

PLANNING JUSTIFICATION REPORT

1010 Downsview Drive & 355 Plains Road East

City of Burlington

Date:
May 2022

Prepared for:
335 Plains Holdings Inc. & 355 Plains Holdings Inc.
(Coletara Development)

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Executive Summary

This Planning Justification Report ('PJR'), and the accompanying technical reports, support the proposed amendments to the City of Burlington's Official Plan and Zoning By-law for the redevelopment of 355 Plains Road East and 1010 Downsview Drive (the Subject Lands) for an 8, 9 and 11 storey mixed-use building with stacked townhouses along the rear of the site.

This PJR provides a description of the proposal, a detailed and comprehensive planning analysis of the application that focuses on the local context, broader integration into the Aldershot community and the City's overall urban structure, and the applicable policy and regulatory context. The consideration of the local context is extremely important in the planning analysis. The local context must be evaluated not only as it relates to the existing physical environment and surrounding area but to the specific and immediate urban setting and urban structure which includes future land uses and infrastructure. The context for the development in relation to the proposed amendments is also important as it identifies the opportunity for creating a complete community through the connection and relationship between land uses in the area.

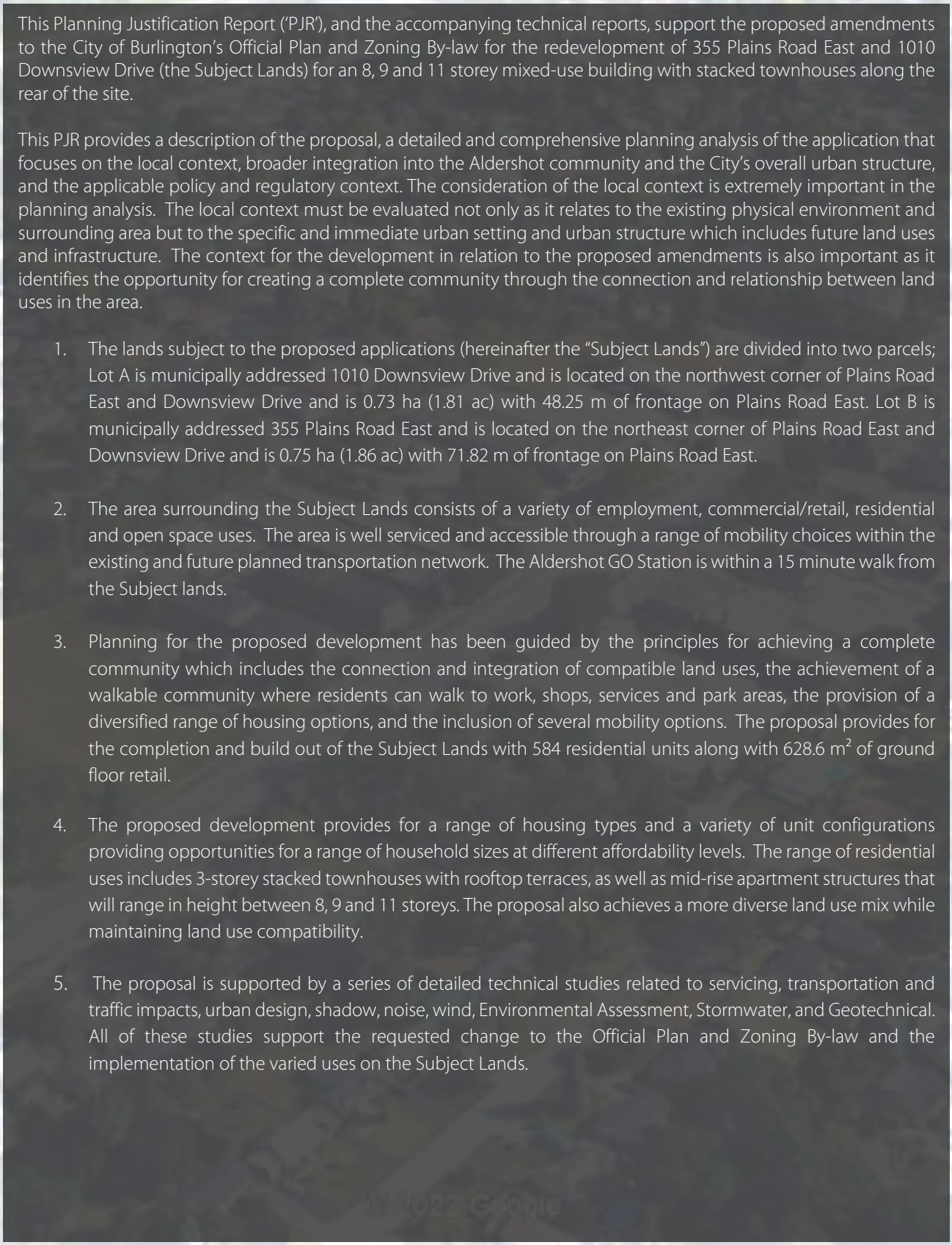
1. The lands subject to the proposed applications (hereinafter the "Subject Lands") are divided into two parcels; Lot A is municipally addressed 1010 Downsview Drive and is located on the northwest corner of Plains Road East and Downsview Drive and is 0.73 ha (1.81 ac) with 48.25 m of frontage on Plains Road East. Lot B is municipally addressed 355 Plains Road East and is located on the northeast corner of Plains Road East and Downsview Drive and is 0.75 ha (1.86 ac) with 71.82 m of frontage on Plains Road East.

2. The area surrounding the Subject Lands consists of a variety of employment, commercial/retail, residential and open space uses. The area is well serviced and accessible through a range of mobility choices within the existing and future planned transportation network. The Aldershot GO Station is within a 15 minute walk from the Subject lands.

3. Planning for the proposed development has been guided by the principles for achieving a complete community which includes the connection and integration of compatible land uses, the achievement of a walkable community where residents can walk to work, shops, services and park areas, the provision of a diversified range of housing options, and the inclusion of several mobility options. The proposal provides for the completion and build out of the Subject Lands with 584 residential units along with 628.6 m^2 of ground floor retail.

4. The proposed development provides for a range of housing types and a variety of unit configurations providing opportunities for a range of household sizes at different affordability levels. The range of residential uses includes 3-storey stacked townhouses with rooftop terraces, as well as mid-rise apartment structures that will range in height between 8, 9 and 11 storeys. The proposal also achieves a more diverse land use mix while maintaining land use compatibility.

5. The proposal is supported by a series of detailed technical studies related to servicing, transportation and traffic impacts, urban design, shadow, noise, wind, Environmental Assessment, Stormwater, and Geotechnical. All of these studies support the requested change to the Official Plan and Zoning By-law and the implementation of the varied uses on the Subject Lands.



6. A comprehensive assessment of the Provincial Policy Statement and Growth Plan has been undertaken and concludes that the proposed development provides for a complete community that is consistent with the Provincial Policy Statement and conforms with the policies of the Growth Plan. The proposed development will achieve a better density for the City and better advance the ability of the City to meet its Growth Plan density and growth targets.

7. The Subject Lands are currently designated as 'Urban Area' under the Halton Region Official Plan. A detailed planning analysis of the Halton Region Official Plan is provided which examines the high-level policies related to growth, urban structure and healthy communities.

8. The Subject Lands are currently designated as 'Regional Intensification Corridor' under the Halton Region Official Plan Amendment 49 (ROPA 49). While these policies are not determinative, they inform and provide direction for evolving polices and direction for anticipated growth. A detailed planning analysis of the ROPA 49 is provided which examines the high level proposed policies related to strategic growth and intensification.

9. The Subject Lands are currently designated as 'Mixed-Use Corridor - General' under the City of Burlington's Official Plan. The subject lands are also located within a "Mixed Use Activity Area" along a "Multi-purpose Arterial Road". A detailed planning analysis of the Official Plan is provided which examines the high-level policies related to intensification, housing, transportation, and complete communities.

10. The Mixed-Use Corridor – General designation is also examined in relation to the proposed addition of residential uses in a variety of built forms. The proposed development conforms to these policies and provides for a complete community through a range of residential built forms and unit types as well as the provision of at-grade retail.

11. The Subject Lands are currently designated as 'Urban Corridor' under the City of Burlington's New Official Plan (Under Appeal). The subject lands are also located within a "Secondary Growth Area" along a "Multi-purpose Arterial Road. A detailed planning analysis of the New Official Plan is provided which examines the high level policies related to intensification, housing, transportation and complete communities.

12. The proposal meets the requirements for an Official Plan Amendment and conforms to the goals, objectives and policies of the City of Burlington Official Plan.

13. An assessment of the Mixed-Use and Residential Mid-Rise Buildings Design Guidelines and Plains Road Corridor Urban Design Guidelines has been undertaken and has been considered when preparing the design of the proposal. A further in-depth review of these guidelines is provided with the Urban Design Brief.

14. The Subject Lands are zoned 'Mixed-Use Corridor General' in the City of Burlington Zoning By-law 2020. The proposed Zoning By-law Amendment has been prepared to provide for a flexible approach to implementation by maintaining the existing zone category, while recommending additional permitted uses to permit a range of residential and retail uses on the Subject Lands.

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15. The proposed development is planned to be a highly accessible, compact, well-connected, transit-oriented community, well-served by the existing and proposed transportation network.

16. Overall, the proposal provides for the development of a complete community with a diversity and mix of compatible land uses, the introduction of a range of housing forms, and a development which improves accessibility and is well-serviced. The proposed amendments, which will implement the development, represent good planning and are in the public interest. The proposal represents an opportunity for the City to meet its goals, objectives and policies for growth.

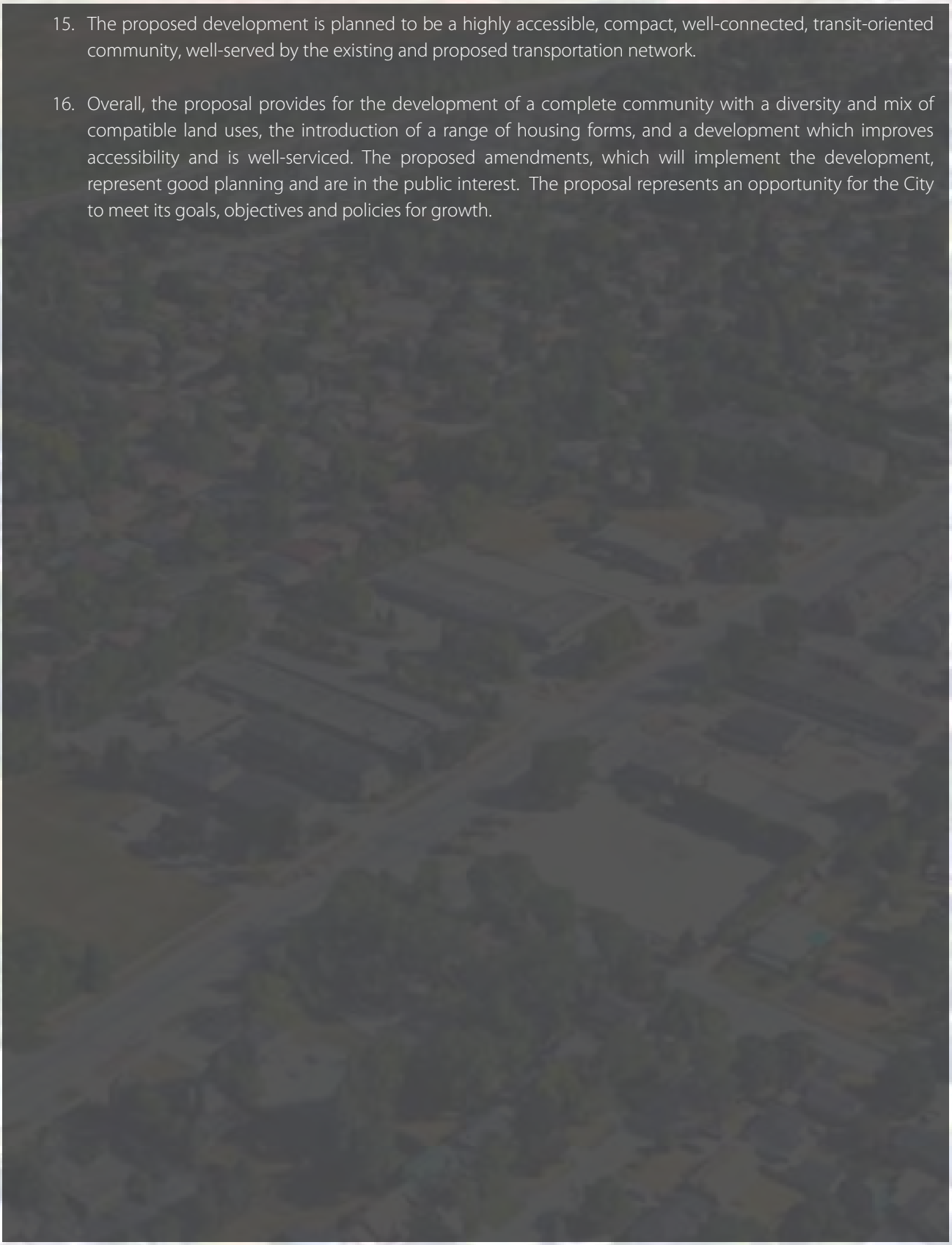


Table of **Contents**

1.0 Introduction 1
1.1. Pre-Consultation 1
2.0 Existing Site & Surrounding Area Context 3
2.1 Site Description 3
2.2 Surrounding Land Uses 4
2.3 Surrounding Context 5
2.4 Transportation Context 7
2.5 Surrounding Development Applications 9
3.0 Proposed Development 10
3.1 Description of Proposal 10
3.2 Phasing Strategy 13
3.3 Consultation Feedback and Revisions 13
3.4 Proposed Draft Official Plan Amendment 15
3.5 Proposed Draft Zoning By-law Amendment 16
3.6 Summary of Supporting Technical Reports 16
3.6.1 Transportation Impact Study 16
3.6.2 Pedestrian Wind Assessment 17
3.6.3 Noise Feasibility Study/ Vibration Study 17
3.6.4 Arborist's Report 17
3.6.5 Functional Servicing Report 17
3.6.6 Geotechnical Consideration 18
3.6.7 Environmental Considerations 18
3.6.8 Urban Design Brief 18
3.6.9 Solid Waste Management Plan 18
3.6.10 Shadow Analysis Plan 18
3.6.11 Angular Plane Study 18
3.6.12 Housing Impact Statement 19
3.6.13 Financial Feasibility Study 19
3.6.14 Storm Water Management Report 19
4.0 Planning Analysis 19
4.1 Planning Act, R.S.O. 1990, C. P. 13 20
4.2 Provincial Policy Statement (2020) 20
4.3 Growth Plan for the Greater Golden Horseshoe (2020) 27
4.4 Halton Region Official Plan (November 10, 2021 Office Consolidation) 32
4.5 Region of Halton ROPA 49 38
4.6 City of Burlington Official Plan (In-Force) 41
4.7 New City of Burlington Official Plan (Under Appeal) 53
4.8 City of Burlington Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings 66
4.9 Plains Road Corridor Urban Design Guidelines 67
4.10 City of Burlington Zoning By-law 2020 70
5.0 Rationale and Opinion 74
6.0 Summary & Conclusion 76

List of **Figures**

Figure **1** Location Map

Figure **2** Site Context & Surrounding Land Uses

Figure **3** Location of Surrounding Community Facilities, Parks and Services

Figure **4** Surrounding Transit Routes

Figure **5** Burlington Cycling Master Plan – Proposed Network

Figure **6** Surrounding Development Applications

Figure **7** Proposed Site Plan

Figure **8** Region of Halton Official Plan Map 1: Regional Structure

Figure **9** Region of Halton Official Plan Map 3: Functional Plan of Major Transportation Facilities

Figure **10** Region of Halton Official Plan Amendment 49 Map 1H: Regional Urban Structure

Figure **11** Region of Halton Official Plan Amendment 49 Map 3: Functional Plan of Major Transportation Facilities

Figure **12** City of Burlington Official Plan Schedule A: Settlement Pattern

Figure **13** City of Burlington Official Plan Schedule B: Comprehensive Land Use Plan – Urban Planning Area

Figure **14** City of Burlington Official Plan Schedule J: Classification of Transportation Facilities

Figure **15** City of Burlington Official Plan Appendix A Schedule 1: Long Term Transit Service Network

Figure **16** City of Burlington Official Plan Appendix A Schedule 2: Long Term Cycling Master Plan

Figure **17** New City of Burlington Official Plan (Under Appeal) Schedule A: City System

Figure **18** New City of Burlington Official Plan (Under Appeal) Schedule B: Urban System

Figure **19** New City of Burlington Official Plan (Under Appeal) Schedule B-1: Growth Framework

Figure **20** New City of Burlington Official Plan (Under Appeal) Schedule B-2: Growth Framework and Long Term Frequent Transit Corridors

Figure **21** New City of Burlington Official Plan (Under Appeal) Schedule C: Urban Area

Figure **22** New City of Burlington Official Plan (Under Appeal) Schedule O-1: Classification of Transportation Facilities – Urban Area

Figure **23** New City of Burlington Official Plan (Under Appeal) Schedule P: Long Term Cycling Master Plan

Figure **24** New City of Burlington Official Plan (Under Appeal) Schedule Q: Trails Strategy

Figure **25** Plains Road Urban Design Corridor Map – Figure 1: Conceptual Framework

Figure **26** City of Burlington Zoning By-law 2020 Map

List of **Tables**

Table **1** Location of Surrounding Community Facilities, Park and Services

Table **2** Surrounding Development Applications

Table **3** Summary of Proposed Redevelopment Statistics

Table **4** Evaluation of Healthy Community Guidelines

Table **5** Required and Proposed Zoning Provisions

List of **Appendices**

Appendix **A** Photo Record of Subject Lands and Surrounding Context.

Appendix **B** Pre-Consultation Minutes and Checklist

Appendix **C** Burlington Urban Design Review Panel Meeting Minutes

Appendix **D** Draft Official Plan Amendment

Appendix **E** Draft Zoning By-law Plan Amendment

1.0 Introduction

MacNaughton Hermsen Britton Clarkson Planning Limited ("MHBC") has been retained by 335 Plains Holdings Inc. & 355 Plains Holdings Inc. (the "Applicant") to seek planning approvals to redevelop the properties located on the north side of Plains Road East on either side of Downsview Drive, municipally addressed as 1010 Downsview Drive & 355 Plains Road East, in the City of Burlington (the "Subject Lands").

This Planning Justification Report has been prepared in support of the proposed Official Plan and Zoning By-law Amendments which will facilitate the redevelopment and intensification of the Subject Lands to include two apartment buildings with stacked townhouses divided between two parcels of land. Lot A, 1010 Downsview Drive, proposes an 8-storey apartment building with 141 apartment-style units and 56 stacked townhouse units along the rear of the lot, with a total of 4,298.0 m^2 of combined amenity space (includes indoor, outdoor, rooftop and private balcony amenity area). Lot B, 355 Plains Road East, proposes an apartment-style building containing two towers of 9 and 11 storeys in height connected by a 6 storey podium. Lot B proposes a total of 347 apartment units, 40 stacked townhouse units along the rear of the lot and a total of 5,865.5 m^2 of combined amenity space (includes indoor, outdoor, rooftop and private balcony amenity area).

This report provides a comprehensive assessment of the proposed redevelopment and includes the following;

- A description of the Subject Lands, existing uses, surrounding uses, area developments, and existing physical conditions to provide an understanding of the locational context;
- A description of the proposed development and its design elements;
- A summary of the technical reports and studies prepared to support the proposed development;
- A description of the proposed amendments to the City of Burlington Official Plan and Zoning By-law (By-law 2020);
- A review of the existing and evolving planning policy and regulatory framework;
- An assessment of the proposed development's consistency and conformity with Provincial, Regional and City policies and regulations; and,
- A summary of key conclusions and recommendations related to the proposed development.

1.1. Pre-Consultation

The required pre-consultation meeting to discuss the proposal was held on June 9, 2021. City of Burlington and Halton Region staff were in attendance, along with the Applicant. A record of the pre-consultation minutes is attached to this report as **Appendix B**. A pre-submission community meeting was held on January 31, 2022 and is further discussed in Section 3.2 of this report. In addition, the Applicant submitted the draft proposal to the Burlington Urban Design Review Panel on March 17, 2022 for review and comment. A copy of the minutes from that meeting are found at **Appendix C**.

The following reports and materials were identified as required for a 'complete application' and are included as part of this application submission:

Plan / Report	CONSULTANT
Planning Justification Report (Including Burlington Urban Design Comments, Response to comments received at community meeting, Draft Official Plan & Zoning By-law Amendment)	MHBC Planning, Urban Design and Landscape Architecture
Financial Impact Assessment	MHBC Planning, Urban Design and Landscape Architecture
Housing Impact Statement	MHBC Planning, Urban Design and Landscape Architecture
Survey	Harry Lennard Architect
Conceptual Site Plan Layout	SRM Architects Inc.
Architectural Plans	SRM Architects Inc.
3-D Model of Proposed Buildings	SRM Architects Inc.
Height Survey of Adjacent Buildings	Van Harten Surveying Inc.
Angular Plan Study	SRM Architects Inc.
Shadow Analysis Plan	SRM Architects Inc.
Pedestrian Wind Assessment	SLR Consulting (Canada) Ltd.
Arborist's Report	MHBC Planning, Urban Design and Landscape Architecture
Tree Inventory and Preservation Plan	MHBC Planning, Urban Design and Landscape Architecture
Landscape Plan	MHBC Planning, Urban Design and Landscape Architecture
Noise Feasibility Study/ Vibration Study	SLR Consulting (Canada) Ltd.
Transportation Impact Study including Transportation Demand Management	Paradigm Transportation Solutions Limited
Storm Water Management Report	Lamarre Consulting Group Inc.
Functional Servicing Report	Metropolitan Consulting Inc.
Servicing, Grading and Erosion and Sediment Control Plan	LANHACK Consulting Inc.
Demolition and Construction Plan	LANHACK Consulting Inc.
Construction and Mobility Management Guidelines	LANHACK Consulting Inc.
Geotechnical Considerations	Soil-Mat Engineers & Consulting Ltd.
Environmental Considerations	Soil-Mat Engineers & Consulting Ltd.
Letter of Reliance – City of Burlington	Soil-Mat Engineers & Consulting Ltd.
Letter of Reliance – Region of Halton	Soil-Mat Engineers & Consulting Ltd.
Phase One ESA	Soil-Mat Engineers & Consulting Ltd.
Phase Two ESA	Soil-Mat Engineers & Consulting Ltd.

Sustainable Building and Development Guidelines Checklist	MHBC Planning, Urban Design and Landscape Architecture
Urban Design Brief	MHBC Planning, Urban Design and Landscape Architecture
Environmental Site Screening Checklist	Coletara Development Inc.
Waste Management Report	Coletara Development Inc.
Reference Plan and PIN Report	Van Harten Surveying Inc. & Scarfone Hawkins LLP

Many of these reports are referenced in the overall assessment of the redevelopment proposal provided herein.

2.0 Existing Site & Surrounding Area Context

The consideration of an existing site's context is important in the planning analysis for a proposed development. Context must be evaluated not only as it relates to the existing physical environment and surrounding area, but to the specific and immediate urban setting and urban structure which includes future land uses and infrastructure.

2.1 Site Description

As shown on **Figure 1**, the Subject Lands consist of two parcels on the north side of Plains Road East, separated by Downsview Drive. The Subject Lands are municipally addressed as 1010 Downsview Drive and 355 Plains Road East. The two parcels have a total site area of 3.67 ha (9.07 acres) consisting of 0.73 ha (1.81 ac) on 1010 Downsview Drive, with 48.25 m of frontage on Plains Road East and a depth of 105 m, and 0.75 ha (1.86 ac) on 355 Plains Road East with 71.82 m of frontage on Plains Road East and a depth of 105 m.

As of May 18, 2022, each parcel is occupied by a one-storey commercial plaza and surface parking area. Lot A, 1010 Downsview Drive, contains 7 occupied units with restaurant, financial services, a mattress store, day care and residential sales centre. Lot B, 355 Plains Road East, contains one vacant unit and 11 occupied units, including a coffee shop, patio furniture store karate studio, financial services, place of worship, plant/flower store, and a jewelry store.

Pedestrian access is provided from both Plains Road East and Downsview Drive. Vehicular access and parking for 1010 Downsview Drive is currently provided from Downsview Drive. Vehicular access and parking for 355 Plains Road East is currently provided from Plains Road East and Downsview Drive. There is a signalized intersection at Plains Road East and Downsview Drive.



FIGURE 1: Location Map

2.2 Surrounding Land Uses

As illustrated in **Figure 2**, the Subject Lands are generally surrounded by the following land uses:

NORTH: Immediately north of the Subject Lands is a low-rise residential neighbourhood with single detached residential houses. Further to the northwest is the Aldershot Park and Aldershot GO Station.

EAST: Immediately east of the Subject Lands is East Plains United Church, which contains a Child Care Centre and a cemetery. Further east, there is a mix of residential buildings and low-rise commercial buildings.

SOUTH: Immediately south of the Subject Lands, across Plains Road East, is a mix of residential apartments and mixed-use buildings. Further to the south is a low-rise residential neighbourhood.

WEST: Immediately west of the Subject lands are 3 storey townhouses. Further to the west is Holy Rosary Church and Holy Rosary Catholic Elementary School, as well as a mix of townhouses and low-rise commercial uses

Photo record of the Subject Lands and surrounding context is included with this report as **Appendix A**.



FIGURE 2: Site Context & Surrounding Land Uses

2.3 Surrounding Context

The surrounding context of the area includes both the concentration of a range of uses along the Plains Road corridor as well as within the surrounding community. The area is served by retail and service commercial uses, as well as community, parks, recreational and institutional uses.

The Subject Lands are located in proximity to a number of community facilities, parks, and amenities which are listed below in **Table 1. Figure 3** illustrates locations identified in the table below.

Table 1: Location of Surrounding Community Facilities, Parks and Services

DESTINATION	DISTANCE	TRAVEL TIME		
		Walking	*Cycling*	*Car*
1. East Plains United Church	230 m	2	2	1
2. EPUC Child Care Centre	230 m	2	2	1
3. Holy Rosary Church	400 m	5	2	1
4. Holy Rosary Catholic Elementary School	450 m	5	2	1
5. Aldershot Park	700 m	9	3	2
6. Aldershot Tennis Club	700 m	9	3	2
7. President's Choice Financial ATM	700 m	9	4	2
8. White Oak Plaza	700 m	9	2	1
9. Shoppers Drug Mart	750 m	9	4	2
10. Dollar Tree	850 m	7	3	2
11. Maplehurst Public School	900 m	11	4	2
12. Grove Park	900 m	11	3	2
13. Burlington Public Library	950 m	10	4	2
14. Teal Greenway Park	950 m	11	3	2
15. Super Convenience	1.0 km	12	4	2
16. TD Canada Trust Bank	1.1 km	13	4	2
17. Kiwanis Park	1.2 km	14	5	3
18. Aldershot Arena	1.3 km	15	5	3
19. Royal Bank of Canada	1.3 km	16	4	2
20. Hasty Market Convenience Store	1.6 km	20	6	3
21. Lasalle Park	1.9 km	23	6	3
22. Bayshore Park	1.9 km	19	5	4
23. Fortino's	1.9 km	23	8	4
24. Aldershot GO Station	1.5 km	15	5	4

Note: Distances and times are approximate.



FIGURE 3: Location of Surrounding Community Facilities, Parks and Services

2.4 Transportation Context

The Subject Lands front onto Plains Road East, which is identified as a Multi-Purpose Arterial Road in the City of Burlington Official Plan (Schedule J – Classification of Transportation Facilities). Downsview Road is identified as a local street.

There are several existing Burlington Transit bus stops located in close proximity to the Subject Lands, serving Routes 1 and 4. Route 1 is an express route that provides local service along Plains Road East from York Boulevard to Fairview. Route 4 provides local service from Aldershot GO to Appleby GO. An existing transit stop is located directly in front of 355 Plains Road East. Aldershot GO Station is located approximately 2.5 km northwest of the Subject Lands, providing frequent commuter rail service along the Lakeshore West GO line, to destinations including Niagara Falls, Hamilton, and Toronto. The proposal is immediately adjacent to an existing bicycle network and pedestrian network along Plains Road. The Subject Lands are located immediately outside of the Major Transit Station Area (MTSA) (Schedule G – Aldershot GO MTSA Special Planning Area).

Figure 4 illustrates public transit routes in the surrounding area.

Figure 5 illustrates existing and proposed cycle network in the surrounding area.



FIGURE 4: Surrounding Transit Routes

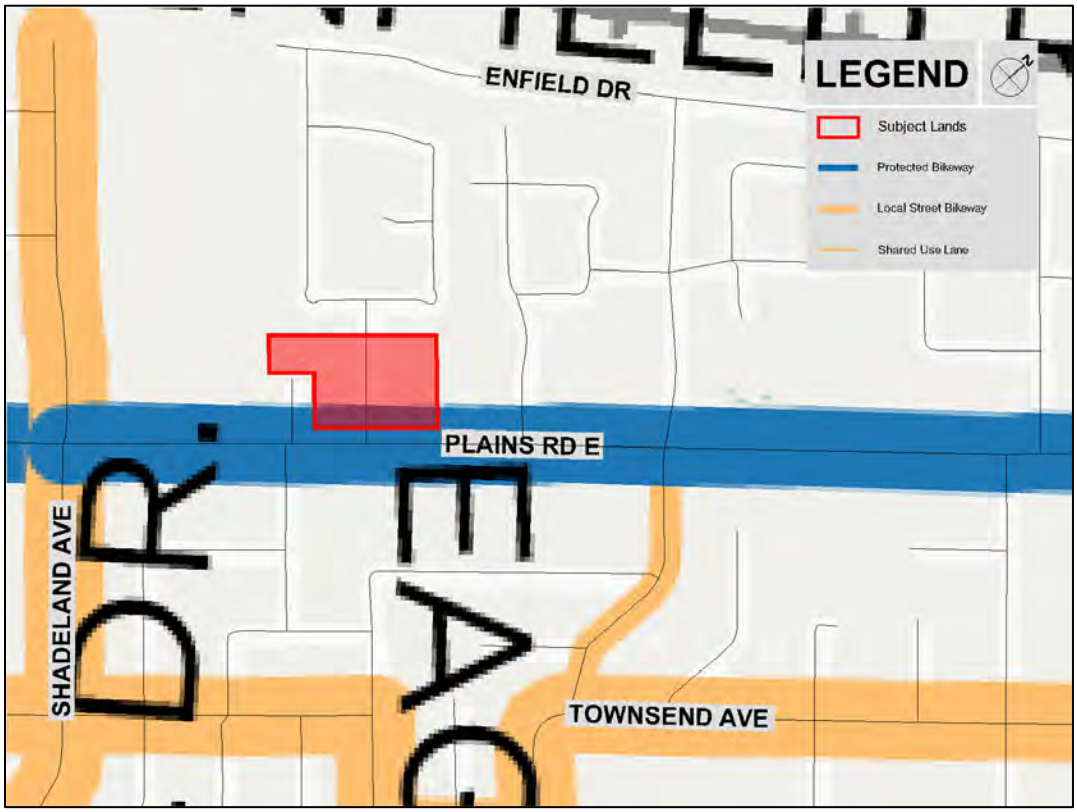


FIGURE 5: Burlington Cycling Master Plan – Proposed Network

2.5 Surrounding Development Applications

As part of the preparation of the proposed applications, a search of the City of Burlington's development application database was undertaken to provide a broader context of the recently approved and proposed developments within the surrounding area. Surrounding developments and proposed applications are illustrated on **Figure 6**.

Table 2: Surrounding Development Applications

#	Address	Status	Application Type and File No.	Residential Units	Height
1	284 – 292 Plains Road East	Proposed	OPA: 505-07/21 ZBA: 520-08/21	117	6 storeys
2	1120 Cooke Blvd	Proposed Pre-Application	OPA / ZBA	1,258	2 Options: 1. Three 29- to 39-storey buildings 2. Four 18- to 39-storey buildings
3	92 Plains Road East	Approved	OPA: 505-02/16 ZBA: 520-03/16	49	7 storeys
4	610 Surrey Lane	Proposed	OPA: 505-04/17 ZBA: 520-11/17 SUB: 510-03/17	1450	3-storey townhouses. Mid-rise apartment 8-11-storeys. Three high-rise apartment building at 16-, 19- and 20-storeys.
5	40 – 70 Plains Road East	Proposed	OPA: 505-02/21 ZBA: 520-03/21	360	10 storeys
6	484 – 490 Plains Road East	Approved	OPA: 505-06/17 ZBA: 520-14/17	386	Two 8-storey apartment building and Stacked Townhouses
7	53 – 71 Plains Road East & 1025 Cooke Blvd.	Proposed	OPA: 505-11/17 ZBA: 520-22/17	450	10 and 12 storeys
8	1085 Clearview	Proposed	SPA: 535-008/21	164	7 storeys
9	101 Masonry Court	Approved	SPA: 535-006/15	172	Two 6-storey apartment building
10	35 Plains Road East	Approved	OPA: 505-03/16 ZBA: 520-04/16	72	8 storeys
11	1029 & 1033 Waterdown Road	Proposed	OPA: 505-09/21 ZBA: 520-10/21	295	29-storey mixed-use building (4-storey podium)
12	1062-1074 Cooke Blvd	Pre-Application	OPA / ZBA	762	30- and 32-storey buildings

The recently approved and proposed applications reflect the emergence of the area as an intensification corridor supported by transit and community services which continues to support the City's objectives and policies for intensification and redevelopment along Plains Road.

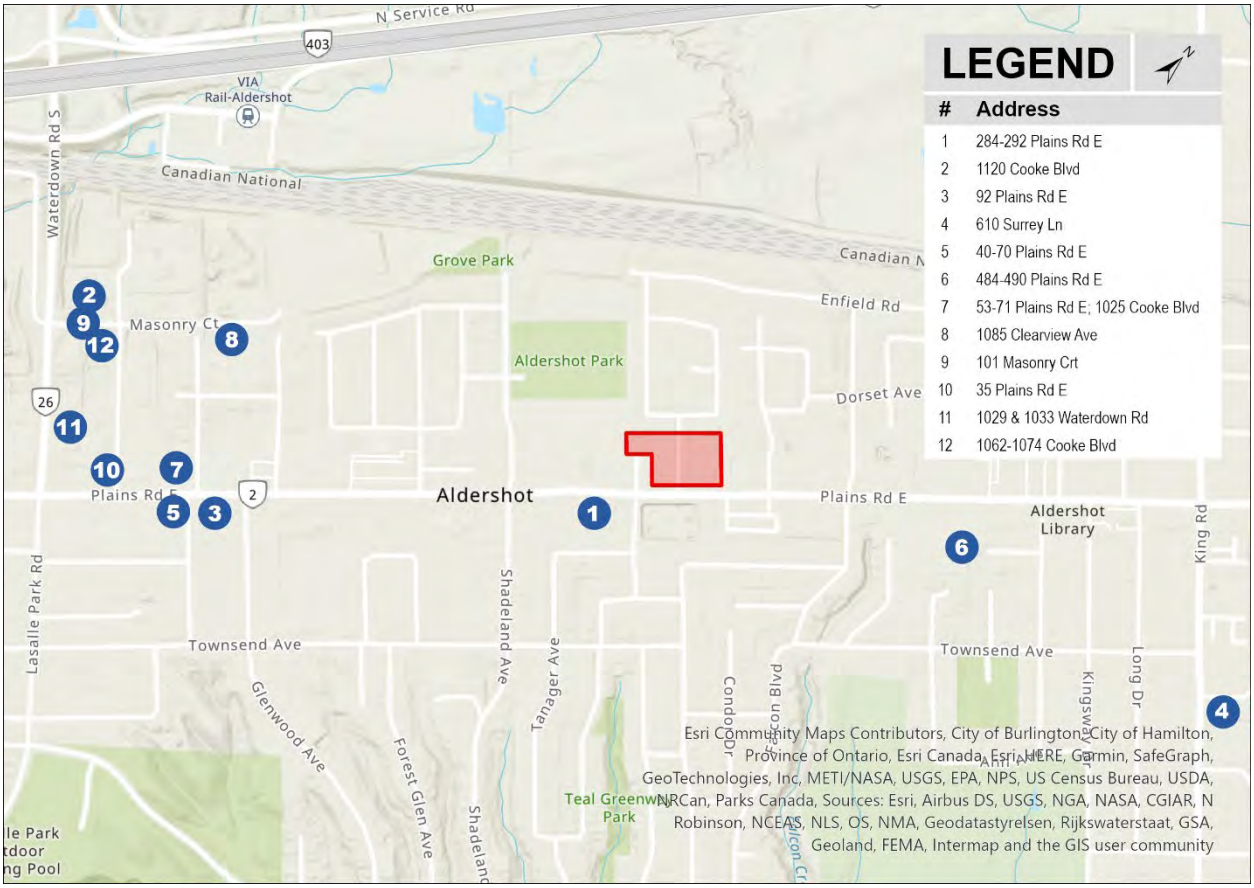


FIGURE 6: Surrounding Development Applications

3.0 Proposed Development

3.1 Description of Proposal

The proposed concept prepared by SRM Architects provides for a mixed-use development consisting of two mid-rise residential buildings with ground floor retail at the base of each building and stacked townhome units along the rear of both sites. The proposed development on 1010 Downsview (Lot A) is for one 8-storey residential building, with a total gross floor area of 15,109.8 m^2. The building will provide for a total of 141 apartment units. There are 56 townhome units proposed along the northern lot line. The 8-storey building and the townhomes will provide for a mix of 1-bedroom and 2-bedroom units. The proposed floor area ratio is 2.07:1 for this site.

The proposed development on 355 Plains Road East (Lot B) is for a residential apartment building with two mid-rise towers of 9 and 11 storeys, connected by a 6-storey podium, with a total gross floor area of 33,585.7

m^2. The apartment building consists of a total of 347 apartment units and provides for a mix of 1-bedroom and 2-bedroom units. There are 40 townhome units provided along the rear of the site. The proposed floor area ratio is 4.48:1 for this site. **Table 3** below provides a detailed breakdown of the proposed development site statistics.

The ground floors of both apartment buildings will contain non-residential uses in the form of retail or service commercial uses. These uses will face Plains Road and contain a total of 628.6 m^2 of non-residential GFA.

Access and Parking

In terms of pedestrian access, the retail component of each building will be accessed via entrances along Plains Road East. The main residential lobby for each building will be accessed from the corner of Plains Road East and Downsview Drive. Lot B has an additional pedestrian lobby access from Plains Road East at the far eastern portion of the building. The townhouses will be accessed from the walkway adjacent to the surface parking area. Additionally, the townhouses will also have access to a private amenity space at the rear, abutting the existing low density residential to the north.

