Weston File# 8537
Address: 2421 and 2431 New Street, Burlington

Comment	Consultant	Action/Response
City of Burlington - Planner **Lisa Stern | 905-335-7600 ext. 7824** **April 10, 2018**		
I understand that you received comments from Burlington Hydro stating that service will have to be upgraded from Central Library to the site in order to facilitate development. If you could please connect with Vladimir at BHI for more information on the implications and costing	Planner (Weston)	Noted – comments received from Vladimir noted in this Comments Response Matrix.
I require a letter from the landowner prior to rezoning stating the estimated cost of the upgrade that they understand that they will be responsible for its full cost	Planner (Weston) Owner	Noted. A letter from the owner is enclosed in this package.
City of Burlington – Burlington Sustainable Development Committee **Jillian Gorbold and Glenn Portch** **June 20, 2018**		
Overall Recommendation: SDC supports the application with recommendations as noted.	Environmental	
General The SDC supports higher density development close to transit, retail and community services that will likely attract transit-oriented, environmentally focused residents and businesses. The proposed development seeks to redesignate the subject lands from Neighbourhood Commercial to Residential- High Density areas. The proposal exceeds the permitted Residential-High Density density of 185 units per net hectare. An Official Plan Amendment requested to increase the permitted density to 470 units per hectare/ FAR of 3.71:1.	Planner (Weston)	Noted
Site Specific Considerations The subject property is located on the north side of New Street between Guelph Line to the east and Beverly Drive to the west. The subject property is generally rectangular in shape, has a combined area of approximately 0.7 hectares (1.74 acres) and has approximately 80 metres of frontage on New Street. The subject property is currently occupied by three separate low-rise commercial/ retail buildings, one being a stand-alone restaurant on the southeast corner of the lot. The subject property has a relatively flat topography and no significant features on site that would prevent the proposed redevelopment of the subject property.	Planner (Weston)	Noted
The proposed residential apartment building contains a total gross floor area of 11,428 square metres, including 2,790 square metres of amenity space. The residential condominium is proposing a unit mix of 97	Planner (Weston)	Noted

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one-bedroom units and 42 two-bedroom units. There will be no units on the 7th floor of the residential condominium building as this space will be occupied by the Memory Care living space, part of the senior's retirement residence. The proposed senior's retirement residence building contains 223 Retirement Living units and a total gross floor area of 17,058 square metres, including 3,255 square metres of amenity space. There is an outdoor patio at the north end of the retirement living building on the ground floor, in addition to the 306 square metre rooftop terrace on the 6th floor. The development proposes a total gross floor area of 28,486 square metres resulting in a sitewide density of 4.05 times the area of the lot.		
The City of Burlington Zoning By-law No. 2020 zones the subject property CN1 – Neighbourhood Commercial. The 'CN1' zone permits various uses including Retail, Service Commercial, Office, Community, Hospitality, Automotive, Entertainment & Recreation, Residential and Industrial uses. The proposed development seeks to rezone the subject lands to the RH4 – Residential High Density zone. The RH4 zone permits an apartment building as well as retirement home. A site-specific Zoning By-law Amendment is requested to permit certain development standards proposed, including relief to the required minimum setbacks (Front Yard: from 12.5m to 3m, Side Yard: from 21.3m to 7.5m, Back Yard: from 21.54m to 18.72m), the proposed parking count (from 385 spaces to 319 spaces), width of the landscape buffers (from 6m to 3m) and other development provisions.	Planner (Weston)	Noted
The proposed development should address design elements to reduce the use of energy and minimize GHG emissions. As this iconic building will be in place for many years, it should help the City move towards its goal of being net carbon neutral.	Planner (Weston) Architect (WZMH)	Noted – detailed design to be confirmed at the site plan stage.
We would welcome discussions with the applicant to consider how the sustainability of the building could be enhanced, including at the Site Plan stage. We encourage the applicant to review the Sustainable Building and Development Guidelines and enhance the sustainability aspect of the design.	Planner (Weston) Owner	Noted – detailed design to be confirmed at the site plan stage.
Recommendations: Our comments are based on the following Principles and Objectives of Sustainable Development, as developed by the committee, endorsed by Council and found in Appendix E of the City's Official Plan:		
Use a Low Impact Design approach to stormwater management	Civil Engineer (Crozier)	Noted – detailed design to be confirmed at the site plan stage.
Use of sustainable practices to manage construction waste	Owner	Noted – detailed design to be confirmed at the site plan stage.
The applicant has not provided information on design elements to encourage the conservation of energy. The building should be designed and built to help Burlington to achieve its goal of being net carbon neutral. SDC recommends: • Construction of a very efficient building shell. The proposal to use a substantial amount of glass in the tower is of concern (R-value reduces over times with seals failing and provides a large solar heat gain)	Civil Engineer (Crozier) Architect (WZMH)	Noted – detailed design to be confirmed at the site plan stage.

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• Renewable energy generation • Incorporation of active and passive solar design elements • Reduction in the use of energy through efficient fixtures and appliances, and • Individual energy metering of each unit		
A major goal of this development should be to encourage residents to use forms of transportation other than their automobiles, especially given the proximity to the Burlington GO Station and City of Burlington transit. SDC supports: • Reduced parking spaces	Architect (WZMH) Planner (Weston)	The proposed development intends to use the draft parking standards proposed through the City-wide Parking Review commissioned by IBI
• Providing ample bike storage	Architect (WZMH)	Noted – detailed design to be confirmed at the site plan stage.
• Providing ample electric vehicle charging capacity	Architect (WZMH)	Noted – detailed design to be confirmed at the site plan stage.
• Providing an on-site vehicle sharing program	Architect (WZMH)	Noted – detailed design to be confirmed at the site plan stage.
• Incorporating a “lay-by” area in the site plan for transit	Architect (WZMH)	Noted – Lay-by parking is difficult given the location on New Street, however the Owner is open to the addition lay-by spaces during the site plan process. It should be noted that the City has implemented free transit for seniors in non-peak periods and those with low incomes. Further, the City is considering transit options for the proposed Community Institutional component of the development.
Would like to see reference to: • Commitment to installation of energy efficient appliances (if provided)	Owner	Noted – detailed design to be confirmed at the site plan stage.
Efficient use of water	Civil Engineer (Crozier)	Noted – detailed design to be confirmed at the site plan stage.
Use of bio-swales and detention basins along the property’s joint perimeter with gas station	Civil Engineer (Crozier)	Noted – detailed design to be confirmed at the site plan stage.
Creation of gardens for seniors. These gardens can contribute to low-impact development and stormwater management on site	Landscape Architect (MSLA)	Noted – to be discussed at the appropriate stage, however there is significant landscaping and amenity space at the rear of the property and within both side yards.
This proposal will remediate the existing contaminated site which promotes health.	Owner Environmental (EXP)	The owner is undertaking the appropriate remediation measures with the City and Region through consultation with their Consultant EXP
Provide fixtures and appliances that conserve water.	Owner	Noted

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Collected rainwater can be used to fill water features, irrigate gardens and maintain landscapes. Innovations in onsite water management technologies is encouraged.	Civil Engineer (Crozier)	Noted
Green roofs act as a natural way of filtering runoff.	Landscape Architect (MSLA)	Noted – detailed design to be confirmed at the site plan stage.
The applicant should ensure that proper recycling methods and facilities are available for residential tenants. This should include organic waste through the green bin program.	Owner	Noted
The site allows for planting a significant number of trees. More trees should be provided to support the urban greenspace. Urban forests provide habitat and food sources for wildlife, cooler watercourses, mitigate noise and dust levels, improve air and water quality, absorb pollutants, sequester carbon and help conserve energy. The applicant should improve and clarify the proposed number of trees for this project.	Landscape Architect (MSLA)	This proposal incorporates outdoor spaces to all viable exterior surfaces. The design team will continue to seek further opportunities to maximize outdoor hard and soft landscaped areas.
Insufficient green space has been incorporated into this development. Green roofs, rooftop gardens and/or terrace gardens should be considered.	Landscape Architect (MSLA)	Additional landscape areas have been provided, due to the removal of the driveway hammerhead. Roof amenity plantings will be provided at the SPA stage.
The proposed development supports healthy and walkable neighbourhood design. However, landscaping is not incorporated to low-impact development.	Landscape Architect (MSLA)	Noted – detailed design to be confirmed at the site plan stage.
The proposed density and setbacks are of concern. This is a high-density development. This growth, were it to be replicated across the neighbourhood and nearby areas, would not be sustainable in terms of traffic and in terms of services such as parking and transit without intensive upgrades to those services.	Planner (Weston)	The site is located on an intensification corridor and secondary growth node. The proposed density and height should and cannot be replicated across the neighbourhood. It was the City's intention to direct growth to properties such as this.
The proposal does not include commercial space on the ground level. The design of the commercial spaces are encouraged and they can accommodate necessary businesses for seniors in the building and community.	Architect (WZMH)	Senior's oriented commercial programming, such as Senior's support services that are community focused, are being considered at the Ground Level.
It is not clear through the current proposal how the development will "foster community interaction" (an objective of the BOP) and help to create a "complete community". Memory Care living space at L-7 could help to promote a sense of community in the development.	Planner (Weston) Owner	In addition to the memory care units, retirement residence and senior's rental building, a Community Institutional use has been added to the rental building which will offer assisted support services to seniors in the community.
The area is very walkable and there is easy access to the bus stops.	Architect (WZMH)	Noted
The applicant's provision of bike storage promotes cycling and multi-modal transportation. A bike pump station within the development would further encourage personal bike use.	Architect (WZMH)	Noted – detailed design to be confirmed at the site plan stage.
SDC supports the applicant's provision of limited parking space as it encourages the use of alternate modes of transport. A small portion of the parking is allocated for visitors.	Architect (WZMH)	Noted
The SDC encourages the applicant to provide an on-site car sharing program.	Owner	Noted – detailed design to be confirmed at the site plan stage.
This proposal supports this objective.	Owner	Noted

