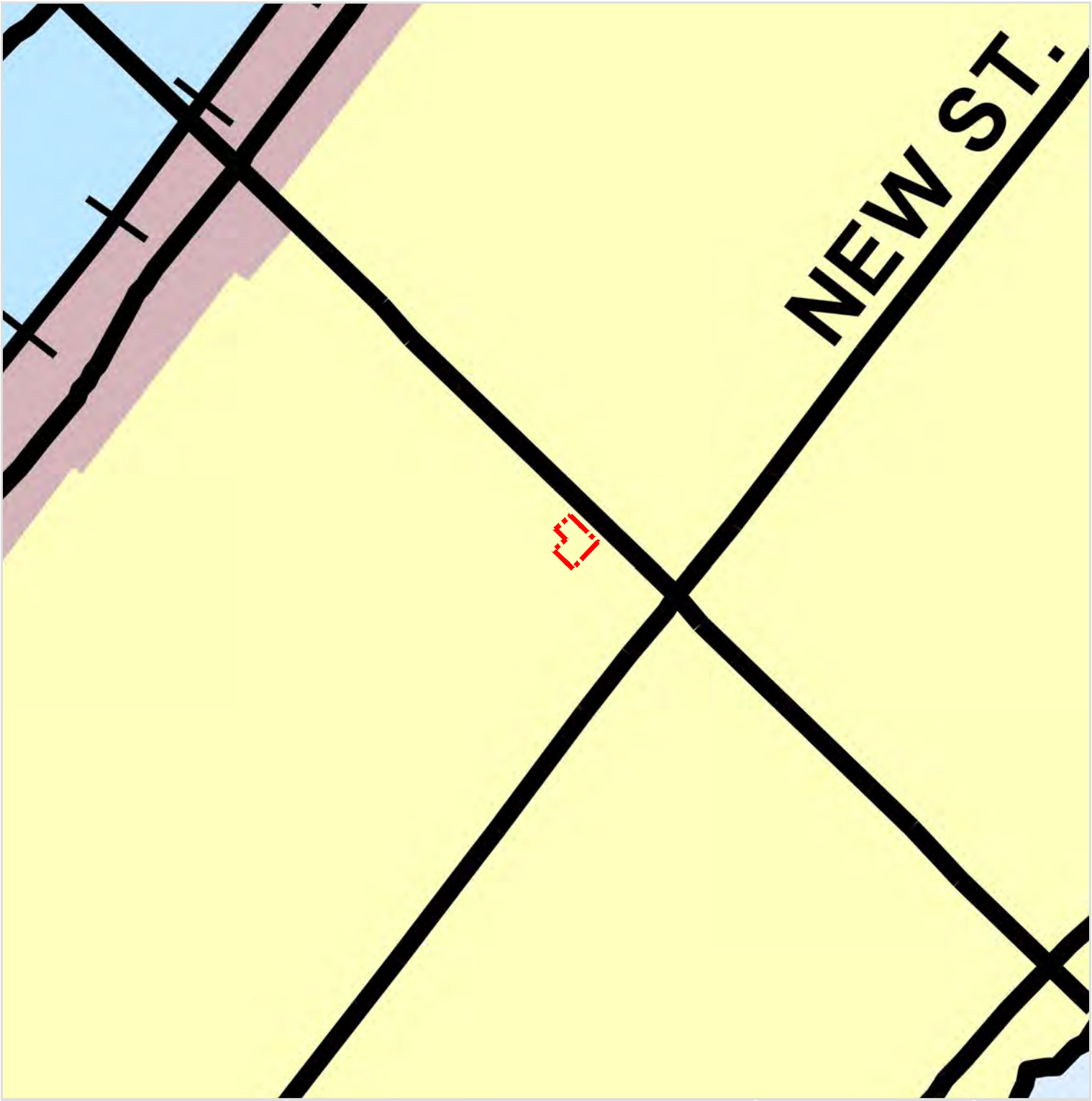


Figure 9
City of Burlington 1997 (updated 2019) Official Plan Schedule A - Settlement Pattern

490-508 Walker's Line
City of Burlington
Halton Region

LEGEND

- Subject Lands
- Residential Areas
- Employment Lands
- Major Retail Areas
- Mixed Use Activity Areas
- Natural Features/Open Space
- Rural Lands
- Rural Settlement Area
- North Aldershot Planning Area
- Urban Planning Area Boundary

DATE:	April, 2024
SCALE:	1: 10,000
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north

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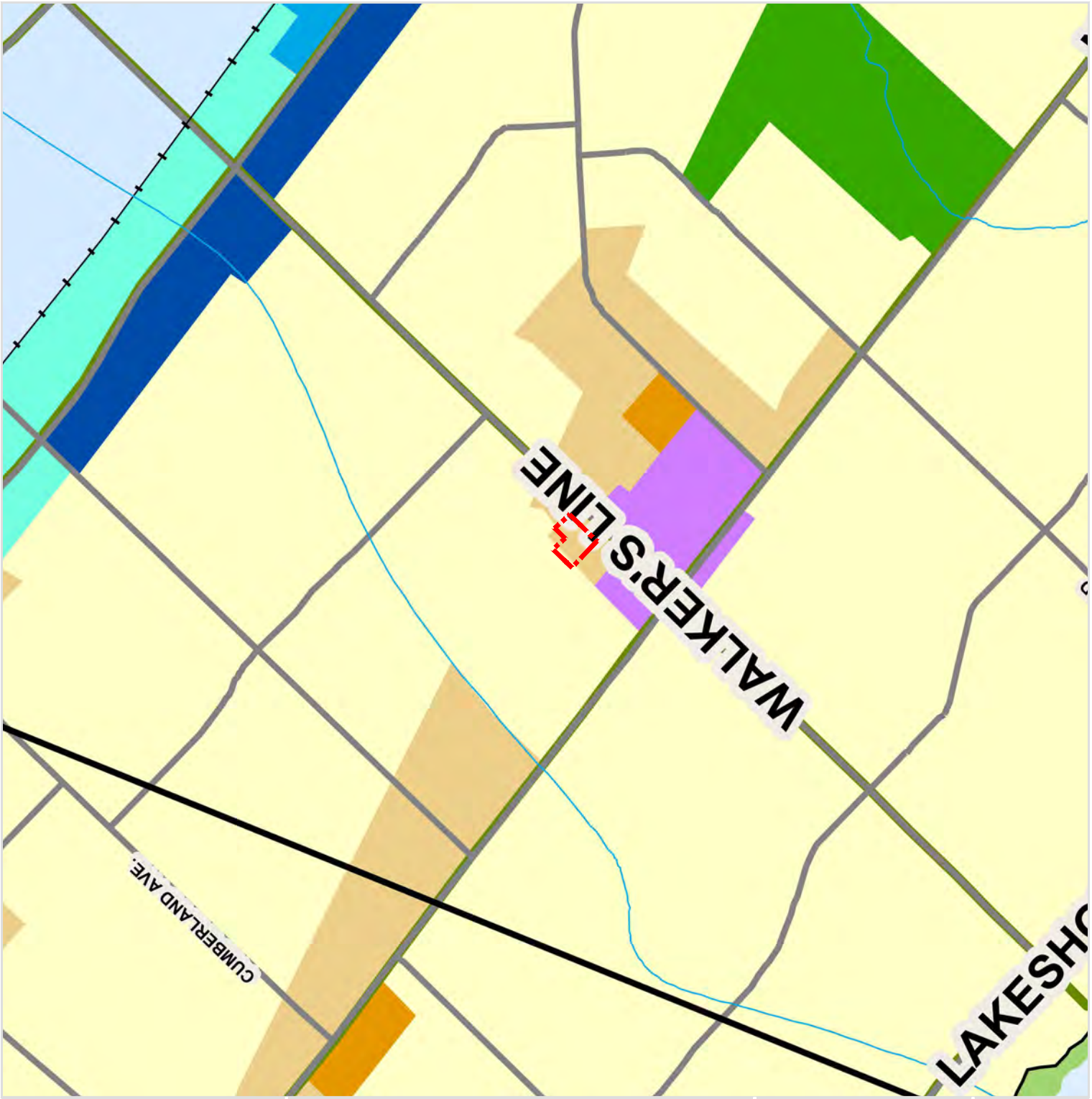


Figure 10
City of Burlington 1997 (updated 2019) Official Plan Schedule B - Comprehensive Land Use Plan - Urban Planning Area

490-508 Walker's Line
City of Burlington
Halton Region

LEGEND

Subject Lands

- Residential - Low Density
- Residential - Medium Density
- Residential - High Density
- General Employment
- Business Corridor
- Regional Commercial
- Community Commercial
- Employment Commercial
- Neighbourhood Commercial
- Mixed Use Centre
- Mixed Use Corridor - General
- Mixed Use Corridor - Commercial Corridor
- Mixed Use Corridor - Employment
- Greenlands
- Major Parks and Open Space
- Environmentally Sensitive Area (Note: Boundaries based on Map 1 of the Region of Halton Official Plan (2006)
- Parkway Belt Plan Area (Note: All lands within Parkway Belt West Plan Area Subject to Deferral *9)
- Land Use Designation to be Determined
- Urban Planning Area Boundary
- Watercourses - Conceptual only, refer to Part III, Section 6.4.2 d
- Former Waste Disposal Site
- Downtown Urban Growth Centre Boundary

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Figure 11
City of Burlington 1997 (updated 2019) Official Plan Schedule J - Classification of Transportation Facilities - South of No. 1 Side Road

490-508 Walker's Line
City of Burlington
Halton Region

LEGEND

- Subject Lands
- Prov Freeway Interchanges (Full or Partial)
- Transit/Commuter Station
- Commuter Rail Station
- Rail Line
- Minor Arterial
- Multi-Purpose Arterial
- Collector
- Major Arterial
- Provincial Freeway
- Provincial Highway

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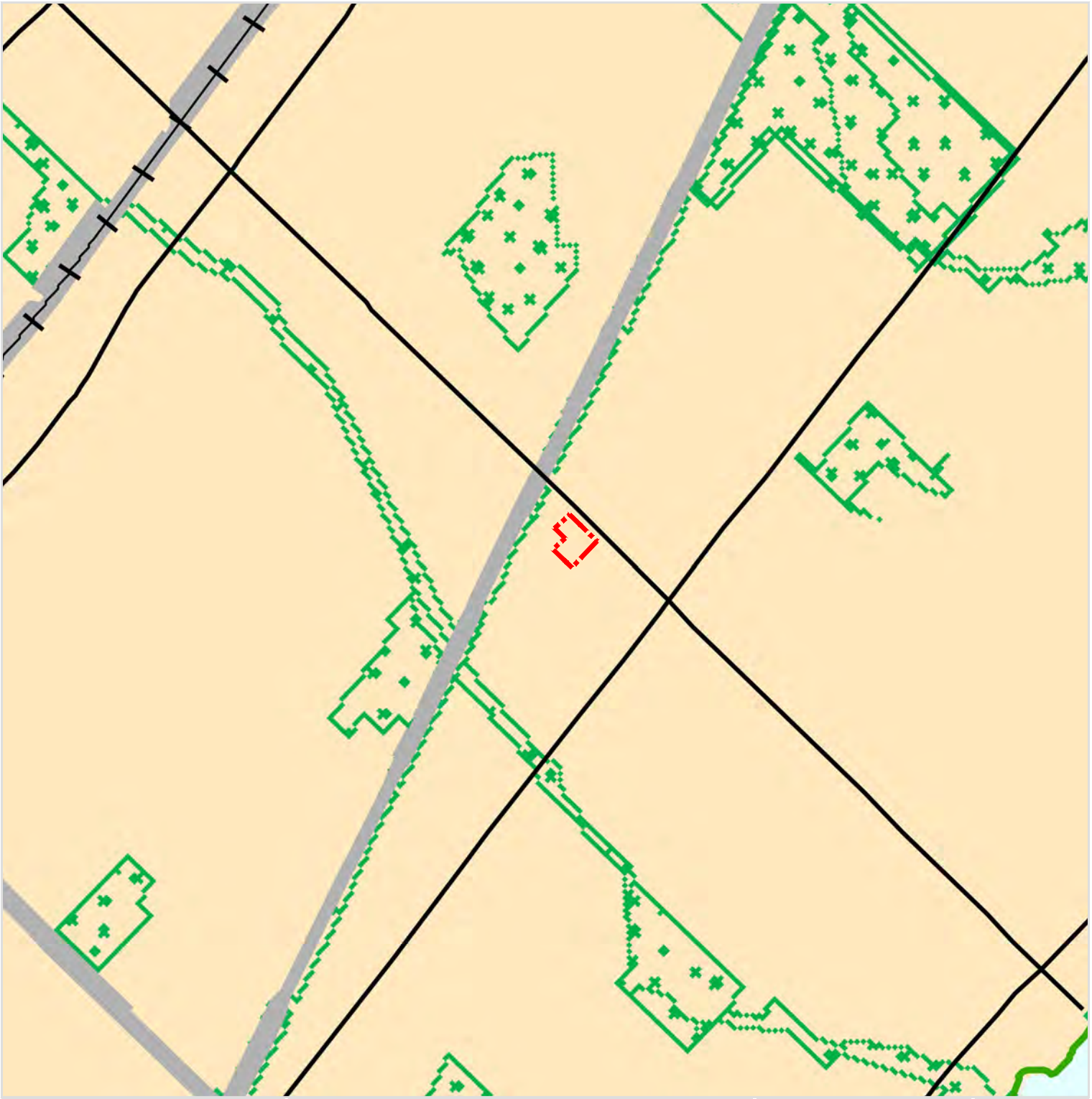


Figure 12
City of Burlington 2020 Official Plan Schedule A - City System

490-508 Walker's Line
City of Burlington
Halton Region

LEGEND

Subject Lands

Areas
- Urban Area
- Rural Area
- Rural Settlement Area Boundary
- North Aldershot

City-Wide Systems
- Infrastructure and Transportation Systems
- Green System

Contextual References
- Municipal Boundary
- Urban Boundary
- Major Transit Station
- Rail Line
- Provincial Freeway
- Major Roads

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Figure 13
City of Burlington New Official Plan Schedule B - City System

LEGEND

Subject Lands

Mixed Use Intensification Areas
- Urban Centres
- MTSA Special Planning Areas
- Mixed Use Nodes and Intensification Corridors

Lands Designated for Employment Uses

Region of Halton Employment Area

Residential Neighbourhood Areas

Natural Heritage System, Major Parks and Open Space

Mineral Resource Extraction Area

Infrastructure and Transportation Corridors

- Bronte Creek Meadows (see Chapter 5)
- Innovation District (see Chapter 5)

Contextual References
- Municipal Boundary
- Urban Boundary
- Delineated Built Boundary
- Urban Growth Centre Boundary
- Parkway Belt West Plan Area
- Major Transit Station
- Rail Line
- Provincial Freeway

490-508 Walker's Line
City of Burlington
Halton Region

DATE:	April, 2024
SCALE:	1: 10,000
FILE:	22201A
DRAWN:	PL

north

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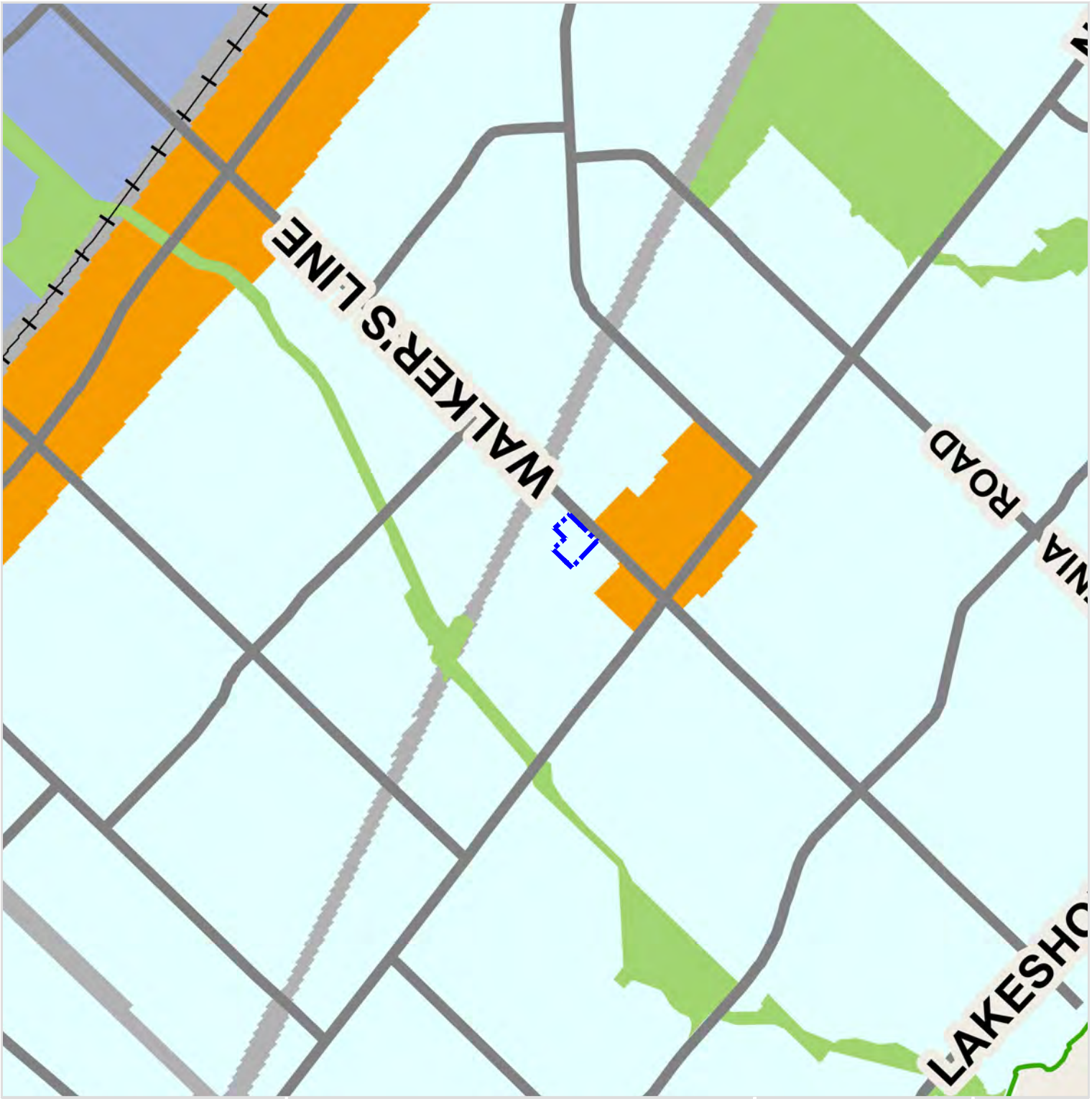


Figure 14
City of Burlington New Official Plan Schedule B1 - Growth Framework

LEGEND

Subject Lands

Growth Areas
- Primary Growth Area
- Secondary Growth Area
- Employment Growth Area
- Established Neighbourhood Area

MTSA Special Planning Areas

Designated Greenfield Area
- Developed Area Outside Delineated Built Boundary
- Undeveloped Area Outside Delineated Built Boundary (not subject to Growth Framework)

Contextual References
- Natural Heritage System and Major Parks and Open Space
- Infrastructure and Transportation
- Municipal Boundary
- Urban Boundary
- Delineated Built Boundary
- Urban Growth Centre Boundary