Vehicular access to each site is provided from Downsview Drive through internal drive-aisles providing access to the underground parking, as well as the buildings' loading areas. Lot A proposes 2 levels of underground parking, with additional surface parking, for a total of 262 parking spaces. This includes 8 accessible parking spaces and 15 parking spaces allocated for the non-residential uses. Lot B proposes 2 levels of underground parking and 2 levels of aboveground structured parking, with additional surface parking, for a total of 489 parking spaces, including 15 accessible parking spaces and 12 parking spaces allocated for non-residential uses. A total of 48 tandem parking spaces are proposed on parking level P1 and P2. Parking will be provided at a rate of 1.23 spaces per unit for residential parking and 3.5 spaces per 100 m^2 of commercial space for the non-residential use parking

Amenity Areas

Amenity area for Lot A is proposed at-grade and on the 3rd floor of the building, including both outdoor and indoor shared amenity areas. A total of 4,298.0 m^2 of amenity space is proposed; 730.6 m^2 of indoor amenity space, 1,660.9 m^2 of outdoor amenity space including 438.9 m^2 of rooftop amenity spaces, and 1,467.6 m^2 of private balcony amenity space. Amenity area for Lot B is proposed at-grade and on the 2nd, 3rd, and 7^{th} floors, including both outdoor and indoor shared amenity areas. A total of 5,865.5 m^2 of amenity is proposed; 696.3 m^2 of indoor amenity space, 513.9 m^2 of outdoor amenity space, 2,243.8 m^2 of rooftop amenity spaces, and 2,411.5 m^2 of private balcony amenity space. The proposed townhouses provide for private outdoor amenity spaces at-grade as well as roof top amenity. These amenity spaces have been included in the above calculations.

Landscape

The required landscape buffers have been provided. A 3 m buffer along the street line to Plains Road East and Downsview Drive has been provided. A 3 m landscape buffer has also been provided to the church property to the east of Lot B. A 6 m buffer to the adjacent residential uses to the north and west have been provided. The proposed buffers provided on Lot A include a variety of tree plantings and landscaped at-grade amenity areas.

Transition

Appropriate transitions have been provided to the existing residential uses located along the west property line of Lot A and the north property line of both lots. Lot A has incorporated a number of setbacks and step backs to minimize impact to the existing townhouses to the west. The building then sets back 6 m from the west property line. The building then steps back 5.11 m after the 2nd storey, 4.96 m after the 4th storey, and 6.46 m after the 6th storey. The townhouses proposed along the rear of the site provide a transition from the existing low density residential to the 8-storey apartment building.

As with Lot A, the townhouses proposed along the rear of the Lot B provide a transition from the existing low density residential to the 9- and 11-storey apartment building. The 9-storey tower has been provided along the east property line to provide a transition to the 11-storey tower. A 1.5 m step back after the 6th storey has been provided along the east property line to provide a transition to the neighbouring property.

Retail

At-grade retail have been provided at-grade for both lots. The retail entrances have been positioned to front directly onto Plains Road East. Pedestrian access has been provided to the existing municipal sidewalk.

Garbage and Loading

The loading area on Lot A is located at-grade along the east property line. The loading area is adequately screened from the street by the proposed building and is screened by the existing fence and landscape buffer to the east. Garbage is stored internally on the ground floor and will be wheeled to the loading area for pick-up on collection day. Garbage, recycling, and organics will be stored in separate bins and have been designed to permit municipal pick-up.

The proposed Site Plan is included as **Figure 7** of this report.

Table 3: Summary of Proposed Redevelopment Statistics

CHARACTERISTIC	DESCRIPTION	
	LOT A	LOT B
Total Site Area	7294.74 m^2	7,500.47 m^2
Proposed Total Gross Floor Area	15,109.8 m^2	33,585.7 m^2
Proposed Residential Units	197	387
Townhouse	56	40
Apartment	141	347
Proposed Density	270.1 units / hectare	516.0 units / hectare
Floor Area Ratio	2.07 : 1	4.48 : 1
Total Parking Spaces	262 Spaces	489 Spaces (Including 48 tandem parking spaces)
Residential	252	477
Commercial/Retail	10	12
Accessible	8	15
Short Term Bicycle Spaces	21 Spaces	31 Spaces
Commercial Bicycle Parking Spaces	4 Spaces	8 Spaces

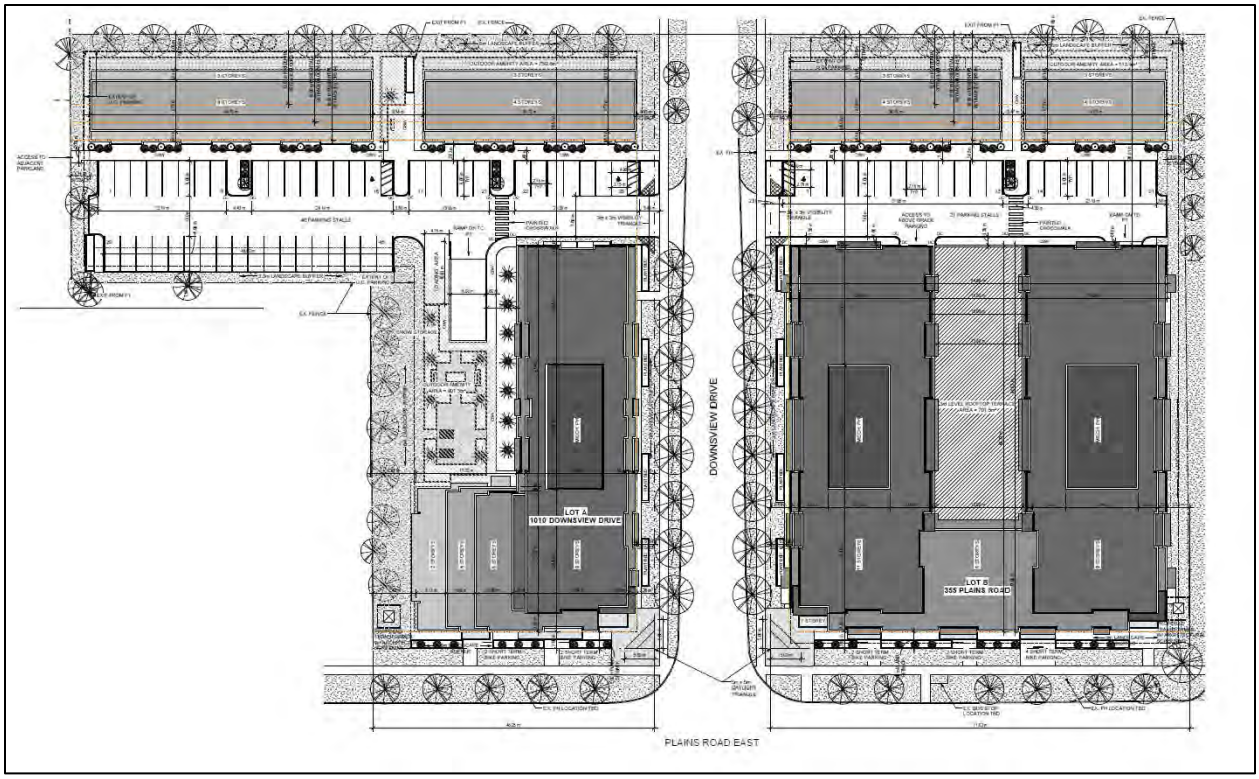


FIGURE 7 – Site Plan

3.2 Phasing Strategy

The development will be phased to allow existing retail tenants the opportunity to relocate into the first phase of development once completed. It has not yet been determined which lot will be developed first; however, the intention is to complete one lot before the other. The phasing strategy will be further refined and implemented through the site plan process.

3.3 Consultation Feedback and Revisions

A pre-consultation meeting was held with City staff to discuss the proposal on June 9, 2021. In accordance with the requirements for a complete submission identified at the pre-consultation meeting, a community meeting was held on January 31, 2022 and a presentation of the development concept was made to the City of Burlington Urban Design Advisory Panel (BUD) on March 17, 2022.

A community information meeting was held virtually January 31, 2022 and provided residents the opportunity to ask questions and provide input on the proposal in advance of the formal application submission. In addition to Mayor Marianne Meed Ward, Councillor Kelvin Galbraith, City Staff and the project team, there were 44 members of the public in attendance.

At the meeting, several attendees identified concerns with the height and density of the proposal and concerns regarding the generated traffic. Additionally, concerns were raised regarding the removal of the

existing retail and that there is limited medium to large scale retail in the community. These themes have been considered in the development as follows:

Height/Density and General Site Intensification

Many of those in attendance at the meeting expressed concerns with the height and density of the proposed development, noting that this area has already experienced enough growth. In this regard, those in attendance made comments that a less dense and shorter building would be more palatable to the community. Attendees also considered potential overlook and shadow impact on their properties.

Response

As noted throughout this report, the Subject Lands are located within an area planned for intensification and should contribute to the density targets outlined in the Regional Official Plan. As a way to minimize the impact of the proposed height, a number of step backs and setbacks are proposed as the height increases. This will minimize the impact of overlook as well as shadowing on the surrounding area. The upgraded landscaping will also mitigate sound and overlook into adjacent properties. The townhouses proposed along the rear of the site will also help with the transition from the low density residential to the apartment buildings.

Traffic

Those in attendance raised concerns regarding traffic and congestion along Plains Road East, particularly when considered in conjunction with other surrounding approved and proposed developments.

Response

A Transportation Impact Study has been prepared by Paradigm Transportation Solutions Limited in support of the proposed development which projects that approximately 248 new vehicle trips during the weekday AM peak hour and 272 new vehicle trips during the PM hour will result from the proposed development. The traffic analysis indicates that the development volumes will result in minimal increases to congestion along the Plains Road East corridor under peak conditions.

Retail

Those in attendance raised concerns regarding the loss of the retail plaza and the necessity for the provision of at-grade retail. There is a concern that there is limited retail in the community and small retail units at-grade will not adequately service the community.

Response

Although ground floor retail is not a requirement in the planning policies, it has been included in the development proposal to help create a pedestrian friendly animated street. Sufficient retail parking has been provided on site to service the proposed retail. Existing tenants are welcome to request units in the proposed development to remain in the community. The Aldershot community does not have any available land for large scale retail, therefore it is important to provide for mixed-use buildings to allow for increased density while still providing amenity for the community.

At the BUD meeting, staff sought panel advice on the proposed development. As a result of comments received at BUD, the following revisions to the plans were made:

Lot A (1010 Downsview Drive):

- Originally 2 towers were proposed on this lot, a 10-storey building and a 6-storey building. The 6-storey building has been removed and replaced with 3-storey stacked townhouses with rooftop terraces;

- Revisions to the Tower portion of the proposed development include:
    - Reduction from 10 to 8 floors;
    - Introduced step backs from the west property line abutting the existing townhouse development. As a result, this has also reduced the proposed density and GFA on the site;
    - Balconies have been added to provide additional private amenity space;
    - Increased setback on the west lot line; and
    - The parking area on the ground floor has been reduced to create more landscape area and outdoor amenity space between the townhouses and parking area.
- At the corner of Downsview Drive and Plains Road East, the proposed daylight triangle has been increased from 3 metres to 5 metres;
- On Downsview Road, at the entrance of both sites, a 3 m visibility triangle has been added;

Lot B (355 Plains Road East):

- Revisions to the Tower portion of the proposed development include:
    - The overall building density has been considerably reduced;
    - Step backs have been provided on the 6th reducing the south and west facades and provide a transition to the adjacent site;
    - A rooftop terrace has been added on the 3rd floor, increasing the amount of amenity space provided;
    - An additional rooftop terrace has been added to the 7th floor providing south-facing outdoor amenity space. This terrace provides 16 metres of separation distance between the buildings and allows for greater access to sunlight and ventilation; and
    - The parking area on the ground floor has been reduced to create more landscape area and outdoor amenity space between the townhouses and parking area.
- 3-storey stacked townhouses, with rooftop terraces, have been introduced, providing a greater range of available housing types;
- At the corner of Downsview Drive and Plains Road East, the proposed daylight triangle has been increased from 3 metres to 5 metres;
- On Downsview Road, at the entrance of both sites, a 3 m visibility triangle has been added; and
- A painted crosswalk was added between the townhouses and the buildings.

Further discussion on the revisions related to the BUD panel comments are included in the Urban Design Brief. Comments received from the BUD, along with responses, are provided in detail in **Appendices C**.

3.4 Proposed Draft Official Plan Amendment

The proposed Official Plan Amendment seeks to amend the existing policies that apply to the Subject Lands to permit redevelopment of the site to a maximum height of 8, 9 and 11 storeys for each of the mid-rise buildings (30.60 m, 33.65 m, and 39.75 m respectively) inclusive of mechanical penthouses. The current maximum permitted height set out in Section 5.3.2 (d) (ii) of the current Official Plan is 6 storeys. The proposed amendment also seeks to amend Section 5.3.2 (d) (i) to permit a maximum floor space index of 2.07 for Lot A, and 4.48 for Lot B, whereas the Official Plan current permits an FSI of up to 1.5 without amendment to the Official Plan through a Zoning By-law amendment.

The Official Plan Amendment does not require any mapping changes.

A copy of the proposed Official Plan Amendment is included in this report as **Appendix D.**

As demonstrated in the following sections of this report, the proposed Official Plan Amendment is appropriate for the Subject Lands and is required to allow for the optimization of underutilized lands and a redevelopment which conforms with and implements the Growth Plan, Provincial Policy Statement, and Regional Official Plan.

3.5 Proposed Draft Zoning By-law Amendment

The proposed Draft Zoning By-law Amendment seeks to apply a site-specific exception to the existing MXG Zone to permit exceptions to the maximum floor area ratio, height, minimum amenity space requirements and parking requirements. The proposed Zoning By-law Amendment will facilitate the implementation of the proposed development and will comply with all other provisions of the MXG zone as well as the general provisions for parking and other development standards.

A copy of the proposed Zoning By-law Amendment is included in this report as **Appendix E**.

3.6 Summary of Supporting Technical Reports

In order to ensure the proposed development fully addresses all policy and technical requirements, a number of required supporting studies have been completed. Each of these studies are summarized in this section of the Report. Many of these studies also identify how the proposed development and applications advance Provincial, Regional, and local policies.

3.6.1 *Transportation Impact Study*

A Transportation Impact Study and Parking Study has been prepared by Paradigm Transportation Solutions Limited in support of the proposed development. The main findings and conclusions of this study are as follows:

- Base Year Traffic Conditions: Critical movements are noted at the Plains Road East intersections with Gallagher Road/Shadeland Avenue and Filmandale Road/Lindley Commons.
- Site Trip Generation: The subject site is forecast to generate approximately 248 and 272 new vehicle trips during the AM and PM peak hours, respectively.
- Transportation Demand Management: The site concept plan includes TDM measures intended to assist in mitigating the site's transportation and parking impacts. TDM measures are aimed at walking, transit, cycling, parking, and education/promotion. To encourage cycling, the City is planning a protected bikeway on Plains Road East.
- Background Traffic Conditions: The noted queue lengths and localized congestion identified under base year conditions are forecast to continue to occur.
- Remedial Measures: Signals are not warranted on Plains Road East at Filmandale Road/Lindley Commons and Dovercourt Avenue under background conditions.
- The City should consider extending the southbound left-turn storage lane length on Gallagher Road to provide 35 metres of storage. The need for the additional storage is an existing condition.

3.6.2 *Pedestrian Wind Assessment*

SLR Consulting (Canada) Ltd. prepared a Pedestrian Wind Assessment in support of the proposed development. The pedestrian wind conditions predicted for the proposed development at 355 Plains Road East & 1010 Downsview Drive have been assessed through computational fluid dynamics modeling techniques. The results of CFD modeling are an excellent means of readily identifying relative changes in wind conditions associated with different site configurations or with alternative built forms.

Based on the results of the assessment, the following conclusions have been reached:

- The wind safety criterion is predicted to be met in all areas on-site and surrounding the development in both the Existing and Proposed Configurations;
- Wind conditions on the site, including all entrances, are expected to be suitable for the intended use year-round;
- Wind conditions on the proposed terraces are predicted to be suitable for the intended use; and
- On the sidewalks surrounding the proposed development and at the nearby transit stops, wind conditions are suitable for the intended use.

3.6.3 *Noise Feasibility Study/Vibration Study*

SLR Consulting Inc. prepared a Noise Feasibility Study/Vibration Study in support of the proposed application. The potential for noise impacts on and from the proposed development have been assessed. Impacts of the environment on the development, the development on itself, and the development on the surrounding area have been considered. The report concludes that noise impacts from the CN Aldershot Yard are predicted to meet applicable guideline limits at all building façades and at outdoor living area locations without the need for noise control measures. No other stationary sources with the potential for adverse noise impacts on the development were identified in the surrounding area. Impacts of the environment on the proposed development can be adequately controlled with upgraded glazing, parapet walls, and the inclusion of appropriate ventilation and warning clauses. Impacts of the proposed development on the surroundings are expected to meet the applicable guideline limits and can be adequately controlled by following the design guidance.

3.6.4 *Arborist Report*

An Arborist Report was prepared by MHBC Planning, Urban Design & Landscape Architecture to address the tree inventory and preservation of the Subject Lands. The report, along with the accompanying Tree Inventory Plan confirm the condition of existing trees, as well as those that will be removed for the proposed development. Additional trees and plantings will be provided as parking of the landscape plan.

3.6.5 *Functional Servicing Report*

Metropolitan Consulting Inc. prepared a Functional Servicing Report in support of the proposed application. The report concludes that the existing sanitary sewer can accommodate the proposed development. The additional flow generated by the proposed development does not cause the existing downstream sewer to rise over 85% capacity, and therefore no upgrades are required. The existing watermain was evaluated and the proposed development can be accommodated, as described in this report. The Total Water Demand is lower than the flow at 20 psi residual pressure in the existing watermain, and therefore no upgrades are required.

3.6.6 *Geotechnical Consideration*

A geotechnical investigation, prepared by Soil-Mat Engineers & Consultants Ltd., was previously completed September 25, 2015 and a preliminary Foundation Consideration was completed February 25, 2020. The investigation was based on the original development proposal of a 6 and 8 storey residential building with 1 level of underground parking. The Geotechnical Consideration has been updated to reflect the revised development concept. The Geotechnical Consideration provides guidance for the excavation and development of the site.

3.6.7 *Environmental Considerations*

A number of Environmental Reports have been prepared by Soil-Mat Engineers & Consultants Ltd. A Phase One ESA (July 24, 2015), Environmental Soil Sampling (March 29, 2016), and Phase Two ESA (March 29, 2016) were completed for the Subject Lands. The Environmental Considerations and summarizes the findings of these reports and outline the appropriate next steps to achieve the required RSC filings. A letter of reliance has also been provided for the above noted environmental reports.

3.6.8 *Urban Design Brief*

An Urban Design Brief was prepared by MHBC Planning, Urban Design and Landscape Architecture which illustrates how the proposed development is in accordance with both the in-effect Official Plan and the new Official Plan, where specific relevant policies of the plans are evaluated. This brief also demonstrates how the proposed development responds to the relevant design guidelines. The brief concludes that the proposal represent high-quality design that promotes intensification and revitalization and will provide a sensitive transition to the surrounding neighbourhoods while contributing to place making in the community.

3.6.9 *Solid Waste Management Plan*

A Solid Waste Management Plan was provided by Coletara using Halton Region's (the Region's) Regional Official Plan Guideline. The City of Burlington's comments from the development application pre-consultation and the pre-submission checklist were also considered while preparing this report. This brief also demonstrates how the proposed development responds to the relevant truck turning diagram guidelines and how the waste collection vehicle will travel on the driveways. The Waste Management Plan complies with City of Burlington and the Region of Halton's requirements.

3.6.10 *Shadow Analysis Plan*

A Sun/Shadow study was prepared by SRM Architects which describes the potential shadow impact of the proposed development. The report identifies that based on the review of March, September, December and June 21st shadows, and having due regard for shadow duration, seasonal variations, time of day, and the context of built form in neighbourhoods, the incremental ground level shadowing resulting from the proposed development over and above the existing shadowing is limited and reasonable.

3.6.11 *Angular Plane Study*

An Angular Plane Study was prepared by SRM Architects which describes the potential impacts the proposed building will have on the existing low density residential. This study illustrates that the proposed development meets the 45 degree angular plan requirements in the Burlington Mixed-Use and Mid-Rise Design Guidelines.

3.6.12 *Housing Impact Statement*

A Housing Impact Statement has been prepared by MHBC Planning, Urban Design and Landscape Architecture in support of the proposed development. The report concludes that the proposed intensification for the Subject Lands is appropriate as the site is located within a planned intensification area.

3.6.13 *Financial Feasibility Study*

A Financial Impact Statement was prepared by MHBC Planning, Urban Design and Landscape Architecture which reviews available financial information in relation to the potential revenue associated with the proposed development along with any know costs to the City. This report concluded that a significant amount of new property tax revenue will be generated by the development, without the need to construct new infrastructure, meaning the City will see an annual surplus and financial benefit from the development. This outcome is consistent with the benefits of intensification from the efficient use of land and resources and reflects the objectives of Provincial, Regional and City policies for growth.

3.6.14 *Storm Water Management Report*

Lamarre Consulting Group Inc. prepared a Storm Water Management Report in support of the proposed application. The report concludes that the storm water management measures proposed for this development will satisfy the City of Burlington criteria.

For 355 Plains Road East:

- Collection of clean rooftop and landscaped area runoff into a 37.5 m^3 cistern prior to outlet into the proposed SWM tank. This water can be used for on-site irrigation of the landscaped portions of the site;
- The installation of a Jellyfish® JF4-1-1 stormwater treatment unit to treat runoff from the surface parking and driveway portions of the site prior to outlet into the proposed SWM tank; and
- Construction of a 60.0 m^2 storm water storage tank with a 300 mm outlet pipe will control the peak outlet rate from this site during a 100 yr. storm event to less than the 5 yr. predevelopment rate.

For 1010 Downsview Drive:

- Collection of clean rooftop and landscaped area runoff into a 36.5 m^3 cistern prior to outlet into the proposed SWM tank. This water can be used for on-site irrigation of the landscaped portions of the site.
- The installation of a Jellyfish® JF4-1-1 storm water treatment unit to treat runoff from the surface parking and driveway portions of the site prior to outlet into the proposed SWM tank.
- Construction of a 50.0 m^2 storm water storage tank with a 300 mm outlet pipe will control the peak outlet rate from this site during a 100 yr. storm event to less than the 5 yr. predevelopment rate.

4.0 Planning Analysis

The following is a review of the land use policy framework that applies to the redevelopment of the Subject Lands and an assessment of how the proposal meets the policy requirements based on the proposed amendments.

4.1 Planning Act, R.S.O. 1990, C. P. 13

Section 2 of the Planning Act sets out matters of provincial interest as it pertains to land use and requires that municipal councils have regard to these in all decision making. Section 2 sets out the following matters of Provincial interest to be addressed:

> *"(2) The Minister, the council of a municipality… in carrying out its responsibilities under this Act, shall have regard to… matters of provincial interest such as:*
>
> *(f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;*
>
> *(h) the orderly development of safe and healthy communities;*
>
> *(h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;*
>
> *(j) the adequate provision of a full range of housing, including affordable housing;*
>
> *(p) the appropriate location of growth and development;*
>
> *(r) the promotion of built form that,*
>
> *(i) is well-designed,*
>
> *(ii) encourages a sense of place, and*
>
> *(iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant."*

The proposed development has regard for and implements several matters of provincial interest as directed by the *Planning Act*. The proposed development will make efficient use of existing transportation, sewage, and water systems through appropriate intensification of the Subject Lands, and will develop in an orderly manner to support a safe and healthy, barrier-free development. The proposed development will provide for a range of housing forms and sizes to accommodate a range of housing needs. The Subject Lands are located in close proximity to Aldershot GO, active transportation infrastructure, and community amenities. The Subject Lands are located along an identified intensification and transit corridor, which is an appropriate location for growth and development. The proposed development represents intensification of a currently underutilized site; it is well-designed to integrate without adverse impact into the surrounding community and provide for a high quality, safe, accessible, and vibrant streetscape.

4.2 Provincial Policy Statement (2020)

The Provincial Policy Statement (2020) ("PPS") is issued under Section 3 of the *Planning Act*. The PPS establishes the policy foundation for regulating the development and use of land in Ontario and provides policy direction on matters of provincial interest related to land use planning and development. It provides a vision for land use planning in Ontario that encourages the efficient use of land, resources, and public investment in infrastructure.

The PPS strongly encourages development that will provide long term prosperity, environmental health and social well-being. These directives depend on the efficient use of land and development patterns that support strong, livable and healthy communities that protect the environment and public health and facilitate economic growth. Land use planning decisions, including those made on applications for Official Plan Amendments and Zoning By-law Amendments must be consistent with the PPS.

In assessing the development proposal and the proposed amendments for the Subject Lands, this report further identifies how the proposal advances and implements the policies of the PPS, beyond the current City of Burlington Official Plan policies. An analysis of the policies contained in the 2020 PPS, and how the proposed Official Plan Amendment and Zoning By-law Amendment are consistent with these policies is provided below.

Section 1.0 Building Strong Healthy Communities

Within Section 1.0 Building Strong and Healthy Communities, **Policy 1.1, Subsection 1.1.1,** describes how healthy, livable and safe communities are sustained. The following is a review of the relevant policies and how the proposed amendments address them.

Policy	**Evaluation**
a) *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*	The proposed redevelopment will make efficient use of the Subject Lands, which currently are underutilized, and will further increase the number of housing units available along the Plains Road Corridor, improving the overall housing supply within the City of Burlington. The proposed redevelopment will locate a mix of uses, including residential and commercial/retail, on a site designated for intensification in the Burlington Official Plan.
b) *accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*	The proposed redevelopment consists of a mix of unit sizes in order to improve the range of residential housing types and sizes available within the City of Burlington. The location of the proposed redevelopment along Plains Road East will also support the continued economic investment along the Plains Road Corridor by providing additional population density supportive of public transit. The proposed development will also provide for commercial/retail uses to continue to serve the area.
c) *avoiding development and land use patterns which may cause environmental or public health and safety concerns;*	The Subject Lands are located in an area of Burlington designated for growth and development, and not located in proximity to an-area where there are environmental, public health, or safety concerns. The proposed redevelopment will introduce new residential units in an area well-served by surrounding employment, institutional, recreation, and parks and open space uses.
e) *promoting the integration of land use planning, growth management, transit-supportive development, intensification and*	The proposed redevelopment will provide for transit-supportive residential density on existing municipal services in order to minimize lands

infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;	consumption and servicing costs and achieve cost-effective development that provides for a compact urban built form in a location adjacent to an identified future higher-order transit corridor.
f) Improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society;	The proposed buildings will be constructed in accordance with the Ontario Building Code, AODA and all required accessibility standards. The proposed redevelopment further provides for housing in close proximity to existing and future transit service, and in proximity to a number of community amenities as identified in **Table 1**.
g) Ensuring that necessary infrastructure and public service facilities are or will be available to meet current or projected needs; and	The proposed redevelopment will take advantage of existing infrastructure available to the Subject Lands, reducing servicing costs. A Site Servicing Plan and Functional Servicing Report have been prepared in support of the proposed redevelopment, and further describe the adequacy of existing infrastructure to service the proposed redevelopment.
h) Preparing for the regional and local impacts of a changing climate.	The proposed redevelopment will facilitate the compact redevelopment of the Subject Lands, improving residential density in the area in order to support alternative forms of transportation to reduce the environmental impact of the development. Additional measures proposed to address climate change are addressed in the reports accompanying this submission, such as the Functional Servicing Report.

Additional policies in **Section 1.1** include:

1.1.3.1 Settlement areas shall be the focus of growth and development	The Subject Lands are located within a Settlement Area and therefore the proposed redevelopment will provide for intensification of a currently underutilized site within a Settlement Area as supported by this policy objective.
1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which: *a) efficiently use land and resources;* *b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned*	The proposed redevelopment will reflect a density that will provide for the efficient use of land and resources and facilitates residential intensification that makes efficient use of existing water, wastewater, and stormwater infrastructure. The proposed density and site layout is supportive of existing and planned transit along the Plains Road

or available, and avoid the need for their unjustified and/or uneconomical expansion; *c) minimize negative impacts to air quality and climate change, and promote energy efficiency;* *d) prepare for the impacts of a changing climate;* *e) support active transportation;* *f) are transit-supportive, where transit is planned, exists or may be developed; and* *g) are freight-supportive.*	Corridor and Aldershot Go Station. The accompanying Functional Servicing Report demonstrates how the proposed redevelopment can be adequately serviced by existing infrastructure. The proposed compact built form also serves to minimize impacts to climate change and promote energy efficiency by providing additional density in proximity to a number of community services and existing transit, reducing automobile reliance.
"1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety."	The proposal represents intensification in a compact built form. The proposed 8-, 9- and 11-storey residential buildings, with at-grade commercial/retail, and additional stacked townhouse units, represent an efficient redevelopment of the Subject Lands that will not result in public health and safety issues. The proposed compact built form, site layout, and reduced parking provisions are intended to facilitate transit and active transportation use, which will improve public health, reduce emissions, and lead to a healthier lifestyle for future residents.
"1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities."	The proposed redevelopment is located within the existing built-up area of the City of Burlington, and provides for a compact form and mix of densities consistent with the direction of the Provincial Policy Statement, as well as the Intensification Corridor policies of the Burlington Official Plan.

Section 1.4 – Housing

"1.4.3 Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by: *a) establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households and which aligns with applicable housing and homelessness plans.* *b) Permitting and facilitating:*	The proposed development represents a form of residential intensification in an area where appropriate levels of infrastructure and public services exist. It will efficiently utilize land and infrastructure by providing 584 residential units in a compact urban built form on a site which currently consists of two 1-storey commercial plazas. The proposed development provides a mix of unit types (1 and 2 bedrooms), in order to ensure housing needs are met for a wide variety of occupants, including families. The development will also assist with achieving a transit-supportive

i. *All housing options required to meet the social, health and well-being required of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and*
ii. *All types of residential intensification, including additional residential units and redevelopment in accordance with policy 1.1.3.3;*

c) *directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
d) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;*
e) *requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and,*
f) *establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.*

density within the area and support the use of active transportation due to the proximity to trails, parks, walking paths, and convenient access to local and regional public transit. The development has been designed to integrate with the surrounding community and will contribute to a mix of housing types in the neighbourhood to meet current and future needs of residents and achieve a complete community.

Section 1.5 – Public Spaces, Recreation, Parks, Trails, and Open Space

1.5.1 Healthy, active communities should be promoted by:

a) *planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active*

The proposed redevelopment, as identified in Table 1, is located in close proximity to a number of parks and community facilities to provide access to recreation, open space and parks as promoted by the PPS.

transportation and community connectivity;

b) *planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;*

c) *providing opportunities for public access to shorelines; and,*

d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.

Section 1.6 – Infrastructure and Public Service Facilities

1.6.3 Before consideration is given to developing new infrastructure and public service facilities: *a) the use of existing infrastructure and public service facilities should be optimized; and,* *b) opportunities for adaptive re-use should be considered, wherever feasible.*	The proposed redevelopment will take full advantage of the existing infrastructure and public service facilities, as well as support the use and optimization of existing infrastructure by redeveloping the site and introducing residential intensification within a compact built from. The Functional Servicing Report prepared by Metropolitan Consulting Inc. in support of this application has identified that the existing infrastructure in the area is suitable to support the proposed redevelopment.
1.6.6.1 Planning for sewage and water services shall: *a) accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing:* *1. municipal sewage services and municipal water services; and,* *2. private communal sewage services and private communal water services, where municipal water services are not available or feasible;* *b) ensure that these systems can be provided in a manner that:*	Given that the Subject Lands are presently serviced and underutilized, the proposed redevelopment of the Subject Lands provides an opportunity to make more efficient use of the available municipal infrastructure and services. The accompanying Functional Servicing Report demonstrates that the proposed redevelopment can be adequately serviced by the existing municipal sewage and municipal water systems, while providing for protection of human health and safety, and the natural environment.

1. *can be sustained by the water resources upon which services rely;*
2. *prepares for the impacts of a changing climate;*
3. *is feasible and financially viable over their lifecycle; and,*
4. *protects human health and safety, and the natural environment;*

c) *promote water conservation and water use efficiency;*

d) *integrate servicing and land use considerations at all stages of the planning process."*

1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.	The proposed redevelopment intends to connect to the existing municipal water and sewer services along Plains Road or Downsview Drive, and will not require the establishment of new, unplanned municipal services. The proposed redevelopment is to provide a compact built form to intensify the Subject Lands and optimize the use of existing municipal services.
1.6.7.2 Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible. *1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation."*	The proposed redevelopment has been designed to take advantage of the location of the Subject Lands along an Intensification Corridor, in close proximity to the Aldershot GO MTSA. The proposed development is closely integrated with a range of existing and planned transportation infrastructure including the Aldershot GO station. The proximity of this infrastructure promotes and prioritizes transit usage and will support the reduction in length and number of vehicle trips. The provision of on-site bicycle parking facilities also promotes active transportation. The proposed development also capitalizes on nearby recreational trails and bike lanes along Plains Road East in order to further prioritize active transportation. A Traffic Impact Study has been prepared in support of the proposed development which further describes how this proposal responds to and satisfies transportation requirements, including reduced

		parking and other Transportation Demand Management (TDM) tools.
Section 4.0 – Implementation and Interpretation		
4.6	*The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."*	As further described in Section 4.5, 4.6 and 4.7 of this report, the Region of Halton ROPA 48 and City of Burlington Official Plan outline the land use designations and policies applicable to the Subject Lands. The proposed redevelopment has been designed and planned in accordance with the 'Mixed-Use Intensification Corridor' and 'Secondary Growth' designations. The proposed amendments to the Official Plan will support further growth in and area designed for intensification.

Summary/Conformity Statement

The analysis of the applicable policies of the PPS demonstrates that the proposed redevelopment conforms to the PPS by allowing for development, at an appropriate density, in an area served by existing infrastructure and that supports the goals of the PPS. As such, the redevelopment proposal and corresponding Official Plan and Zoning By-law Amendment are consistent with the policies of the PPS.

4.3 Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (the "Growth Plan") establishes a long-term framework for growth and development in the Greater Golden Horseshoe ('GGH') region, which encourages the efficient use of land through the development of complete communities that are compact, transit supportive, and provide a range of housing and employment opportunities. The Growth Plan utilizes a land use planning horizon to 2051.

The Growth Plan builds upon the policy foundations of the PPS and previous plans, as well as responds to key challenges in the GGH region by providing enhanced policy directions designed to achieve complete communities that are compact, transit-supportive, and make efficient use of investments in infrastructure and public service facilities, while ensuring the protection of agricultural and natural areas and supporting climate change mitigation and adaptation. Guiding principles of the Growth Plan are established to support the achievement of complete communities; prioritize intensification and higher densities to make efficient use of land and infrastructure; provide flexibility to capitalize on economic and employment opportunities; support a mix of housing options; improve the integration of land use planning with planning and investment in infrastructure; protect and enhance the natural environment; conserve and promote cultural heritage; and, integrate climate change considerations into planning and growth management.

The Growth Plan provides policies for where and how to grow, stating that population and employment growth is to be directed to urban areas and rural settlement areas. Within these areas, the Growth Plan distinguishes between two different areas of growth: the Built-Up Area, where growth is to be directed and

accommodated through intensification; and, Designated Greenfield Areas, which are generally undeveloped, vacant land, where growth and development should achieve a compact urban form.

Section 1.2.1 sets out a vision for the development of the Greater Golden Horseshoe. That vision is grounded in several principles that provide the basis for guiding decisions on how land is developed, resources are managed, and public dollars invested, including:

- Support the achievement of complete communities;
- Prioritize intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability
- Support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households.

The proposal satisfies this vision for growth in the Greater Golden Horseshoe by contributing to compact, vibrant and complete communities. In addition, the proposal optimizes the use of existing water, wastewater and stormwater infrastructure to support growth in a compact and efficient form. The proposal will also provide for a mix of housing options in the neighbourhood that is close proximity to an existing GO transit station.

Section 2.2 Policies for Where and How to Grow

Section 2.2 sets out the policy framework for how forecasted growth can be managed to the horizon of the Growth Plan. As such, the vast majority of growth is to be directed to settlement areas that have a delineated built boundary, have existing or planned municipal water and wastewater systems, and can support the achievement of complete communities. As such, growth within settlement areas is further forecasted to occur in delineated built-up areas, Strategic Growth Areas, locations with existing or planned transit, and areas with existing or planned public service facilities. The following policies apply to redevelopment of the Subject Lands.

2.2.1.2 Forecasted growth to the horizon of this Plan will be allocated based on the following:

a) the vast majority of growth will be directed to settlement areas that:

i. have a delineated built boundary;

ii. have existing or planned municipal water and wastewater systems; and

iii. can support the achievement of complete communities;

b) growth will be limited in settlement areas that:

i. are rural settlements;

In accordance with Section 2 of the Growth Plan, new growth and intensification is to be directed to the existing built-up area of the City of Burlington, and along an identified Intensification Corridor designated for intensification in the Official Plan. Redevelopment of the Subject Lands is supported by the Growth Plan as the site is located in the existing built-up area and is serviced by existing municipal water and wastewater systems and is well connected to existing and planned transit, including higher order transit, and supports the achievement of complete communities by providing a mix of residential dwelling types and unit sizes. The proposed residential development is accessible to surrounding community facilities and transit is within walking distance, as identified in **Table 1**. The proposed applications do not establish new settlement areas, and are not located in proximity to hazardous lands.

ii. *are not serviced by existing or planned municipal water and wastewater systems; or*
iii. *are in the Greenbelt area;*

c) *within settlement areas, growth will be focused in:*
   i. *delineated built-up areas;*
   ii. *strategic growth areas;*
   iii. *locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and*
   iv. *areas with existing or planned public service facilities*

d) *development will be directed to settlement areas, except where the policies of this Plan permit otherwise;*

e) *development will generally by directed away from hazardous lands;*

f) *the establishment of new settlement areas is prohibited.*

2.2.1.3 Upper- and single-tier municipalities will undertake integrated planning to manage forecasted growth to the horizon of this Plan, which will:

b) provide direction for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact built form.

The Subject Lands are located within 1,500 metres of the Aldershot GO Station and well-served by existing transit on Plains Road. As described in Section 2.4 of this Report, the proposed development is located within close proximity to a wide variety of transportation options.

2.2.1.4 Applying the policies of this Plan will support the achievement of complete communities that:

a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;

b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;

The Subject Lands are located in an area identified for intensification by the Province, Region of Halton and City of Burlington, where convenient access to amenities, which provide for a complete community, are available to residents. The Subject Lands are in close proximity to a range of land uses, services and public service facilities including stores, community centres, and recreational amenities. The proximity to transit provides convenient access to a range of transportation choices with a focus on higher-order transit. The proposed development will contribute to the provision of high-quality built form and will make

c) provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes; *d) expand convenient access to:* *i. a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;* *ii. public service facilities, co-located and integrated in community hubs;* *iii. an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and,* *iv. healthy, local, and affordable food options, including through urban agriculture;* *e) ensure the development of high-quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards;* *f) mitigate and adapt to climate change impacts, build resilience, reduce greenhouse gas emissions, and contribute towards the achievement of low-carbon communities; and* *g) integrate green infrastructure and low impact development."*	efficient use of space through the optimization of an underutilized parcel of land to include mid-rise buildings and townhomes that have been designed to integrate and be compatible with the existing context in terms of design and scale and shall be designed to address climate change impacts.
2.2.4.10 Lands adjacent to or near to existing and planned frequent transit should be planned to be transit-supportive and supportive of active transportation and a range and mix of uses and activities.	The Subject Lands are located in close proximity to the Aldershot GO Station and are located on Plains Road. The proposed density provides for a transit supportive density and provides for a mix of housing types and sizes and employment opportunities.

Section 2.2.6 Housing

Section 2.2.6 contains policies related to housing and the achievement of complete communities. To support the achievement of complete communities, municipalities are encouraged to consider the use of available tools to require minimum intensification and density targets to be achieved that require multi-unit

residential developments incorporate a mixing of unit sizes to accommodate a diverse range of households. The policies also encourage that sufficient servicing capacity be made available to accommodate the supply of residential units. The applicable policy directions are identified below.