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SDC supports LID measures, including cistern storage to allow reuse of storm water for irrigation. The applicant is encouraged to provide on-site retention basins.	Civil Engineer (Crozier)	Noted – detailed design to be confirmed at the site plan stage.
The applicant has not provided information on design elements to encourage the conservation of energy. The building should be designed and built to help Burlington to achieve its goal of being net carbon neutral.	Energy Consultant	Noted – detailed design to be confirmed at the site plan stage.
The applicant should provide electric vehicle charging stations for residents and visitors.	Architect (WZMH)	Noted – detailed design to be confirmed at the site plan stage.
The applicant should provide a terrace garden facility for residents.	Landscape Architect (MSLA)	Terrace gardens will be provided at the SPA stage. The site plan indicates the area that has been dedicated for this feature. The 8th storey terrace will be available to residents of the rental building while the two 6th terraces will be dedicated to memory care units.
This proposal supports Assisted Housing. The city should consider the potential impact of this building on nearby street and residential buildings during the construction phase.	Planner (Weston)	/
Summary of Above Discussion and Recommendations/Action Items: The proposed density and setbacks are of concern. This is a high-density development with 362 units over ~0.7 ha. This growth, were it to be replicated across the neighbourhood and nearby areas, would appear to not be sustainable in terms of traffic and in terms of services such as parking and transit without intensive upgrades to those services. The community benefits provided by the applicant in the Planning Justification Report to justify exceeding the density and height limits are not sufficient and should be improved. The applicant is requesting two levels of intensification combined (CN1 to RH4 and RH4 to higher) which is 11 times the exiting density. The applicant should clarify if and how this development responds to affordable housing as this option may justify the above-noted intensification.	Planner (Weston)	The site is located on an intensification corridor and secondary growth node. The proposed density and height should and cannot be replicated across the neighbourhood. It was the City's intention to direct growth to properties such as this. In addition to the memory care units, retirement residence and senior's rental building, a Community Institutional use has been added to the rental building which will offer assisted support services to seniors in the community.
The proposed development has positive components within the current proposal e.g.: • The proximity to transit, walkable streets • Bicycle storage on site • Creating some lay-by space to allow for pick up/drop off of residents (who will rely less on using private vehicles) • Reduced parking	Planner (Weston)	Noted
The proposed development should be further enhanced by addressing issues such as: • Design elements to reduce the use of energy and reduce GHG emissions: ○ There is a lot of glass (R-value reduces over times with seals failing and provides a large solar heat gain)	Planner (Weston) Architect (WZMH)	Noted – detailed design to be confirmed at the site plan stage. Noted – detailed design to be confirmed at the site plan stage. The Owner cannot control how the city streets are utilized. Any future bike lanes are at the discretion of the City. It should be noted

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• Proposal for vehicle sharing program • Integration of a bike lane into the proposal • Inclusion of 3-bedroom units that can accommodate families • Increasing the amount of commercial space to increase the opportunity for employment • Widening the sidewalk area around the building and including more landscaping • Providing for more outdoor amenity space (e.g. garden areas) for residents	Civil Engineer (Crozier) Landscape Architect (MSLA)	that there was a bike lane piolet project that was in place in 2016 to 2017; City council voted to end the project. The type of facility (retirement and seniors rental) don't require units that have 3 bedrooms. 75sq.m Commercial space was removed and replaced with 521 sqm of Community Institutional The side yards were not increased to allow for the widening of the interior courtyard to accommodate full movements for waste vehicles Additional outdoor amenity space was added through the removal of the hammerhead driveway and internalization of garbage storage
The applicant has an opportunity to create a building that can set a standard for new development within the greater context by incorporating sustainable practices and LEED level components such as: • Use of recycled building materials • Use of heat pumps • The use of effective recycling and waste facilities on-site	Owner	Noted – detailed design to be confirmed at the site plan stage.
Future Site Plan & Building Permit Considerations: The City of Burlington has approved the Sustainable Building and Development Guidelines. The committee recommends that the applicant consider the guidelines in this application. Many of the items identified in the guidelines are implemented through site plan and/or building permit approval, after a development proposal has received an Official Plan amendment and/or zoning by-law amendment, however, to ensure the design of sustainability features can be incorporated, we recommend these items are given consideration at this stage in the process. A full copy of the guidelines can be downloaded at: https://www.burlington.ca/en/services-for-you/resources/Planning_and_Development/Official_Plan/sm_UPDATE-for-web---18-044-PB-Sustainable-Building-and-Development-Guidelines.pdf	Owner	Noted – detailed design to be confirmed at the site plan stage.
The Sustainable Development Committee requests a response from the applicant related to the above recommendations. The committee would be pleased to meet with the applicant to discuss these comments in further detail.	Owner Planner (Weston)	Noted – detailed design to be confirmed at the site plan stage. The owner will be prepared to meet at the appropriate design stage
Burlington Hydro **Valdimir Gomez-Carballo | VCarballo@burlington.com** **March 16, 2018**		

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In response to your correspondence(s), a member of our Engineering Department has reviewed circulated information and has the following comments: a) Burlington Hydro currently does not have capacity available on the existing 4160 Volt overhead power line along New Street to accommodate the proposed hydro service. Please know that a significant system modification has to be completed in order to make the service available for the proposed building at 2421 & 2431 New St. All modifications to the existing system (*required for the service to become available*) shall be at customer's expense.	Civil Engineer (Crozier) Architect (WZMH)	Noted. Owner acknowledges
b) Relocation, modification or removal of existing hydro facilities, if required, shall be at the customer's expense. BHI will consult the latest Burlington Hydro Standards in case a clearance issue arises between existing hydro facilities and existing/proposed building structures.	Civil Engineer (Crozier) Architect (WZMH)	Noted – detailed design to be confirmed at the site plan stage.
c) Additional information is required for electrical servicing of the site such as service size, voltage, electrical room location and load schedule for proposed building.	Civil Engineer (Crozier) Architect (WZMH)	Noted – detailed design to be confirmed at the site plan stage.
d) Transformer location is to be approved by BHI. Details of the clearance between the transformer and the property line as well as details of the proposed fencing or barriers are to be provided for final approval. If the transformer location is not approved by Burlington Hydro due to space restriction or access issues a Customer owned transformer is required.	Civil Engineer (Crozier) Architect (WZMH)	Discussion with Burlington Hydro have been held to determine the property design standards of the transformer. The proposed location is shown on the site plan.
e) Transformer is to be located 2 meters from the nearest edge of the pad to the back of each curb. The transformer shall be protected by bollards when the edge of the transformer is within 2 meters (but not less than 1.5m) of a curb (due to space restrictions) or if the curb is not installed. Curb or bollards to be installed prior to energization of the transformer.	Civil Engineer (Crozier) Architect (WZMH)	Discussion with Burlington Hydro have been held to determine the property design standards of the transformer. The proposed location is shown on the site plan.
f) A meeting at Burlington Hydro office to go over the supply points and transformer locations is recommended. Please, contact our Engineering Service Technician, Anthony Benassi at 905-336-4390 in order to arrange for the meeting.	Civil Engineer (Crozier) Architect (WZMH) Planner (Weston)	Noted – detailed design to be confirmed at the site plan stage.
• Service is available under B.H.I.'s latest Standard Service Conditions. http://www.burlingtonhydro.com/images/PDFs/bhi-conditionsofservice.pdf		
• Hard surface landscape (*like concrete, asphalt*) is not allowed around the transformer foundation and grounding grid area.	Architect (WZMH)	Noted.

