WESTON CONSULTING



PLANNING JUSTIFICATION REPORT

688-698 BRANT STREET
CITY OF BURLINGTON

MARCH 2023
FILE #10749

TABLE OF CONTENTS

1. INTRODUCTION 6

2. PURPOSE OF REPORT 8

3. SITE DESCRIPTION AND CONTEXT 10

- 3.1 Description of Subject Lands 11
- 3.2 Neighbourhood Context 12
- 3.3 Recent Development Activity 12
- 3.4 Transit and Transportation 15
- 3.5 Community Facilities 16

4. PROPOSED DEVELOPMENT 18

- 4.1 Description of Development Proposal 19

5. SUPPORTING MATERIALS 22

- 5.1 Urban Design Brief 23
- 5.2 Housing Impact Statement 24
- 5.3 Pedestrian Wind Study 25
- 5.4 Tree Inventory and Preservation Plan Report 25
- 5.5 Flood Analysis Report 26
- 5.6 Phase 1 Environmental Site Assessment 27
- 5.7 Phase 2 Environmental Site Assessment 27
- 5.8 Transportation Impact Study and Parking Study 28
- 5.9 Functional Servicing and Stormwater Management Report 29
- 5.10 Waste Management Brief 29
- 5.11 Draft R-Plan 30
- 5.12 Construction and Mobility Management Guidelines 30
- 5.13 Geotechnical Investigation Report 31
- 5.14 Hydrogeological Investigation and Water Balance Assessment 31
- 5.15 Noise Feasibility and Vibration Report 32

6. POLICY CONTEXT 34

- 6.1 Planning Act, R.S.O. 1990 (as amended 2019) 35
- 6.2 Provincial Policy Statement (2020) 38
- 6.3 A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) 42
- 6.4 Halton Region Official Plan 47
- 6.5 City of Burlington Official Plan (1997) 55
- 6.6 Approved City of Burlington Official Plan (2020, Not in-force) 59
- 6.7 City of Burlington Zoning By-law (2020) 70

7. APPLICATION SUBMISSION SUMMARY 72

- 7.1 Draft Official Plan Amendment 73
- 7.2 Draft Zoning By-law Amendment 76

8. URBAN DESIGN REVIEW PANEL 80

9. PUBLIC CONSULTATION STRATEGY 84

9.1 Public Consultation Strategy Summary 85
9.2 Pre-Application Public Consultation Meeting Summary 86

10. PLANNING ANALYSIS AND JUSTIFICATION 90

10.1 Policy Context 91
10.2 Compatibility 91
10.3 Height and Density 92
10.4 Infrastructure and Services 92

11. CONCLUSION 94

LIST OF FIGURES

Figure 1: Aerial Photo of Subject Lands 11
Figure 2: Surrounding Development Activity 14
Figure 3: Burlington Transit Map 15
Figure 4: Nearby Services and Facilities 17
Figure 5: Site Plan Prepared by Chamberlain Architects 19
Figure 6: Landscape Plan Prepared by Wilk and Associates 20
Figure 7: Halton Region Official Plan – Regional Structure Map 47
Figure 8: Halton Region Official Plan – Downtown Burlington UGC/Burlington GO MTSA 50
Figure 9: Burlington Official Plan (1997) Schedule B 55
Figure 10: Draft Burlington Official Plan (2020) Schedule C Land Use – Urban Area 59
Figure 11: Draft Burlington Official Plan (2020) Schedule D Land Use – Downtown Urban Centre 60
Figure 12: Downtown Burlington UGC/Burlington GO MTSA Precincts 62
Figure 13: Downtown Burlington UGC/Burlington GO MTSA Heights 63
Figure 14: Cross section showing built form and transition along Brant Street 65
Figure 15: Draft City of Burlington Zoning By-law 2020 Map 71
Figure 16: Official Plan Amendment A 74
Figure 17: Official Plan Amendment B 75
Figure 18: Zoning By-law Amendment Schedule A 77

LIST OF TABLES

Table 1: Surrounding Development Applications 13
Table 1: Nearby Community Services and Facilities 16
Table 3: Nearby Development Applications 21
Table 4: Halton Region Official Plan: Table 1 Population and Employment Distribution 54
Table 5: Halton Region Official Plan: Table 2B Strategic Growth Area Targets 54
Table 6: Official Plan Amendment Site Specific Provisions 73
Table 7: Zoning By-law Amendment Site Specific Provisions 78

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1. INTRODUCTION

Weston Consulting has been retained by Elite 688 Brant Holdings Inc. who are the registered owner of the lands municipally known as 688, 694 and 698 Brant Street (herein referred to as the “subject lands”), in the City of Burlington.

This Report has been prepared in support of an application for Official Plan Amendment and Zoning By-law Amendment and provided planning analysis and justification in support of the proposed 11-storey apartment mixed- use apartment building consisting of 305 residential units and 1,592 sq. of retail space serviced by surface and underground parking.

The applications and supporting materials are submitted in accordance with the Pre-Consultation Meeting held with planning staff on May 18, 2022 (extended XXX, 2023) and constitute a Complete Application as described in Sections 34(10) and 51(17) of the *Planning Act.*

This report provides the planning rational in support of the proposed development and provides planning analysis and justification for the proposal in accordance with good planning principles.

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2. PURPOSE OF REPORT

The purpose of this Report is to outline the nature of the proposed development and to evaluate the Official Plan Amendment and Zoning By-law Amendment applications in the context of the applicable planning policy framework. The Report evaluates the merits of the proposed development through consistency with the Provincial Policy Statement ('PPS'), A Place to Grow: Growth Plan for the Greater Golden Horseshoe (the 'Growth Plan'), the Halton Region Official Plan as amended by ROPA 48 and 49 (the 'Regional Official Plan'), the City of Burlington Official Plan (the 'Local Official Plan'; both in-effect 1997 Plan and appealed 2020 Plan), and compliance with the City of Burlington Zoning By-law 2020. This Report provides the analysis and justification for the proposed development in accordance with good planning and urban design principles and provides the basis for the advancement of the development applications through the planning process.

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3. SITE DESCRIPTION AND CONTEXT

3.1 DESCRIPTION OF SUBJECT LANDS

The subject lands are municipally known as 688, 694 and 698 Brant Street in the City of Burlington and are legally described as follows:

- LT 65, RCP PL99; PT LT 66, RCP PL99, AS IN 290227; BURLINGTON
- PT LT 66 , RCP PL99 , PART 1"& 2,"20R2804 ; BURLINGTON "ADDED OCT 13, 98 J. MENARD"
- PT LT 66 , RCP PL99 , PART 1 & 2 , 20R2773 ; BURLINGTON

The subject lands are comprised of three adjacent parcels of lands located on the west side of Brant Street, with the nearest major intersection being Brant Street and Fairview Street. The site is currently occupied by a short-term rental facility (698 Brant St.), a two-storey walk-up apartment containing five residential units (694 Brant St.) and vacant post office facility (688 Brant St.).

The subject lands have an approximate combined area of 0.73 hectares (1.80 acres) and an approximate frontage of 150.3 metres along Brant Street. The surrounding area is primarily comprised of commercial and institutional uses along the Brant Street corridor surrounded by residential uses within the interior community.

The subject lands are generally flat with little change in topography. Similarly, the lands are mostly hardscaped with little vegetation with the exception of boundary trees to the north and west.

It is important to note that the subject lands share a driveway with the adjacent property (672 Brant St.) which consists of a four storey office building with pharmacy on the ground floor. This signalized exit only access will be maintained as part of the proposed development.



Figure 1: Aerial Photo of Subject Lands

3.2 NEIGHBOURHOOD CONTEXT

The subject lands are located in downtown Burlington. The surrounding area is characterized by residential and commercial land uses (Figure 2). The lands are located in an area surrounded by existing residential subdivisions to the north and west, along with commercial uses to the east and south.

Land uses within vicinity of the subject lands are as follows:

North: Directly north of the subject lands area two apartment buildings operated by the Halton Community Housing Corporation. Further north of the lands are several low-rise residential buildings fronting onto Brant Street. Burlington Square is located approximately 200-meters north of the lands which contains a shopping plaza and associated parking lot which is adjacent to a 15 storey apartment.

East: Directly east of the subject lands is Brant Street, followed by a place of worship. Further east of the subject lands consists primarily of a single-detached residential community.

South: Directly south of the subject lands is a commercial building containing a pharmacy on the ground floor with offices above. In addition, further south of the lands is a middle school fronting onto Brant Street and several commercial buildings. The Burlington waterfront trail is located approximately 1.5-kilometers south of the subject lands.

West: Directly west of the subject lands is a single detached residential community. Wellington Park is approximately 800 metres west of the lands and contains greenspace, a playground, and a soccer field.

3.3 RECENT DEVELOPMENT ACTIVITY

Table 1 and Figure 2 below provide a summary of the active development applications within a 1-kilometre radius of the subject lands as identified on the City of Burlington website. The applications demonstrate the land use and built form changes that are currently being proposed within the surrounding area, most notably along Brant Street. These applications demonstrate that high density residential and mixed uses are being proposed within the surrounding area. The proposed development has considered the existing land use and active development activity within the surrounding area, while considering the applicable planning policies and guidelines.

Table 1: Surrounding Development Applications

City File Number		Location	Type of Application	Description of Proposal
1	Renimmob Properties Limited 505-04/21 520-05/21	535-551 Brant Street	Official Plan & Zoning By-law Amendment	A mixed-use development, including a 25-storey tower (plus mechanical and rooftop outdoor amenity space) and a total of 248 residential units
	Camarro Developments 505-07/22 520-08/22	789-795 Brant Street	Official Plan & Zoning By-law Amendment	A mixed-use development, including a 31-storey tower (plus mechanical and rooftop outdoor amenity space) and a total of 356 residential units
2	Molinaro Group 505-06/21 520-07/21	747, 761, 769-83, 774, 778-82 Brant Street and 2023, 2027-33 Ghent Avenue	Official Plan & Zoning By-law Amendment	A multi-phase, mixed use development comprised of two 25, one 14 and 8-storey towers with park and retail at grade.
3	535-004/20	2095 Prospect Street	Site Plan Application	Two 3-storey stacked townhouse blocks totalling 36 units. Existing 8-storey apartment building with 65 units to remain.
4	Chamberlain Architects 535-005/21	2170 Ghent Avenue	Site Plan Application	Three townhouse blocks consisting of 19 3-storey units.
5	Molinaro Group 535-015/20	2089 Fairview Street	Site Plan Application	Two, 18-storey residential towers with commercial uses at grade with three levels of underground of parking.



Figure 2: Surrounding Development Activity

3.4 TRANSIT AND TRANSPORTATION

The subject lands are well served by both transportation and transit infrastructure to support multi-model transportation. Municipal bus service is provided by the Burlington Transit system. The nearest bus route travels along Brant Street and is known as *2 – Brant* with the nearest bus stop located at Blairholm Avenue and Brant Street. The *2 – Brant* Route connects north to the Plains-Fairview Route and south to the Guelph Route and the Central Route. In addition, it also provides connection to Burlington GO Station, located approximately 1.5 kilometres north from the subject lands. The Burlington GO Station runs on the Lakeshore West line and provides inter-regional to major destinations such as Toronto, Mississauga, Hamilton and Niagara Falls.

Highway 403 and the Queen Elizabeth Way (QEW) are located approximately 1.8 kilometers north of the subject lands and provides access to Toronto to the east and Hamilton to the west. Highway 403 and the QEW is a six-lane highway running east to west providing access to the City of Toronto the east and the City of Hamilton to the west. The QEW separates into its own highway shortly west of the Brant Street interchange and provides connections to the south for St. Catharines and Niagara Falls.

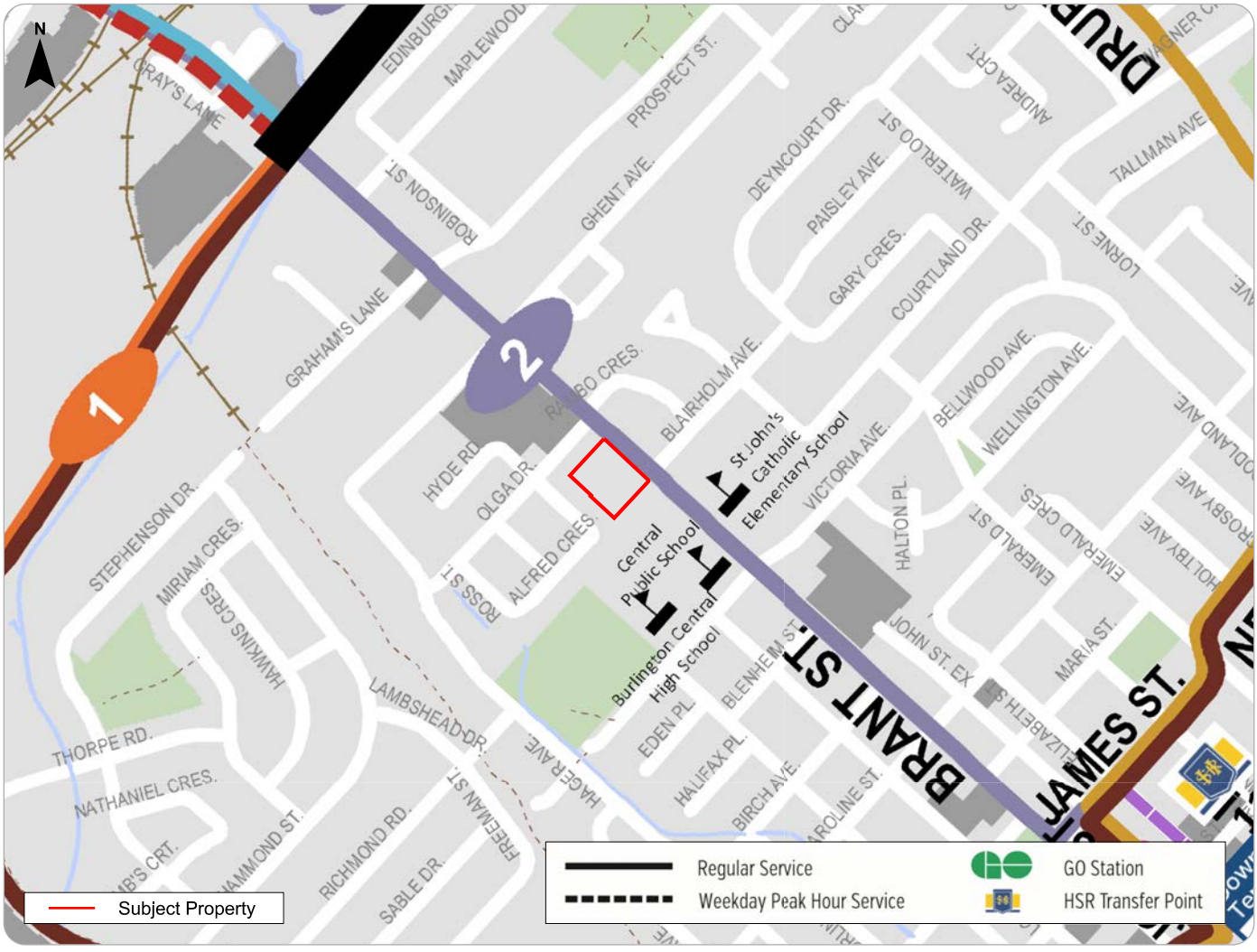


Figure 3: Burlington Transit Map

3.5 COMMUNITY FACILITIES

The subject lands are situated in an area that is well serviced by community services and facilities. An overview of the nearby community services is provided in Table 2 Community facilities are generally found to the north and south of the subject lands along Brant Street. Refer to Figure 3 for community facilities within an 800-metre radius of the subject lands.

Table 1: Nearby Community Services and Facilities

Community Facility, Parks, and Recreation	Address	Program/ Services / Amenities
Wellington Park	1371 Baldwin Street	• Soccer field • Greenspace • Playground • Seating area
Coronation Park	2099 Wellington Avenue	• Greenspace • Seating area
Educational Institutions	**Address**	**Program/ Services / Amenities**
Central Public School	638 Brant Street	• Elementary School
St John Burlington Catholic Elementary School	653 Brant Street	• Elementary School
Burlington Central Secondary School	1433 Baldwin Street	• High School
Religious Institutions	**Address**	**Program/ Services / Amenities**
St. John the Baptist Church	2016 Blairholm Avenue	• Place of Worship

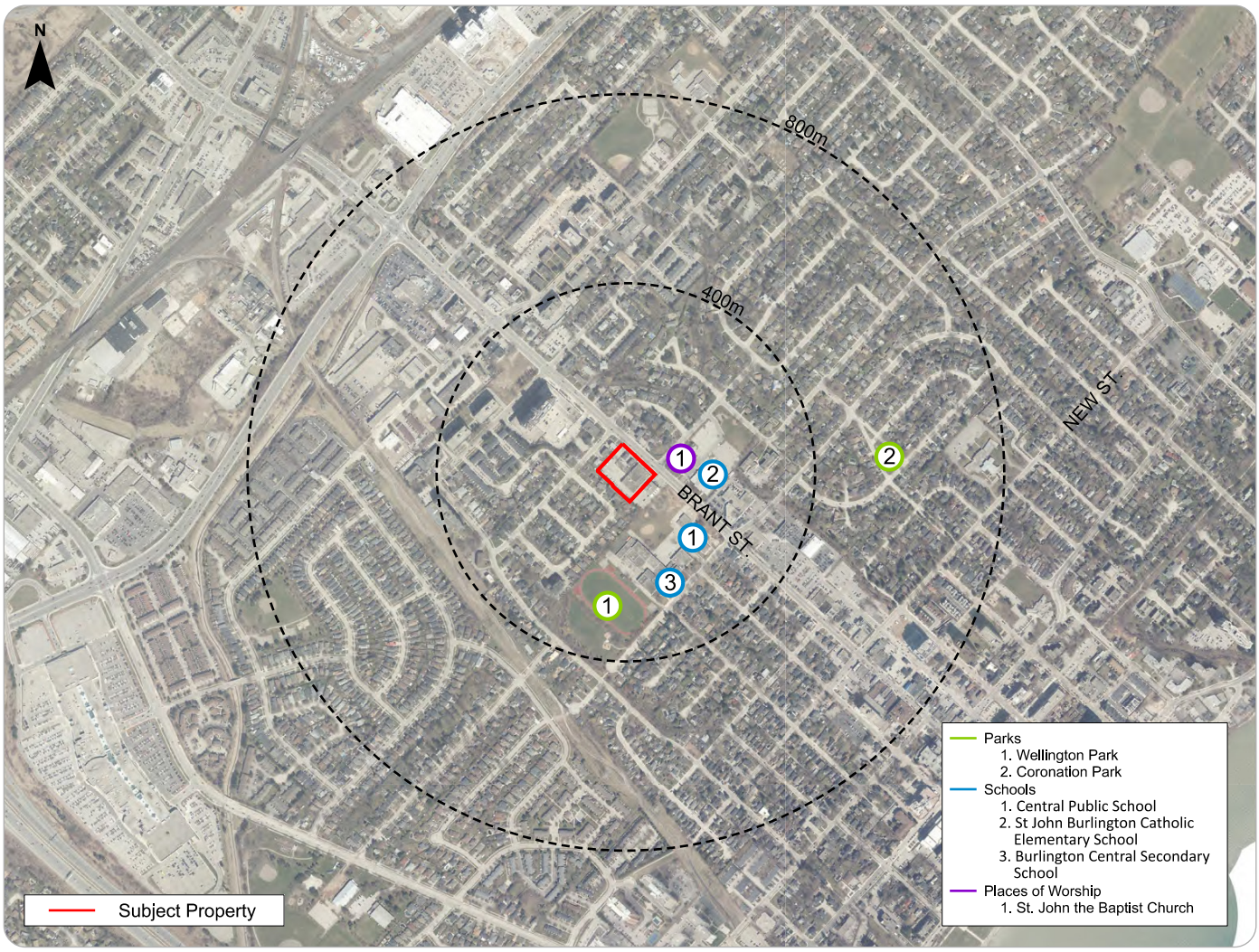


Figure 4: Nearby Services and Facilities

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4. PROPOSED DEVELOPMENT

4.1 DESCRIPTION OF DEVELOPMENT PROPOSAL

The submitted applications contemplates the development of an 11-storey mixed-use apartment building with 305 residential units and 1,592 square metres of commercial uses. The apartment building is comprised of the following unit mix: 38 bachelor units, 97 one-bedroom units, 52 one-bedroom plus den units, 75 two-bedroom units, 31 two-bedroom plus den units and 12 two-storey 'townhouses' which will have individual at-grade private entrances.

Vehicular access to the proposed development is provided from Brant Street with 2 two-way driveways from the north and south sections of the subject property. Vehicles can then travel through to the drop-off zone located in the centre of the site and apartment building. A one way lane loops the west side of the townhomes. A total of 462 parking spaces are provided at grade and through 3-levels of underground parking and short-term parking provided at-grade. A total of 129 bicycle parking spaces are provided for residents and visitors all of which are located in the underground parking levels.