2.2.6.2 Notwithstanding Policy 1.4.1 of the PPS, 2020, in implementing policy 2.2.6.1, municipalities will support the achievement of complete communities by: *a) planning to accommodate forecasted growth to the horizon of this Plan;* *b) planning to achieve the minimum intensification and density targets in this Plan;* *c) considering the range and mix of housing options and densities of the existing housing stock; and* *d) planning to diversify their overall housing stock across the municipality.*	The proposed redevelopment conforms to this policy by diversifying the range and mix of housing options within the area through providing a range of unit types and sizes. The proposed density supports the City in achieving the minimum intensification and density targets for a Strategic Growth Area by contributing to growth.
2.2.6.3 To support the achievement of complete communities, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.	The proposed redevelopment will provide for a total of 584 residential dwelling units of varying sizes in a mixed-use development. The mix of units will contribute to a range of housing choices for current and future residents of the area and will support a range of household sizes and lifestyles. The proposal will support the creation of complete communities by providing for an appropriate density and mix of uses on site which are within close proximity to transit networks and active transportation infrastructure. A number of nearby amenities that support daily living including schools, community centres, shops, personal services are within walking distance to the Subject Lands.

Summary/Conformity Statement

The Growth Plan guides development to achieve positive outcomes for the City with respect to the economy, environment, and quality of life. The Growth Plan focuses on ensuring that growth and development is directed to appropriate areas with an emphasis on development in areas well served by transit and existing and planned infrastructure. The above analysis demonstrates that the proposed development conforms to the Growth Plan by providing for a mixed-use development, at an appropriate density, in an area served by existing transit and municipal infrastructure. The development proposes new housing opportunities which are well-connected to existing community services, parks, and local businesses. As such, the development proposal and corresponding Official Plan Amendment and Zoning By-law Amendments conform with and serve to implement the applicable policies of the Growth Plan.

4.4 Halton Region Official Plan (November 10, 2021 Office Consolidation)

The Halton Region Official Plan (Regional Official Plan) was approved with modifications and adopted on November 10, 2021 through Regional Official Plan Amendment No. 48 (ROPA 48). The Regional Official Plan outlines intensification and density targets in **Part II, Table 2** of the Plan. The Regional Official Plan projects that 8,300 new housing units will be added to the built-up area of Burlington between 2015 and 2031. The proposal supports this projection by providing 584 residential units within an area identified for intensification (intensification corridor)

The Subject Lands are designated as 'Urban Areas' in the Regional Official Plan as shown in **Figure 8**. The objectives of the Urban Areas are outlined in **Section 72** of the Regional Official Plan and are intended to accommodate growth, and support a form of growth that is compact and supportive of transit usage, and that provides for a range of complete communities of various sizes, types and characters which afford maximum choices for residents. The Urban Areas are also intended to facilitate and promote intensification and increased densities.

Part IV, Table 3 of the Regional Official Plan provides general design direction for major transportation facilities. As identified on **Figure 9**, Plains Road is recognized as a 'Multi-Purpose Arterial Road'. Development along Multi-Purpose Arterial Roads should be transit-supportive, high-density, and mixed-use as this is a transit corridor for the City.

The proposal responds to these policies by offering a mix of commercial space integrated with higher density residential uses within a mixed-use building as well as townhouse units along an identified intensification corridor (i.e., Plains Road East). The density of 2.07 (Lot A) and 4.48 (Lot B) FSI is supportive of the existing Burlington Transit along Plains Road and the Aldershot GO Station, which is within a 1,500 m radius of the Subject Lands. Given the subject lands are located within proximity to the Aldershot GO Station, this allows residents and workers to use the available public transit, as well as active modes of transportation such as the existing bicycle network along Plains Road, to commute to their desired destinations to and from the Subject Lands.

Section 86 (6)(a) of the Regional Official Plan outlines that at least 50 per cent of new housing units produced annually in Halton be in the form of townhouses or multi-storey buildings. **The proposal satisfies this policy by offering new housing opportunities in a mixed-use multi storey building in the form of one- and two- bedroom units, as well as in the form of townhomes.**

Section 86 (11) of the Regional Official Plan outlines to permit intensification of land use for residential purposes such as infill, redevelopment, and conversion of existing structures provided that the physical character of existing neighbourhoods can be maintained. **The proposal intends to integrate compatibly with the existing residential neighbourhood by providing a site design and layout that is respective of the adjacent single detached residential dwellings, townhomes and church. The design provides for the placement and orientation of buildings in a way that appropriately transitions to the adjacent residential uses. The design incorporates setbacks, step backs and a 45-degree angular**

plane to minimize impacts including sun shadows, noise and wind. In addition, landscape screening through the provision of tree planting in the side and rear yards is proposed to provide added transition to existing low density residential properties to reduce overlook/privacy issues.

Healthy Communities

Part IV of the Regional Official Plan contains policies with respect to creating healthy communities. Overall, it is the goal to achieve a high-quality environment for future generations that will sustain life, maintain health and improve the quality of living (**140**). In this regard, it is the policy of the Region to require all development proponents to have regard for the Healthy Communities Guidelines in considering and providing physical design features that promote safety and security (**156(1)**).

These policies are evaluated in the context of the Healthy Community Guidelines in **Table 4.** The Guidelines note that healthy communities encourage seven attributes which are presented as headings in **Table 4**.

Table 4: Evaluation of Healthy Community Guidelines

Built Environment	
Contribution to healthy community: • Compact mixed-use development, walkable and connected communities; • A range of densities and housing opportunities, choices and accessibility for all income levels and needs; • Redevelopment/regeneration areas; • Welcoming pedestrian-scaled environments; • A range of densities that will support public transit and amenities; and, • Community infrastructure.	**Elements:** • Compact Development • Community Structure • Diversity of Uses • Walkable & Connected Communities • Diversity of Housing • Complete Streets • Schools • Redevelopment / Regeneration Areas • Mixed-Use Opportunities • Urban Forest • Streetscapes and the Pedestrian Environment

Compliance of proposed development:

The proposed development has a compact, mid-rise built form consisting of two residential buildings with podiums that provide retail/commercial space at grade, as well as townhome units with a mix of units. A variety of unit types and sizes will be provided to accommodate households and individuals at different stages of their life cycle. The development will replace an underutilized site that is well-connected to the surrounding community which provides parks, local community facilities, local serving commercial uses, and the existing and future planned transit system. The future residents will increase the potential ridership pool for the existing transit and will be able to take advantage of the many community facilities (noted in Table 1) located in close proximity to the Subject Lands.

Mobility	
Contribution to healthy community: • Encouraging physical activity; • Facilitating active transportation and public transit;	**Elements:** • Universal Accessibility • Street Network • Active Transportation

• Providing access to services and amenities for vulnerable population groups including children, the elderly, persons with disabilities and low-income individuals; • Providing safe, convenient and accessible environment for walking and cycling through Transportation Master Plans and Active Transportation Plans; • Reducing dependency on single occupant vehicles and improving access to transit; • Promoting integration within transit systems inter-regionally; and, • Providing connected street networks that are accessible to all modes of transportation.	• Transit Accessibility • Transit-supportive Density • Major Transit Stations • Pedestrian & Cycling Routes • Parking

Compliance of proposed development:

The proposed development is within walking distance and cycling distance of a number of community facilities (refer to Table 1). Residents will be able to meet many of their day-to-day needs within the immediate neighbourhood without the need to use an automobile. The additional residential density will support a variety of commercial uses within walking distance, including the many commercial uses located along Plains Road. The close proximity to existing transit routes and the GO Station will be supported by the increased residential density and will provide residents with increased accessibility to destinations located within and outside the region. Further, the site is optimally located to provide excellent pedestrian connections to the surrounding area. Careful consideration has been given to the building design to ensure that it is safe and accessible to pedestrians and well-connected to the public realm.

Natural Environment and Open Space	
Contribution to healthy community: • Preserving and enhancing the natural heritage system; • Supporting recreational and cultural opportunities; • Providing access to a range of open spaces, parks and recreational facilities, pathways and trails; and, • Providing interconnected green space and urban forests within the urban boundary.	**Elements:** • Natural Heritage System • Parks & Public Spaces • Pathways & Trails

Compliance of proposed development:

No elements of the natural heritage system are present on site. The proposed development will replace an underutilized parcel of land which contains a plaza and parking lot. The proposed

development will provide an improved pedestrian environment. The Subject Lands are located within close proximity to trails, parks and will provide future residents with opportunities to participate in local activities. Connections to the public sidewalk will also be provided.

Human Services	
Contribution to healthy community: • Integrating and co-locating providing social infrastructure to meet the current needs of all residents; • Providing social, cultural and recreational services such as Places of Worship, Community Centers, Libraries, social housing, youth centres, long term care homes and seniors centres; and, • Providing access to health care and ensuring public safety through design (CPTED);	**Elements:** • Co-location & Integration of Services • Social, Community, Cultural, and Recreational Services • Health & Public Safety • Education

Compliance of proposed development:

As noted in Table 1, the site is located in proximity to a number of community facilities including schools, places of worship, parks, trails, and services.

Sustainable Design	
Contribution to healthy community: • Designing new buildings, communities, and neighbourhoods to reduce water, waste, and energy use; • Promoting energy conservation and alternative energy sources; • Implementing Low Impact Design Standards in both new developments and established areas; • Improving air quality through addressing the impact of climate change; and, • Encouraging the design and construction of energy efficient green buildings.	**Elements:** • Energy • Water • Materials and Solid Waste • Air Quality • Green Buildings • Cool/Green Roof

Compliance of proposed development:

The proposed development contributes to sustainability as it replaces an underutilized site with a compact, mixed use residential development. This allows for efficient use of land within the existing urban boundary on existing municipal services. Availability of public transit, as well as the site's close proximity to community facilities and commercial land uses, increases the potential for a shift in mode share away from the single-occupant automobile. Additional sustainable design elements will be identified as the proposal proceeds to the detailed design stage.

Economy	
Contribution to healthy community: • Providing a balanced community between employment and residential areas; • Promoting a diversity of employment opportunities and densities at appropriate locations where transit is available; and, • Promoting the efficient movement of goods.	**Elements:** • Population and Jobs • Employment Lands • Retail / Commercial / Service • Mixed Use / Live-Work Opportunities • Neighbourhood Jobs

Compliance of proposed development:

The development proposal is located within an area designated for the intensification of residential and employment uses and will contribute to the achievement of Regional and Provincial intensification targets by providing an additional 584 residential dwelling units. Additionally, the development is within close proximity to a variety of retail stores and community facilities which will provide residents with easy access to goods and services without having to rely on automobiles.

Community Food Supply	
Contribution to healthy community: • Encouraging accessibility to healthy food; and, • Promoting locally grown food and farmers markets.	**Elements:** • Encouraging accessibility to healthy food; and, • Promoting locally grown food and farmers markets.

Compliance of proposed development:

The Subject Lands are located within accessible locations for food stores and community gardens, which will provide residents with access to healthy food.

Section 172 (9.1) of the Regional Official Plan outlines policies to ensure development is designed to support active transportation and public transit**. The proposed development is located along Plains Road, which has an existing bicycle network, and an existing Burlington Transit Route (i.e., Routes 1 and 4). Given its location in immediate proximity to these modes of transit, it is anticipated that the proposal will take full advantage of these services and thus support both active and public transit modes of transportation in Burlington. Furthermore, and as noted previously (and shown on Figure 4), the Subject Lands and proposal are located within 1,500 m of the existing Aldershot GO Station.**

Section 172 (10) of the Regional Official Plan outlines policies to promote land use patterns and densities that foster strong live-work relationships and can be easily and effectively served by public transit and active transportation**. As noted previously the proposal is located immediately adjacent to an existing bicycle network along Plains Road, as well as several Burlington Transit Routes (i.e., Routes 1 and 4).**

In addition to this, **Section 172(12)** of the Regional Official Plan outlines to support the provision of public transit service, within reasonable walking distance and at reasonable cost, to all sectors of the public,

including persons with a physical disability. **There are several modes of transportation available within proximity to the subject lands; i) two bus stop locations for the existing Burlington Transit located along Plains Road, 1) located immediately adjacent to the subject lands on the north side of Plains Road, and 2) located immediately adjacent to the Subject Lands on the opposite side of Plains Road, south side of Plains Road, ii) the proposal is within 14-minute walking distance of the Aldershot GO Station.**

Based on an assessment of the ROP policies, the proposed development conforms with the Regional Official Plan as it aligns with the policies related to Intensification Areas. The proposed development represents an appropriate level of intensification that is an efficient use of land that is serviced by existing infrastructure that will assist in achieving Regional goals related to having 50% of annual housing development be in either townhouse or multi-unit buildings. The types of units proposed as part of the development contribute to a wider range of housing choice including the provision of larger units in a compact built form. Additional smaller units within the mix provided will also better achieve the Region's housing policies.

Overall, the proposed development and Official Plan and Zoning By-law Amendments conform to the Region's land use planning policies and implements the planned vision for the Subject Lands that focus on achieving a more compact, pedestrian-oriented and transit-supportive community.

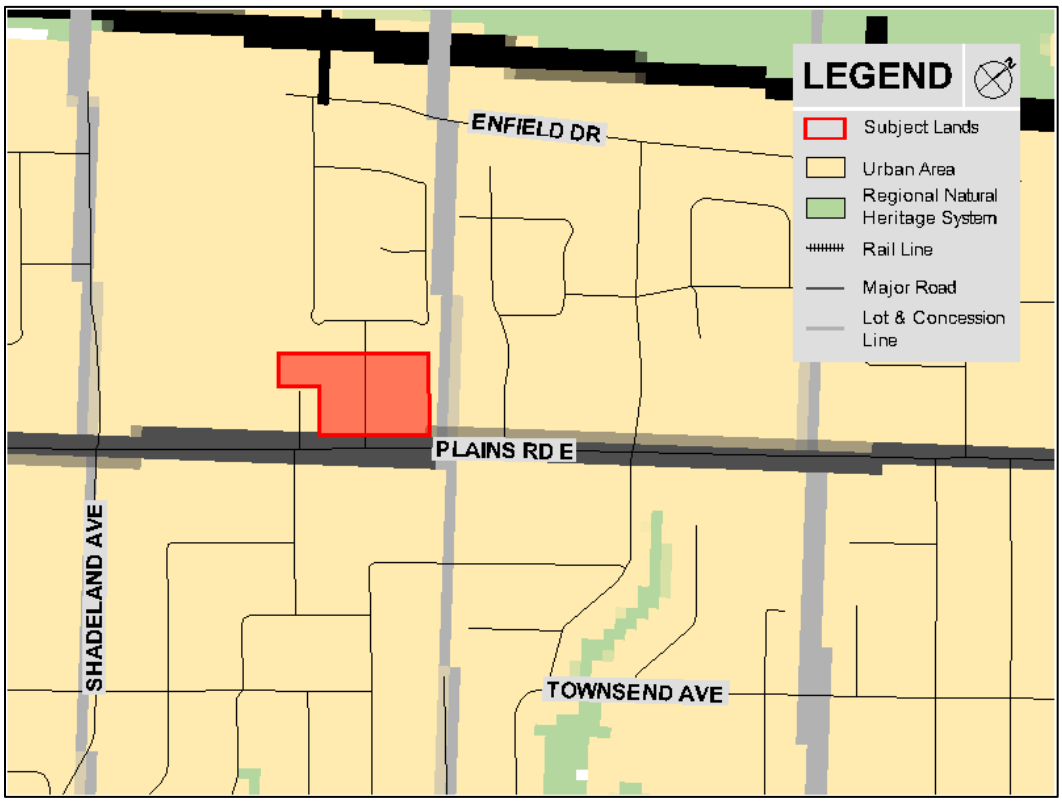


FIGURE 8: Region of Halton Official Plan – Map 1: Regional Structure

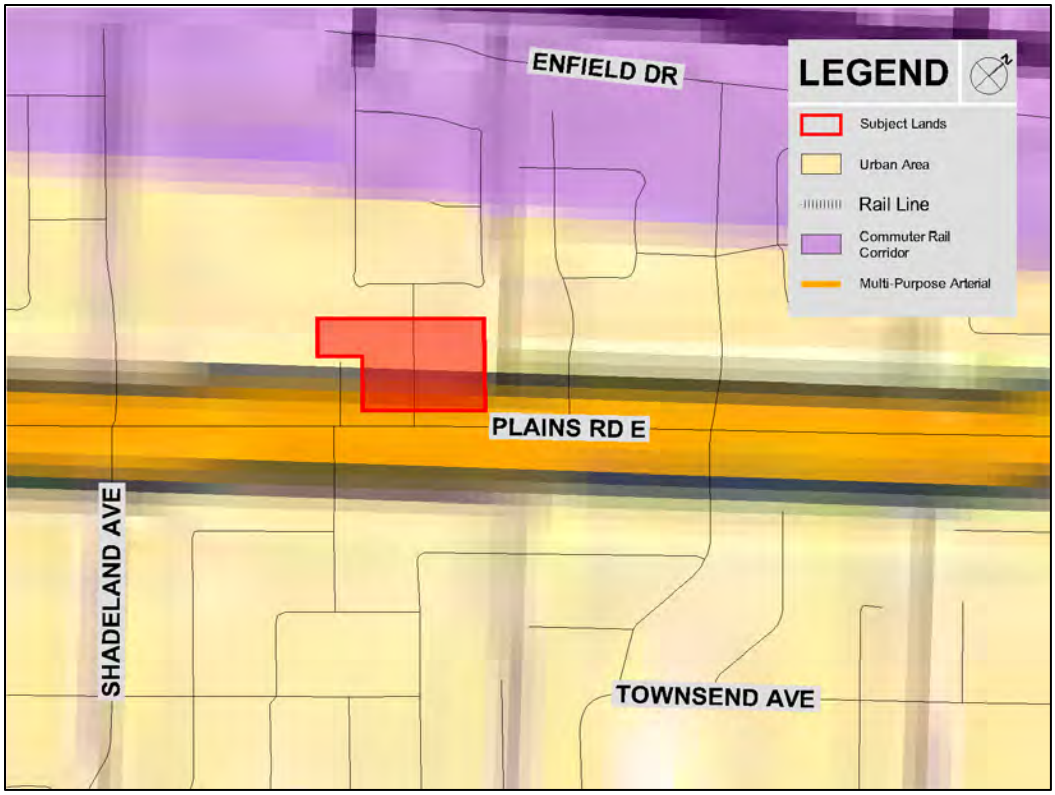


FIGURE 9: Region of Halton Official Plan – Map 3: Functional Plan of Major Transportation Facilities

4.5 Region of Halton ROPA 49

The Draft Halton Region Official Plan Amendment 49 (ROPA 49) is the second amendment to be considered by Regional Council as part of the Regional Official Plan Review and builds on the Regional Urban Structure defined by ROPA 48. ROPA 49 helps define how and where Halton Region will grow by implementing Integrated Growth Management Strategies.

The Subject Lands are designated as 'Regional Intensification Corridor' in ROPA 49 as shown in **Figure 10**. The objectives of the Regional Corridor, which is considered a Strategic Growth Area, is to accommodate a significant amount of growth in alignment with the delivery of frequent transit and to support future transit projects.

In addition to the Policies identified in Section 4.4 of this report, a number of policies have been amended and added with ROPA 49 as is related to intensification areas.

Section 79.1(4) of ROPA 49 79.1 Regional Intensification Corridors as shown on Map 1H and subject to policies in Sections 82.3 to 82.7, which consist of areas along Higher Order Transit Corridors and selected Arterial Roads within the Urban Area, which connect other elements of the Regional Urban Structure and support achieving residential and employment densities to ensure the viability of existing and planned transit infrastructure and service. **The site is directly serviced by one bus route along Plains Road East and is located within walking distance to the Aldershot GO station. The increased density at this location contributes to optimizing the use of the existing transit services and generates ridership for future planned upgrades to the system and supports Council's mandate of promoting the**

development of cost-effective transit uses through transit supportive land uses and transportation plans in areas of development.

Section 79.2 contains a hierarchy of Strategic Growth Areas as delineated or identified by symbol on Map 1H (**Figure 10** with this report):

1. *Urban Growth Centres / Major Transit Station Areas on a Priority Transit Corridor;*
2. *Urban Growth Centres / Major Transit Station Areas on a Commuter Rail Corridor;*
3. *Major Transit Station Areas on a Priority Transit Corridor;*
4. *Major Transit Station Areas on a Commuter Rail Corridor;*
5. *Primary Regional Nodes;*
6. *Secondary Regional Nodes; and,*
7. *Regional Intensification Corridors.*

The Regional Urban Structure is supported by the Local Urban Structures identified in Local Official Plans which reflect this hierarchy of Strategic Growth Areas and may include additional Local Nodes and Local Intensification Corridors. **The proposed development is located at a key location along Plains Road which is identified as a Regional Intensification Corridor.**

Section 82.3 identifies the objectives of the Regional Intensification Corridors:

1. *To recognize Strategic Growth Areas in the Region which are an integral component of the Regional Urban Structure, and serve an existing or planned higher order transit function, connecting other elements of the Regional Urban Structure, and accommodating higher-density mixed use development and/or a mix of employment uses appropriate to the existing local context.*
2. *To achieve increased residential and employment densities in order to ensure the viability of existing and planned transit infrastructure and service.*
3. *To achieve a mix of residential, office, institutional and commercial development, where appropriate.*
4. *To accommodate local services, including recreational, cultural and entertainment uses, where appropriate.*
5. *To reflect and reinforce Local Urban Structures.*

The increased density at this location contributes to optimizing the use of the existing transit services and generates ridership for future planned upgrades to the system and supports Council's mandate of promoting the development of cost-effective transit uses through transit-supportive land uses and transportation plans in areas of development. The proposed mixed-use development addresses the demand for higher intensity residential development, while also providing non-residential uses.

Section 82.7 identifies a number of Regional policies aimed at directing growth. It is the policy of the Region to:

1. *Direct development with higher densities and mixed uses to Regional Intensification Corridors in accordance with the hierarchy identified in Section 79.2 of this Plan, and based on the level of existing and planned transit service.*
2. *Encourage the Local Municipalities to:*
    a. *identify the Regional Intensification Corridors in their official plans;*
    b. *develop detailed policies or Area-Specific Plans that support accommodating growth at a scale appropriate for their context and existing and planned transit service;*

c. *identify and plan for Local Nodes along the Regional Intensification Corridors, where appropriate; and*
d. *identify and plan for Local Intensification Corridors as part of the Local Urban Structure, where appropriate.*

The proposed development is located at a key location along Plains Road which is identified as a Regional Intensification Corridor. The increased density at this location contributes to optimizing the use of the existing transit services and generates ridership for future planned upgrades to the system.

Based on an assessment of the ROPA 49 policies, while not determinative, they are informative; the proposed development conforms with the Regional Official Plan Amendment as it aligns with the policies related to Regional Intensification Areas. The proposed development represents an appropriate level of intensification that is an efficient use of land that is serviced by existing infrastructure.

Overall, the proposed development and Official Plan and Zoning By-law Amendments will conform to the ROPA 49 land use planning policies and implements the planned vision for the Subject Lands that focus on achieving a more compact, pedestrian-oriented and transit-supportive community.

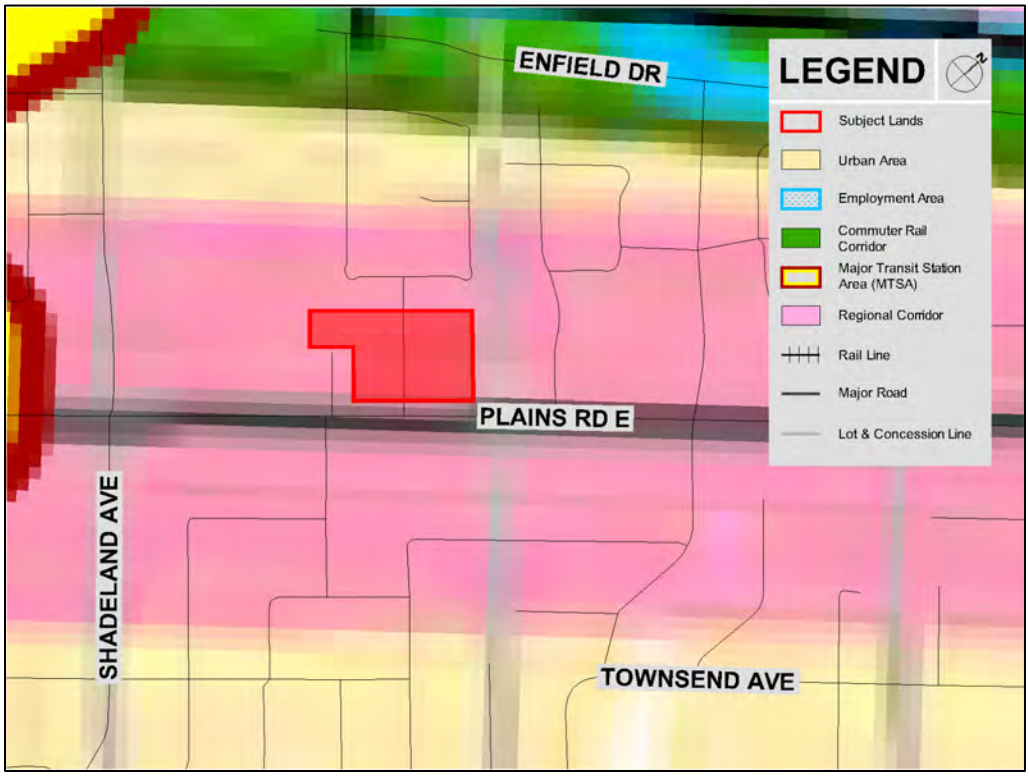


Figure 10: Region of Halton Official Plan Amendment ROPA 49 – Map 1H: Regional Urban Structure

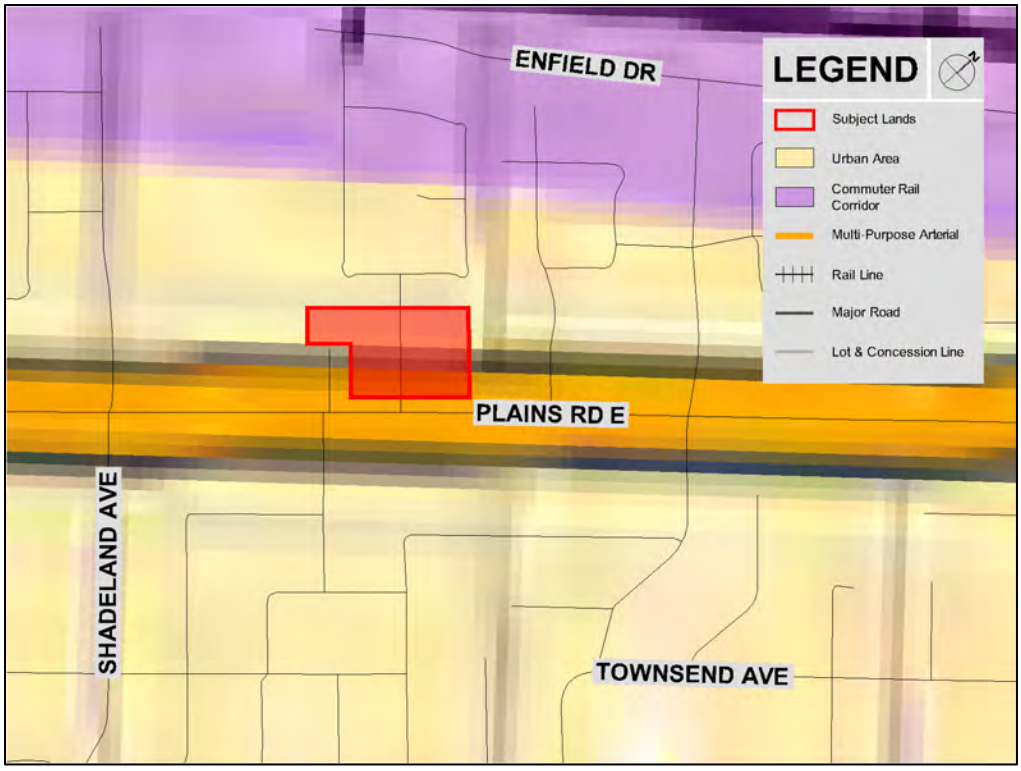


Figure 11: Region of Halton Official Plan Amendment ROPA 49 – Map 3 – Functional Plan of Major Transportation Facilities

4.6 City of Burlington Official Plan (In-Force)

The City of Burlington Official Plan (the "current Official Plan") was approved by the Ontario Municipal Board on October 24, 2008. The Official Plan text and maps were updated in the October 2017 office consolidation. Official Plan Amendment (OPA) 55 was adopted in order to bring the current Official Plan into conformity to the 2006 Growth Plan. The current Official Plan is in force and, for the purposes of this review, forms the majority of the policy review with respect to the local land use policy framework.

The current Official Plan has a number of Parts which address the overall Policy Framework (Part I), Functional Policies (Part II) and Land Use Policies (Part III). The following is a summary of the current policies relevant to the proposed development and an analysis of how the redevelopment meets the City's planning objectives and serves to achieve conformity and consistency with the higher order planning instruments through the proposed Official Plan Amendment.

The Subject Lands are identified on three schedules under the current Official Plan (see **Figures 12**, **13, 14, 15 and 16**):

- "Mixed Use Activity Areas" in accordance with Schedule A (Settlement Pattern)
- "Mixed Use Corridor – General" in accordance with Schedule B (Comprehensive Land Use Plan – Urban Planning Area)
- "Multi-Purpose Arterial" in accordance with Schedule J: Classification of Transportation Facilities

The following provides a summary of the applicable policies of the Official Plan as they relate to the Subject Lands.

Part I: Policy Framework

Part I of the current Official Plan sets out the City's context, with respect to the City's general location, Regional setting, demographics, and historical settlement patterns. It also outlines the mission statement and identifies the applicable planning horizon for the Official Plan. The broad mission of the Official Plan is to attain the highest standards of ecological health, economic growth, and community development through implementation of the principles of sustainable development.

Section 3 of Part I includes high-level Guiding Principles that apply to the City's Plan as a whole. These are important in consideration of development and redevelopment throughout the City. These guiding principles are as follows:

a) *Provide a community plan and growth strategy aimed at creating an attractive, livable community that offers a wide range of housing, employment, transportation, and leisure opportunities for all its citizens;*
b) *Support a healthy, clean and sustainable community based on an ecosystem approach and the implementation of the principles of Sustainable Development, by ensuring that environmental integrity and diversity, social and economic factors, and compatibility are considered in land use decisions;*
c) *Ensure that the City's infrastructure and services are maintained or expanded at a level that is fair, realistic and affordable;*
d) *Foster a unique, vibrant and strong community identity;*
e) *Create a community development pattern that supports the existing business community and promotes new business development opportunities, by protecting critical areas of economic enterprise and promoting a variety of locations for economic activity;*
f) *Support a vigorous local economy;*
g) *Promote safety and health in the community as well as fair access to housing, municipal services, community facilities, education facilities and economic opportunity; and,*
h) *Promote the efficient use of land through intensification within appropriate areas of the City, in accordance with Provincial growth management objectives, while recognizing the need for balancing this objective with other planning considerations.*

The proposal has carefully considered these guiding principles in its design. The development provides for intensification at an appropriate location in the City. It advances the Province's growth objectives while balancing other objectives of the current Plan. It will contribute to the achievement of an attractive and livable community providing access to housing within close proximity to parks, shopping, professional services, medical services, and community facilities.

Section 4 of Part I provides the land use vision for the City, which considers both the view of the physical landscape of the City in the future and how it will be experienced in terms of its quality of life. **Section 4.2** notes that the historical built form of the City reflected the belief that there were future limits to growth and reflected the abundant supply of developable land available at that time. This section acknowledges that a shift has occurred since this time and the vision has been modified to reflect this and, identifies that as the City approaches a mature state, a significant amount of its future growth will be in the form of intensification and redevelopment within the existing urban boundary. The Plan notes that, with fixed urban boundaries,

the challenge will be to accommodate the various demands for land while maintaining stability and compatibility.

Section 4.3 identifies key changes encouraged by the Plan, which are: the development of a greater diversity of housing types to meet the changing needs of the population; the development of a more self-contained City by encouraging a greater live-work relationship; focusing more intense land uses into specified mixed-use centres; a move toward a more balanced transportation system; and, a greater emphasis on the long-term preservation and conservation of significant natural features with greater public access. With respect to population growth, the Plan directs it toward underutilized or vacant parcels in existing communities where new residential growth will be mainly in the form of more compact housing that is served by various modes of transportation and in closer proximity to jobs, shopping and leisure areas. While infill development is encouraged, the Plan provides that preservation and enhancement of the quality-of-life features of neighbourhoods must be considered in the review of any new and/or intensified development proposals.

Overall, the vision set out in Section 4 seeks to maintain a strong network of residential neighbourhoods, a diverse economic base, a sound infrastructure system, and a community that is fiscally stable and environmentally sensitive to ensure an attractive, healthy and livable environment for future generations.

The proposed redevelopment conforms to the City's policy direction for land use by providing for an intensified form of development on an underutilized site along a corridor. It is in alignment with the key changes identified in the Plan by providing an intensified land use within an identified mixed use activity area and corridor which provides a mix of unit types. The height, form, and density of the development is consistent and compatible with other approved developments in the area as noted in Table 3 of this report. The proposal maintains the City's urban structure by providing a modest mid-rise mixed-use building and townhomes on the Subject Lands.

Additionally, the proposed redevelopment conforms to the City's vision for providing growth through intensification to ensure the continued growth needs of the City and Region can be met. The proposed design is compact in nature; compatible with existing and future development in the surrounding area; and, is well served by transit and in proximity to jobs, shopping and leisure areas. Overall, it meets the City's vision set out in Section 4.

Part II: Functional Policies

Part II of the OP provides principles, objectives, and policies that apply to all land use designations and are related to functional elements of growth and development. **Section 2.1** identifies a series of principles to ensure that the City can continue to be a prosperous, livable, and healthy community. Of relevance to the development proposal are **principles a)** and **e)**, which are provided below:

a) *The City will endeavor to ensure that City operations and new development are consistent with the goals and objectives of sustainable development; and,*
e) *The City will support and participate in the worldwide movement for Healthy Communities.*

Section 2.7 of Part II outlines the objective policies for sustainable design and compatibility. It is the objective that these policies ensure that building layout and urban form is consistent with sustainable development principles so that new development is efficient, safe, accessible, affordable and energy efficient; and, to encourage, wherever possible, development to be accessible by pedestrians, cyclists and public transit (**Objective 2.7.2 a) and b)**). Policies within this Section speak to achieving an efficient urban form in terms of energy, travel time, diversity and intensity; ensuring compatibility with the existing urban

fabric and enhancing natural features; encouraging development that provides choices in housing, shopping, employment and transportation; encouraging energy conservation through community and site planning, design, and the use of energy-efficient materials and landscaping; and, encouraging Transportation Demand Management (TDM) strategies to increase transit ridership, walking and bicycling (**Policies 2.7.3 c, d, e, f,** and **k**).

The proposed development conforms to the sustainable development direction provided in Section 2.1 a) and e) and Section 2.7 of the OP. The proposed redevelopment and design is efficient safe, accessible and energy efficient. The enhanced public realm and streetscape will provide improved accessibility for pedestrians. The redevelopment is located within proximity to parks and trails and along Multi-Purpose Arterial Road and Primary Bus Service route (Plains Road), making the area accessible to future residents by providing opportunities for active transportation, including walking, cycling and public transit.

The built form proposed is compatible with the surrounding urban fabric (existing and approved future developments). The development proposal has been carefully designed in the context of the area to provide for appropriate transition of built form without adverse impacts. The at-grade related commercial uses will activate pedestrian oriented facades along Plains Road and maintain employment opportunities within the development. Further details on the building design can be found in the Urban Design Brief.

Sustainable building design measures will be considered during the detailed design stage.

Objectives and policies pertaining to transportation are included within **Section 3** of Part II. The main intent of these policies is to provide an integrated, diverse transportation system for all residents and businesses that is safe, convenient, affordable, efficient, and energy-conserving while minimizing environmental impacts. Objectives are aimed at encouraging alternate travel by creating an urban environment that encourages walking, cycling and transit uses and increase opportunities to live close to work and satisfy day-to-day needs locally without relying on the automobile; maximizing existing infrastructure to ensure optimal benefit is obtained from the transportation system; and, maximizing the effectiveness of the City's transportation plan through coordination with Provincial and Regional initiatives (**Objectives 3.2.1 d), e)** and **g)**). Policies are aimed at encouraging opportunities for developing travel demand management (TDM) measures to reduce single occupancy automobile use; enhancing roadways, sidewalks and transit facilities to maximize mobility and access; and, reducing parking ratios and/or standards (**Policies 3.2.2 e), g) and j)**).

The development achieves the noted transportation objectives and conforms to the policies as it provides for an intensified use of the site which allows future residents to pursue alternate travel opportunities with the application of TDM measures, as well as its location along an existing bus transit route, proximity to recreational trails for cyclists and pedestrians, and easy access to higher order transit (Aldershot GO Station) thereby maximizing effectiveness and coordination of local transit with Provincial and Regional initiatives. Improvements to the public realm (e.g., sidewalks) will occur through the redevelopment process to enhance accessibility and mobility for current and future residents.

Section 3.3.2 e) identifies land requirements for daylight triangles, on routes under the City's jurisdiction. On routes where a Local Street intersection with a Multi-Purpose Arterial Road, a 5-metre by 5-metre daylight triangle is required. **Plains Road East has been identified as a Multi-Purpose Arterial Road on Schedule**

J of the Official Plan (Figure 14) and Downsview Drive is a local Road. The proposed development accounts for a 5-metre by 5-metre daylight triangle at this intersection.

Section 3.4 of Part II deals with transit services, and identifies that it is an objective of the Plan to promote the use of transit, and to reduce traffic and parking demands traffic congestion and air pollution, by providing increased levels of service, encouraging transit-supportive land use planning and introducing appropriate "transit priority" and Travel Demand Management (TDM) measures (**Objective 3.4.1 c)**). It is a policy of the Plan that Council promote the development of cost-effective transit services through transit-supportive land use and transportation plans in areas of development including Mixed Use Corridors and Mixed Use Centres (**Policy 3.4.2 d)**). With respect to development applications, the Plan states that they shall be reviewed to ensure that, where feasible, proposed land developments encourage the efficient and effective use of transit services (**Policy 3.4.2 e)**).

The proposed development will encourage and promote the use of transit, which is accessible to future residents due to the site's location along a Multi-Purpose Arterial Road and Primary Bus Route, meeting both the transportation policies set out in Section 3.4 and providing TDM measures as set out in Policy 3.9.2 a). The site is directly serviced by one bus route and is located within walking distance to the Aldershot GO station. The increased density at this location contributes to optimizing the use of the existing transit services and generates ridership for future planned upgrades to the system and supports Council's mandate of promoting the development of cost-effective transit uses through transit supportive land uses and transportation plans in areas of development.

The general design intentions for the City are provided in **Section 6** of Part II. The Preamble of this Section identifies that the City is committed to a high standard of design and architecture and will bring this to the approval process for all land uses as a challenge to its development partners and through its regulatory jurisdiction. In this regard, the City has prepared design guidelines as well as principles, objectives and policies to guide development and redevelopment throughout the City.

The Urban Design Brief prepared in support of this application has assessed the proposed redevelopment in accordance with these design objectives and policies and concludes that the proposal meets these policies and achieves design excellence.