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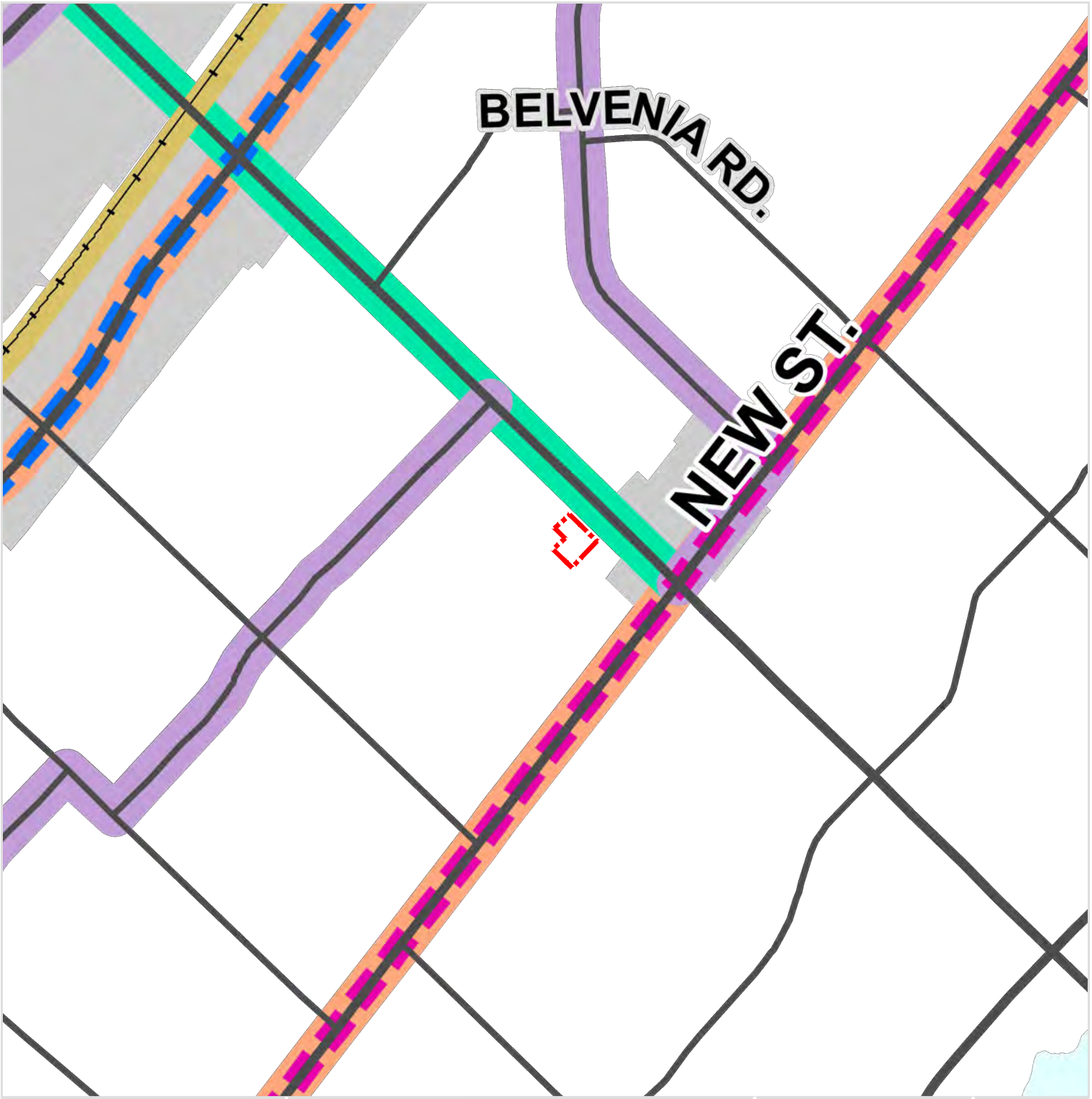


Figure 15
City of Burlington New Official Plan Schedule B2 - Growth Framework and Long Term Frequent Transit Corridors

490-508 Walker's Line
City of Burlington
Halton Region

LEGEND

- Subject Lands
- Primary, Secondary and Employment Growth Areas (See Schedule B-1)
- MTSA Special Planning Areas
- MTSA Primary Connector
- MTSA Secondary Connector
- Frequent Transit Corridor
- Candidate Frequent Transit Corridor
- Transit Support Corridor
- Major Transit Station
- Go Transit Carpool Lot
- Commuter Rail Corridor / Transit Priority Corridor
- Higher Order 407 Transit Corridor
- Rail Line
- Municipal Boundary
- Urban Boundary
- Urban Growth Centre Boundary

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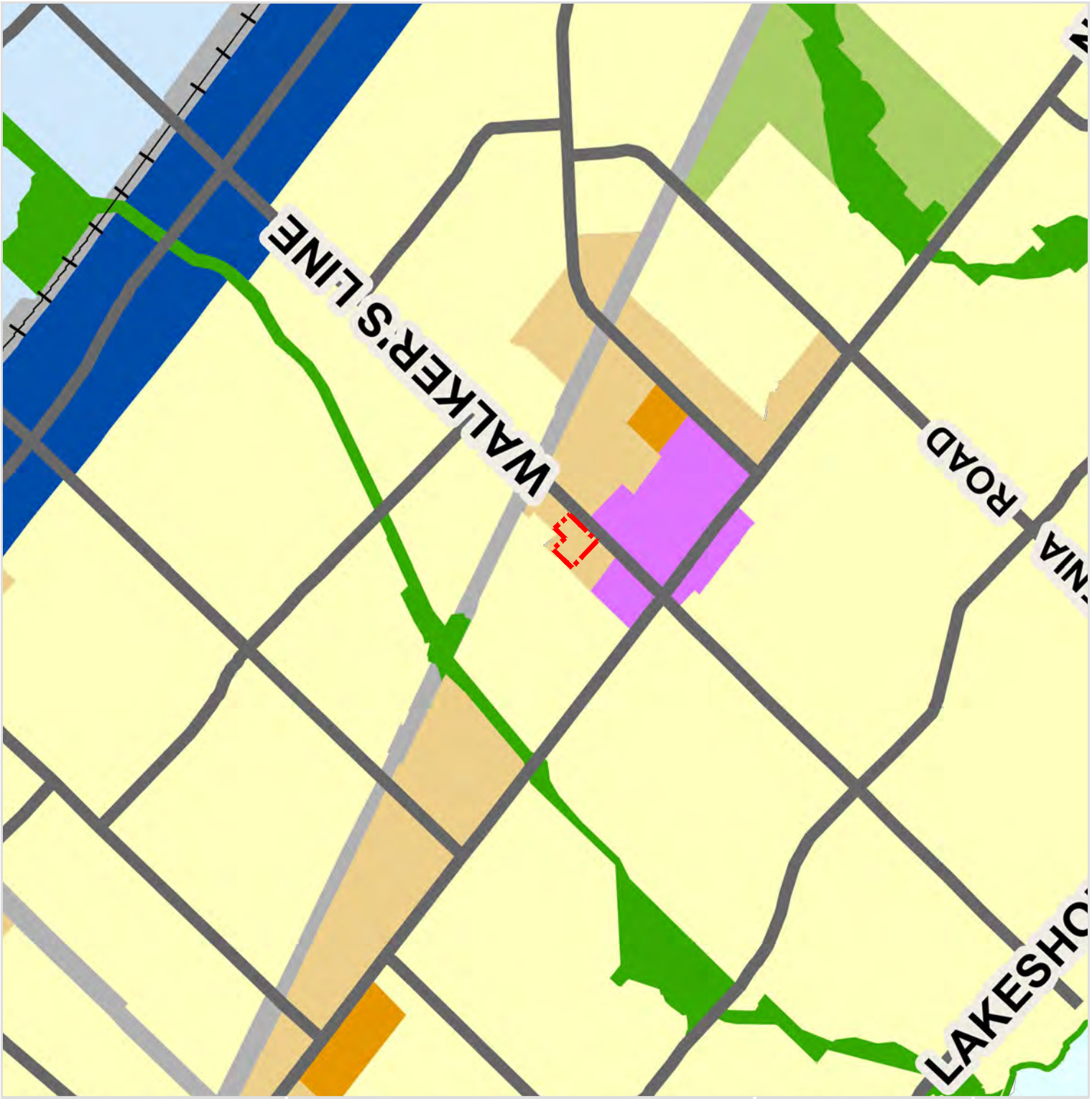


Figure 16
City of Burlington New Official Plan Schedule C - Land Use - Urban Area

LEGEND

Subject Lands

MIXED USE INTENSIFICATION AREAS
- Urban Centres
- Mixed Use Nodes and Intensification Corridors
- Mixed Use Commercial Centre
- Neighbourhood Centre
- Local Centre
- Employment Commercial Centre
- Urban Corridor
- Urban Corridor - Employment

RESIDENTIAL NEIGHBOURHOOD AREAS
- Residential - Low Density
- Residential - Medium Density
- Residential - High Density

EMPLOYMENT LANDS
- General Employment
- Business Corridor

NATURAL HERITAGE SYSTEM AND MAJOR PARKS AND OPEN SPACE
- City's Natural Heritage System
- Major Parks and Open Space

MINERAL RESOURCE EXTRACTION AREA

INFRASTRUCTURE AND TRANSPORTATION CORRIDORS

CONTEXTUAL REFERENCES
- Municipal Boundary
- Urban Boundary
- Urban Growth Centre Boundary
- Special Street (Tremaine Dundas Secondary Plan)

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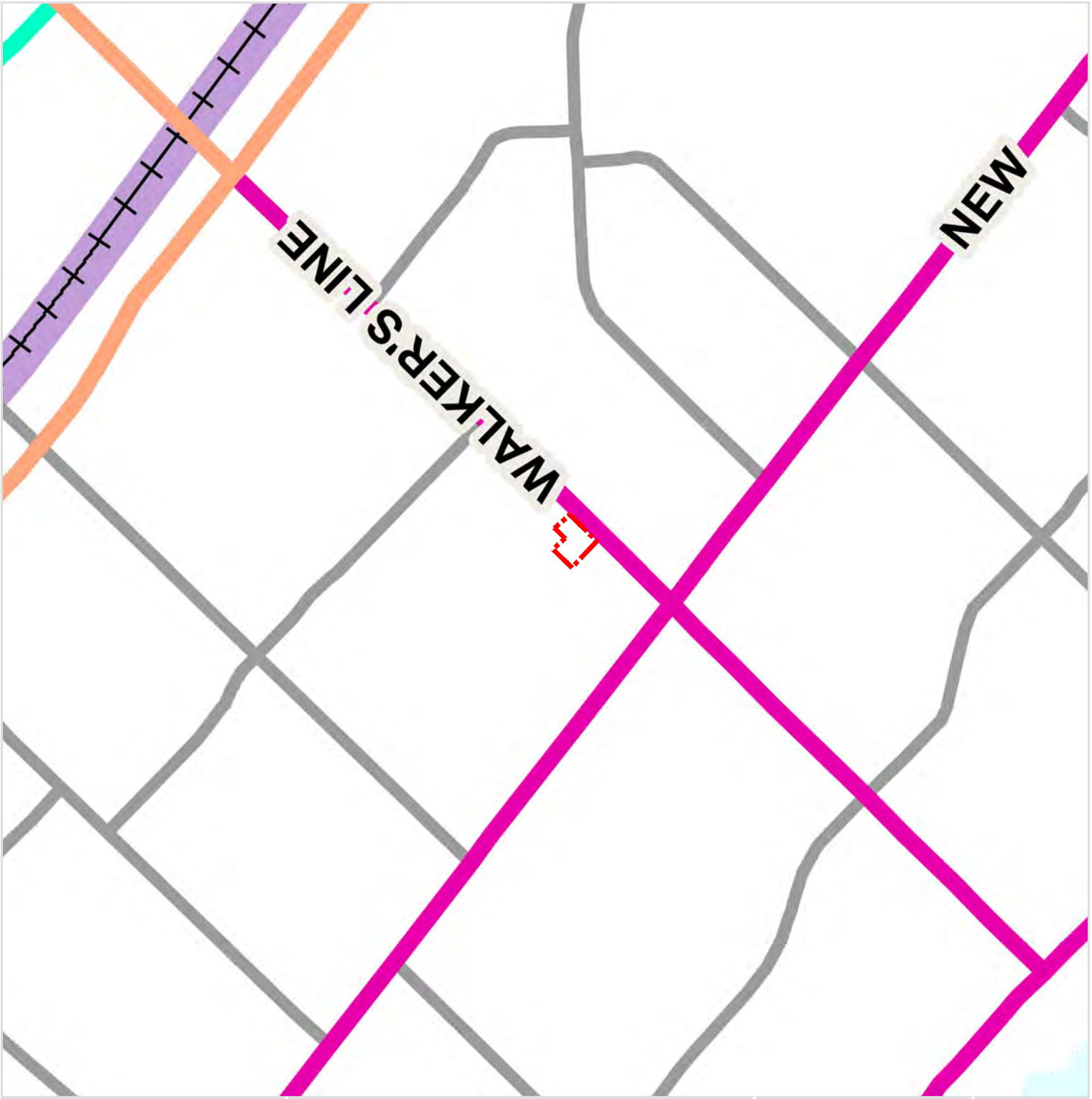


Figure 17
City of Burlington New Official Plan Schedule O-1 - Classification of Transportation Facilities - Urban Area

490-508 Walker's Line
City of Burlington
Halton Region

LEGEND

Subject Lands

- Provincial Freeway
- Provincial Highway
- Major Arterial
- Multi Purpose Arterial
- Urban Avenue
- Main Street
- Industrial Connector
- Neighbourhood Connector
- Proposed Roads
- Special Street (Tremaine Dundas Secondary Plan)
- Regional Road
- Major Transit Station
- Go Transit Car Pool Lot
- Rail Line
- Commuter Rail Corridor
- Higher Order 407 Transit Corridor (Regional Official Plan)
- Municipal Boundary
- Urban Boundary
- Urban Growth Centre Boundary
- Urban Centres

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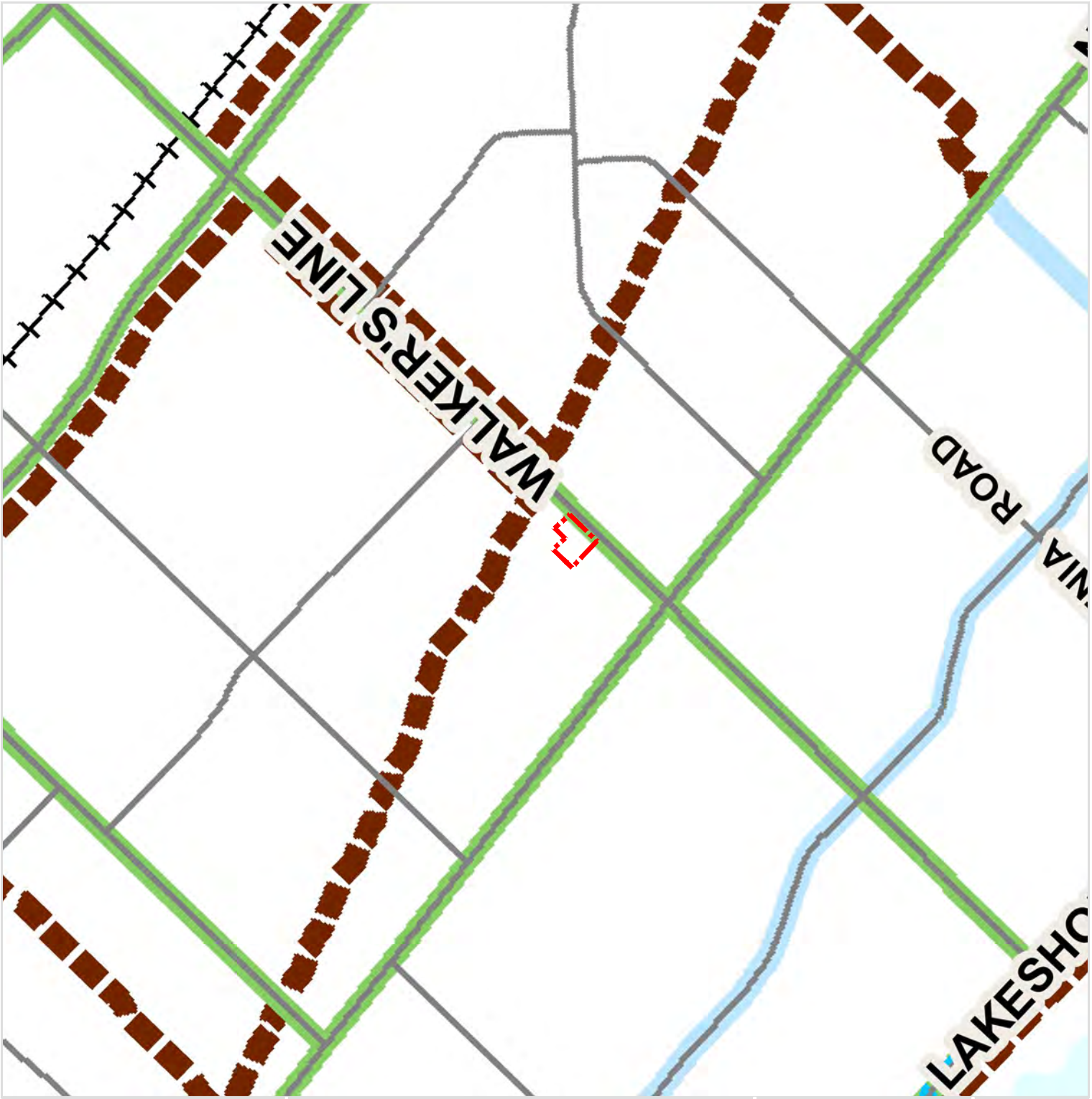


Figure 18
City of Burlington New Official Plan Schedule P - Long Term Cycling Master Plan

LEGEND

Subject Lands

City Bike Network	Regional Bike Network	Contexual References
Bike Lane	Bike Lane	MajorTransit Station
Bicycle Priority Street	Buffered Bike Lane	Go Transit Car Pool Lot
Paved Shoulder	Boulevard Trail	Regional Road
Signed route	Boulevard Multi-Trail	Municipal Boundary
Multi-Use Path	Waterfront Trail	
Grade Separated Crossing	Paved Shoulder	
Highway Interchange Crossing	Interchange Improvement	

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Figure 19
City of Burlington New Official Plan Schedule Q - Trails Strategy

490-508 Walker's Line
City of Burlington
Halton Region

LEGEND

Subject Lands

Existing Trails
- Existing Multi-Use Trail (Within Road Right-of-Way)[1]
- Existing Off-Road Multi-Use Trail (Outside of Road Right-of-Way)[2,3]
- Existing Off-Road Trail (Outside of Road Right of Way)
  Trail and Surface Type Varies

Other Regional Trails / Routes[3,4]
- Existing Bruce Trail and Side Trail[4]
- Waterfront Trail / Trans Canada Trail
- Greenbelt Cycling Route

Proposed Trails and Critical On-Road Connections[5,6]
- Proposed Multi-Use Trail Connection (Within Road Right-of-Way)
- Proposed Multi-Use Trail Connection (Outside of Road Right-of-Way)
- Proposed On Road Connections - Proposed in Community Trails Strategy[7]
- Proposed On Road Connections Per Cycling Master Plan[8]

Connection Points to Surrounding Municipalities
(Identified in Surrounding Municipal/Regional Plans)

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4.5 City of Burlington Zoning By-law

4.5.1 Existing Zoning

The subject lands are currently zoned Residential Low Density (R2.1), Residential Medium Density (RM2) and Medium Density RM2 (189) with a site-specific provision that permits only townhouses (refer back to Figure 5). A Zoning By-law Amendment is required to rezone the entire property as RM2. Site specific regulations are also proposed.