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• Planting shrubs, trees or flowers, or build fences or walls in the obstruction free zone around the Transformer is not allowed; also the obstruction free zone cannot be used as snow storage. Please see attached BHI Standard # 37-145-r2.	Landscape (MSLA)	Understood. Planting and screens have been removed from the obstruction free zone.
• Hydro easement is to remain clear of heavy vehicle traffic.		Noted.
• Customer is to ensure that B.H.I. has access to the hydro facilities.		Noted.
• Project must meet City of Burlington Standards.		Noted.
• Customer to acquire any easements for Burlington Hydro.	Planner (Weston)	Noted – detailed design to be confirmed at the site plan stage.
• Machine excavation within one meter of underground plant is not permitted.	Owner	Noted.
• Please arrange for underground hydro cable locate(s), prior to beginning construction, by contacting Ontario One Call @ (800) 400-2255.	/	Noted
• Please refer to the latest edition of the Occupational Health and Safety Act (“OHSA”) and Regulations for Construction Projects when a work is planned to be performed in the proximity of hydro distribution system.	/	Noted
• Do not excavate within two meters of hydro poles and anchors with the exception of the termination pole where the duct structure shall be terminated by the customer under the supervision of BHI inspector.	/	Noted
• Arrange for disconnect and isolation of the power supply if a person or an equipment is to encroach on the minimum distance permitted under the OHSA and OESC.	/	Noted
• Please arrange for a site meeting with BHI representative, calling Eng. Desk at 905 332-2250, prior to beginning any construction/demolition near to existing overhead or underground hydro facilities in order to get approved hydro service layout/consent and avoid any possible service delays or safety issues.	/	Noted
• Please see attached Obstruction Free Area Three Phase Transformers and Switching Cubicles	/	Noted
City of Burlington – Transportation Services **Dan Ozimkovic | 905-335-7600 ext. 7485** **August 1, 2018**		
When it comes to parking, we will only accept the parking rates from City parking study. Here is the link: https://burlingtonpublishing.escribemeetings.com/filestream.ashx?DocumentId=14103	Traffic Engineer (Crozier)	Acknowledged. Please refer to the revised Parking Justification Study reflecting the updated site statistics and parking requirements.
The entrance to the site will need to be dimensioned. Look at the opportunity of making the entrance pedestrian friendly by reducing the width and the radius as much as possible	Traffic Engineer (Crozier)	Acknowledged, please refer to the revised Site Plan.
The parking spaces at the ground floor need to be for visitors. Tenant parking needs to be located in the underground garage	Traffic Engineer (Crozier)	Acknowledged, refer to the revised Site Plan prepared by WZMH

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What is the length of the loading space? Will the trucks that are parked in the loading space be blocking the driving aisle?	Traffic Engineer (Crozier)	Trucks parked in the loading space will not block vehicles from maneuvering around the site. Please refer to the Truck Turning Plan in the TIS Addendum.
Provide truck turning templates for the site	Traffic Engineer (Crozier)	Please refer to the Truck Turning Plan in the TIS Addendum.
Provide bike racks near the main entrances for both buildings	Traffic Engineer (Crozier)	Bike Racks have been added and are illustrated in the revised Site Plan
We will require a 6m flat landing area at the top of the ramp that connects ground floor to P1	Traffic Engineer (Crozier)	Acknowledged
Provide pedestrian connection on site from existing sidewalk on New street	Traffic Engineer (Crozier)	Pedestrian connections are provided throughout the development providing connection to the existing sidewalk on New Street. Please refer to the revised Site Plan.
City of Burlington – Capital Works Department, Landscaping **Development and Infrastructure Group** **Vanessa Aykroyd | 905-335-7600 ext. 7428** **March 21, 2018**		
The following memo describes the impacts to the urban forest by the development of this site, which has been considered through a review of pertinent policy and an analysis of the information provided.	/	Noted
Please be advised that the Urban Forestry and Landscaping review of this application is considered preliminary at this time. Urban Forestry and Landscaping staff may provide additional comments, raise additional concerns, or request additional information upon receiving any outstanding or revised information, and upon further comprehensive review of its contents.	/	Noted
Urban Forestry Policy The City of Burlington has approved long-term and medium-term policy documents that identify the urban forest as key to the City's Strategic Plan goal of a "Healthy and Greener City". The Strategic Plan (2015-2040) identifies the growth of our urban forest as an indicator of environmental health. The current Official Plan also addresses the growth and preservation of our urban forest through specific direction for different planning areas. The Urban Forestry Management Plan (2010-2030) identifies best practices and makes further recommendations to ensure the health and longevity of our urban forest.	Landscape (MSLA)	Noted.
The Strategic Plan envisions that the "City's urban forest and tree canopy increases and continues to thrive" through ensuring that "streetscape plans and private development will increase the City's tree canopy". As the majority of our urban forest canopy is composed of privately owned trees, the onus is on both the public *and* private sector to care for the preservation and enhancement of our urban forest.	Landscape (MSLA)	Noted.
In the Urban Forest Management Plan, the management of both public and private trees is addressed through five initiatives. Of these, two initiatives directly relate to this rezoning application: 'Protection and	Landscape (MSLA)	Noted.

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Preservation', and 'Replenishment and Enhancement'. These initiatives in relation to the application are discussed below.		
The City recognizes the importance of balancing tree protection with the need for greater infill development and infrastructure renewal as the City's population and businesses grow, however the protection of existing tree resources and replacement of resources that are removed are integral to achieving urban forest sustainability.	Landscape (MSLA)	Noted.
Preservation and Replenishment of Trees **City Trees:** There are two city trees adjacent to this site, located just off the corners of the property. These trees will not be impacted by construction.	Landscape (MSLA)	Noted.
Private Trees: All Private and co-owned trees are proposed to be preserved. The majority of trees are shared trees with the gas station to the east and have appropriate tree protection setbacks proposed.	Landscape (MSLA)	Noted.
Landscape A landscape concept plan was provided with this application. A detailed landscape plan will be required at the Site Plan stage. At the time of site plan application, in addition to landscape best practices and site plan requirements, the following should be included: 1. Address wind mitigation concerns by the main entrances.	Landscape (MSLA)	Gradient: The main entrances be recessed, or tall planters or wind screens be placed on both sides of the main and retail doorways.
2. Provide adequate soil volume for tree planting on all City right of ways. Generally, 23m3 for small to medium sized trees in single plantings, and 30m3 for larger shade trees in single planters. Trees in shared planters may share root volume space.	Landscape (MSLA)	Adequate soil volume will be provided, either through open planting beds, or through subsurface structural soil solutions.
3. The urban forest's capacity to adapt to climate change, pests, and disease is necessarily connected to its diversity. The following guidelines should be applied when considering tree planting in any location. a. Native, non-invasive trees to be selected. b. When choosing trees for a site or street, it is important to consider trees planted in the immediate surrounding area, and apply the following ratios: i. No species should make up more than 10% of the inventory ii. No genus should make up more than 20% of the inventory iii. No family should make up more than 30% of the inventory	Landscape (MSLA)	No invasive tree species will be selected. All trees that are specified will meet the minimum ratios to ensure diversity of species. More information to be provided at the SPA stage.
Urban Forestry and Landscaping staff have no objection to the rezoning and official plan amendment for this site.	/	Noted
City of Burlington – Capital Works, Site Engineering **Development and Infrastructure Group** **Angelo Capone | 905-335-7600 ext. 7679**		

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Please be advised that Site Engineering's review of this application is considered preliminary at this time due to the requirements for revised reports/studies and that Site Engineering may provide additional comments, raise additional concerns, or request additional information upon receiving the outstanding information, and upon further comprehensive review of its contents.	/	Noted
Preliminary Comments **Right of Way:** New Street deemed street width is 35 metres and actual street width is 35 metres; no road widening required.	/	Noted
Environmental: Site Engineering received a Phase One and Phase Two Environmental Site Assessments dated January 31, 2017 prepared by S2S Environmental, further revised by a Phase One ESA dated January 10, 2018 and a Phase Two ESA dated February 16, 2018 by EXP Services. We have reviewed both revised reports and provide the following comments/recommendations:	/	Noted
1. Please note that the Region of Halton also comments on Environmental Site Assessments, therefore please be advised that in case of discrepancy between comments, the more stringent conditions shall apply.	Environmental (exp)	Noted
2. A Letter of Reliance will be required for both the Phase One as well as the Phase Two ESA's	Environmental (exp)	The reliance letter will be provided under through a separate submission by EXP
3. Staff does not agree with the Phase Two ESA recommendation to address on site environmental concerns via a Risk Assessment. There is an apparent adverse impact to soil and groundwater to and from the subject site. Impacted soil and groundwater exceeding MOE Table 2 Site Condition Standards (as identified in the Phase Two) will require the necessary remediation, specifically impacted groundwater that will be pumped to the storm sewer to accommodate the underground parking structure	Environmental (exp)	EXP has met with the city (Ang Capone) and the region on the risk assessment approach and an understanding has been achieved on the strategy
4. Please note that when site remediation is necessary prior to development of the subject property then a Residential Development Agreement will be required to be registered on title as a condition of approval of the Official Plan Amendment and the Zoning By-law Amendment Applications	Environmental (exp)	Noted
5. Both ESA's were identified as "Draft" and based on the above, revised ESA's are required	Environmental (exp)	
Stormwater Management and Functional Servicing: Site Engineering has reviewed the Functional Servicing and Preliminary Stormwater Management Report prepared by C.F. Crozier & Associates dated December 2017 and offer the following comments/recommendations save and except sanitary and water (which will be reviewed and commented by the Region of Halton):	/	
1. Report does not adequately demonstrate how the existing site drainage is being currently managed. Is the existing minor system designed for the 2 or 5 year design storm? Is there on-site	Engineer (Crozier)	Existing drainage pattern for the site is illustrated in Figure 1.