Section 6.5 h) states the streetscape appearance of major, multi-purpose and minor arterial roads and collector streets shall be enhanced by encouraging buildings to present their main building facades to these roads or to enhance their treatment to avoid the appearance of blank buildings at service entrances. **Building entrances for both the commercial use and residential uses have been appropriately located. Retail entrances face directly onto Plains Road East and the main residential entrances face the corner of Plains Road East and Downsview Drive. The proposal uses building location to define the street, while utilizing landscaping and pedestrian walkways to provide a pedestrian-friendly streetscape.**

Part III: Land Use Policies - Urban Planning Area

Part III of the Plan presents the principles for objectives and policies for the land use designations identified on the Plan's mapping schedules for the Urban Planning Area.

Section 2.5.2 provides general policies for housing intensification. The capacity of the municipal transportation system can accommodate any increased traffic flows, and the orientation of ingress and egress and potential increased traffic volumes to multi-purpose, minor and major arterial roads and collector streets rather than local residential streets **(Section 2.5.2 (a)(iii))**. Proposals for non-ground oriented housing intensification shall be permitted only at the periphery of existing residential neighbourhoods on properties abutting, and having direct vehicular access to, major arterial, minor arterial or multi-purpose arterial roads and only provided that the built form, scale and profile of development is well integrated with the existing neighbourhood so that a transition between existing and proposed residential buildings is provided (Section 2.5.2 (a)(xiii)). **The proposed development will encourage and promote the use of transit, which is accessible to future residents due to the site's location along a Multi-Purpose Arterial Road and Primary Bus Route. The subject lands are located along the periphery of an existing residential neighbourhood and has direct access to a multi-purpose arterial road (Plains Road East).**

As noted above, the Subject Lands are identified as Mixed-Use Activity Areas, Mixed-Use Corridor – General. The general policies for Mixed Use Activity Areas and Mixed-Use Centres are contained within **Section 5.0** and **5.3.**

Section 5.0 Mixed Use Activity Areas

The following objectives are provided for Mixed Use Activity Areas (Policy 5.2.1):

a) *To encourage comprehensively planned mixed use employment, shopping and residential areas that provide for the integration of uses such as retail stores, offices, hotels, institutional and entertainment uses with residential uses, community facilities, cultural facilities, institutions and open space in a compact urban form, while retaining compatibility with nearby land uses.*
b) *To ensure Mixed Use Activity Areas are developed in a compact urban form, are pedestrian-oriented and highly accessible by public transit, and foster community interaction.*
c) *To direct the phasing and/or expansion of municipal infrastructure and services to ensure the timely and orderly development of Mixed-Use Activity Areas.*

Generally, the planned function of Mixed-Use Activity Areas is to provide alternatives to low density suburban development and encourage the efficient use of physical resources and municipal resources (**Principle 5.1 a)**). They are to address the demand for higher intensity employment, shopping and residential areas within the City (**Principle 5.1 c)**). It is an objective of the Plan to ensure Mixed-Use Activity Areas are developed in a compact urban form, are pedestrian-oriented and highly accessible by public transit and foster community interaction (**Objective 5.2.1 b)**).

The development proposal maintains the planned function of Mixed-Use Activity Areas, as it provides an alternative to low density development that makes efficient use of land and existing resources. It directly responds to and addresses the demand for higher intensity residential uses within the City in an area so identified as appropriate for such a use. The compact mixed-use urban form meets the objectives for Mixed-Use Activity Areas and will contribute to the provision of an accessible public realm and enhanced streetscape to foster community interaction through the provision of retail uses at grade along Plains Road.

The policies for the Mixed-Use Activity Areas are found in **Section 5.2.2** of the current Official Plan.

a) *Mixed-Use Activity Areas identified on Schedule A, Settlement Pattern shall be designated as either Mixed-Use Corridor-General, Mixed-Use Corridor-Employment, Mixed-Use Corridor-Commercial Corridor or Mixed-Use Centre on Schedule B, Comprehensive Land Use Plan - Urban Planning Area.*

b) *Lands designated as Mixed-Use Corridor-General, Mixed-Use Corridor - Employment, and Mixed-Use Corridor - Commercial Corridor on Schedule B, Comprehensive Land Use Plan - Urban Planning Area shall be subject to the policies contained in Part III, Section 5.3.*
c) *Lands designated as Mixed-Use Centre on Schedule B, Comprehensive Land Use Plan - Urban Planning Area shall be subject to the policies contained in Part III, Sections 5.4 to 5.6.*
d) *The design and development of Mixed-Use Activity Areas shall promote these areas as focal points for community activities that are characterized by a compact form of development, pedestrian-orientation, greater accessibility to public transit and higher intensity development.*
e) *The construction and expansion of municipal services shall provide for the development of Mixed-Use Activity Areas in an orderly and cost-effective fashion.*
f) *The City shall consult with the Region of Halton and adjacent municipalities where Official Plan and rezoning applications for new retail development involve primary trade areas extending outside of the City.*
g) *Home occupations and cottage industries shall be permitted in Mixed Use Corridors*
h) Mixed Use Activity Areas are identified as priority locations for:
    i. *land assembly at strategic locations;*
    ii. *infrastructure/public facility improvements;*
    iii. *creation and application of financial, regulatory and other incentives;*
    iv. *new municipal facilities and services;*
    v. *creation and application of brownfield re-development strategies;*
    vi. *preparation of comprehensive traffic and parking studies and strategies; and,*
    vii. *provision of higher levels of transit service compared with other areas of the City.*

The Subject Lands are identified as 'Mixed-Use Corridor – General' on Schedule B (Figure 13). The design of the mixed-use buildings creates a focal point along Plains Road East and promotes pedestrian activity along the Plains Road corridor. The compact form of the development and new residents will help to support public transit and pedestrian and cycling facilities as an alternative mode of travel. The proposed development will have accessible at-grade commercial uses.

Section 5.2.2 (i) through (l) provides further direction for Mixed-Use Activity Areas:

i) *It is the general intent of this Plan that Mixed-Use Activity Areas shall be subject to a high quality of urban design. City Council may require the preparation of Urban Design Guidelines for specific Mixed-Use Activity Areas or the preparation of site-specific Corridor Studies for Mixed-Use Corridor Areas, which may include such design guidelines as a component of the Corridor Study. These guidelines shall be referenced in an appendix to this Plan and be used in the evaluation of all development proposals within the Mixed-Use Activity or Corridor Area.*
j) *In order to balance pedestrian and vehicular movements in a safe and efficient manner, various approaches may be considered, including shared parking facilities in central locations, and/or on-street parking where deemed appropriate by detailed studies.*
k) *The City may ensure the proper integration of Mixed-Use Activity Areas with surrounding neighbourhoods through measures such as pedestrian walkways, cycling paths and transit routes, and the protection of the physical character of these neighbourhoods through urban design.*

The proposed development is located at a key location along Plains Road which represents an intensification corridor. The location of the Subject Lands reflects a site with higher level transit service and is of a size and depth to accommodate the proposed mixed-use development and the townhomes as a transition to the lower density residential area to the north. The Burlington Mid-Rise Urban Design Guidelines have been incorporated in to the design on the proposed redevelopment. These policies are further reviewed in Section 4.8 of the report.

Section 5.3 – Mixed Use Corridor - General

Section 5.3.2 identifies general polices for Mixed-Use Corridor Areas as follows:

a) *The following uses may be permitted within the Mixed-Use Corridor-General, Mixed-Use Corridor-Employment and Mixed-Use Corridor-Commercial Corridor designations:*
   i. *a wide range of retail, service commercial and personal service uses; financial institutions and services; a broad range of office uses; entertainment, recreation and other community facilities such as day care centres; and small-scale motor vehicle dealerships;*
   ii. *high density residential uses and a full range of office uses. Townhouses may only be permitted as a component of an overall development of mixed residential or residential/commercial building forms, where the townhouse portion of the mixed development does not abut the multi-purpose arterial or major arterial road and where the development of the townhouse component does not compromise the long-term objectives for the Mixed-Use Corridor designation with respect to such matters as mix of uses, building form and intensity; and*
   iii. *development and re-development of lands within a major transit station area, such as a GO transit commuter rail station, shall achieve a higher intensity of re-development and consist of transit supportive uses, as called for and defined in the Growth Plan for the Greater Golden Horseshoe. Notwithstanding Part III, Subsection 5.3.3 b) and e), those lands designated Mixed-Use Corridor subject to the Commercial Corridor Policies of Subsection 5.3.3 and located within a major transit station area, shall permit only transit supportive uses, as defined in the Growth Plan for the Greater Golden Horseshoe, have a minimum floor space index of 0.5 and a minimum building height of two storeys Mixed-Use Corridor lands are intended to provide for the day-to-day and weekly shopping needs of residents within and in close proximity to the Corridor.*

b) *Retail and service commercial uses are to be located at street level in office or residential buildings.*

The proposed development includes residential apartments and townhomes as well as commercial uses at grade which are all permitted uses as set out in Section 5.3.2. The proposed townhomes are part of the overall development and do no abut Plains Road. The at-grade retail is intended to provide day-to-day shopping needs for residents on the Subject Lands and in the surrounding area.

Section 5.3.2 d) i) sets the maximum floor area ratio of development at any site at 1.5:1. Council may consider a higher floor area ratio in conjunction with a site-specific rezoning or variance application, subject to the consideration of various factors such as adequacy of services and infrastructure and the provision of compatibility with adjacent uses through measures such as terracing, a high quality of building design, landscaping and streetscaping, and the provision of underground parking.

The proposed Zoning By-law amendment seeks to increase the floor space index to 2.07 for 1010 Downsview Drive and 4.48 for 355 Plains Road East. The increase in density is supported by the availability of existing services and infrastructure. The proposed development is compatible with adjacent uses through a quality, compatible design with sufficient parking and amenity space.

Section 5.3.2 d) ii) states that the minimum building height shall be two storeys and the maximum building height shall be six storeys. Where required to ensure compatibility, four to six storey buildings may be required to be terraced back from adjacent residential areas and/or the street.

The proposed Official Plan Amendment seeks to increase the height up from 6 to 8, 9 and 11 storeys. The westerly building is proposed at 8 storeys while the easterly building is proposed with two mid-rise towers, attached by a 6-storey podium, of 9 and 11 storeys. Both buildings have been designed with terracing through step backs to ensure there is appropriate transition to the surrounding residential areas without adverse impact.

Section 5.3.2 d) includes a number of additional policies as follows:

> *iii) the implementing zoning by-law shall identify a minimum portion of all buildings abutting the corridor street to be located in close proximity to the corridor street. These setbacks may be modified for specific corridors following the completion of Council approved Corridor studies;*
>
> *iv) all buildings shall be required to have a building entrance from the building façade closest to the corridor street;*

The proposed development is supported by an implementing Zoning By-law Amendment which addresses setbacks and height and ensures an appropriate street wall height and setback to provide for a well-designed streetscape and public realm. Building entrances for both the commercial use and residential uses have been appropriately located.

Section 5.3.2 e) sates the zoning of individual sites may not allow for the full range of permitted uses or the full extent of development intensity at every location based on site specific factors that may include, but are not limited to, traffic, land use compatibility, market impact, natural hazards and features, and environmental factors such as soil contamination. **The proposed density and housing type has taken into consideration the surrounding context to ensure compatibility.**

Section 5.3.2 f) and h) states higher density land uses and taller buildings shall be permitted at locations where Mixed-Use Corridor areas intersect with multi-purpose arterial roads. Transit-supportive and pedestrian-oriented urban design shall be required in the development of Mixed-Use Corridor sites. **Although the site is not located at the intersection of a multi-purpose arterial road and a Mixed-Use Corridor, as noted in Figure 13 and Figure 14, Plains Road East has been identified as a multi-purpose arterial road within a Mixed-Use Corridor that runs alongside the multi-purpose arterial road. The proposed development is compact, pedestrian-oriented and highly accessible by public transit. The proposed mixed-use development addresses the demand for higher intensity residential development, while also providing non-residential uses.**

Section 5.3.2 i) states the design and development of Mixed-Use Corridors shall encourage the use of public transit, pedestrian and bicycle travel as an alternative to the automobile and shall maximize personal safety by encouraging site plan features such as:

(i) buildings should be oriented to the street and transit services, and buildings should be located so as to be in proximity to, and face the street, to provide a sense of human comfort and pedestrian scale and interest;
(ii) safe and convenient access shall be provided for pedestrians between buildings and transit stops, parking areas, and other buildings and facilities; and
(iii) roads shall be designed for automobile use, efficient transit service as well as pedestrian and bicycle travel.

The proposed mixed-use development represents revitalization and intensification within a Mixed-Use Corridor and along an existing transit route. This compact transit-supportive development contributes to the creation of a transit, pedestrian, and cycling-oriented area while achieving compatibility with adjacent properties. The proposal uses building location to define the street, while utilizing landscaping and pedestrian walkways to provide a pedestrian-friendly streetscape. The location of the buildings also screens off-street parking areas from public view. No vehicular access is provided from Plains Road which will limit disruption to traffic flows and minimize the impact on pedestrian travel allowing for safe access between buildings, transit stops, parking area and surrounding community.

Section 5.3.2 g) and k) includes policies related to parking and design as follows:

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

- *wherever possible, off-street parking should be located in the side and rear yards and away from adjacent residential uses. Off-street parking areas, loading areas and service areas shall be screened and landscaped and located to minimize adverse impacts on adjacent residential uses;*

- *Retail, service commercial and other pedestrian-oriented use shall be encouraged at the street level.*

The proposed development has been located in proximity to Plains Road and will provide for a pedestrian scaled design. Off-street parking is located behind the two main buildings, in structured parking and underground areas. The compact form of the development and new residents will help to support public transit and pedestrian and cycling facilities as an alternative mode of travel. The proposed development will have accessible at-grade commercial uses.

Part VII: Schedules and Tables

As noted in **Part VII, Table 2 and Schedule J (Figure 14)**, the current Official Plan designates Plains Road East as a Multi-Purpose Arterial Road. The planned right-of-way width for Plains Road East at the Subject Lands location is 36 metres. The right-of-way at the Subject Lands has an approximate width of 37 metres. Therefore, a road widening from the Subject Lands is not required.

Downsview Road is defined as a local street and is to provide for a right-of-way of 20 metres.

Based on an assessment of the current Official Plan policies, the proposed development throughout the Official Plan Amendment conforms with the Official Plan as it aligns with the policies related to Intensification Multi-Purpose Arterial Roads and Mixed-Use Corridors. The proposed development represents an appropriate level of intensification that is an efficient use of land that is serviced by existing infrastructure.

The proposed development is compact, pedestrian-friendly, and well-connected to public transportation. The proposed mixed-use development will meet the demand for higher-density residential development while also including non-residential uses. The planned development features a number of height transitions to maintain compatibility with adjacent land uses while also

taking into account its placement along a transit route and inside a Mixed-Use Corridor. Vertical and horizontal articulation, step backs in building height, changes in building materials and colours, the use of projections and recessions, varying window sizes, and variation in the roofline are just a few of the design strategies used to break up the building mass in the mixed-use buildings. Given the surrounding and projected conditions, the proposed height, density, and form are adequate.

Overall, the proposed development and Official Plan and Zoning By-law Amendments are consistent with current Official Plan land use planning concepts and fulfil the planned vision for the Subject Lands, which is to create a more compact, pedestrian-friendly, and transit-supportive city.

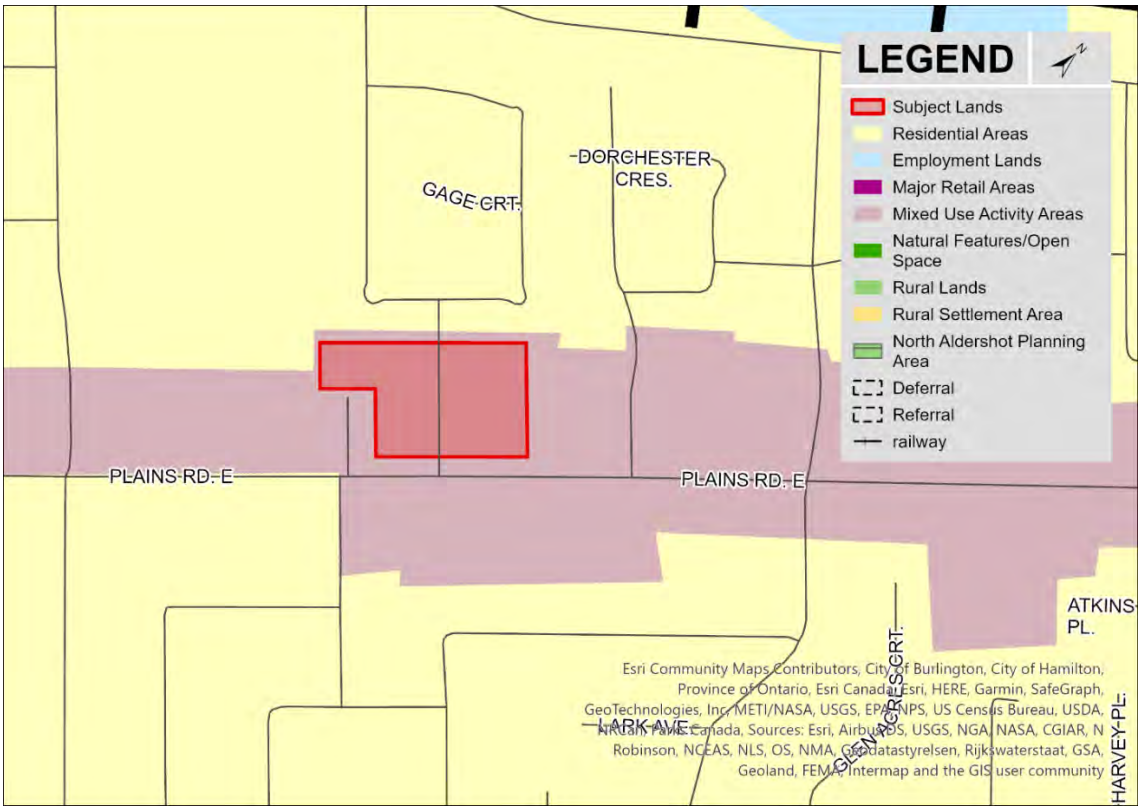


FIGURE 12: City of Burlington Official Plan - Schedule A: Settlement Pattern

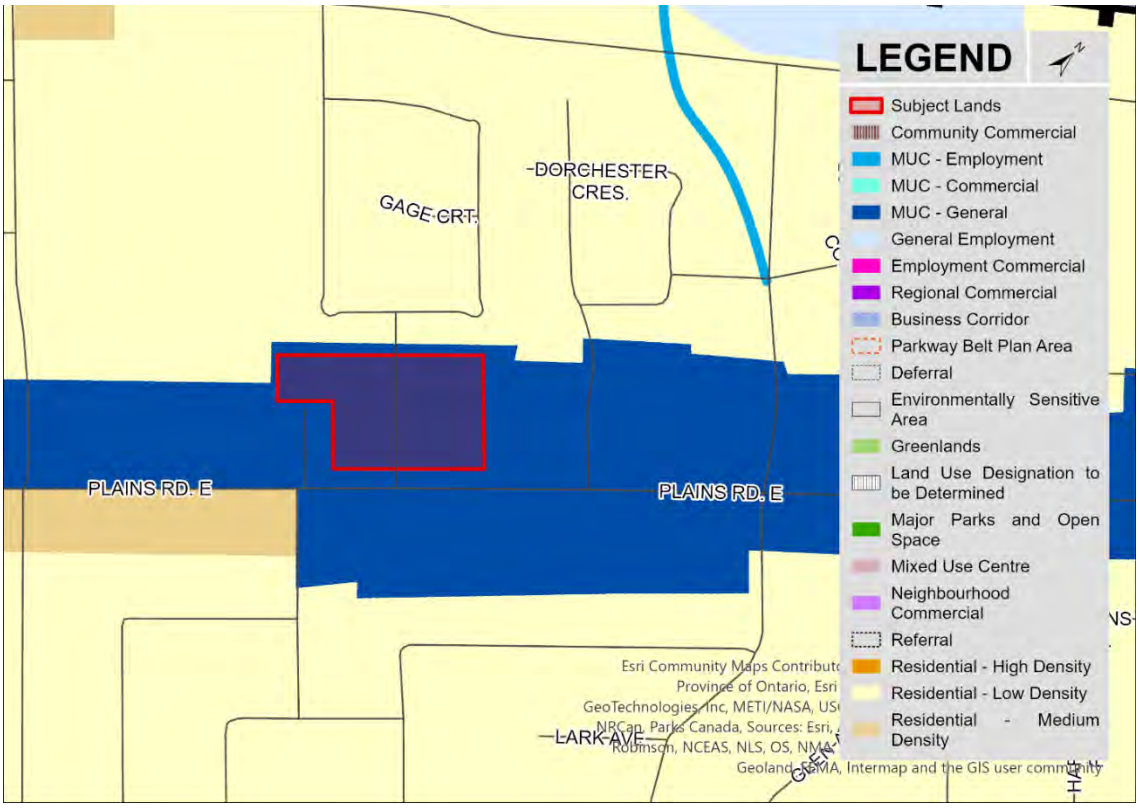


FIGURE 13: City of Burlington Official Plan - Schedule B: Land Use Plan

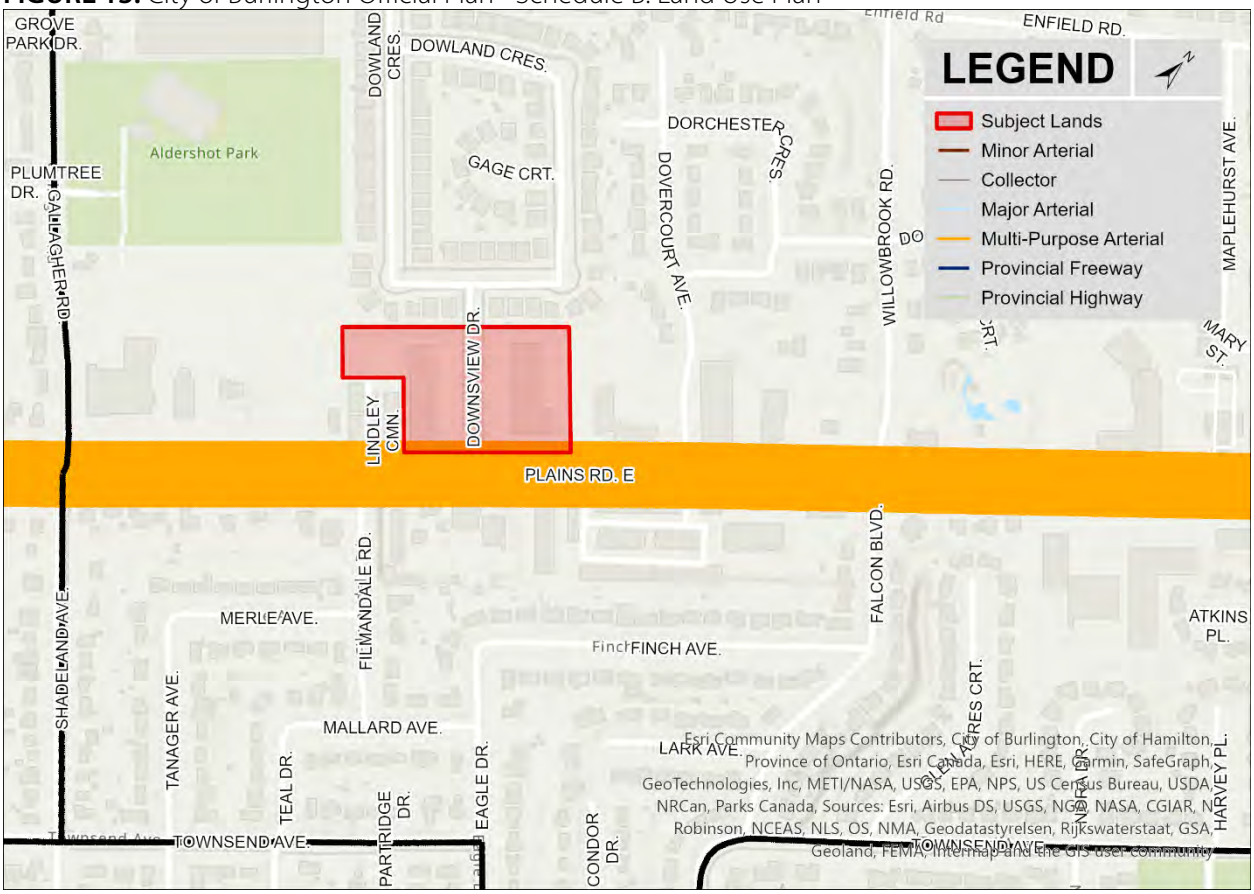


FIGURE 14: City of Burlington Official Plan - Schedule J: Classification of Transportation Facilities

4.7 New City of Burlington Official Plan (Under Appeal)

Over the past several years, the City has been working towards a new Official Plan. The City of Burlington's new Official Plan was originally adopted by City Council on April 26, 2018. The Region of Halton identified a number of areas of non-conformity through its review and the City undertook a re-examination of the Official Plan with a focus on Downtown Burlington. The updated new Official plan was approved, with modifications, by Halton Region on November 30, 2020. Significant portions of the Official Plan were appealed and remain under appeal including the policies that would apply to the Subject Lands. While these policies remain under appeal, they are assessed for the purposes of being informative of Council's direction but are not determinative.

In the City's new Official Plan, the Subject Lands are designated as:

- Urban Area - Schedule A – City System
- Mixed-Use Nodes and Intensification Corridors – Schedule B – Urban Structure
- Secondary Growth Area – Schedule B-1 – Growth Framework
- MTSA Primary Connector – Schedule B-2 – Growth Framework and Long-Term Frequent Transit Corridors
- Frequent Transit Corridor – Schedule B-2 – Growth Framework and Long-Term Frequent Transit Corridors
- Urban Corridor – Schedule C – Land Use – Urban Area
- Multi-Purpose Arterial Road – Schedule O-1 – Classification of Transportation Facilities – Urban Area

Section 2.3.1 – Mixed Use Intensification Areas

The following policies apply to Mixed Use Intensification Areas **(Section 2.3.1 a, b and c)** and more specifically, Mixed-Use Nodes and Intensification Corridors **(Section 2.3.1 j, k and l):**

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

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

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

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

k) Lands identified as Intensification Corridors consist of areas of street-oriented uses which incorporate a mix of commercial, residential, and employment uses, including designated employment lands, developed at overall greater intensities, serving as important transportation routes along higher order transit corridors and selected arterial streets.

l) Mixed-Use Nodes and Intensification Corridors will be a focus of re-urbanization. These areas vary widely and will be guided by the underlying land use designations of this Plan. Some areas will be planned to evolve with higher residential intensities and a full mix of uses, while others may permit a more limited range of employment-oriented permitted uses, both designed to achieve their planned function. These areas will support the frequent transit corridors and provide focal points of activity and a vibrant pedestrian environment and facilitate active transportation through careful attention to urban design, enhancing the opportunities for the location of public service facilities and institutional uses.

As identified in Figure 18, the Subject Lands are located within a Mixed-Use Nodes and Intensification Corridor, an area identified for intensification. The increased population at this area helps to maximize the usage of existing transit services while also generating demand for future system expansions.

<u>Section 2.4.2 (2) – Secondary Growth Areas</u>

a) Secondary Growth Areas:

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

ii. shall be recognized as a distinct area within the city's Urban Area accommodating growth in accordance with the permissions and densities of the current land use designations of this Plan;

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

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

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

The proposal has carefully considered these guiding principles in its design. The development provides for intensification at an appropriate location in the City. It advances the Province's growth objectives while balancing other objectives of the current Plan. It will contribute to the achievement of an attractive and livable community providing access to housing within close proximity to parks,

shopping, professional services, medical services, and community facilities. The proposed mid-rise building provides an appropriate amount of density that is close proximity to an existing GO transit station and positioned along a transit corridor.

Section 5.4.8 – Mixed Use Nodes and Intensification Corridors

a) Over the long-term, Mixed-Use Nodes and Intensification Corridors will contribute to accommodating employment uses and meeting the City's economic objectives.

The proposal provides for ground floor retails uses, which will help contribute to accommodating employment uses, furthering the City's economic objectives.

Section 7.3.2 - Primary and Secondary Growth Areas Policies

The following policies apply to Primary and Secondary Growth Areas (Policy 7.3.2(1)):

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

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

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

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

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

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

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

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

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

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

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

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

a. locating off-street parking in the side and/or rear yards, in underground or structured parking where appropriate, away from the street edge and adjacent residential uses;

b. integrating parking areas located at or above grade within the built form of the building and away from the street frontage, where appropriate;
c. limiting the number and location of vehicular access points to minimize disruption to traffic flows; and to minimize the impact on local streets, pedestrian travel along sidewalks or cyclists' travel along bikeways;
d. screening and buffering of off-street parking areas from public view through the use of setbacks and landscaping;
e. locating loading areas and service areas to avoid conflict between pedestrian and vehicular traffic, and away from adjacent residential uses and adjoining streets;
f. incorporating landscaped islands and pedestrian walkways; and
g. incorporating fencing and/or screening of service facilities, such as loading bays or outdoor storage areas, in a manner which enhances screening from adjacent land uses and the public right-of-way and improves the aesthetic quality of the development.

The proposed mixed-use development represents revitalization and intensification within a Mixed-Use Corridor and along an existing transit route. This compact transit-supportive development contributes to the creation of a transit, pedestrian, and cycling oriented area while achieving compatibility with adjacent properties. The proposal uses building location to define the street, while utilizing landscaping and pedestrian walkways to provide a pedestrian-friendly streetscape. The location of the buildings also screens off-street parking areas from public view. No vehicular access is provided from Plains Road which will limit disruption to traffic flows and minimize the impact on pedestrian travel.

Section 8.1 provides policies and direction for Mixed-Use Intensification Areas. Lands identified as Mixed-Use Intensification Areas on Schedule B: Urban Structure **(Figure 18)**, of this Plan, are divided into Urban Centres, MTSA Special Planning Areas, and Mixed-Use Nodes and Intensification Corridors. These areas will achieve a multitude of planning objectives by combining a broad range of employment, shopping, public service facilities, residential and complementary uses such as open space, institutional, and cultural uses. People will be able to live, work, and shop in the same area, giving them an opportunity to depend less on their automobiles, and create distinguishable places along transit routes that are animated, attractive and safe. **The Subject Lands are identified as Mixed-Use Nodes and intensification Corridor, as illustrated in Figure 18. The proposed development provides for planned residential intensification as well as providing amenities for the existing and planned neighbourhood with ground floor retail uses.**

Section 8.1.3 provides policies for Mixed-Use Nodes and Intensification Corridors. The lands identified as Mixed-Use Nodes and Intensification Corridors, on Schedule C: Land Use – Urban Area **(Figure 21)**, of this Plan, provide locations where mixed commercial, residential and employment uses will be developed and integrated in a compact built form and at greater development intensities, encouraging the efficient use of physical resources and municipal infrastructure. The lands identified as Mixed-Use Nodes are typically existing developed commercial areas of the city and will be the focus of re-urbanization through a range of scales and intensities of development. **The proposed redevelopment will provide transit-supportive residential density on existing municipal services in order to reduce lands consumption and servicing costs and produce cost-effective development that results in a compact urban built form near to a future higher-order transit corridor.**

Section 8.1.3 provides direction for lands identified as Intensification Corridors. The Intensification Corridors are located along Multi-Purpose Arterials and in some cases along Major Arterials. The Intensification Corridors are organized into two land use designations: Urban Corridor and Urban Corridor – Employment Lands. The Urban Corridor designation recognizes the diversity of the lands along the corridor and establishes policies allowing for flexibility. Key intersections and areas within Major Transit Station Areas are identified as having the potential to develop into full mixed-use areas, while general areas along the corridor may develop for single use, including residential. **Per Figure 18 and Figure 22, the Subject Lands are identified within an intensification corridor along a Multi-Purpose Arterial Road. The proposed development is compact, pedestrian-friendly, and well-connected to public transportation. The proposed mixed-use development will meet the demand for higher-density residential development while also including non-residential uses.**

Section 8.1.3 provides direction for Mixed-Use Nodes and Intensification Corridors. These areas will be pedestrian-oriented and highly accessible by public transit and will foster community interaction by providing opportunities for public service facilities, institutional uses, and open spaces. **Within a Mixed-Use Corridor and along an existing transportation route, the planned mixed-use development reflects rejuvenation and intensification. This modest, transit-friendly construction contributes to the creation of a transit-oriented, pedestrian- and cycling-friendly region while maintaining harmony with neighbouring properties.**

Section 8.1.3(1) provides the General Objectives for Mixed-Use Intensification Area.

a) *To provide locations in the city that will serve as areas for more intensive integration of uses such as retail, service commercial, offices, institutional and entertainment uses with residential uses, public service facilities, cultural facilities, institutional uses and open space.*
b) *To establish for each element of the Mixed-Use Nodes and Intensification Corridors the appropriate range of uses, scales of development and levels of intensity.*
c) *To provide amenities and services closer to where people live, with the objective of creating complete communities.*
d) *To ensure Mixed Use Nodes and Intensification Corridors are developed in a compact built form, are pedestrian-oriented and highly accessible by public transit.*
e) *To ensure the proper integration of Mixed-Use Nodes and Intensification Corridors with surrounding Established Neighbourhoods Areas, protecting the physical character of these neighbourhoods.*
f) *To ensure that development in Mixed-Use Nodes and Intensification Corridors is compatible with the surrounding area.*
g) *To promote an innovative and sustainable built environment that uses infrastructure and public service facilities efficiently and encourages a high quality of life.*
h) *To encourage the accommodation of a diverse range of household sizes and incomes in Mixed Use Nodes and Intensification Corridors.*
i) *To encourage the use of public transit, pedestrian and bicycle travel as an alternative to the automobile and to maximize personal safety.*
j) *To direct the phasing and/or expansion of municipal infrastructure and services to ensure the timely and orderly development of Mixed-Use Nodes and Intensification Corridors.*
k) *To ensure that development of Mixed-Use Nodes and Intensification Corridors is offset by a range of open space areas in a manner that is appropriate to the local context.*

The proposal will support the creation of complete communities by providing for an appropriate density and mix of uses on site which are within close proximity to transit networks and active transportation infrastructure. A number of nearby amenities that support daily living including schools, community centres, shops, and personal services are within walking distance to the Subject

Lands. The proposed development is compact, pedestrian-oriented and highly accessible by public transit. The proposed mixed-use development addresses the demand for higher-intensity residential development, while also providing non-residential uses. The proposed development has been thoughtfully designed, through the provision of sufficient parking, appropriate amenity spaces and compact design, to ensure compatibility with the surrounding community. Appropriate step backs and setbacks, along with the townhouses, provide for transition from the existing residential to the proposed development. The proposed development provides for 1- and 2-bedroom units in the apartment buildings and 2-bedroom townhouse units, allowing for a range in housing types and sizes on the Subject Lands.

Section 8.1.3(2) provides the General Policies for Mixed-Use Intensification Area.

a) The design and development of Mixed-Use Nodes and Intensification Corridors shall promote these areas as focal points for community activities that are characterized by a compact form of development, pedestrian- orientation, greater accessibility to public transit and higher intensity development.

b) The construction and expansion of municipal infrastructure shall provide for the development of Mixed-Use Nodes and Intensification Corridors in an orderly and cost-effective fashion.

c) Mixed-Use Nodes and Intensification Corridors may be identified as priority locations for the following, not limited to:

- *i. land assembly;*
- *ii. infrastructure and public service facility improvements;*
- *iii. creation and application of financial, regulatory and other incentives;*
- *iv. new public service facilities;*
- *v. creation and application of brownfield and greyfield development strategies;*
- *vi. preparation of comprehensive traffic, transportation demand management, and parking studies and strategies; and*
- *vii. provision of higher levels of transit service compared with other areas of the city.*

d) Zoning By-law regulations affecting Mixed-Use Nodes and Intensification Corridors shall be based on the general policies for Mixed-Use Nodes and Intensification Corridors contained in Subsection 8.1.3(2) of this Plan, and the specific policies for individual land use designations, contained in Subsections 8.1.3(3) to 8.1.3(8) of this Plan.

e) Multi-unit residential developments in Mixed-Use Nodes and Intensification Corridors should incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.

g) The City will ensure the proper integration of Mixed-Use Nodes and Intensification Corridors areas with surrounding neighbourhoods through measures such as pedestrian walkways, cycling paths and transit routes. Through the redevelopment of larger sites, this may also include the introduction of new public and/or private streets, designed as complete streets, to contribute to the achievement of a connected and continuous grid-oriented street network in accordance with Subsection 6.2.2.

h) In residential buildings containing retail and service commercial uses at grade, office uses or uses accessory to residential uses may be required in the second storey to minimize the potential adverse effects of noise and vibration that may be generated by some types of retail and service commercial uses.

i) Transportation demand management (TDM) measures shall be addressed, and form part of the City's evaluation of opportunities for reduced parking standards in proposed developments in Mixed Use Nodes and Intensification Corridors, subject to the policies of Subsection 6.2.10 of this Plan.

l) Development applications proposing a comprehensive development of a site that include the replacement of existing commercial floor area shall submit and implement, to the satisfaction of the City, a phasing strategy that demonstrates that the development does not adversely impact the

long-term provision of goods and services as the site transitions to its complete stage of development.

n) *In accordance with the Urban Structure, intensification of existing Mixed-Use Nodes and Intensification Corridors will be encouraged rather than the designation of new areas.*

p) *Development within Mixed Use Nodes and Intensification Corridors shall ensure compatibility with surrounding areas in accordance with the applicable policies in Section 7.3 of this Plan.*

The proposed development has been located and designed to create a focal point at the intersection of Plains Road East and Downsview Road. This positioning is suitable for offering easy pedestrian access to the surrounding areas. The building has been designed to ensure pedestrians' safe access to the surrounding area. The proposed density will help to support the existing and planning public transit, including the evolving Aldershot Go Station MTSA. A mix of unit sizes have been provided between the apartment-style units and the stacked townhouse units, to accommodate a diverse range of household sizes and incomes. As noted in Section 3.2, a phasing strategy will be further refined and implemented through the site plan process and will be based on changing market conditions. The development will be phased to ensure the long-term provisions of goods and services in the community will not be impacted. The proposal is for the redevelopment of an existing underutilized site in a corridor intended for intensification.

Section 8.1.3 (7.1) – Urban Corridor Designation - Objectives

The following policies provides the Official Plan objectives for the Urban Corridor Designation:

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

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

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

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

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

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

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

As noted in Figures 18 and 22, the proposed mixed-use development is located in an intensification corridor along a multi-purpose arterial road. The proposed development has a compact, mid-rise built form consisting of two residential buildings with podiums that provide retail/commercial space at grade, as well as townhome units. The proposed development provides the opportunity for a variety of retail unit sizes. Multiple retail units can be combined to create a larger scale of retail space. The future residents will increase the potential ridership pool for the existing transit and will be able to take advantage of the many community facilities (noted in Table 1) located in close

proximity to the Subject Lands. The location is ideal for providing excellent pedestrian access to the surrounding neighbourhood. The building's design has been carefully considered to ensure that it is both safe and accessible to pedestrians, and well-connected to the public space.