4.5.2 Zoning Analysis

The townhouse use is already permitted the portion of the lands zoned RM2 and through the proposed Zoning By-law Amendment will be permitted on the entire lands, which better implements the current land use designation of the Official Plan. Site-specific provisions are required to implement the proposed development concept. It is proposed that the existing site-specific provision (189) be replaced with the proposed site-specific provisions outlined herein.

The proposed zoning of the subject lands is RM2 with site specific provisions. Table 4 confirms compliance with the various regulations of the RM2 zone. Regulations requiring modification through site specific regulations are shown with an *:

Table 4 – Zoning Compliance Table

RM2 Zone	Required	Provided	Complies
Min. Lot width	45m	69.8	yes
Min. Lot area	0.4ha	0.4043 ha	yes
Front yard	9m	7m	no*
Rear yard	9m	17.4 m	yes
Side yard	4.5m	2.5 m	no*
Street side yard	6m	n/a	n/a
Yard abutting R1, R2, R3 zone	9m	3.1 m-17.4 m	no*
Density (Minimum)	25 units/ha	42 units/ha	yes
Density (Maximum)	40 units/ha	42 units/ha	no*
Min. Amenity Area (25 m^2 per bedroom)	1275 m^2	1108.44 m^2	no*
Privacy Area (20 m^2 per unit)	20 sm/unit	5.57-11 m^2	no*

Min. Landscaped Area Abutting a Street	6m	7m	yes
Min. Landscaped Buffer abutting R1, R2, R3 zones	6m	Varies (0m-8.89m)	no*
Maximum Building Height (Walker House)	3 storeys	2.5 storeys	yes
Maximum Building Height (Townhomes)	3 Storeys	3 storeys over basement / 13 metres	no*
Min. Residential Parking (2 spaces/unit)	34 spaces	34 spaces	yes
Visitor Parking (0.25 spaces/unit)	5 spaces	4 spaces (0.2 spaces/unit)	no*
Barrier Free Parking	1 designated space	1 space	yes

4.5.3 Proposed Zoning Site-Specific Provisions to the RM2 zone

The following provides an analysis with respect to the requested site-specific provisions required to permit the development. A draft Zoning By-law for the proposed development is attached as **Appendix B** to this report.

1. A reduction in front yard setback for roads with widths exceeding 30 metres from 9.0m to 7.0m is required. The existing heritage house is set back 6.3m from the property line and the proposed townhouses have been set back to 7.0m. The proposed setback of 7.0m allows the views to the Walker House to be maintained, while not encroaching into the rear yard amenity area. In addition, there is an established built-to street line with the townhouse development to the south of approximately 7.0m. The proposed setback is in keeping with the established setback, thereby creating a continuous streetscape along Walker's Line.

2. A reduction in the south side yard is required from 4.5m to 2.5m. Additional separation space surrounding the heritage house was provided in order to maintain some of the former context surrounding the home while, allowing for unobstructed views from the porch. This necessitated that the townhouse block to the south be further removed from

the Walker House, resulting in the reduced side yard. The side yard is adjacent to the side yard of an existing development and in our opinion, is an appropriate separation between low-rise developments.

The reduction in the total on-site amenity area for the entire development from 1275 sq. m. to 1100 sq. m is required. This is a minor deviation from the required total and will be recognized through the requested variance. The subject lands continue to provide adequate outdoor amenity space for the future residents of the development through a combination of balconies and common outdoor amenity space. Additionally, the site is in proximity to the Centennial Bike Trail and there are three parks within a 5–10-minute walk, which are community amenities that are easily accessible from the subject lands.

It is important to note that the proposed townhouses have not been designed in the typical suburban manner with individual walk out patios in the rear. Rather, the garages were located behind the units. This was intentionally done with the objective to enhance the streetscape along Walker's Line through a pedestrian oriented focus. Each unit has its own private balcony. The large setback required along Walker's Line also limits the ability to provide for more outdoor amenity space.

3. A reduction in the private amenity area per unit from 20 m^2 to 5.00 m^2 is requested. The resultant private amenity space, though reduced, is directly related to the design mentioned in paragraph 3 above. Rather than patios, the units have been provided with balconies, that are smaller than the outdoor patio requirements. The heritage house has been provided with 11.51 m^2 of amenity space.

4. A reduction in the landscape buffer area abutting R1, R2, and R3 zones from 6m to 0 m for the lowest separation point with nearby residential lands. It is important to note that where the greatest interface with R1 lands is located, the greatest setback to the R1 lands has been provided (17.4m) which exceeds and almost triples the required six metres setback. Lands to the west are also designated for Medium Density in the Official Plan and in the fullness of time are anticipated to be developed to implement the OP designation and will require similar Zoning By-law Amendments to achieve this. There is only a small point on the northern boundary no landscape buffer is provided.

5. An increase in density to 42 units per hectare is required to permit the proposed development, whereas the zoning only permits a maximum of 40 units per hectare. In this instance, the parent zoning does not align with the Official Plan, which permits a density of up to 75 units per hectare. Permitting this slight increase in density would conform to the permissions in the Official Plan.

6. An increase in building height from 2 storeys for the Townhouses to 3.5 storeys (13m) is required to permit the proposed development. This would allow the basement to be raised further out of the ground thereby permitting additional natural light to enter the unit. The 3.5 storey height proposed aligns with height permissions of the Official Plan and is compatible with surrounding low-rise residential development.

7. The development concept shows a parking arrangement that would meet the minimum requirements of the zoning by-law. Notwithstanding, a reduction in required visitor parking from 0.25 spaces per unit to 0.20 spaces per unit is being sought. The request is being made to allow for some flexibility in final design in particular as it relates to tree protection and final transformer locations. The current visitor parking requirement is high in comparison to several other municipalities (where 10-15% is more common).

Ultimately, the requested site-specific exceptions are appropriate and will provide flexibility at the detailed site plan stage to accommodate the proposed development. This will allow for a high standard and quality design of townhouse dwelling units that provide a housing choice to area residents.

Summary

Based on the foregoing, the proposed site-specific zoning regulations are considered to be appropriate to implement the proposed development. The proposed implementing zoning will conform to the Official Plan and represents good planning.

5.0 Sustainability

The proposed development will be sustainable by providing a compact form of development within the Delineated Built Boundary area in the City of Burlington. The proposed development represents a more efficient use of the land, while still respecting height and density permissions of the Official Plan.

The site is surrounded by low and medium density residential uses, commercial uses (including a food store), and has access to existing infrastructure and services, including local recreational trails and parks. The existing transportation network, which includes transit service to these lands that is readily available, providing an alternative to the automobile. Furthermore, Walker's Line is a candidate for a Frequent Transit Corridor service. This development will be well served by the level of transit service in the area and residents have a choice in an alternate mode of travel.

The provision of a 16-unit townhouse development together with the retention of the cultural heritage resource known as the Walker House, will contribute a compact form of development and provides a range of housing options in the area, which is well served by public transit.

To encourage active transportation, bicycle parking inside each unit has been provided and the proximity of nearby trails (Centennial Trail) and bike routes facilitates other modes of active transportation rather than solely relying on the automobile.

The site servicing and storm water management for the subject lands will provide for efficient upgrades to storm infrastructure that will attenuate the storm on the site and into the sewers in Walker's Line in an efficient manner, thereby making better use of the City's infrastructure.

The buildings are oriented toward Walker's Line and are designed with a highly efficient building envelope and quality building materials. The mid-rise building design ensures little to no shadow impacts onto adjacent buildings thereby allowing more sun exposure and reduced energy consumption for heating.

The site also has a large outdoor amenity common area that is grassed and landscaped to provide for permeable soils for infiltration of rainwater. The trees on site and any border trees will be protected from impacts of the development to the extent possible.

The proposed development has been reviewed within the context of the City's "Sustainable Building and Development Guidelines" (2021) and specifically those guidelines that are to be considered at the OPA/ZBA stage. The following table provides responses to the applicable guidelines within this document.

Table 5 – Sustainable Building and Development Guideline Review

Guideline	Response
Adaptive Reuse: Development includes adaptive reuse or rehabilitation of any non-designated heritage buildings with cultural heritage value or potential.	The proposed development includes a designated property (Walker House). The house is being retained as a residential dwelling and has been incorporated into the overall development.
Site Connections: Provide pedestrian and cycling connections from on-site buildings to off-site public sidewalks, pedestrian paths, trails, open space, active transportation pathways, transit stops and adjacent buildings and sites in accordance with Official Plan policies.	The proposed development includes pedestrian connections out to Walker's Line and cyclists will be able to access the road via the private driveway.
Bicycle Storage: Provide bicycle parking spaces in accordance with the Zoning By-law and Official Plan Policies.	Bicycle parking will be provided with indoor secure bike parking available within each individual garage.
Bicycle Storage (Occupants): Locate occupant/employee bicycle parking near the main entrance or easy to identify area, in a weather protected area with controlled access or secure enclosures, at no extra charge to the occupant/employee.	Each townhouse unit has a private garage within which bicycles can be safely stored.
Bicycle Storage (Visitor): Provision of bicycle parking spaces in a weather protected area at grade near the main entrance or easy to identify area.	Short-term outdoor bicycle parking can be provided and will be located during the future site plan approval process.
Enhanced Tree Preservation: Maintain existing on-site trees that are 30 cm or more DBH (diameter at breast height) OR Maintain 75% of healthy mature trees greater than 20 cm DBH.	A tree protection plan has been prepared and submitted as part of this application. Best efforts will be made to retain as many mature trees as possible.

Stormwater Quality: Achievement of a level one/enhanced stormwater treatment for all stormwater runoff.	Noted. This has been achieved through the stormwater management design.
Pervious Surfaces: minimization of impervious surfaces and stormwater runoff through the use of Low Impact Development (LID) measures, such as: •permeable pavements; •bioswales; •infiltration trenches/bioretention areas; •rain gardens; •draining roofs to pervious areas, and; •other innovative stormwater management strategies	Final detailed design is anticipated to include low impact development measures including infiltration/bioretention areas and the draining of roofs to pervious areas. This will be further explored through the site plan approval process.
Urban Heat Island: Provide vegetated landscape areas in hard surface areas as per the Zoning By-law.	Minimal surface parking has been provided and the majority of parking has been located within private driveway. All non-developed portions of the property will be landscaped.
Waste Management Plan: Provide and implement a waste management plan in accordance with Regional requirements.	A waste management plan has been prepared in support of the ZBA application. Waste management, including management of recycling will be in accordance with regional requirements.

In conclusion, the proposed buildings will be designed to include sustainable elements. The proposed townhouse dwelling built form creates a compact form of development, which inherently results in a more sustainable development. Consideration has been given to the City's Sustainable Building and Development Guidelines. As the building design gets further developed the consultant team will be designing with the City's sustainable site plan guidelines in mind.

6.0 Supporting Report Summaries

6.1 Functional Servicing and Stormwater Management Report (FSR/SWM Report)

A Functional Servicing and Stormwater Management Report was prepared by KWA Site Development Consulting Inc. This report describes the proposed site grading and municipal servicing design for the proposed development at 490-508 Walker's Line, Burlington, and demonstrates that the proposed development is feasible and can be designed and constructed in accordance with municipal and provincial standards.

Using an equivalent population of 54 people, the peak sanitary sewer flow for the Site is 0.85 L/s. which will outlet to the south of the existing heritage building to a new manhole in Walker's Line. The Site will be serviced by a new 200mm diameter PVC sanitary service connection that will connect to existing sanitary manhole in accordance with the Site Servicing Plan. Three existing sanitary service connections will be removed and replaced with a new connection per the Functional Servicing Report.

The overall water demand for the development is maximum day plus fire flow, 169.34 L/s which will be serviced by the existing 300mm watermain on Walker's Line. The development will be connected to the new 150 mm diameter watermain in accordance with the servicing plan, providing service connections to individual townhouse units. A new hydrant is proposed to the southwest of the existing heritage building, which will provide fire protection to the site.

The Region of Halton specifies maximum recommended static pressure to be 700 kPa (100 psi) to ensure sufficient pressure for fire flow and hydrant function. A hydrant flow test was performed to ensure these criteria are met for the subject lands.

In the proposed development concept, stormwater flows will be captured within a private storm sewer network and attenuated onsite to the allowable release rate. The storm sewer outlet will connect directly into the existing 675 mm diameter concrete sewer within Walker's Line all in accordance with the Stormwater Management Report. Storm sewer outlets and sewers will be

sized appropriately to capture and convey the 100-year storm event to the stormwater management tanks as shown on the Site Servicing Plan (SSP) within the FSR/SWM Report.

The quantity control criteria specified for the City of Burlington is to control post-development peak flows to pre-development 5-year storm event. Quantity control is provided such that the 100-year post-development peak flows are controlled to the 5-year pre-development peak flow of 27 L/s for the Site and External Drainage captured.

6.2 Environmental Noise Impact Study

An Environmental Noise Impact Study was prepared by dBA Acoustical Consultants Inc. to accompany the Zoning By-law Amendment application for the proposed development. The purpose of the study is to determine, for ZBA approval, the traffic noise impact from Walker's Line and New Street, Burlington. The study details noise impact relative to the proposed site plan and recommend the noise control measures necessary (if applicable) to meet Ministry of Environment, Conservation and Parks (MECP) guidelines, while satisfying the planning requirements of the City of Burlington.

The Noise Study provides the following recommendations for noise control measures to satisfy the indoor and outdoor noise level criterion:

- Central air conditioners for the Front Block;
- Specific Warning Clauses (Type "D") inserted into all Offers and Agreements of Purchase and Sale or Lease for Front Blocks (R1);
- Window, door, and wall construction using the STC (Sound Transmission Class) methods, as summarized in Section 4 of the Noise Study;
- Appropriate STC-30 rating for all windows and patio doors, throughout the development for all condos;
- Exterior walls require an STC-32, throughout the development for all condos;
- A Letter from the window supplier indicating the proposed windows STC-30 construction has been achieved;
- Qualified Acoustical Consultant certifies that the required noise control measures have been incorporated into the builder's plans prior to issuance of a building permit; and
- Prior to issuance of an occupancy permit or equivalent, it is recommended the Qualified Acoustical Consultant certify that the approved noise control measures have been professionally installed.

6.3 Waste Management Plan

A Waste Management Plan was prepared by Cini-Little International Inc. for the proposed redevelopment of the subject lands. The purpose of this report is to investigate waste handling alternatives for the proposed residential redevelopment.

Based on 17 residential units, it is estimated that the development will:

- Generate 6.84 cubic metres of waste per week of which 3.9 cubic meters can be easily removed for recycling; and
- Therefore, a total of 2.94 cubic metres of landfill waste will be collected weekly by bulk-lift vehicles belonging to the Region and taken to the landfill site.

The report establishes that future residents will be required to store garbage and recycling containers in individual garages and rolled out to the internal private drive aisle where a private waste management company will empty the containers into a truck on a regular basis.

6.4 Heritage Impact Assessment

A Heritage Impact Assessment (HIA) was prepared by +VG Architects to describe the impact of the proposed redevelopment on the existing heritage building at 496 Walker's Line, and which is proposed to be incorporated into the proposed development. This HIA is provided in support of the requirements for Zoning By-Law Amendment to request changes to height, density and setbacks. The heritage significance of 496 Walker's Line was evaluated in accordance with criteria established by the Ontario Regulation 9/06 "Criteria for Determining Cultural Heritage Value or interest" included in the designation by-law enacted and passed in 2023.

The existing property located at 496 Walker's Line is designated under Part IV of Ontario Heritage Act enacted as By-law 53-2023. The Statement of Cultural Heritage Value identifies the heritage attributes that contribute to the value of the building that require protection.

The proposed development is separated from the Walker House which remains an individual single detached dwelling. Parking is located behind the townhouses along the frontage and maintains the established front yard setback from Walker's Line. The setbacks also maintain existing views to the Walker House from the street, through appropriate separation provided between the existing porch and the adjacent townhouses. The proposed townhouse heights are in keeping with the existing heights within the neighbourhood and the Cultural Heritage Resource (Walker House).

The HIA concludes that the Walker House exterior displays signs of deterioration in particular, the extensive loss of mortar on the brick and stone elevations and details. Deterioration is also noticeable on the woodwork, especially at the gable arched windows, fascias, and dentil moldings. As part of the heritage assessment a building condition assessment is recommended to determine the extent of damage and provide recommendations for repairs and a timeline for completion of the work wo as to continue to protect the cultural heritage resource.

Further explanation and evaluation of the existing heritage property is contained within the Heritage Impact Assessment report that is being submitted with the Zoning By-law Amendment application.

6.5 Urban Design Brief

An Urban Design Brief has been prepared by MHBC Planning in conjunction with the Planning Justification Report, which focuses on site design and orientation, built form and massing, site circulation, servicing, landscaping design and sustainable initiatives. The report concludes that that the development proposed promotes intensification and provides a sensitive transition to the surrounding neighbourhoods, while contributing to placemaking in the community.

The proposal replaces two of the existing three detached dwellings on the three lots with a development that ensures the retention of the cultural heritage house and the addition of 16 new town houses to support transit in the area. The proposed development adheres to the design direction for the neighbourhood, as established by the City of Burlington Official Plan. Shadow analysis of the proposed development revealed little to no impact of the development on neighbouring properties resulting in no adverse impacts or increased heat loss.

Additional technical reports and plans have also been prepared and submitted in support of the Zoning By-law Amendment application.

7.0 Community Meeting Summary

In accordance with the complete application requirements, a Community Meeting was held on May 9th, 2024, to introduce the proposed development to the public and to listen to their comments and address any questions raised at the meeting concerning the development. A summary of the meeting and the comments received from members of the public that were in attendance are summarized herein.

There were 13 attendees from the public in attendance at the Community Meeting, which also included members of the ownership group that joined as attendees.

The following summary presents the comments grouped by theme for easy reference.

Planning Process / Rules

- In another development project in Burlington, comments were made by the public that were never incorporated into the formal application to the City. Would like to be reassured that comments that are made by public are being heard/incorporated into development proposals;
- Are there any rules/by-laws that developers/builders need to abide by with regards to construction and noise impacts for surrounding properties?
- Does the City have a requirement for the replacement of trees that will be removed from the property to accommodate the proposed development? Would like to see as many trees as possible to provide additional buffering.

Response:

- The City requires the developer to have a public meeting prior to submission of any application and further requires that comments raised by the public are answered/ and addressed as part of the submission material. At times, where appropriate the comments made can be incorporated or may inform the design;
- The City of Burlington has a Noise By-law, which would regulate the hours of operation for construction equipment and is enforceable by City By-law Enforcement staff. Also, dust and site conditions during to construction can be mitigated and/or also be enforced by By-law Staff through the City's Property Standards By-law;

- Development such as this have to provide a landscape plan that is approved by the City staff as part of their Site Plan application. Opportunities to provide landscaping and/ or fencing to provide a buffer and or enhanced landscaping will be determined at the Site Plan application stage.

Existing Conditions/ Impacts:

- A portion of the fence between this property and adjacent condo development is knocked over. Would like to see that repaired before any new development happens;
- What is the requirement for providing privacy fencing between the proposed development and adjacent properties?
- Concerns with elevation of proposed development in relation to adjacent condominiums as well as drainage-related impacts. How can the neighbours be assured that stormwater flows from the proposed development won't flow over onto adjacent lands.