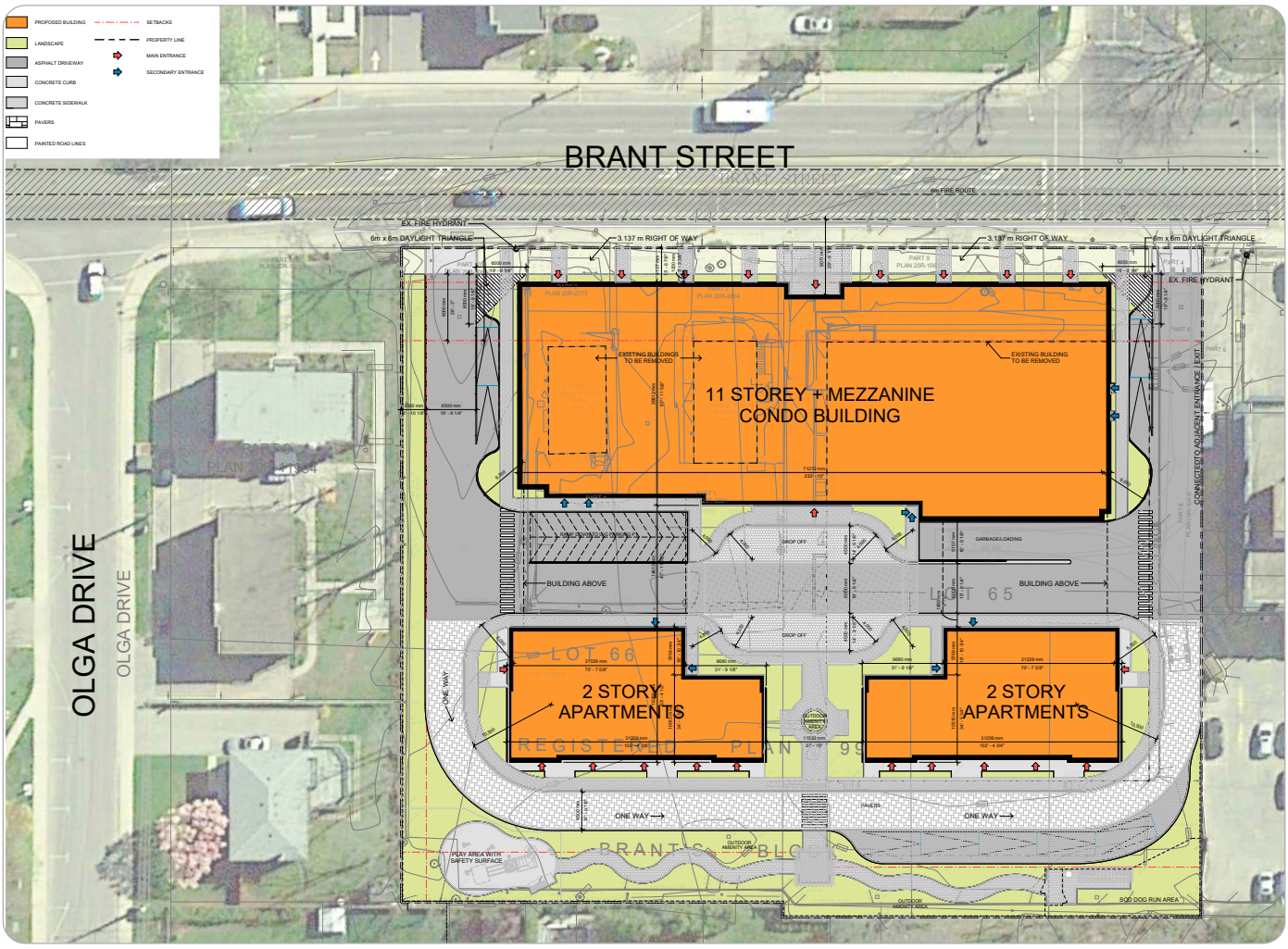


Figure 5: Site Plan Prepared by Chamberlain Architects

A total of 4,393 square metres of amenity space is provided for future residents of the proposed development. Amenity space will be broken into outdoor and indoor spaces. Outdoor amenity is proposed at the rear at the site adjacent to the low-rise residential in the form of children's play area, sitting area with dog run connected by a trail pedestrian walkway. Additional outdoor amenity is proposed on the roof of the 11th storey. Each unit will also have private balconies for their use. Indoor communal amenities, including fitness, kitchen space, gaming and lounge facilities are also proposed that will connect into the proposed outdoor amenity area.

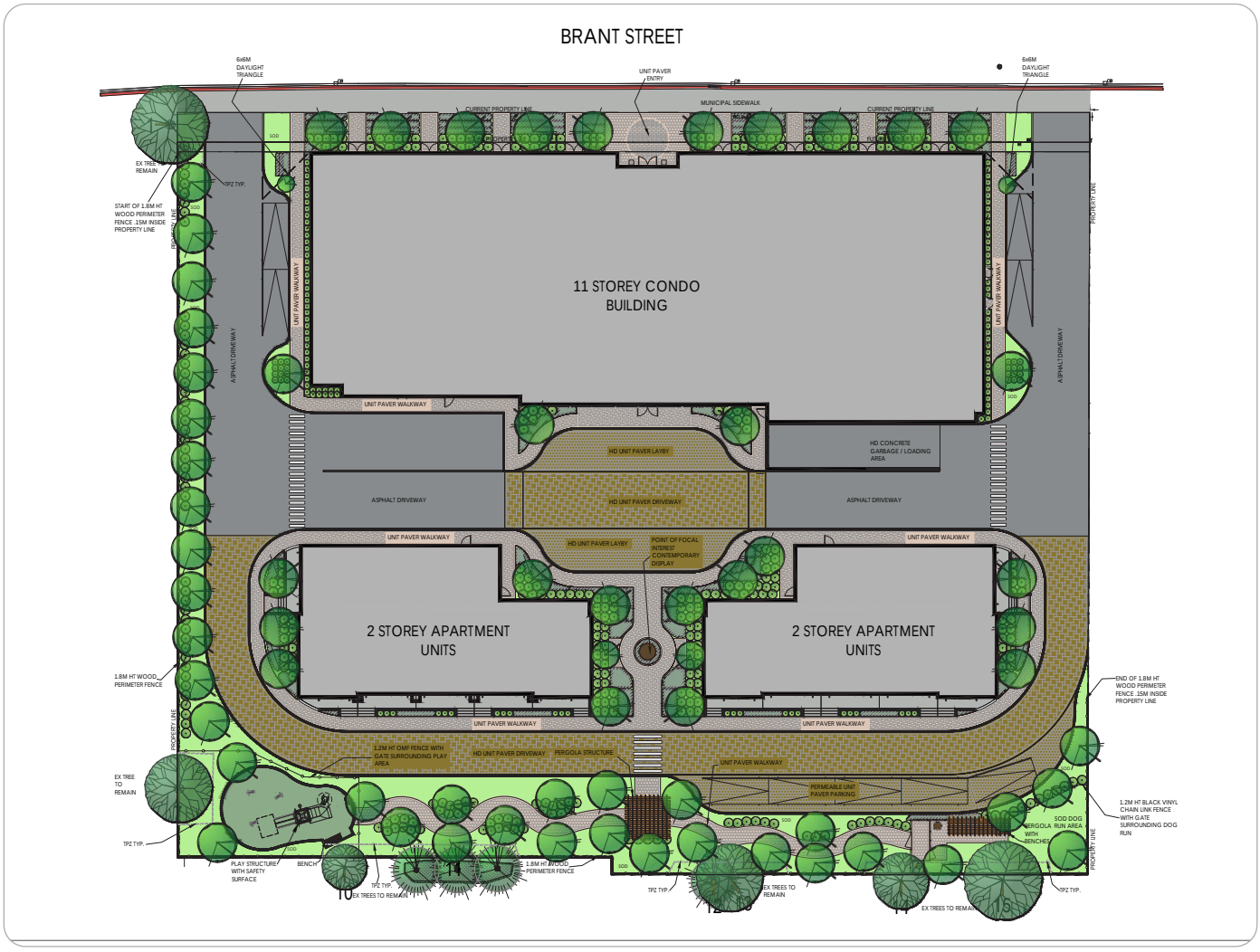


Figure 6: Landscape Plan Prepared by Wilk and Associates

Table 3: Nearby Development Applications

Material	Prepared by
Draft Plan of Subdivision	Weston Consulting
Urban Design Brief	
Planning Justification Report	
Healthy Development Assessment	
Zoning Matrix	
Grading Plan(s)	Crozier Consulting Engineers
Servicing Drawings	
Stormwater Management Report	
Traffic/transportation Impact Study	
Arborist Report and Tree Preservation Plan	GEI Consultants
Landscape Cost Estimate	
Landscape Letter of Conformance	
Landscape Plans	
Environmental Implementation Report/Environmental Impact Study	
Archaeological Assessment	Earthworks Archaeological Services
Heritage Impact Assessment	Goldsmith Borgal and Company Ltd.
Heritage Conservation Plan	
Draft Reference Plan	

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5. SUPPORTING MATERIALS

5.1 URBAN DESIGN BRIEF

Weston Consulting was retained to prepare an Urban Design Brief to describe the proposed development's compatibility with the surrounding context and express the site's conformity with key urban design policies and guidelines such as the City's Mid-rise Design Guidelines. In addition, it provides a written analysis of the architectural set prepared by Chamberlain Architects on February 2023 This Urban Design Brief builds on the feedback provided by the Burlington Urban Design Review Panel on Sept. 15, 2022. Following is a summary provided by the Urban Design Brief is listed below:

- The overall massing strategy demonstrates that the proposed building successfully mitigates negative impacts onto the surrounding area.
- The building massing at the rear steps down from the 11th storey to the 2-storey apartment units to meet the City's Angular Plane requirements. This transition reduces potential massing and shadowing impacts onto neighbouring properties. Any massing impacts are further mitigated by the provision of an outdoor amenity area and secondary driveway in the rear yard.
- Hard and soft landscaping is utilized throughout the site design to compliment the overall built form and provide much-needed urban 'greening' to the neighbourhood. Consistent plantings, proposed along Brant Street, will develop a cohesive streetscape design and contribute to the overall vision of 'Building Excellence' within the City of Burlington
- The ground floor of the proposed podium includes commercial units with direct entrances off of Brant Street. By establishing an active frontage, the proposed development will continue to support the transformation of Brant Street into a vibrant, transit-supportive corridor within the City.
- The design approach ensures that the vision for moderate intensification along Brant Street is met and a number of amenities, services and streetscaping enhancements are integrated into the site design
- The development remains sensitive to the surrounding context while simultaneously establishing a unique character along Brant Street. This is achieved through an appropriate consideration of building façade design and materials, overall built form and efficient access and circulation.
- It is our opinion that the existing and planned context of the surrounding community will benefit from the proposed building, maximizing the potential of the site and enhancing the overall public realm design within the community

For additional information, please refer to the Urban Design Brief for more information.

5.2 HOUSING IMPACT STATEMENT

UrbanMetrics was retained to prepare a Housing Impact Statement in support of the proposed development. This study was prepared to evaluate and summarize the impact that the proposed development would have on the local and regional housing market. A summary of the findings is listed below:

- The proposed development would contribute towards the Region's achievement of two major housing targets from the Region OP
  - Policy 86 (6) a) - As all units in the proposed development will be condominium apartments or townhouses, the development will contribute towards the Region's achievement of the target that 50 per cent of new units developed be in the form of townhouse and apartment units.
  - Policy 77 (2.1) - As the proposed development is located within the Region's built-up area, all units will contribute towards the Region and the City meeting their intensification target of a minimum of 40 per cent of new residential units being constructed in the built-up area.
- New units in the proposed development are not expected to meet the regional or local definition of affordable or assisted housing units. However, the increased supply of housing would indirectly support housing affordability by contributing towards the supply of new housing available to accommodate forecasted demand. Also, by introducing a mix of unit formats and sizes, the proposed development would appeal to a broader range of current and future residents.
- The increased supply of housing would indirectly support housing affordability by contributing towards the supply of new housing available to accommodate forecasted demand by introducing a mix of unit formats and sizes, the proposed development would appeal to a broader range of current and future residents.
- The proposed mixed-use composition of the development will maintain the general land use character of the overall site while increasing the density of residential uses over the three assembled properties.
- This Report also speaks to the Region's State of Housing Report (2021) which is found in Section 3.3.
- Developing 305 new apartment and 'townhouses' units on the site is consistent with the new Burlington OP's growth intensification objectives for this area of the City, and will contribute towards the City of Burlington and Region of Halton's objectives in achieving various housing supply targets.

For additional information, please refer to the Housing Impact Statement for more information.

5.3 PEDESTRIAN WIND STUDY

RWDI was retained to conduct a Pedestrian Wind Study in support of the proposed development. The study was prepared in accordance with the Burlington pedestrian wind criteria, developed in March 2020, to assess the effect of the proposed development on local conditions in pedestrian areas on and around the subject lands and provide recommendations for minimizing adverse effects, if needed. A summary of the findings is listed below:

- Higher wind speeds occur on and around the site due to the building being taller than the surroundings and the resultant increased wind-building interactions.
- During the summer, wind conditions on and around the sites are shown to be comfortable for sitting or standing at most locations.
- In the winter, wind conditions comfortable for leisurely/fast walking or calmer are shown at most areas, apart from an area to the south under the breezeway, where marginally uncomfortable conditions are anticipated.
- Wind conditions comfortable for standing are observed at most amenity areas in the summer. During the colder months of the year, due to the seasonal increase in wind speeds, most locations on the amenity. This may be considered acceptable as outdoor areas would be used less frequently during the winter areas are expected to experience elevated wind activity.

Please refer to the enclosed Pedestrian Wind Study for further information.

5.4 TREE INVENTORY AND PRESERVATION PLAN REPORT

Kuntz Forestry Consulting Inc. was retained by Wilk Associates Landscape Architecture Limited to complete a Tree Inventory and Preservation Plan report in support of a development application for properties located at 688-698 Brant Street in the City of Burlington, Ontario.

The findings of the study indicate that there is a total of 23 trees on site and within six metres of the subject lands. It was found that 12 trees are required to be removed to accommodate the proposed development. In addition, one tree is required to be removed due to its poor condition which is not caused by the proposal. The additional 10 trees will be protected, including those adjacent to the low-rise residential, if tree protection measures installed prior to construction.

The following recommendations are suggested to minimize the impacts of trees identified for preservation. Refer to Figure 1 for additional tree preservation notes and the preservation hoarding details enclosed with the submission.

- Tree protection barriers and fencing shall be erected at locations prescribed on Figure 1.
- Tree protection measures will have to be implemented prior to demolition to ensure the trees identified for preservation are not impacted by the development. Barriers should be maintained throughout construction.
- Branches and roots that extend past prescribed tree protection zones that require pruning must be pruned by a qualified Arborist or other tree professional. All pruning of tree roots and branches must be in accordance with good arboricultural standards.
- Site visits, pre, during, and post construction are recommended by either a certified consulting arborist (I.S.A.) or registered professional forester (R.P.F.) to ensure proper utilization of tree protection barriers. Trees shall also be inspected for damage incurred during construction to ensure appropriate pruning or other mitigation measures are implemented

5.5 FLOOD ANALYSIS REPORT

Please refer to the enclosed Tree Inventory and Preservation Plan Report for more information.

Odan Detech was retained to conduct a Flood Analysis Report to review the site and given typology, review the existing area and models, and provide any observations and recommendations. The lands are subject to floodplain spill events during the Regulatory Storms. The observations and recommendations were provided by the Flood Analysis Report and is included below:

- The proposed infill development will not have a negative effect on the properties adjacent to the Site when developed
- Erosion is not a concern for the subject site
- Emergency vehicles can easily negotiate Brant Street
- The outflows to the three outfall locations from the 2D grid are approximately the same
- The existing conditions and future conditions when 688-698 Brant Street is developed are essentially the same
- It is recommended by the Flood Analysis Report that the proposed redevelopment of 688-698 Brant Street be permitted

Please refer to the enclosed Flood Analysis Report for more information.

5.6 PHASE 1 ENVIRONMENTAL SITE ASSESSMENT

EXP Services Inc. was retained to conduct a Phase One Environmental Site Assessment (ESA) to assess the environmental condition of the lands based on its historical and current uses. A summary of the findings include:

- Based on the Area of Potential Environmental Concern (APEC), the redevelopment of the lands will require a Record of Site Condition (RSC) to be filed for the portion of the subject lands addressed as 688 Brant Street. The APEC includes the following list:
  - Former waste storage located on 688 Brant Street
  - Transform (in use) on 688 Brant Street
  - Salt Application on parking areas of the lands
  - Former buildings on the northeast corner of the lands
- An RSC cannot be filed based on the Phase One ESA alone. A Phase Two is required to investigate the APECs identified in the Phase One

Please refer to the Phase One ESA for more information.

5.7 PHASE 2 ENVIRONMENTAL SITE ASSESSMENT

EXP Services Inc. was retained to conduct a Phase Two Environmental Site Assessment (ESA) to assess the area of potential environmental concern (APEC) identified in the Phase One ESA completed by EXP and to support the filing of a Record of Site Condition (RSC) on the Ontario Ministry of the Environment, Conservation and Parks (MECP) Environmental Brownfield Site Registry. Given the residential nature of 698 Brant St. (short-term rental facility) and 694 Brant St. (a two-storey walk-up apartment containing five residential units) the RSC will only assess the vacant post office facility at 688 Brant St.. A summary of the findings include:

- The general stratigraphy at the Site, as observed in the boreholes; consisted of asphalt (overlying sandy gravel fill) or surficial topsoil in all boreholes, underlain by reworked native and/or native sand materials. Native material was encountered in all boreholes, with the exception of one. The underlying native soil consisted of sand overlying till deposits.
- The monitoring well network consisted of three newly installed monitoring wells. The three wells were screened between 1.52 and 4.57 m bgs, within the native sand and silty clay and/or sand till layer. Based on the groundwater contour map delineated for the site, on-site groundwater flow is to the southeast. EXP notes that the direction of localized groundwater flow is significantly influenced by disturbed soil (fill), railway tracks, and underground utilities within the Site.
- The horizontal hydraulic gradient on site was calculated as 0.005 m/m (between BH/MW-1S and BH/MW-2) and 0.001 m/m (between BH/M@-2 and BH/MW-4S)
- The reported pH values were 8.06 for surface soils and 7.74 for subsurface soils, across the investigation, which are within the acceptable ranges to use the Table 2 SCS

- Soil samples were submitted for the analysis of Petroleum Hydrocarbons (PHs), Benzene, Toluene, Ethylbenzene, and Xylenes (BTEX), Metals including hydride-forming metals Polycyclic Aromatic Hydrocarbons (PAHs), polychlorinated biphenyls (PCBs) and selected other Regulated Parameters (ORPs)
- Groundwater samples were submitted for the analysis of PHCs including BTEX, Metals and PCBs
    - All parameters analyzed were either not detected at laboratory RDLs or detected below the applicable Table 2 SCS
- No evidence of free product (i.e. visible film or sheen), or odor was observed during soil sampling, groundwater purging, or groundwater sampling activities.
- Based on the findings of the Phase Two ESA, no further work is recommended at this time and as such, a Record of Site Condition may be filed

Please refer to the enclose Phase Two ESA for more information.

5.8 TRANSPORTATION IMPACT STUDY AND PARKING STUDY

Paradigm Transportation Solutions Limited was retained to conduct a Transportation Impact and Parking Justification to determine the impacts of development traffic on the surrounding road network and site-generated traffic. Vehicular access is proposed via two existing accesses to Brant Street; The North Access is a one-way entrance, and the South Access is a one-way exit to Brant Street aligned at Blairholm Avenue. A summary of the findings include:

- The redevelopment of the subject site is anticipated to have a negligible effect on traffic operations within the study area. Individual movement delays are expected to increase by less than 20 seconds during the AM and PM peak hours as a result of the site traffic.
- The existing transportation infrastructure is adequate for accommodating additional traffic associated with the proposed development. No roadway improvements are required to facilitate the proposed development.
- Based on empirical survey data that both Paradigm and the City staff have collected at multi-family residential buildings and a review of industry parking data and policy framework of the Growth Plan, the Provincial Policy Statement and Burlington's OP, a reduced parking supply for the proposed development is supportable.
- The proposed parking supply of 435 spaces plus 27 tandem spaces, 1.00 parking spaces per unit, is appropriate and supportable for the proposed development based on parking data collected by both Paradigm and City staff given the context of being with a Primary Growth Area.

Please refer to the enclosed Transportation Impact Study and Parking Study for further information.

5.9 FUNCTIONAL SERVICING AND STORMWATER MANAGEMENT REPORT

The Odan Detech Group Inc. was retained to review the Site, collect data, evaluate the subject lands for the proposed use and present the findings in a Functional Servicing and Stormwater Management Report. The scope of work included: Collecting existing servicing drawings from the City of Burlington in order to establish availability and feasibility of Site servicing, and meetings/conversations with City of Burlington Engineers and Design Team, Evaluation of the data and presentation of the findings. A summary of the findings includes:

- The subject lands are serviceable utilizing existing sanitary sewer, storm sewer and watermain infrastructure adjacent to the site.
- Peak Sanitary Discharge (L/s) is 10.48
- A 200mm diameter PVC lateral at 2.0% (capacity 65 L/s) is proposed to convey the sanitary flows from the subject development to the existing 300mm diameter sanitary sewer beneath Brant St
- receiving sanitary sewer is a 300mm sanitary sewer on Brant Street
- Development Water Demand (Fire + Domestic) is 223 L/s
- Available Flow Rate is 289 L/s
- Proposed Fire Service is 200mm
- Proposed Domestic Service is Branch 150mm
- Allowable release rate from Proposed Apartment(L/s) [based on 5-year storm] is 108 L/s
- Proposed release rate from site (L/s) (100-year storm) is 96 L/s

In conclusion, from the foregoing investigation, the site is serviceable utilizing existing sanitary sewer, storm sewer and watermain infrastructure adjacent to the site. Storm water management can be accommodated with on-site storage as described in this report.