Section 8.1.3 (7.2) – Urban Corridor Designation - Policies

The following policies apply to Urban Corridor lands (Policy 8.1.3(7)):

a) *Transit-supportive and pedestrian-oriented design shall be required in the development of Urban Corridor sites.*
b) *Urban Corridor lands are intended to provide for the day-to-day and goods and service needs of residents and employees within and in proximity to the Corridor and may also serve a broader city-wide market.*
c) *The following uses may be permitted on lands designated Urban Corridor:*
    i. *retail and service commercial uses;*
    ii. *automotive commercial uses, including large-scale motor vehicle dealerships existing on the date this Plan comes into effect;*
    iii. *residential uses with the exception of single-detached and semi-detached dwellings;*
    iv. *office uses;*
    v. *entertainment uses;*
    vi. *and recreation uses.*
d) *Other forms of ground-oriented dwellings may only be permitted, provided that the ground-oriented residential portion of the development:*
    i. *does not abut a Multi-Purpose Arterial Street, Urban Avenue or Main Street, as shown on Schedule O-1, Classification of Transportation Facilities-Urban Area, of this Plan;*
    ii. *is developed in conjunction with, and is part of, a multi-residential or mixed-use building; and*
    iii. *does not compromise the objectives of the Urban Corridor designation.*
f) *A maximum floor area ratio of development of 2.0:1 is an appropriate built form in Urban Corridor lands. An increase to this floor area ratio may occur through a site-specific Zoning By-law amendment or minor variance application, without the need for an amendment to this Plan, provided that the objectives of the Urban Corridor designation are maintained.*
g) *The minimum building height shall be two (2) storeys and the maximum building height shall not exceed six (6) storeys. Where required to ensure compatibility, four (4) to six (6) storey buildings may be required to be terraced back from adjacent residential areas and/or the street.*
h) *To ensure compatibility with adjacent residential areas the maximum six (6) storey building height may not be permitted on sites that are small in size, have insufficient depth, are adjacent to areas designated Residential-Low Density, or front local streets.*
j) *Retail and service commercial uses and other pedestrian-oriented uses shall be located on the ground floor of office or residential buildings and should be permitted above or below the first storey of buildings. A limited amount of office uses may also be permitted on the ground floor.*
m) *Any proposed development of sites designated Urban Corridor shall retain the planned commercial function of the site, in accordance with the objectives of Subsections 8.1.3(7.1) b) and f), of this Plan, to the satisfaction of the City."*

The proposed development is compact, pedestrian-friendly, and well-connected to public transportation. The proposed mixed-use development will meet the demand for higher-density

residential development while also including non-residential uses. The at-grade retail is intended to meet the demands of residents on the Subject Lands and in the surrounding region for day-to-day shopping and provides opportunity for a range of small and medium scale retail and service commercial uses. The proposed development consists of residential, retail and service commercial uses and are permitted in this Official Plan. Plains Road East is identified as a multi-purpose arterial street. No ground-oriented development has been proposed with frontage onto Plains Road East. In an effort to maximize the underutilized lands, Lot A proposes a FSI of 2.07:1 and Lot B proposes and FSI of 4.48:1. This level of density and height will provide support for existing and future transit initiatives. The Subject Lands are sufficient in size and depth to support a proposed height increases to 8 storeys on Lot A and 9 and 11 storeys on Lot B.

Based on an assessment of the New Official Plan policies, the proposed development conforms with the New Official Plan direction and aligns with the policies related to Intensification, Multi-Purpose Arterial Roads and Mixes-Use Corridors. The proposed development represents an appropriate level of intensification that is an efficient use of land that is serviced by existing infrastructure.

The proposed development is compact, pedestrian-friendly, and well-connected to public transportation. The proposed mixed-use development will meet the demand for higher-density residential development while also including non-residential uses. The planned development features a series of height transitions to guarantee harmony with adjacent land uses while also acknowledging its placement along a transportation corridor and inside a Mixed-Use Corridor. Vertical and horizontal articulation, step backs in building height, changes in building materials and colours, projections and recessions, different window sizes, and variation in the roofline are among the design elements used to break up the building mass in the mixed-use structures. Given the surrounding and projected conditions, the proposed height, density, and form are adequate.

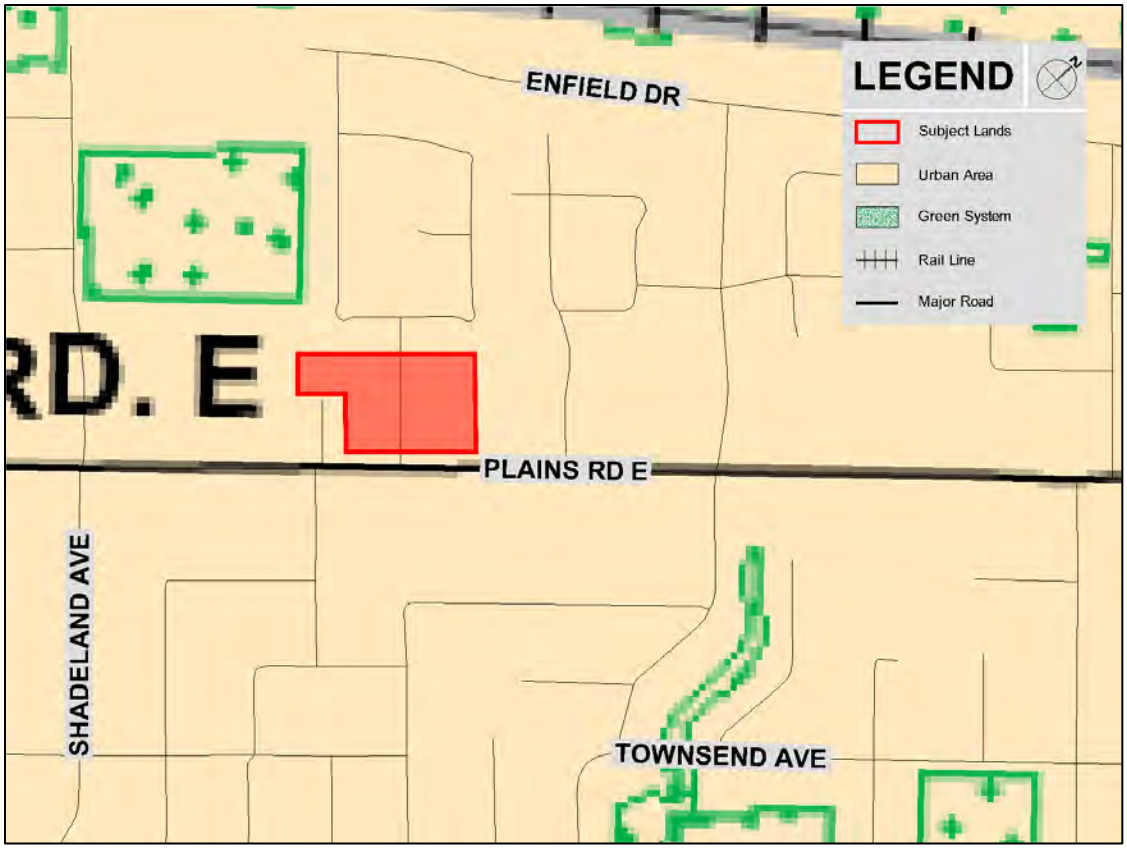


FIGURE 17: Schedule A: City System

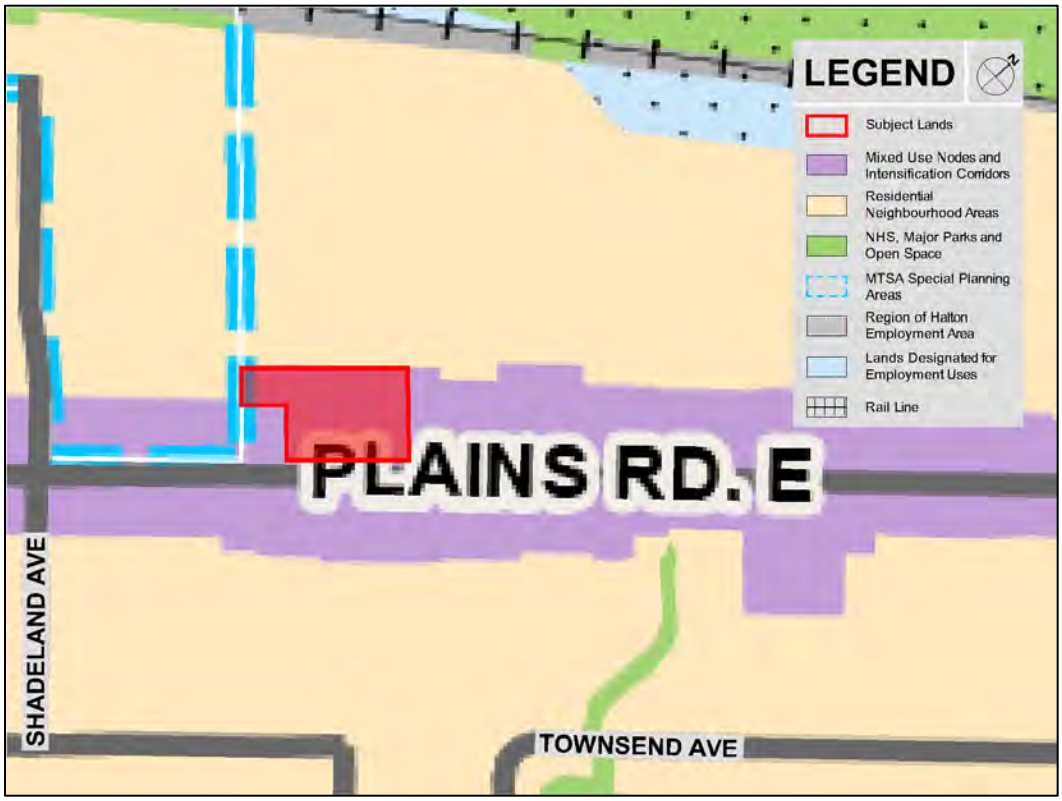


FIGURE 18: Schedule B: Urban System

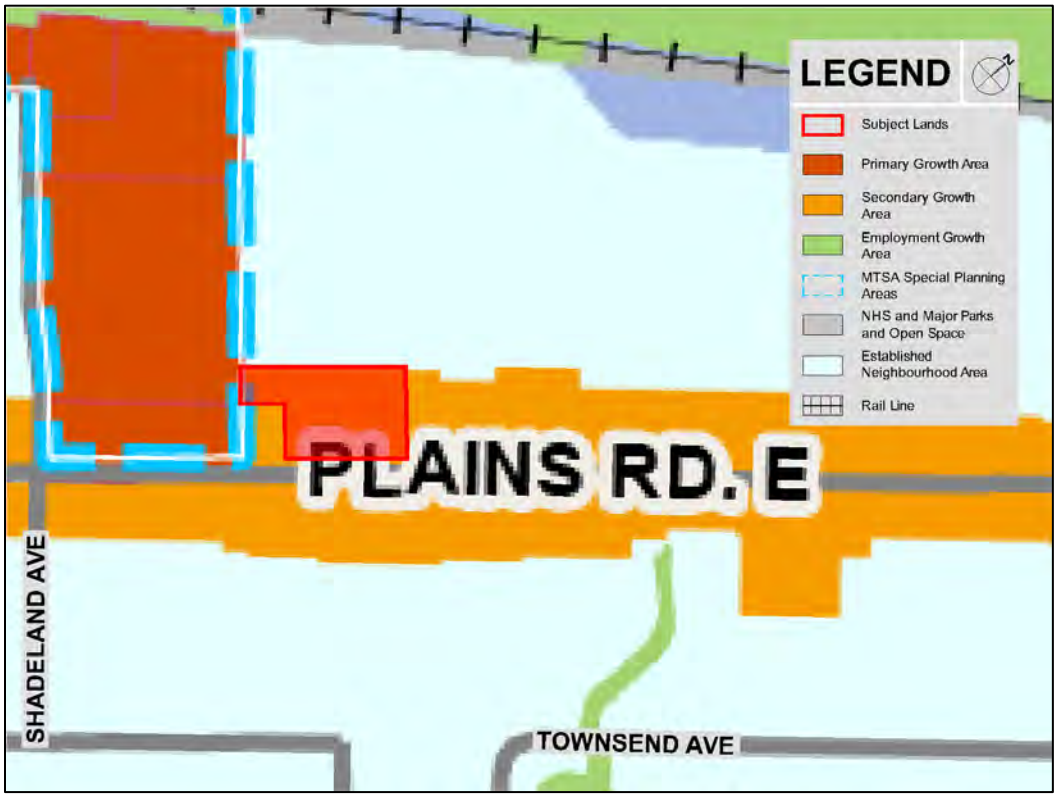


FIGURE 19: Schedule B-1: Growth Framework

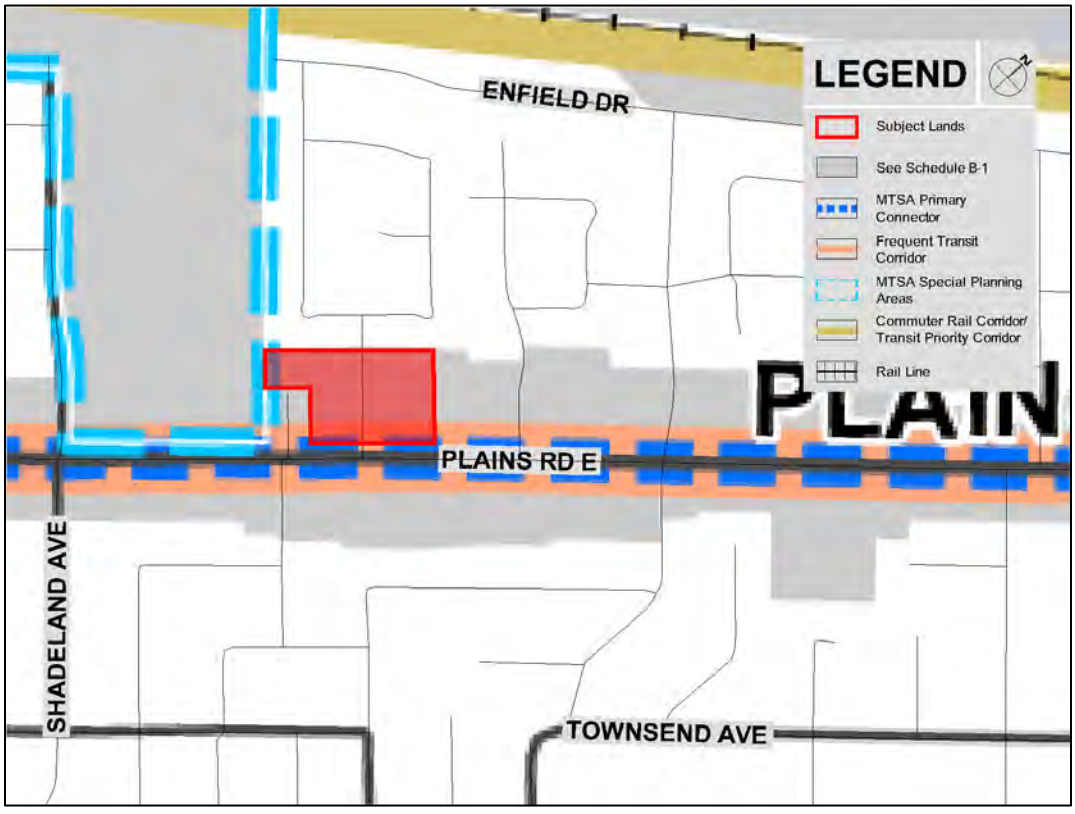


FIGURE 20: Schedule B-2: Growth Framework and Long-Term Frequent Transit Corridors



FIGURE 21: Schedule C: Urban Area

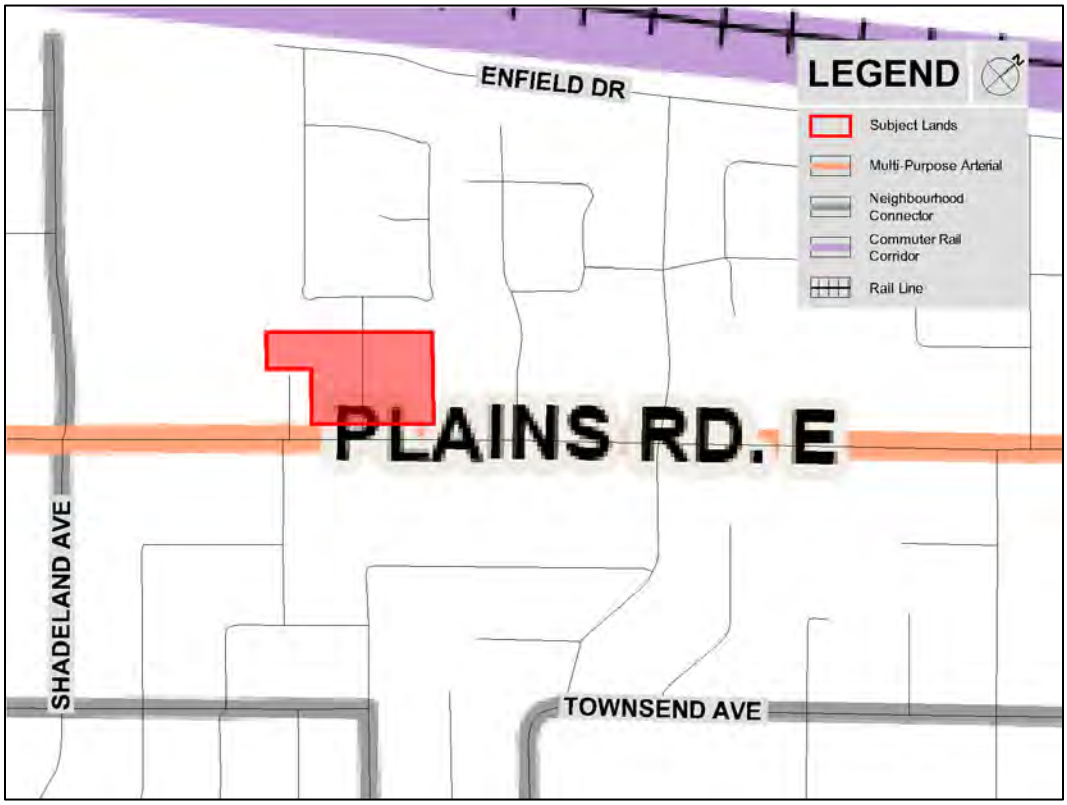


FIGURE 22: Schedule O-1: Classification of Transportation Facilities – Urban Area

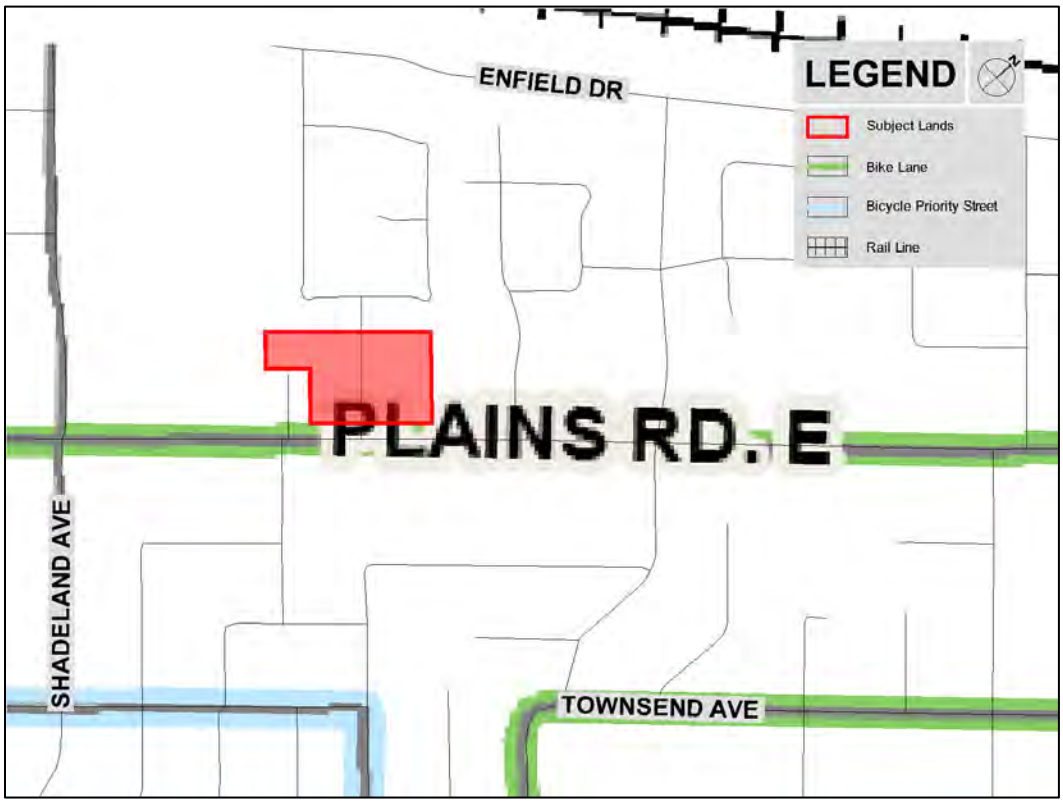


FIGURE 23: Schedule P: Long Term Cycling Master Plan

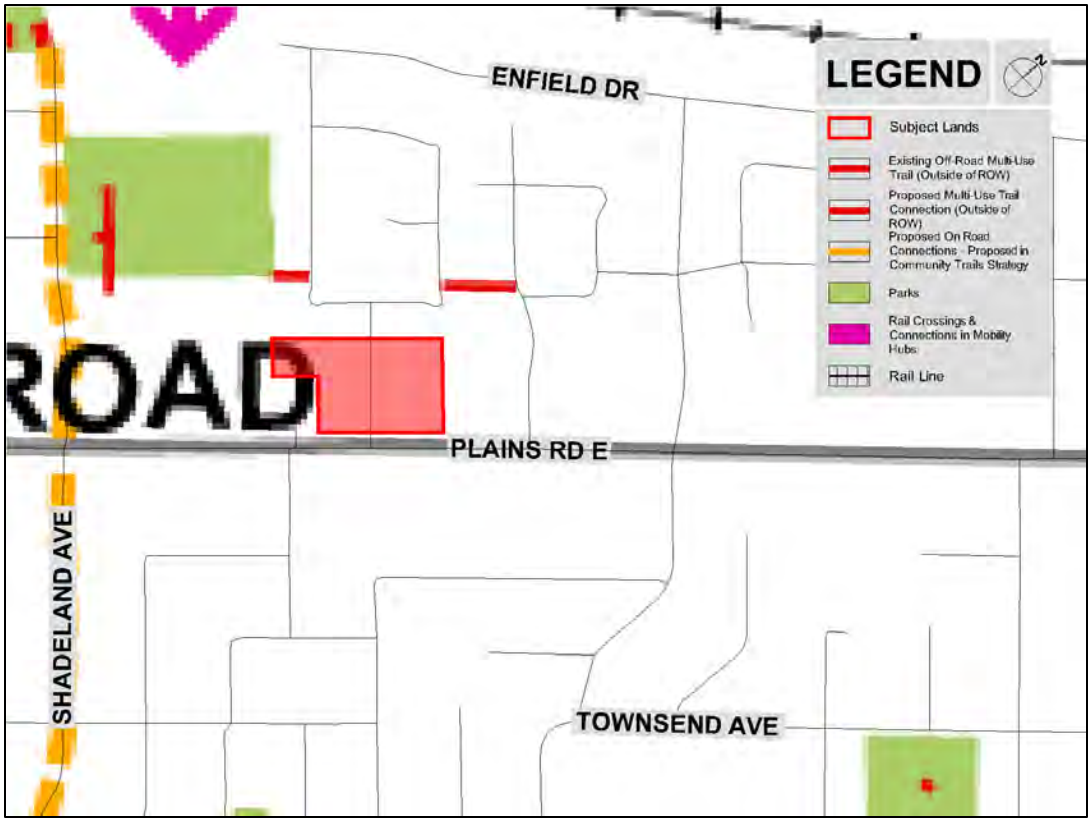


FIGURE 24: Schedule Q: Trails Strategy

4.8 City of Burlington Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings

The City of Burlington introduced Mid-Rise Buildings in March of 2019. The Guidelines set out expectations and best practices that are relied upon in the evaluation of development applications. The City's Mid-Rise Urban Design Guidelines apply to the proposed mixed-use development as mid-rise buildings are defined as a building between 5 and 11 storeys in height. The following policies of the guidelines are applicable to the proposal.

Section 2.1 of the Mid-Rise Design Guidelines provides direction for building placement.

- *In general, buildings should be placed parallel to streets or public open spaces (within or along the edge of the site) to frame and define these spaces. This will also increase the amount of private open space behind the building and separation from neighbouring properties.*
- *Consider the building's orientation to maximize south-facing walls for optimal access to sunlight to habitable rooms and other environmental benefits such as energy conservation, solar access to open spaces or areas for stormwater management and planting.*
- *Placement should consider existing site conditions and look to retain and enhance certain features as assets such as mature trees and topography.*
- *Where there is no consistent pattern of street setbacks, the building should be set back to create a boulevard that can accommodate wider sidewalks, street trees, landscaping, and active uses to*

establish a more pedestrian-oriented relationship between the building and the sidewalk. On streets where commercial/retail uses are required at the ground floor level, a minimum 6.0-metre boulevard is preferred, except where existing conditions preclude. The intent is that a road widening will not be required to specifically achieve this guideline.

- *On corner sites, the building should frame both streets (see Sections 2.1.4 - 2.1.6. above for guidance on alignment). The placement of corner buildings may be subject to a daylight triangle.*
- *All buildings should have a public front ('face') and private back. Buildings should not expose their back onto the front of a neighbouring building to minimize impacts such as "back of house" actives on adjacent properties.*

The proposed redevelopment has been oriented along Plains Road East and Downsview Drive to frame and define the space and allows for private open space to be located in the interior of the site. The proposed buildings have been oriented to minimize sun shadow impact in the surrounding properties.

Section 2.2 of the Mid-Rise Design Guidelines provides direction for building separation and spacing.

- Where a continuous street wall is desirable, side-yard setbacks are usually not required. Continuous street walls are generally desirable within areas designated for mixed use, except where special site or block conditions require breaks to access mid-block connections, public courtyards, or other open spaces.
- On sites with multiple buildings, a minimum separation distance of 15.0 metres should be provided between buildings that face each other. This area should be clear of building projections such as balconies and cantilevers to allow sunlight to access the lower levels of the building. Depending on the building form wider separation distances may be appropriate, especially if there are residential units at or below the ground floor level.
- Where a site is large enough to support multiple buildings, consider offsetting or angling the buildings away from each other to improve privacy between facing units.

A continuous street wall has been provided for the retail/commercial component on the ground floor of the proposed buildings. Lot B has provided a 15.0-metre separation distance between the two towers.

A full assessment of the mid-rise guidelines is set out in the Urban Design Brief which concludes that the proposed development is suitable and an appropriate design in the context of the area and provides for an appropriate transition of the built form as well as an enhanced public realm.

4.9 Plains Road Corridor Urban Design Guidelines

The Plains Road Corridor Urban Design Guidelines were intended to refine the vision for the 'Plains Road Village' and assist the City with future developments along Plains Road.

The Subject Lands are situated within the Maplehurst District, defined as the segment of Plains Road between Filmandale Road and King Road (**Figure 25**). The district is comprised of a mix of institutional, commercial and retail uses that abut the corridor.

Section 5.3.2.2 'Medium and High Density Residential' of the guidelines, outlines specific objectives for medium – high density residential uses, as well as mixed uses along the Plains Road Corridor. The objectives are as follows:

1. *Site planning should locate built form, having a clear visual relation to the street and direct access for vehicles and pedestrians.*

2. *Large site developments proposing higher density buildings whose form, orientation or location does not adequately address the streetscape or the block structure of the community are discouraged.*

3. *Surface parking areas should be located mainly in side yard or rear yard areas.*

4. *Where surface parking extends to the front of the lot, it should be set back from the front lot line by a minimum 3.0m buffer, landscaped in coordination with the landscape plan for the adjacent boulevard.*

5. *Surface parking areas should include treed islands and paved, illuminated pedestrian paths.*

6. *For corner lot developments, below-grade parking access and egress should be where possible provided from the adjacent local street, not from Plains Road.*

7. *Provide paved walkways from the main building entrances to the public sidewalk.*

8. *Built form located 4.0m or less from the minimum front lot setback should have a 3-storey base; the next 3 storeys above that should be set back further by an additional 3.0 m minimum. The storeys above that should be set back not less than an additional 2.0 m.*

9. *Built form located more than 4.0m from the front lot setback, can have a 4-storey base and the storeys above that should be set back an additional 3.0 m minimum.*

The proposal intends to respond to these guidelines by providing the following:

1. The proposed mixed-use building will have both vehicular and pedestrian access to Plains Road from Downsview Drive.

2. The Subject Lands are larger than the residential lots to the north and west, and as such, the proposal has incorporated a building design and site orientation that respects the adjacent single detached residential uses by providing adequate setbacks, and privacy measures to ensure lighting and privacy impacts are kept to a minimum, and so the building can integrate seamlessly with the surrounding area along Plains Road.

3. The surface parking area for the proposal is generally located in the centre of each lot. The proposed parking area on Lot A will abut the rear yard of the existing townhouses along the west lot line. To reduce the impact of this parking area on the existing townhouses, enhanced landscaping is proposed and the existing wooded fence is to remain. The majority of parking spaces are provided within two levels of underground parking and an addition to levels of covered above ground parking in the court yard of Lot B.

4. The barrier-free parking spaces are located in close proximity to the elevator in the two levels of underground parking. Additionally, barrier-free parking is located at-grade.

5. While the surface parking area does not include treed islands, the proposal provides for enhanced tree plantings along the perimeter of the site and landscape area. The majority of parking has been provided in the below- and above-ground parking structures.

6. Given the corner lot location, below grade parking access and egress will be provided from a driveway off the local street. There is no direct vehicular access to Plains Road proposed.

7. The proposal provides concrete sidewalks from the building entrance to the existing pedestrian network along Plains Road.

8. The proposal is for 8-, 9- and 11-storey mixed use buildings, with the front façade of the buildings proposed to be located 3.0 m from the front lot line. The first six storeys utilize this built form, while the upper floors are set back further by an addition 3.024 m from Plains Road East and 1.5 m from Downsview Drive. The proposed setbacks and step backs assist with minimizing shadow impacts and reduce the impact of the massing of the building, therefore meeting the goal and objection of this guideline.

Based on the above analysis, it is our opinion that the proposal generally meets the intent and objectives of the urban design guidelines for this portion of Plains Road. Further details on the building design can be found in the Urban Design Brief.

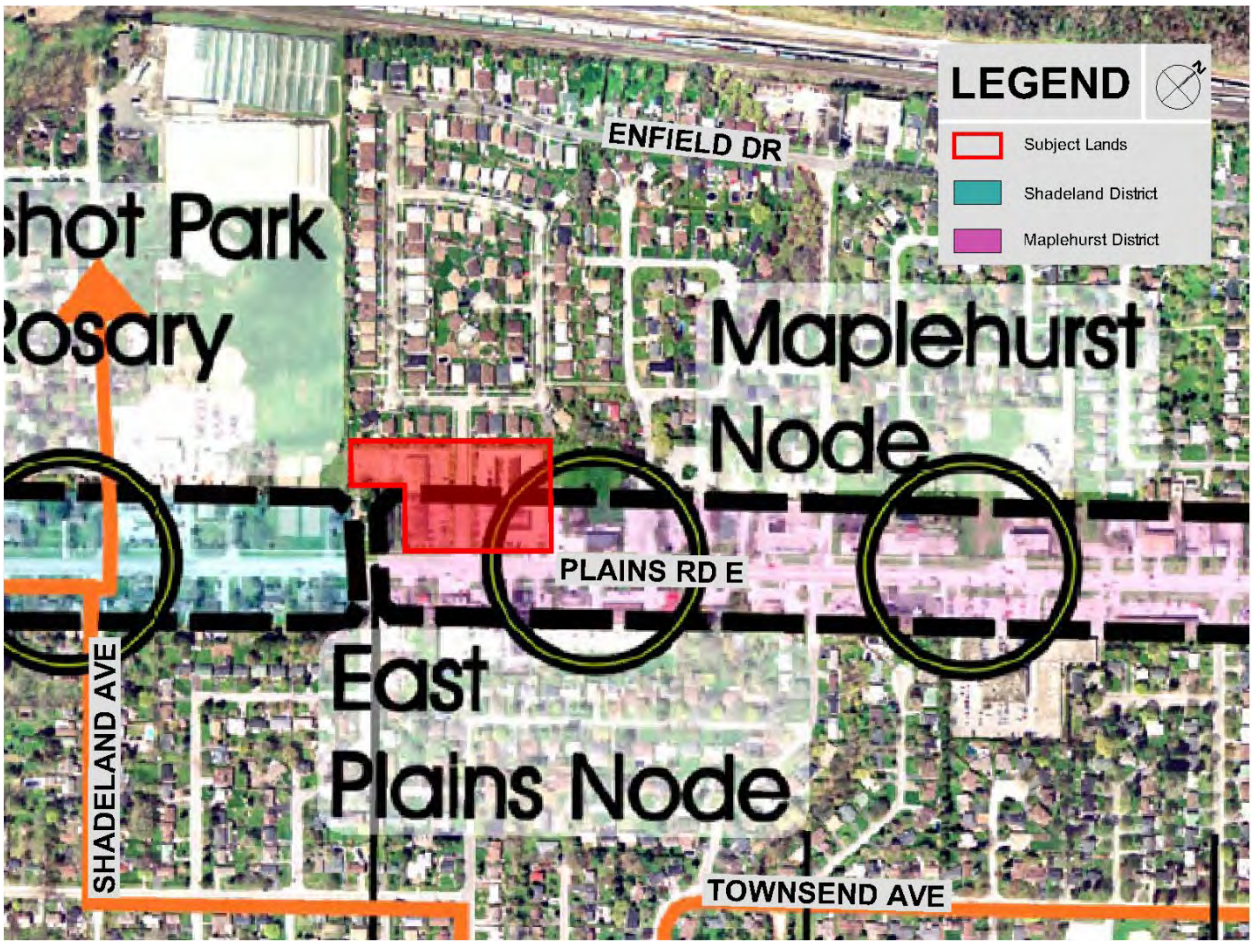


FIGURE 25: Plains Road Urban Design Corridor Map – Figure 1: Conceptual Framework

4.10 City of Burlington Zoning By-law 2020

The City of Burlington Zoning By-law 2020 is in full effect for the subject lands. The Subject Lands are zoned as Mixed-Use Corridor General (MXG) (**Figure 26**).

The MXG zone restricts the height of residential uses permitted on the Subject Lands to 6 storeys. The proposed Zoning By-law Amendment ('ZBA') seeks to amend the mapping and text of the City of Burlington Zoning By-law 2020 to facilitate the development of the Subject Lands as described in this report. In order to allow for the proposed development, a site-specific provision to the existing Mixed-Use Corridor General (MXG-XXX) is being sought for the Subject Lands.

The following uses are permitted in the MXG Zone:

- Convenience/Specialty Food Store
- Other Retail Stores
- Standard Restaurant
- Fast Food Restaurant
- Convenience Restaurant
- Community Institution
- Car Wash
- Motor Vehicle Service Station
- Recreational Establishment
- Night Club
- Retirement Home

- Dry Cleaning Depot, Laundromat, Laundry Service
- Veterinary Services
- Elevated Parking Facility
- Other Service Commercial Use
- All office uses
- Motor Vehicle Sales, Leasing, Rental and Service
- Entertainment Establishment
- Apartment Building
- Dwelling Units in a commercial/office building
- Stacked Townhouse
- Back-to-Back Townhouse
- Townhouse

The following chart sets out the MXG Zone requirements and compliance:

Zoning Regulation	Requirement	Provided	
		Lot A	Lot B
Lot Width	25 m	48.25 m	71.82 m
Lot Area	1000 m^2	7,294.74 m^2	7,500.47 m^2
Building Height	2 storey minimum 6 storey maximum	8 Storeys	9 and 11 Storeys
Yard abutting Plains Road west of the Queen Elizabeth Way	3 m minimum 23 m maximum	3 m	3 m
Yard abutting any other street	3 m minimum 4.5 m maximum (Maximum yard shall apply on to buildings located within 60 metres of a public street)	3 m	3 m
Side Yard	No minimum	3 m (Tower) 3 m (Town)	3 m (Tower) 3 m (Town)
Rear Yard	3 m	6 m	6 m
Yard abutting a Residential Zone	Floors 1 to 3: 12 m Floors 4 and 5: 15 m Floor 6: 18 m	Apartment: 36.01 m Townhouse: 6m	Apartment: 36.01 m Townhouse: 6 m
Maximum Floor Area Ratio	1.5:1	2.07:1	4.48:1
Maximum Floor Area per Retail Use or Service Commercial Use	1800 m^2	286.8 m^2	341.8 m^2
Minimum Density in a Residential Building	30 units /ha	270.1 unit/ha	516.0 units/ha
Landscape Buffer (Abutting a street)	3 m	3 m	3 m
Landscape Buffer (Abutting a residential zone)	6 m	6 m	6 m
Amenity Areas	20 m^2 per one bedroom dwelling unit	4,298.0 m^2 (21.8 m^2/unit)	5,865.5 m^2 (15.2 m^2/unit)

	35 m^2 per two or more bedroom dwelling unit Lot A = 5,425 m^2 Lot B = 11,880 m^2		
Daylight Triangles	3 m by 3 m	3 m	3 m
Parking Structure – Entrance and Exit Ramps setback from Street Line	7.5 m	29 m	22 m
Parking Structure – Encroachment	Shall not encroach into Landscape Buffer	Encroachments: Front: 0.12 m Exterior Side: 0.02 m Interior Side: 0.55m Rear: 2.998 m	Encroachments: Front: 1.973 m Interior Side: 2.168 m Rear: 5.434 m
Parking Structure – Setback	3 m from all property lines	Front: 2.880 m Exterior Side: 2.980m Interior Side: 2.453m Rear: 3.002 m	Front: 1.027 m Exterior Side: 3.242 m Interior Side: 0.832m Rear: 0.566 m
Stacked Townhouses			
Street Side Yard	3 m	3 m	3 m
Rear Yard	6 m	6 m	6 m
Yard Abutting R1, R2, R3 Zone	12 m	6 m	6 m
Parking			
Apartment Building	1.25 occupant spaces per unit (inclusive of visitor) Lot A: 246 Lot B: 484	247 (1.25/unit)	477 (Including 48 tandem parking spaces) (1.23/unit)
Commercial Parking	3.5 spaces per 100 m^2 Lot A: 10 Lot B: 12	15	12
Barrier Free Parking Spaces	5-50 spaces: 1 accessible space 51-90 spaces: 2 accessible spaces Over 90 spaces: 3% of required parking Lot A: 7 Lot B: 14	8	15
Loading Spaces	At least one off-street loading space shall be provided in conjunction with every principal building, including mixed use buildings, but excluding	1	1

	residential buildings less than 4 storeys high.		
Bicycle Parking	Retail – 2 spaces plus 1 space/1000 m^2 GFA Lot A – 3 Lot B – 3	4	8

The following table summarizes the proposed special exceptions to the zoning and rationale for these exceptions:

Exception	Rationale
Increased Height	Site is located within an intensification corridor. This increase in height will allow for the optimization of the subject lands and provide for a variety of house types and sizes with appropriate transitions and design.
Increased Floor Area Ratio	Site is located within an intensification corridor. This increase in floor area ratio will allow for the optimization of the subject lands and provide for a variety of house types and sizes with appropriate transitions and design.
Increased Density	Site is located within an intensification corridor. This increase in density will allow for the optimization of the subject lands and provide for a variety of house types and sizes with appropriate transitions and design.
Reduced Parking	The Subject Lands are located in an area that is becoming more urbanized and connected through the City's investments in the public transportation system, including enhancements to the existing cycling network. A parking study, prepared by Paradigm Transportation Solutions Limited, supports the proposed reduction in parking provided.

