CITY OF Burlington

DEVELOPMENT APPLICATION PRE-CONSULTATION FORM

Meeting Date: July 3, 2024	**Site Address:** 2105 Headon Road
Property Owner: JEC Properties	**Applicant / Address / Phone / Email** Zelinka Priamo Ltd. (c/o Katelyn Crowley) 318 Wellington Road, London, ON N6C 4P4 Phone: (519) 474-7137 Email: zp@zpplan.com
Site Area: 0.4 ha	

APPLICATION TYPE:

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

1. **Brief description of proposed development:**
Nine (9) townhouse dwelling units of 3-storeys in height (approximately 11m) within one building block. The development includes the following:
   - Density of 23 units per net hectare.
   - 21 parking spaces in total. Two (2) private parking spaces are proposed per unit and (3) visitor parking spaces are proposed for the entire site, of which one (1) is barrier free.
   - Vehicular and pedestrian access from Headon Road.

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

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

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

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

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

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

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

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

5. **Existing Zoning:** Residential Low Density (R2.3)

   Conformity with existing zoning? YES _____ NO X

   If 'NO' what is the nature of the zoning amendment needed? Increased density and height, reduced setbacks and landscape buffer.

6. **Design Guidelines in effect?** YES X NO _____

Name of Design Guidelines Sustainable Building and Development Guidelines

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

YES _____ NO ___X___

Please note the property adjacent to the subject lands on the south-east property line is not designated yet it is listed under the registry

8. Fees Required at Time of Application

APPLICATION	CITY	REGION	CONSERVATION HALTON
Official Plan Amendment:	--	--	--
Rezoning - Base Fee: (70% if combined) Rezoning - Variable Fee:	$24,540.00 $4,275.00	$1,123.65 --	TBD
Subdivision - Base Fee: Subdivision - Variable Fee:	TBD	TBD	TBD
TOTAL	$28,815.00	$1,123.65	TBD

Fees are based on a Condominium development of freehold nine (9) townhouse units. Separate payments are required for the City, Halton Region and Conservation Halton

Separate payments are required for the City and Halton Region

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

10. Pre-Application Public Consultation Meeting

Is a pre-application consultation meeting required?

YES ___X___ NO _____

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

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

11. Community Benefits

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

YES _____ NO ___X___

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

12. Required Information for Complete Application

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

xxiii.	Tree Inventory and Preservation Plan	**Yes**
xxiv.	Landscape Concept Plan	**Yes**
xxv.	Water & Wastewater Functional Servicing Report (with cross-sections and details municipal right-of-way connections)	**Yes**
xxvi.	Hydrogeology Study / Water Budget & Hydrology Study	No
xxvii.	Source Protection Disclosure Report	No
xxviii.	Noise Feasibility Study / Vibration Study	**Yes**
xxix.	Transportation Impact Study	No
xxx.	Transportation Demand Management Plan and Implementation Strategy	No
xxxi.	Parking Justification Report	No
xxxii.	Storm Water Management Report / Functional Drainage Report, Storm Services Plan and Flooding Hazard Delineation and/or Grading and Drainage Plans	**Yes**
xxxiii.	Environmental Impact Assessment	**Yes**
xxxiv.	Top-of-bank Demarcation / Slope Stability Assessment / Creek Erosion Assessment / Geomorphic Study	**Yes**
xxxv.	Shoreline Hazardous Land Studies	No
xxxvi.	Geotechnical Report	**Yes**
xxxvii.	Phase One Environmental Assessment	**Yes**
xxviii.	Phase Two Environmental Assessment / Record of Site Condition	**Yes** **(Required if Phase One suggests a Phase Two)**
xxxix.	Landfill Assessment	No
xl.	Sustainable Building and Development Guidelines Checklist	**Yes**
xli.	Phasing Strategy for Development of Retail and Service Commercial Uses	No
xlii.	Public Consultation Strategy	No
xliii.	Response to Comments Received at a Community Meeting Held in Advance of a Formal Development Application	**Yes**
xliv.	Comprehensive Block Plan	No
xlv.	Urban Design Brief	No
xlvi.	Tenant Relocation and Assistance Plan	No
xlvii.	**Other** Environmental Site Screening Checklist Draft Zoning By-law Amendment Draft Plan of Subdivision	 **Yes** **Yes** **TBD**

	Waste Management Plan	**Yes**
	Traffic impact brief	**Yes**

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

NOTES:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

15. **The applicant requests that the information submitted on this pre-consultation form and associated documents be kept confidential. It is understood; however, that an access request may be filed under the Municipal Freedom**

of Information and Protection of Privacy Act, and information may be subject to release, notwithstanding the request to keep information confidential.