Response:

- As part of the Site Plan approval process, a fence will be required between the two properties by City Staff and this is secured through a Site Plan Agreement with the City. The ownership group was in attendance at the meeting and is agreeable to replacing the fence prior to site plan approval, though it is noted that it is the fence within the adjacent development that needs repair.
- As part of the applications submitted to the City a storm water management and functional servicing report prepared by a qualified engineer has been submitted to the City. All development is required to attenuate their own Storm water on site without impact to adjacent properties.

Zoning By-law Amendment Application:

- What zoning amendment is the applicant seeking – side yard and density were mentioned, is an amendment to the height also required?
- What are building setbacks from the sidewalks and adjacent property lines?
- What are the height restrictions under the current planning framework and what is proposed?

Response:

- The application is seeking an increase in height to 13 m from 10m, in density to 45 units/hectare, setbacks to some of the yards including the front yard from 9m to 7m and south side yard from 4.5m to 2.5m and at the northwest corner of the site; as well as amenity space reductions. Justification for these requests have been provided in this Planning Justification Report.

Unit Design

- The units do not look like they are designed to be barrier-free, are there any units that will be designed to be accessible?
- Are there full basements in the proposed townhouse units?
- What is the square footage of the proposed units and is there an expected sale price?
- Will satellite dishes be allowed on the units?

Response

- The units are not designed to be barrier free, however, accommodations can be made to a unit to address accessibility needs in coordination with a future purchaser;
- There are partial basements as the garage is partially under the units;
- Unit sizes generally range from 2,000-2,100 square feet.
- The Condominium Declaration will determine whether satellite dishes are permitted.

Traffic / Parking

- Making left turns onto Walker's Line is challenging – has traffic/traffic impacts been considered/evaluated?
- 17 units with only two parking spaces will increase traffic – what is the current parking requirement in the zoning and what is proposed for this development?

Response

- A traffic study was not required by the City for a development of this size. Residential parking is in accordance with the zoning by-law requirements. It was acknowledged by residents at the meeting that the driveway was in the best location in terms of visibility.

Heritage House

- What has been done to enhance the appearance of the heritage house and integrate it into the design of the overall development? The house is currently neglected/abandoned in appearance and would like to see it improved;
- Will the condominium be responsible for maintaining the heritage house that is being kept as part of the development?

Response:

- The heritage house will be renovated as part of this development and will be integrated with the development as a single detached house;

- A final determination as to the tenure of the house has not been made at this time and the ownership group is still evaluating its options in that regard. It may be independently owned but will likely form part of the plan of condominium.

Questions from the Mayor and Ward Councilor:

- Question whether the flat modern roof against the design of the heritage building is appropriate but will leave the design to the architects;
- Does the City have a precedent for a designated heritage building being part of a condominium?

Response

- Generally, when designing a development with a heritage feature that is being conserved, the best practice is not to attempt to emulate an architectural design of the heritage feature, but rather to make the new construction different and easily distinguishable from the heritage feature;
- The City will likely have examples from which to draw on that have been included as part of a plan of condominium, if not from its own examples but other municipalities in Ontario that have had similar situations.

8.0 Public Consultation Strategy

As of July 1, 2016, changes to the Planning Act (O. Reg 544/06, amended by O. Reg 178/16) require that applicants submit a proposed strategy for consulting with the public with respect to the application as part of the 'complete' application requirements. This section satisfies this requirement.

It is proposed that the public consultation process for the proposed Zoning By-law Amendment application follow the Planning Act statutory requirements and the City's standard practices, which include the Neighbourhood Information Meeting that was already held.

In summary, the following points of public consultation are proposed:

- A notice sign to be posted on the property letting the community know about the proposed Zoning By-law Amendment;
- Posting the application information online on the City's "Current Development Projects" webpage;
- Notice in accordance with Planning Act requirements to advertise the future Statutory Public Meeting;
- A Statutory Public Meeting held at Committee;
- Notice of the formal consideration of the application by City Council, along with staff recommendation and presentation; and,
- A Council Meeting, at which time the full Planning staff report will be made available for consideration, to consider a formal recommendation regarding the proposed Amendments.

The consultation strategy proposed will provide members of the public with opportunities to review, understand, and comment on the proposed Zoning By-law Amendment applications. The consultation strategy will be coordinated with City Staff and additional opportunities for consultation will be considered and may be warranted based on the input received.

9.0 Summary and Conclusion

As outlined in this report, together with the supporting technical reports, the proposed development of the site represents good planning. This opinion recognizes the following:

- The proposed development is consistent with the Provincial Planning Statement, 2024 by contributing to the supply and mix of housing and densities and by more efficiently using land and resources and optimizing planned infrastructure and public services within the City of Burlington in the Province of Ontario;

- The proposed development conforms to the in-effect Official Plans within the City of Burlington, including the Halton Official Plan.

- The proposal provides for the modest intensification and redevelopment of an underutilized site within the Built-Up Area and Residential Area in the City of Burlington on lands that are well located with respect to a range of uses and transit infrastructure;

- The proposed design is compatible with adjacent existing uses and respects the physical character, scale and context of the surrounding neighbourhood;

- The use of available infrastructure within the City is optimized through connections to existing infrastructure;

- The proposed low-rise townhouse residential use provides support for the transit network including the future Frequent Transit Corridor along Walker's Line through additional residential density;

- The proposed design provides for improved streetscapes and pedestrian experience, specifically along Walker's Line; and

- The proposed development retains a cultural heritage resource in situ and incorporates it into the development at a compatible scale.

Accordingly, it is our opinion that the proposed residential development containing medium density residential uses for a variety of demographic needs including families, is desirable for the future redevelopment and intensification of the site. The proposed regulations will guide the development to ensure that the site is developed appropriately and within the context of the Residential Medium Density designation of the Official Plan and the Medium Density zoning contemplated by this application.

Respectfully submitted,
MHBC



Juliane von Westerholt, BES, MCIP, RPP
Associate



Andrea Sinclair, MUDS, BES, MCIP, RPP
Partner

A

Appendix A: Development Application Pre-Consultation Form

DEVELOPMENT APPLICATION PRE-CONSULTATION FORM

*Document updated October 20, 2023

Meeting Date: August 17, 2022	**Site Address:** 490 – 508 Walker's Line
Property Owner: 2381792 Ontario Limited 141 Plains Road West Burlington ON L7T 1G1	**Applicant / Address / Phone / Email** JNL Luxury Developments Justin Da Silva 703 King Road Burlington ON L7T 3K5 justin@jnldevelopments.ca MHBC Juliane vonWesterholt 540 Bingemans Centre Drive, Suite 200Kitchener ON N2B 3X9 jvonwesterholt@mhbcplan.com
Site Area: **0**.4052 ha	

APPLICATION TYPE (check applicable applications):

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

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

To permit two townhouse blocks for a total of 18 townhouse units and retain the existing heritage building on site (496 Walker's Line). The proposed development will have a density of 47 units per hectare and a proposed height of three storeys.

Conformity with Regional Official Plan Designation? YES X NO _____

Has an application been made to amend the Regional Official Plan: YES _____ NO X

3. **1997 Official Plan Designation:** Residential – Medium Density

Conformity with 1997 Official Plan land use designation? YES X NO _____

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

4. **2020 Official Plan Designation:** Residential – Medium Density

Conformity with 2020 Official Plan land use designation? YES X NO _____

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

5 Existing Zoning: 490 Walker's Line – Residential – Medium Density (RM2-189) Zone, 496 Walker's Line – Residential – Medium Density (RM2) Zone and 508 Walker's Line – Residential – Low Density (R2.1) Zone

Conformity with existing zoning? YES _____ NO ___X___

If 'NO' what is the nature of the zoning amendment needed? Height, density and setbacks

6. Design Guidelines in effect? YES _____ NO ___X___

Name of Design Guidelines _____

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

YES ___X___ NO _____

*** 496 Walker's Line was designated on July 11, 2023, through By-**law NO. 53-2023

8. Fees Required at Time of Application

APPLICATION	CITY	REGION	CONSERVATION HALTON
Official Plan Amendment:	N/A	N/A	N/A
Rezoning - Base Fee:	$23,370.00	$1,220.89	N/A
Rezoning - Variable Fee:	Units 0 – 18: $8,100		
TOTAL	$31,470.00	$1,220.89	N/A

Separate payments are required for the City, Halton Region and Conservation Halton

9. Additional Agencies to be contacted: Union Gas, Hydro One and Burlington Hydro

10. Pre-Application Public Consultation Meeting

Is a pre-application consultation meeting required?

YES ___X___ NO _____

The following steps must be completed if a Pre-Application Public Consultation Meeting is required:

- *The consultation meeting is to be organized by the proponent and must be held before the application is submitted.*
- *Circulation of the meeting invitation to residents and tenants within 120 metres of the development site will be completed by the City for a fee. Provide the required materials to the City at least one month prior to the meeting. Notice must be sent a minimum of 21 days in advance of the meeting.*
- *Please notify the Ward Councillor, Mayor, and the Coordinator of Development Review of the date, time & location of the meeting. Be sure your meeting location is accessible and close to the development site.*
- *During the meeting, provide a detailed overview of the development proposal and allow time for questions and comments from the public. Planning staff will provide an overview of the development application review process. Take notes of the discussion.*

- *As part of a complete application, you must provide consultation meeting minutes which include a written summary of public input received at the meeting. As part of the Planning Justification Report, you must explain how this public input was considered and used to modify the development proposal.*

11. Community Benefits

Is this an application for a building of five (5) or more storeys and ten (10) or more residential units?

YES ___X___ NO ____

If "YES" Community Benefits **may be** required. Please consult City of Burlington By-law 66-2022, Community Benefits Charges.

12. Required Information for Complete Application

1)	Completed Application Form	Required
2)	Fees for the processing of planning application(s)	Required
Supporting Reports, Studies, Plans **In accordance with Policies contained within 11.1.2 of the City's Official Plan, all identified materials must be submitted in accessible PDF format consistent with the City's standards and the standards of The Accessibility for Ontarians with Disabilities Act before an application is deemed complete.**		**Required (Yes/No)**
i.	Planning Justification Report, including employment or residential needs analysis, where required	Yes
ii.	Land Assembly Documents	Yes
iii.	Survey and Severance Sketch, prepared by an Ontario Land Surveyor	Yes
iv.	Land Use Compatibility Study	No
v.	Retail and Service Commercial Needs Assessment	No
vi.	Financial Impact Study	No
vii.	Housing Impact Statement	No
viii.	Park Concept Plan	No
ix.	Agricultural Impact Assessment	No
x.	Social Impact Assessment	No
xi.	Archeological Report	No
xii.	Heritage Impact Study	Yes
xiii.	Cultural Heritage Landscape Impact Assessment	No
xiv.	Conceptual Site Plan Layout	Yes
xv.	Architectural Plans	Yes
xvi.	3-D Model of Proposed Buildings	Yes
xvii.	Burlington Urban Design Advisory Panel (BUD) Comments	No

xviii.	Height Survey of Adjacent Buildings	Yes
xix.	Angular Plane Study	No
xx.	Shadow Analysis Plan	No
xxi.	Wind Impact Study	No
xxii.	Arborist's Report	Yes
xxiii.	Tree Inventory and Preservation Plan	Yes
xxiv.	Landscape Plan	Yes
xxv.	Water & Wastewater Functional Servicing Report	Yes
xxvi.	Hydrogeology Study / Water Budget & Hydrology Study	No
xxvii.	Source Protection Disclosure Report	No
xxviii.	Noise Feasibility Study / Vibration Study	Yes
xxix.	Transportation Impact Study	No
xxx.	Transportation Demand Management Plan and Implementation Strategy	No
xxxi.	Parking Justification Report	No
xxxii.	Storm Water Management Report / Functional Drainage Report, Storm Services Plan and Flooding Hazard Delineation and/or Grading and Drainage Plans	Yes
xxxiii.	Environmental Impact Assessment	No
xxxiv.	Top-of-bank Demarcation / Slope Stability Assessment / Creek Erosion Assessment / Geomorphic Study	No
xxxv.	Shoreline Hazardous Land Studies	No
xxxvi.	Geotechnical Report	No
xxxvii.	Phase One Environmental Assessment	Yes
xxviii.	Phase Two Environmental Assessment / Record of Site Condition	Only if required by Phase 1
xxxix.	Landfill Assessment	No
xl.	Sustainable Building and Development Guidelines Checklist	Yes
xli.	Phasing Strategy for Development of Retail and Service Commercial Uses	No
xlii.	Public Consultation Strategy	No
xliii.	Response to Comments Received at a Community Meeting Held in Advance of a Formal Development Application	Yes
xliv.	Comprehensive Block Plan	No
xlv.	Urban Design Brief	Yes
xlvi.	Tenant Relocation and Assistance Plan	No

xlvii.	**Other**	
	Environmental Site Screening Checklist	Yes
	Draft Zoning By-law Amendment	Yes
	Construction & Mobility Management Plan	No
	Waste Management Report	Yes
	Title Search/PIN Report	Yes
	Letter of Reliance	Yes

13. ADDITIONAL REQUIREMENTS: See attached meeting notes & application checklist

NOTES:

1. **The applicant may request a Technical Preconsultation prior to submission of the application. This optional process involves electronic submission of the draft materials and a preliminary municipal review to determine whether there are technical issues which could be resolved prior to formal submission of the application.**

2. **Notwithstanding the fees noted above, all fees are payable based on the rate in the fee schedule by-law in effect on the date the payment is made.**

3. **The purpose of this document is to identify the information required to commence processing a complete application as set out in the Planning Act. Pre-consultation does not imply or suggest any decision whatsoever on behalf of City staff or the Corporation of the City of Burlington to either support or refuse the application.**

4. **This document expires 180 days from the date of signing or at the discretion of the Director of Community Planning. Please note that development application fees may change during this period and it is the applicant's responsibility to ensure that the correct fees are paid at time of application.**

5. **Beyond 180 days, but prior to 1 year from the date of signing, proponents may submit a request to have this document updated for an additional 180 days. A detailed changed matrix must accompany an update request. Beyond 1 year from the date of signing of the original pre-consultation form, a new pre-consultation request must be submitted.**

6. **In the event this Pre-consultation Document expires prior to the application being accepted by the City, another meeting will be required.**

7. **The applicant acknowledges that submission requirements are subject to change and that additional reports, studies, plans or information may be required beyond what is identified within this document in advance of an application being deemed complete.**

8. **The City may require the peer review of any technical report or study submitted by the applicant. If this is required, the applicant will be advised and will be charged a fee equal to the cost of the peer review.**

9. **Application materials submitted without the information identified in this Pre-consultation Document, or without the supporting technical studies prepared in accordance with the direction provided in Appendix 1, the meeting notes, and the Pre-submission checklist attached to this Document, will be returned to the applicant based on insufficient information to properly evaluate the application.**

10. **The applicant acknowledges that the City considers the application forms and all supporting materials, including studies and drawings, filed with any application to be public information and to form part of the public record. With the filing of an application, the applicant consents to the City copying and releasing the application and any supporting materials either for its own use in processing the application or at the request of a third party, without further notification to or permission from the applicant. The applicant also hereby states that it has authority to bind its consultants to the terms of this acknowledgement.**

11. **It may be determined during the review of the application that additional studies or information will be required as a result of issues arising during the processing of the application.**

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

13. There may also be financial requirements arising from the application, including, but not limited to, park dedication, development charges, payment of outstanding property taxes, deferred local improvement charges, costs for lifting 0.3-metre reserves, and reimbursement for road widening acquisition or road improvements.

14. Personal information contained in this form is collected under the authority of the Planning Act, R.S.O. 1990, cP.13, as amended. The information will be used for the purpose of administering the City of Burlington's pre-consultation process on development applications.

15. The applicant requests that the information submitted on this pre-consultation form and associated documents be kept confidential. It is understood; however, that an access request may be filed under the Municipal Freedom of Information and Protection of Privacy Act, and information may be subject to release, notwithstanding the request to keep information confidential.

Staff and Agency Signatures:

Planning Staff	Planning Staff (Signature)	Date
Site Engineering Staff	Site Engineering Staff (Signature)	Date
Site Engineering Staff	Site Engineering Staff (Signature)	Date
Capital Works Staff	Capital Works Staff (Signature)	Date
Transportation Staff	Transportation Staff (Signature)	Date
Regional Staff	Regional Staff (Signature)	Date
Regional Staff	Regional Staff (Signature)	Date
Conservation Halton Staff	Conservation Halton Staff (Signature)	Date

Proponent Sign-off (In Lieu of Signatures):

I acknowledge that the City will require the provision of the drawings, reports and other requirements indicated in Section 11 of the Development Application Pre-Consultation Form, in addition to a completed Application Form, any information or materials required by Statute, the required application fees and a signed copy of this acknowledgement prior to the planning application being deemed complete, pursuant to the *Planning Act* and applicable City of Burlington Official Plan policy. These items should be completed in accordance with the direction in this Development Application Pre-Consultation Form, the

attached Notes, and the attached Pre-Submission Document Terms of Reference, in order to allow for the full consideration of the planning application. I have read and acknowledge the Notes listed in Section 12 of the Development Application Pre-Consultation Form. I have authority to bind the Owner.