A copy of the Draft Zoning By-law Amendment is included in this report and can be found at **Appendix E.**

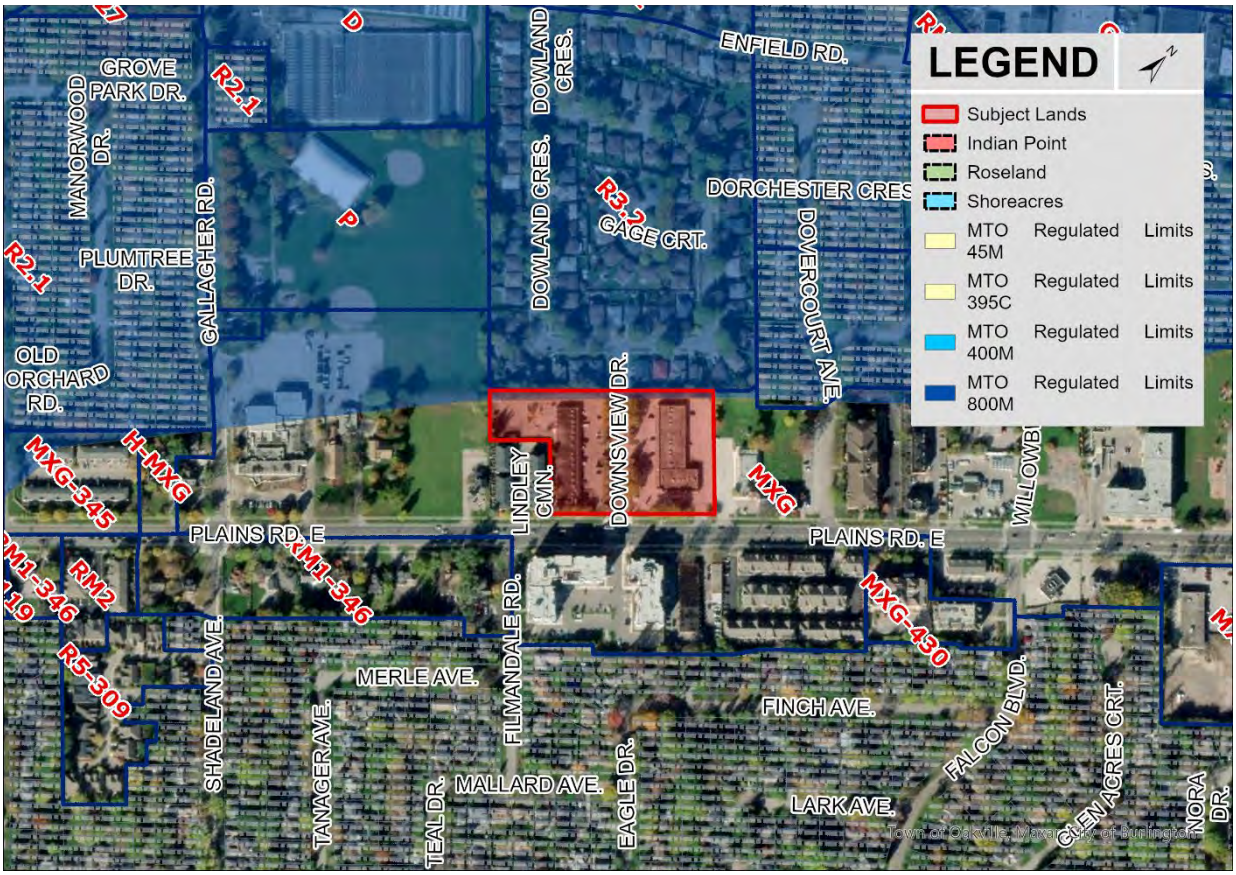


FIGURE 26: City of Burlington Zoning By-law 2020 Map

5.0 Rationale and Opinion

The development proposal must balance meeting the objectives of the Provincial, Regional and City policies that encourage and promote intensification, while ensuring high quality design and land use compatibility and ensuring the scale and height of development does not negatively impact surrounding land uses.

It is recognized that the City's Official Plan is the most important tool for the implementation of Provincial Policy. However, the City's current Official Plan is not consistent with and does not conform to current Provincial and Regional land use policy as it relates to intensification corridors. The height and density limits that currently apply to the Subject Lands are overly restrictive and do not permit the type of development that is directed by the PPS and required to be achieved by the Growth Plan, especially to 2051. The current policies do not allow for the optimization of the lands.

The proposal represents good planning in that it is an appropriate level of intensification for the site, compatible with surrounding physical and neighbourhood context, and mitigates potential impacts, while meeting the appropriate policy and regulatory requirements.

5.1 Appropriateness

The proposal represents a type of development that is appropriate for the Subject Lands in their context both physically and within policy. As demonstrated throughout this review, the Subject Lands are located along a key transit corridor where intensification is to be directed. At the Provincial level, development is encouraged that is compact and optimizes the use of land, infrastructure and public service facilities. The PPS directs that growth be directed to existing urban areas in areas where existing infrastructure can accommodate development. The Growth Plan reinforces the appropriateness of the identification of strategic growth areas of redevelopment. Given this context, the Subject Lands are appropriate for a modest level of intensification and redevelopment as proposed.

The Subject Lands are adequately serviced by the infrastructure necessary to accommodate the development proposed by the applicant including existing and water and wastewater services, among others. The Subject Lands are also serviced by existing public service facilities and amenities that make it ideal for intensification. Most daily needs of new residents can be met by active transportation including walking and cycling or by transit. The area supports a wide range of commercial, institutional, employment, personal services and recreational amenities that are easily accessible from the Subject Lands. Further, the Aldershot GO MTSA and mobility hub is located immediately to the west of the Subject Lands. Development on the site supports active transportation and transit use while minimizing private automobile dependency.

The level of intensification that is proposed through the mixed-use buildings and townhomes is appropriate for the site given the surrounding and emerging development context. The area along Plains Road East is evolving with a number of recent and current development applications. This type of change and evolution of the area is to be expected given the area's recognition as a strategic growth area and intensification corridor.

The Subject Lands can accommodate a compact mixed-use form and townhomes that provide for an appropriate transition to the existing and planned developments in the area. The proposal is appropriate and desirable for the Subject Lands.

5.2 Compatibility

Intensification and redevelopment do not, and should not, occur without regard for the surrounding physical and neighbourhood context. The Subject Lands can accommodate the level of development proposed by the Applicant and development that is compatible with the surrounding area.

The setbacks from the street along Plains Road provide an appropriate framing of the street that can accommodate an enhanced public realm and street wall. The mid-rise tower components of the proposal are adequately setback from adjacent properties as to be compatible and not cause adverse impact. The siting of the proposed buildings orients the buildings towards the intersection and provides ample transition between adjacent properties through landscaping, angular plans, setbacks and step backs.

The proposal balances the objectives for providing a range of unit types and sizes at an optimized density which is also represents a density that is within the current range of densities within the area. It is not an overdevelopment in the context of the scale and density of approved and evolving site redevelopment.

As demonstrated through the supporting studies prepared for the application, the proposed development is not anticipated to have negative impacts from shadow impacts,noise, or wind. The modifications made in the revised application addresses many of the comments received from the Design Review panel and from the initial public comments with respect to compatibility and potential impacts due to height, building siting and massing. The grade-related commercial uses will contribute to a street front that is compatible with the surrounding area. The townhome entrances and amenity areas will provide for an added residential opportunity on that site and provide for an appropriate building form to transition to the residential areas to the north.

The proposal is compatible with the physical and neighbourhood context.

5.3 Policy and Regulatory Framework

As demonstrated throughout this review, the proposed development meets the land use policies set forth by the Province and Region. The development represents an intensification opportunity within a strategic growth corridor that is well-serviced by transit and other community services and facilities.

With respect to the local planning framework, the current Official Plan height and density limits are not appropriate for the Subject Lands and a proposal that is slightly greater in height and density and more transit-supportive is both preferable and better implements the transit-oriented and intensification policies of the PPS and the Growth Plan.

The proposed development better implements policy objectives related to intensification and transit-oriented development than the current Official Plan currently provides. The Growth Plan targets represent minimum targets and that municipalities are encouraged to exceed the targets provided that development is appropriate for the surrounding context. The proposal contributes to the appropriate policy objectives to achieve a complete community that is compact and transit supportive and optimizes the use of the corridor lands.

6.0 Summary & Conclusion

As outlined in this report, together with the supporting technical reports, the proposed development and associated Official Plan and Zoning By-law Amendments represent an appropriate intensification of the Subject Lands.

The proposal will introduce a mixed-use building on the site, replacing the existing buildings with 48,695.5 m^2 of residential space and 628.6 m^2 of retail/commercial space within an Intensification Area and will optimize the Subject Lands' role as an intensification corridor site within the community. It will increase the range of residential units in the area by providing a mixture of one- and two- bedroom units. The additional residential density will assist in supporting the existing and proposed public transportation network and

make use of existing municipal servicing and infrastructure. The proposed grade related retail/commercial space will assist with animating the street at the pedestrian level.

The design of the building carefully considers the surrounding built form and provides for an appropriately-designed transition. The building has been designed with appropriate setbacks and step backs to minimize impacts and allow for a human-scaled environment at street level. The impacts of the development are minimized, with no adverse impacts from wind, sun, shadows, noise, and servicing.

Based on the existing physical context and surrounding neighbourhood, the technical assessment of the proposal and an analysis of the proposal within the applicable policy and regulatory context, the following conclusions are provided:

- The proposal is consistent with the Provincial Policy Statement;
- The proposal conforms to the Growth Plan;
- The proposal conforms to the Halton Region Official Plan and ROPA 48 as well as the draft intent of ROPA 49;
- The proposal conforms to the City of Burlington Official Plan, except those sections proposed to be amended in order to achieve consistency and conformity with the Regional Official Plan (as recently amended), the PPS and the Growth Plan;
- The proposal generally confirms with the City of Burlington New Official Plan;
- The proposal generally confirms with the City of Burlington Zoning by-law, except those sections proposed to be amended in order to achieve consistency and conformity with the Regional Official Plan (as recently amended), the PPS and the Growth Plan;
- The proposal is in general conformity with the Mixed-Use and Residential Mid-Rise Design Guidelines;
- The proposal can be adequately serviced and does not create any adverse impacts to the existing site and surrounding area;
- The proposal optimizes an underutilized site and is well-served by existing community infrastructure including public transit, bike lanes, parks, schools, and places of worship;
- The proposal provides a mix of new housing units as well as a greatly enhanced streetscape and the pedestrian environment;
- The proposal provides a compatible development that is well transition to and integrated with the surrounding community;
- The proposal preserves and upholds the overall urban structure as set out in the Official Plan; and,
- The proposal represents good planning and is in the public interest.

The proposed development is appropriate for the Subject Lands and represents good planning. It is recommended that the proposed Official Plan and Zoning By-law Amendments be approved.

Respectfully submitted,

MHBC



Dana Anderson, MA, FCIP, RPP
Partner



Jillian Sparrow, BA
Planner

Appendix **A**

Photo Record, as of May 27, 2022

The following images further illustrate the Subject Lands and the surrounding context.

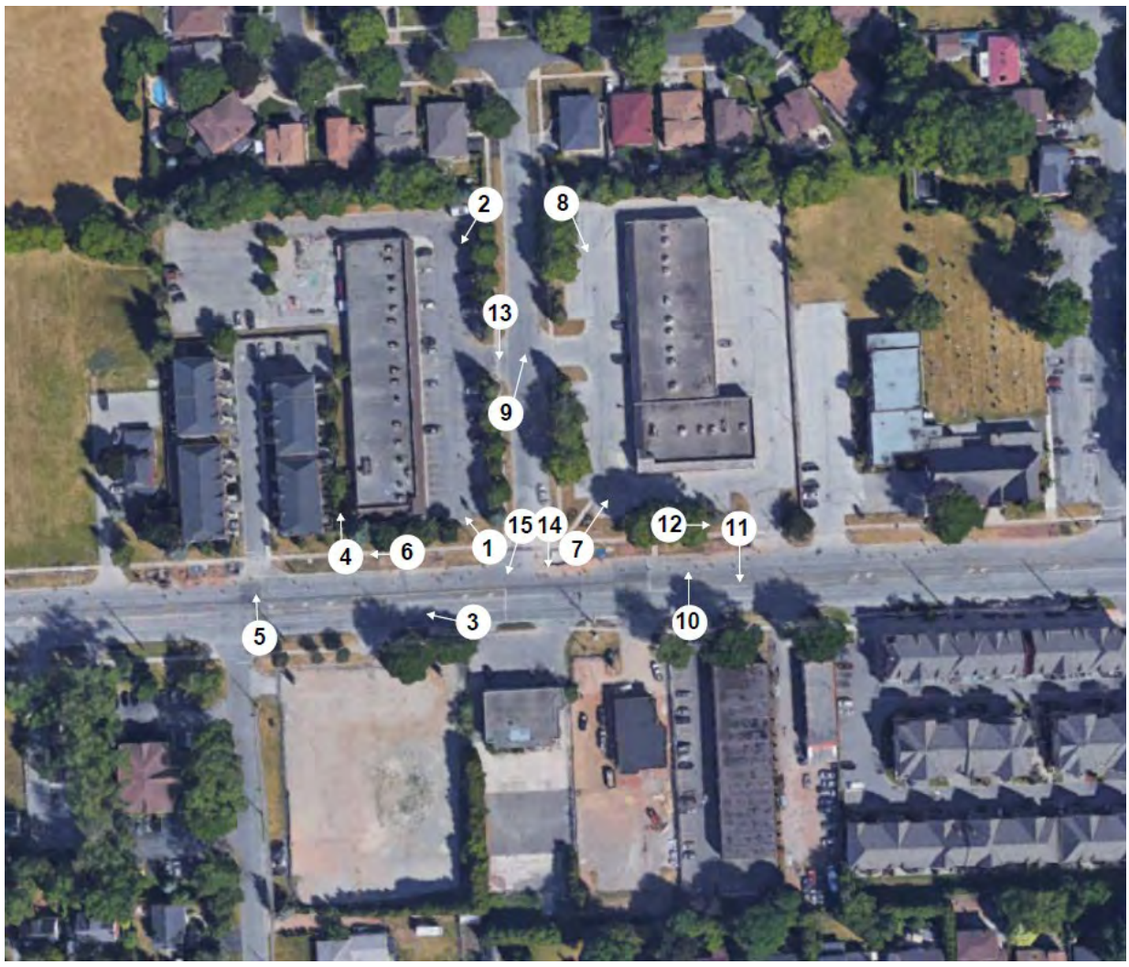




Image 1: From the corner of Plains Road East and Downsview Drive facing 1010 Downsview Drive (Lot A)



Image 2: From the Downsview Drive looking south at 1010 Downsview Drive from north property line.



Image 3: From the Plains Road East looking adjacent townhouses and 1010 Downsview Drive



Image 4: From the Plains Road East looking at rear of adjacent townhouses and 1010 Downsview Drive



Figure 5: From Plains Road East looking north at townhouse adjacent to 1010 Downsview Drive.



Figure 6: From Plains Road East looking west at townhouses adjacent to 1010 Downsview



Image 7: From the corner of Plains Road East and Downsview Drive facing 355 Plains Road East (Lot B)



Image 8: From Downsview Drive looking south at 355 Plains Road East



Image 9: From Downsview Drive looking north at 355 Plains Road East and adjacent low density residential



Figure 10: From Plains Road East looking north at 355 Plains Road East and Bus Stop 832



Figure 11: From Plains Road East looking south at 2- and 6-storey residential building across the street from 355 Plains Road East



Image 12: From Plains Road East looking east at 355 Plains Road East and adjacent church



Image 13: From Downsview Drive looking south to Plains Road East at 6-storey residential building



Figure 14: From the corner of Downsview Drive and Plains Road East looking south at 6-storey residential buildings.



Figure 15: From the corner of Downsview Drive and Plains Road East looking south at 6-storey residential buildings

Appendix **B**

Pre-Consultation Checklist, June19, 2021

DEVELOPMENT APPLICATION PRE-CONSULTATION FORM

Meeting Date: June 9, 2021	**Site Address:** 355 Plains Road East and 1010 Downsview Drive
Property Owner: 335 Plains Holdings Inc. and 355 Plains Holdings Inc.	**Applicant / Address / Phone / Email** Michael Krasic, Coletara Development 966 Pantera Dr., Suite 22 Mississauga ON L4W 2S1 mkrasic@coletara.com 905-624-4100 ext. 4116
Site Area: 0.73 ha (1010 Downsview) + 0.75 ha (355 Plains Rd E)	

APPLICATION TYPE (check applicable applications):

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

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

   Demolition of existing commercial/retail strip plazas and redevelopment of two properties with two 10-storey residential apartment buildings with ground floor retail use and a 6-storey residential apartment building. Application proposes a FAR of 3.7:1 for 355 Plains Rd E and a FAR of 3.2:1 for 1010 Downsview Dr.

2. **Conformity with Regional Official Plan Designation?** YES x NO _____

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

3. **1997 Official Plan Designation:** Mixed-Use Corridor - General

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

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

4. **2020 Official Plan Designation:** Urban Corridor

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

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

4. **Existing Zoning:** MXG

   Conformity with existing zoning? YES _____ NO X

   If 'NO' what is the nature of the zoning amendment needed? Height, FAR

5. Design Guidelines in effect? YES X NO

Name of Design Guidelines Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings (March 2019), Shadow Study Guidelines and Terms of Reference (June 2020), Pedestrian Level Wind Study Guidelines and Terms of Reference (June 2020), Sustainable Building and Development Guidelines (April 2018), Stormwater Management Design Guidelines (June 2020), Plains Road Corridor Urban Design Guidelines (June 2006)

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

YES NO X

7. Fees Required at Time of Application

APPLICATION	CITY	REGION	CONSERVATION HALTON
Official Plan Amendment:	$22,300.00	$8,718.57	n/a
Rezoning - Base Fee: (70% if combined) Rezoning - Variable Fee:	$14,714.00 $200,000.00	$1,028.39	n/a
Subdivision - Base Fee: Subdivision - Variable Fee:	n/a	n/a	n/a
TOTAL	$237,014.00	$9,746.96	n/a

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

8. Additional Agencies to be contacted: Union Gas, Burlington Hydro

9. Pre-Application Public Consultation Meeting

Is a pre-application consultation meeting required?

YES x NO

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

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

10. Community Benefits

Is this an application for increased height and/or density? YES X NO

If "YES" Community Benefits **may be** required.

11. Required Information for Complete Application

1)	Completed Application Form	Required
2)	Fees for the processing of planning application(s)	Required
Supporting Reports, Studies, Plans **In accordance with Policies contained within 11.1.2 of the City's Official Plan, all identified materials must be submitted in accessible PDF format consistent with the City's standards and the standards of <u>The Accessibility for Ontarians with Disabilities Act</u> before an application is deemed complete.**		**Required (Yes/No)**
i.	Planning Justification Report, including employment or residential needs analysis, where required	Y
ii.	Land Assembly Documents	N
iii.	Survey, prepared by an Ontario Land Surveyor	Y
iv.	Land Use Compatibility Study	N
v.	Retail and Service Commercial Needs Assessment	N
vi.	Financial Impact Study	Y
vii.	Housing Impact Statement	Y
viii.	Park Concept Plan	if land required
ix.	Agricultural Impact Assessment	N
x.	Social Impact Assessment	N
xi.	Archeological Report	N
xii.	Heritage Impact Study	N
xiii.	Cultural Heritage Landscape Impact Assessment	N
xiv.	Conceptual Site Plan Layout	Y
xv.	Architectural Plans	Y
xvi.	3-D Model of Proposed Buildings	Y
xvii.	Burlington Urban Design Advisory Panel (BUD) Comments	Y
xviii.	Height Survey of Adjacent Buildings	Y
xix.	Angular Plane Study	Y
xx.	Shadow Analysis Plan	Y
xxi.	<u>Quantitative</u> Wind Impact Study (Wind Tunnel Test)	Y
xxii.	Arborist's Report	Y
xxiii.	Tree Inventory and Preservation Plan	Y
xxiv.	Landscape Plan	Y
xxv.	Water & Wastewater Functional Servicing Report (including cross-sections,	Y

	detailed servicing connections, external main upsizing and/or extensions)	
xxvi.	Hydrogeology Study / Water Budget & Hydrology Study	TBD
xxvii.	Source Protection Disclosure Report	N
xxviii.	Noise Feasibility Study / Vibration Study	Y
xxix.	Transportation Impact Study including Transportation Demand Management	Y
xxx.	Transportation Demand Management Plan and Implementation Strategy	N
xxxi.	Parking Justification Report	if proposing reduced parking rate
xxxii.	Storm Water Management Report / Functional Drainage Report, Storm Services Plan and Grading and Drainage Plans	Y
xxxiii.	Environmental Impact Assessment	N
xxxiv.	Top-of-bank Demarcation / Slope Stability Assessment / Creek Erosion Assessment / Geomorphic Study	N
xxxv.	Shoreline Hazardous Land Studies	N
xxxvi.	Geotechnical Report including groundwater	Y
xxxvii.	Phase One Environmental Assessment	Y
xxxviii.	Phase Two Environmental Assessment / Record of Site Condition	Phase 2: if required per Phase 1 RSC: during application process
xxxix.	Landfill Assessment	N
xl.	Sustainable Building and Development Guidelines Checklist	Y
xli.	Phasing Strategy for Development of Retail and Service Commercial Uses	Y
xlii.	Public Consultation Strategy	N
xliii.	Response to Comments Received at a Community Meeting Held in Advance of a Formal Development Application	Y
xliv.	Comprehensive Block Plan	N
xlv.	Urban Design Brief	Y
xlvi.	Tenant Relocation and Assistance Plan	N
xlvii.	**Other** Environmental Site Screening Checklist Draft Official Plan Amendment / Draft Zoning By-law Amendment Construction & Mobility Management Plan Waste Management Report Grading and Servicing Plans Reference Plan and PIN Report (including copies of agreements)	 Y Y Y Y Y Y

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

NOTES:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Staff and Agency Signatures:

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

Proponent Sign-off (In Lieu of Signatures):

I acknowledge that the City will require the provision of the drawings, reports and other requirements indicated in Section 11 of the Development Application Pre-Consultation Form, in addition to a completed Application Form, any information or materials required by Statute, the required application fees and a signed copy of this acknowledgement prior to the planning application being deemed complete, pursuant to the *Planning Act* and applicable City of Burlington Official Plan policy. These items should be completed in accordance with the direction in this Development Application Pre-Consultation Form, the attached Notes, and the attached Pre-Submission Document Terms of Reference, in order to allow for the full consideration of the planning application. I have read and acknowledge the Notes listed in Section 12 of the Development Application Pre-Consultation Form. I have authority to bind the Owner.

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

(I have authority to bind the owner)

APPENDIX ONE: REQUIREMENTS FOR REPORTS/STUDIES AND PLANS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Preconsultation Meeting Notes

1010 Downsview Drive & 355 Plains Road East - June 9, 2021

Attendees:
Dana Anderson, Jillian Sparrow (MHBC)
Michael Krasic, William Hu, Paul Kemper (Coletara)
Kyle Plas, Thomas Douglas (Community Planning)
Annette Simpson (Site Engineering)
Rob Peachey, Marion Rabeau (Parks Design & Construction)
Adam Huycke, James Yun, John Kisneris (Halton Region)

Description of Development Concept:
Demolition of existing commercial/retail strip plazas and redevelopment of both properties as follows:

- 1010 Downsview Drive:
  - 10-storey residential apartment building with 359m2 of ground-floor retail use along Plains Road and a 6-storey residential apartment building at the rear of the property;
  - 244 units
  - FAR of 3.2:1
  - Parking: 55 spaces at grade and 250 spaces underground (parking rate of 1.25 spaces per unit)
- 355 Plains Rd E:
  - 10-storey residential apartment building with 657m2 of ground-floor retail use along Plains Road.
  - 321 units
  - FAR of 3.7:1
  - Parking: 90 spaces at grade and 322 spaces underground (parking rate of 1.25 spaces per unit)

Planning Comments:
Official Plan (1997, as amended)

- The subject lands are designated “Mixed Use Corridor – General”. Policies for this designation are found in Part III, section 5.3.2 of the OP. This designation permits:
  - a wide range of retail, service commercial, and personal service uses; financial institutions and services; a broad range of office uses; entertainment, recreation, and other community facilities such as day care centres; and small scale motor vehicle dealerships; and
  - high-density residential uses and a full range of office uses.
  - Retail and service commercial uses are to be located at street level in office or residential buildings.
  - Townhouses may be permitted on part of the site as a component of a larger development in accordance with Part III, section 5.3.2(a)(ii).
- Mixed Use Corridor lands are intended to provide for the day-to-day and weekly shopping needs of residents within and in close proximity to the Corridor.
- The maximum Floor Area Ratio shall be 1.5:1. Council may consider a higher FAR through a site-specific Zoning By-law Amendment application without requiring an Official Plan Amendment, subject to the consideration of various factors such as adequacy of services and infrastructure and compatibility with adjacent uses through measures such

as terracing, a high quality of building design, landscaping and streetscaping, and the provision of underground parking.

- Maximum building height is 6 storeys. 4-6 storey buildings may be required to be terraced back from adjacent residential areas to ensure compatibility. The zoning of individual sites may not allow for the full range of permitted uses on every site based on site-specific factors.
- Buildings should be located close to the street and shall have a building entrance facing the corridor street. Transit-supportive and pedestrian-oriented urban design shall be required. Refer to additional Site Plan considerations in Part III, section 5.3.2 (g) of the OP.

Official Plan (2020) ("new OP")

- On Nov. 30, 2020, the Region of Halton issued a Notice of Decision approving the new Burlington Official Plan. Section 17(27) of the Planning Act (R.S.O. 1990, as amended) sets out that all parts of an approved official plan that are not the subject of an appeal will come into effect on the day after the last date for filing a notice of appeal - that date being Dec. 22, 2020 for the new Burlington Official Plan. The appeal record submitted to the Local Planning Appeal Tribunal (LPAT) by the Region of Halton indicates that a total of 48 appeals to various parts of the new Burlington Official Plan were received during the appeal period.
- Although the City has prepared a working version of the new Official Plan, it is the LPAT that will issue Orders throughout the appeal process to establish and confirm which portions of the Plan remain subject to appeal, and which portions are in effect. The City anticipates that the first of these Orders will be issued by the LPAT following the initial case management conference in this matter, which has been scheduled for June 11, 2021. At the appropriate time, City staff will also bring forward a repeal by-law(s) for the former Burlington Official Plan (1997, as amended).
- As the LPAT process advances, the working version of the Burlington Official Plan, 2020 is subject to change. Users of the document must satisfy themselves as to the legal status and applicability of the policies. Interested parties are encouraged to monitor the City of Burlington's website for updates regarding the LPAT process, the Burlington Official Plan, 2020 and the Burlington Official Plan, 1997: www.burlington.ca/newop.
- **Section 22(2.1) of the *Planning Act* states that no person or public body shall request an amendment to a new official plan before the second anniversary of the first day any part of the plan comes into effect. Section 22(2.2) outlines an exception where a council has declared by resolution that such a request is permitted.** In accordance with section 22(2.1) of the Planning Act, submission of a development application may be premature prior to the 2nd anniversary of the coming into effect of sections of the City's new Official Plan.
- As shown on Schedule B, Urban Structure, the subject lands are identified as Mixed Use Nodes and Intensification Corridors
    - Intensification Corridors are described in section 2.3.1(k) and (l) of the new Official Plan.
    - Refer also to Mixed Use Nodes and Intensification Corridors objectives and policies in section 8.1.3(1) and (2) of the new Official Plan.
- As shown on Schedule B-1, Growth Framework, the subject lands are identified as Secondary Growth Area
    - Secondary Growth Areas are described in 2.4.2(2) of the new Official Plan as a distinct area within the City's Urban Area accommodating growth in accordance with the permissions and densities of the current land use designations of the new Official Plan. Secondary Growth Areas are areas expected to transition over the

planning horizon and beyond and will not result in a significant relocation of planned growth outside the Primary Growth Areas. Secondary Growth Areas shall be limited to a maximum of mid-rise building form and shall support the frequent transit corridors and accommodate development that is compact, mixed use, and pedestrian-oriented in nature.
    - Secondary Growth Areas are subject to the urban design policies in 7.3.2(1) of the new OP.
- As shown on Schedule B-2, this section of Plains Road is identified as both a Frequent Transit Corridor and a MTSA Primary Connector. As shown on Schedule O-1, Classification of Transportation Facilities – Urban Area, this section of Plains Road is identified as a Multi-Purpose Arterial.
    - Refer to transportation policies in chapter 6 of the new OP
- As shown on Schedule C, Land Use – Urban Area, the subject lands are designated Urban Corridor
    - Refer to objectives and policies for Urban Corridors in 8.1.3(7) of the new OP.
    - Urban Corridor lands are intended to provide for the day-to-day goods and service needs of residents and employees within and in proximity to the Corridor and may also serve a broader city-wide market.
    - Development in Urban Corridors shall be transit-supportive and pedestrian-oriented.
    - The Urban Corridor designation permits mixed-use developments with residential above ground-floor retail/service commercial, among other permitted uses
    - Maximum FAR is 2.0:1. An increase beyond this FAR may occur through a site-specific Zoning By-law Amendment, without needing an Official Plan Amendment, provided the objectives of the Urban Corridor designation are maintained.
    - Maximum building height is 6 storeys. Terracing/stepbacks may be required from adjacent residential areas and the street to ensure compatibility.
    - A minimum floor-to-floor height may be required at grade to facilitate land use flexibility and adaptability over time.
    - Any proposed development of sites designated Urban Corridor shall retain the planned commercial function of the site, in accordance with the objectives of 8.1.3(7.1)(b) and (f), to the satisfaction of the City.
    - Policy 8.1.3(2)(l): “Development applications proposing a comprehensive development of a site that include the replacement of existing commercial floor area shall submit and implement, to the satisfaction of the City, a phasing strategy that demonstrates that the development does not adversely impact the long-term provision of goods and services as the site transitions to its complete stage of development”
    - Policy 6.3.2(f): In order to reduce streetscape clutter where feasible, the City will encourage that public and private above ground infrastructure be integrated, grouped or combined at the time of development and at the cost of the proponent.

Zoning

- The subject lands are zoned MXG. This permits a range of uses, including apartment buildings with ground-level commercial uses, in accordance with Part 5, section 2 of the Zoning By-law, online at www.burlington.ca/zoning
- This zone permits a maximum height of 6 storeys, maximum Floor Area Ratio of 1.5:1, and Maximum Floor Area per Retail or Service Commercial use of 1800m2.
- A Landscape Buffer of 6m is required abutting a residential zone. Underground parking is not permitted within a Landscape Buffer.

- A Landscape Area of 3m is required abutting a street; an outdoor patio may encroach into a required Landscape Area abutting a street.
- Off-street parking is required in accordance with Part 5, section 4.6.

Design Guidelines

The following design guidelines are applicable:

- Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings (March 2019)
- Shadow Study Guidelines and Terms of Reference (June 2020)
- Pedestrian Level Wind Study Guidelines and Terms of Reference (June 2020)
- Sustainable Building and Development Guidelines (April 2018)
- Stormwater Management Design Guidelines (June 2020)
- Plains Road Corridor Urban Design Guidelines (June 2006)

Preliminary Review of Development Concept

- The Official Plan supports provision of ground-level retail/service commercial along Plains Road with residential uses above in the Urban Corridor. Consideration must be given to the appropriate type/form of residential development at the rear of the property.
- The proposed building height and Floor Area Ratio exceeds the permissions of the Zoning By-law and Official Plan. The submitted “Proposed Massing” drawings indicate an intensity and built form of development that is not supported.
- The submitted drawings are conceptual in nature and lack details. Please note that the design of the buildings and the sites will be reviewed using the applicable design guidelines and Official Plan policies. Design shall be pedestrian-oriented and transit-supportive and achieve compatibility with adjacent uses.
- The City’s Mid-Rise Design Guidelines provide guidance on building height, massing and street level design, and site design, landscaping and streetscaping to achieve compatibility with adjacent buildings and low-rise built forms, pedestrian and cyclist safety, and a high-quality, vibrant public realm. These guidelines shall be implemented through this development proposal.
- The proposed 6-storey apartment building is isolated from the street and accessed across a surface parking lot – this design is not supported. In accordance with the Official Plan, buildings should be oriented to the street and designed in a manner that is pedestrian-oriented and transit-supportive.
- The provision of ground-level outdoor amenity area is desirable. The siting and design of these areas, as well as of any indoor amenity spaces or above-grade outdoor amenity spaces, must ensure functional, accessible (barrier-free) leisure space for residents and avoid impacts on neighbouring properties.
- The proposed large areas of surface parking are strongly discouraged. In accordance with the Official Plan and design guidelines, most parking should be directed underground, and any surface parking should be screened from the street. Consideration should be given to how commercial uses will be accessed from any proposed commercial parking spaces, ensuring an accessible/barrier-free path of travel.
- The concept plans do not show loading or storage spaces. The siting and design of these spaces is to be visually screened from the street and avoid impacts on adjacent properties.
- Compatibility with surrounding uses must be achieved, including through the use of mechanisms such as setbacks, stepbacks, angular planes, and landscape buffers.
- Underground parking is not permitted within landscape buffers. Underground parking should be set back to provide space for tree planting.
- The design of commercial spaces should ensure flexibility to accommodate a range of different retail or service commercial uses over the long term.

- No information has been provided about the proposed housing mix within the proposed development. A Housing Impact Statement will be required as part of a complete application to address the City's housing objectives and policies in accordance with section 3.1 of the new OP.
- The City approved new Shadow Study Guidelines and Terms of Reference and Pedestrian-Level Wind Study Guidelines and Terms of Reference in 2020; these guidelines will be implemented through this development proposal.
- Proponent is advised that Halton Region has prepared a draft Regional Official Plan Amendment (ROPA 48) that establishes MTSA boundaries; the subject property is located outside of the proposed Aldershot MTSA boundary. For more information, visit: https://www.halton.ca/The-Region/Regional-Planning/Regional-Official-Plan-(ROP)-(1)/Halton-s-Regional-Official-Plan-Review-(ROPR)/Regional-Official-Plan-Amendment-48#05
- The applicant is advised to refer to LPAT Decision issued May 21, 2021 (case no. PL190525) that approved new parking rates for Burlington. The City is currently updating its online Zoning documents to reflect this recently approved amendment. For more information, refer to www.burlington.ca/parkingreview.

Application Requirements

- An Official Plan Amendment and Zoning By-law Amendment are required.
- Prior to submitting the application, a Pre-Submission Neighbourhood Meeting is required. Please refer to the provided Applicant's Guide to Pre-Submission Neighbourhood Meetings.
    - The neighbourhood meeting is to be organized by the applicant and must be held before the application is submitted.
    - Circulation of the meeting invitation to residents and tenants within 120 metres of the development site will be completed by the City for a fee. Provide a PDF of the meeting invitation on the applicant's letterhead for distribution. Notice must be sent a minimum of 20 days in advance of the meeting.
    - Please notify the Ward Councillor, and the Coordinator of Development Review of the date, time and location of the meeting. Be sure your meeting location is accessible and close to the development site. Due to the current COVID-19 situation, the meeting may be held virtually. Please contact Kyle Plas, Coordinator of Development Review, for further instructions on hosting a virtual meeting.
    - During the meeting, provide a detailed overview of the development proposal and allow time for questions and comments from the public. Take notes of the discussion.
    - As part of a complete application, the applicant must provide neighbourhood meeting minutes which include a written summary of public input received at the meeting. As part of the Planning Justification Report, the applicant must explain how this public input was used to modify the development proposal.
- Prior to submitting the application, consultation with the Burlington Urban Design Panel (BUD) will be required.
    - An Urban Design Brief will be required to explain how the design of the building considers the residential neighbourhood to the south as well as existing buildings to the east and west. The Brief will also explain how the City's Urban Design Guidelines have been addressed and how the comments of BUD have been taken into account.
    - A copy of the BUD meeting minutes must be submitted with the application. BUD Terms of Reference provided.
- A Planning Justification Report is required:

    - to discuss the impact of Provincial, Regional, and local planning policy on the proposed development;
    - to explain why the requested change to higher intensity and taller residential use is desirable and represents good planning;
    - to discuss how the results of the required technical studies have been used to refine the redevelopment proposal;
    - to explain how input received at the pre-submission neighbourhood meeting has been used to refine the proposal;
    - to explain how input received from the Burlington Urban Design Review Panel has been used to refine the proposal;
    - to explain how the proposed development is compatible with surrounding land uses, including height, setbacks, massing and design and community features.
- A Housing Impact Statement is required in accordance with policy 3.1.1(2)(h) of the new Official Plan
- Financial Impact Study in accordance with policy 6.5.2(i) of the new OP
- An Urban Design Brief is required
- Burlington Urban Design advisory panel (BUD) comments/meeting minutes;
- Angular Plane study
- Height survey of adjacent buildings
- Shadow Study in accordance with the Shadow Study Guidelines and Terms of Reference;
- Quantitative Wind Impact Study (Wind Tunnel Test) in accordance with the Pedestrian-Level Wind Study Guidelines and Terms of Reference;
- Landscape Concept Plan
- Phasing Strategy in accordance with policy 8.1.3(2)(l)
- Pre-Application public consultation meeting minutes;
- Section 37 Benefits may be required.
- Staff contact: Thomas Douglas, Senior Planner, Thomas.douglas@burlington.ca

Region of Halton Planning Comments:

REGIONAL OFFICIAL PLAN, 2009

Designation: Urban Area (Built Boundary)

Urban Area

- The Urban Area (Section 77) policies support a compact form of growth that is supportive of transit and non-motorized forms of transportation that takes place commensurately both within and outside of the *Built Boundary*, and is focused on the *development* of *Intensification Areas*. Further, development within the Urban Area is subject to Local Official Plan policy and direction. The ROP also provides identifying that the proper integration of uses with the surrounding neighbourhoods through urban design.
- The subject lands are not located within a regionally defined or identified *Intensification Area.* As such, these areas are not a focus for growth and intensification of uses in the context of the ROP. Careful consideration of the proposed intensification of use for the subject lands needs to be given in the context of the Region's growth management strategy and the direction provided by the City of Burlington's Official Plan.
- Section 84 of the ROP speaks to the goal of housing to supply the Region with an adequate mix of housing types. Additional housing polices in the ROP speak to making efficient use of serviced lands to increase the supply of housing, and encouraging Local Municipalities and the development industry to be innovative in housing designs.
- Section 89 of the Regional Official Plan require that approvals for all new development within the Urban Area be on the basis of connection to the Region's municipal water and wastewater systems, unless otherwise exempt by other policies of this Plan.

Potential for Site Contamination

- In accordance with Section 147(17) of the Region's Official Plan states that a property is to be free of contamination prior to any development/change of use taking place.
    - Submission of a Regional Environmental Site Screening Questionnaire (ESSQ) is required.
    - Submission of a Regional Environmental Site Screening Questionnaire (ESSQ) is required. Additionally, a Phase 1 ESA (to O. Reg 153/04 standards and with a Letter of Reliance) in addition to any recommended ESA's is required to support a complete application. A mandatory Records of Site Condition filing will be required as it appears as though there may be a change in use to a more sensitive land use.