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Comment	Consultant	Action/Response
ponding/storage prior to overland flow condition? Where is the catchbasin mentioned in Section 5.1 (Existing Drainage) located and whether there is a drainage easement to accommodate external flows into this catchbasin?		
2. Post development runoff coefficient as per Table 6 (Catchment ID 201) suggests a Weighted Runoff Coefficient of 0.66. Since the majority of ID 201 is located above the underground parking structure, we have determined that the applicable runoff coefficient should be 0.90. Based on the revised runoff coefficient, the post development flow rates and required storage volumes should be recalculated	Engineer (Crozier)	The runoff coefficient has been adjusted. A RC = 0.90 is applied to all areas above the underground parking garage. Refer to Figure 1 for updated weighted RC values and Appendix C of the Functional Servicing & Preliminary Stormwater Report (April 2019) for detailed calculations.
3. The proposed stormwater quality control is being managed via an Oil/Grit Separator. However, the recommended location within the underground parking structure could pose to be problem when maintenance is required. Please provide details how maintenance will be managed	Engineer (Crozier)	The OGS has been relocated outside the extend of the underground parking garage to facilitate maintenance.
4. The Preliminary Site Grading Plan provides a Typical Cross Section as shown as Section “A”. the “Top of Slope” should not be graded in way that drains back onto adjacent properties. All site drainage is to be controlled on site and prohibited from flowing onto private properties	Engineer (Crozier)	The proposed grading design places a small berm (maximum 0.30 m height) along the east property line. The berm is proposed to ensure that majority of the site runoff is directed internally and not conveyed to adjacent property. The berm is also required to ensure the site’s overland flow is ultimately directed to the New Street municipal right-of-way and not towards private property. The minor placement of fill that is required within the area of the existing trees will be completed in coordination and under the guidance of the landscape architect. The placement of the berm eliminates the need for retaining walls and is appropriate drainage design based on site constraints.
5. Please demonstrate how the sub-surface drainage around the parking structure will be managed	Engineer (Crozier)	Sub-surface drainage will be managed per the Architect and Mechanical engineering design and specifications.
6. Based on the above, a revised Function Servicing and Stormwater Management Report is required	Engineer (Crozier)	Functional Servicing and Preliminary Stormwater Management Report has been revised; refer to Rev#1 (April 2019).
Arborist Report, Tree Preservation Plan and Landscaping Plan: Site Engineering defers to Vanessa Aykroyd, who will provide comments under separate cover	Planner (Weston)	Noted – comments received.
Noise Feasibility Assessment: We have reviewed the Noise Feasibility Assessment prepared by RWDI dated November 27, 2017, and offer the following comments/recommendations:	/	
1. Roof-top mechanical on adjacent building located at 2411 New Street was not addressed	Acoustics (RWDI)	RWDI did consider this equipment based on Google Earth imagery, and deemed it insignificant as a noise source. We could move forward with one of two options: state in our report that it’s

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Comment	Consultant	Action/Response
		insignificant OR complete some detailed modelling to demonstrate that it's insignificant. This modelling can be part of the updated noise report that will be submitted with the SPA application.
2. Noise impact associated with on-site mechanical was not assessed	Acoustics (RWDI)	RWDI stated in our report that the on-site mechanical would be designed to meet NPC-300. There were no details available on the on-site mechanical equipment at the time our noise report was prepared for the OPA/Zoning submission. RWDI plans on assessing the noise impacts of the on-site mechanical equipment for the SPA submission when the design of the development is more advanced and details on the mechanical design are available.
3. Only traffic noise affecting the second floor façade (which the report indicates to be the worst case façade) was addressed. We will require additional readings along other floors to verify second floor determination	Acoustics (RWDI)	The noise propagation modelling for roadway traffic is based on a separation distance between the roadway and receptor (i.e., the closest receptor will have the higher noise levels). The 2nd level receptor is the closest receptor and is, therefore, the worst-case.
4. It appears the report did not consider the future development of the Burlington downtown and Lakeshore Road areas when considering the 10 year traffic volume forecast	Acoustics (RWDI)	RWDI requested traffic growth rate data from the City of Burlington for our noise assessment, but never received a response. This additional traffic growth can be included in the noise propagation modelling for the detailed noise study in support of the SPA submission; however, we will require the data from the City of Burlington.
5. The proposed OLA associated with this site (which exceeds the sound level limits) should be protected via screening and/or barrier. Please incorporate into next submission	Acoustics (RWDI)	This can be completed as part of the detailed noise study for the SPA submission.
6. A recommendation should be incorporated in "Conclusion" that states that the Acoustical Engineer certifies (via a letter to the City) that all noise control measures including Warning Clauses have been incorporated (physically or by way of Offers of Sale or Purchase) as per the approved report	Acoustics (RWDI)	This is an easy addition and can be done.
7. A revised Noise Feasibility Report is required	Acoustics (RWDI)	Many of the above comments will be addressed as part of a more detailed noise study in support of the SPA submission for the project.
Geotechnical Investigation 1. Due to the presence of shale/bedrock and the recommended use of hydraulic hammers and rock buckets, it is recommended that a pre-construction survey should be undertaken prior to any excavation	Environmental (exp)	Noted.

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2. The majority of the site's hard surface (other than the buildings and a small area of asphalt at the north end) is proposed to be permeable pavement. The report should be revised to include a recommended pavement design specifically for the use of this product	Environmental (exp) Environmental (exp)	
3. A revised Geotechnical Report is required	Environmental (exp)	
Traffic Impact Study Site Engineering defers to Transportation Planning, who will provide comments addressing traffic movements, (including below grade within the parking structure) as well as driving aisles and parking stall size, under separate cover	/	
General Comments 1. Underground parking structure should be set back from municipal right-of-way similar to the other three set back onto adjacent properties. This will allow adequate space between the parking structures and right-of-way for utilities, forming and tie-backs as required	Traffic (Crozier) Architect (WZMH)	This decision will have impact to the below grade parking layouts, and potentially the requirements for parking ratios.
2. Provide a suitable dewatering plan addressing site excavation and permanent dewatering	Engineer (Crozier)	Details to be provided at the site plan stage.
Recommendations: Prior to providing a recommendation, Site Engineering requires the following information to be submitted for further review:	/	
1. Provide an updated Phase One and Phase Two Environmental Site Assessment, as per comments above	Environmental (exp)	
2. Provide an updated Stormwater Management and Functional Servicing Report, as per comments above	Engineer (Crozier)	Provided within resubmission package.
3. Provide an updated Noise Feasibility Study as per comments above	Acoustics (RWDI)	Provided within resubmission package.
4. Provide an update Geotechnical Report as per comments above	Environmental (exp)	
Please also noted the following: 1. The Applicant/Developer is cautioned that notwithstanding the above a full detailed review of all documents and drawings will be completed at the time of Site Plan Applications	Owner	Noted
2. Site Engineering's review of this application is considered preliminary at this time. Please note that Site Engineering may provide additional comments, raise additional concerns, or request additional information upon receiving the aforementioned information, and upon further comprehensive review of its contents	/	Noted

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Comment	Consultant	Action/Response
If you have any questions, please do not hesitate to call or email. Please advise the Applicant that I am happy to discuss the above comments or meet with them or their consultants, if they have questions or require clarification	/	
Halton District School Board **Michelle D'Aguiar | 905-335-3663 ext. 3395** **February 28, 2018**		
Thank you for the opportunity to review the proposed zoning application. Students from this area are currently within the ***Tecumseh PS, Tom Thomson PS, Burlington Central Elem*** catchment and ***Burlington Central High School*** catchments. According to the Board's projections Tecumseh PS, Burlington Central Elem and high school are projected to be at or under building capacity. As a result, students generated from this development are expected to be accommodated in the respective schools with minimum impact to the facility. Tom Thomson PS is projected to be over building capacity. As a result, students generated from this development are expected to be accommodated at that school with the addition of portables.	/	
Please be advised that the Halton District School Board has no objection to the proposed application as submitted. Please notify us of the adoption of the proposed amendment and include us in the circulation of any future applications, including ***site plans,*** related to this development. The Halton District School Board will provide comments and conditions on each proposed development application received. Future comments will apply to the residential condominium.	/	
For your convenience, below are our standard conditions of development that may be applied to the development proposal: 1. The owner agrees to place the following notification in all offers of purchase and sale for all lots/units and in the City's subdivision agreement, to be registered on title:	Owner	The proposed development is directed towards seniors and sale of units is not proposed.
• Prospective purchasers are advised that schools on sites designated for the Halton District School Board in the community are not guaranteed. Attendance at schools in the area yet to be constructed is also not guaranteed. Pupils may be accommodated in temporary facilities and/or be directed to schools outside of the area	Owner	Noted
• Prospective purchasers are advised that school busses will not enter cul- de- sacs and pick up points will be generally located on through streets convenient to the Halton District School Board. Additional pick up points will not be located within the subdivision until major construction activity has been completed	Owner	Noted
2. That in cases where offers of purchase and sale have already been executed, the owner sends a letter to all purchasers which include the above statement	Owner	Noted
3. That the developer agrees that, should the development be phased, a copy of the phasing plan must be submitted prior to final approval to the Halton District School Board. The phasing plan will	Owner	Noted