Property Owner	Property Owner (Signature)	Date
Agent	Agent (Signature)	Date

(I have authority to bind the owner)

APPENDIX ONE: REQUIREMENTS FOR REPORTS/STUDIES AND PLANS

i. Planning Justification Report
A qualified planner (Registered Professional Planner) must submit a signed report providing planning justification for the proposed amendment in light of the objectives and policies of the City's Official Plan and the technical studies accompanying the application. The goal of the report is to document how the proposed departure from the local policies and regulations represents good planning and is in the public interest. The report must include items listed in the attached Pre-Submission Checklist.

ii. Land Assembly Documents
Required for applications where, in the opinion of the Community Planning Department, the assembly of additional lands is required to facilitate orderly development of the area. Applicants are required to submit documentation demonstrating that a reasonable, bona fide offer has been made to acquire such lands.

iii. Survey and Severance Sketch, prepared by an Ontario Land Surveyor
Survey / Reference Plan of site showing PINs, easements, property boundaries etc.

iv. Land Use Compatibility Study
Required for applications proposing sensitive land uses in proximity to existing industrial uses, or proposing industrial uses in proximity to existing sensitive uses, in accordance with 4.6.2 of the City's Official Plan, Part IV, Sections 143 of the Regional Official Plan, and the Ministry of the Environment D-6 series guidelines or other Provincial land use compatibility guidelines.

v. Retail and Service Commercial Needs Assessment
Required in accordance with Chapter 8 of the Official Plan.

vi. Financial Impact Study
Required for a major development application which is deemed to have a potential impact on the City's financial sustainability and which meets the criteria listed in Subsection 6.5.2. of the Official Plan.

vii. Housing Impact Statement
Required for a development proposal which includes more than 100 dwelling units. Required in accordance with Subsection 3.1.1(2) h) of the Official Plan.

viii. Park Concept Plan
Required to illustrate how a parkette, neighbourhood park, community park, city-wide park, special resource area / linkage, and / or privately-owned publicly accessible open space (POPS) could be provided and function on a site in accordance with the applicable policies of Subsection 3.3.2 of the Official Plan.

ix. Agricultural Impact Assessment
Required In accordance with Subsection 9.2.2 (d) of the Official Plan, the Regional Official Plan and Halton Region's 'Agricultural Impact Assessment (AIA) Guidelines'.

x. Social Impact Assessment
Required to analyze, monitor and manage the intended and unintended social consequences of a development proposal, an infrastructure project, a policy or project, or any social change processes invoked by those interventions in accordance with Subsection 6.1.2 h) of the Official Plan.

xi. Archaeological Report
Required for all applications in or near areas of archaeological potential, as determined by the Region of Halton. Reports must be completed in accordance with Provincial requirements, the Regional Archaeological Master Plan and Subsection 3.5.2(5.2) of the City's Official Plan.

xii. Heritage Impact Study
Required where the City foresees potential unacceptable impacts on heritage attributes (including important landscapes, vistas and streetscapes) of a property designated pursuant to The Ontario Heritage Act, or of a property that in the opinion of the City has the potential to meet eligibility criteria for designation under The Ontario Heritage Act, in accordance with Subsection 3.5.2(5) of the Official Plan.

xiii. Cultural Heritage Landscape Impact Assessment
Required for a major development or infrastructure proposal within a Cultural Heritage Landscape Study Area Boundary or potential Cultural Heritage Landscape Study Area in accordance with Subsection 3.5.2(5.1) of the Official Plan.

xiv. Conceptual Site Plan Layout
General plan required showing proposed building envelopes, setbacks, driveways, parking and landscape areas.

xv. Architectural Plans
Architectural plans to include floor plans and elevation plans.

xvi. 3-D Model of Proposed Buildings
Required for major development proposals within the City's intensification areas, in accordance with the City's 3D Model Specifications, as amended.

xvii. Burlington Urban Design Advisory Panel (BUD) Comments
The Burlington Urban Design Advisory Panel (BUD) is an independent advisory body comprised of design professionals that provides urban design advice to the Community Planning Department. Advice from BUD will be integrated early in the review process to reinforce the City's expectation for a high standard of design excellence resulting in a more efficient and effective municipal development review. A copy of BUD meeting minutes must be submitted with the application along with a Design Brief explaining how their advice has been incorporated into the development proposal, in accordance with Subsection 12.1.2 (1.2) of the Official Plan.

xviii. Height Survey of Adjacent Buildings
Required for all infill and intensification development applications adjacent to residential properties, in accordance with Subsection 8.3.3(1) e) of the Official Plan. A surveyor's report must identify the highest points of the existing adjoining roofs measured from the existing average grade of the shared property line.

xix. Angular Plane Study
Identifies visual (height & overlook) impacts, sun shadow and wind impacts, and demonstrates how any adverse impacts can be mitigated to acceptable levels in accordance with Subsection 12.1.2 (1.2) of the Official Plan.

xx. Shadow Analysis Plan
May be required to demonstrate the potential shadow impacts of a proposed development on its surrounding context, in accordance with Subsections 7.3.2 and 12.1.2 (1.2) of the Official Plan and in compliance with the City's Shadow Study Guidelines and Terms of Reference.

xxi. Wind Impact Study
May be required to predict and assess the wind impacts of proposed buildings and site designs on surrounding public and private spaces in addition to on-site wind conditions, in accordance with Subsections 7.3.2 and 12.1.2 (1.2) of the Official Plan and in compliance with the City's Pedestrian Level Wind Guidelines and Terms of Reference.

xxii. Arborist's Report
Required in accordance with Subsection 4.3.2 of the Official Plan.

xxiii. Tree Inventory and Preservation Plan
Required when a property under application contains woodlots, tree stands or hedgerows, in accordance with Subsection 4.3.2 of the City's Official Plan and Part IV, Sections 146-147 of the Regional Official Plan. A tree survey must be prepared by a qualified professional, identifying all existing trees, their type, size and condition, those trees proposed to be removed and retained, and the methods to be used to ensure preservation and protection of those trees to be retained.

xxiv. Landscaping Plan
Required in accordance with Subsections 4.3.2 and 7.3.2 of the Official Plan. The Landscaping Plan must be prepared by a qualified professional (certified member of the Ontario Association of Landscape Architects), identifying the location and general design intent of the proposed plantings, identifies minimum required soil volumes for proposed planting areas and location of any structural soil cell installation areas.

xxv. Water and Wastewater Functional Servicing Report
Required for all applications in urban areas in accordance with Part III, Sections 87-89 of the Regional Official Plan. Municipal (Urban) Servicing Guidelines are available from the Halton Region.

xxvi. Hydrogeology Study / Water Budget & Hydrology Study
Required for all applications in areas subject to private water and septic services, in accordance with Subsections 9.1.2 and 9.5.2 of the Official Plan, the Regional Official Plan and Halton Region's 'Hydrogeological Studies & Best Management Practices for Groundwater Protection Guidelines.'

xxvii. Source Protection Disclosure Report
Required where there would be significant drinking water threats from activities associated with a proposed development, in accordance with Subsections 4.4.2(2) o) and p) of the Official Plan.

xxviii. Noise Feasibility / Vibration Study
Required for applications in accordance with Subsections 4.6 and 6.2.5 (2) of the Official Plan, Part IV, Sections 142-143 of the Regional Official Plan, and for all properties abutting arterial roads. In the case of Regional roads, applicants shall refer to Halton Region's 'Noise Abatement Guidelines'.

xxix. Transportation Impact Study
Required to assess the impact of a proposed development on current travel patterns and/or future multi-modal transportation requirements in accordance with Subsection 6.2.1(2) d) of the Official Plan and Sections 171-173 of the Regional Official Plan. Contact City Transportation Services staff (City roads) or Regional Public Works staff (Regional roads) for background information and to discuss TIS requirements. For Regional roads, applicants shall refer to Halton Region's 'Transportation Impact Study Guidelines.' The Ministry of Transportation must be contacted for development proposals near provincial highways or interchanges.

xxx. Transportation Demand Management and Implementation Strategy
Required for development proposals within Primary, Secondary and Employment Growth Areas and may be required within other areas of the City, excluding Residential Low-Density areas, in accordance with Subsection 6.2.10(2) of the Official Plan.

xxxi. Parking Justification Report
Required for development proposals that are requesting a reduced parking rate in order to assess the potential impacts and appropriateness of reduced parking rates, in accordance with Subsection 12.1.2 (1.2).

xxxii. Stormwater Management Report / Functional Drainage Report, Storm Services Plan and Flooding Hazard Delineation and/or Grading and Drainage Plans
Required for development proposals in accordance with Subsections 4.4.2(2) and 12.1.2 (1.2) of the Official Plan to understand and mitigate the effects of urbanization / development on the hydrologic and hydraulic cycle including increased runoff, and decreased infiltration or rain and snowmelt.

xxxiii. Environmental Impact Assessment
Required in accordance with Subsection 4.2.4 of the Official Plan, the Regional Official Plan and the Region's Environmental Impact Assessment Guidelines to demonstrate that a proposed development or site alteration will result in no negative impacts to the City's Natural Heritage System, its ecological functions, or hydrologic functions, to sensitive surface water features, or groundwater features or their hydrologic functions, or to key natural features.

xxxiv. Top-of-bank Demarcation / Slope Stability Assessment / Creek Erosion Assessment / Geomorphic Study
Required for applications on any property containing, or abutting a creek or valley feature, Lake Ontario or Burlington Bay shoreline, in accordance with Subsection 4.4.2 (3) of the Official Plan.

xxxv. Shoreline Hazardous Land Studies
Required in accordance with Subsection 4.5.1(2) of the Official Plan for applications along Lake Ontario and Burlington Bay/Hamilton Harbour.

xxxvi. Geotechnical Report
Required for proposals with underground parking structures or to determine stable top-of-bank in accordance with Subsection 4.4.2(2) of the Official Plan.

xxxvii. Phase I Environmental Assessment
Required to assess matters related to known or potential site contamination in accordance with Subsection 4.7.2 of the Official Plan, the Regional Official Plan and Halton Region's 'Protocol for Reviewing Development Applications with Respect to Contaminated or Potentially Contaminated Sites'. All requirements of O. Reg. 153/04 must be met for Phase One and Two studies and required Records of Site Condition (RSCs). A letter of reliance from the Environmental Consultant/Qualified Person, confirming the City of Burlington and the Region of Halton can rely on the information contained in the report(s) is required. All reports must be signed by a Qualified Person as defined under O. Reg. 153/04.

xxxviii. Phase II Environmental Assessment
Required to assess matters related to known or potential site contamination in accordance with Subsection 4.7.2 of the Official Plan, the Regional Official Plan and Halton Region's 'Protocol for Reviewing Development Applications with Respect to Contaminated or Potentially Contaminated Sites'. All requirements of O. Reg. 153/04 must be met for Phase One and Two studies and required Records of Site Condition (RSCs). A letter of reliance from the Environmental Consultant/Qualified Person, confirming the City of Burlington and the Region of Halton can rely on the information contained in the report(s) is required. All reports must be signed by a Qualified Person as defined under O. Reg. 153/04.

xxxix. Landfill Assessment
Required for development proposals on or within 500 metres of an area identified as a former Waste Disposal Site, in accordance with Subsection 4.8.2 of the Official Plan.

xl. Sustainable Building and Design Guidelines Checklist
Required for high and medium density residential, mixed use, commercial, industrial, office, institutional and public service facilities in accordance with Subsection 7.4.1 of the Official Plan, the Regional Official Plan and Halton Region's 'Healthy Communities Guidelines.'

xli. Phasing Strategy for Development of Retail and Service Commercial Use
Required for applications proposing a comprehensive development of a site that include the replacement of existing commercial floor area. Required to demonstrate that the proposed development does not adversely impact the long-term provision of goods and services as the site transitions to its complete stage of development in accordance with Chapter 8 of the Official Plan.

xlii. Public Consultation Strategy
Required for individual development applications and outlines a proposed strategy for consulting with the public, in accordance with Subsection 12.1.2 (1.2)

xliii. Response to Comments Received at a Community Meeting Held in Advance of a Formal Development Application
In accordance with Subsection 12.1.2 (1.2).

xliv. Comprehensive Block Plan
Required to provide a framework for the distribution of development and provide design direction on streets and blocks, land use, parks and open space, building massing, building setbacks, public realm and streetscapes, parking and access, landscape, pedestrian connections and heritage integration in accordance with 8.1.1(3.7) and 8.1.1(3.20) of the Official Plan.

xlv. Urban Design Brief
Required to be prepared by a qualified person, and demonstrates how a proposed development meets the policies of the Official Plan and addresses the relevant design guidelines in accordance with Subsection 7.1.2 of the Official Plan.

xlvi. Tenant Relocation and Assistance Plan
Required for development applications which include the demolition of residential rental properties or the conversion to condominium tenure or owner occupancy, including the right to return and alternative accommodations to lessen hardship in accordance with Subsection 3.1.2 (2) and 12.1.2 (1.2) of the Official Plan.

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

Draft Plan of Subdivision
The plan of subdivision map is to contain information required under Section 51(17) of the Planning Act, as well as: legend, map scale, boundary of property to be subdivided, north marker, address, registered plan number, lot and concession, date plan prepared and date of any revisions, name of person or firm who prepared the plan, all landowners names, signatures and date, and the Ontario land surveyor's name, signature and date.

Preconsultation Meeting Notes

Address 490-508 Walker's Line - Updated October 20, 2023

Attendees:

City of Burlington:	Elyse Meneray, Zelaikha Shareqi, Kate Hill-Montague and Umar Malik
Halton Region:	Kayleigh Arnott and Alex Hilder
Proponents:	Juliane vonWesterholt (Applicant), Atif Aqeel (Architect)

Description of Development Concept:

- Permit two blocks of three storey townhouse dwellings (10 townhouse dwellings fronting Walker's Line and 8 townhouse dwellings fronting an internal road) and to retain the existing Heritage House located at 496 Walker's Line.
- The proposed development will have an approximate density of 47 units per hectare and 47 parking spaces (42 resident spaces and 5 visitor spaces).

Planning Comments:

Current Official Plan (1997, as amended)

- The lands are designated Residential – Medium Density in the City of Burlington Current Official Plan (1997, as amended).
- This designation permits ground and non-ground oriented dwelling units with a density between 26 and 50 units per net hectare.
- Permitted building forms include townhouses, attached housing and walk-up apartments.
- The proposal is subject to the Housing Intensification Policies of the Burlington Official Plan. Policy 2.5.2 outlines criteria to be considered when evaluating proposals for housing intensification within established neighbourhoods.

Current Zoning

- The subject lands have three different zones:
  - 490 Walker's Line – Residential – Medium Density (RM2-189) Zone
  - 496 Walker's Line – Residential – Medium Density (RM2) Zone
  - 508 Walker's Line – Residential – Low Density (R2.1) Zone

<u>Residential – Medium Density (RM2-189) Zone</u>

- This zone permits townhouse dwellings with a maximum of 8 units and a maximum height of two storeys.

<u>Residential – Medium Density (RM2) Zone</u>

- This zone permits detached, semi-detached, duplex, triplex, fourplex, townhouse and apartment buildings.
- The zone has a maximum density of 40 units per hectare for townhouse units and a maximum height of two storeys.

Residential – Low Density (R2.1) Zone

- This zone permits detached dwellings and one accessory dwelling unit.
- Dwellings in this zone have a maximum building height a ranging from 7.5 m to 10 m for peaked roofs and 4.5 m to 7 m for flat roofs.

Council Adopted New Official Plan

- On November 30, 2020, the Region of Halton issued a Notice of Decision approving the new Burlington Official Plan. Section 17(27) of The Planning Act (R.S.O. 1990, as amended) sets out that all parts of an approved official plan that are not the subject of an appeal will come into effect on the day after the last date for filing a notice of appeal, that date being December 22, 2020 for the new Burlington Official Plan. The appeal record submitted to the Ontario Land Tribunal (OLT) by the Region of Halton indicates that a total of 48 appeals to various parts of the new Burlington Official Plan were received during the appeal period.
- Although the City is preparing a working version of the new Official Plan, it is the OLT that will issue Orders throughout the appeal process to establish and confirm which portions of the Plan remain subject to appeal, and which portions are in effect. As the OLT process advances, the working version of the Burlington Official Plan, 2020 is subject to change. Users of the document must satisfy themselves as to the legal status and applicability of the polices. Our team encourages to monitor the City of Burlington's website for updates regarding the OLT process, the Burlington Official Plan, 2020 and the Burlington Official Plan, 1997.
- The subject lands are to remain Residential – Medium Density in the new Official Plan
- This designation permits ground and non-ground oriented dwellings including single-detached and semi-detached dwellings, townhouses, street townhouses, stacked townhouses, back-to-back townhouses and low-rise residential buildings may be permitted.
- This designation permits a density range of 26 to 75 units per net hectare, subject to Subsection 8.3.4(1) c) of this Plan.
- The maximum permitted height is three storeys for ground-oriented dwellings (not including rooftop amenity/outdoor areas) or four storeys for non-ground-oriented dwellings
- The subject lands are also within the *Established Residential Area* of the City's Growth Framework (Schedule B-1), where intensification is generally discouraged, and development is to be in accordance with the permitted uses and densities of the underlying land use designation.

Cultural Heritage Comments:

Section 8.4.1(b) of the Official Plan:

Completion of a heritage impact statement shall be required prior to any approvals for proposed development where the City foresees potential adverse impacts on the cultural heritage attributes (including important vistas and streetscape) of a property designated pursuant to The Ontario Heritage Act, or on a property worthy of designation. Completion of a heritage impact statement may be required prior to any approvals for proposed development

where the City foresees potential adverse impacts on the cultural heritage attributes of any other property identified on the City's Inventory of Cultural Heritage Resources. The content of a heritage impact statement may include, but is not limited to, the following:

(i) an assessment of the cultural heritage value of the resource;
(ii) a description of the proposal, including a location map showing proposed buildings, existing land uses and buildings, and existing cultural heritage landscape features;
(iii) the physical condition of the resource (including that of any adjacent resource that may be directly or indirectly affected by the proposal);
(iv) a description of the impacts that may be reasonably caused to the cultural heritage resource;
(v) identification of several conservation options taking into consideration the significance of the cultural heritage resource itself, the context of the resource and all applicable municipal, provincial or federal heritage conservation principles. The advantages and disadvantages of each option will be identified, as will a preferred option;
(vi) a description of the actions necessary to prevent, change, mitigate or remedy any expected impacts upon the cultural heritage resource.

- The separation distances between the side elevations of the heritage designated house are a positive change to the plan.
- Please provide elevation drawings and 3d views of the heritage property so staff can better assess the physical relationship between the townhouse blocks and heritage property.
- Provide details in the heritage impact statement of how the converted heritage house is to be adaptively reused. Will it be converted into a duplex/triplex/fourplex?

Staff contact: John O'Reilly, Supervisor, Site Plan Review, John.OReilly@burlington.ca.

Preliminary Planning Comments

- A Zoning By-law Amendment application is required to implement the proposal.
- Development on the subject lands must be compatible with the existing neighbourhood character with respect to scale, massing, height, siting, setbacks, coverage, parking and amenity area so an appropriate transition is provided between existing and proposed buildings.

Comments on the submitted concept plan:

- Please confirm if the proposed amenity area includes balconies. The elevations appear to show balconies at the rear of the front units and front of the rear units.
- Please label all amenity areas on the plan.
- The RM2 Zone requires a 9 m setback from a R1, R2 or R3 zone:
  - The proposed townhouse block fronting Walker's Line is proposing a setback of 7.5 m to the adjacent R2.1 zone and the rear townhouse block is proposing 3 m setback of 7.5 m to the adjacent R2.1 zone.
  - Justification for this reduced setback is required to ensure that an appropriate transition and separation distance is maintained between the existing and proposed development.

- The RM2 Zone requires 1,425.5 m2 of amenity area and the proposed development is providing 500 sq. m. of amenity area. Justification for the reduced amenity area is required.
- Staff have concerns with the proposed outdoor amenity area and recommend that the outdoor play area be relocated to a more centralized area within the development.

Application Requirements

- A Zoning By-law Amendment application is required to implement the proposal.
- Prior to submitting the application, a Pre-Submission Neighbourhood Meeting is required. Please refer to the provided Applicant's Guide to Pre-Submission Neighbourhood Meetings.
    - The neighbourhood meeting is to be organized by the applicant and must be held before the application is submitted.
    - Circulation of the meeting invitation to residents and tenants within 120 metres of the development site will be completed by the City for a fee. Provide a PDF of the meeting invitation on own letterhead for distribution. Notice must be sent a minimum of 20 days in advance of the meeting.
    - Please notify the Ward Councilor and the Coordinator of Development Review of the date, time and location of the meeting. Meetings are currently being held virtually.
    - During the meeting, provide a detailed overview of the development proposal and allow time for questions and comments from the public. Take notes of the discussion.
    - As part of a complete application, the applicant must provide neighbourhood meeting minutes which include a written summary of public input received at the meeting. As part of the Planning Justification Report, the applicant must explain how this public input was used to modify the development proposal.
- A Planning Justification Report is required:
    - to discuss the impact of Provincial, Regional and local planning policy (both the existing and adopted Official Plan) on the proposed development;
    - to explain why the requested change to higher intensity residential use is desirable and represents good planning;
    - to discuss whether the requested amount of non-residential floor area is appropriate to support the planned commercial function of the Mixed Use Corridor;
    - to discuss how the results of required technical studies have been used to refine the redevelopment proposal;
    - to explain how the proposed development is compatible with surrounding residential, industrial and railway land uses including height, setbacks, massing, design and community features.
- An Urban Design Brief is required in accordance with Chapter 7 (7.1.2) of the Burlington Official Plan 2020. The Urban Design Brief should:
    - Be developed in accordance with the attached terms of reference;
    - Demonstrate how the proposed development meets the urban design objectives and policies of this Plan;

- Include a review of Sections 7.3.2 and 7.3.2 (2) as the subject lands are located in an Established Neighbourhood; and,
- Be designed to enhance the existing physical character of the surrounding area in which it is situated.