Please refer to the enclosed Functional Servicing and Stormwater Management Report for more information.

5.10 WASTE MANAGEMENT BRIEF

A Waste Management Brief was prepared by Weston Consulting in support of the proposed development to provide detail on waste storage and collection. The proposed development will be served by a private waste collection service for both of the residential and non-residential components. A summary of the brief includes:

- Private collection vehicles will enter the site through the northern full moves access on Brant Street. The collection vehicle will back into the dedicated internal loading bay which is situated adjacent the separate residential garbage and retail garbage rooms on the ground floor
- Residential waste, recycling and organics will be brought down to the ground floor collection room by a tri-sorter collection chute proposed on all above grade residential floors. Retail waste will be walked over to the retail waste collection room from each of the retail units.
- The garbage collection room will contain three 3-cubic yard garbage bins, five 3-cubic yard recycling bins and two 2-cubic yard organics bins.
- On collection day, the bins would be moved from inside the waste collection room to loading bay located outside.

The Waste Management Brief has been prepared in accordance with the Region's Development Design Guidelines, however the waste collection program for this development will prvate and not public. The proposed development could not accommodate Regional design standards. Please refer to the Waste Management Brief for further information and figures.

5.11 DRAFT R-PLAN

A draft R-Plan was prepared by A.T McLaren in support of the proposed development. The draft R-Plan outlines the road widening along Brant Street as part of the following Pins: PIN 07089 – 0110 (LT), PIN 07089 – 0111 (LT), PIN 07089 – 0112 (LT). The road widening is shown on the R-Plan as Parts 1,2,3 and 4 as 3,127 meters wide. The total length of the road widening for Parts 1-4 is 96.280 metres wide.

Please refer to the draft R-Plan for further details.

5.12 CONSTRUCTION AND MOBILITY MANAGEMENT GUIDELINES

The Construction and Mobility Management Guidelines was prepared by Lanhack Consultants Inc. to provide a program for planning, organization, and construction activity for the proposed development. The development will be constructed in four stages: Stage 1 Demolition and Removal of Existing Buildings, Stage 2 Excavation and Construction of North Underground Parking Structure Stage 3 Excavation and Construction of South Underground Parking Structure Stage 4 Construction of Building Above Grade.

The Construction and Traffic Management Guidelines will address the following items:

- Traffic
- Pedestrian and cyclist control measures
- Hours of operation
- Noise control
- Haulage route of construction vehicles
- Air and dust management
- Stormwater and sediment control
- Tower cranes
- Trade parking
- Waste management
- Staging of construction vehicles
- Vehicle wash-down
- Site setup, including sanitary facilities, site officers, material storage, and staging
- Emergency contact information
- Public communication

At all times, the construction management guidelines will recognize the immediate and overall surroundings and shall be sensitive to the neighbourhood to minimize any impact to local businesses and residents. As such, the plan shall utilize Truck Routes for construction vehicle routing. An on-location review and meeting of this plan with the relevant City personnel will be held to make necessary revisions, if any, and finalize this plan.

Please refer to the Construction and Mobility Management for further information.

5.13 GEOTECHNICAL INVESTIGATION REPORT

EXP Services Inc. was retained to conduct a geotechnical investigation carried out to confirm the subsoil and groundwater conditions on the subject lands of the proposed development. Ten (10) boreholes were advanced and based on an assessment of the subsurface data, an engineering report containing general geotechnical recommendations pertinent to the proposed construction. The report provided the following comments based on conclusions:

- The information presented in this report is based on a limited investigation designed to provide information to support an overall assessment of the current geotechnical conditions of the subject property. The conclusions presented in this report reflect site conditions existing at the time of the investigation
- The comments given in this report are intended only for the guidance of design engineers. The number of boreholes required to determine the localized underground conditions between boreholes affecting construction costs, techniques, sequencing, equipment, scheduling, etc., would be much greater than has been carried out for design purposes. Contractors bidding on or undertaking the works should, in this light, decide on their own investigations, as well as their own interpretations of the factual borehole results, so that they may draw their own conclusions as to how the subsurface conditions may affect them.
- More specific information, with respect to the conditions between samples, or the lateral and vertical extent of materials, may become apparent during excavation operations. Consequently, during the future development of the property, conditions not observed during this investigation may become apparent; should this occur, EXP Services Inc. should be contacted to assess the situation and additional testing and reporting may be required.

Please refer to the Geotechnical Investigation Report for more information.

5.14 HYDROGEOLOGICAL INVESTIGATION AND WATER BALANCE ASSESSMENT

EXP Services Inc. was retained to conduct a Hydrogeological Investigation and Water Balance Assessment. The intention of the report was to establish the local hydrogeological settings within the subject lands, assess construction dewatering flow rates and potential impacts, provide recommendations on long term groundwater management, assessment groundwater quality, develop a water balance for pre- and post-development conditions using a Thornthwaite-Mather water balance approach and provide water balance deficits between prep- and post-development conditions, assess potential impacts ad provide preliminary guidance for mitigation measurers, conduct seasonal (one year) groundwater level monitoring on a bi-monthly basis; and prepare a Hydrogeological Investigation and Water Balance Assessment Report. EXP Services Inc. provided some of the following conclusions in this report:

- No change in regional groundwater flow direction is anticipated
- To ensure that discharge meets the required standards, and the effects of the dewatering are not widespread, both water quantity and water quality of groundwater must be documented and monitored during construction dewatering period
- Since EASR will be required for construction dewatering, monitoring of the daily pumping volumes at each water taking source will be required along the on-site precipitation events
- The geotechnical assessment of dewatering impacts is required
- A Discharge Plan (dewatering sketch, sewer discharge agreement) must be developed and applied for any discharges from the Site. Monitoring of both water quantity and water quality must be carried out for the entire duration of the construction dewatering phase. During tis phase the Discharge Plan and the daily water taking records must be available onsite.

5.15 NOISE FEASIBILITY AND VIBRATION REPORT

- The EASR, Discharge Plan, hydrogeological investigation report, and geotechnical assessment of settlements must also be available at the construction Site during the entire construction dewatering. Altogether, the hydrogeological report, the EASR, Discharge Plan and geotechnical assessment constitute the Water Taking Plan which needs to be available onsite during the construction dewatering.
- The potential discharge from the dewatering system during the construction will be directed to the municipal sewer system. As such, the quality of groundwater discharge will have to conform to the applicable City of Burlington / Halton Region Sewer Use By-law standards and discharge permit(s) will be required from the City of Burlington / Halton Region prior to any dewatering effluent discharges
- In conformance with Regulation 903 of the Ontario Water Resources Act, the installation and eventual decommissioning of any dewatering system wells or monitoring wells must be completed by a licensed well contractor. This will be required for all wells that are no longer in use.

Please refer to the Hydrogeological Investigation and Water Balance Assessment for more information.

dBA Acoustical Consulting Inc. was retained to conduct a noise impact study in support of the proposed development. The purpose of the study was to determine the noise impact from Brant Street vehicular traffic that may impact the proposed development, as required for OPA/ZBA application approval for the City of Burlington. The study determined the noise impact from Brant Street vehicular traffic that impacted the proposed development, as required for OPA/ZBA application approval for the City of Burlington.

This study detailed noise impact relative to the site plan and recommended noise control measures necessary to meet Ministry of Environment, Conservation & Parks (MECP) Publication NPC-300 entitled “Stationary & Transportation Sources-Approval & Planning guidelines while satisfying the planning requirements of the City of Burlington and the Region of Halton. The recommended noise control measures are as follows:

- Table 6 recommends acoustically tested windows, walls, in Section 4.2 to ensure MECP compliance
- Appropriate ventilation requirements and warning clauses are inserted into all Offers and Agreements of Purchase and Sale or Lease (Section 5, Table 7).
- 1.22m Safety Railing or Equivalent required for 2nd Floor Terraces and rooftop OLA as noted in Figure 4.
- A letter from the Window supplier to confirm STC value for windows will be installed.
- The City of Burlington will require a detailed noise study at the Site Plan stage when the OPA/ZBA Subdivision application is approved
- The City of Burlington specifies that window air conditioning units are not allowed for any of the 11-storey building units or townhouses/ apartments.
- A noise study update will be required to address the underground parking vents/exhausts/intake fans/ground level transformers, any emergency generators

Please refer to the Noise Feasibility and Vibration Report for more information.

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6. POLICY CONTEXT

6.1 PLANNING ACT, R.S.O. 1990 (AS AMENDED 2019)

The following sections outline and analyze the relevant statutory policy documents to determine whether the proposed development is supported by the planning framework, and whether the proposed development represents good planning. The following documents have been reviewed and considered in this evaluation:

- Planning Act, 1990
- Provincial Policy Statement, 2020
- A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020
- Halton Region Official Plan (2021 Office Consolidation)
- City of Burlington Official Plan (2002 Office Consolidation)
- City of Burlington Zoning By-law 202

In consideration of the proposed land use planning applications, Section 2 of the *Planning Act* must be considered as it provides the general direction to all land use planning decisions made in the Province of Ontario.

Section 2 Provincial Interest

The Minister, the council of a municipality, a local board, a planning board and the Municipal Board, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as:

e. the supply, efficient use and conservation of energy and water;
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;
k. the adequate provision of employment opportunities;
o. the protection of public health and safety;
p. the appropriate location of growth and development;
q. the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians.
r. the promotion of built form that,
i. is well-designed,
ii. encourages a sense of place,

The policies and direction of Section 2 of the *Planning Act* inform the Provincial Policy Statement, thereby ensuring that consistency with the PPS equates to consistency with Section 2. The Provincial Policy Statement is given consideration in Section 6.2 of this Report.

The proposed development will utilize existing services of sewage and water, and transportation infrastructure located on Brant Street. The proposal supports the orderly development of safe and healthy communities, provides a range of apartment housing types with an adequate provision of employment opportunities to support the City's Downtown.

The proposal conforms to all accessibility standards set out in the Building Code. Public health and safety is protected through a pedestrian oriented design with suitable connections to the existing built form. The location of the proposed of an 11-storey apartment building is appropriate given that it is within a Major Transit Station Area and a Mixed-Use Corridor that promotes residential and mixed-use intensification. Public transit is provided in close proximity through Burlington Transit's Bus Line 2 and the Burlington GO Station on Fairview Street. The design of the building is oriented towards pedestrians and provides suitable connections within the site and to external connections. The proposed development supports a built form that is well-designed and encourages a sense of place by providing residential units and retail space in the one apartment building that is oriented to multi-modal transportation.

Section 22 Official Plan Amendment

Section 22 (1) of the Planning Act authorizes Official Plan Amendments and regulates the process.

Request for amendment

22 (1) If a person or public body requests a council to amend its official plan, the council shall,

- *(a) forward ac copy of the request and the information and material required under subsections (4) and (5), if any to the appropriate approval authority, whether or not the requested amendment is exempt from approval; and,*
- *(b) hold a public meeting under subsection 17 (15) or comply with the alternative measures set out in the office plan.*

Consultation

(3.1) The council or planning board,

- *(a) Shall permit applicants to consult with the municipality or planning board, as the case may be, before submitting requests under subsection (1) or (2); and,*
- *(b) May, by by-law, require applicants to consult with the municipality or planning board as described in clause (a).*

The project team attended a Pre-Consultation meeting with the appropriate City of Burlington staff to discuss the proposed development, as described in Section 1 of this Report. The enclosed submission provides all drawings and reports identified through the pre-consultation process.

Written and oral submissions

(6.8) Clause (6.7) (a) applies to,

- *(a) Any written submissions relating to the request that were made to the council or planning board before its decision; and*
- *(b) Any oral submissions relating to the request that were made at a public meeting*

As determined at the Pre-Consultation, the City requested various materials be submitted in support of the Official Plan Amendment application, those materials have been submitted and are summarized in Section 5.0 of this Report.

Section 22 (6.8) authorizes members of the public to submit written submissions to Council prior to a decision being made on the application. Members of the public are also able to provide oral comments and/or questions at the statutory public meeting prior to a decision being made.

Prescribed information

(4) A person or public body that requests an amendment to the official plan of a municipality or planning board shall provide the prescribed information and material to the council or planning board

Prescribed information and material including a draft official plan amendment and a planning justification report is provided as part of this submission.

Other information

(5) A council or a planning board may require that a person or public body that requests an amendment to its official plan provide any other information or material that the council or planning board considers it may need, but only if the official plan contains provisions relating to requirements under this subsection

Additional information or material requested by council or a planning board will be provided.

Section 34 (10) Zoning By-law Amendments

Section 34 (10) of the Planning Act authorizes Zoning By-law Amendments and regulates the process, specifically consultation, materials required and notice to the public.

Consultation

(10.0.1) The council,

a. *shall permit applicants to consult with the municipality before submitting applications to amend by-laws passed under this section; and*
b. *may, by by-law, require applicants to consult with the municipality as described in clause (a). 2006, c. 23, s. 15 (3).*

The project team attended a Pre-Consultation meeting with the appropriate City of Burlington staff to discuss the proposed development, as described in Section 1 of this Report. The enclosed submission provides all drawings and reports identified in the pre-consultation meeting.

Prescribed information

(10.1) A person or public body that applies for an amendment to a by-law passed under this section or a predecessor of this section shall provide the prescribed information and material to the council. 1996, c. 4, s. 20 (5).

As determined at the Pre-Consultation, the City requested various materials be submitted in support of the rezoning application, those materials have been submitted and are summarized in Section 5.0 of this Report.

Written and oral submissions

(10.11) Clause (10.10) (a) applies to,

a. *any written submissions relating to the application that were made to the council before its decision; and*
b. *any oral submissions relating to the application that were made at a public meeting. 2015, c. 26, s. 26 (3).*

Section 34 (10.11) authorizes members of the public to submit written submissions to Council prior to a decision being made on the application. Members of the public are also able to provide oral comments and/or questions at the statutory public meeting prior to a decision being made.

It is our opinion that the proposed development has appropriate regard to the above provisions of the *Planning Act.*

6.2 PROVINCIAL POLICY STATEMENT (2020)

The current version of the Provincial Policy Statement (PPS) came into effect on May 1, 2020 and provides policy direction on matters of provincial interest related to land use planning and development. The PPS aims to promote appropriate development while ensuring that resources of provincial interest, public health and safety, and the quality of the natural environment are protected. All decisions affecting planning matters in Ontario "shall be consistent with" the policy statements issued under the *Planning Act.*

The PPS encourages efficient land use planning and growth management to create and maintain strong communities and a healthy environment while encouraging economic growth over the long term. The PPS also encourages the efficient use of existing infrastructure and public service facilities and requires that municipalities plan for an appropriate range and mix of land uses and built forms throughout the Province. The PPS supports intensification, infill and redevelopment where appropriate in order to promote the efficient use of land where infrastructure and public services.

Building Strong Healthy Communities

Section 1.0 of the PPS provides direction related to "Building Strong Healthy Communities" and is applicable to the subject lands. It generally encourages a variety of land uses within communities and encourages initiatives that make efficient use of development by promoting strong, livable, healthy and resilient communities.

Managing and Directing Land Use

Section 1.1.1 contains requirements for managing and directing land use to achieve efficient and resilient development and land use patterns. This Section directs that *"healthy, liveable and safe communities are sustained by:*

a. promoting efficient development and land use patterns which sustain the financial wellbeing of the Province and municipalities over the long term;
b. accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
c. avoiding development and land use patterns which may cause environmental or public health and safety concerns;
e. promoting the integration of land use planning, growth management, transit supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
f. improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;
g. ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;

The above noted policies in Section 1.1.1 directly apply to the proposed development. These policies encourage development which supports a range of land uses including residential uses, the efficient use of land and accessibility to servicing to meet the projected needs of a community. The proposed development provides 305 units ranging in size from bachelor to two-bedroom plus den and larger two storey units. In addition, the proposed development is to be serviced by existing sanitary and water infrastructure without the need to expand the existing system.

Settlement Areas

Section 1.1.3 of the PPS provides direction on future growth and development within designated Settlement Areas and recognizes Settlement Areas as critical to the *long-term development and prosperity* of Ontario's communities. The PPS promotes efficient development patterns within settlement areas, which are locations where growth and development is to be focused. The following policies are relevant to the proposed development:

Section 1.1.3.1

Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.

Section 1.1.3.2

Land Use patterns within settlement areas shall be based on:

a. *densities and a mix of land uses which:*
    1. *efficiently use land and resources;*
    2. *are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available and avoid the need for their unjustified and/or uneconomical expansion;*
    4. *Support active transportation;*
    5. *Are transit-supportive, where transit is planned, exists or may be developed; and*

d. *a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.*

Section 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 subject lands are located within the settlement area of the City of Burlington, and the proposed development includes increased densities within the downtown core which will support active transportation. The subject lands are located in close proximity to a range of community services and facilities. The proposed development also includes both residential and commercial uses to be serviced by existing infrastructure.

Appropriate development standards have been established and introduced through the policies of the City's new 2020 Official Plan. These standards include requirements for maximum building height, transition to low- rise built forms using angular planes and tower setbacks. Refer to Section 6.6 of this report which speaks to the Upper Brant Precinct Official Plan policies.

Housing

The PPS encourages a range and mixture of housing types and densities in order to meet the current and projected needs of residents. The following policies are relevant:

Section 1.4.1

To provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

a. *Maintain at all times the ability to accommodate residential growth for a minimum of 10 years through residential intensification and redevelopment and, if necessary lands which are designated and available for residential development; and*
b. *Maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.*

Section 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. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities.*
b. *permitting and facilitating:*
    1. *all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and*
    2. *all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*
c. *directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
d. *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;*

The PPS directs development of new housing towards locations where an appropriate level of infrastructure and public service facilities exist in order to accommodate anticipated residential growth.

The proposed development will assist the City of Burlington by adding an appropriate range and mix of residential units in an existing settlement area that has access to municipal infrastructure and public facilities. The proposed development provides 305 residential units ranging in size from bachelor to two-bedroom plus den and townhouse units as well as 1,592 square metres of retail space The proposed development is located in an area that predominantly consists of residential and commercial uses and will support the changing social, health, and economic changes of this area of downtown Burlington.

<u>1.5 Public Spaces, Recreation, Parks, Trails and Open Space</u>

The PPS provides clear policy direction on how active communities should be fostered.

Section 1.5.1a

Planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity

The proposed development includes streetscape improvements along Brant Street in coordination with the planned road widening.

<u>Infrastructure and Public Service Facilities</u>

Section 1.6 Planning for infrastructure and public service facilities shall be integrated with planning for growth so that infrastructure and facilities are available to meet current and projected population and demographic needs, as outlined in the policy below:

Section 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 development allows for the optimization of the subject lands, the use of existing public service facilities, and infrastructure.

The PPS provides policy direction related to sewage, water and stormwater. The following policies are relevant:

Section 1.6.6.2

Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. Intensification and redevelopment within settlement areas on existing municipal sewage services and municipal water services should be promoted, wherever feasible.

Section 1.6.6.7

Planning for stormwater management shall:

a. *Minimize, or, where possible, prevent increases in contaminant loads;*
b. *Minimize changes in water balance and erosion;*
c. *Not increase risks to human health and safety and property damage;*
d. *Maximize the extent and function of vegetative and pervious surfaces; and,*

The proposed development will be serviced utilizing existing sanitary sewer, storm sewer and watermain infrastructure adjacent to the subject site as per the Functional Servicing and Stormwater Management Report prepared by The Odan Detech Group Inc.

1.6.7 Transportation Systems

Section 1.6.7.2

Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies.

The proposed development will help to support existing transit infrastructure. A Burlington Transit Bus Line 2 - *Brant* runs along Brant Street with stops in close proximity to the subject property and provides connections to the Burlington Go Transit Station on Fairview Street.

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 development proposes a density and mix of uses that support transit and active transportation. Furthermore, the proposed parking rate to support alternate modes of transportation and reduce dependence on private vehicles. The Transportation Impact Study prepared by Paradigm provides the Transportation Demand Management Strategy and is summarized in Section 5 of this Planning Justification Report.

Long-Term Economic Prosperity

Section 1.7 of the PPS includes policies relating to the supporting long-term economic prosperity.

Section 1.7.1

Long-term economic prosperity should be supported by:

b. *encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;*
c. *optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;*
e. *encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes;*

The proposed development provides 305 units ranging in size from bachelor to two-bedroom plus den and townhouse units. In addition, the proposal maintains the surrounding built form by proposing a use compatible with the existing context.

Summary

The submitted applications facilitate the development of residential and retail uses on lands which are planned for development in provincial and municipal planning policies. The applications contribute to providing a total of 305 units ranging in size from bachelor to two-bedroom plus den and townhouse units.

Based on our review of the applicable policies of the PPS, it is our opinion that the proposed development is consistent with the PPS. The proposal is located within an existing settlement area and has access to existing infrastructure and public transportation. The proposal provides for residential intensification and contributes additional residential units in the City of Burlington.