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Comment	Consultant	Action/Response
indicate the sequence of development, the land area, the number of lots and blocks and units for each phase		
4. That the Owner shall supply, erect and maintain signs at all major entrances into the new development advising prospective purchasers that pupils may be directed to schools outside of the area. The Owner will make these signs to the specifications of the Halton District School Board and erect them prior to the issuance of building permits	Owner	Noted
5. That a copy of the approved sidewalk plan, prepared to the satisfaction of the City of Burlington be submitted to the Halton District School Board	Owner	Noted
6. The Owner shall provide Halton District School Board a geo-referenced AutoCAD file of the Draft M-plan once all Lot and Block numbering has been finalized. Should any changes occur after the initial submission to Lot and Block configuration or numbering on the draft M-plan the Owner shall provide a new AutoCAD file and a memo outlining the changes	Owner	Noted
In addition, the following note should be included in the conditions: Educational Development Charges are payable in accordance with the applicable Education Development Charge By-law and are required at the issuance of a building permit. Any building permits which are additional to the maximum unit yield which is specified by the Subdivision Agreement are subject to Education Development Charges prior to the issuance of a building permit, at the rate in effect at the date of issuance.	Owner	Noted
City of Burlington – Transportation Services **Danijel Ozimkovic | 905-335-7671 ext. 7485** **August 1, 2018**		
Staff will be following the standards from the “Burlington City-Wide Parking Standards Review” (Final Report) when it comes to parking supply – We will not be accepting lower rates.	Traffic Engineer (Crozier)	Noted. Parking rates have been revised to reflect the IBI study
Site Plan Comments: The entrance to the site will need to be dimensioned. Look at the opportunity of making the entrance pedestrian friendly by reducing the width and the radius as much as possible	Architect (WZMH)	Noted – to be discussed at the appropriate stage.
The parking spaces at the ground floor need to be for visitors. Tenant parking needs to be located in the underground garage	Architect (WZMH)	Noted – to be discussed at the appropriate stage.
What is the length of the loading space? Will the trucks that are parked in the loading space be blocking the driving aisle?	Architect (WZMH)	Noted – will be determined at the Site Plan Application phase of the project.
Provide truck turning templates for the site	Architect (WZMH)	Noted – will be determined at the Site Plan Application phase of the project.
Provide bike racks near the main entrances for both buildings	Architect (WZMH)	Noted – will be determined at the Site Plan Application phase of the project.

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Comment	Consultant	Action/Response
We will require a 6m flat landing area at the top of the ramp that connects ground floor to P1	Architect (WZMH)	Noted – will be determined at the Site Plan Application phase of the project.
Provide pedestrian connection on site from existing sidewalk on New street	Architect (WZMH)	Noted – will be determined at the Site Plan Application phase of the project.
Halton Catholic District School Board Frederick Thibeault | 905-632-6300 March 8, 2018		
In response to the aforementioned application to permit the development of two residential apartment towers, one residential tower consisting of 223 retirement living units, and the second tower consisting of 139 condominium apartment units, the Halton Catholic District School Board ("HCDSB") has no objections.	*I*	
In terms of school accommodation, if the development was to proceed today, elementary students generated from this proposal would be accommodated at St. Paul Catholic Elementary School located at 530 Cumberland Avenue. Secondary school students would be directed to Assumption Catholic Secondary School located at 3230 Woodward Avenue.	*I*	
Should you proceed with the approval of a future plan (e.g. Condominium, Site Plan, or Subdivision), we require that the following conditions be placed in the future agreement. The conditions are to be fulfilled prior to final approval:	*I*	
1. The owner agrees to place the following notification in all offers of purchase and sale for all lots/units and in the City's future agreement, to be registered on title:	Owner	Noted
a. Prospective purchasers are advised Catholic school accommodation may not be available for students residing in this area, and that you are notified that students may be accommodated in temporary facilities and/or bused to existing facilities outside the area.	Owner	Noted
b. Prospective purchasers are advised that the HCDSB will designate pick up points for the children to meet the bus on roads presently in existence or other pick up areas convenient to the Board, and that you are notified that school buses will not enter cul- de-sacs.	Owner	Noted
2. Incases where offers of purchase and sale have already been executed, the owner is to send a letter to all purchasers which include the above statements.	Owner	Noted
3. That That the owner agrees in the future agreement to the satisfaction of the HCDSB, to erect and maintain signs at all major entrances into the new development advising prospective purchasers that if a permanent school is not available alternative accommodation and/or busing will be provided. The owner will make these signs to the specifications of the HCDSB and erect them prior to the issuance of building permits	Owner	Noted
4. That the developer agrees that, should the development be phased, a copy of the phasing plan must be submitted prior to final approval to the HCDSB. The phasing plan will indicate the sequence of development, the land area, the number of lots and blocks and units for each phase	Owner	Noted

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Comment	Consultant	Action/Response
It should be noted that Education Development Charges are payable in accordance with the applicable Education Development Charge By-law and are required at the issuance of a building permit. Any building permits that are additional to the maximum unit yield that is specified by the Subdivision Agreement are subject to Education Development Charges prior to the issuance of a building permit, at the rate in effect at the date of issuance	Owner	Noted
Halton Region **Brian Hudson | ext. 7209** **December 31, 2018**		
Matters of Regional Interest: Regional Planning Staff reviewed the Planning Justification Report and are satisfied that the proposed development is consistent with the policies of the Provincial Policy Statement (2014) and conforms to the 2017 Growth Plan.	Planning (Weston)	Noted
The subject lands are designated as 'Urban Area' in the 2009 ROP and form part of the Urban Growth Centre. Section 76 of the ROP directs that 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, how3ver, shall be subject to all other relevant policies of the Regional Plan. Regional staff is satisfied Region's Healthy Guidelines can be met.	Planning (Weston)	Noted
Section 78 and 81 of the ROP further supports providing opportunities for achieving densities higher than the surrounding areas, and as high as permissible, under the Local Official Plan policies. The proposed Official Plan Amendment and corresponding Zoning By-Law Amendment are in keeping with the general intent and objectives of the Urban Area policies of the ROP as they provide increased density within the Built Boundary and enable intensification where it can be reasonably accommodated from a Regional perspective. The proposal supports an efficient land use and will provide a greater range of residential uses by introducing retirement living options.	Planning (Weston)	Noted
Servicing The Development Project manager along with the Public Works department has reviewed the above noted application and has the following comments.	Engineer (Crozier)	Noted
The development application that has been submitted to the City of Burlington is for two joined (at the 6th and 7 th floors) eleven (11) storey buildings comprised ofa senior retirement home (223 units) in the west building and a retirement condominium (139 units) in the east building. There will be two levels of underground parking. The developer proposes to construct the underground parking in close proximity to the New Street property line. The existing 2 properties currently consist of a low-rise commercial retail plaza complex. The existing buildings will be demolished. The property is approximately 0.7 hectares in size.	Engineer (Crozier)	Noted

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Comment	Consultant	Action/Response
There is a 300mm diameter watermain located within New Street adjacent to the property. There is a 200mm diameter wastewater main located within New Street adjacent to the property	Engineer (Crozier)	Noted
A Functional Servicing & Preliminary Stormwater Management Report, prepared by C.F. Crozier & Associates Inc., dated December 2017 was received with the circulation. The report makes reference to the Region's watermains and wastewater mains (sanitary sewers) located within the rights-of-way adjacent to the property. The report makes reference to some existing property water and wastewater servicing. The report makes reference to how the owner's Professional Engineer foresees the property being serviced. The owner's Professional Engineer should generally be aware of the following. Water and wastewater cannot cross lot lines. The report is satisfactory for the purposes of the re-zoning application at this time	Engineer (Crozier)	Noted
The Region's Public Works Department monitors development applications for their impact to the water distribution system, sanitary sewer collection systems and Skyway WWTP. The Skyway Wastewater Treatment Plant has just recently undergone an expansion that will increase the capacity of the plant from 118 MLD to 140 MLD. In general, there is adequate water and wastewater capacity available to support the development of the subject lands at this time. The Owner should be advised that at the Site Plan stage there will be specific conditions related to water capacity, wastewater (sanitary) capacity, and the availability of that capacity within the term of site plan approval. Granting of site plan approval does not imply a guarantee by the Region to service this development within the term of the site plan approval. It should be noted that the specific technical details related to servicing the proposed buildings will be worked out during the Site Plan stage when the owner applies for a Regional Services Permit. In this case, it is recommended that the owner keep in mind to make an application early enough in order to work through the details. The issuance of a Regional Services Permit and Regional Servicing Agreement is Halton's confirmation that servicing will be available to service this site. Satisfying the requirements of the Commissioner of Legislative & Planning Services and Corporate Counsel, Commissioner of Public Works, the Region's Development Project Manager and the Region's Services Permits Section will be required prior to the owner obtaining a Regional Services Permit, City of Burlington site plan approval and City building permits. It should be noted for longevity that Halton Region policies state that properties within Halton must be individually serviced. Any existing water or wastewater services that are substandard or in the wrong location, that must be abandoned, will be required to be disconnected at the main by the developer.	Engineer (Crozier)	Noted
The property abuts New Street which is a City of Burlington road. Regional Transportation Services therefore may not need to be consulted for their comments.	Engineer (Crozier)	Noted
Site Contamination In accordance with Section 147(17) of the ROP, a property is to be free of contamination prior to any development or change of use taking place. Regional Staff have reviewed the submitted Environmental Site Screening Questionnaire (ESSQ). A revised Phase I (Jan. 2018 and a revised Phase II-Environmental Site	Environmental (exp)	Noted