- Please consider sustainable building design in your proposed development, using the City's Sustainable Building and Development Guidelines. An introductory letter from the Burlington Sustainable Development Committee is provided.
- Consult with Burlington Hydro about electrical supply and requirements.

Staff contact: Elyse Meneray, Planner, Elyse.Meneray@Burlington.ca

Region of Halton Planning Comments:

REGIONAL OFFICIAL PLAN, 2009

The subject lands are designated Urban Area (Map 1) per the Region's Official Plan (ROP), 2009 as amended by Regional Official Plan Amendment (ROPA) 48 and 49, and located within the Built Boundary.

Regional Official Plan Amendment No. 48

Regional Official Plan Amendment (ROPA) 48 was adopted by Regional Council on July 7, 2021, and approved by the Province on November 10, 2021. This amendment is the first amendment to be advanced as part of the Regional Official Plan Review under Section 26 of the Planning Act. The amendment defines specific elements of a Regional Urban Structure including strategic growth areas and the delineation of Urban Growth Centres and Major Transit Station Areas. ROPA 48 also includes a limited number of Employment Area conversions, establishes targets for strategic growth areas and updates the population and employment allocations assigned to Halton Region to 2051 by the Growth Plan, 2019.

Regional Official Plan Amendment No. 49

Regional Official Plan Amendment (ROPA) 49 was adopted by Regional Council on June 15, 2022, and is the second amendment to be advanced as part of the Regional Official Plan Review under Section 26 of the Planning Act. The amendment is to implement the results of the Region's Integrated Growth Management Strategy (IGMS), which considered how to accommodate growth in Halton to the 2051 planning horizon as part of the municipal comprehensive review process. The amendment also includes changes that support planning for growth in Halton and achieve conformity with the Provincial Growth Plan for the Greater Golden Horseshoe.

The Ministry of Municipal Affairs and Housing is the approval authority of ROPA 49 and issued a decision on November 4th, 2022. The Minister's decision is final and not appealable. The proposed development has been reviewed against the in-force Regional Official Plan with regard to the policies of ROPA 49, as adopted by the Province.

- Per Section 76 of the ROP, the range of permitted uses and the creation of new lots within the Urban Area will be in accordance with Local Official Plans and Zoning By-laws. All development, however, shall be subject to all other relevant policies of the ROP.

- Section 84 states that it is a goal for housing to supply the people of Halton with an adequate mix and variety of housing to satisfy differing physical, social and economic needs.
- Additional housing polices in the ROP speak to making efficient use of serviced lands to increase the supply of housing and encouraging Local Municipalities and the development industry to be innovative in housing designs.
- Section 89 (3) of the Regional Official Plan require that approvals for all new development within the Urban Area be on the basis of connection to the Region's municipal water and wastewater systems, unless otherwise exempt by other policies of this Plan.

Potential for Site Contamination:

- In accordance with Section 147(17) of the Region's Official Plan, a property is to be free of contamination prior to any development/change of use taking place.
    - As such, submission of Region's Environmental Site Screening Questionnaire (ESSQ) is required in addition to a Phase 1 Environmental Site Assessment (ESA), completed to O. Reg 153/04 standards and accompanied by a Letter of Reliance granting the Region third party reliance. Please follow the Region's letter template in this respect.
    - A Phase 2 ESA may be required depending upon the recommendation(s) of the Phase 1 ESA.
    - Please note that the ESA report(s) must be no older than 18 months and comply with all requirements set in Schedule D and E of the O.Reg. 153/04.

Waste Management:

- Region Waste may service all proposed units including the heritage home for full waste collection depending on compliance with the Regional Waste Management Guidelines.
- Staff request submission of a Waste Management Plan for the entire proposed site.
- Further clarification is requested regarding the following:
    - Can the center line turning radius be increased to 13 m as per Regional waste guidelines?
    - Will the proposed road link to the existing development to the South when completed to provide waste collection vehicle movement access?

Municipal Servicing:

- Section 89 of the Regional Official Plan requires that approvals for all new development within the Urban Area be on the basis of connection to Halton's municipal water and wastewater systems, unless otherwise exempt by other policies of this Plan.
- There is a Halton Region local watermain within Walkers Line adjacent to the proposed development.
- There is a Halton Region local wastewater main (sanitary sewer) within Walkers Line adjacent to the proposed development. There is a large Halton Region wastewater forcemain (sanitary forcemain) within Walkers Line, it is to be shown on all plan drawings, and it is to be avoided.
- The developer should undertake to locate the size and location of all watermains, water services, water meters, wastewater mains (sanitary sewers), wastewater (sanitary) forcemain, wastewater (sanitary) services, property line wastewater (sanitary) inspection manholes, stormwater mains and stormwater services that exist within the road right-of-ways, to the property and within the property and place them on an Existing Site Servicing Plan drawings within their reports. Public and private utility companies can be utilized for this purpose.

- A Functional Servicing Report is required to be prepared by the developer's civil engineering consultant (watermains, water services, fire hydrants, sanitary sewer mains, sanitary sewer services, wastewater (sanitary) forcemain, property line wastewater (sanitary) inspection manholes, stormwater mains and stormwater services) to show options for how the property is proposed to be serviced according to City of Burlington and Halton Region standards. Local watermain and wastewater main (sanitary sewer) hydraulic analysis should be completed by the developer's consultant as well for the local sewers and the drainage area down the to the nearest trunk sewer. The consultant should include details about all other developments properties in the drainage area in their analysis of the local sewers. The report should speak to the number/type of units proposed and the phasing of the development with respect to the impacts on the Region's water distribution system and wastewater collection system. Phasing, timing of the development, and required/available capacity shall be detailed in the report. The consultant will include details about the potential external main upsizing and main extensions to accommodate the development, etc. Also, future forecast Regional capital works projects. The proposed development (FSR) will have to align with any Area Servicing Plan and Master Servicing Plan that is required for the area, City and Region.
- The FSR report should incorporate Fire Flow Rate Testing. The proponent should undertake fireflow rate testing of representative Regional fire hydrants in the area, with the proponent's fireflow contractor and Region forces present. Include within the Report a copy of the fireflow rate testing results, and the Fire Underwriters Survey (FUS) requirements for the development. This information will help to assist in informing the watermain design and watermain hydraulic modelling analysis that is being undertaken by the proponent's consultants.
- Further to the formal hydraulic analysis requirement, the developer's consultant can utilize the Region's current water and wastewater models (if required). The developer's civil consulting engineering firm will be required to enter into a Data License Agreement prior to obtaining any digital information from the Region.
- The FSR should include information related to all the other Utilities infrastructure in the area and potential conflicts.
- The FSR should show the existing site services and note how they are proposed to be decommissioned to make way for the development.
- The developer must physically locate the watermains and wastewater main (sanitary sewer) that are located immediately east of the property within Walkers Line. The developer's Professional Engineer that is preparing the FSR must consult with the Region regarding the proximity of the proposed development to the watermain and wastewater main (sanitary sewer), and the Region's approved set-back of the development from the watermain and wastewater main. There shall be no impact from the development on the Region's watermain and wastewater main. The Engineer shall prepare a number of cross-section engineering drawings along the east portion of the property and the City's road boulevard, for discussion with the Region. Proposed footings, foundation walls, overhangs, excavation, shoring, tie-backs, municipal mains and utilities will require to be detailed for review by the Region.
- Please note that this development may require additional municipal watermain isolation, and possibly a full size water chamber (including three/four valves) for the proposed development's water service connection, to the Region's water distribution system. The developer's civil engineering consultant must undertake a design exercise within the FSR in order to demonstrate that a full size water chamber, if required, can fit within the road/boulevard, while giving adequate separation distances from the other utilities in the area. The Engineer shall prepare a number of detail drawings, for discussion with the Region early in the process.

- At the Site Plan application stage the proposed street tree planting and proposed street furniture will have to be reviewed closely in order to avoid tree planting/street furniture conflicts with the Region's watermain and wastewater main (sanitary sewer) located within the Walkers Line westerly boulevard, to the satisfaction of the City and the Region.
- New development must be on the basis of full municipal services.
- The developer should be aware of the Region's Multi-Unit Servicing Policy with respect to the number and location of water meters.
- Regional policies state that water and sanitary services cannot cross lot lines, the owner will ensure this throughout the process. Each lot must be independently serviced if it is proposed to be a separate lot.
- Any major servicing works required for this project would fall under the Regional Servicing Agreement process, including securities, Agreement registration, developer's liability insurance and the payment of Agreement fees.
- Servicing of a standard nature is required to go through the Regional Services Permit process.
- The size and scope of, utility trench and road cut, road restoration shall be to the satisfaction of the City of Burlington for local roads.
- Watermain and wastewater main (sanitary) servicing capacity is not guaranteed at the ReZoning stage. Servicing of development in the Burlington area of Halton Region is currently on a first-come-first-serve basis. The owner can pre-consult about servicing capacity with the Region at any time in the future going forward. This current development proposal capacity will be reviewed closely and commented upon at the time of Planning application receipt. Should a servicing capacity issue be identified at that time then it will have to be dealt with, working through it with the Region. Servicing capacity is deemed to be in hand at the issuance of a Regional Servicing Agreement, Special Financial Agreement, and Regional Services Permit, which is reviewed and obtained toward the end of the City's Site Plan approval process, or Regional Servicing Agreement.
- The property appears to be located within the urban area of the City of Burlington. Halton Region has initiated an Integrated Water, Wastewater and Transportation Master Plan review exercise for the Region, together with, and in time, Background Studies and formal Programs. Please see the Planning comments for more context.
- As always, acquiring land for development purposes and hiring consultants, at this time, is at the risk of the developer.
- Any water services and sanitary services that currently exist to the property that will not be utilized for any reason will be required to be disconnected right at the respective main by the developer.
- The developer's site servicing consultant can preconsult with the Region at any time regarding their proposed draft site servicing water design, wastewater design and identified utility conflicts (including storm).
- The Region would like to receive confirmation in writing when any required formal land assembly has taken place at the ReZoning stage in order for servicing to conform with Regional Policies, that water and wastewater services do not and will not cross lot lines for different property owners.

Submission Requirements:

- All submission materials (digitally)
- Applicable Regional Fee(s)
- Complete Application forms
- Comprehensive Development Plans / Site Plan

- Functional Servicing Report
- Site Servicing Plan
- Environmental Site Screening Questionnaire, Phase 1 and if necessary, a Phase 2 Environmental Site Assessment (ESA) to O.Reg. 153/04 standards and with a Letter of Reliance.
- Waste Management Plan

NOTE: The Owner will be required to pay all applicable Regional Development Charges (DCs) in accordance with the Region of Halton Development Charges By-law(s), as amended. If a subdivision (or other form of development) agreement is required, a portion of the Regional DCs for residential units may be payable upon execution of the agreement or in accordance with the terms and conditions set out in the agreement. In addition, commencing January 1, 2017, every owner of land located in Halton Region intended for residential development will be subject to the Front-ending Recovery Payment. Residential developments on lands located in Halton Region that prior to January 1, 2017 are part of a Regional allocation program, or have an executed Regional/Local Subdivision or consent agreement, or have an executed site plan agreement with the Local Municipality, or received a notice in writing from the Local Municipality that all requirements under the Planning Act have been met, or obtained a building permit are not subject to the Front-ending Recovery Payment.

The above note is for information purpose only. All residential development applicants and every owner of land located in Halton Region assume all of the responsibilities and risks related to the use of the information provided herein.

Please visit our website at https://www.halton.ca/The-Region/Finance-and-Transparency/Financing-Growth/Development-Charges-Front-ending-Recovery-Payment to obtain the most current information which is subject to change.

Staff contacts:

- Navjot Kaur, Intermediate Planner, navjot.kaur2@halton.ca
- John Kisneris, Development Project Manager, John.Kisneris@Halton.ca

Development Engineering Comments:

GENERAL COMMENTS

1. All plans to use the same base layer.
2. Identify existing and/or proposed property lines on all plans.
3. Identify existing and/or proposed easements on all plans.
4. All private utilities must be constructed within the subject property limits.
5. City Plan and Profile drawings may be downloaded from the Open Data Portal.
6. All elements of the proposed development must be located within and maintainable from the subject property limits. i.e., the private laneway entrance off of Walker's Line is 6.0m wide and directly adjacent to the north property line, there does not appear to be room for curbing or fence post foundations, and there is no space between the asphalt and property line at the south end of the private laneway ("T"),. Please ensure the submitted plans show dimensions from property lines for all the elements (i.e., fence, curb, etc.) to demonstrate.

7. Please also consider headlight trespass, generally speaking, a double wood board fence without gaps, combined with dense coniferous plantings provides suitable mitigation for headlight trespass. There does not appear to be room for a dense coniferous planting area at the south end of the private laneway or adjacent to the visitor parking, both of these areas are adjacent to existing residential, and headlight mitigation needs to be considered. This is a future site plan issue however it does need to be considered at this stage for layout purposes.
8. Please also consider snow storage (even temporary snow storage), in reality a snowplow will just push snow along the edge of the private laneway, at the visitor parking area and at the south end ("T") of the private laneway, possibility pushing against the fence causing damage. There should be space in this area beyond the back of curb to accommodate a landscape buffer and snow storage. Additionally on other similar sites a masonry wall has been installed to prevent snow being pushed and damaging a wood fence. Please note this is also a site plan issue, and Transportation staff would review and approve amount and location of snow storage required.

RIGHT OF WAY

1. A Municipal Consent Permit is required for any works on public lands, including but not limited to temporary staging, grading, servicing, construction or disturbance of vegetation.
2. There are two capital projects listed in the City's budget & forecast in this area; resurfacing Walker's Line between Lakeshore and Fairview scheduled for 2025, and in 2027 renewal of Centennial Trail. Please note that the capital budget & forecast is subject to change. Coordination with the Walker's Line capital project may be necessary depending on timing of approvals/construction on the subject property. When a consulting civil engineer is on board with the project, and have completed a preliminary servicing design, please have them send a copy to annette.simpson@burlington.ca so that this information can be shared with the City's Design & Construction team who is undertaking design of the capital project, even if this is before a formal application, so that it can be considered in the capital project design. Please note that this would not in any way imply future support or approval of the project, it is just to be prepared for future needs that may be required in a similar timeline to the capital project.

FUNCTIONAL SERVICING & STORMWATER MANAGEMENT REPORT

1. All documents to be prepared in accordance with the Council approved Stormwater Management Design Guidelines (COB SWM), as amended.
2. To be stamped and certified by a Professional Engineer.
3. External agency may review the report. If differing requirements exist between them and the City than the most stringent criteria shall apply.
4. The City's Stormwater Engineer has provided the following criteria:

a. **Quality Control (COB SWM 6.1.4.1 and 6.1.4.2):**
   - Enhanced 80.0% TSS removal achieved with a treatment train approach. An OGS will only be credited with 50.0% TSS removal.
   - OGS CA-ETV certified units only.
   - OGS to be sized to capture and treat a min. 90.0% of the runoff volume.
   - Rooftop areas may be considered clean if the flows are separated from non-roof areas as per COB SWM 3.6 and 6.1.4.1.

b. **Quantity Control (COB SWM 6.1.1.1):**
   - 100 year return period (or Regional Storm, whatever is greater) post-development shall be controlled to the 5 year return period pre-development.
   - A max. pre-development imperviousness of 36.0% (C = 0.50) for re-development is to be used for the pre-development calculations.

c. **Erosion Control (COB SWM 3.4 and 6.1.2)**:
   - N/A

d. **Water Budget (COB SWM 3.5 and 6.1.3):**
   - Strongly recommend the first 5mm of rainfall be retained and infiltrated or reused onsite.

e. **Groundwater:**
   - (If proposed) Underground stormwater storage facilities must maintain a min. 1.0m vertical separation from the seasonally high estimated groundwater elevation, or demonstrate they are impermeable.

f. **External Flows**:
   - Identify all external flows and safely accommodate them under the developed conditions to avoid upstream flooding or ponding.

g. **Overland Flow Route (COB SWM 5.3.2 and 6.1.1.3):**
   - Provide the emergency overland flow route on the plans and direct it towards Walker's Line. Include the neighbouring properties to ensure existing drainage patterns are being maintained.

5. Provide full sized scalable, signed, and stamped plans for the following:
   a. pre-development storm drainage area
   b. post-development storm drainage area
   c. grading
   d. servicing
   e. any additional applicable plans
6. Include a Letter of Reliance that allows the City to rely upon the documents.

NOISE AND VIBRATION FEASIBILITY STUDY

1. All documents to be prepared in accordance with the MECP's Environmental Noise Guideline Publication NPC-300, as amended.
2. To be stamped and certified by a Professional Engineer.
3. External agency may review the report. If differing requirements exist between them and the City than the most stringent criteria shall apply.

4. The study to include but not limited to the following:
    a. Considered a Class 1 property.
    b. Identify offsite stationary noise sources that may require mitigation for existing and/or proposed development and provide the mitigation requirements. If offsite mitigation is required, then confirmation of a legal agreement between the development and offsite sources is required. Please note, adjacent property owners are not obligated to mitigate their onsite stationary noise sources, as it relates to stationary noise impacts on the subject development. The applicant is responsible for mitigating the exceedances within the limits of the subject development, which may require a site redesign.
    c. Provide all model calculations for both onsite and offsite.
    d. Provide any onsite noise measurements.
    e. Use reflective surfaces for model calculations where applicable.
    f. Provide capacity volumes received from the City's Transportation Services for roads using model calculations. Include the correspondence within the appendix.
    g. Provide any correspondence from external agencies to confirm traffic and/or train counts within the appendix.
    h. Provide all mitigating measure calculations including but not limited to window glazing, façade requirements, noise walls, etc.
    i. Provide a key plan identifying point of reception.
    j. Provide a key plan identifying sources of noise for both stationary and linear and including distances from subject property.
    k. NPC-300 exceedances and/or max. points of reception required for every floor and side of the building.
    l. Points of reception required for every neighbouring property.
    m. Provide a table for the points of reception and include the allowable noise level under NPC-300, estimated noise level, and the mitigated noise level.
    n. Provide warning clause recommendations where applicable.
    o. Provide a summary and drawing of any required mitigation measures.
5. Include a Letter of Reliance that allows the City to rely upon the documents.

Staff contact: Annette Simpson, Senior Engineering Technologist, Annette.Simpson@Burlington.ca

Urban Forestry & Landscape Comments:

Please be advised that the Urban Forestry and Landscaping review of this application is considered preliminary at this time. Urban Forestry and Landscaping may provide additional comments, raise additional concerns, or request additional information upon receiving the outstanding or revised information, and upon further comprehensive review of its contents.

1. A Landscape Plan will be required showing the general layout and intent of what is proposed for landscaped areas, including landscape buffer planting, outdoor amenity areas, fence location and types and pedestrian circulation. See the Pre-Submission Checklist for requirements.