6.3 A PLACE TO GROW: GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan) was prepared and approved under the Places to Grow Act, 2005 and provides a framework for implementing the Provincial Government's vision for building stronger and more prosperous communities by better managing growth in the Greater Golden Horseshoe. The current Growth Plan took effect on August 28, 2020.

The Growth Plan provides policy direction regarding how land is developed, resources are managed and protected and public dollars are invested based on the guiding principles of Section 1.2.1 of the Growth Plan. Some of the guiding principles include the following:

- Support the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime.
- Support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households.
- Integrate climate change considerations into planning and managing growth such as planning for more resilient communities and infrastructure – that are adaptive to the impacts of a changing climate – and moving towards environmentally sustainable communities by incorporating approaches to reduce greenhouse gas emissions.

The proposed development is consistent with the above-mentioned guiding principles of the Growth Plan as the proposal provides for a mix of housing units and meets the Growth Plans objective of assisting in creating complete communities. Climate resilience is promoted by proposing increased densities on the subject lands and including commercial uses on site.

Where and How to Grow

Section 2.2 outlines Policies for where and how to grow within the Greater Golden Horseshoe and Section 2.2.1 provides policy direction for the management of growth through development. The relevant policies are included below.

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;*

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;*
c. *provide a diverse range and mix of housing options, including additional residential units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;*
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. *provide for a more compact built form and vibrant public realm, including public open spaces;*

The proposed development adheres to the policies of Section 2.2.1 of the Growth Plan. The subject lands are located in the delineated built boundary of the Growth Plan with access to municipal water and wastewater systems. The proposed development contributes to a diverse range and mix of housing options to accommodate a broader range of income levels. It allows for convenient walkable access to public services and facilities, and proposes a high quality, compact built form. The proposed development will make efficient use of the subject lands.

2.2.2 Delineated Built Up Area

Section 2.2.2.1 a) of the Growth Plan directs that:
By the time the next municipal comprehensive review is approved and in effect, and for each year thereafter, the applicable minimum intensification target is as follows:

a. *A minimum of 50 per cent of all residential development occurring annually within each of the Cities of Barrie, Brantford, Guelph, Hamilton, Orillia and Peterborough and the Regions of Durham, Halton, Niagara, Peel, Waterloo and York will be within the delineated built-up area.*

The intent of this policy is to encourage greater intensification within the delineated built-up area. The proposed residential development conforms to the intent of this policy by proposing increased residential densities within the built-up area to assist the Region of Halton in achieving the minimum intensification targets. The proposed development provides 305 units ranging in size from bachelor to two-bedroom plus den and townhouse units to help meet these density targets.

Section 2.2.2.3 requires that all municipalities develop and implement strategies to achieve the minimum intensification targets and intensification throughout delineated built-up areas which will:

c. *encourage intensification generally throughout the delineated built-up area;*
d. *ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities;*
e. *prioritize planning and investment in infrastructure and public service facilities that will support intensification; and*
f. *be implemented through official plan policies and designations, updated zoning and other supporting documents.*

The proposed development meets the above noted policies as it encourages intensification within the delineated built-up area and supports the achievement of complete communities by proposing higher densities and mixed uses. The future residents will also have convenient access to public service facilities in the City of Burlington.

2.2.6 Housing

The Growth Plan provides policy direction related to providing a range and mix of housing, as included below:

a. *support housing choice through the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan by:*
    i. *identifying a diverse range and mix of housing options and densities, including additional residential units and affordable housing to meet projected needs of current and future residents; and*
    ii. *establishing targets for affordable ownership housing and rental housing*

The proposed development will provide for an additional 305 units ranging in size from bachelor to two-bedroom plus den and townhouse units in the City of Burlington. The new housing supply will diversify the existing housing stock of predominantly single detached dwellings and accommodate a range of individuals at different stages of life.

Infrastructure to Support Growth

Chapter 3 of the Growth Plan outlines the policies related to infrastructure planning and promotes coordinated land use and infrastructure planning in order to support and accommodate forecasted population and economic growth (Section 3.1). The following infrastructure policies are especially relevant:

3.2.3.4. Municipalities will ensure that active transportation networks are comprehensive and integrated into transportation planning to provide:

a. *safe, comfortable travel for pedestrians, bicyclists, and other users of active transportation; and*
b. *continuous linkages between strategic growth areas, adjacent neighbourhoods, major trip generators, and transit stations, including dedicated lane space for bicyclists on the major street network, or other safe and convenient alternatives.*

The subject lands are located in an area with existing public transportation, are also located within close proximity to numerous community facilities and commercial uses to support active transportation.

Stormwater Management

Section 3.2.7.1 of the Growth Plan provides policy direction for stormwater management. All municipalities are required to develop stormwater master plans or equivalent for serviced settlement areas that:

a. are informed by watershed planning or equivalent;
b. protect the quality and quantity of water by assessing existing stormwater facilities and systems;
c. characterize existing environmental conditions;
d. examine the cumulative environmental impacts of stormwater from existing and planned development, including an assessment of how extreme weather events will exacerbate these impacts and the identification of appropriate adaptation strategies;
e. incorporate appropriate low impact development and green infrastructure;
f. identify the need for stormwater retrofits, where appropriate;
g. identify the full life cycle costs of the stormwater infrastructure, including maintenance costs, and develop options to pay for these costs over the long-term; and
h. include an implementation and maintenance plan.

The Functional Servicing and Stormwater Management Report prepared by Odan Detech Group Inc. states that stormwater management can be accommodated with on-site storage as described in this report.

2.2.3 Urban Growth Centre

Section 2.2.3 of the Growth Plan provided policy direction for Urban Growth Centres which are to be a focal area of growth and investment. They are also intended to support higher- order transit to accommodate significant growth.

Section 2.2.3 Urban growth centres will be planned:

a) as focal areas for investment in regional public service facilities, as well as commercial, recreational, cultural, and entertainment uses;
b) to accommodate and support the transit network at the regional scale and provide connection points for inter- and intra-regional transit;
c) to serve as high-density major employment centres that will attract provincially, nationally, or internationally significant employment uses; and
d) to accommodate significant population and employment growth.

Section 2.2.3.2 establishes minimum density targets for various Urban Growth Centres within the Province. Subsection b) establishes a minimum target of 200 residents and jobs combined for Downtown Burlington.

2.2.4 Transit Corridors and Station Areas

Section 2.2.4 of the Growth Plan provides land use policies for growth within transit corridors and station areas. The subject property is located within the Burlington GO MTSA.

2.2.4.8 All major transit station areas will be planned and designed to be transit-supportive and to achieve multimodal access to stations and connections to nearby major trip generators by providing, where appropriate:

a. connections to local and regional transit services to support transit service integration
b. infrastructure to support active transportation, including sidewalks, bicycle lanes, and secure bicycle parking; and
c. commuter pick-up/drop-off areas

The proposed development is designed to be transit-supportive and achieves multi-model access to stations through close proximity to Burlington Transit Bus Line 2 with connections to the Burlington GO Station on Fairview Street. It includes 52 bicycle parking spaces and a number of pedestrian sidewalk connections to promote active transportation and public transit use.

2.2.4.9 Within all major transit station areas, development will be supported, where appropriate, by:

a. *planning for a diverse mix of uses, including additional residential units and affordable housing, to support existing and planned transit service levels;*
b. *fostering collaboration between public and private sectors, such as joint development projects;*
c. *providing alternative development standards, such as reduced parking standards; and*
d. *prohibiting land uses and built form that would adversely affect the achievement of transit-supportive densities*

Section 2.2.4.3 identifies minimum density targets for Major Transit Station Areas dependent on the type of transit being provided. The subject lands are within and MTSA that is served by GO Transit. Subsection C) establishes a minimum density target of 150 residents and jobs combined per hectare for MTSAs served by the GO Transit Rail network.

The proposed development is transit- supportive by providing a compact built form located in close proximity to Burlington Transit and the Burlington GO Station. The proposed development provides alternative development standards including reduced parking standards, pedestrian connections and an increase in bicycle parking.

Summary

The Growth Plan promotes redevelopment through intensification within the built-up area and specifically recognizes the need for more efficient utilization of lands, compact form, and supports the principle of higher densities in appropriate areas, where infrastructure and community services are available.

The proposed development is located within an Urban Growth Centre and Major Transit Station Area. It will contribute 305 units ranging in size from bachelor to two-bedroom plus den and townhouse units and 1,592 square metres of commercial space to the surrounding area to support both the UGC and MTSA.

The development proposal supports the policies and objectives of the Growth Plan by intensifying underutilized lands within the existing settlement and built-up area. It will also contribute a mixture of unit sizes to accommodate a diverse range of household sizes and incomes.

In summary, the proposed development conforms to the policies in the Growth Plan as it promotes a form of redevelopment that is more compact and efficient than the existing use, and will optimize the use of land, existing infrastructure, and public services available within the community. The proposed development will also provide a housing type that facilitates the principles and targets of intensification anticipated in the Growth Plan and further establishes the area as a complete community.

6.4 HALTON REGION OFFICIAL PLAN

The Halton Region Official Plan ("ROP") was adopted by Regional Municipality of Halton in 1994 and approved by the Ministry of Municipal Affairs in 1995. An interim Office Consolidation of the Regional Official Plan was released on November 10, 2021 and has been updated to conform to Provincial policies through the approval of ROPA 48 and 49. The policies of the Official Plan guide new planning and development in Halton Region while meeting the needs of existing residents and businesses in the Region. It provides directions and policies that guide economic, environmental and community planning decisions to manage growth.

The policies in the ROP will help to direct and coordinate more detailed planning by local municipalities. In addition, it provides framework for coordinating planning with adjacent municipalities, as well as other jurisdictions.



Figure 7: Halton Region Official Plan – Regional Structure Map

The subject lands are located within the *Urban Area* of the Regional Structure Map (Figure 7). The subject lands are also designated as being within a Major Transit Station Area (MTSA) and Urban Growth Centre as noted in the Downtown Burlington Urban Growth Centre and Burlington Go MTSA (Figure 8).

Urban Area

Section 72.1 of the ROP provides policies for growth in complete communities, enhances mobilities, addresses climate change and improves housing affordability, sustainability and economic prosperity. Some objectives of the Urban area are:

- *To accommodate growth in accordance with the Region's desire to improve and maintain regional unity, retain local community identity, create healthy communities, promote economic prosperity, maintain a high quality, sustainable natural environment, and preserve certain landscapes permanently*
- *To support a form of growth that is compact and supportive of transit usage and non-motorized modes of travel, reduces the dependence on the automobile, makes efficient use of space and services, promotes live-work relationships and fosters a strong and competitive economy*
- *To provide a range of identifiable, inter-connected and complete communities of various sizes, types and characters, which afford maximum choices for residence, work and leisure.*
- *To identify a Regional Urban Structure that directs growth to Strategic Growth Areas and protects Regional Employment Areas.*
- *To plan and invest for a balance of jobs and housing in communities across the Region to reduce the need for long distance commuting and to increase the modal share for transit and active transportation*
- *To facilitate and promote intensification and increased densities*

The proposed development intensifies the current site by providing higher density, compact design, efficient use of space and is located in close proximity to existing services. This proposal increases housing supply in the region through intensification and uses existing infrastructure provided, including non-motorized modes of travel. The proposed development also directs growth and intensification to designated growth areas such as Urban Growth Centres and Major Transit Stations.

Urban Growth Centres

Section 80 of the Halton Region Official Plan designates the lands as being located within the boundary of the *Urban Growth Centre (UGC)*. UGCs are subject to achieve minimum density targets to promote intensification and ensure higher density development.

Objectives of the UGCs by the Region include:

- To serve as focal areas for investment in institutional and region-wide public services, as well as commercial, recreational, cultural and entertainment uses
- To accommodate and support the transit network at the regional scale and provide connection points for inter- and intra-regional transit

Section 80.2 Policies of the UGCs by the Region is to:

(1) Require Urban Growth Centres to be planned to achieve a minimum development density target of 200 residents and jobs combined per gross hectare by 2031 or earlier

(2) Require Local Official Plans to show how policies have been developed to plan to achieve the development density target for Urban Growth Centres under Section 80.2(1), including the submission to the Region of any supporting background documentation.

The proposed development supports the policies of the UGC by providing 305 residential units and contributes to the Regions housing and density targets for 2031. The proposed development provides housing supply near local and regional transit, which encourages higher ridership, and promotes investment in the local area.

Major Transit Station Areas

Section 81 of the Halton Region Official Plan, through Regional Official Plan Amendment 48 which was approved by the Province in Nov. 2021, designates multiple areas within the City of Burlington as Major Transit Station Areas (MTSA). MTSAs are designated with the intention of leveraging infrastructure investments, implementing transit-supported mix range of uses, and promoting complete communities.

Objectives of the MTSAs include some of the following:

- To leverage infrastructure investments and the development of public service facilities to support a significant share of growth, and achieve transit support densities through existing or planned frequent transit service.
- To provide a range and mix of transit-supportive uses, such as residential, retail, office and public uses, as well as public service facilities and parks and open spaces that support the area in a pedestrian-oriented urban environment.
- To achieve multimodal access to stations and support complete communities. To plan for a diverse mix of uses, including additional residential units

The proposed development supports the objectives of MTSAs by providing transit-oriented development through compact design and intensifying existing sites. It supports the area to provide a range and mix of transit-supportive uses by providing a multi-storey residential building with units varying in sizes from bachelor to two bedrooms plus den and townhouse units. Lastly, it supports complete communities by bringing housing supply to an area with local amenities within close proximity and pedestrian-oriented. This includes schools, parks and retail uses.

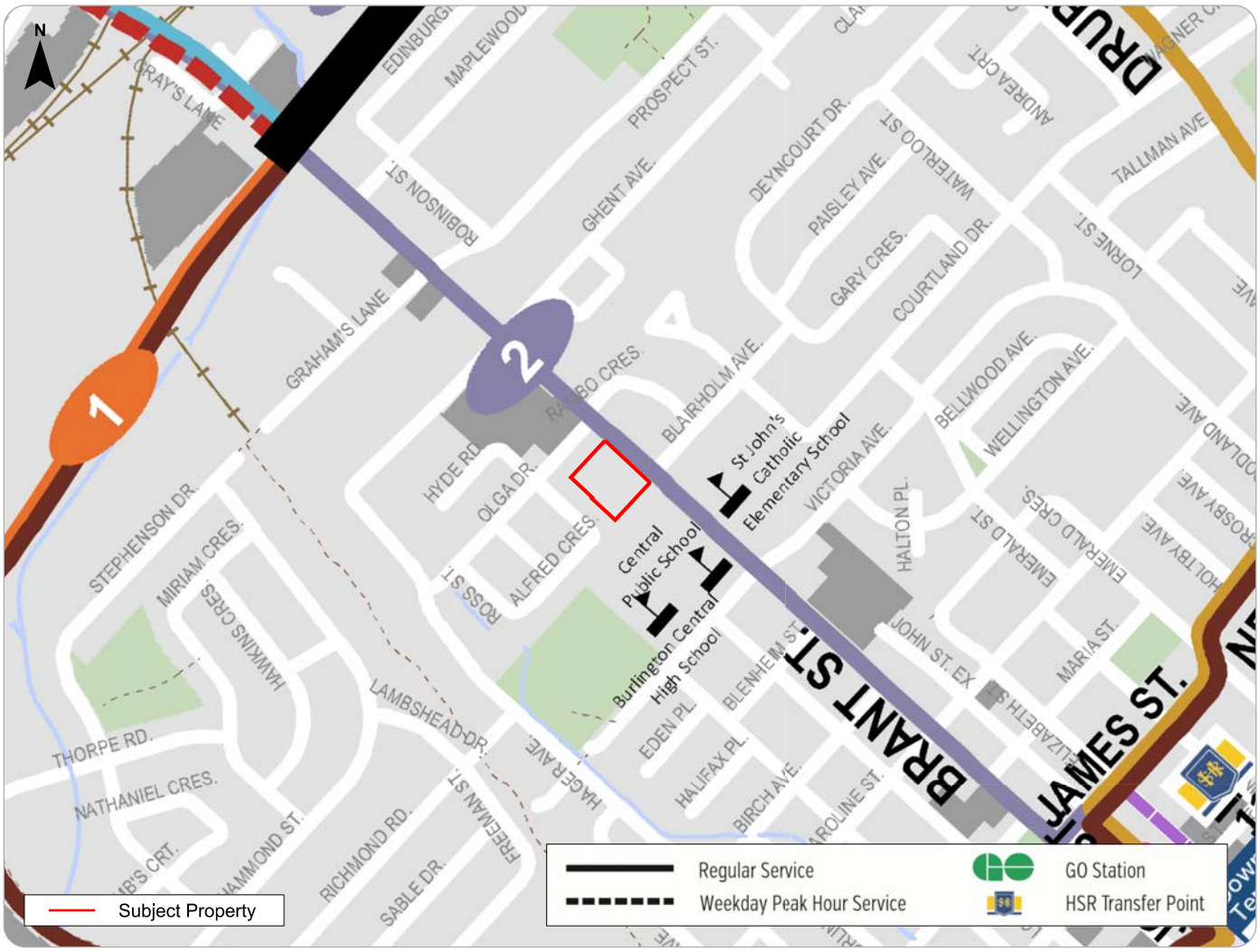


Figure 8: Halton Region Official Plan – Downtown Burlington UGC/Burlington GO MTSA

Sections 48 and 79.3(3) of the Regional Plan notes that Area Specific Plans such as Secondary Plans are to be prepared by local Municipalities such as Strategic Growth Areas. The City of Burlington is currently undertaking their Area Specific Plans for their MTSAs. This is further discussion in Section 6.6 of this report.

Housing

Section 84 of the Region Official Plan provides goals, objectives and policies for Housing. Halton Region's goal for housing is to supply residents with an adequate mix and variety of housing to satisfy differing physical, social and economic needs. The Region lists a number of objectives for housing and the following are relevant:

- *To establish housing targets by type and appropriate density for the Local Municipalities and the Region as a whole.*
- *To coordinate, improve upon, and expedite the development approval process so as to reduce the overall cost of housing.*
- *To make more efficient use of existing developed lands, housing stock and available services to increase the supply of housing while maintaining the physical character of existing neighbourhoods.*
- *To encourage the Local Municipalities and the building and development industry to develop innovative housing designs that stress flexibility in use, mix of compatible land uses, good environmental practices, universal physical access, public safety and security needs, cost-efficiency, affordability and energy and natural resource conservation while maintaining sound engineering and planning principles.*
- *To promote residential intensification through development or redevelopment of brownfield and grey field sites*

The Region outlines policies for housing and some of them are as follows:

- *Monitor the development approval process to achieve at all times a minimum of three-year supply of draft approved and/or registered residential units for the Region as a whole*
- *Adopt the following housing targets:*
  - *that at least 50 per cent of new housing units produced annually in Halton be in the form of townhouses or multi-storey buildings;*
- *Require Local Official Plans to provide an appropriate mix of housing by density, type and affordability in each geographic area, consistent with current and projected demands reflecting socio-economic and demographic trends.*

The proposed development provides appropriate density for the Region of Halton by making efficient use of existing land and compatibility in design and form to the existing neighbourhood. The proposed development supports the Region's housing targets by bringing additional residential units in the form of a multi-storey building. Lastly, the intensification takes place on a site suited for higher intensify by redeveloping the existing properties into a 11-storey apartment building with townhouse units.

Section 86(19) provided policy direction on the demolition of rental housing:

> *"Require the Local Municipalities to use a rental housing vacancy rate of 3 per cent as the minimum threshold to permit the conversion of existing rental housing to ownership tenure or other uses or the demolition of such housing"*

The City of Burlington, within its Official Plans, has polices that reflect this Regional direction. Sections 3.1.2(2) of their new OP and Section 2.3.2 of their new OP establish the 3 percent vacancy rate threshold, however they provide additional policies which speak to demolition should the number of rental units total less than 6.

<u>Urban (Water Supply and Wastewater Treatment) Services</u>

Section 87 of the Halton Regional Official Plan includes goals, objectives and policies for urban services. A goal for Urban Services is to ensure that the adequate provision of an economic level of urban services is to achieve regional development objectives while conscious of the need to protect the environment. A relevant objective for Urban Services is:

- *To provide satisfactory levels of urban services in the Urban Area to meet existing and future requirements*

Section 89 notes Policies of the Region for Urban Services pertinent to the proposed development including the following:

- *Provide urban services only within the Urban Area, unless otherwise permitted by specific policies of this Plan*
- *Require that approvals for all new development within the Urban Area be on the basis of connection to Halton's municipal water and wastewater systems, unless otherwise exempt by other policies of this Plan.*
- *Monitor the servicing requirements of proposed and approved development in terms of allocations of water supply and wastewater treatment capacities to ensure that total system capacities, with an adequate reserve for operational flexibility and emergency situations, are not exceeded and to provide sufficient lead time for the planning, approvals and construction of new facilities*

It is the policy of the Region of Halton to provide urban services within the *Urban Area* only and that new development approvals will be required to have connections to the municipal services. The proposed development will be utilizing existing urban services provided by the Region of Halton and is located within the *Urban Area.* Additional details on how municipal servicing will be accommodated can be found within the submitted Functional Servicing and Stormwater Management Plan.