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Assessment by 'exp Services', dated February 16, 2018 have been submitted in support these development applications.		
Regional staff have concerns with 'exp' findings in the Phase 2 ESA document and share Burlington Engineering staffs concerns of March 16, 2018 (attached) regarding groundwater flow and contamination as there could be an adverse impact to soil and groundwater to and from the subject site. As identified in the Phase Two report, impacted soil and groundwater exceeding MOECP Table 2 Site Condition Standards (as identified in the Phase Two ESA) will require remediation, specifically any impacted groundwater that will be pumped to the storm sewer to accommodate the proposed underground parking.	Environmental (exp)	
Regional staff also has concerns regarding the statement in the Executive Summary section of the Phase 2 report whereby it states: "A Risk Assessment is recommended as an alternative to remediation to develop site specific risk based criteria based on potential exposure pathways of the identified contaminants and request clarification of its meaning. The Regional Guidelines on 'Protocol for Reviewing Development Applications with Respect to Contaminated or Potentially Contaminated Sites', Section 5.1 states in the last sentence (also applicable to Plans of Condominium): … 'In the case of a rezoning where no Plan of Subdivision is involved, the Region will consider the use of a Holding provision, to be lifted only when the site has been properly remediated and the Region has received the MOE-acknowledged RSC.'	Environmental (exp)	
Given this Regional Guideline's directive and the ambiguity in the final sentence of the Phase Two ESA conclusions, the Region does not have at this point in time a level of comfort with the document. The Regional Guideline states in Section 5.1 that '…In the case of a rezoning where no plan of subdivision is involved, the Region will consider the use of a Holding provision to be lifted only when the site has been properly remediated and the Region has received the MOE acknowledged RSC." Given concerns regarding contamination, a rezoning should not occur until guarantees are made that the property can be remediated.	Environmental (exp)	
Additionally, as the Region has not seen the Risk Assessment, Regional staff cannot provide specific guidance as to the impact the Risk Assessment may have on the principle of land use proposed. However as there are certain permissions within city documents to permit residential uses on these lands, the Region recommends the following: "That prior to the Holding 'H' Symbol being lifted, the Owner satisfies the Region of Halton's Protocol for Reviewing Contaminated or Potential Contaminated Sites, by submitting a Ministry of the Environment and Climate Change acknowledged Record of Site Condition for the property at 2421 & 2431 New Street, in accordance with Ontario Regulation 153/04, or that the Owner provides documentation prepared by a Qualified Professional that demonstrates that the lands are or will be suitable for the intended use, both of which is to the Region of Halton's satisfaction." This provision would allow the development to lift the 'H' in advance of an RS being issues for these lands.	Environmental (exp)	
Additionally, both ESA's (Phase I and Phase 2-Feb. 16, 2018) were identified as 'DRAFT' and final ESA's are required. Please be advised that Letters of Reliance are also required.	Environmental (exp)	
In accordance with 0. Reg. 1S3/04, the Risk Assessment will need to be approved by MOECP. Please supply the Region of Halton with electronic copies of any related reports.	Environmental (exp)	

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Comment	Consultant	Action/Response
Waste Management Regional Waste Management has reviewed the draft conceptual plan submitted as part of the application and have advised that Regional collection appears to be feasible for this development: There are outstanding site design and application submission requirements from a waste management perspective, which can be addressed at the Site Plan stage. These include:	Planner (Weston)	Noted – detailed design to be confirmed at the site plan stage.
• A written waste plan, detailing movement of waste from the residential units to the loading area	Planner (Weston)	Noted – detailed design to be confirmed at the site plan stage.
• A letter from a qualified engineer, which confirms that the slab of the underground garage can support a fully loaded waste collection vehicle, and;	Civil Engineer (Crozier)	Noted – detailed design to be confirmed at the site plan stage.
• A plan showing the front elevation of the waste collection loading area dimensions of the garage door, and any other information to allow Regional staff to further comment on the application. As a note, the Region requires a height clearance of 7.5 metres in the loading area for waste collection.	Architect (WZMH)	Noted – detailed design to be confirmed at the site plan stage.
Please refer to the Region's Guidelines for Source Separation of Solid Waste for more information when addressing the comments above. Confirmation of Regional collection for this development will be provided at the Site Plan stage.	Civil Engineer (Crozier)	Noted – detailed design to be confirmed at the site plan stage.
Finance The Owner will be required to pay all applicable Regional development charges 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, the water, wastewater and road portions of the Regional development charges are payable upon execution of the agreement or in accordance with the terms and conditions set out in the agreement. In addition, commencing January I, 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.	Owner	Noted
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 www.halton.ca/developmentcharges to obtain the most current development charge and Front-ending Recovery Payment information, which is subject to change.	Owner	Noted

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Comment	Consultant	Action/Response
Conclusions: As previously noted, Regional Staff is of the opinion that the proposed Local Official Plan Amendment and Zoning By-law Amendment applications in their present form do not conform to the intent of the PPS (2014), section 3.2.2 - Human Made Hazards and do not currently comply with ROP policy 147(17) as remediation steps 'necessary to bring the site to a condition suitable for its intended use' have not been clearly identified.	Planner (Weston)	Noted – site remediation is currently underway and the necessary clearances will be provided at the appropriate stage.
In accordance with Halton Region By-law 17-99 and the above noted review of the proposed official plan amendment application, it appears that this application is not exempt from Halton Region approval. Please provide the Region with a copy of the City's Decision and forward the draft report and proposed amendment with recommendations to Halton Region at least 12 days prior to the presentation of the report to City Council, as per the requirements of the by-law. Confirmation will be provided when Regional Staff is in receipt of the draft City staff recommendation report and Notice of Public Meeting.	Planner (Weston)	Noted – Halton Region will be copied on the City Council decision.
City of Burlington – Development Planning **Lauren Vraets | 905-335-7600 ext. 7536** **March 1, 2019**		
In terms of items needed for their review of the next submission, they have made the following comments:		
Clarify if the 7th floor memory care is included in the total floor area calculation of the retirement building, apartment building, or both. Preference would be to include in the retirement building floor area.	Architect (WZMH)	This Item has been reflected within the latest submission.
Clarify that the retirement building and units meet the definitions of “Retirement Home” and “Retirement Home Dwelling Units”. For this we will need to know where the common dining facility will be located, what amenities are going to be available in the units in terms of culinary and sanitary facilities. Provide these details for the memory care units	Planner (Weston)	This Item has been reflected within the latest submission.
Detailed floor plans for ground floor of retirement building. Show divisions for lobby, administrative offices, staff rooms, medical treatment areas, resident amenity areas, dining area, etc. All of the potential uses on the ground floor will impact the amenity area calculation, and need to be shown (include floor area numbers).	Architect (WZMH)	This Item has been reflected within the latest submission.
Residential units in both buildings need to have the unit floor area noted on the plans	Architect (WZMH)	This Item has been reflected within the latest submission.
Encroachment provision for the balconies does not apply since the balconies are greater than 3m wide and over 1/3 of the building façade. Principle building setbacks will apply to the balconies.	Architect (WZMH)	Noted
On update floor plans of parking area, note which parking spaces are for each use. For example: occupants/visitors/commercial (O/V/C) for the apartment building, and retirement occupant/visitor/staff (RO/RV/RS)for the retirement building	Architect (WZMH)	This Item has been reflected within the latest submission.
Accessible parking spaces need a 2m walkway whereas 1.5m provided and one of the accessible parking spaces is shown at 2.4m wide which does not meet the minimum 2.75m width requirement	Architect (WZMH)	Noted.

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Comment	Consultant	Action/Response
Need to show all required accessible parking spaces	Architect (WZMH)	This Item has been reflected within the latest submission.
Show setback measurement from the parking spaces and driveways to the buildings	Architect (WZMH)	This Item has been reflected within the latest submission.
All submitted revised plans need to be fully dimensioned, including all lot dimensions on the site plan	Architect (WZMH)	This Item has been reflected within the latest submission.