2. The Landscape Plan must show and dimension pedestrian walkways and connections to the city sidewalk (1500mm minimum width, 1800mm recommended). Consider the width of the pedestrian walkways minus the doors that open out to ensure pedestrians don't need to walk on vehicular driveways.
3. The Landscape Plan must show conceptually the proposed layout and use of any outdoor amenity areas.
4. The Landscape Plan must show all regulated limits/hazard lines on the landscape concept plan.
5. Please note that the property of, 496 Walker's Line, is a Heritage site. Please consult with the City of Burlington's Heritage reviewer throughout all stages of the application.
6. The Landscape Plan must show the location of air vents/shafts and coordinate with landscape concept (i.e., do not locate vents in walkways and coordinate with proposed planting locations).
7. The Landscape Plan must show bicycle parking and snow storage locations.
8. The Landscape Plan must show proposed tree plantings that follow the ESA's guide *Planting Under or Around Powerlines & Electrical Equipment:* trees and/or shrubs with a max. mature height and spread of 4.5m in the Low Zone (to 4.5m from the power lines), trees with a max. mature height and spread of 7.6m in the Medium Zone (7.6m from the power line), and trees of any size beyond 7.6m from the power line. See the ESA Guidelines for Planting Under or Around Powerlines & Electrical Equipment.
9. Where trees are proposed, ensure the minimum required soil volumes are provided and documented on the landscape plans using good quality soil. The minimum requirements are as follows: 30m^3 of soil per tree in a single tree pit, 20m^3 per tree in a shared planting environment. Excavation for each planting environment should be 0.75m to 1.2m depth and should not exceed 1.5m depth and be tailored to stock size used. Smaller rooting volume (minimum 15-20m^3) may be proposed for smaller trees.
10. Where trees, shrubs and herbaceous material is proposed, ensure material is suitable for the existing and proposed conditions to ensure success (i.e., salt tolerant, and suitable for existing and proposed soil and other environmental conditions).
11. Any recommendations or issues of compatibility (i.e., noise, light, uncomfortable wind conditions) noted in the Planning Justification Report, Noise Report and Wind Study should be addressed and reflected on the Landscape Plan, for example with buffer planting, screens and fencing, trellises or awnings for outdoor areas including pedestrian walkways and amenity areas.
12. Where required, landscape buffers should provide separation and be designed to partially obstruct the views to adjacent properties along shared property lines. The landscape buffers should be a dense landscape screen consisting of evergreen trees or a combination of solid screen fencing with evergreen and deciduous trees and understory shrubs.
13. Screen parking spaces from road frontages.
14. Please review and apply the Sustainable Building and Development Guidelines.
15. Once the number of parking spaces is finalized, confirm the required number of Type "A" and Type "B" barrier free parking spaces required. Type "A" shall be 3400 mm in width and signed to indicate Van Accessible Parking. Type "B" shall be 2750 mm as per city zoning by-law. As per city zoning by-law, the access aisle shall be 2000 mm. The access aisle is to be clearly identified and can be shared by both spaces. Please see GAATES Figure 2.6.4.1 (page 127) for Van Accessible Signage detail.

16. Locate the barrier free parking spaces closest to the main entrances and not crossing vehicular traffic.
17. Contact the city's Accessibility Coordinator if you have any questions concerning **Accessibility:** Judi Lytle, 905-335-7600, ext. 7865, judi.lytle@burlington.ca.
18. An Arborist Report, Tree Inventory and Tree Protection Plan is required to document all existing trees greater than 10cm DBH on site and on adjacent properties within 6m of the property lines, and all trees of any size on city property. See the City of Burlington: Pre-Submission Checklist for further requirements. Ensure your tree inventory table is provided as an excel file in addition to the word file. Note, the inventory data for this file provided with the Arborist Report will require an update to existing conditions and a revised tree protection plan should evaluate the proposed development related impacts against all civil drawings (i.e., grading, servicing etc.).
19. Any existing private trees on the subject site should be considered for preservation. The removal of trees shall be considered as a last resort. Trees that are to be removed will require a plan for replacement. Private trees that are 15cm in DBH will be counted toward replacement requirements using the City's aggregate caliper method. Tree replacements will be based on 50mm caliper replacement sizes. Proposals for replacement shall consider planting on the existing subject property as a priority. Where there is no room for replacement trees, cash-in-lieu of replacement will be required.
20. Removal to trees on neighboring properties, or that are located on a shared property line (boundary trees) will require consent from the adjoining and/or adjacent owner(s).

    Where impacts are proposed (i.e., encroachment / injury) to neighbouring and/or boundary trees the adjoining and/or adjacent owner(s) shall be consulted and made aware of the proposed development and potential impacts to their trees and/or boundary trees and the applicant shall submit a document in writing from adjoining and/or adjacent owner(s) that there are no concerns with the proposal for those trees, or the applicant's qualified tree professional (as defined in Pre-Submission Checklist) shall address the potential impacts to the neighbor's trees and/or boundary trees and provide an attestation in the Arborist Report that the impacts proposed will not be a detriment to the trees, and they will remain in healthy condition. Information in the report shall also include the preservation methods, including pruning and fertilizing, which can be implemented by the owner to ensure the health of trees on neighboring properties.
21. Private trees that are regulated and require removal or injury to facilitate project works may require a private tree permit depending on the timing of removal and/or injury relative to planning application(s). Please consult with the City at all stages of your project (i.e., demolition) to ensure compliance. Additional documentation may be required.
22. There are public trees present in close proximity to the proposed area of work. Please prioritize the preservation of these trees as part of this application.
23. The City's Public tree by-law is applicable to the proposed development. The removal of public trees shall be considered as a last resort. Where City of Burlington public trees are proposed for removal, council approval is required prior to tree permit issuance. The number of replacements will be evaluated using the City's aggregate caliper method. Similarly, work shall be modified to avoid working inside the minimum tree protection zone of all public trees. Where impact is proposed for public trees, a public tree permit will be required, and securities provided.

24. Trees and corresponding tree protection hoarding (vertical and/or horizontal) shall be illustrated and considered on all civil drawings and factored into all Construction Management and Mobility Plans.
25. Please provide a comment matrix that identifies the above comments and how they were addressed with the site plan submission.

Staff contact: Jacqueline Viscardi, Intermediate Landscape Development Technician, jacqueline.viscardi@burlington.ca

Parks & Open Space Comments:

- Park dedication will be a requirement of this development.
- Parkland dedication will be in the form of in cash in lieu of land and charged at the rate in effect at the time building permits are issued.

Staff contact: Kyle Poole, Landscape Architect, Kyle.Pool@Burlington.ca

Transportation Services Comments:

Site Context

1. The proposed development site is on the west side of Walker's Line, north of New Street. Per the Official Plan, the proposed development:
    a. is in Residential Neighbourhood Area, per Schedule B, Urban Structure,
    b. is in an Established Neighbourhood Area, per Schedule B-1, Growth Framework
    c. Walker's Line is a Candidate for Frequent Transit Corridor, per Schedule B-2, Growth Framework and Long-Term Frequent Transit Corridors.
    d. Walker's Line is an Urban Avenue per Schedule O-1, Classification of Transportation Facilities - Urban Area.

2. Walker's Line has a four-lane basic cross-section with a two-way left-turn lane (centre turn lane) as well as sidewalks on both sides of the street. Based on the by-law, the posted speed limit on this street is 50 km/hr.

Deemed Right-of-Way Widths

3. The deemed right-of-way width per the Official Plan and Zoning By-Law for Walker's Line is 30 metres. The existing right-of-way adjacent to the subject site is 30 metres therefore no additional lands are required.

Daylight Triangles

4. A daylight triangle is not required for this property since it's not located at an intersection.

Transportation Impact Study/Mobility Impact Assessment

5. Transportation Planning will not require a Transportation Impact Study for the proposed development.

Auto and Bicycle Parking Supply

6. The subject land-use shall meet the parking supply requirements of the Zoning By-Law Table 1.2.6: Off-Street Parking Standards.
    - 2 spaces per unit for occupants plus 0.25 spaces per unit for visitors. Based on the proposed 19 dwelling units, this will equal to 38 occupant parking spaces and 5 visitor parking spaces.

7. The bicycle parking supply shall meet the requirements of the Burlington City-Wide Parking Standards Review.
    - 0.5 long-term bicycle parking spaces per unit, plus 0.05 short-term bicycle parking spaces per unit. Based on the proposed 19 dwelling units, this will equal to 10 long-term bicycle parking spaces and 1 short-term bicycle parking space.

The long-term bicycle parking shall be in an indoor and secure location and short-term. bicycle parking shall be highly visible, near the entrance of the proposed development, and easy to use.

Site Plan Comments

8. 1.8 metre sidewalks will be required throughout the proposed development, especially along the proposed vehicle access on Walker's Line.

9. Site accesses must adhere to the standards of the City of Burlington. The sidewalk shall be continuous and level through the driveway.

10. The applicant shall submit a Construction Mobility Management Plan (CMMP) as a part of this application which shall be to the satisfaction and approval of the Director of Transportation Services or designate. During construction, staff will not support the closure of vehicle lanes, bike lanes, boulevards, sidewalks, etc.

11. Any internal traffic signage such as "stop", "no parking", "fire route", accessible parking, and pavement markings shall be clearly indicated and depicted on the site plan.

12. Minimum dimensions for all the proposed driveways are 6.7 metres in length and 3 metres in width.

Staff contact: Dan Ozimkovic, Transportation Planning Technologist, dan.ozimkovic@burlington.ca

Zoning Comments:

ZONE:

490 Walker's Line is currently zoned RM2-189 – permits only Townhouse Dwellings (as per special site Exception 189)
496 Walker's Line is currently zoned RM2 and permits Townhouse Buildings (as per Part 2, Table 2.7.1)
508 Walker's Line is currently zoned R2.1 and is also designated for Lot Coverage and permits low density only (i.e., Detached Dwelling)

Proposal to rezone lots to RM2, or Medium Density Residential, including site specific provisions to increase density and building height as well as to reduce minimum yard requirements. The RM2 zone permits Townhouse Buildings but does not permit Street Townhouse Buildings;

Townhouse
A residential building containing not more than 16 dwelling units with attached units being separated by a common or party wall, provided that:

a. townhouse buildings shall have a maximum length of 55 metres;
b. individual units shall have at least one separate outside entrance.

Street Townhouse
A building containing not less than 2 and not more than 8 dwelling units and is separated from each adjoining unit by a common or party wall above grade. Such common or party wall may enclose a heated or unheated portion of the dwelling unit or a combination thereof, provided that:

a. Individual dwelling units shall be on a separate Lot (including Parcel of Tied Land) with frontage on a public street;
b. Every dwelling unit shall have at least one separate outside entrance;
c. Every interior dwelling unit having a width of 6.8 m or greater shall have a 90 cm wide grade-level access between the front and rear yards, which is separate from any habitable areas of the unit.

Additionally, the RM2 zone permits Detached Dwellings subject to the regulations in the R3.4 zone.

GENERAL COMMENTS:

1. OLS stamped and up-to-date survey required.
2. Fully dimensioned Site Plan required including detailed Site Statistics.
3. Submit complete and fully dimensioned floor plans, roof plans, elevations and sections.
4. Detailed grading plan required including fixed grade and confirmation of storey calculation.

   Storey is defined as;

The portion of a building other than a cellar, basement, or attic included between any floor level and the floor, ceiling, or roof next above it. For residential buildings, storey height shall be in accordance with Part 1, Subsection 2.31.

First Storey is defined as;
The storey closest to finished grade having its ceiling 1.8 m or more above average finished grade adjacent to the exterior walls of the building.

5. Are any changes proposed to the existing dwelling at 496 Walker's Line? What is the intended use, or uses? Detailed drawings required.
6. Existing lots should be consolidated into one.
7. Development is subject to City, Region and School Bboard Development Charges and Park Dedication fees. Applicant to submit the appropriate application forms.
    - Applicant to provide a letter from a land surveyor confirming the total floor area of the existing/demolished building(s) for determining any applicable DC credits.
    - Provide all dimensions and areas for dens, lofts, studies or other similar uses (not including kitchen, bathrooms, living rooms, family rooms or dining rooms) on the floor plans, as well the information should be provided in a spreadsheet indicating the floor and unit number as well as the dimensions and areas.
    - Development Charges may be subject to interest, as per each Agency's by-law.
    - Community Benefits Charge (CBC) required.
8. Zoning staff will review and comment on Draft Bylaw vetted by City Planner once complete.

ZONING REVIEW:
Part 1 General Provisions:

Regulation	Proposed	Complies
2.3.3 Balconies are permitted in all zones, provided: -Accessory to dwelling unit -Must meet principal building setback with encroachment allowance permitted in Part 1, Section 2.13 (c)		Tbd
2.3.4 Porches are permitted in all zones, provided: -Maximum size 20 m2 (no roof) -No maximum size if roofed over -Must meet principal building setback with encroachment allowance permitted in Part 1, Section 2.13 (d)		Tbd

2.4.1 Fences and walls are permitted in all zones subject to the following regulations: (a) For all non-residential uses and residential abutting non-residential uses maximum height shall be 3m provided the fence is located on a common lot line. (b) For all residential uses the following regulations apply: (i) Maximum fence height: 2.0 m (ii) Within a front yard, maximum fence height shall be 1.2 m within 3 m of the street line except that where a front yard adjoins the rear yard of a corner lot the maximum fence height along the common property boundary within 3 m of a street line shall be 2.0 m. (iii) Fence height shall be measured vertically from grade, exclusive of any artificial embankment, to the highest point of each 3 m section of fence, excluding decorative post caps; Part 1 – General Conditions and Provisions August 2022 Part 1 – Page 18 (iv) Where the grade elevations along the fence vary, maximum fence height may increase to 2.3 m provided that the lowest height of the same 3 m fence section does not exceed 2.0m in height (See Illustration 6 – Fencing Regulations for Grade Variation).		Tbd – demonstrate compliance

(c) Fencing for the purpose of enclosing a tennis court is permitted to a maximum height of 3 m		
2.4.2 Privacy screens are permitted on decks and balconies for detached, semi-detached, duplex, triplex, fourplex, townhouse, street townhouse, back-to-back and stacked townhouse dwellings subject to the following regulations: (a) Maximum height from grade: 2.5 m (b) Maximum height from platform: 1.8 m (c) Enclosed on two sides only (d) Setback from the street line: 9 m (e) Setback from side lot line: 1 m (f) Setback from a side lot line that extends from a common wall dividing dwelling units: 0 m (g) Setback from a rear lot line: 1.5 m (h) Combined length of privacy screens (per unit): 12 m		Tbd – demonstrate compliance
2.13.1 Every part of a required yard shall be unobstructed with respect to the following encroachments		
2.13.1(a) The following obstructions may project 50 cm maximum into a side yard and 1 m maximum into any other yard from the wall of the building: Chimney, pilaster, belt course, roof overhang excluding		Tbd – demonstrate compliance

eaves and gutter, sill, lintel, cornice, ornamental projection		
2.13.1(c) A bay window, balcony, vestibule, fire escape or open stairway may project 50cm maximum into a required side yard and 1.6m maximum into any other required yard, provided that: (i)The sum of the length of these projections does not exceed one third of the permitted length of a building wall, (ii)The length of any one projection does not exceed 3 m. (iii) A bay window that projects into a required yard may not have a foundation and must have at least 30% of the surface area of the projection as a window. (iv) Basement walkout only permitted in side and rear yards		Tbd
2.13.1(d) The following obstructions may project 65 cm maximum into a required yard: -A roofed-over or screened but otherwise unenclosed 1-storey porch including steps and roof overhang excluding eaves and gutter -A terrace or unroofed porch -A carport		Tbd but does not appear to comply
2.15 Excepting Lots of Record and Parcels of Tied Land in a Common Element Condominium Corporation, no building or structure shall be constructed on a parcel of		Confirm

land which does not have frontage on a public street		
2.27 Deemed Street width All property calculations and setbacks should reflect the deemed street width as opposed to the property line.		To be confirmed by Site Engineering staff

Part 1 Off-Street Parking and Loading Requirements:

Regulation	Proposed	Complies
2.24 3) Unless otherwise specified in this by-law, driveways shall be a minimum of 6 m in length. a) For dwelling units within a plan of condominium, driveway lengths shall be 6.7 m in length measured from back of curb to front of garage.		Tbd
Table 1.2.6 Off-Street Parking Standards Townhouse Dwelling 2 occupant spaces per unit, 0.25 visitor spaces per unit Detached Dwelling 2 spaces per unit; one of which may be provided in an attached or detached garage Detached, Semi-detached and Duplex, on a parcel of tied land fronting onto a common element condominium road: 1.5 spaces per unit where 1 space shall be located on the parcel of tied land and 0.5 space per unit for visitor parking shall be located within the common element condominium block which	47 provided, incl. 5 visitor	Appears ok but detailed calculations required.

contains the condominium roadway.		
2.26(1)(a)Parking Space Size & Accessibility (a)Each parking space shall have a minimum width of 2.75m and a minimum area of 16.5m2 and be readily accessible without obstructions at all times for parking and removal of a motor vehicle without the necessity of moving any other vehicle or obstruction.		Appears ok but show dimensions for all parking spaces (or note typ.)
The minimum internal dimensions for a private garage are 6.0m depth x 3.0m width x 2.0m height. The minimum internal dimensions for unobstructed area in the private garage are 5.5m depth x 3.0m width x 2.0m height. One step is permitted in the unobstructed area		Dimensions Required
2.26(1)(b) Accessibility shall not apply to a parking space in a garage which is for the exclusive use of a dwelling unit, provided the driveway serving the garage has a minimum length of 5.5 metres. Accessibility is not required for 20% of the required occupant parking in townhouse, back-to-back townhouse, stacked townhouse, maisonette, fourplex, and apartment buildings.		Ok
2.26(2) Where parking facilities are illuminated by lighting fixtures or standards, they		Tbd

shall be arranged so that light from the fixture is shielded and/or directed away from residential dwellings		
2.26(3) Every parking lot, which includes parking spaces and driveways, shall be graded and drained and the surface treated so as to provide a permanent durable and dustless surface. This provision shall not apply to parking lots of residential developments having three or fewer dwelling units		Tbd – indicate surface treatment
2.26(4) Every such parking lot shall have adequate means of entrance and exit directly to an existing street or public lane, and every such entrance and/or exit shall be clearly marked by directional signs		Clarify connection to existing private condominium road
2.26(9) Where parking facilities are required, designated accessible parking spaces for the exclusive use of persons with disabilities shall be identified with a provincially regulated vertical sign displaying the international symbol for accessible parking spaces. Designated accessible parking spaces shall be included in the calculation of required parking in accordance with Table 1.2.7 Where required parking is 5 to 50 spaces, 1 parking space shall be designated as an accessible parking space		Appears ok
2.26(9)(b) Each designated		Ok

accessible parking space shall meet the minimum width and area requirements of subsection (1)(a) above and shall be located adjacent to a delineated "accessible parking pathway" with a minimum width of 2.0 metres		

Part 2 Medium Density Residential (proposed):

Regulations	Proposed	Complies
1h) Parking lots shall be set back 4.5m from a street line		ok
1i)i) For townhouses, back-to-back townhouses, stacked townhouses, cluster homes and apartment buildings up to 3 storeys, driveways and parking lots shall be set back 3m from a wall of a building containing windows of habitable rooms, except where a parking space and driveway is for the exclusive use of the unit occupant the setback shall not apply. Parking spaces shall be set back at least 6m from an R1, R2, R3 zone		No
Table 2.9.1 Lot Width 45m		Tbd (survey req'd)
Lot Area 0.4ha		Tbd (survey req'd)
Front Yard 9m (abutting a street having a deemed width of 30m or greater)	Appears to be 5.6m	No (confirm also deemed width)
Rear Yard 9m	Appears to be 17.4m	
Side Yard 4.5m (abutting 476 Walker's Line)	1.2m	No
Street Side Yard 6m	n/a	ok
Yard abutting R1, R2, R3 Zone 9m	7.5m and 3m	No
Density Minimum 25 units/ha	47 units/ha as noted	No

Maximum 40 units/ha		
Floor Area Ratio ***		
Amenity Area 25m2/bedroom 15m2/efficiency Amenity Area is defined as; The area situated within the boundaries of a project and intended for recreational purposes, which may include open spaces, patios, balconies, communal play areas, lounges, sundecks, and roof decks, but shall not include the area occupied at grade by the buildings, service areas, parking, and driveways	54 + 3 = 57 bdrms x 25m2 = 1,425m2 req'd Provided 400 + 100 = 500 m2 (as noted)	No - floor plans and detailed calculations required
Privacy Area 20m2 per unit Privacy Area is defined as; An area reserved for the exclusive use of the occupants of a dwelling unit and which is separated from other privacy areas and communal areas by a privacy screen. A Privacy Area may include a patio, deck, balcony, solarium, or other such area.		tbd - floor plans and detailed calculations required
9.2 Landscape Area 6m abutting a street having a deemed width greater than 26m Landscape Area is defined as; An area of land within a lot dedicated to the planting of trees, shrubs, flower beds, or a combination thereof and which may include other decorative landscape features. A Landscape Area may be crossed by a		Tbd – demonstrate compliance

driveway or walkway provided it is substantially perpendicular to the Landscape Area. A ground sign may be located within a Landscape Area. A landscape Buffer may be included in the calculation of Landscape Area. Snow storage and transformers are not permitted in a required landscape area		
9.2 Landscape Buffer Abutting R1, R2, R3 zones: 6 m Landscape Buffer is defined as; The area of a lot which serves to provide separation and to partially obstruct the view of adjacent land uses by means of a dense landscape screen consisting of evergreen trees or a combination of solid screen fencing and evergreen or deciduous trees. Snow storage and transformers are not permitted in a required landscape buffer	Om, 0.6m and 3.0m proposed. Rear yard includes Outdoor "Play Area" (details required)	No
9.3 Parking shall be provided in accordance with Part 1, Subsection 2.25 "Off-Street Parking and Loading Requirements"		See Parking Section
9.4 Building Height (a) 4 storey building height maximum for retirement home. Maximum building height for other permitted uses shall be provided in accordance with Part 1, Subsection 2.31 "Residential		No – Proposed building height exceeds 2 storeys. Confirmation of storey count required Proposed building height (Expressed in linear metres) also required.