Site Contamination

Section 147(17) provides direction for development approvals on lands that have the potential for contamination. This section notes:

"Require that, prior to the Region or Local Municipality considering any development proposals, the proponent undertake a process in accordance with the Region's Guidelines (Protocol) for Reviewing Development Applications with Respect to Contaminated or Potentially Contaminated Sites and any applicable Provincial legislation, regulations and guidelines to determine whether there is any potential contamination on the site and the steps necessary to bring the site to a condition suitable for its intended use."

In response to this policy, Phase 1 and 2 Environmental Site Assessments have been prepared to confirm whether the subject lands have any contamination. These reports concluded that no contamination was found and that no additional testing is needed. The Applicant will file the required Record of Site Condition with the Ministry. In addition to the submitted ESAs the required Environmental Site Screening Questionnaire has been provided.

Transportation

Section 171 of the Regional Official Plan speaks to goals, objectives and policies for Transportation in Halton Region. The goal for transportation in the Region of Halton is to provide a safe, convenient, accessible, affordable and efficient transportation system in Halton, while minimizing the impact on the environment and promoting energy efficiency. The relevant objectives of the Region include:

- *To support the early introduction of public transit service in new development and redevelopment areas and in Intensification Areas.*
- *To ensure development is designed to support active transportation and public transit.*
- *To integrate transportation planning, land use planning and investment in infrastructure.*

- *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.*

The proposed development is transit-oriented and provides density to an area with existing transit routes and connections to other lines within the local Burlington Transit network Bus Line 2 and the Regional GO Transit network. In addition, the proposal is designed to support active transportation by being in walkable distances to community facilities and local amenities.

Municipal Comprehensive Review

Halton Region is currently ongoing a Municipal Comprehensive Review (MCR) in accordance with the legislative requirements of the Planning Act. This process is to update the Regional Official Plan (ROP) based on various technical studies, including a Land Needs Assessment, Natural Heritage System Analysis and more. The MCR is needed to ensure conformity with Provincial policies.

As part of the MCR the Region has approved Regional Official Plan Amendments (ROPA) 48 and 29. ROPA 48 provided the regional urban structure that is indented to guides the Region's growth. Key directions included establishing growth targets for its Urban Growth Centres and Major Transit Station Areas while also delineating their boundaries. ROPA 48 added a new policy, Policy 77(22):

> *"Require the Local Municipalities to include in their Official Plans development criteria to ensure that, outside of Employment Areas, the redevelopment of any employment lands will retain space for a similar number of jobs to remain accommodated on site."*

While the subject lands are not considered employment lands, they do contain a retail function with the potential to create jobs. The existing commercial uses have approximately 2,000 sq.m of floor space.

The proposed development will provided for approximately 1,600 sq.m of new retail space. Although the exact floor space is not being replaced, it is expected that the new jobs created will exceed what is now a vacant retail building and warehouse and a short term rental facility.

ROPA 49 is a further implementation of ROPA 48 by providing direction on their integrated growth management strategy. ROPA 49 also added policy 77(5) as it relates to development with strategic growth areas like UGCs and MTSAs:

> *"Require the Local Municipalities to prepare Area-Specific Plans or policies for major growth areas, including the development or redevelopment of communities. The area may contain solely employment lands without residential uses or solely a Strategic Growth Area. Such plans or policies shall be incorporated by amendment into the Local Official Plan and shall demonstrate how the goals and objectives of this Plan are being attained and shall include, among other things:"*

The City of Burlington is undertaking area specific planning for their MTSA growth areas. City staff released their MTSA Final Planning Study in July, 2022 which City Council directed Planning staff to use in their preparation of Area Specific Plans. This study included preliminary policy directions for the Downtown Burlington UGC/ Burlington GO MTSA; referred to as 'Burlington Junction'. A conceptual precinct plan was also provided which illustrated proposed uses and heights. The subject lands were identified as being with the Upper Brant Precinct which permits mixed use apartments with heights of 11 to 25 storeys.

ROPA 49 also provided updated growth targets for the City of Burlington. Table 1 establishes these minimum targets for residential and jobs until the year 2051

Table 4: Halton Region Official Plan: Table 1 Population and Employment Distribution

TABLE 1 POPULATION AND EMPLOYMENT DISTRIBUTION

Municipality	Population[1]			Employment		
	2021	2041	2051	2021	2041	2051
Burlington	195,000	240,050	265,160	98,340	114,330	124,390
Oakville	222,000	313,460	349,990	111,980	160,880	181,120
Milton	137,990	277,000	350,870	44,390	100,120	136,270
Halton Hills	66,010	98,890	132,050	24,510	45,900	65,460
Halton Region[2]	**620,990**	**929,400**	**1,098,070**	**279,220**	**421,230**	**507,240**

[1] Population numbers in this table are "total population" numbers including approximately 4% undercoverage from the official "Census population" numbers reported by Statistics Canada.

[2] Totals for the Region may not add up due to rounding.

Further, Table 2B of the Regional plan provides the density targets with the various strategic growth areas including the Downtown Burlington UGC/ Burlington GO MTSA which is reflective of the targets established by the Growth Plan. Table 2B further breaks down the split between residents and jobs as approximately 65% and 35%, respectively.

Table 5: Halton Region Official Plan: Table 2B Strategic Growth Area Targets

TABLE 2B STRATEGIC GROWTH AREA TARGETS

Strategic Growth Area Type	Strategic Growth Area	Minimum Density Target * (Residents and Jobs Combined Per Hectare)	General Target Proportion of Residents & Jobs **	
			Residents	Jobs
UGC / MTSAs on a Priority Transit Corridor	Midtown Oakville / Oakville GO ***	200	~65%	~35%
	Downtown Burlington / Burlington GO ***	200	~65%	~35%

Summary

The Halton Region Official Plan directs residential development in the Urban Area designation through intensification and built form that is efficient in design, higher density, connections to existing urban services and supported by transit and transportation infrastructure. The proposed development supports the direction of the Regional Official Plan by proposing a 11-storey residential building with townhouses in a form of redevelopment that is more compact and efficient than the existing use, and will optimize the use of land and existing regional infrastructure. The proposed development is also conforms to the new growth directions required by ROPA 48 and 49 with the development helping the Region and City of Burlington to achieve their minimum density targets set by the Province.

6.5 CITY OF BURLINGTON OFFICIAL PLAN (1997)

The Burlington Official Plan was adopted by City Council in 1994 and approved with modifications by the Regional Municipality of Halton in 1997. The Burlington Official Plan 1997 (OP) manages and directs the land uses for a period extending to 2021. The intent of the OP is to accommodate and to plan for the growth associated with the underlying housing, population and employment projections.

The subject property is designed *Mixed Use Corridor – General* as per Schedule B – Comprehensive Land Use – Urban Planning Area.

Part II Functional Policies

3.0 Transportation

Section 3.0 of Part II of the OP speaks to principles, objectives, and policies related to transportation in the City of Burlington. The main intent of the transportation policies of the Plan 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.

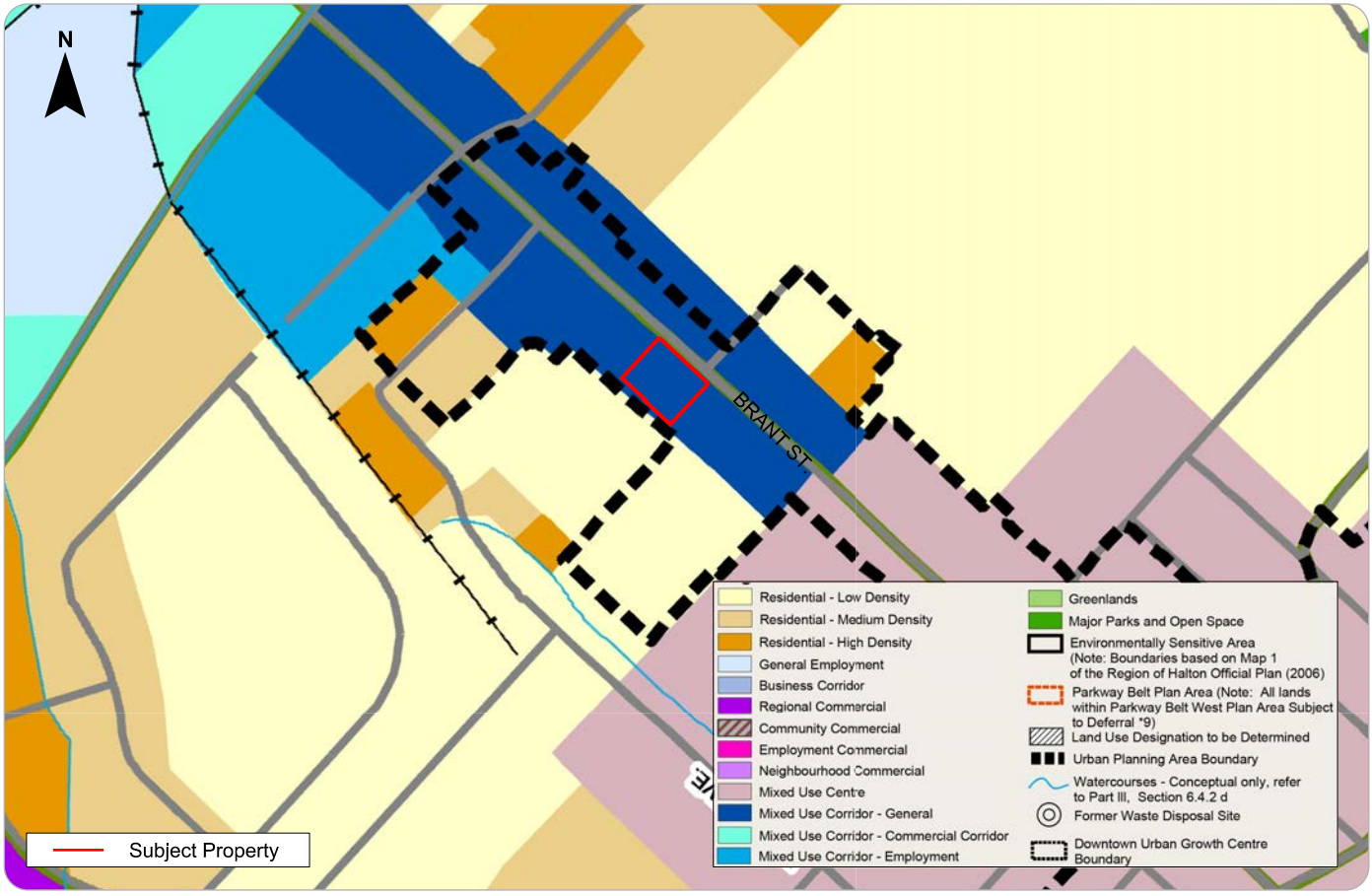


Figure 9: Burlington Official Plan (1997) Schedule B

Section 3.2.2 mentions the follow policies crucial to the proposed development:

d. A transportation study to assess the impact of a proposed development on current travel patterns and/or future transportation requirements may be required before Official Plan amendments, subdivision approvals, rezonings, site plan approvals or other development proposals are allowed.

A Transportation Study was conducted by Paradigm in support of the proposed development and justified a reduced parking supply that is 3 spaces less than the Zoning By-law requirement.

e. The City will encourage opportunities for developing travel demand management (TDM) measures to reduce single occupancy automobile use, especially during peak travel periods, such as car pooling programs, transit passes, preferential parking for carpool members, telecommuting, flex hours, intranet carpooling and fare incentives.

A Transportation Demand Management Plan, as part of the Transportation Impact Study, was prepared in support of the proposed development and provided a strategy supporting a reduced vehicular parking rate and an increase in bicycle parking in support of active transportation and public transit use.

j. Reduced parking ratios and/or standards and/or on-street parking ratios and/or standards may be permitted subject to evaluation by the City of the appropriateness of such standards, and implemented.

The proposed development contemplates a reduced parking rate and increase of bicycle parking in support of active transportation and public transit use.

Part III Land Use Policies-Urban Planning Area

2.3 Housing Supply

Section 2.3 of the Part III of the OP mentions objectives and policies to provide an appropriate supply of housing to the City of Burlington including a sufficient supply of suitably designated and serviced residential land to meet existing and future housing needs.

2.3.1.b states that To encourage the retention of existing rental housing and the construction of new rental housing

Section 2.3.2 of the OP mentions policies relating housing supply in the City of Burlington

a. To the extent to which land is available in the Urban Planning Area, City Council shall maintain its fair share of land within the regional market area with servicing capacity sufficient to provide a three year supply of residential units, available through lands suitably zoned to facilitate residential intensification and re-development, as well as land in draft approved and registered plans, in order to meet anticipated short term housing needs.

b. To the extent to which land is available in the Urban Planning Area, City Council shall maintain the ability to accommodate its fair share of residential growth within the regional market area for a minimum of 10 years through residential intensification and re-development and, if necessary, lands which are designated and available for residential development, in order to meet anticipated long term housing demands.

The proposed development supports the city in achieving a supply of residential units through the redevelopment and intensification of lands into an 11-storey apartment building with 305 residential units with a range of units from bachelor to townhouses.

d. City Council shall ensure an adequate level of local municipal services to meet the demands of residential development

The proposed development will be supported by existing municipal services.

f. The demolition or conversion to freehold or condominium ownership of residential rental properties containing six or more units should not be permitted unless the following conditions are satisfied.

- *i. the rental vacancy rate by dwelling/structure type for the City of Burlington as defined and reported yearly through the C.M.H.C. Rental Market Survey has been at or above 3 per cent for the preceding two-year reporting period;*
- *ii. the building for which conversion is proposed meets the requirements of the property standards by-law, the Ontario Building Code, and any other applicable law, or will be upgraded in accordance with these standards and requirements;*
- *iii. where demolition occurs, replacement rental housing units are provided for those units that are demolished;*
- *iv. that negative economic and other impacts upon tenants are minimized; and*
- *v. the requirements of any applicable Provincial legislation or regulation, as amended, are met.*

As outlined in Section 3 of this report, the site is occupied by a short-term rental facility (698 Brant St.) and a two-storey walk-up apartment containing five residential units (694 Brant St.). 698 Brant St. identified as commercial use with these rental uses not contributing to the City's housing supply; not unlike transitional Hotels. Replacement of these units is not required.

While 694 Brant St. does have traditional rental units and does contribute to the housing stock, the threshold established by Section 2.3.2(f) is anything with 6 or more units. Given the number of existing units replacement is not warranted. Further, the requested Tenant Relocation and Assistance Plan has not been provided as it is tied to the replacement threshold.

5.0 Mixed Use Activity Areas

5.3 Mixed Use Corridors

Section 5.3 of the OP sets out objectives for the direction of growth and development in Mixed Use Corridors in Burlington. The objectives include integrating uses along arterial roads, encouraging higher density, transit-supportive and pedestrian-oriented mixed-use development in compact form, and permitting mixed-use developments with combinations of residential, retail, office and other uses.

Permitted uses within this *Mixed-Use Corridor – General* designation include, as noted in

5.3.2 (a):

- *A wide range of retail, service commercial and personal service uses*
- *High density residential uses and a full range of office uses.*
- *Townhouses as a component of an overall development of mixed residential building forms*

The proposed development provides 1,592 square metres of retail space and includes incorporated townhouses as a component of the apartment building. The subject property is situated in an area with close proximity to retail, service commercial, personal service and office uses.

Policies of the Mixed-Use Corridor – General designation include:

5.3.2 (b) 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.

5.3.2 (c) Retail and service commercial uses are to be located at street level in office or residential buildings.

The proposed development provides 1,592 square metres of retail space at street level in a residential apartment building and is located in close proximity to commercial space intended for day-to-day and weekly shopping needs of residents.

5.3.2 (d) Zoning By-law regulations affecting Mixed-Use Corridors shall be based on the following factors:

i. the maximum floor area ratio of development at any site shall be 1.5:1. City Council may consider a higher floor area ratio in conjunction with a site-specific rezoning or variance application, subject to the consideration of various factors such as adequacy of services and infrastructure 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;
ii. 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
iii. all buildings shall be required to have a building entrance from the building façade closest to the corridor street
iv. off-street parking needs may be reduced for sites with transit-supportive designs or shared parking arrangements

The proposed development contemplates an Official Plan Amendment to increase the maximum floor area ratio from 1.5:1 to 4.13:1.

The increased height is justified through compatibility with the surrounding built form and policies of this OP and Provincial Plans pertaining to intensification. The proposed development is in close proximity to the corridor street and provides the building entrance from the building façade to the corridor street.

The Official Plan provides policies relating to site design considerations. Mixed Use Corridors shall ensure compatibility between the Mixed-Use Corridor uses and adjacent land uses, particularly residential uses. The following factors shall be considered in reviewing proposals for new and/or expanding Mixed Use Corridor uses.

i. 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
ii. the site plan includes features that integrate the development with surrounding uses

The proposed development provides a design that is oriented towards human comfort and pedestrian scale from street level. It is in close proximity to transit services, including municipal bus service provided by the Burlington Transit System, and GO Transit. It has also been designed in a manner to ensure appropriate transition with the adjacent low-rise residential. The proposed development has been designed to fit within a 45 degree angular plane with significant building setbacks.

Summary

The proposed development contributes to the objectives and policies of this plan. The development provides higher density, transit-supportive and pedestrian-oriented mixed-use apartment building that is of compact form. While this development is not as consistent with proposed height and density identified within this Plan, the proposal is consistent the policy direction of the Council adopted and Region-approved 2020 Plan which is discussed below.

6.6 APPROVED CITY OF BURLINGTON OFFICIAL PLAN (2020, NOT IN-FORCE)

The Draft Burlington Official Plan (2020 OP) is an interim working document and was adopted by Burlington City Council on April 26, 2018 and approved by the Region of Halton on November 30, 2020, and provides land use and development goals, objectives and policies to guide development decision in the City of Burlington.

According to Schedule C (Land Use – Urban Area), the subject lands is designated within a *Mixed-Use Intensification Areas - Urban Centre* (Figure 11 – Schedule C Land Use – Urban Area). According to Schedule D (Land Use – Downtown Urban Centre), the subject lands is designated *Upper Brant Precinct* (Figure 12 – Schedule D Land Use – Downtown Urban Centre)

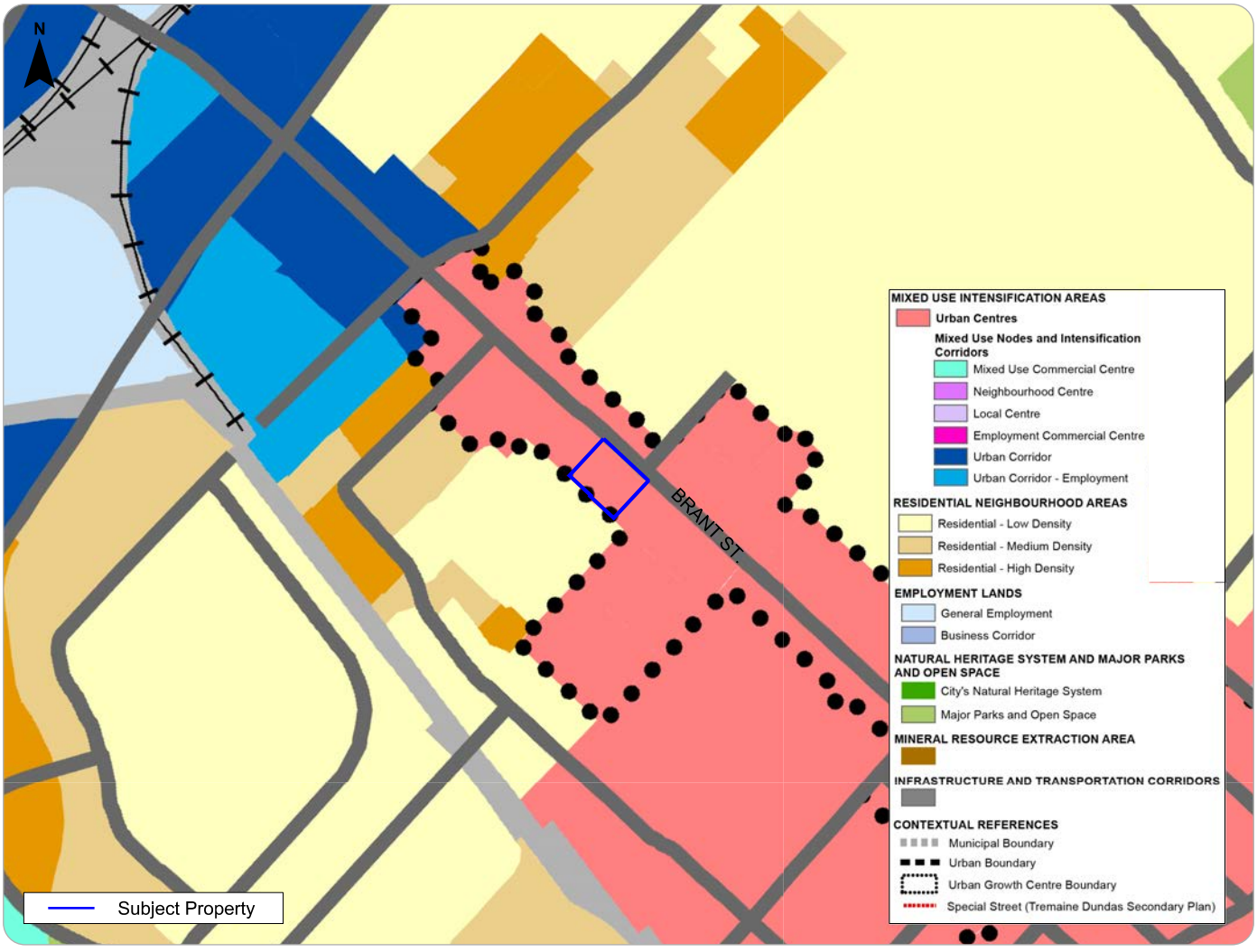


Figure 10: Draft Burlington Official Plan (2020) Schedule C Land Use – Urban Area