City of Burlington – Department of City Building **Urban Design Advisory Panel (BUD)	*Phone Number*** **February 19, 2019**	
Built Form and Massing: Please comment on the overall built form and massing of the development including: front yard setback, balconies, upper level 2 step-backs (from both the front and side yards) and spacing between buildings. Additionally:	/	
Would it be appropriate to stagger the building heights (from east/west) to recognize the existing low-rise buildings to the west and indicate a transitioning in heights from the lower scale stable residential neighbourhood and green space to the mixed-use node at the intersection of Guelph Line and New Street? and,	Architect (WZMH)	We feel the design massing as illustrated in the last submission is appropriate in addressing a transitioning of building heights from the residential to the north up to the heights shown at New St.
Is the placement of the “bridge feature” at the right height in relation to the scale of the development?	Architect (WZMH)	We believe the location of the interconnecting link is well suited to the massing presented.
At-Grade Outdoor Amenity Areas: Please comment on the functionality and quality of the ground level outdoor amenity areas. Does the proposed design maximize the amenity and open spaces on the site or are there opportunities to improve the function and quality of these spaces?	Architect (WZMH)	The outdoor amenity spaces shown on this latest submission has maximized all exterior spaces for the purpose of developing quality landscaped areas; walking paths, soft landscaping throughout.
Architectural Expression & Streetscape: Please comment on the design of the building bottom (i.e. the ground level) and top (i.e. the mechanical penthouse) and their integration into the overall architectural expression of the buildings. How can architectural and streetscape elements be used to create a strong connection between the building and street while providing clearly visible and distinct front entrances for each of the proposed ground floor uses (i.e. commercial, residential and retirement living)?	Architect (WZMH)	Currently under review.
Applicant / Design Consultant Presentation The applicant provided the Panel with an overview of the planning context, development objectives, and building and site design that included:	/	
Setback and angular plane transitions to surrounding development;	Architect (WZMH)	Acknowledged.
Interior courtyard area and function;	Architect (WZMH)	Acknowledged.

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Providing a discreet commercial use at-grade at the east building to tie in with the adjacent gas station;	Architect (WZMH)	Acknowledged.
Increased tower separation distances to 12 m;	Architect (WZMH)	Acknowledged.
Upper level setbacks;	Architect (WZMH)	Acknowledged.
Increased front yard setbacks;	Architect (WZMH)	Acknowledged.
Mitigation of overlook from upper levels to the residences to the north through interior room placement, planters, and higher guard rails;	Architect (WZMH)	Acknowledged.
Mechanical penthouse location;	Architect (WZMH)	Acknowledged.
Inspiration of Lake Ontario on the architectural expression of the building; and	Architect (WZMH)	Acknowledged.
Influence of shadow impacts on the built form and massing.	Architect (WZMH)	Acknowledged.
Panel Questions: The panel asked questions of clarification on the following topics:	/	
Purpose of the hammerhead and if it is still required;	Planner (Weston)	The hammerhead has been removed from the concept and all turnaround movements can be taken from the internal courtyard turning circle.
Proposed future phase on the property to the west;	Architect (WZMH)	At this time, the development proposal does not include these land and although there was the potential to include the adjacent parcel as a future phase, those lands should not be considered part of this development.
Separation distance between buildings and adequate space for vehicle movement in the courtyard;	Architect (WZMH)	This Item has been reflected within the latest submission.
Size of commercial space;	Architect (WZMH)	This Item has been reflected within the latest submission.
Intention and programming of the bridge;	Planner (Weston)	This Item has been reflected within the latest submission.
Location of underground parking and tree preservation;	Architect (WZMH)	This Item has been reflected within the latest submission.
Retirement uses in both buildings;	Architect (WZMH)	This Item has been reflected within the latest submission.
Clarification of street setbacks;	Architect	This Item has been reflected within the latest submission.

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	(WZMH)	
Type of garbage pick-up;	Architect (WZMH)	This Item has been reflected within the latest submission.
Tree inventory and preservation along the west, north, and east property lines; and	Architect (WZMH)	This Item has been reflected within the latest submission.
Inclusion of public consultation on the building's wave expression.	Planner (Weston)	The elevations and renderings are being revised by the architect and will be submitted in a separate submission. The wave expression of the balconies will be addressed through this submission.
Panel Advice:		
Question #1: Built Form and Massing. Please comment on the overall built form and massing of the development including: front yard setback, balconies, upper level stepbacks (from both the front and side yards) and spacing between buildings. Additionally: a. Would it be appropriate to stagger the building heights (from east/west) to recognize the existing low-rise buildings to the west and indicate a transitioning in heights from the lower scale stable residential neighbourhood and green space to the mixed-use node at the intersection of Guelph Line and New Street? and, b. Is the placement of the "bridge feature" at the right height in relation to the scale of the development?	Architect (WZMH)	Noted RESPONDED ABOVE RESPONDED ABOVE
While it was noted that there are existing buildings with comparable heights in the surrounding area, the massing of the proposed buildings do not appropriately transition to the immediate adjacent context. The Panel agreed that the overall massing is large and that the proposed development has been maximized on the subject property, which is evident through the site's inability to accommodate things such as garbage truck turnaround without rear hammerhead. Further to this, existing developments in the surrounding area have larger properties and can accommodate more green space on site to offset built form, and can locate green space in a more deliberate and meaningful manner (i.e. internal to the site) to maximize enjoyment.	Planner (Weston) Architect (WZMH)	This Item has been reflected within the latest submission.
The Panel agreed that a variation in building heights should be provided for the development proposal to reduce the overall built form massing and help integrate 4 it into the community, particularly as it transitions to the west. The Panel agreed that the transition at the rear of the development proposal is appropriate	Planner (Weston) Architect (WZMH)	Noted.
The bridge location is located at the building half way point, which picks up on the height of the adjacent building to the west. However, this impacts the massing of the proposed building and its perceived height. The Panel recommended lowering the bridge or to mimic the bridge design/expression at the lower level to improve the balance of building. The Panel also noted that the bridge will have a different affect at night because it will read as 2 separate floors not the larger single floor as it appears in the renderings	Planner (Weston) Architect (WZMH)	Noted.

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The Panel noted that the "L" shape of the west tower under the bridge creates a sharp corner that has potential for blind spots. Cutting back on the "L" could improve this condition as well as open up the space at grade to accommodate more green areas as well as improved turnaround space for vehicles. This could help eliminate the need for the hammerhead at rear of property.	Planner (Weston) Architect (WZMH)	The hammerhead has been removed and increased greenspace has been added.
It was emphasized that balconies contribute to building massing. The Panel indicated that a minimum separation distance of 15 m between occupiable spaces including balconies is more appropriate. This separation distance should be applied to all sides of the building and between buildings.	Planner (Weston) Architect (WZMH)	There is 20m+ between building in the interior
Overall it was agreed by the Panel that the flared-out balconies at the top of the building make it look heavy. Flaring out balconies at the bottom of building could help make the building feel more organic.	Planner (Weston) Architect (WZMH)	Under review by design team. Revised elevations and renderings will be provided
Question #2: At-Grade Outdoor Amenity Areas. Please comment on the functionality and quality of the ground level outdoor amenity areas. Does the proposed design maximize the amenity and open spaces on the site or are there opportunities to improve the function and quality of these spaces?	Architect (WZMH)	This Item has been reflected within the latest submission.
The Panel agreed that the proposed hammerhead within the rear area should be removed and noted that the proposed development has a lot of hardscaping that could be broken up. It was suggested to consider relocating the underground vehicular entrance closer to the street or mid-building to allow for more opportunity to create a continuous landscaped space at the rear and internal to the site. It was noted that the reference buildings influencing the proposed building's architectural expression are defined by great landscape spaces	Planner (Weston) Architect (WZMH)	This Item has been reflected within the latest submission.
The Panel inquired if the shadow study informed the location of the outdoor amenity areas and commented that the success of the side amenity areas is at the mercy of future developments on adjacent properties. This reinforces the need to get rear amenity area right in addition to improving the central area to deemphasize its focus on vehicles.	Planner (Weston) Architect (WZMH)	Noted.
Question #3: Architectural Expression & Streetscape. Please comment on the design of the building bottom (i.e. the ground level) and top (i.e. the mechanical penthouse) and their integration into the overall architectural expression of the buildings. How can architectural and streetscape elements be used to create a strong connection between the building and street while providing clearly visible and distinct front entrances for each of the proposed ground floor uses (i.e. commercial, residential and retirement living)?	Planner (Weston) Architect (WZMH)	Under review by design team.
The Panel agreed that while the architectural expression is well done, it risks being over designed as a statement building for its location. The neighbourhood is more associated with parks and greenspace; ensuring the building fits in this context is important. The Panel suggested that larger front yard setbacks, that are more characteristic of the neighbourhood and emphasize open space, should be included for this proposal to assist in how the building integrates with the community character.	Planner (Weston) Architect (WZMH)	Noted.
The Panel also agreed that the ground floors need to be open to the street and pedestrian entrances need to be prominent to help anchor the building. It was stated that the transition from inside to outside at the	Planner (Weston)	Noted.

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ground level and the programming of the ground floor of both buildings will determine the success of the streetscape.	Architect (WZMH)	
The Panel identified that cutting back the "L" portion of the west building would also improve how the building interacts with the street and create the impression that pedestrians are welcome on site.	Planner (Weston) Architect (WZMH)	The 'L' portion of the building was not cut back. Instead on removing GFA, proposed GFA was repurposed for community uses. The 'L' portion provided a strong streetscape and screens the internal vehicular movement area.