Waste Management:

- A Waste Management Plan is required to address waste collection for the proposed development. Please reference the Region's Development Design Guidelines for Source Separation of Solid Waste for site design requirements/dimensions. Regional Staff recommends that the proponent design the development to accommodate Regional collection.

Municipal Servicing:

- Detailed technical comments provided under separate cover.

Submission Requirements:

- All submission materials on a USB
- Applicable Regional Fee(s)
- Complete Application forms
- Planning Justification Report
- Concept Plans
- Environmental Site Screening Questionnaire (further studies such as a Phase 1 Environmental Site Assessment (O.Reg 153/04 standards and with a Letter of Reliance) may be required as determined by the Questionnaire)
- Functional Servicing Report
- Waste Management Plan

Region of Halton Servicing Comments:

- There are Halton Region local watermains within Plains Road East adjacent to the proposed development. There is a Halton Region local watermain within Downsview Drive. There is also a trunk watermain within Plains Road East adjacent to the proposed development. No trunk watermain service connection laterals will be permitted.
- Being that the watermain within Downsview Drive is only a small 150mm diameter watermain, depending size and scale of the development and on where the proposed watermain connection points will be located to the three building (whether within Plains Road East or Downsview Drive), the Downsview Drive watermain may or may not be of sufficient size to accommodate the large format of the proposed mixed-use development. The developer may have to increase the size of the Region's watermain within Downsview Drive.
- There are Halton Region local wastewater mains within Plains Road East adjacent to the proposed development, one of them is located immediately adjacent to the south property lines of the proposed development buildings. There is a local wastewater main within Downsview Drive, but not adjacent to the entire development properties, just the southerly portion. The developer may have to extend the Region's wastewater main northerly within Downsview Drive to accommodate the proposed mixed-use development buildings.
- The developer should undertake to locate the size and location of all watermains, water services, water meters, wastewater mains (sanitary sewers), wastewater (sanitary) services, stormwater mains, property line sanitary sewer inspection manholes and stormwater services that exist within the road right-of-ways, to the properties and within the properties and place them on an Existing Site Servicing Plan drawings within their reports. Public and private utility companies can be utilized for this purpose.

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

conflicts with the Region's watermain and wastewater main (sanitary sewer) located within the Plains Road East southerly boulevard, to the satisfaction of the City and the Region.

- New development must be on the basis of full municipal services.
- The developer should be aware of the Region's Multi-Unit Servicing Policy with respect to the number and location of water meters.
- Regional policies state that water and sanitary services cannot cross lot lines, the owner will ensure this throughout the process. Each lot must be independently serviced if it is proposed to be a separate lot.
- Any major servicing works required for this project would fall under the Regional Servicing Agreement process, including securities, Agreement registration, developer's liability insurance and the payment of Agreement fees.
- Servicing of a standard nature is required to go through the Regional Services Permit process.
- The size and scope of, utility trench and road cut, road restoration shall be to the satisfaction of the City of Burlington for local roads.
- Watermain and wastewater main (sanitary) servicing capacity is not guaranteed at the LOPA and ReZoning stage. Servicing of development in the Burlington area of Halton Region is currently on a first-come-first-serve basis. The owner can pre-consult about servicing capacity with the Region at any time in the future going forward. This current development proposal capacity will be reviewed closely and commented upon at the time of Planning application receipt. Should a servicing capacity issue be identified at that time then it will have to be dealt with, working through it with the Region. Servicing capacity is deemed to be in hand at the issuance of a Regional Servicing Agreement, Special Financial Agreement, and Regional Services Permit, which is reviewed and obtained toward the end of the City's Site Plan approval process, or Regional Servicing Agreement
- The properties appear to not be located within a City of Burlington MTSA Special Planning Area. The properties are located within a City of Burlington Mixed Use Node and Intensification Area, and Secondary Growth Area, within the city. Halton has initiated a Regional Municipal Comprehensive review process, ie. the Halton Region Official Plan review for the Region. Halton Region has also initiated a Water and Wastewater Master Servicing Plan review exercise for the Region, together with, and in time, Background Studies and formal Programs. Please see the Planning comments for more context.
- As always, acquiring land for development purposes and hiring consultants, at this time, is at the risk of the developer.
- Any water services and sanitary services that currently exist to the properties that will not be utilized for any reason will be required to be disconnected right at the respective main by the developer.
- The developer's site servicing consultant can preconsult with the Region at any time regarding their proposed draft site servicing water design, wastewater design and identified utility conflicts (including storm).
- The Region would like to receive confirmation in writing when any required formal land assembly has taken place at the LOPA and ReZoning stage in order for servicing to conform with Regional Policies, that water and wastewater services do not and will not cross lot lines for different property owners.
- The developer should prepare a Solid Waste Management Plan to the satisfaction of the Region. The Plan shall have regard for the Region's Solid Waste Management Guidelines. The Solid Waste Management Guidelines are available on-line at http://www.halton.ca , Regional Official Plan (ROP) Guidelines, Development Design Guidelines for Source Separation of Solid Waste.

- The developer will inform the City, and the Region, whether they will be submitting a Site Plan application at the same time as the LOPA and ReZoning applications for timing purposes and issues identification and resolution purposes.

Conservation Halton Comments:

- n/a

Site Engineering Comments:

Right of Way:

1. Plains Road East is a City of Burlington owned road, the deemed right of way width is 36m, the actual width meets deemed, no widening required.
2. Downsview Drive is a City of Burlington owned road, the deemed right of way is 20m, the actual width meets the deemed, no widening required
3. The existing daylight triangles at each corner of Downsview/Plains East are 3m by 3m, the Official Plan indicates that for a local to multi-purposed arterial roads the required daylight triangle is 5m by 5m. Site Engineering has confirmed with Transportation Staff that the daylight triangle dedication on both sides of Downsview/Plains is required. Additionally we defer to Transportation staff to confirm visibility triangle setback requirements.
4. Enhanced street scaping may be required on municipal road frontages, site engineering defers to the Engineering Services Landscape Technician to confirm streetscaping requirements. Please also refer to the Plains Road Urban Design Guidelines: https://www.burlington.ca/en/services-for-you/resources/Planning_and_Development/Design_Guidelines/Plains_Road_Urban_Design_Guidelines.pdf c
5. There are no Engineering Services projects in the budget and forecast adjacent to the site from 2021-2030, however there is a project for resurfacing of Plains Road East from Shadeland to Waterdown Road scheduled for 2025, which may not impact the site as the site is east of the project, but we wanted to advise as it is in close proximity. Please note that the budget and forecast is subject to change.

General Comments:

1. Please preconsult with Union Gas, regarding servicing the site.
2. Please preconsult Burlington Hydro, typically all hydro servicing for new development is to be underground, however, we defer to Burlington Hydro to confirm their requirements, as well as the Planning Department to confirm their policy.
3. We have reached out to Design and Construction Staff to see if they have any guidance for the development, if so, it will be provided under separate cover at a later date.
4. The underground parking structure limits were not shown on the concept plan, if they are proposed to extend to or very close to the property line, it must be demonstrated that it is feasible to construct from within the property limits. This will need to be clearly demonstrated by provision of typical details, additional information is provided under the CMMP comments. All elements of the underground parking structure (i.e. walls, foundation drains, shoring, etc.) are required to be within the limits of the subject property. Details, min. one for each side of the underground structure will be required to be submitted to demonstrate. If elements of the underground parking or for construction of underground parking, either permanent or temporary, encroach onto adjacent private or municipal property then we would require written confirmation from the adjacent land owner and/or City

Staff that they have no objection to the encroachments, confirmation of a formal agreement may be required during the process. Generally speaking zero lot lines are difficult to construct, and maintain the underground parking structure in the future, and are strongly discouraged.

5. There will be a landscape buffer requirement (dense coniferous with solid/no gap fence) along all shared property lines with residential and the ex. church parking lot to mitigate headlight trespass, please ensure there is enough setback to achieve this. Please also be advised that the underground parking structure cannot be located under the landscape buffer, the area must be free and clear so that in the future when the underground parking structure needs maintenance the trees will not be disturbed. We defer to the Landscape Technician to advise of species and minimum soil volume requirements.
6. Please ensure there are clear pedestrian connections from Plains & Downsview to the main entrances of the buildings, and for 1010 Downsview between the buildings as well.
7. There is an existing bus stop fronting 355 Plains Road East, there may be requirements to upgrade the bus stop, please ensure all plans/drawings show the existing bus stop.
8. Please consider incorporating drop off areas at the main entrances to each building, for passengers and deliveries, that don't require a three point (or more) turn and won't block parking spaces and drive aisles. Deliveries/Uber/etc. are increasing in popularity and need to be planned for and accommodated.
9. Please ensure the grading of the site is clearly demonstrated, if retaining walls are needed they need to be shown at this stage. Grading sections will be required to be submitted with the application.
10. When the accessible parking spaces are designed in the underground parking please locate them closest to the elevators and ensure there is a clear route for access to the elevator lobby. Please reach out to the City's Accessibility Coordinator Judi Lytle to confirm the number and type of barrier free parking spaces required as well as appropriate location for both at grade and underground, and any other accessible features that should be considered for the development. Judi can be emailed at judi.lytle@burlington.ca
11. Please consider incorporating bicycle parking at grade and in the underground parking for residents and visitors and/or as per the streetscape guidelines
12. Please incorporate electric vehicle charging stations in the underground parking as per OBC
13. Please consider incorporating ductwork for future electric vehicle charging at individual spaces
14. Please ensure in the underground parking that there is space for a safe area for pedestrians to enter and exit the elevator and stair areas (i.e. doors don't open to the travelled lane or a parking space and inset elevator lobby/vestibule to allow for the door to open and pedestrians to step out without being in the travel lanes)
15. We defer to Transportation staff to comment on parking layout and sizes
16. Please show loading areas, waste storage areas (if outside, or note interior) along with vehicle turning templates on the plan(s)
17. Advisory - Precondition survey of area buildings prior to start of excavation and vibration monitoring for the duration of construction, will be required, limits of study area to be determined by the acoustical consultant/geotechnical engineer. As part of the application, we will need the consultants preliminary estimates on radius of study area, etc. , further clarification is under noise and geotechnical comments below.
18. Walkways along walls with doors must be a min. 1.8m wide as per the Site Plan guidelines, however, if possible, however, we would also ask that you consider widening the walkway at the entrances to allow for benches/planters/etc. as this area will likely be heavily used by residents, and/or requirements shown in the City's streetscape guidelines. If there are walkways perpendicular to parking spaces we would ask that 2.2m wide walkways be incorporated to allow for vehicle overhang.

19. Please consider the existing light standards (if to remain), and city trees when determining the entrance locations. Please consult with the City's Forestry Department and/or the City's Landscape Technician with regard to minimum construction setbacks from City Trees.
20. When designing utility metering/piping locations, please do not place at the side of Plains or Downsview building or near the entrances, additionally all utility furniture (pedestals, vaults, etc.) for the sole use of the development must be located within the property limits (not the City's ROW), we are advising of this now so that the design team ensures there is room on the development property for all required aspects of the development.

Environmental Site Assessment

1. The proposed development would be considered a change of use, from existing commercial use to proposed residential use, therefore a Record of Site Condition is mandatory under O. Reg. 153/04. To deem the application complete we will require a Phase One Environmental Site Assessment (ESA), if the Phase One ESA indicates a Phase Two ESA is required then the Phase Two ESA must be submitted with the application for it to be deemed complete. All reports must be completed in accordance with O. Reg. 153/04 including a Letter of Reliance confirming the City (and Region) may rely on the information provided in the reports. If the Phase Two ESA is required and indicates remedial works are required to the site, the preliminary details of the remediation plan is required to be submitted with the application to make the application complete. Please be advised that if the reports are not in accordance with O. Reg. 153/04 the application will be deemed incomplete.

Geotechnical Report:

1. Geotechnical Investigation (Stamped and certified by a P. Eng.) is required to make the application complete.
2. The Geotechnical investigation shall also address any concerns with groundwater that may require special consideration, i.e. provide an estimated seasonally high groundwater elevation, discuss foundation drainage, etc., additionally, the chemical analysis of the groundwater is to be included in the report, to confirm if it can be outlet to the municipal storm system, i.e. does it meet municipal discharge criteria? Please share estimated seasonally high elevation and estimated flows of groundwater to be managed in the storm system with the Civil Engineer, and/or provide recommendations on foundation waterproofing, etc., please be advised that the City may not accept filtered groundwater on a permanent basis into the City's storm sewer.
3. Additionally, please include commentary on zone of influence and settlement risks if dewatering is proposed/necessary.
4. We would recommend that (if necessary) groundwater monitoring wells be installed as soon as possible so that readings can be taken in all seasons and detailed in the geotechnical report, specifically, seasonally high groundwater levels and flows must be detailed.
5. Also, in support of any LID techniques that may be implemented, i.e. infiltration.
6. A Hydrogeologist may need to be consulted, we ask that the Geotechnical Engineer provide direction/recommendations on further or more detailed study requirements.
7. The Geotechnical Engineer may need to provide comment/recommendations on precondition survey and vibration monitoring during construction and/or the Acoustical

Consultant may also provide recommendations. The actual precondition survey wouldn't be required until the site plan stage, but at this stage we require a general area of study be advised.

***Construction Management and Mobility Plan*:**

1. Construction Management and Mobility Plan (CMMP) is required for the application to be complete. Both Transportation and Site Engineering Departments review the CMMP. A detailed CCMP is required to ensure that the development works can be completed in a manner that is to the satisfaction of the Director of Engineering Services and the Director of Transportation Services, as the use of the City's road allowance for construction staging has not been approved and in order to minimize the impact to residents, vehicles, pedestrians and local businesses the following is required:
    a. CMMP, plotted to scale on 24" x 36" sheet
    b. Proposed limits of construction
    c. Proposed construction staging areas, including any staging areas required on the City's road allowance for concrete pours, material deliveries, site servicing, etc. and written justification for any construction staging areas on the city's road allowance
    d. Proposed temporary/permanent encroachments on the City's road allowance and written justification of any required encroachment on the City's road allowance
    e. Proposed truck haulage routes and location of truck stacking
    f. Proposed location of mud mat and vehicle wash down area
    g. Proposed location of crane assembly and swing radius
    h. Proposed traffic control measures, specifically addressing signage and/or any lane closures/restrictions
    i. Pedestrian control measures, specifically addressing signage and pedestrian routing
    j. A phasing plan (if the project is to be phased) and separate plans for each phase of construction will be required.
    k. Sections for foundation/basement, min. one for each side through each adjoining property including the municipal right of way, including shoring, tiebacks, foundation, foundation drainage, etc., and dimensions from property lines. Please note that if there are temporary or permanent encroachments into adjacent lands then written confirmation from the land owner that they have no objection to the encroachments will also be required to be submitted with the CMMP.
    l. Staff will not support a request for sidewalk or lane closures and that our recommendation would be to setback the structure(s)/construction to a distance that permits construction without a ROW compromise.
    m. A copy of the City's CMMP policy can be provided if needed, please contact annette.simpson@burlington.ca

Noise & Vibration Feasibility Study (prepared by a P. Eng.)

1. Noise & Vibration Feasibility Study (stamped and certified by a P.Eng.) is required for the application to be complete. The Noise & Vibration Feasibility Study shall be completed in accordance with MECP's Environmental Noise guideline Publication NPC-300. The Noise & Vibration Feasibility Study shall also take into consideration and provide discussion in the report:
    a. **Considered a Class 1 property**
    b. We would ask that the acoustical consultant provide recommendations to the architect/structural/mechanical engineers regarding optimal placement of outdoor amenity areas, mechanical HVAC equipment, underground parking vents/fans/etc., emergency generators, etc., before detailed design is undertaken.
    c. Impact of environmental noise on the proposed development, i.e. identify adjacent existing (or future) mechanical equipment that may impact the proposed development, if mitigation is required, provide details, including written confirmation from adjacent property owners of their agreement to mitigating measures, to make the application complete. Confirmation of a formal agreement may be required.
    d. Impact of the proposed development on neighboring noise sensitive receptors and spaces
    e. Impact of the proposed development on proposed development's noise sensitive receptors and spaces
    f. Impact of construction related vibration on neighboring dwellings. Please note precondition surveys of surrounding buildings will be required (with owner consent) prior to construction as a condition of the Site Plan Application. Furthermore, vibration monitoring will be required for the duration of construction as a condition of the Site Plan Application. The detailed limits of the precondition surveys and vibration monitoring would be confirmed by a Professional Engineer specializing in vibration as a condition of the future Site Plan Application. The Geotechnical Engineer may need to be consulted in this regard. We require the consultant advise at this stage the (Estimated) study limits.
    g. Copy of the concept site plan to be included in the report to ensure the Noise & Vibration Feasibility Study is based on an up to date Site Plan design
    h. Please also advise the noise consultant that although NPC-300 tables indicate 60dBA in the OLA (both at ground and upper levels) with warning clauses, it is not acceptable to the City, we request that all possible measures be taken to control the noise in the OLA to 55dBA or less, if not feasible, then we request calculations to confirm what levels could be achieved, i.e. 60dBA would require a 3m noise barrier, 59 a 3.5m, 58dBA a 4.0m, etc. all the way to 55dBA. Please have the architect consult with the noise consultant as to the optimal placement of outdoor living areas (including upper level OLA's) for residents, shielded from sources of noise.
    i. Report to address vibration from rail lines within 500m of the site on the development (or confirm if it's not a concern)
    j. Applicant's consultant to use capacity volume or volumes provided by the City Traffic Department of roads for STAMSON (or other model) calculations; contact the City Traffic Department for volumes, and include correspondence in the appendix

k. Please advise the noise consultant that reflective surface should be used in Stamson (or alternate model) calculations
l. All STAMSON (or other model) calculations to be included in the report
m. All mitigating measures calculations are required to be included in the report, i.e. window glazing, façade requirements, etc.
n. Actual noise measurements to be included in the report
o. Copies of correspondence from the City of Burlington, and any other vested agency, confirming traffic/train counts must be included in the report's appendix (if applicable).
p. Key plan showing points of reception to be included & a chart referencing the key plan, detailing the estimated noise levels, allowable levels, and mitigated noise levels
q. Receptors for each floor of each side of each building is required, and for any outdoor living areas. Receptors for surrounding residential is also required.
r. A table clearly outlining the receptor ID, allowable Nosie level under NPC-300, estimated noise level, and mitigated noise level is required.
s. Area context plan to be included showing potential sources of noise
t. Provide warning clause recommendations
u. Provide a summary/drawing of mitigation measures to be implemented
v. Please note that although NPC-300 indicates private terraces/balconies less than 4.0m deep do not require mitigation, if private terraces/balconies are proposed, the City will require a warning clause, something along the lines of : "*Purchasers/tenants are advised that the private terraces of each unit are less than 4.0m deep and therefore are not required to have mitigation measures installed for noise as per NPC-300. Sound levels due to road/train traffic, increasing road/train traffic and no mitigation measures may interfere with some activities of the dwelling occupants use of their private terrace"*

Stormwater Management Report :

1. Please refer to and reference in the report, the City of Burlington Stormwater Management Design Guidelines, approved by City Council on June 22, 2020, please also be advised of new IDF curves for the City of Burlington: https://www.burlington.ca/en/services-for-you/Stormwater.asp
2. The City's Stormwater Engineer has provided the following SWM criteria, please note however that the criteria is based on the (not very detailed) concept plan provided, upon review of detailed plans/reports, SWM criteria may change:
    a. Enhanced **Quality Control** achieving 80% Total Suspended Solids Removal. We ask that a treatment train approach be considered, to incorporate Low Impact Development techniques. OGS units will only be credited at 50%. Please note that the City considers roof water as clean, only the runoff from exposed parking/laneways would need quality treatment.
    a. **Quantity Control:** 100 year post development Flows controlled to 5 year pre-development flow rates by providing on-site storage for all City of Burlington design storm events up to and including the 100 year.
    b. **Erosion control** – 25mm storm event retained on site and released over a 48 to 72 hour period.
    c. **Infiltration** – retain and infiltrate the first 5mm of rainfall on site

d. **External Flows** – engineer to confirm any external flows entering the site under the existing conditions. All identified external flows must be routed safely under the developed conditions without causing any flooding or ponding
e. **Existing infrastructure** – there is an existing 450mm/600mm storm sewer fronting the property in the north side Plains Road East and a 375mm storm sewer on the south side of Plains Road East. Additionally there is an existing 575mm storm sewer in Downsview Road but it only extends approx. 75m north of Plains Road, it does not extend all the way up to Dowland Crescent.
f. **Drainage Patterns** – existing drainage directions and patterns should be maintained. Entire runoff from the site should be captured and directed towards the site collection systems.
g. **Overland Flow Route:** An overland flow route to be shown on the plans and should be directed to the municipal right of way.
h. Please also ask the Civil Consultant to contact annette.simpson@burlington.ca for copies engineering drawings the City has in our electronic records.

3. Provide storage details and location
4. Report to include full/scalable, signed/stamped pre-development, post-development, servicing & grading plans, please ensure regulated and spill areas and elevations are clearly identified and labeled on the drawings.
5. Storm sewer pipes cannot be located under buildings (internal mechanical piping excepted).
6. Please note that there should be no surface ponding in (surface) accessible parking spaces, and no surface ponding in a 5-year storm in any other parking area.
7. Please clearly show the overland flow route for this address and neighboring properties to ensure existing drainage patterns are maintained.
8. Areas overtop of underground parking structures will be considered impermeable, i.e. 0.9 Runoff Coefficient
9. Quantity controls must use an orifice tube (not plates).
10. Need to confirm capacity of receiving system
11. Need to confirm condition of receiving system (i.e. video inspection)
12. Rooftop storage will not count towards the stormwater storage requirements (although allowed for other purposes, i.e. grey water for flushing toilets, irrigation for landscaping, etc.), unless the requirements outlined in the City of Burlington Stormwater Management Design Guidelines is met.
13. Control structures and their location with cross sectional details
14. Storm sewer design sheet, at minimum the 5 year storm shall be contained underground
15. Include groundwater discussion, clearly outline if groundwater is present, and if so, seasonally estimated high elevation/flow/etc., and confirm if it is to be managed in the stormwater management system/foundation drainage for the property. If so, provide confirmation that the groundwater meets the City of Burlington municipal discharge criteria, if not, the site would need to have a waterproof foundation, or other strategy, as the City may not accept filtering of groundwater on a permanent basis, to outlet to the storm sewer. Temporary filtering of groundwater to accommodate foundation construction may be permitted subject to the terms and conditions acceptable to the City's Engineer. Type of foundation/groundwater management needs to be clearly outlined in the SWM report and noted on the civil/mechanical/architectural drawings. Notwithstanding the quality of groundwater, the quantity of anticipated groundwater discharged into the City's storm sewer system shall be also be outlined in the SWM report and be managed to levels acceptable to the City's Engineer.

16. We ask that the Civil Consultant confirm the location of the underground stormwater storage tank with the Architect/Structural Engineer, typically we see storage tanks in underground parking structures as having emergency overflows, the emergency overflow should have safe conveyance to the municipal overland flow route.
17. If there are any questions regarding SWM criteria please contact us, we are happy to preconsult with the Civil Engineer if they have any questions, (**umar.malik@burlington.ca** or **annette.simpson@burlington.ca**)
18. We encourage Low Impact Development Stormwater Management techniques, such as rainwater harvesting for irrigation, use of treatment train approach of quality control by using bio and infiltration swales, etc., currently we look to the CVC/TRCA LID guidelines and/or in the future MOECC guidelines.

Detailed Engineering Plans:

1. All drawings across all disciplines to coordinate, i.e. use same base layer
2. Please reference the Site Plan Guidelines (https://www.burlington.ca/en/services-for-you/resources/Planning_and_Development/development_Applications/SitePlanGuidelinesason-2014-nc.pdf) and the Capital Works design standard drawings (https://www.burlington.ca/en/modules/document/document.aspx?param=2Z3nvEAH3UVGGP5lA5HbUqeKsQeQuAleQuAl), the information below is not intended to be considered comprehensive, just some of the main items to be shown on the drawings.
3. All Drawings:
    a. Property lines
    b. Any existing or proposed easements
    c. Underground parking limits
    d. Daylight triangle dedications
    e. Park land dedication (if required)
    f. Bus stop
    g. Existing street trees, utility poles, etc.
    h. Please ensure there is enough room (required at the site plan stage) for exterior lighting poles, utility meters, pedestals, transformers, etc. Utilities for private developments must be located on private lands.
    i. Please ensure there is enough room for snow storage (required at the site plan stage)
4. Servicing Plan:
    a. The City defers to the Region of Halton and the City's Building Department (for OBC) to comment on water and waste water servicing
    b. Show all proposed and existing servicing, and what is to happen to existing servicing, i.e. reuse, remove, if reuse, the infrastructure will need to be certified by the P. Eng. as in good working condition. Also, storm sewers cannot cross lot lines. Our understanding is that the Region has the same requirements for sanitary sewers and watermain.
    c. Maintenance holes, catch basins, etc., slopes, material, length, inverts, obverts, crossing information, etc. for proposed infrastructure.
    d. Actual locations of buried infrastructure is required, i.e. daylighting. Engineering drawings must contain accurate locations and inverts for connections and crossings, so that it can be confirmed the development is feasible. This must be completed and shown on the plans before they are submitted as part of a development application.
    e. City Trees (if any) and bordering city trees to be shown on drawing and boundary trees over 100mm in diameter within 3m of the property line), indicate which trees

are proposed to be removed. Forestry will provide comment on Trees, we ask that their comments be reflected on the Civil drawings.

f. Utility furniture (meters, pedestals, boxes, etc.) for private developments cannot be located within the municipal right of way, please ensure there is enough room on site for servicing
g. Catch basins in landscape areas shall be sumpless

5. Detailed grading plan:
    a. FFE, TFW, UFE, openings in foundation, etc.
    b. We will require sections, min. one for each side to show how the proposed development will interface with adjacent properties and the municipal right of way. Sections to include above and below ground as well as any permanent or temporary shoring/tiebacks/municipal infrastructure/utilities/etc. (it is expected that daylighting will be completed in the area of the proposed servicing connections and the information shown on the sections)
    c. Curb depressions
    d. Accessible ramps
    e. Advisory for future site plan - Grades of barrier free parking spaces, max. 1.5% running slope, max. 1.0% cross slope
    f. Top of retaining wall and bottom of retaining wall elevations for both proposed and existing (if applicable), grading will be looked at carefully, we need to clearly see how the proposed development will interface with the neighboring properties.
    g. Advisory for future site plan – show top of curb and bottom of curb elevations
    h. Overland flow route
    i. Show proposed fencing. At the site plan stage please ensure that if there is existing fencing, that it be noted to be removed (if necessary, with adjacent property owner's written permission) to avoid "fence on fence" which poses a maintenance issue.
    j. Need to include grades on adjacent properties enough to determine existing drainage patterns. The plan will clearly need to show how drainage will be contained in the development, and not cut off surrounding properties drainage.

Other items needed for a Complete submission:

1. **Applicant to provide a reference plan** showing all existing property lines/blocks/easements/etc.
2. **Applicant to provide Title Search/PIN reports for the properties**, to verify any agreements on title, as well as copies of agreements on title for the properties.
3. **Applicant to provide a draft reference plan** to identify daylight triangle dedications (if any) and park land dedication (if any).
4. As mentioned in the comments above, actual locations and inverts of all buried (and above ground) infrastructure in locations of proposed connections will be required (i.e. daylighting) with the RZ/OPA submission package to confirm servicing is feasible, the civil engineer will need to confirm they have incorporated the actual locations/inverts into their design. A Municipal Consent Permit will be needed for any excavation (including daylighting) in the municipal ROW, a Road Occupancy Permit may also be needed if lanes are needed to be blocked off. Contact me, annette.simpson@burlington.ca, to assist with arrangements/contacts for these permits.
5. Advisory: Applicant is advised that a new Standard is in effect as of July 12, 2017, S-114-B, requiring any disturbance to the ROW asphalt to be restored curb to curb for the entire frontage of the property, it may also mean that a City contractor will complete the works, and the costs borne by the Applicant.

Urban Forestry & Landscape Comments:

Urban Forestry and Landscape

Re: Existing Trees

1. A Tree Inventory and Preservation Plan and Arborist Report is required for all existing trees greater than 10cm DBH on site and on adjacent properties within 6m of the property lines, and trees of any size on city property. See the City of Burlington: Pre-Submission Checklist for requirements.
2. Trees in the right-of-way along Plains Road East and Downsview Drive are city trees. Removal of city trees will require council approval. Removal of city trees should be avoided where possible, and proposal for removal will require an arborist's assessment of health and structural condition prior to the request being accepted. Additionally, alternate layouts and construction measures should be considered to preserve city trees and discussed in the Arborist's Report, and in the absence of alternatives, justification provided for any requested removals.
3. A Tree Permit is required for all work around city trees, in accordance with Public Tree Bylaw 68-2013, including the payment of the Tree Permit fee and securities for trees to be retained. The details of the Tree Permit will be finalized at the Site Plan stage.
4. All existing public and private trees to be retained require tree protection fencing. Please see the City of Burlington Tree Preservation and Protection Specification SS12A for further tree protection details. Minimum Tree Protection Zones (MTPZ) and Critical Root Zones (CRZ) should be clearly shown and labeled on the Tree Inventory and Preservation Plan, in addition to tree protection fencing. Any encroachments into the MTPZ of existing trees to retain should be discussed in the Arborist Report.
5. Preserving the mature existing trees along shared property lines with single family residential properties to the north and townhouses to the west of 1010 Downsview Drive, and along street frontages should be prioritized. The site development (limits of excavation, grading and servicing) should be informed by the Tree Inventory and Preservation Plan and Arborist Report (MTPZ, CRZ, tree protection areas) and the Arborist Report should be coordinated with and discuss impacts shown on other plans to ensure proposed tree preservation is possible (e.g. trenchless utility installation, root exploration and pruning, etc.).
6. Trees that are injured or removed under the provisions of a private tree permit will need to be replaced using the City's method of calculation. The tree's size, as well as the overall condition rating will impact the total number of cm's required to be replaced. Generally, one replacement tree is required for every 10 cm diameter removed. It is recommended that the replacement trees are replanted on the subject site. If there is no room on site for the replacement trees, there will be a charge of $400 per replacement tree. This information and calculations should be included in the submitted Arborist Report and Tree Preservation Plan.
7. Removal or damage to trees on neighboring properties within 6.0m of the property line and boundary trees (which are protected under the Provincial Forestry Act (RSO 1990) Section 10) will require:
    - The adjacent property owners shall be consulted and made aware of the proposed development and potential impacts to their trees and boundary trees and requested to submit in writing that there are no concerns with proposed treatment of the existing trees.

OR

- A qualified professional (as defined in Pre-Submission Checklist) shall be retained to address the potential impacts on the neighbor's trees and/or boundary trees and provide a letter or report confirming in their opinion regarding impacts to the boundary trees from proposed construction. The arborist letter or report shall also include the preservation methods, including pruning and fertilizing, that can be implemented by the owner to ensure the health of trees on neighboring properties.

8. **If** trees on private property are proposed to be removed prior to Site Plan approval, a Tree Permit is required for removal or injury of trees on private property within the Urban Planning Area Boundary of the City of Burlington, in accordance with the Private Tree Bylaw 20-2020, including the payment of the Tree Permit fee and compensation for trees required to be removed. A Private Tree Permit application should be applied for through the online application system: https://webforms.burlington.ca/Roads-and-Parks-Maintenance/Private-Tree-Permit-Application.
9. All existing public and private trees to be retained require tree protection fencing. Please see the City of Burlington Tree Preservation and Protection Specification SS12A for further tree protection details. Minimum Tree Protection Zones (MTPZ) and Critical Root Zones (CRZ) should be clearly shown and labeled on the Tree Inventory and Preservation Plan, in addition to tree protection fencing. Any encroachments into the MTPZ of existing trees to retain should be discussed in the Arborist Report.
10. Show existing trees to be preserved and tree preservation fencing on the Construction Management and Mobility Plan.
11. A qualified professional (as defined in the City of Burlington's Pre-submission Checklist) may be required to be retained to address potential impact on the existing trees on site during excavation operations to ensure no damage to the protected trees or their root systems. Requirement to be determined at the Site Plan stage.
12. **Do not remove any trees from the site until after the Rezoning and Official Plan applications have been approved.**

Re: Landscape

1. A Landscape Concept Plan will be required, showing the general layout and intent of what is proposed for landscaped areas and buffers, outdoor amenity areas, fence location and types and pedestrian circulation. See the Pre-Submission Checklist for requirements.
2. Landscape buffer planting should be provided between the proposed development and existing single-family residential properties to the north and along the west property line of 1010 Downsview Drive, shared with townhouses. Landscape buffers should provide separation and to partially obstruct the views to adjacent properties should be provided along shared property lines. The landscape buffers should be a dense landscape screen consisting of evergreen trees or a combination of solid screen fencing (board on board to mitigate headlight trespass) with evergreen and deciduous trees and understory shrubs.
3. Providing at-grade outdoor areas to support the retail uses is encouraged, for example outdoor seating, awnings and displays, space outside for lineup or pick-up of goods.
4. Clarify access to the retail spaces (from parking, trash and loading) and short term parking for pickup/drop-off for residential buildings.
5. Screen surface parking from the Downsview Drive road frontages.

6. Show and dimension pedestrian walkways (1500mm minimum width, 1800mm recommended) and connections to the city sidewalks residential and retail entrances and Outdoor Amenity areas. Consider the width of the pedestrian walkways around buildings minus any doors that open out.

7. Proposed tree plantings along Plains Road East should follow the ESA's guide *Planting Under or Around Powerlines & Electrical Equipment:* trees and/or shrubs with a max. mature height and spread of 4.5m in the Low Zone (to 4.5m from the power lines), trees with a max. mature height and spread of 7.6m in the Medium Zone (7.6m from the power line), and trees of any size beyond 7.6m from the power line. (See https://esasafe.com/assets/files/esasafe/pdf/Electrical_Safety_Products/Guidelines/Tree-Planting%20AODA%20Final%20Tagged.pdf).

8. Clearly show the limits of underground parking on the Landscape Concept Plan and ensure there is sufficient soil volume for full sized large canopy trees.

    - Minimum required soil volumes are $30m^3$ of soil per tree in a single tree pit, $20m^3$ per tree in a shared planting environment. Excavation for each planting environment should be 0.75m to 1.2m depth and should not exceed 1.5m depth. Smaller rooting volume (minimum 15-$20m^3$) may be proposed for smaller trees.
    - Show structural soil cells layouts, raised planters or berms where required.
    - Enough space between the property line and the limit of underground parking should be provided to grow large canopy trees that will not need to be removed when the underground parking garage requires repairs (i.e. trees planted on the roof slab of the underground parking garage).

9. Enhanced streetscaping should be provided along the Plains Road East frontage, in conformance with the Plains Road East Urban Design Guidelines. Two of the four overarching goals should be considered when developing the Landscape Concept:

    - To preserve the green 'verdant' parkway character of the corridor where it exists today and to expand the 'greening strategy' along the length of the corridor.
    - To enhance the aesthetics of the streetscape by improving the public realm.

10. Enhanced streetscaping along the Plains Road East frontage should include red stamped banding on either side of the municipal sidewalk, per S-140 and S-141. See recent examples on Plains Road, including: 70 Plains Rd. W., 465 Plains Rd. E. and 18 Plains Rd. W.

    Please note: Preservation of existing trees should be prioritized over providing enhanced paving, so if there is a conflict and red banding cannot be provided to preserve existing trees, please provide that explanation with the submitted drawings.

11. Once the number of parking spaces is finalized, confirm the required number of Type "A" and Type "B" barrier free parking spaces required. Type "A" shall be 3400 mm in width and signed to indicate Van Accessible Parking. Type "B" shall be 2750 mm as per city zoning by-law. As per city zoning by-law, the access aisle shall be 2000 mm. The access aisle is to be clearly identified and can be shared by both spaces. Please see GAATES Figure 2.6.4.1 (page 127) for Van Accessible Signage detail.

    Locate the barrier free parking spaces closest to the main entrances with direct pedestrian access (not crossing vehicular traffic).

    Contact the city's Accessibility Coordinator if you have any questions: Judi Lytle, 905-335-7600, ext. 7865, judi.lytle@burlington.ca.

12. Show bicycle parking and snow storage locations.
13. Show the location of air vents/shafts and coordinate with landscape concept (e.g. do not locate vents in walkways and coordinate with proposed planting locations).
14. Re-consider the location of the Outdoor Amenity areas to improve visibility and access; for the safety and comfort of users and vitality of the spaces. Show the proposed layout and use of the spaces and consider Crime Prevention Through Environmental Design (CPTED) principles (natural surveillance, access control, territorial reinforcement and space management) in the location and design.

If the applicant has any questions I can be reached at Tania.Dowhaniuk@burlington.ca.

Parks Design & Construction Comments:

- Park dedication will be a requirement of this development.
- Retail use is proposed along Plains Rd. providing the opportunity to establish an enhance public realm along Plains and Downsview Rd. Considering there is little detail provided with the submitted concept drawing regarding building access and pedestrian movements, the Parks Design & Construction Section of Engineering Services Department will make further comment and requirement for an enhanced public realm area through Privately Owned Publicly Accessible Open Space and /or as parkland dedication.
- Parkland dedication will be adjacent to a municipal street and will be free of encumbrances such as parking structures.
- Significant surface parking is proposed, consideration for increase underground parking and subsequent reduction of surface parking in strongly recommended to provide a meaningful supply of outdoor amenity space
- Park Dedication will be taken as Cash in Lieu of Parkland and potentially parkland using the alternative method of calculation for high density development identified in the Park dedication by-law.
- If parkland is required, the city and applicant will discuss and come to an agreement on method of determining the Cash in Lieu of park dedication for the balance of the park dedication requirements prior to approval.
- Contact Marion Rabeau, Manager of Parks Design and Construction, at marion.rabeau@burlington.ca with any questions for discussion

Transportation Services Comments:

- Please refer to our Burlington Citywide Parking Standards Review for applicable parking rates for this proposal - see the following URL: https://www.burlington.ca/en/services-for-you/city-wide-parking-standards-review.asp
- Please refer to our Site Plan Guidelines for applicable design standards for structured parking and site circulation.
- This site will require a Traffic Impact Study, please refer to Halton Region's Traffic Impact Study Guidelines and consult with the City of Burlington Staff to determine scope of work.
- Please include truck and vehicle turning templates as part of the TIS to demonstrate safe site circulation.
- Please ensure that existing sidewalks are included as part of the site design.
- Please include a 5 x 5 daylight triangle at both corners at the intersection of Plains Rd E and Downsview Dr

City of Burlington: Pre-Submission Terms of Reference
1010 Downsview Drive & 355 Plains Rd E
June 9, 2021

NOTE: These general Terms of Reference (below) will be used to assess the materials and technical studies submitted in support of a Planning Act application(s) and are to be reviewed upon the submission of and prior to the deeming of 'complete' of the application(s). The following Terms of Reference are intended as a guide to assist proponents in the preparation of materials and technical studies due upon submission (See: Section 11 of Development Application Pre-Consultation Form) and to provide recommendations as to the information content of those materials that would assist City of Burlington, Region of Halton, Conservation Halton and external agency partners in their review, once circulated. In circumstances where these Terms of Reference are generally not adhered to, submission materials may be returned to the proponent/applicant and/or a file not initiated.