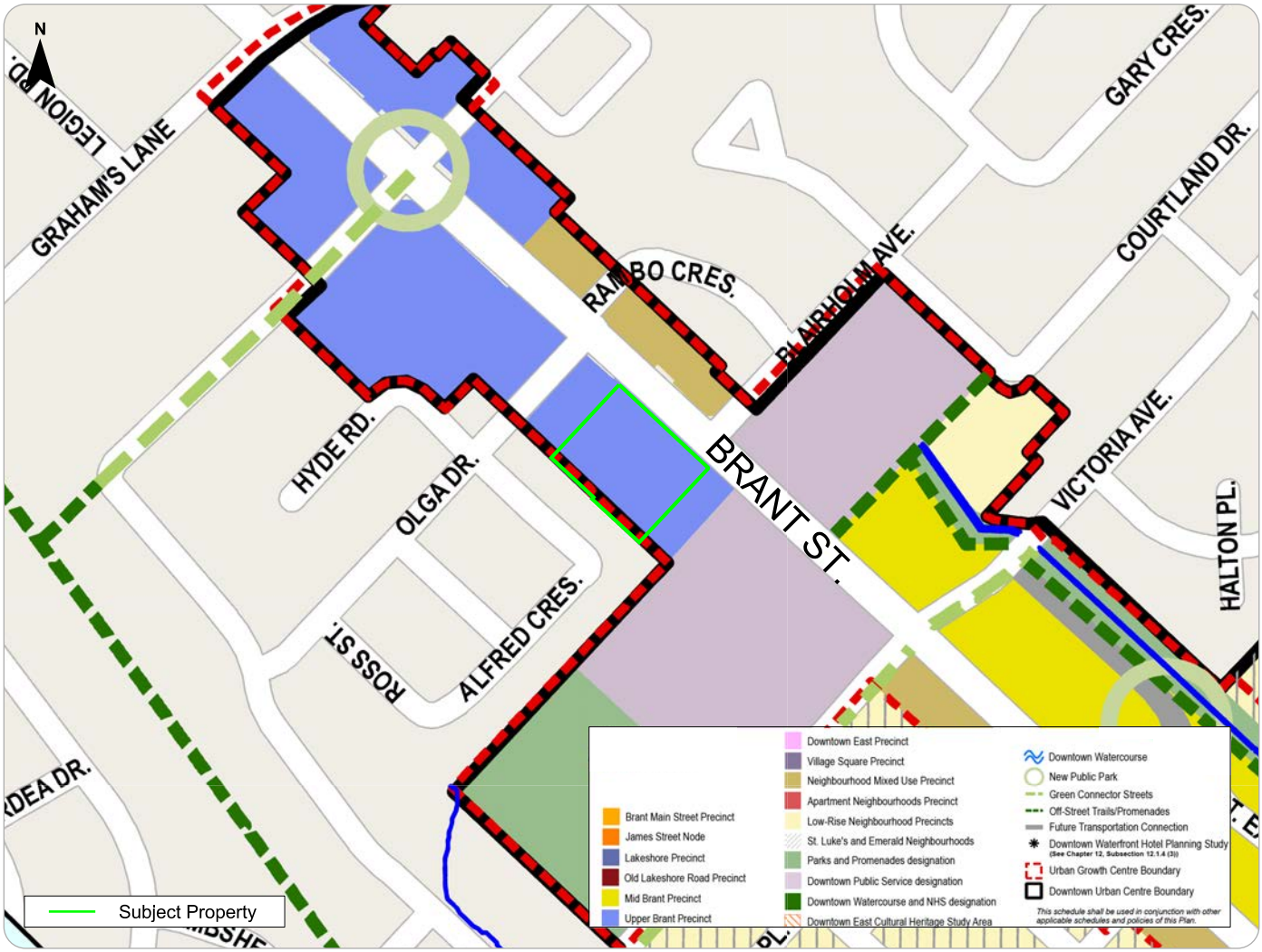


Figure 11: Draft Burlington Official Plan (2020) Schedule D Land Use – Downtown Urban Centre

Mixed Use Intensification Areas

Section 2.3.1 of the 2020 OP identifies lands as *Mixed-Use Intensification Areas* provide locations where a range and intensity of employment, shopping, public service facilities, residential uses and complementary uses will be development with transit supportive densities in compact built form. Walking, biking, transit and other transportation demand management measures will be prioritized. Mixed Use Intensification Areas include the city's existing urban centres, emerging MTSAs and other mixed-use nodes and intensification corridors.

The proposed development proposes an 11-storey apartment building with 305 residential units and 1,592 square metres of retail space in an area with a range of employment, retail, public service facilities and residential uses. The design of the proposal promotes active transportation and public transit use through a reduced car parking rate and an increase in bicycle parking spaces and pedestrian oriented design.

Urban Centres

Section 2.3.1.e mentions that *Lands identified within Urban Centres will provide for a broad range of mixed uses in area of higher, yet appropriate, intensity in relation to the surrounding neighbourhoods, designed in a compact built form, oriented to support transit and facilitate active transportation in accordance with the underlying land use designations.*

The proposed development provides a broad range of mixed uses in an area of higher intensity through 305 residential units and 1,592 square metres of retail space.

Major Transit Station Areas

Section 2.3.1.h states that *Major Transit Station Areas (MTSAs) are an important component of the City's Urban Planning Area, and are intended to serve as city-wide destinations and focal points for the provision of transit. MTSAs will exhibit a wide variety of land uses and building types, and densities that will be oriented to support and facilitate transit and active transportation. Located in key areas served by the regional and local transit networks, MTSAs are focal points for higher intensity and mixed-use, transit supportive development that will accommodate a significant share of the City's future population and employment growth. It is anticipated that the majority of growth within the City's four MTSAs will occur in the three MTSAs locate along higher order transit routes and with planned frequent transit service by way of Regional Express Rail.*

The proposed development proposes an 11-storey apartment building with 305 residential units and 1,592 square metres of retail space with a design oriented to support active transportation and public transit use. The subject property is located nearby Burlington's Bus Line 2 with connections to the Burlington GO Station. The proposed development includes a reduced parking rate and an increased number of bicycle parking, as well as a pedestrian oriented design.

Section 2.3.1.i mentions that *In Burlington there are three MTSA Special Planning Areas identified by the City around the Burlington GO, Aldershot GO and Appleby GO Stations. All three areas are major transit station areas. In this Plan, the three MTSA Special Planning Areas are identified as areas that will be subject to further detailed area-specific planning. The boundaries of the major transit station areas and assignment of growth targets will be confirmed through the Region of Halton's municipal comprehensive review in conformity to the Provincial Growth Plan*

The subject property is located within the Burlington GO MTSA.

Section 8.1.2(3) provides policy direction for development within MTSA that precedes Area Specific Plans. The following policies are applicable:

- Applications for Official Plan Amendments, Zoning By-law Amendments and site plan approvals within MTSA Special Planning Areas preceding the completion of an area-specific plan shall have regard for Provincial guidelines for mobility hubs and transit, and shall implement Regional and Provincial major transit station area policies. In addition, applications for Official Plan Amendments, Zoning By-law Amendments and site plan approvals within the Burlington GO, Aldershot GO and Appleby GO MTSA Special Planning Areas, shall have regard for the Mobility Hub Opportunities and Constraints Study (2014).
- Multi unit residential developments in MTSAs should incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.
- Transportation demand management (TDM) measures shall be addressed, and form part of the City's evaluation of opportunities for reduced parking standards in proposed development within MTSAs, subject to the policies of Subsection 6.2.10, Transportation Demand Management, of this Plan.

- Applications for Official Plan Amendments, Zoning By-law Amendments and site plan approvals within MTSAs shall submit and implement, to the satisfaction of the City, an urban design brief prepared by a qualified person. The brief shall demonstrate how the proposed development contributes towards achieving MTSA objectives for design and how the development is consistent with the policies contained in Chapter 7: Design Excellence, of this Plan, and any applicable design guidelines.
- Development within MTSAs preceding the completion of an area-specific plan shall be subject to the applicable policies of Subsection 7.3.2 of this Plan.

The proposed development meets the objectives of the policies above as it seeks to implement the City's Mobility Hub studies that have been endorsed by City Council. The proposed 11 storey building is consistent with development guidelines found within the Upper Brant Precinct polices of the Official Plan and MTSA Final Planning Study.

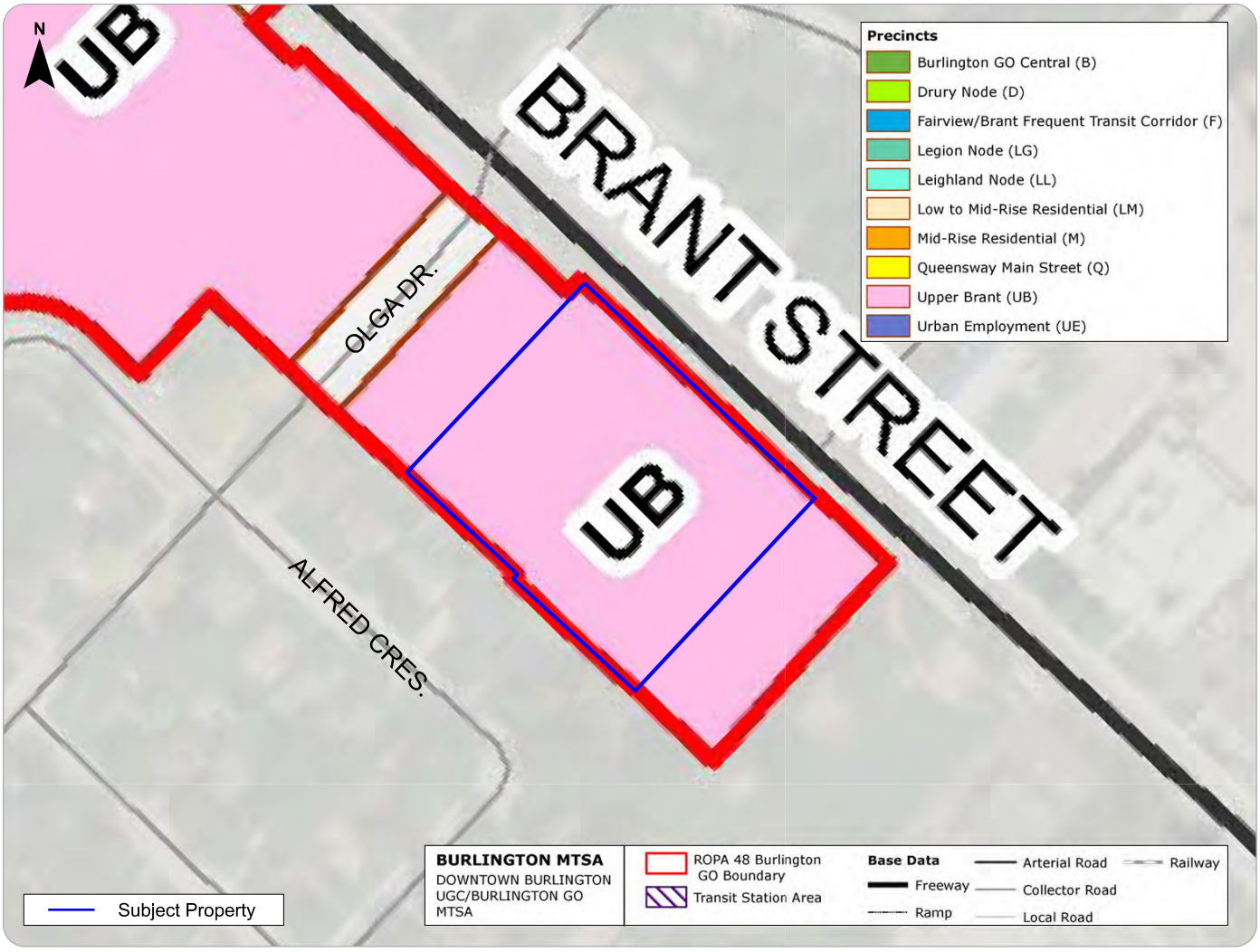


Figure 12: Downtown Burlington UGC/Burlington GO MTSA Precincts

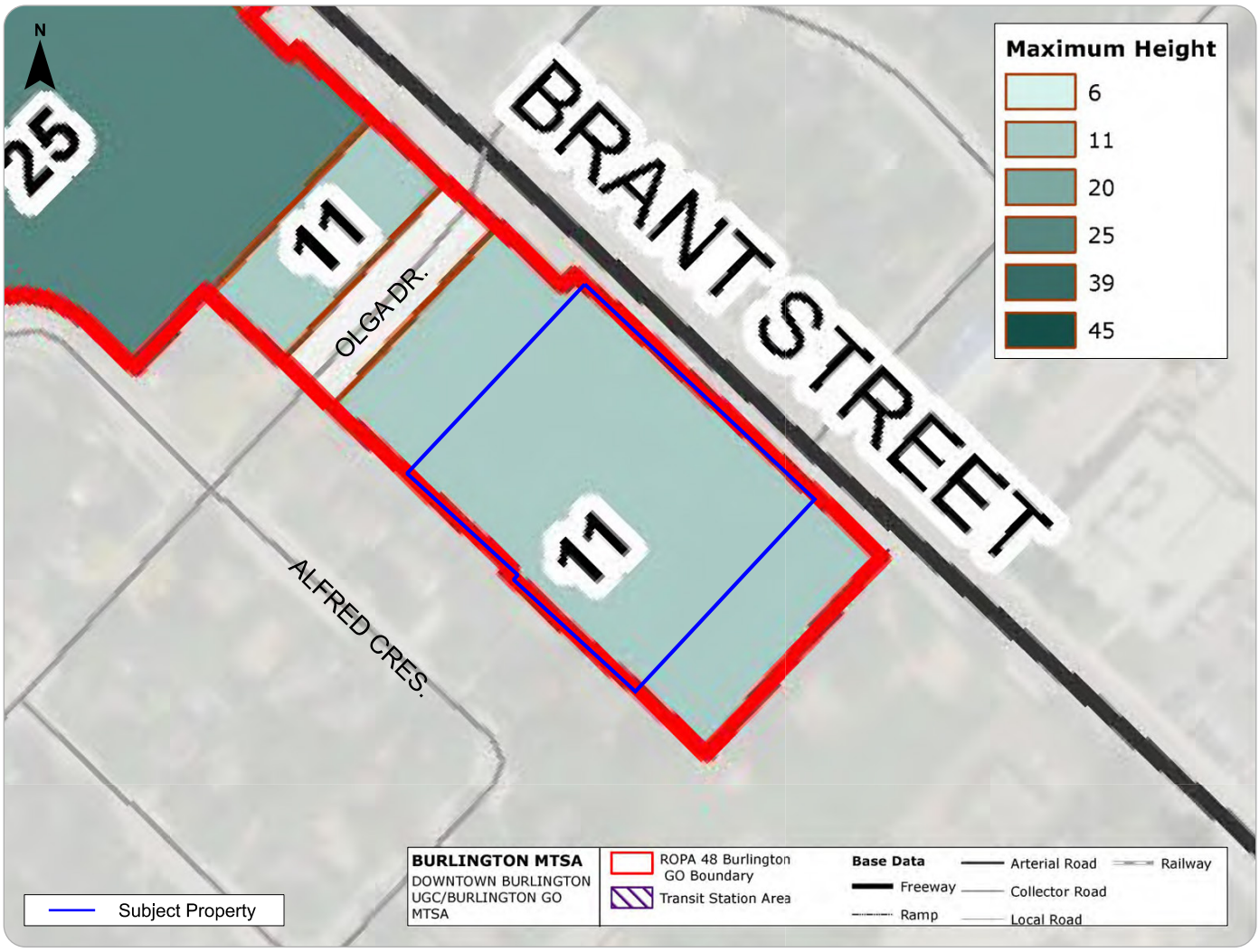


Figure 13: Downtown Burlington UGC/Burlington GO MTSA Heights

Upper Brant Precinct

Section 8.1.1 (3.8) of the 2020 OP provides policy direction for how and where development of such densities will occur within the *Upper Brant Precinct.* Development will generally achieve a height and density to be within walkable distance to higher order transit. The tallest developments are to occur within the Downtown located along Ghent Avenue.

Section 8.1.1 (3.8.1).*a notes the Permitted uses within this designation:*

- Residential uses with the exception of stand-alone ground-oriented dwellings forms;
- Office uses;
- Retail and service commercial uses;
- Hotel uses
- Entertainment uses; and,
- Recreation uses

Policies within this designation include:

Section 8.1.1(3.8.1).*b states that Development abutting Brant Street shall contain a minimum of two permitted uses, as identified in Subsection 8.1.1(3.8.1) a) of this Plan and should contain three permitted uses, where feasible*

The proposed development proposes two permitted uses: Residential uses and retail and service commercial uses as required by Section 8.1.1(3.8.1).c.

Section 8.1.1(3.8.1).c states that *Notwithstanding the permitted uses in Subsection 8.1.1(3.8.1 a), residential uses shall not be permitted on the ground floor facing Mixed Use Streets as shown on Schedule D-1: Downtown Urban Centre Retail Streets, of this Plan. Residential lobbies/access should be located on side streets or at the rear of the building where feasible.*

The proposed development does not propose residential uses on the ground floor facing a Mixed Use Street and instead proposes retail uses. as required by Section 8.1.1(3.8.1).c.

Section 8.1.1(3.8.1).d mentions that *New development shall generally be comprised of tall buildings at the northern end of the Precinct and mid-rise buildings at the south*

The proposed development proposes an 11-storey building at the south end of the Precinct.

Section 8.1.1(3.8.1).e mentions that *Buildings abutting Brant Street shall incorporate a setback above the third storey to provide a low-rise feel for pedestrians along Brant Street. The setback should be similar to the 20 m setback in the Brant Main Street and Mid Brant Precincts, but flexibility in the setback may be considered through the review of development applications due to the wider Brant Street right of-way in this precinct and in order to provide a transition to the adjacent Residential-Low Density designations.*

The proposed development provides a setback on the third storey of 7 metres to provide a low-rise feel. Please refer to drawing A. 117 of the Architectural set prepared by Chamerlain Architects.

Section 8.1.1(3.8.1).f mentions that *Adjacent to areas designated Residential-Low Density on Schedule C: Land Use-Urban Area, of this Plan, mid-rise and tall buildings shall achieve a terraced built form with building height oriented away from the Residential Low-Density designations. Terracing shall be in accordance with a forty-five (45)-degree angular plane measured from a property line shared with a property designated Residential-Low Density on Schedule C: Land Use-Urban Area of this Plan.*

The proposed development is oriented away from residential-low density with the 2-storey townhouse portion oriented towards the rear of the property in close proximity to the neighbouring residential uses.

Section 8.1.1(3.8.1).g mentions that Ground-oriented dwellings with a maximum height in accordance with Subsection 8.1.1(3.8.1) f) of this Plan should be provided adjacent to a property line shared with a property designated Residential Low-Density on 'Schedule C: Land Use – Urban Area' of this Plan. Alternatively ground oriented dwelling units could be incorporated into a podium of a mid-rise or tall building provided the podium meets the angular plane requirements of Policy 8.1.1(3.8.1) f).

The proposed apartment building includes ground orient residential dwelling units at the rear in the form of Townhouses in close proximity to neighbouring residential uses.

Section 8.1.1(3.8.1).h mentions that *Additional Park space shall be provided in the precinct through one or more public urban squares and/or Privately Owned Publicly Accessible Open Spaces (POPS), that will create leisure opportunities for the residents of the precinct and surrounding areas.*

In discussion with city staff, it was determined that additional parkland would not be needed given the existing and planned parkland and publicly owned public spaces around Brant Street and Ghent Street.