City of Burlington – Development Planning **Lauren Vraets | 905-335-7600 ext. 7536** **Jan. 22, 2019**		
As a result of the comments received at the Statutory Public Meeting on January 15, 2019, and Planning Staff's initial review of the application, we are providing the following comments for your consideration. Comments from January 22, 2019 letter.	/	
<u>Building Massing:</u> • The building is very large for the site and takes up a considerable amount of surface area that could be dedicated to landscaping and amenity area to serve the future tenants. Consider reducing the building footprint to increase landscaping and outdoor seating areas. • The front yard setback of the building should be increased to a 6 metre setback to allow for a boulevard area in the front of the building, as recommended in the City's Draft Mid-Rise Building Guidelines. This front yard area should be an attractive public space to provide a transition from the sidewalk to the building.	Architect (WZMH) Planner (Weston)	The building footprint has not been revised however the open space has been increased through the removal of the hammerhead turnaround to increase landscaping and passive recreational uses. This comment predates the Burlington Urban Design Review Panel meeting on Feb 19, 2019. This comment is based on the design where the front yard setback was 3m. This setback has been increased to 4m for the first 5 storeys, and 5.4m for floors 6 to 11. The approved Mid-Rise Guidelines (approved after these comments were issued) do not suggest a 6m setback to accommodate a pedestrian boulevard. Section 2.1.7 notes: *Where a building includes residential uses at grade, they should be differentiated from any active or non-residential uses through additional setbacks (Fig. 2.4). Front yards should incorporate landscaping and enclosure to provide*

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• The lower portion of the front of the buildings should have more clear and definitive articulation to provide a pedestrian scale streetscape. This could be achieved by stepping-back a significant portion of the building massing and by using design elements to enhance the visibility of at-grade indoor amenity areas and commercial functions.		*privacy to individual units (hedges and fencing should be no taller than 1.5 metres).* The submitted plan provides for a 4m setback/ transition area that includes hard and softscaping that is consistent with Fig. 2.4 of the Guidelines. Revised elevations will be provided to respond to the articulation at the streetscape.
<u>Compatibility:</u> • The rear 6-storey portion of the building should be addressed to reduce overlook and increase rear-yard privacy for the low-density residential dwellings to the north. This could be achieved by terracing the building back, moving the building mass at the north end inwards, or a combination of both. • The garbage area at the rear of the property should be moved to an interior location. • The driveway in the rear needs to be redesigned in order to provide a minimum 6 metre landscape buffer between the buildings and the low-density residential uses to the north. • The side yard setbacks need to be increased in order to provide adequate privacy to the residents of the existing condominium apartment building to the west.	Architect (WZMH) Planner (Weston) Transportation (Crozier)	The first 6-storeys of the building is setback more than 18m, and a 3m intensive landscape buffer will be provided in order to preserve the existing mature trees. Those floors above 6-storeys will be setback more than 30m The garbage area has been removed from the plan. All waste management has been relocated indoors. The hammerhead has been removed from the plan. The 3m landscape strip will be revised to 5.5m to preserve the existing trees. The existing residential apartment to the west is 12.8m from the shared property line. With the proposed side yard setback there will be a building separation of 20.3m. Section 2.2 of the approved Mid-Rise guidelines recommend a separation of 15m for adjacent mid-rise buildings. Where a mid-rise building is proposed adjacent to a tall building (which does not exist in our condition) a separation of 20m is recommended. We meet or exceed both recommendations.

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		Further, it should be noted that there is limited shadow impacts on the outdoor amenity area (northwest corner) of neighbouring site.
<u>Amenity Area and Landscaping:</u> • Amenity area proposed in the initial submission is much lower than what is required and needs to be increased. Staff are requesting an increase to a minimum of 20 square metres per unit for both the apartment building and the retirement home.	Architect (WZMH) Planner (Weston) Landscaping (MSLA)	The bylaw requires 25 sq.m per 2+ bedroom unit and 15sq.m for 1 bedroom/ or den. Based on the proposed unit mix (67 two bedroom, 290 one bedroom/ den) 6,025 sq.m is required. The proposed development provides for 5,943 sq.m; this is a deficiency of 82 sq.m or 1.4%. Given the addition of the 521 sq.m community intuitional use, it is our opinion that the requested reduction is adequate. If the CI use was removed and converted to amenity, the by-law requirement would have been exceeded. It is understood that a blended rate of 20 sq.m per unit is requested, however it is our opinion that his would result in an imbalanced approach given the disproportional percentage of 1 bedroom vs. 2 bedroom (approx. 80/20)
• Consider using terracing to provide additional amenity area, delineating areas for indoor amenity area, and focus on making the at-grade amenity areas large enough for multiple users of the space.		Amenity spaces throughout the development have been delineated on the revised floor plans.
• Increased rear and side yard setbacks are needed to enhance the landscaping and amenity areas surrounding the building. On the sides of the buildings, there should be consideration for sightlines and building access to make the spaces feel visible and safe.		With the removal of the rear hammerhead, it is our opinion that the proposed rear and side yard setbacks are adequate to accommodate acceptable landscaping and amenity areas. In addition to the at-grade amenity space, there are rear terraces on the 6th storey of both 'wings' of the building. There is also a terrace between the buildings above the 8th storey bridge. The ground floor of each building will include lobbies, amenity, community institutional uses, and common areas of the retirement building. There will be visibility from all sides of the

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• The underground parking area setbacks should not limit the ability for long-term maturation of landscaping above, especially in the rear yard landscape buffer.		building to provide 'eyes on the street' to ensure a safe environment. It has been confirmed with the landscape architect that the trees at the rear of the property cannot be retained within the 3m landscape buffer and underground garage rear setback. It has always been our intention to preserve these trees. A revised Tree Preservation Plan has been proposed to illustrative their preservation. Further, an updated zoning amendment table is provided to incorporate a rear landscape buffer of 5.5m which has been confirmed by the landscape architect as adequate to preserve the trees. Similarly, a 5.5m underground garage setback for the first level is proposed to ensure protection the trees. Additional plantings will be provided in this buffer at the site plan stage to bolster screening.
<u>Commercial Space:</u> • A significant commercial component will need to be incorporated into the ground floor of the proposed building to offset the loss of the existing commercial uses on-site. In reference to the City's New Official Plan – Grow Bold (adopted, not in effect) with respect to policies for the Neighbourhood Centre designation, policy 8.1.3(4.2) h) needs to be addressed: *Any proposed development of sites designated Neighbourhood Centre shall retain the planned commercial function of the site, in accordance with the objectives of Subsections 8.1.3(4.1) b) and e).* These objectives state specifically that the Neighbourhood Centre designations will be locations that meet residents' day-to-day and weekly goods and service needs, and that this planned commercial function will be protected.	Planner (Weston) Architect (WZMH)	The commercial space initially proposed has been removed and replaced with a significantly larger Community Institutional use.
<u>Traffic and Parking:</u>	Transportation (Crozier)	The submitted TIS has been updated to address this.

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• The Traffic Impact Study will need to be resubmitted with revised traffic counts and modelling based on current conditions, as the New Street Road Diet pilot project was previously underway and has now been removed. • The reduced parking standards provided in the IBI Parking Standards Review will be supported by Staff. Further reductions will not be supported.		Parking rates have been revised to reflect the IBI standards
<u>Additional Items:</u> • Provide an update as to the site contamination mitigation status with the resubmission. • Please provide more clarification about the retirement home function of the site. Planning Staff need additional information about culinary and sanitary facilities in the retirement home units to calculate density, clarification about whether a common dining facility will be incorporated into the building, and what sort of support services are going to be available to the residents (medical, personal care, housekeeping etc.). • An updated Shadow Study will need to be provided to consider possible shadow impact on adjacent properties in the later hours of the afternoon (5:30pm) until sunset • Burlington Hydro has provided significant comments about the necessity of upgrading services in the area in order to support the development. Please provide confirmation that this has been discussed with Burlington Hydro and that it is understood that all upgrades will be paid for by the developer.	Owner Planner (Weston) Architect (WZMH)	Updated via email have been provided to Planning staff and the local councillor. At this time a vendor for the retirement facility has not been secured. It is expected that this facility will provide a sliding scale of ala cart services that range from medical support, housekeeping, meal prep and recreational services. More detail has been provide on the submitted floor plans. As relating to the units that would we exempt from the density calculation, the entire 7th floor will be dedicated to memory care which meet the definition for Special Needs Housing per the in-force official plan. An updated shadow study has been provided in the revised submission. A letter from the applicant has been provided response to comments from Burlington Hydro. We have been in contact with them and the requisite transformers and standards have been included on the updated conceptual site plan.
As noted at the Statutory Public Meeting and in previous communication, this application will need to be reviewed by the Burlington Urban Design Review Panel (BUD) prior to resubmission. As a result of the review by BUD there may be additional issues that will need to be addressed in your revised proposal.	Planner (Weston)	Noted – BUD hearing has been completed and comments received. Response to comments are provided in this matrix.

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In your resubmission package, please indicate how you are addressing the issues raised in this letter, as well any issues identified by BUD.		

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