1) General Requirements

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

- ☐ Height survey of adjacent buildings
- ☐ Angular plane study
- ☐ Sustainable Building and Development Guidelines checklist
- ☐ Phasing Strategy for Development of Retail and Service Commercial Uses in accordance with Official Plan (2020) section 8.1.3(2)(l)
- ☐ Reference Plan and PIN Report (including copies of agreements)

2) Conceptual Site Plan

- ☐ Legible, metric scale drawing on 24x36 inch paper
- ☐ Clearly identifies all development constraints including easements, MTO setbacks, floodlines & hazard lands, natural heritage buffers etc.

3) Planning Justification Report

- ☐ Signed by a Registered Professional Planner
- ☐ Contains a written acknowledgement by the RPP that they have reviewed all supporting technical studies in consideration of their planning opinion.
- ☐ Contains a review of the applicable policies of the Provincial Policy Statement.
- ☐ Contains a review of the applicable policies of A Place to Grow Growth Plan
- ☐ Contains a review of the applicable policies of the Provincial Greenbelt Plan.
- ☐ Contains a review of the applicable policies of the Niagara Escarpment Plan.
- ☐ Contains a review of the applicable policies of the Parkway Belt West Plan.
- ☐ Contains a review of Ontario Regulation 162/06.
- ☐ Contains a review of all other relevant Provincial legislation.
- ☐ Contains a review of the applicable policies of the Region of Halton Official Plan.
- ☐ Contains a detailed explanation of how the proposed development is consistent and/or conforms to all relevant Provincial Plans and policies.
- ☐ Contains a review and analysis of the applicable policies of the City of Burlington Official Plan.
- ☐ Contains a fulsome discussion of the results of the required technical studies and how they have been used to refine the redevelopment proposal.
- ☐ Contains a discussion of how input received at the Pre-application consultation meeting has been used to refine the redevelopment proposal.
- ☐ Contains a discussion of how input received from the Burlington Urban Design Panel has been used to refine the proposal.
- ☐ Contains an explanation of how the proposed development is compatible with surrounding land uses including height, setbacks, massing and design.

- ☐ Contains a comprehensive justification for any rental conversion or demolition of rental units which includes reference to the Region's State of Housing Report and a plan for relocation of existing tenants.
- ☐ Draft Zoning By-law
- ☐ Draft Official Plan Amendment
- ☐ Contains a robust justification of any removal or conversion of employment lands.
- ☐ Contains an explanation of why the requested change represents good planning and adheres to Provincial and municipal plans and policies.
- ☐ If land division is required, contains an explanation of the proposed process (condominium type, subdivision, consent), timing and next steps.

4) Urban Design Brief:

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

5) <u>Quantitative</u> Pedestrian-Level Wind Study

- ☐ Completed in accordance with the City's Pedestrian Level Wind Study Guidelines and Terms of Reference

6) Shadow Study:

- ☐ Completed in accordance with the City's Shadow Study Guidelines and Terms of Reference

7) Environmental Site Assessment Report

- ☐ Completed in accordance with Ontario Regulation 153/04 as amended
- ☐ Regional Environmental Site Screen Questionnaire included
- ☐ Prepared, signed and stamped by a Qualified Person

- ☐ Letter of Reliance for City and Regional staff
- ☐ If the Phase One Study recommends a Phase Two Study, then the Phase Two is included with the submission
- ☐ If the Phase Two Study recommends site remediation, then the remediation plan is included to ensure that remediation feasibility has been considered.

8) Stormwater Management Report

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

- ☐ Provide an estimate of groundwater flow to be permanently managed in the site storm system (including documentation from the Geotechnical Engineer or Hydro-geologist in the appendix)
- ☐ Provide comment on whether or not it is anticipated a permit to take water would be necessary either temporarily during construction or permanently.

9) Functional Servicing Report

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

10) Grading and Servicing Plans

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

11) Noise & Vibration Feasibility Study

- ☐ Is prepared, signed and stamped by a Professional Engineer.
- ☐ Includes determination of project feasibility
- ☐ Includes assessment of existing and proposed transportation sources of noise and stationary sources of noise and vibration.

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

12) Geotechnical Study (including Groundwater)

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

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

13) Hydrogeological Assessment

- ☐ Is prepared, signed and stamped by a qualified person (Professional Geoscientist or Professional Engineer)
- ☐ Follows the requirements for Completion of Hydrogeological Studies to Facilitate Conservation Halton's reviews (www.conservationhalton.ca/policies-and-guideline)
- ☐ Follows the terms of reference agreed upon by Conservation Halton, Regional and City staff in advance of study commencement. Includes a copy of this approved Terms of Reference as an Appendix.
- ☐ Contains legible drawings
- ☐ Includes digital copies of models
- ☐ Includes all dimensions in metric, to scale, and on a consistent base map layer.

14) Traffic Impact Study including Transportation Demand Management

- ☐ Confirmation of Scope of Work by Burlington Transportation Services staff
- ☐ Signed by CET or signed and stamped by a Professional Engineer
- ☐ Follows Regional TIS Guidelines for Regional roads
- ☐ Follows MTO Guidelines for sites within MTO permit control area
- ☐ Includes correspondence about traffic projections from City, Region and MTO in an Appendix.
- ☐ Includes SYNCHRO files as an electronic attachment (not a PDF)
- ☐ Traffic counts are not completed during school holiday times, and are completed during the mid-week period (Tuesday through Thursday).
- ☐ Traffic counts are no older than one year.
- ☐ Electronic copy of all signal warrant calculation files (not a PDF)
- ☐ Includes all traffic counts and modelling data in an Appendix and electronically
- ☐ Includes a multi-modal approach to transportation analysis
- ☐ Incorporates TDM measures

15) Arborist Report and Tree Inventory and Preservation Plan

- Is prepared by a qualified professional (e.g. Arborist certified by the International Society of Arboriculture (ISA), including ISA number; qualified by Ministry of Training, Colleges and Universities (MTCU) or Ontario Training and Apprentice Board (OTAB); registered professional Forester in Ontario, etc.)
- Contains legible drawings on 24x36
- Includes all dimensions in metric, to scale, and on a consistent base map layer
- Includes bar scale
- Shows the proposed development (including property lines, easements, regulated areas, paved areas, buildings and entrances, landscaped areas, regulated limits, etc.) and is coordinated with the Site Plan, Grading and Servicing drawings
- Arborist Report should describe the scope and methodology of proposed construction works and the tree preservation measures
- Identifies all existing trees (over 10cm diameter at breast height (DBH) measured at 1.4m above the ground) on site and within 6m of the property lines, and trees of any size on city property, their common and botanical name, size (DBH and height), structural and physiological condition, ownership, comments and notes, recommendations, and photos (particularly those requested for removal)
- Identifies trees proposed to be removed and retained, and the methods to be used to ensure preservation and protection of trees to be retained, including location and detail of tree protection fencing in accordance with the City of Burlington's Tree Protection and Preservation Specification SS12A: https://www.burlington.ca/en/services-for-you/resources/Forestry%20Operations/Tree_Protection_and_Preservation/City-of-Burlington-Standard-Specification-for-Tree-Protection-and-Preservation.pdf
- Minimum Tree Protection Zones and Critical Root Zones clearly shown and labeled in addition to tree protection fencing
- Percentage of injury should be clearly shown on the plan and noted in the Arborist Report, and impacts and damage mitigation methods outlined
- Clearly show the excavation limits on the plan (e.g. foundations or footings, trenching, etc.) and discuss damage mitigation measures (e.g. root pruning) in the Arborist Report
- Alternate layouts and construction measures should be considered and discussed in the Arborist Report to ensure any proposed removals are necessary and justified (i.e. there are no alternatives to the removal)
- Abbreviations should be defined and industry standard terminology used
- If removal or damage to trees on neighboring properties or boundary trees is required, provide either: 1) letter of consent from adjacent property owners that they are aware of the proposed development and potential impact to their trees or boundary trees and have no objections, OR 2) the Arborist Report should include preservation methods that can be implemented to mitigate damage to neighboring or boundary trees
- Arborist Report should describe compensatory tree planting if trees are proposed to be removed (layout to be shown on the Landscape Concept Plan)

16) Landscape Concept Plan

- Is stamped and signed by a qualified member of the Ontario Association of Landscape Architects
- Contains legible drawings on 24x36 inch paper
- Includes all dimensions in metric, to scale, and on a consistent base map layer
- Includes bar scale
- Identifies the location and general design intent of the proposed plantings and amenity areas
- Shows location and dimensions of pedestrian walkways (1500mm minimum width, 1800mm recommended) and marked crossings (curb ramps and TWSI). Include dimensions from open doors if doors open out onto walkways
- Identifies minimum required soil volumes, and location of any structural soil cell installation areas to achieve minimum soil volumes ($30m^3$ of soil per tree in a single tree pit, $20m^3$ per tree in a shared planting environment. Excavation for each planting environment should be 0.75m to 1.2m depth and should not exceed 1.5m depth)
- Identifies the location, type and height of proposed fencing
- Identifies snow storage and bicycle parking areas
- Identifies the location of air vents/shafts and coordinates with walkways and planting areas
- Identifies property lines, easements, regulated areas, impermeable surfaces (including curbs, roads, driveways, sidewalks, etc.), buildings and entrances, landscaped beds, lawns or other permeable surface areas, other information as needed
- Identifies the location of all underground, at grade and overhead utilities
- Identifies the location of any storm water management infrastructure, including swales, sub-drains, catch basins, pipes, and other quality and quantity controls as required
- Is coordinated with the Site Plan, Grading and Servicing drawings, Planning Justification Report, Noise Study, Wind Study, and shows any recommended mitigation measures (e.g. buffer planting, screening, fencing) conceptually on the Landscape Concept Plans

17) Waste Management Report

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

18) Site Survey

- ☐ Prepared and signed by an OLS Surveyor

- ☐ Shows any required right-of-way widenings, daylight triangles and any easements, etc.

19) Construction Management and Mobility Plan:

- ☐ Legible, metric scale drawing on 24” x 36” paper
- ☐ Clearly identify property lines, easements, floodlines & hazard lands, natural heritage buffers, existing trees and vegetation to be retained, etc.
- ☐ Clearly identify limits of above ground development, including buildings, parking, sidewalks, curbs, etc.
- ☐ Clearly identify limits of underground parking structure, including dimensioning distance from property lines
- ☐ Includes shoring and excavation details
- ☐ Clearly identify limits of all elements of the underground parking structure including foundation drainage system/shoring/tiebacks/etc.
- ☐ Clearly identify limits of temporary perimeter/security fencing, covered sidewalk protection (if proposed) and tree protection fencing
- ☐ Clearly identify proposed temporary (trailers/material storage/fencing/etc.) and/or permanent encroachments (tiebacks/shoring/etc.) into the Right of Way and identify approximate time line of closure
- ☐ Clearly identify any proposed temporary sidewalk and/or lane closures and identify approximate time line of closure.
- ☐ Identify haul route, i.e. what roads are to be used for material deliveries
- ☐ Identify crane location and swing radius – please note that further detail/additional requirements will be provided at the site plan stage
- ☐ Drawing must clearly note that no trades parking or truck staging will be allowed on the Municipal Right of Way
- ☐ The applicant is advised that if the Official Plan Amendment/Re-Zoning application is approved, at the Site Plan stage additional construction management details may be required, including requirement of Road Occupancy and Municipal Consent permits if applicable.
- ☐ Existing trees to be preserved and tree preservation fencing

20) Financial Impact Study

- Completed in accordance with policy 6.5.2(i) of the Official Plan (2020) and with Terms of Reference approved by the City of Burlington

21) Housing Impact Statement

- Completed in accordance with policy 3.1.1(2)(h) of the Official Plan (2020) and with Terms of Reference approved by the City of Burlington

Appendix **C**

Burlington Urban Design Panel

Comments and Responses

	BUD Panel Comment	*Response*
	Question #1: Response to Context	
1.1	The Panel agreed that the notwithstanding the height at 8-storeys, the west building is making an appropriate effort to transition by stepping back as the building form moves from west to east and maintain the 45-degree angular plane. However, the proposal is less successful on the other side of the site, where the east building is lacking the same level of articulation. It was agreed that an appropriate transition for the east building needs to think about what could happen on the neighbouring property. Additionally, the Panel agreed that the church property likely has some redevelopment potential and a 3 metre setback on the subject site likely compromises that potential.	The City's "Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings" state that where the building is on a site that is transitioning to a low-rise residential neighbourhood area (including properties designated Residential – Low Density and – Medium Density, Natural Heritage System, Parks and Open Space) a 45-degree angular plane should be applied from the shared property line. The west building transitions to a low-rise residential (townhouse) development. And as such the angular plane was applied and the building was designed accordingly. The same condition does not exist to the east. Notwithstanding, the proposed building meets (and in most cases exceeds) the sideyard setback requirement of 0m in the Zoning By-law and the 3m setback design guideline, with an additional stepback provided above the 6th storey. The east building steps back a minimum of 1.5 meters above the sixth storey. The average setback of the podium, level from the eastern property boundary is 3.57 meters. For levels above the podium, the average setback is 5.07 meters.
1.2	The Panel commented that the proposed townhouses along the rear property line create an odd front-to-rear condition and doesn't meet the 45-degree angular plane requirement. It was recommended that this condition be improved to be more sensitive to the existing conditions.	The angular plane is intended to be used for mid-rise projects (defined as buildings between 5 and 11 storeys). The townhouse component of the development is considered a low-rise development and as such, is not subject to the 45 degree angular plane requirement. The rear of the Townhouses is intended to be private amenity space and in that regard will function similar to a traditional townhouse that would have its amenity space located in the rear. All townhouse units are accessed from the front yard off of the provided surface parking.
1.3	A Panel member commented that the proposal is context-creating, not just responding to context, it is creating a minor node to a certain extent, which needs to be consistent with the existing and planned street wall, and that everything above the	The 6-storey of the proposed buildings will provide for a similar street wall as the recently constructed 6-storey building on the south side of Plains Road East, immediately across from the Subject Lands.

	street wall must adhere to the proper application of 45-degree angular planes	The 3 m stepback for the floors above the podium will reduce the massing along the Plains Road East streetwall.
1.4	The Panel observed that if the east tower elements were similar in width to the west building than more space would be provided for the internal courtyard and may result in less shadow and a better integrated development with the surroundings.	The width of the west tower is impacted by the angular plane requirement, and as a result the interior layout has some inefficiencies. As previously noted there is a different context to the east of the proposed development. Rather than providing an inefficient layout for the east towers, the amenity above the podium space has been designed to include a south facing portion. This portion of the outdoor amenity area receives full sun during the summer periods, and full sun for the morning and early afternoon during the spring and fall time periods. The space will be designed and programmed according to the sun/shadow conditions. For example, the shaded areas will work well for outdoor work stations. Reducing the width of the towers has minimal to no impact of the shadowing of the rear courtyard and surrounding area.
1.5	In terms of materials, the Panel encouraged the proponent and their design team to think about bringing the buildings more in alignment with the surrounding buildings – think about the brick next door, using materials that are more contextual and impact on sustainability. Keep as many trees on site as possible, by increasing setbacks, particularly any trees of value.	The proposed buildings facades consist of 3 primary materials selected to enhance the massing forms. Conventional masonry is utilized at the building base / podiums to provide viewers with a sense of scale and texture relating to the surrounding neighborhood. Above the masonry through the upper storeys of the buildings a Panelized smooth textured façade is used to lighten up the massing providing a transition to sky views. Window glazing and Glass railings are arranged rhythmically around the buildings providing transparency identifying the interior uses. Metal and Aluminum accents are uses at various point of the building to signify primary entry locations as well as transitions between materials and changes in form. Final materials and material colours will be determined through the detailed site plan stage.
1.6	The Panel felt that the general form of the buildings (i.e. mid-rise and townhouses to transition to existing low-rise buildings) is going in right direction, but there is too much on the site with the presented plan. Through better transitions on all sides, including the use of more setbacks and stepbacks, there should be less abrupt transitions for example from the proposed townhouses to the 8-	The panels comments have been taken into account and the site has been modified to increase separation between the Townhome buildings and the parking areas. This has allowed us to introduce additional planting areas in front of the townhome units along with a continuous 1.6 meter wide sidewalk buffer. We believe that the +17 meter separation between the proposed townhome

	storey mid-rise buildings. Additionally, the Panel commented on the condition at the front of the townhouses where they front onto a parking lot, which feels too much like a motel, with a narrow strip of pavement between the parking lot and front doors.	building and the mid-rise buildings provides ample transition between the masses.
1.7	The Panel noted that there should be an east and west connection from the subject site to the existing [Aldershot] park, perhaps between the front of the townhouses and the parking lot with plantings to help reduce the massing of two larger buildings.	The subject site does not immediately abut Aldershot Park. The lands immediately adjacent (connecting to Aldershot Park) are privately owned. We will explore the potential connection with the adjacent property owner at the Site Plan stage.
1.8	The Panel also made a point to note that affordable housing is reliant on an appropriate unit mix and tenure, which the submission materials, namely, the urban design brief is silent on – density doesn't solve the affordable housing problem.	We understand that there are a number of components that factor into the housing crisis. However, there is an opportunity on this site to provide a variety of housing options and sizes both in townhouse and apartment style units, all of which are more affordable forms of housing when compared to single-detached dwellings Suite data is located on the site plan. There are currently 209 1-bedroom apartment-style units, 279 2-bedroom apartment-style units, and 96 2-bedroom townhouse-style units being proposed. This is subject to change in the detailed site plan stage. It is noted that the building modifications required in order to meet the angular plane, add considerable cost to the project, which in turn raises the cost of the units for purchase, impacting the affordability of the units.
	Question #2: Public and Private Realm (Streetscape)	
2.1	The Panel agreed that the width of courtyard is problematic and should be a minimum of 20 metres to be successful. The Panel pointed to the shadow study drawings in terms of impacts to public and private realm, which tells the storey that most of site is in darkness most of the time. It was suggested that increased setbacks, separations and additional stepbacks should be considered in areas to provide sun access on the ground plane.	A 15 metre separation is required for building on the same lot, which has been provided. We understand that the rear portion of the courtyard is impacted by shadow, however, there are a number of south facing roof top amenity spaces provided on 7th, 10th and 11th floor. These areas will also provide different forms of programing to maximize the usability of the amenity space in difference seasons and times of day. The south facing portion of the outdoor amenity space receives full sun for the majority of the day in the summer and for several consecutive hours in the fall and spring.
2.2	The Panel also noted that the size and scale of the non-residential ground floor uses is small and doesn't provide enough space to be feasible. The Panel supports an increase to the size and scale of	The retail unit sizes are spec units and allow for multiple units to be lease for one tenant.

	the commercial/retail spaces to be viable and accommodate basic services such as a hardware or grocery store.	A traditional grocery or hardware store required a large floor area as well as ample parking area. The size of the subject lands in not appropriate for this form of use. Should a small scale grocery or hardware store have interest in this location, again, a number of retail units can be leased to one tenant. There is an existing Fortino's and Longo's within a 5 minute drive (25 minute walk of the subject lands). Additionally, there is a Shopper's Drug Mart and Dollar Tree, which also carry groceries within a 2 minute drive (9 minute walk). West of the Subject Lands is an existing Home Hardware within a 3 minute drive (20 minute walk) from the Subject Lands. The Subject Lands have a number of existing available amenities in the surrounding area.
2.3	The Panel acknowledged that the parking at grade is driving a lot of the site conditions and the plan layout. Moreover, there is a large amount of surface parking and it was suggested that a reduction is needed to create space for other at-grade uses and to reduce the overall feeling of tightness on the site.	The intention of the surface parking is to provide for retail, visitor, and residential spaces. Surface parking is critical to the feasibility of at-grade retail in this location.
2.4	The Panel commented that the front yard entrances on Downsview Drive need more character and should feel more like a front yard with front door access, gardens, and yards for example to provide more character. The Panel cited the development at the northeast corner of Bloor Street West and Pacific Avenue (in Toronto) as a precedent for how the proposal could turn a corner from retail to a residential side. Moreover, it was commented that the building façade should create an accent on the street and it was cautioned that live/work units as a transition only work in some contexts.	Although front door access to residential suites is not being provided along Downsview Drive a combination of residential patios and raised planting beds create a transition from commercial frontages on Plains Road into the single detached dwelling community further north on Downsview. The use of landscape and the proximity of the building frontages to the street enhance activity and contribute to a safe public realm.
2.5	The Panel suggest a raised crossing on Downsview to create more opportunities for people spaces.	We will review this comment with our transportation consultant. A raised crossing can be considered during the detailed site plan stage.
2.6	The Panel strongly encouraged a sustainable approach to the design and treatment of the entire site from pavement to a whole rainwater strategy including looking at the amenity roofs, vegetation coverage, opportunities to reduce heat island effects. For example, the Panel commented that the use of black as a material is overused and causes overheating, the heat gain is tremendous, and to also apply lessons learned from the pandemic such	The proposed buildings facades consist of 3 primary materials selected to enhance the massing forms. Conventional masonry is utilized at the building base / podiums to provide viewers with a sense of scale and texture relating to the surrounding neighborhood. Above the masonry through the upper storeys of the buildings a Panelized smooth textured façade is used to lighten up the massing providing a transition to sky views. Window glazing

	as the need to access open space. The Panel lamented that the you can't design these features into building after the fact, and if the proposal is planning to use more than 40% glazing it won't be able to meet sustainable goals. There is an individual responsibility to deliver on these goals and the Panel challenged the group to apply a sustainable lens to bring the project forward and support each other.	and Glass railings are arranged rhythmically around the buildings providing transparency identifying the interior uses. Metal and Aluminum accents are uses at various point of the building to signify primary entry locations as well as transitions between materials and changes in form.
	Question #3: Outdoor Amenity Spaces	
3.1	It should be noted that these questions have in many respects been addressed through the Panel's responses to the previous questions. Notwithstanding, the Panel provided several more examples of how to improve the quality of the proposed outdoor spaces:	As previously noted, portions of the amenity space will receive full sun for the majority of the daytime hours. The spaces will be designed and programmed according to the condition, with uses more appropriate in shaded areas located in the rear amenity space).
3.2	The courtyard could face south to provide better solar access, and if designed at grade it could become a public place lined with commercial uses as well as a gathering space for the broader community. A south orientation extends the season for outdoor uses;	Courtyard can not be provided at grade as the parking structure provides for 2 levels of above grade parking, Additionally, retail is provided along the street wall at grade. The elevated courtyard does face south and will receive consecutive periods of full sun. There are a number of south facing roof top amenity spaces provided on 7th, 10th and 11th floor. These areas will also provide different forms of programing to maximize the usability of the amenity space in difference seasons and times of day.
3.3	The corners of Plains Rd. E. and Downsview present an opportunity for public art and gathering spaces;	Public art is not being considered at this stage.
3.4	With 500+ units proposed, the development needs open spaces that are designed and programmed intentionally to support the level of intensification, each space should have multiple functions with a clear definition of which space accommodates which use;	Complete programming of the outdoor amenity spaces has not been finalized at this stage in the design. However amenity spaces will include Outdoor working spaces, Lounge and sun bathing areas, Dining spaces, Seating and congregating areas.
3.5	Increase the at-grade open space by reducing surface parking – this is a very important piece in the puzzle;	The intention of the surface parking is to provide for retail, visitor, and residential spaces. Surface parking is critical to the feasibility of at-grade retail in this location.
3.6	Provide an open space connection to the abutting park;	As previously noted, the lands immediately adjacent are privately owned and do not form part of Aldershot Park. We will explore the potential connection with the adjacent property owner at the Site Plan stage
3.7	The relationship between the mid-rise buildings and townhouses presents an opportunity for a better	Since this comment has been received, a wider walkway with landscaped areas have been added in

	shared street design; currently it is essentially a parking lot with townhouses in it;	front of the townhouses. A connection to the large open park space west of the site has been proposed by way of the sidewalk fronting the townhome buildings. Landscaped peninsulas have also been incorporated to break up the surface parking areas.
3.8	Balconies create and act as thermal bridges and should be consider in the design and buildings energy performance;	Noted.
3.9	Move more parking underground to improve ground plane and open spaces.	The intention of the surface parking is to provide for retail, visitor, and residential spaces. Surface parking is critical to the feasibility of at-grade retail in this location. The underground parking levels are fully utilized with limited to no ability to provide additional spaces.

Appendix **D**

Draft Official Plan Amendment

AMENDMENT NO. XXX TO THE OFFICIAL PLAN OF THE BURLINGTON PLANNING AREA

CONSTITUTIONAL STATEMENT

The details of the Amendment, as contained in Part B of this text, constitute Amendment No. XXX to the Burlington Official Plan.

PART A – PREAMBLE

1. PURPOSE OF THIS AMENDMENT

   The purpose of this Amendment is to introduce a site specific exception to permit the redevelopment of the Subject Lands to include 2 mixed use buildings containing 488 dwelling units and grade related retail/commercial uses and 96 townhomes.

2. SITE AND LOCATION

   The Subject Lands are municipally addressed as 1010 Downsview Drive and 355 Plains Road East and are 1.48 hectares in total area.

3. BASIS FOR THE AMENDMENT

   a) The proposed Amendment is consistent with the Provincial Policy Statement (PPS) and conforms to the Growth Plan for the Greater Golden Horseshoe (Growth Plan).
   b) The proposal conforms to the Halton Region Official Plan;
   c) The proposal can be adequately serviced and does not create any adverse impacts;
   d) The proposal is well-served by existing community infrastructure including public transit, bike lanes, parks and schools; and,
   e) The proposal appropriately transitions to and is compatible with the surrounding area and provides an opportunity for intensification within the Plains Road Intensification Corridor.

PART B – THE AMENDMENT

1. DETAILS OF THE AMENDMENT

   The text of the Official Plan of the Burlington Planning Area is amended by adding a site specific exception to Section 5.3.2 as follows:

   "xx) Notwithstanding Part III, Subsections 5.3.2 (d) (i) and (ii) of this Plan, for the lands described as 355 Plains Road East and 1010 Downsview Drive, the maximum floor space index for all the Subject Lands shall not exceed 2.07:1 and 4.48:1 respectively. The maximum height of buildings shall be 8, 9 and 11 storeys, exclusive of mechanical penthouses as provided on Schedule X."

DRAFT

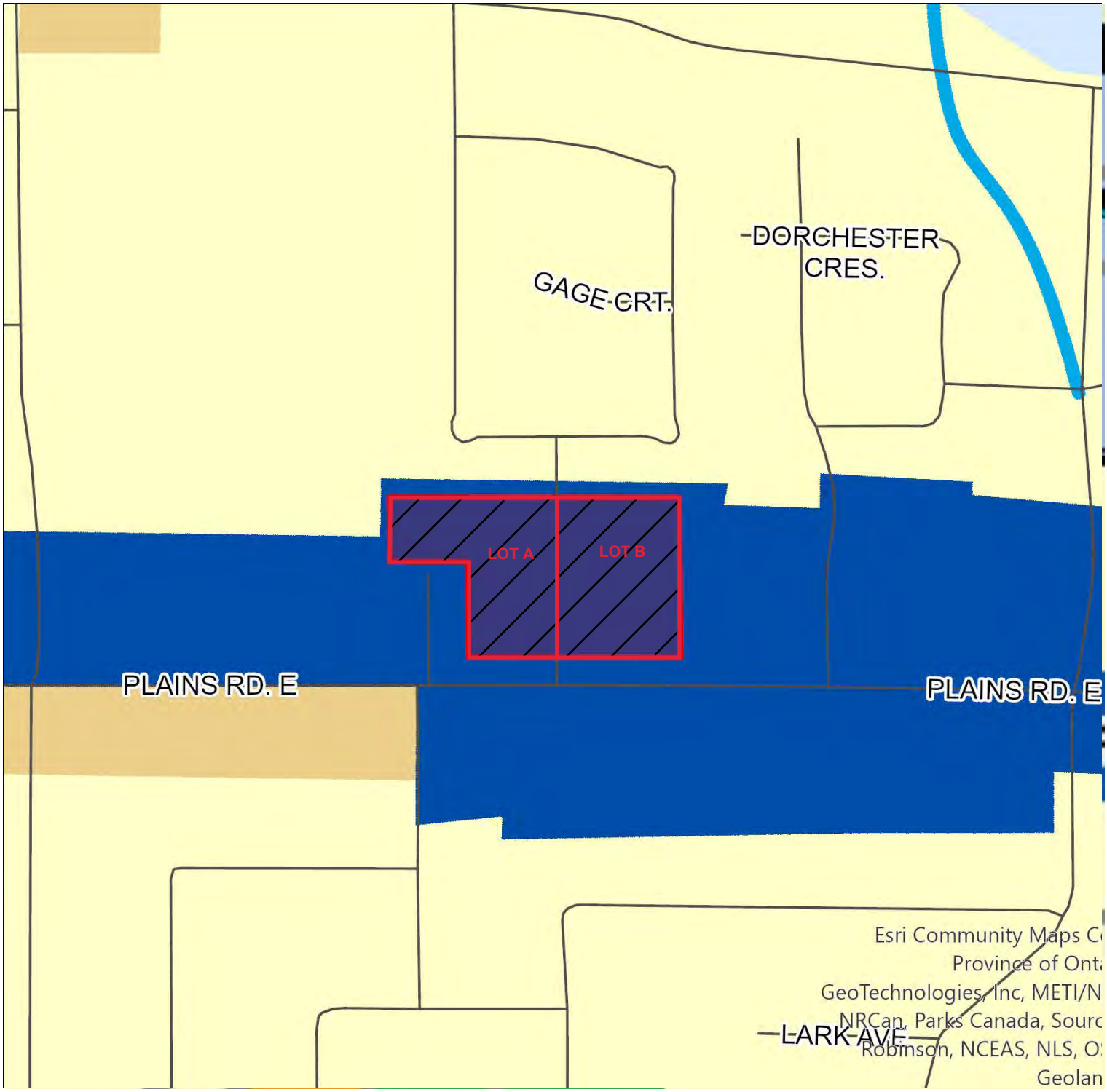
2. INTERPRETATION

   The Official Plan Amendment shall be interpreted in accordance with the "Interpretation" policies of Part VI Implementation, Section 3.0 Interpretation, of the Official Plan of the Burlington Planning Area.

3. IMPLEMENTATION

   The Official Plan Amendment will be implemented in accordance with the "Implementation" policies of Part VI of the Official Plan of the Burlington Planning Area.

DRAFT



Data Source: City of Burlington Official Plan: Schedule B

Schedule 1- Official Plan Amendment

City of Burlington In-Effect Official Plan

1010 Downsview Drive & 355 Plains Road East Burlington, Ontario

LEGEND

- Subject Lands
- Change Land Use designation from Mixed Use Corridor - General to Mixed Use Corridor - General Site Specific
- Residential - Low Density
- Residential - Medium Density
- Residential - High Density
- General Employment
- Business Corridor
- Community Commercial
- Mixed Use Corridor - General
- Mixed Use Corridor - Commercial
- Mixed Use Corridor - Employment
- Major Parks and Open Space
- Urban Planning Area Boundary
- Parkway Belt Plan Area
- Watercourses- Conceptual Only

DATE: May 26, 2022

SCALE N.T.S

north

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MHBC PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE
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Appendix **E**

Draft Zoning By-law Amendment

DRAFT ZONING BY-LAW

DRAFT BY-LAW NUMBER 2020.XXX, SCHEDULE 'A' AND EXPLANATORY NOTE

THE CORPORATION OF THE CITY OF BURLINGTON
BY-LAW NUMBER 2022.XXX

Being a By-law to amend By-law 2020, as amended; for 355 Plains Road East and 1010 Downsview Drive, to facilitate the development of a two mixed use residential buildings and townhomes.

File No.: XXX

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

WHEREAS the Council of the Corporation of the City of Burlington approved recommendation PB-XX-XX on XXX, to amend the City's existing Zoning By-law 2020, as amended, to permit the redevelopment of the lands located at 355 Plains Road East and 1010 Downsview Drive which would include two mixed residential buildings and townhomes.

THE COUNCIL OF THE CORPORATION OF THE CITY OF BURLINGTON HEREBY ENACTS AS FOLLOWS:

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

2. The lands designated as "A" on Schedule "A" attached hereto are hereby rezoned from MXG (Mixed Use General) zone to the MXG-XXX (Mixed Use General Exception) zone with site specific regulations.

3. The lands designated as "B" on Schedule "A" attached hereto are hereby rezoned from MXG (Mixed Use General) zone to the MXG-XXX (Mixed Use General Exception) zone with site specific regulations.

4. PART 14 of By-law 2020, as amended, Exceptions to Zone Classifications, is amended by adding a new Exception XXX with the following:

Lands designated as “A” on Schedule “A”:

Exception	Zone	Map	Amendment	Enacted
XXX	**MXG-XX**	**x**	**2022.XXX**	**XXX**

1. Notwithstanding the regulations of the MXG Zone and other general provisions to the contrary, the following provisions apply:

a) Maximum Building Height: 8 Storeys, exclusive of the mechanical penthouses

b) Floor Area Ratio: 2.07:1

c) Amenity Area: Minimum 15 m^2 per unit

d) Parking Structure Encroachment into Landscape Buffer:
Front Yard: 0.6 m
Exterior Side Yard: 0.6 m
Interior Side Yard: 0.6 m
Rear Yard: 3.0 m

e) Parking Structure Setback from Property Line:
Front Yard: 2.3 m
Exterior Side Yard: 2.3 m
Interior Side Yard: 2.3 m

f) Stack Townhouse Setback Abutting a R1 Zone: 6 m

g) Parking Space Requirements: 1.1 Spaces per Unit Inclusive of Visitor Parking

h) Parking Space Type: Permit Tandem Parking Spaces

Except as amended herein, all other provisions of the By-law and the MXG zone, shall apply.

Lands designated as “B” on Schedule “A”:

Exception	Zone	Map	Amendment	Enacted
XXX	MXG-XX	x	2022.XXX	XXX

1. Notwithstanding the regulations of the MXG Zone and other general provisions to the contrary, the following provisions apply:

a) Maximum Building Height: 9 and 11 Storeys exclusive of the mechanical penthouses

b) Floor Area Ratio: 4.48:1

c) Amenity Area: Minimum 15 m² per unit

d) Parking Structure Encroachment into Landscape Buffer:
Front Yard: 2.8 m
Interior Side Yard: 2.8 m
Exterior Side Yard: 2.8 m
Rear Yard: 5.5 m

e) Parking Structure Setback from Property Line:
Front Yard: 07 m
Interior Side Yard: 0.7 m
Exterior Side Yard: 0.7 m
Rear Yard: 0.4 m

f) Stack Townhouse Setback Abutting a R1 Zone: 6 m

g) Parking Space Requirements: 1.1 Spaces per Unit Inclusive of Visitor Parking

h) Parking Space Type: Permit Tandem Parking Spaces

Except as amended herein, all other provisions of the By-law and the MXG zone, shall apply.

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

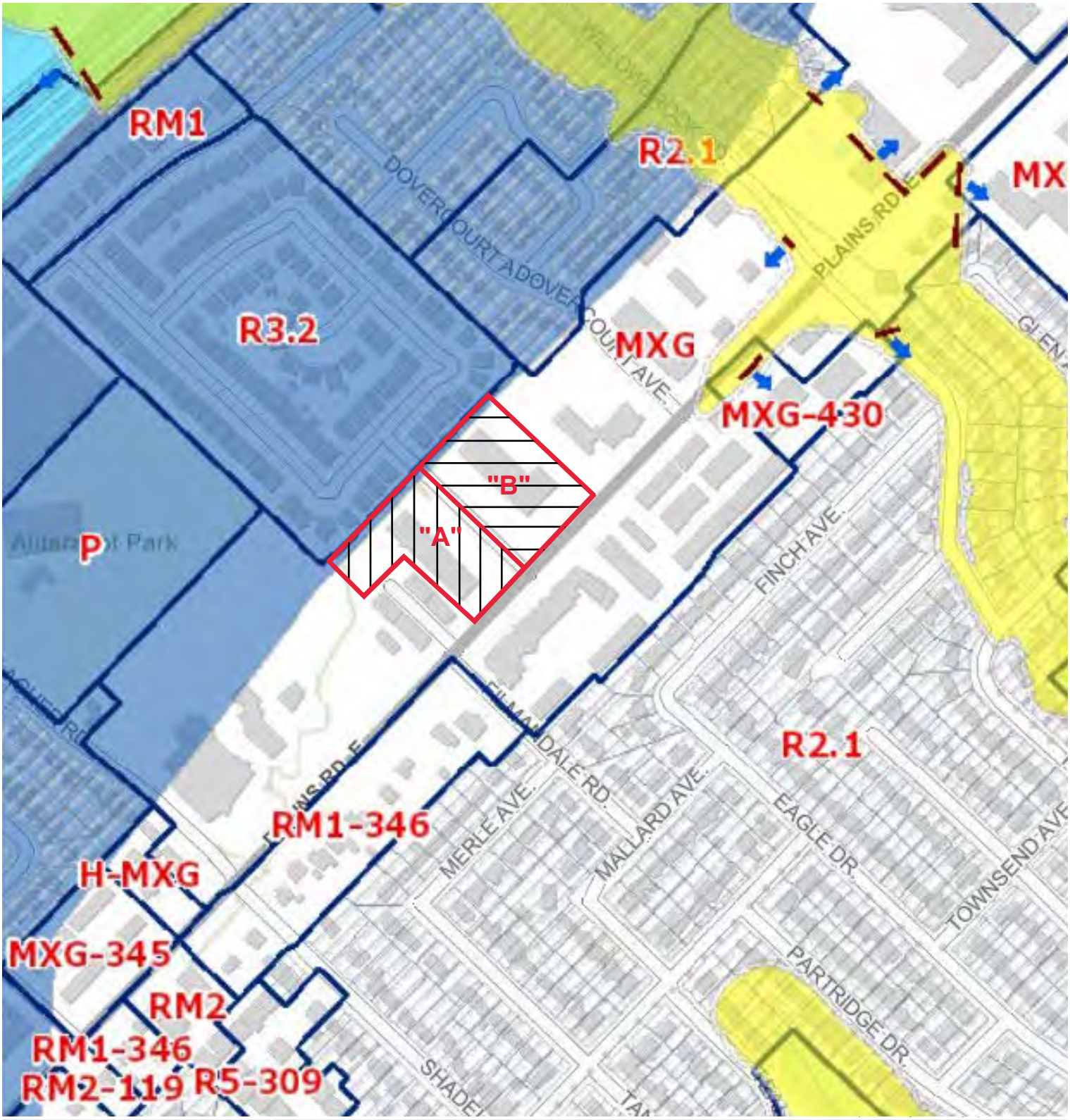
5. If one or more appeals are filed pursuant to the provisions of the Planning Act, R.S.O. 1990, c. P. 13, as amended, this By-law does not come into force until all appeals have been finally disposed of, and except for such parts as are repealed or amended in accordance with an order of the

Ontario Land Tribunal this By-law shall be deemed to have come into force on the day it was passed.

ENACTED AND PASSED this _____ day of _____, 2022

_____ MAYOR

_____ CITY CLERK



Schedule A- Zoning By- Law Amendment

City of Burlington Zoning By-law 2020

1010 Downsview Drive & 355 Plains Road East Burlington, Ontario

LEGEND

- Subject Lands
- Lot 'A' - Change zoning from MXG (Mixed Use General) to MXG-XX (Mixed Use General Site Specific)
- Lot 'B' - Change zoning from MXG (Mixed Use General) to MXG-XX (Mixed Use General Site Specific)

DATE: May 26, 2022

SCALE N.T.S

north

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