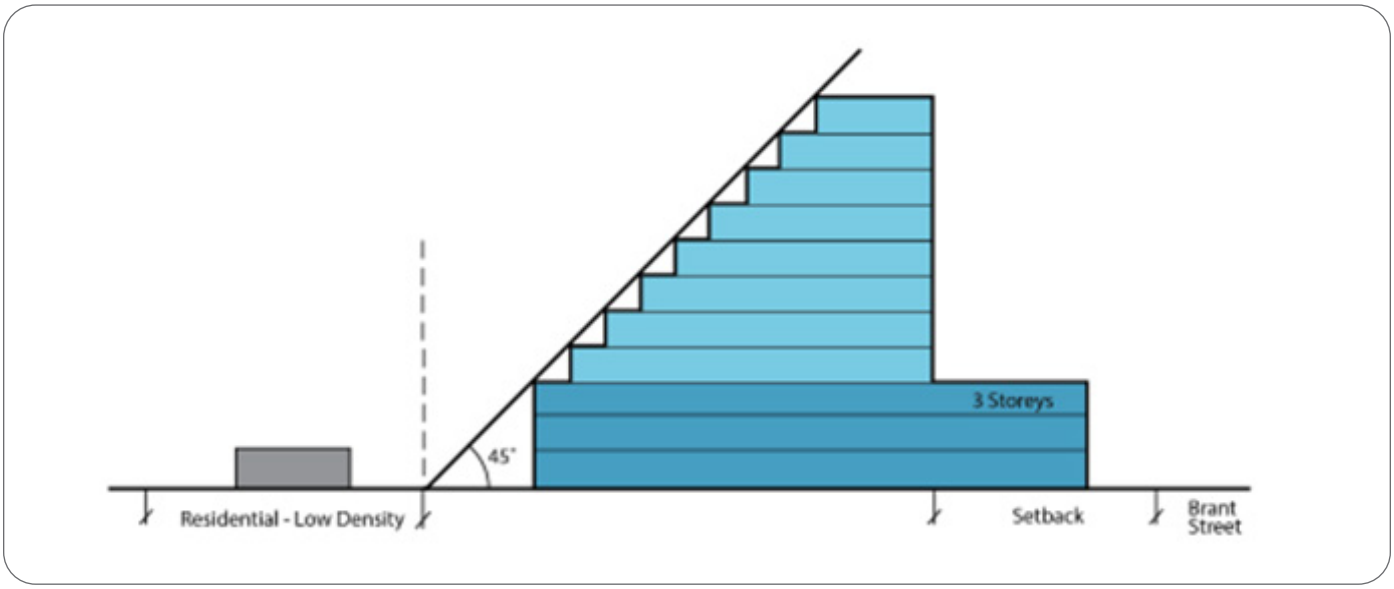


Figure 14: Cross section showing built form and transition along Brant Street

It is important to note that the Official Plan policies of the Upper Brant Precinct are consistent with Upper Brant police directions found with the Council-endorsed MTSA Final Planning Study. Both sets of policies call for mixed use development within an 11 storey built form. Commercial/ retail uses are required along Brant with tower setbacks above the third storey. Further, development should be setback 7.5m from adjacent low-rise residential with the built form fitting within an angular plane.

Mixed Use Streets

Section 8.1.1 (3.21) provides policy direction for lands identified on Mixed Use Streets. Schedule D-1 Downtown Urban Centre Retail Streets identified the section of Brant Street between Prospect Street/ Graham's Lane and Victoria Avenue/ Baldwin Street as a Mixed Use Street. Subsection a)(ii) notes:

> *along Mixed Use Streets, retail, service commercial or office uses shall be permitted and may be required in the zoning By-law continuously at grade in buildings having frontage on to public streets.*

The proposed development contemplates a continuous commercial frontage that will allow various retails uses. This commercial spaces will also include a mezzanine where additional commercial actively, including office uses, will be offered fronting Brant Street. The design polices for retail spaces found in Subsection f) are further discussed in the enclosed urban design brief.

Complete Communities

Section 3.0 of the 2020 OP promotes complete communities to meet the daily needs of residents in Burlington by providing convenient access to an appropriate mix of jobs, local services, a full range of housing and public service facilities including affordable housing, schools, recreation and open space for their residents. The policies of the Draft OP aim to provide a wide range of opportunities to accommodate jobs and housing. A success complete community must also provide residents with access to a range of services that will satisfy health, education, social, religious and recreation needs.

The proposal of an 11-storey apartment building includes residential units and commercial space with the intention to provide residents with access to amenities within close proximity in the surrounding area and also within the building itself. The proposed development is well served by community facilities, parks and schools in the surrounding area.

Housing

The City of Burlington intends to promote an appropriate and adequate range of housing choices by type tenor and affordability level. The Draft OP includes objectives to ensure that a sufficient supply of land is available for current and future needs, to promote land use pattern for a full range and mix of housing types, and to make more efficient use of existing developed lands and existing housing stock.

Section 3.1.1(2) of the 2020 OP *notes includes policies on Housing in the City of Burlington:*

a. To the extent to which land is available in the Urban Area, City shall maintain the ability to accommodate its share of residential growth within the regional market area. The City will assist the Region of Halton in the establishment and monitoring of annual minimum targets for the production of housing units by density type

b. The City will work with the Region of Halton to provide opportunities for housing for a wide array of socio-economic groups and those with differing physical needs and household compositions

e. The City will support housing initiatives that facilitate revitalization, particularly the identification and remediation of brownfield, greyfield and bluefield lands, compact built form, flexibility and adaptability in the design and function of the housing stock, and an increased variety of housing alternatives

h. The City shall require the submission of a housing impact statement where a development proposal includes more than one hundred (100) dwelling units, identifying

i. how the proposal contributes to achieving the Region of Halton housing targets, including identification of any proposed new affordable or assisted housing units;

ii. how the estimated rents and/or initial sales prices of the development are at or below the affordable housing thresholds by type;

iii. where construction of the units is expected to occur in phases, information regarding the number of affordable housing units to be provided per phase, where applicable; and

iv. the proposed legal and/or financial mechanisms to ensure the CHAPTER 3 – COMPLETE COMMUNITIES Page 3-8 Burlington Official Plan November 2020 Chapter 3 delivery of any proposed new affordable housing commitments, and mechanisms to retain the long term affordability of units, where applicable

The proposed development contemplates 305 residential units and A Housing Impact Statement was prepared by Urban Metrics and is summarized in Section 5 of this Planning Justification Report.

j. The City will consider the provision of innovative forms of housing tenure, such as co-operative housing, and common element, phased and vacant land apartment, as a means of increasing housing diversity, choice and supply in the city

- *The City will encourage a mix of housing forms. However, the city's existing areas of Residential Low-Density shall be considered sufficient to contribute towards that component of the mix*
- *The City will encourage the building and development industry to incorporate universal design features in all new buildings*

I. The City will encourage the building and development industry to incorporate universal design features in all new buildings

The proposed development contemplates an 11-storey apartment building with 305 units varying in size. This proposal will increase supply within the City and assist in achieving the minimum targets and provide a mix of housing forms, notably high density. The housing units will be accessible to nearby amenities, including public transit. Accommodating Employment

Section 5.1.2 of the Draft OP sets out policies for accommodating and protecting employment through the development of complete communities. Policies include some of the following:

- *The City will promote economic development and competitiveness and the development of complete communities by:*
  - *providing for an appropriate mix of employment uses including industrial, commercial, public service facilities and institutional uses throughout the city to meet long-term needs*
  - *focusing employment growth primarily in the Employment Area and in mixed use intensification areas*
  - *providing for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses*
  - *ensuring the necessary infrastructure is provided to support current and forecasted employment needs, including infrastructure and utility requirements of emerging employment.*
- *The Major Transit Station Areas shall be planned to accommodate employment uses which are compatible with sensitive land uses and contribute to the development of vibrant, mixed use and transit supportive areas*

The proposed development includes retail space within its 11-storey apartment building. This retail space will provide employment in close proximity to existing and growing residential areas, the Urban Centre and the Burlington GO MTSA. In addition, employment will be close to public transit, community facilities and other amenities and overall contribute to the objectives and policies of complete communities.

Urban Design Guidelines

Section 7 Design Excellence of the 2020 OP focuses on policies surrounding urban design, particularly to encourage innovative and high-quality design practices. Key urban design objectives outlined in this section include the following

7.1.1 General Objectives

c. To ensure that the design of the built environment contributes to a sense of belonging by enhancing the physical character of established neighbourhoods.

d. To design places that support public transit and active transportation through the design of attractive and well-developed pedestrian and cycling environments

e. To create safe, vibrant, socially active places that people are drawn to.

f. To achieve a high quality of design within the public realm.

h. To ensure compatibility and quality in the built environment while allowing for diverse design expression.

7.3.2(1) Primary and Secondary Growth

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 promoting the incorporation of private open spaces to the open space network of the immediate community

The proposed development supports the development of an active public realm through its architectural expression, materiality and at-grade retail units that are compatible with the surrounding context. The proposed development supports the policies for designated Growth Areas and maintains a parallel façade along Brant Street, a primary intensification corridor, to help define the street edge and contribute to the developing character of the neighbourhood. The massing adheres to angular plane requirements and provides appropriate transitions to adjacent land uses to ensure shadowing and massing impacts are minimized. The proposed commercial units at-grade and landscaping treatments along Brant Street will contribute to the development of a continuous streetscape and create a connected interface between the public and private realms. The development will support pedestrian activity throughout and offer a series of safe, paved walkways to connect to the site interior and proposed outdoor amenity at the rear. The building design sets back the mechanical equipment from the building edge to minimize its visibility while travelling along Brant Street.

Additional Built Form Policies are provided in Section 8.1.1(3.19.2) for Mid-Rise Buildings. An Urban Design Brief has been prepared to outline conformity with these policies and to illustrate consistency with the various Urban Design Guidelines within the City.

Flood Protection

Section 4.4 Water Resources of the 2020 OP includes objectives and policies to address watershed management, flooding, water resource and stormwater management, and watercourses and natural hazards.

Section 4.4.1 mentions the following objectives pertinent to the proposed development

b. to protect life and property from natural hazards

e. to protect, improve or restore the quality and quantity of water resources throughout the city

f. to reduce flood potential In areas that are flood-prone

g. to manage stream bank erosion and flooding concerns in a way that maintains or enhances fish habitat and other components of the Natural Heritage System, and maintains watercourses in a natural state.

h. to minimize the negative impact of development on downstream watercourse erosion.

The proposed development was supported by a Flood Hazard Analysis prepared by the Odan Detech Group inc. and it determined that the proposed development will not have a negative impact on the properties adjacent to the site when developed. It further mentioned that the existing conditions and future conditions when the subject lands are developed is essentially the same.

Rental Replacement

3.1.2(2) Policies

a. The demolition of residential rental properties or the conversion to freehold or condominium ownership of a residential rental property containing six (6) or more units, in part, or in whole, shall not be permitted unless the following conditions are satisfied:

- *i. the rental vacancy rate by structure type for the City of Burlington as defined and reported yearly through the C.M.H.C. Rental Market Report has been at or above three (3) percent for the preceding two-year reporting period;*
- *ii. the building for which conversion is proposed meets the requirements of the property standards by-law, the Ontario Building Code, and any other applicable law, or will be upgraded in accordance with these standards and requirements;*
- *iii. that negative economic and other impacts upon tenants are minimized to an acceptable level; and*
- *iv. the requirements of any applicable Provincial legislation or regulation, as amended, are met*

b. Notwithstanding 3.1.2 (2) a) (i), the demolition of residential rental units maybe permitted in conjunction with a development application which at a minimum shall provide the same number of rental units with the same number of bedrooms per unit, at a similar rental rate at the time of development application submission, as those units that are demolished.

c. A development application related to the demolition of residential rental properties or the conversion to condominium tenure or owner occupancy shall include, to the satisfaction of the City, proof of tenant notification of the demolition or conversion proposal and proof of notification of the rights of tenants under Provincial residential tenancy legislation, including a minimum of 1 (one) tenants' only meeting as a part of the development application process. The preparation of a tenant relocation and assistance plan, including right to return and alternative accommodations to lessen hardship, may also be required.

d. The City will encourage the construction of rental housing with a full mix and range of unit types and sizes

As outlined in Section 3 of this report, the site is occupied by a short-term rental facility (698 Brant St.) and a two-storey walk-up apartment containing five residential units (694 Brant St.). 698 Brant St. identified as commercial use with these rental uses not contributing to the City's housing supply; not unlike transitional Hotels. Replacement of these units is not required.

While 694 Brant St. does have traditional rental units and does contribute to the housing stock, the threshold established by Section 3.1.2(2) is anything with 6 or more units. Given the number of existing units replacement is not warranted. Regarding the Tenant Relocation Plan, the Applicant will work with the residents of the rental apartment to provide required assistance prior to building demolition. The Application is committed to:

- Providing Notice of Demolition within an appropriate time (generally 12 months);
- Provide updates to the tenants during the site plan process to advise of vacancy timelines;
- Work with vulnerable residents to provide additional assistance as needed; and
- Working within the requirements of the Rental Housing Protections Act.

6.7 CITY OF BURLINGTON ZONING BY-LAW (2020)

Summary

The development of an 11-storey apartment building conforms to the policies of the Draft OP by contemplating a design that supports the residential and economic needs of City and complies to the intention of the *Urban Centre* policies. The proposal provides 305 residential units to an area that is supported by public transit and local amenities. The proposed development supports the development of an active public realm through its architectural expression, materiality and at-grade retail units that are compatible with the surrounding context and contribute to local economic growth. Lastly, park space is provided within the proposal to provide leisure and recreation for residents.

The City of Burlington Zoning By-law 2020 regulates the development of land within the City of Burlington. Under the By-law, the subject lands are zoned as Mixed-Use Corridor – General (MXG). The MXG zone permits a variety of uses from Retail Commercial, Service Commercial, Office, Community, Automotive, Entertainment and Recreation and Residential. Notable permitted uses include the following:

- *Convenience/Speciality Foods Store*
- *Other Retail Stores*
- *All Office Uses*
- *Entertainment Establishment*
- *Apartment Building*
- *Dwelling Units in a commercial/office building*
- *Stacked Townhouse*
- *Back-to-Back Townhouse*
- *Townhouse*

The proposed development is permitted with the exception of the proposed height and density. A by-law amendment is needed to implement the policy directions of the City's new Official Plan. Section 7.1 below provides additional ommentary on applicable zoning regulations and amendments needed to facilitate the proposed development

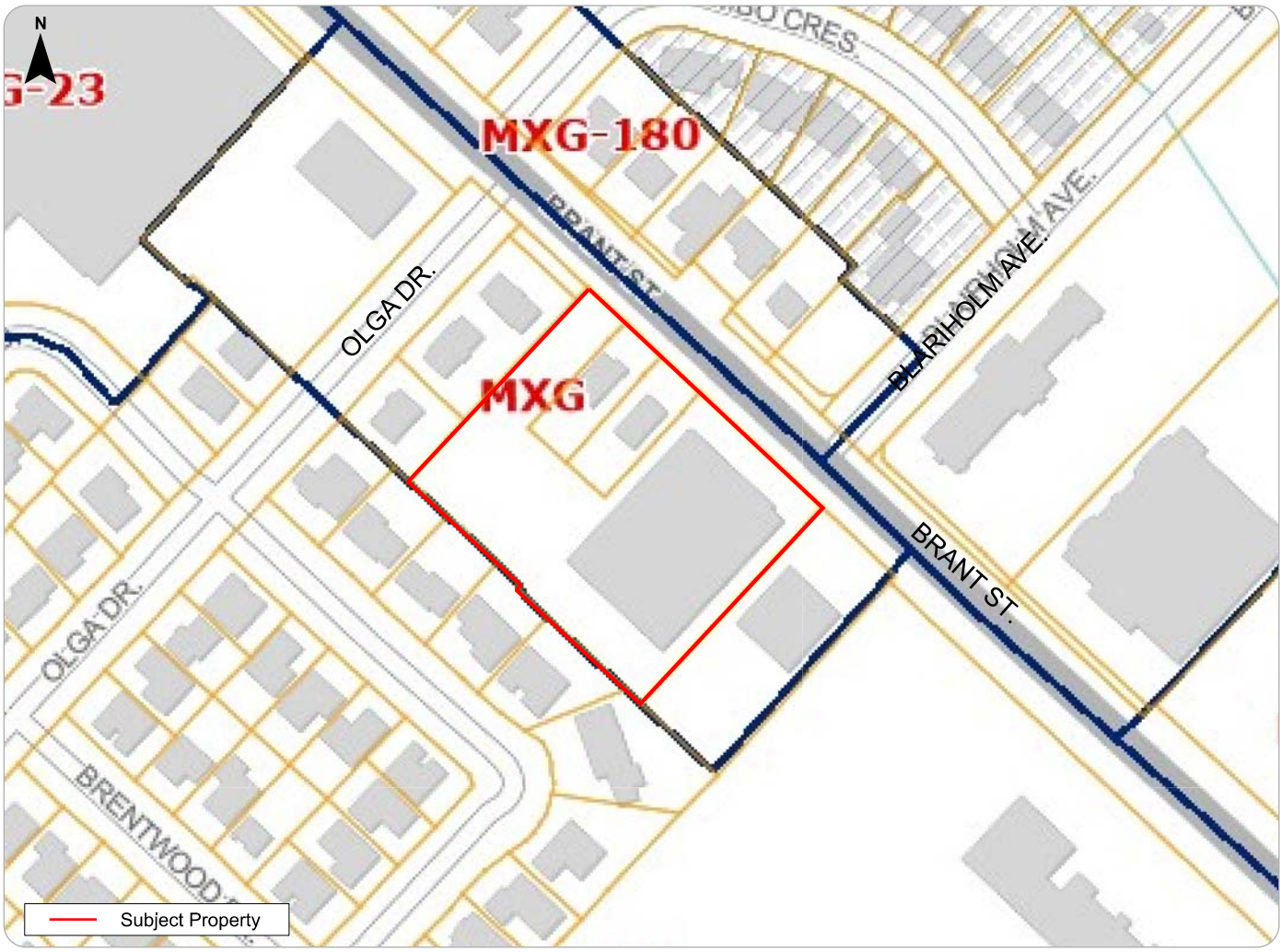


Figure 15: Draft City of Burlington Zoning By-law 2020 Map

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7. APPLICATION SUBMISSION SUMMARY

7.1 DRAFT OFFICIAL PLAN AMENDMENT

Official Plan Amendment

The proposed Official Plan Amendment proposes to amend the subject lands to maintain the *Mixed-Use Corridor – General* designation but with site specific provisions, as outlined in Table 4.

The *Mixed-Use Corridor – General* designation is intended to provide locations along multi-purpose arterial or major arterial roads that will serve as areas of concentration for mixed use developments with high density residential, retail, service commercial, office, entertainment, community facilities and institutions, and open space uses.

A site-specific Official Plan Amendment to the current in-effect City of Burlington Official Plan 1997 is required to facilitate the proposed development. The Official Plan Amendment includes the following site-specific exemptions:

1. Increase the maximum Floor Area Ratio to 4.13:1, whereas Official Plan Section 5.3.2 (d) (i) permits a maximum Floor Area Ratio of 1.5:1
2. Increase the maximum height requirement to 11 storeys, whereas Official Plan Section 5.3.2 (d) (ii) permits a maximum height of 6 storeys

Table 6: Official Plan Amendment Site Specific Provisions

Provision	Current Designation	Proposed	Exception
Maximum Floor Area	1.5:1	4.13:1	Y
Maximum Building Height	6 storeys	11 storeys	Y



Figure 16: Official Plan Amendment A

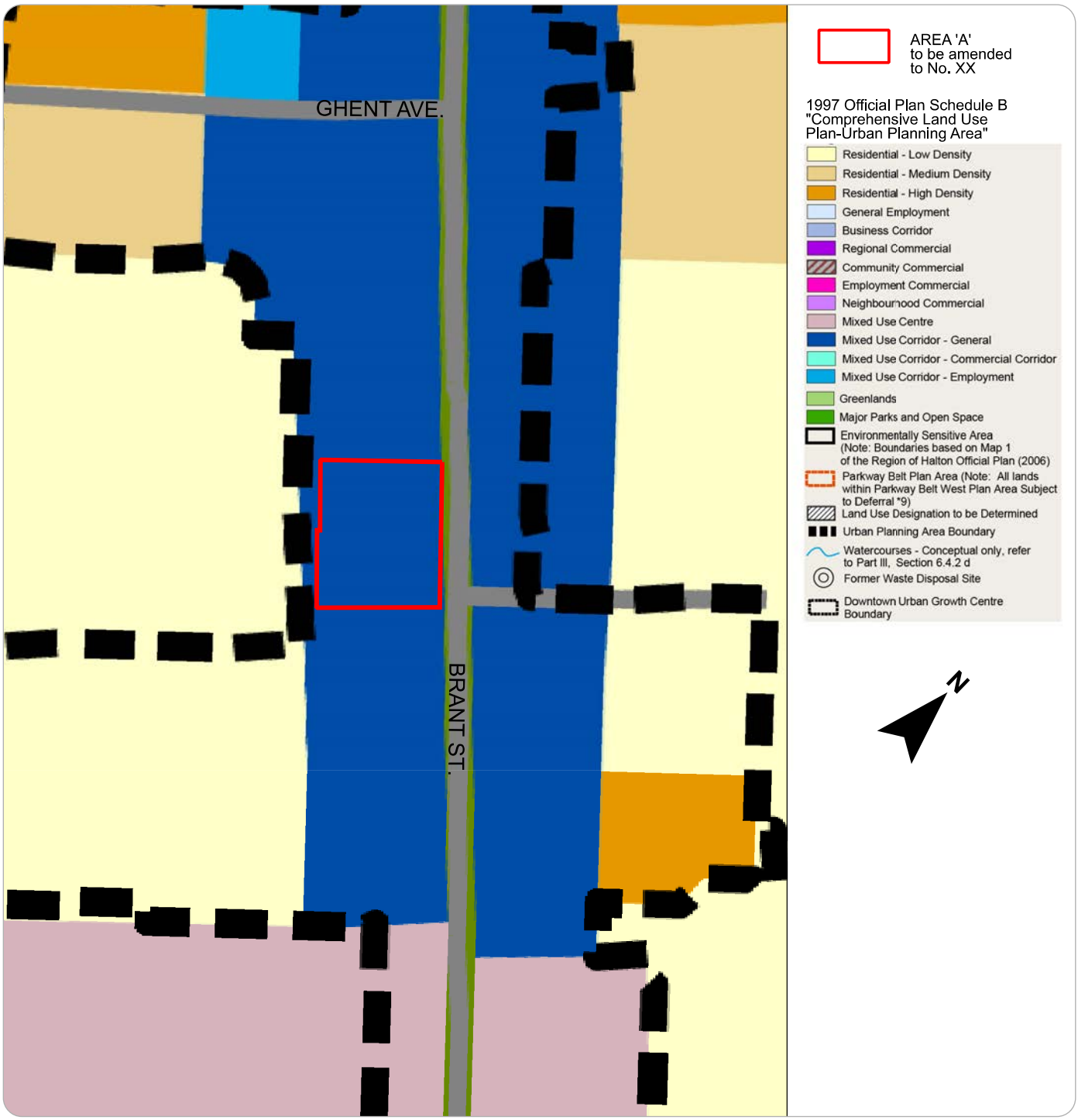


Figure 17: Official Plan Amendment B

7.2 DRAFT ZONING BY-LAW AMENDMENT

Zoning By-law Amendment

The proposed Zoning By-law Amendment proposes to amend the subject lands to maintain the *Mixed Use Corridor – General (MXG)* zone but with site specific provisions, as outlined in Table 5 and Figure 13.