Building Height”. (b) Maximum height for townhouse and fourplex dwellings: 2 storeys.		

Staff contact: Magda Rusin-Hynek, Zoning Examiner, magda.rusinhynek@burlington.ca

City of Burlington: Pre-Submission Document Terms of Reference
490-508 Walker's Line
October 20, 2023

NOTE: These general Terms of Reference (below) will be used to assess the materials and technical studies submitted in support of a *Planning Act* application(s) and are to be reviewed upon the submission of and prior to the deeming of 'complete' of the application(s). The following Terms of Reference are intended as a guide to assist proponents in the preparation of materials and technical studies due upon submission (see: Section 12 of Development Application Pre-Consultation Form) and to provide recommendations as to the information content of those materials that would assist City of Burlington, Region of Halton, Conservation Halton and external agency partners in their review, once circulated. In circumstances where these Terms of Reference are generally not adhered to, submission materials may be returned to the proponent/applicant and/or a file not initiated.

1) General Requirements

- Correct application fees (based on most current fee schedule)
- Correct number of application forms and copies of reports
- Application form fully completed and commissioned
- Landowner's authorization and consent to enter property signed
- Three CDs or flash drives containing electronic copies of all materials
- Consistency within technical reports in terms of the development concept evaluated, and supporting appendices and drawings.
- Consultants have coordinated data and conclusions so that reports are consistent between disciplines
- Clear and legible drawings
- All electronic file submissions must be named using the following naming protocol: "Address_StudyName_MM-DD-YYYY". If a document is revised and resubmitted the file name should indicate that it is a revised submission and the date of the revision should be noted: "Address_StudyName_Revised_MM-DD-YYYY".
- Two digital copies of all plans are required along with paper copies. Digital plans must be submitted in Autocad and/or GIS Shapefile format that must be geospatially positioned to match the City of Burlington's Geographic and Projected Coordinate Systems (Geographic Coordinate System: GCS_North_American_1983; Projected Coordinate System: NAD83_UTM_ZONE 17N).
- Pre-Application Community Meeting Notes

2) Planning Justification Report

- Signed by a Registered Professional Planner
- Contains a written acknowledgement by the RPP that they have reviewed all supporting technical studies in consideration of their planning opinion.
- Contains a review of the applicable policies of the Provincial Policy Statement.
- Contains a review of the applicable policies of A Place to Grow Growth Plan
- Contains a review of the applicable policies of the Provincial Greenbelt Plan.
- Contains a review of the applicable policies of the Niagara Escarpment Plan.
- Contains a review of the applicable policies of the Parkway Belt West Plan.
- Contains a review of Ontario Regulation 162/06.
- Contains a review of all other relevant Provincial legislation.
- Contains a review of the applicable policies of the Region of Halton Official Plan.
- Contains a detailed explanation of how the proposed development is consistent and/or conforms to all relevant Provincial Plans and policies.
- Contains a review and analysis of the applicable policies of the City of Burlington Official Plan (2008) and 'New Official Plan' (2020).
- Contains an analysis of the Intensification Criteria in the Burlington Official Plan.
- Contains a fulsome discussion of the results of the required technical studies and how they have been used to refine the redevelopment proposal.
- Contains a discussion of how input received at the Pre-application consultation meeting has been used to refine the redevelopment proposal.
- Contains a discussion of how input received from the Burlington Urban Design Panel has been used to refine the proposal.
- Contains an explanation of how the proposed development is compatible with surrounding land uses including height, setbacks, massing and design.
- Contains a comprehensive justification for any rental conversion or demolition of rental units which includes reference to the Region's State of Housing Report and a plan for relocation of existing tenants.
- Draft Official Plan Amendment and/or Amending Zoning By-law.
- Contains a robust justification of any removal or conversion of employment lands.
- Contains an explanation of why the requested change represents good planning and adheres to Provincial and municipal plans and policies.
- If land division is required, contains an explanation of the proposed process (condominium type, subdivision, consent), timing and next steps.

3) **Survey and Severance Sketch / Conceptual Site Plan**

- Legible, metric scale drawing on 24x36 inch paper (or digital)
- Prepared and signed by an OLS Surveyor
- Clearly identifies all development constraints including easements, MTO setbacks, floodlines & hazard lands, natural heritage buffers, required right-of-way widenings, daylight triangles, etc.
- Survey / Reference Plan of site showing PINs, easements and property boundaries, etc.

4) **Land Assembly Documents**

- Documentation which demonstrates that a reasonable, bona fide offer has been made to acquire lands to facilitate the orderly development of an area.

5) **Arborist Report and Tree Preservation Plan** (*only required if existing trees will be impacted, including by construction access and stockpiling of material and can be scoped to the trees that will be impacted)

- Is prepared by a qualified professional (e.g. Arborist certified by the International Society of Arboriculture (ISA), including ISA number; qualified by Ministry of Training, Colleges and Universities (MTCU) or Ontario Training and Apprentice Board (OTAB); registered professional Forester in Ontario, etc.)
- Contains legible drawings on 24x36
- Includes all dimensions in metric, to scale, and on a consistent base map layer
- Includes bar scale
- Shows the proposed development (including property lines, easements, regulated areas, paved areas, buildings and entrances, landscaped areas, regulated limits, etc.) and is coordinated with the Site Plan, Grading and Servicing drawings
- Arborist Report should describe the scope and methodology of proposed construction works and the tree preservation measures
- Identifies all existing trees (over 10cm diameter at breast height (DBH) measured at 1.4m above the ground) on site and within 3m of the property lines, and trees of any size on city property, their common and botanical name, size (DBH and height), structural and physiological condition, ownership, comments and notes, recommendations, and photos (particularly those requested for removal)
- Identifies trees proposed to be removed and retained, and the methods to be used to ensure preservation and protection of trees to be retained, including location and detail of tree protection fencing in accordance with the City of Burlington's Tree Protection and Preservation Specification SS12A: https://www.burlington.ca/en/services-for-

you/resources/Forestry%20Operations/Tree_Protection_and_Preservation/City-of-Burlington-Standard-Specification-for-Tree-Protection-and-Preservation.pdf

- Minimum Tree Protection Zones and Critical Root Zones clearly shown and labeled in addition to tree protection fencing
- Percentage of injury should be clearly shown on the plan and noted in the Arborist Report, and impacts and damage mitigation methods outlined
- Clearly show the excavation limits on the plan (e.g. foundations or footings, trenching, etc.) and discuss damage mitigation measures (e.g. root pruning) in the Arborist Report
- Alternate layouts and construction measures should be considered and discussed in the Arborist Report to ensure any proposed removals are necessary and justified (i.e. there are no alternatives to the removal)
- Abbreviations should be defined and industry standard terminology used
- If removal or damage to trees on neighboring properties or boundary trees is required, provide either: 1) letter of consent from adjacent property owners that they are aware of the proposed development and potential impact to their trees or boundary trees and have no objections, OR 2) the Arborist Report should include preservation methods that can be implemented to mitigate damage to neighboring or boundary trees
- Arborist Report should describe compensatory tree planting if trees are proposed to be removed (layout to be shown on the Landscape Concept Plan)

6) Landscape Concept Plan

- Is stamped and signed by a qualified member of the Ontario Association of Landscape Architects
- Contains legible drawings on 24x36 inch paper
- Includes all dimensions in metric, to scale, and on a consistent base map layer
- Includes bar scale
- Identifies the location and general design intent of the proposed landscaped areas and buffers, and outdoor amenity areas
- Identifies minimum required soil volumes, and location of any structural soil cell installation areas to achieve minimum soil volumes ($30m^3$ of soil per tree in a single tree pit, $15m^3$ per tree in a shared planting environment. Excavation for each planting environment should be 0.75m to 1.2m depth and should not exceed 1.5m depth)
- Identifies the location, type and height of proposed fencing
- Identifies property lines, easements, regulated areas, impermeable surfaces (including curbs, roads, driveways, sidewalks, etc.), buildings and entrances, landscaped beds, lawns or other permeable surface areas, other information as needed

- Identifies the location of all underground, at grade and overhead utilities
- Identifies the location of any storm water management infrastructure, including swales, sub-drains, catch basins, pipes, and other quality and quantity controls as required

7) Functional Servicing Report

- Is prepared, signed and stamped by a Professional Engineer.
- Contains legible drawings , including all dimensions, plotted to a metric scale of 1:200, 1:250, 1:300 or 1:500 on 24x36 inch paper, and on a consistent base map layer .
- Follows the terms of reference agreed upon by the Regional and City staff in advance of study commencement. Includes a copy of this approved Terms of Reference as an Appendix.
- Includes digital copies of models.
- Includes all dimensions in metric, to scale, and on a consistent base map layer.

8) Noise & Vibration Feasibility Study

- Is prepared, signed and stamped by a Professional Engineer.
- Includes determination of project feasibility
- Includes assessment of existing and proposed transportation sources of noise and stationary sources of noise and vibration.
- Includes traffic/train counts confirmed by relevant agencies and includes correspondence from those agencies in an appendix.
- Includes assessment of outdoor and indoor acoustical environments, including those onsite and on neighbouring noise sensitive land uses
- Includes clearly defined environmental sound levels for transportation sources of noise and stationary sources of noise as per City's requirements and the MOECC publication NPC-216 and NPC-300 as amended
- Includes investigation of feasible means of noise impact mitigation, including a chart outlining noise control measures required to achieve sound levels of 55dBA (or as close as possible) for each outdoor living area
- Includes all calculations and modeling (i.e. STAMSON output)
- Includes technical details, and clarifies the responsibility for the implementation and maintenance of the required noise control measures.
- Includes recommendations for warning clauses.

9) Stormwater Management Report

- Please refer to the City of Burlington Stormwater Management Design Guidelines, approved by City Council on June 22, 2020, please be advised of new IDF curves for the City of Burlington: https://www.burlington.ca/en/services-for-you/Stormwater.asp
- Refers to the Ministry of the Environment "Stormwater Management Planning and Design Manual" and the TRCA/CVC Low Impact Development Stormwater Management Planning and Design Guide.
- Is prepared, signed and stamped by a Professional Engineer
- Includes pre and post development drainage area plans that are legible, plotted to an acceptable metric scale, plotted on 24" by 36" paper and plotted on a consistent base map layer
- Includes site grading and servicing plans that are legible, plotted to a metric scale of 1:200, 1:250, 1:300 or 1:500, plotted on 24" by 36" paper and plotted on a consistent base map layer
- Includes digital copies of modeling, modelling program acceptability to be confirmed with City Staff prior to use and prior to submission of report.
- Includes a list of all past reports and current technical documents that have been consulted.
- Includes all calculations, modelling, and parameters (as per City Standard Drawings S-IDF, S-2D, S-3D, etc., as amended)
- Includes clearly defined stormwater criteria for the site (including source) and demonstrates in report how these criteria will be satisfied.
- Addresses all interim conditions as well as the ultimate condition
- Contains engineering details and cross-sections showing existing utility locations if any temporary and/or permanent encroachments are proposed.
- Provide chemical analysis of groundwater to determine if it satisfies the City's storm sewer discharge criteria for water quality. (including documentation from the Geotechnical or Environmental Engineer in the appendix)
- If groundwater cannot be directly outletted to the municipal storm system, detail where it will outlet, i.e. treated then outlet to storm or outlet to the sanitary system.
- Provide an estimate of groundwater flow to be permanently managed in the site storm system (including documentation from the Geotechnical Engineer or Hydro-geologist in the appendix)
- Provide comment on whether or not it is anticipated a permit to take water would be necessary either temporarily during construction or permanently.

10) Grading and Servicing Plans

- Must be separate Plans
- Are stamped and signed by a Professional Engineer
- Contains legible drawings, plotted to a metric scale of 1:200, 1:250, 1:300 or 1:500, on 24" by 36" paper and plotted on a consistent base map layer
- Identifies property lines, dedications, easements, regulated areas, impermeable surfaces (including curbs, roads, driveways, sidewalks, etc.), buildings and entrances, and other information as needed
- Identifies the location of all underground, at grade and overhead utilities
- Identifies the location of all storm water management infrastructure, including swales, sub-drains, catch basins, pipes, and other quality and quantity controls as required
- Identifies Municipal Benchmark and Horizontal Control

11) Geotechnical Study (including Groundwater)

- Is prepared, signed and stamped by a Professional Engineer.
- Contains legible drawings
- Includes digital copies of models
- Includes all dimensions in metric, to scale, and on a consistent base map layer.
- Includes groundwater information (for example: dewatering during construction vs. permanent dewatering to be accommodated in a stormpond). Includes estimated volumes of groundwater to be permanently managed.
- Indicates if a Permit to Take Water would be required either during construction or permanently.
- Includes testing of groundwater to ensure it meets municipal stormwater discharge criteria. (City and Regional staff have been contacted if groundwater does not meet discharge criteria.)
- Contains sufficient quantity and distribution of boreholes to map soil and groundwater conditions for the soil type.
- Provides sufficient monitoring data to address groundwater level seasonality.
- Contains results of any geotechnical test completed.
- Discusses infiltration capabilities if Low Impact Development is proposed.
- Contains shoring and excavation details (for example: tiebacks, caissons, foundations, forming, piles) if underground parking or encroachments are proposed.
- Includes cross-sections, and dimensions from property lines and details of over-digging.

- Includes a stable slope assessment if required at the preconsultation stage. This study refers to the Ministry of Natural Resources and Forestry Technical Guidelines "Natural Hazards Manual Technical Guide – River and Stream Systems: Erosion Hazard Limit" and final topographical survey drawings with stable top of bank delineation signed and stamped by a Professional Engineer.
- Contains confirmation of the need for pre-construction surveys of surrounding buildings, to an extent determined by a Professional Engineer specializing in vibration, OR confirmation that pre-construction surveys are not warranted.

12) Environmental Site Assessment Report

- Completed in accordance with Ontario Regulation 153/04 as amended
- Regional Environmental Site Screen Questionnaire included
- Prepared, signed and stamped by a Qualified Person
- Letter of Reliance for City and Regional staff
- If the Phase One Study recommends a Phase Two Study, then the Phase Two is included with the submission
- If the Phase Two Study recommends site remediation, then the remediation plan is included to ensure that remediation feasibility has been considered.

13) Urban Design Brief:

- Contains a itemized and detailed analysis of how the proposed development meets the urban design objectives and policies of the Official Plan and any relevant approved urban design guidelines.
- Indicates how the proposed development responds to its surrounding context (both existing and planned).
- Provides a close examination and understanding of the surrounding area including blocks, streets, and buildings that could influence overall site and building design.
- Describes the overall architectural expression; building relationship to streetscape and adjacent properties; pedestrian, cycling, and transit connections; sustainable building elements; and other urban design features that ensure design excellence.
- Contains an explanation of how the proposed development is compatible with surrounding land uses including height, setbacks, massing and design.
- Contains a discussion of how input received from the Burlington Urban Design Panel has been used to refine the proposal.
- Include the BUD Meeting Minutes as an Appendix.

14) Waste Management Report

- Contains a loading plan showing turning radii for trucks
- Contains building elevations illustrating vertical clearance for truck access
- Contains details of layout for waste storage areas
- If no public waste collection is proposed, includes a letter confirming private pick-up.

B

Appendix B: Draft Zoning By-law Amendment

The Corporation of the City of Burlington

City of Burlington By-Law 2020.XXX

A By-law to amend By-law 2020, as amended;

File No.: XXX-XX-XX (PL-YY-ZZ)

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

Whereas the Council of the Corporation of the City of Burlington approved recommendations of staff report [INSERT REPORT #] on [INSERT DATE], for amendments to Zoning By-law 2020, as amended, to permit the retention of a cultural heritage resource within a development containing 16 new townhouses.

The Council of the Corporation of City of Burlington hereby enacts as follows:

1. Zoning Map Number 18E of PART 15 to By-law 2020, as amended, is hereby amended as shown on Schedule "A" attached to this By-law.

2. The lands designated as 'A' on Schedule "A" attached hereto are hereby rezoned from Residential Medium Density (RM2), Residential Medium Density-126 (RM2-126) and Residential Medium Density-189 (RM2-189) to Residential Medium Density-XXX (RM2-XXX).

3. Part 14 of Zoning By-law 2020, as amended, Exceptions to Zone Classifications, is amended by deleting Exception 189 and adding Exception RM2-XXX as follows:

Exception XXX	Zone RM2	Map 18-E	Amendment 2020-XXX	Enacted XXX 2025

1. Regulations for the entire site:

i) Front Yard: 7.0 m
ii) Side Yard: 2.5 m
iii) Yard abutting R1, R2, R3 Zone: 3.0 m
iv) Maximum Density: 42 units per net hectare
v) Amenity Area (total) 1,100 square metres
vi) Min. Privacy Area: 5.5 square metres per unit
vii) Min. Landscape Buffer abutting R1, R2, R3 Zone: 0 m
viii) Max. Building Height: 3.5 Storeys (13m)
ix) Min. Visitor parking 0.20 spaces per unit

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

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

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

Enacted and passed this day of , 2025.

Mayor, Marianne Meed Ward _____

City Clerk, Kevin Arjoon _____