The MXG zone permits a range of uses including but not limited to apartment buildings, mixed-use buildings and commercial uses.

A site-specific Zoning By-law Amendment is required to facilitate the proposed development. The Zoning By-law Amendment includes the following site-specific exemptions:

1. Increase the Floor Area Ratio to 4.13:1, whereas Section 4.3 permits a Floor Area Ratio of 1.5:1.
2. Increase the maximum height requirement to 11 storeys, whereas Section 4.5 permits a maximum height of 6 storeys.
3. Reduce the parking space requirement to 1.00 spaces per unit
4. Reduce the amenity area requirement to 14 m2 per unit.
5. Reduce the yard abutting a street requirement to 1 metre, whereas Section 4.1 requires 3 metres.
6. Reduce the landscape area abutting a street to 1 metre, whereas Section 4.4 requires 3 metres.

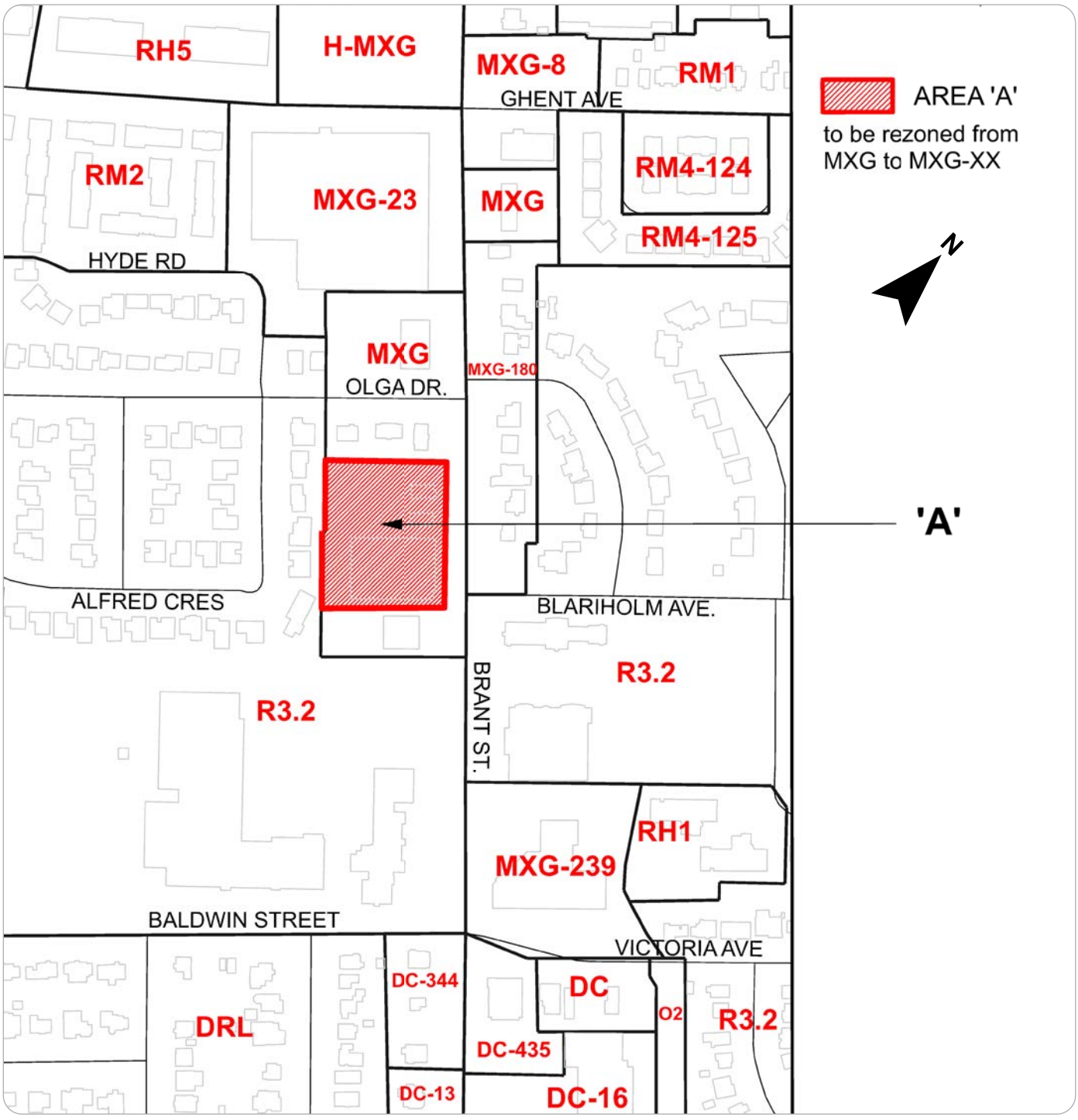


Figure 18: Zoning By-law Amendment Schedule A

Table 7: Zoning By-law Amendment Site Specific Provisions

Provision	Current Zoning	Proposed	Exception
Minimum Lot Width (m)	25	96.31	-
Minimum Lot Area (m2)	1,000	7,352.31	-
Minimum Front Yard (m)	3	4.137	-
Maximum Front Yard (m)	4.5	4.137	-
Minimum Rear Yard (m)	3	16.811	-
Minimum Density in a Residential Building: Floor Area Ratio	1.5:1	4.13:1	Y
Maximum Floor Area per Retail or Service Commercial use	1800 sq. m.	1592 sq. m.	-
Maximum Building Height	6 storeys	11 storeys	Y
Parking Per Unit	1.25 per unit	1.24 per unit	Y
Parking – Accessible	3% of total parking required	3% of total parking required	-
Parking – Retail	3.5 spaces	3.5 spaces	-
Bicycle Parking – Retail	2 spaces plus 1 space/1000 sq. m. GFA	2 spaces plus 1 space/1000 sq. m. GFA	
Amenity Area Total	6,200 sq. m.	4,393 sq.m	Y
Yard – abutting a street	3 m	1 m	Y
Landscape Area – Abutting a residential zone	6 m	6 m	-
Landscape Area – Abutting a street	3 m	1 m	Y

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8. URBAN DESIGN REVIEW PANEL

An Urban Design Advisory Panel Meeting was held with City of Burlington Staff on September 15, 2022 to discuss the built form and architectural design of the proposed development. Members of the panel provides the following questions to the project team:

1. *Elaborate about the programming of the outdoor amenity space and rooftop amenity space as the plans show an outdoor community garden. How will it be ensured that these spaces function in practice?*

The plans for amenity space are conceptual and will be finalized by the time of submission. The outdoor amenity space at the rear is to provide compatibility with the terraces. The exact programming of the amenity space has not been confirmed, this will be determined at a later stage. However since that meeting we have been able to refine the programming of the ground floor outdoor space which is summarized in Section 4 of this Report. The indoor rooftop amenity has also been programmed with the exception of rooftop outdoor space.

2. *The plans show a ramp to the underground parking on the northeast side of the central roadway, what is shown on the opposite side of the building (to the southeast)?*

A Garbage/Loading Area is shown on the southeast of the building on the opposite side of the underground parking ramp.

3. *In regard to sustainable features, can you highlight them and what you are proposing?*

The notable aspects at this time include: HVAC, Orientation of the building, natural elements, energy modelling, and material durability. Sustainable features provided include 129 bicycle spaces, Permeable pavers for at-grade parking spaces to differentiate from the main driveway, a Waste Management Brief, continuous sidewalks, and crosswalks that are barrier free connect the on-site buildings as well to public sidewalks.

A Sustainability Checklist was included with this submission and outlines sustainable features of the proposed development with items that are required and voluntary by the City of Burlington. The following items were achieved:

- Item 2.1: The proposed development will be providing continuous sidewalks that are barrier free and connect the buildings to public sidewalks.
- Item 2.3: 129 bicycle parking spaces will be provided to support active transportation.
- Item 2.4: A transportation demand management plan was produced as part of the Transportation Impact Study and recommended multi-modal transportation be considered such as increased bicycle parking, reduced vehicular parking, and use of public transit.
- Item 2.5: Bicycle storage is provided in a covered area that is easily accessible to the main entrance of the proposed development
- Item 4.1: A level one stormwater treatment for all stormwater runoff has been achieved for the proposed development.
- Item 4.3: Permeable pavers for at-grade parking spaces have been included in the proposed development.
- Item 5.1: Vegetated landscape areas are proposed along the perimeter of hard surface area where appropriate
- Item 6.1: A waste management plan has been prepared

4. *Is the proposed development targeting a net zero building or anything similar?*

The proposed development is not targeting a net zero building however efforts are being made to make the building as sustainable as possible as discussed above. There are further development approvals (Site Plan Control) where the Applicant has the opportunity to incorporate further sustainable features within the detailed design stage.

5. *The submitted materials did not include underground drawing plans. Please elaborate on the extent of the underground parking facility.*

The underground floor plans have been provided with this submission. A total of 462 parking spaces have been included in the proposed development, 453 of which are located in the three underground parking levels. The underground plan have also been design to protect the shared or off-site trees along the west of the subject lands.

6. *In terms of overall building height, do you have two second floors? From a building code perspective, is the total height 11 or 12 storeys.*

From a building code perspective, the overall building height of the apartment building is 11-storeys. In addition, 2-storey townhouse/ apartments are proposed; the second story of these units utilize the mezzanine space which is not considered a storey under the Ontario Building Code.

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9. PUBLIC CONSULTATION STRATEGY

9.1 PUBLIC CONSULTATION STRATEGY SUMMARY

In accordance with the requirements of Section 22 of the *Planning Act* a Public Consultation Strategy is required to support an Official Plan or Zoning By-law Amendment application. The Public Consultation Strategy that will be utilized has been outlined below.

Below is a list of all items that have been, or will be, provided throughout the public consultation

- Per City of Burlington's Public Consultation Strategy, a virtual Applicant-led non-formal public information meeting was held on Sept. 29, 2022. Per protocol, City Staff mailed out notices to residents within 120m. Weston Consulting hand delivered notices to residents on Alfred Cres. to ensure participation and spoke with several residents about the proposal the week before the meeting. This meeting was independently moderated by a third-party and the proposed development was presented to the Public for feedback. A summary of Public comments with our responses is proved in the following subsection.
- Following the formal submission of the applications, a development sign will be posted on the subject lands, in a visible and informative way per City standards which will summarize the propose development provide the contact information of the Applicant's agent;
- Application details and supporting reports/ plans will be provided and posted on the City's website for the development applications for public review;
- A notice of Complete Application will be mailed to residents within 120 meters of the subject lands;
- A Statutory Public Meeting will be held with the Community Planning, Regulation and Mobility Committee at the appropriate time;
- Residents within 120 meters of the subject lands will be notified via mail of the Public Meeting date and details;
- Notice of a Statutory Pubic Meeting shall include the Local Planning Appeal Tribunal to dismiss an appeal if an appellant has not provided Committee of the Whole with oral submissions or written submissions before a decision is made on the development application;
- Following the statutory public meeting, the public will be notified of future Council meetings regarding the recommended decision.

We trust the above Public Consultation Strategy is satisfactory and in compliance with Provincial legislation and implements the procedure outlined in the Official Plan. Weston Consulting remains committed to facilitating a public engagement and will assist in engaging the public though the process outlined in this Report.

9.2 PRE-APPLICATION PUBLIC CONSULTATION MEETING SUMMARY

A Pre-Application Consultation took place with the City of Burlington on May 18, 2022 to discuss the proposed development of an 11-storey apartment building with ground floor retail uses. Staff noted the following preliminary feedback on the development concept:

a. Amendments to the Official Plan and Zoning By-law are necessary to permit the proposed development

The proposed development includes applications for Official Plan and Zoning By-law Amendments

b. 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.

The proposed Official Plan Amendment Application has been submitted prior to the recently approved Official Plan becoming in effect.

c. The subject lands are located within "Additional Flood Hazard" lands as shown on Appendices E-9 and E-14 of the new OP.

- *In June 2021, the City initiated the Phase 2 Flood Study process. This study is critical to informing development in the study area and the MTSA area-specific planning process.*
- *The proponent should consider the advantages of waiting until the Phase 2 Flood study is completed prior to submitting an application.*
- *Refer to Conservation Halton comments, Region of Halton comments, and Site Engineering comments for additional information related to hazardous lands.*

A Flood Analysis Report was prepared in support of the proposed development and determined that there were no negative impacts on the surrounding area and the proposed development should proceed.

d. Staff request that the proposed residential unit mix be revised to incorporate a higher proportion of multi-bedroom units. It is encouraged that the proposed development supports the City's objective of providing diverse housing choices for a wide array of socioeconomic groups, those with differing physical needs, and household compositions. Consideration should be given to the surrounding context including proximity to schools. A mix of residential unit types (1 bedroom, 2 bedroom, 3 bedroom) and tenures is encouraged. The proponent should be aware that the City is currently undertaking a Housing Strategy.

The proposed development revised its residential unit mix to increase the multi-bedroom units. The unit mix is now 38 bachelor units, 97 1-bedroom units, 52 1-bedroom plus den units, 75 2-bedroom units, and 31 2-bedroom plus den units. A Housing Impact Statement was produced in support of this development and concludes that the proposed unit mix is consistent with the City of Burlington and Region of Halton's objectives in achieving various housing supply targets.

e. If more than 6 residential rental units are proposed to be demolished, Part III section 2.3.2(f) of the OP and section 3.1.2(2) of the new OP will apply, and a Tenant Relocation and Assistance Plan will be required.

As outlined in the Burlington Official Plan discussion above, the existing rental units on site do not meet the threshold to warrant rental replacement or a tenant relocation plan.

f. Information should be provided about the proposed shared driveway access with the adjacent property at the intersection of Brant Street and Blairholm Ave, and any related easements, agreements, or encumbrances.

The proposal will maintain the shared signalized access with the adjacent office building.

g. The proposed building appears to be quite massive and to exceed the maximum building width ("maximum length") provisions of the Mid-Rise Guidelines as well as policies of the new Official Plan with respect to mid-rise buildings in the Downtown (8.1.1.3.19). Building design should be revised to address these provisions and reduce the bulk/scale/ massing (and perception of bulk/scale/massing) of the building.

The building length is visually broken up with the use of architectural and design elements and materials that create separate forms in the façade, minimizing the appearance of one solid mass and creating a distinguishable main entrance from afar

h. The new OP policies require a substantial setback from the street for all components of the proposed building above the third storey. In accordance with new OP policy 8.1.1(3.8.1)(e), this setback should achieve the intent of providing a low-rise feel for pedestrians along Brant Street, and achieving a setback that is similar to those required by the new OP in the Brant Main Street Precinct.

i. An additional front step back should be provided above the 7th storey in accordance with the Mid-Rise Design Guidelines.

At the 7th storey, the rear portion of the building begins to step back in order to fulfill the angular plane requirements and minimize the impact of the building on the surrounding lands.

j. Particular attention should be paid to avoiding adverse impacts on the adjacent transit stops and the nearby schools including shadow and wind impacts

k. Please ensure that adequate amenity space is provided on site for the leisure needs of building residents.

In addition to providing a sufficient amount of amenity space (m2 per unit), consideration must be given to the location, size, and configuration of units. The current proposal appears to include multiple smaller indoor and outdoor spaces; consideration should be given to whether some of these spaces should be consolidated into larger spaces. Ground-level outdoor amenity area is encouraged. If ground-level outdoor amenity area is proposed, the Urban Design Brief and Landscape Concept Plan should address its design/programming

The proposed development provides 4,393 square metres of amenity space.

l. Consider whether removing some of the proposed driveway and surface parking would create opportunities for additional at-grade landscaping and amenity space.

A portion of the lopped driveway and parking was removed to increase rear yard amenity/ open space.

m. Please note underground parking is not permitted within a required landscape buffer. Underground parking should also have sufficient setbacks from all lot lines to ensure that shoring does not encroach onto adjacent properties or rights-of-way. Space should be provided for the planting of trees that will mature into large trees that contribute to the urban forest and the city's canopy coverage. The need for additional setbacks may be identified through the review of a development application, such as setbacks to avoid potential conflicts with underground infrastructure/ green infrastructure.

The proposed development does not provide underground parking within the required landscape buffer.

n. Please be mindful of the definition of "storey" in the Zoning By-law to ensure a development application accurately characterizes the proposed number of storeys

The floor count of 11-storeys is accurate to the Zoning By-law definition.

o. Please consider sustainable building design in your proposed development, including bird-friendly design. An introductory letter from the Burlington Sustainable Development Committee and a copy of the Burlington Sustainable Building and Development Guidelines are provided under separate cover

A Sustainability Checklist was completed and the proposed development achieves all required items and some voluntary items. Please refer to Section 8 of this report and the attached Sustainability Checklist.

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10. PLANNING ANALYSIS AND JUSTIFICATION

10.1 POLICY CONTEXT

The subject lands are located within an existing Settlement Area as well as within the delineated Built-up Areas in the Provincial Policy Statement and with a Major Transit Station Area in the Growth Plan. Policies direct that these areas accommodate the majority of the Province's growth and development. In addition, the Region of Halton Official Plan and City of Burlington contain policies that support development that is mixed-use and provides a range of housing types, access to public transit and transportation infrastructure and supported by municipal services.

The proposed development demonstrates intensification in a built-up area of the City of Burlington and will provide a range of residential units from bachelor to two-storey units for a total of 305 units. The proposal will be in close proximity to community facilities, commercial uses, public transit, and will be supported by municipal water and wastewater services.

10.2 COMPATIBILITY

The proposed development is contextually appropriate given the Brant Street corridor. Commercial uses are located along the Brant Street frontage with easily visible and accessible pedestrian entrances to encourage vibrant pedestrian activity. Residential uses, sited interior to the site, provide a necessary transitional zone to abutting land uses. The overall building use distribution supports mixed-use building principles as well as complete communities.

The building has been designed in a manner that places the majority of the massing along the street and terraces the building down towards the rear to ensure angular plane requirements and minimize the impact of the building on the surrounding landsThe 2-storey apartment units will also benefit from the upper floor setbacks as it will reduce the appearance of the building mass.

The proposed development provides intensification of built form in the delineated built-up area and remains sensitive to the surrounding context while simultaneously establishing a unique character along Brant Street. The proposal contributes a variety of housing options for the community ranging for bachelor to two-bedroom plus den units, in addition to two- storey townhouse/ apartments.

10.3 HEIGHT AND DENSITY

The proposed development consists of 305 units with a Floor Area Ratio of 4.13:1. It is important to note that the lands are within an Urban Growth Centre and Major Transit Station Area. These consideration are important to justifying the proposed height and density. The proposal allows for a more efficient use of a currently underutilized parcel and is consistent with Provincial, Regional, and municipal planning objectives to meet intensification targets within the built-up areas. The proposal provides a range of unit types in close proximity to community facilities and public transit. The proposed development is also consistent with the planned development policies of the Upper Brant Precinct and emerging policies provided in the MTSA Final Planning Study for the Downtown Burlington UGC/ Burlington GO MTSA.

10.4 INFRASTRUCTURE AND SERVICES

The subject lands have access to nearby highways that provide connectivity to surrounding municipalities and beyond. In addition, municipal bus service is provided by the Burlington Transit system which provides connection throughout the City. Lastly, the Burlington GO Station is located approximately 1.8 kilometres north of the subject lands, east-west connection to the City of Hamilton to the west and City of Oshawa to the east.

The proposed development will utilize both existing municipal sewage services and municipal water services in a manner that protects human health and the natural environment. Moreover, the proposed development will meet and conform to the provincial policies for servicing and stormwater management, further details are provided in the Servicing and Stormwater Management Report, which has been submitted in support of the Official Plan and Zoning By-law Amendment applications.

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11. CONCLUSION

Based on our review of the site, context, planning policy and supporting materials, it is our opinion that the proposed development and associated applications for Official Plan and Zoning By-law Amendments are based on good planning principles. The proposed development for an 11-storey apartment building and 305 residential units will intensify a currently underutilized land. The proposal will bring a mix range of residential units from bachelor to two-bedroom and townhouses and will include at grade retail space. The subject lands are located along Brant Street with close proximity to community services, schools, parks, public transit and will be connected to existing municipal services. It is in our opinion that the proposed development and associated planning applications should proceed through the process prescribed by the *Planning Act.*


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