Staff and Agency Signatures:

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

Proponent Sign-off (In Lieu of Signatures):

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

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

(I have authority to bind the owner)

APPENDIX ONE: REQUIREMENTS FOR REPORTS/STUDIES AND PLANS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Preconsultation Meeting Notes

2105 Headon Road - July 3, 2024

Attendees:
City of Burlington – Mariana Da Silva, William Wallace, Nathan Dart, Tina Vasalli, Peter Dimitroulias, Dan Ozimkovic, Kyle Poole.
Conservation Halton – Laura Schreiner
Region of Halton – Adam Huycke, Amanda McNeish, Andrea Witoszkin, John Kisneris
Proponent – Zelinka Priamo Ltd. (c/o Katelyn Crowley, Stefan and Mohammad)

Description of Development Concept:

- Nine (9) townhouse dwelling units of 3-storeys in height (approximately 11m) within one building block. The development includes the following:
    - Density of 23 units per net hectare.
    - Two (2) private parking spaces are proposed per unit and (3) visitor parking spaces are proposed for the entire site, of which one (1) is barrier free. Therefore 21 parking spaces are proposed in total.
    - Vehicular and pedestrian access from Headon Road.

Planning Comments:

Official Plan (1997, as amended)

- The subject lands are designated as 'Residential Areas' in accordance with Schedule 'A' – Settlement Pattern.
- In accordance with Part III, Section 2.2.1 a), the objective of 'Residential Areas' is to encourage new residential development and residential intensification within the Urban Planning Area in accordance with Provincial growth management objectives, while recognizing that the amount and form of intensification must be balanced with other planning considerations, such as infrastructure capacity, compatibility and integration with existing residential neighbourhoods.

- The subject lands are further designated as 'Residential – Low Density' under Schedule 'B' – Comprehensive Land Use Plan – Urban Planning Area.
- In accordance with Part III, Section 2.2.2 c), lands designated as 'Residential – Low Density' may permit single-detached and semi-detached housing units with a density to a maximum of 25 units per net hectare shall be permitted. In addition, other forms of ground oriented housing units with a density to a maximum of 25 units per net hectare may be permitted, provided that these forms are compatible with the scale, urban design and community features of the neighbourhood.
- In accordance with section 2.5, Environmental Evaluation Reports shall be prepared by the proponent of a development and to the satisfaction of the City as part of the consideration of a development application for lands adjacent to Natural Heritage Features.

New Official Plan (2020)

On Nov. 30, 2020, the City's new Official Plan (Burlington Official Plan, 2020) was approved by Halton Region. All parts of the Burlington Official Plan, 2020 that were not appealed came into effect the day after the end of the appeal period, Dec. 22, 2020. For the list of the appeals filed with the Ontario Land Tribunal (OLT), see the Dec. 23, 2020 update under "Burlington Official Plan, 2020 appeals process".

On Jan. 4, 2023, the OLT formally confirmed which parts of the Burlington Official Plan, 2020 came into effect on Dec. 22, 2020 and which parts did not. The OLT also confirmed that no parts of the Official Plan (other than policies where appeal rights are limited by the Planning Act) are in effect on lands with site-specific appeals. For a list of policies in effect as of Dec. 22, 2020, see the May 16, 2023 update under "Burlington Official Plan, 2020 appeals process". This update also includes a list of site-specific appellants.

Until all broad appeals to the Region's approval of the Burlington Official Plan, 2020 are resolved, parts of the old Official Plan (Burlington Official Plan 1997, as amended) will stay in effect. Parts of the Burlington Official Plan, 2020 that are broadly appealed may be considered on an informative, but not determinative, basis.

The interim working version of the Burlington Official Plan, 2020 is provided for information only. For legal purposes, reference the original certified documents on file with the City Clerk, including the April 26, 2018 City of Burlington adopting bylaw and the Nov. 30, 2020 Halton Region Notice of Decision.

As the OLT process continues, the Burlington Official Plan, 2020 may change and need to be updated. Readers of the Plan must satisfy themselves as to the legal status and applicability of the policies by reviewing all Orders and Decisions from the OLT. You can view these documents by visiting the Ontario Land Tribunal's webpage for case no. OLT-22-002219: "OP - New Official Plan – City of Burlington". For more information please visit the City's New Official Plan Project website https://www.burlington.ca/en/services-for-you/official-plan-review.asp.

- The subject lands are designated as 'Residential Neighbourhood Areas' under Schedule B – Urban Structure. Section 2.3.4 – Residential Neighbourhood Areas would be applicable to the subject lands and development proposal.
- In accordance with Section 8.3.1, the objective of 'Residential Neighbourhood Areas' is to encourage new residential development and residential intensification within the Residential Neighbourhood Area in accordance with Provincial, Regional and City growth management objectives, while recognizing that the density and form of new development must be balanced with other planning considerations, such as the availability of infrastructure and public service facilities, and also ensuring that new development achieves compatibility and integration within existing residential neighbourhoods.

- The subject lands are further designated as 'Residential – Low Density' under Schedule C – Land Use – Urban Area.
- In accordance with Section 8.3.3(1) a) on lands designated as 'Residential – Low Density', single-detached and semi-detached dwellings may be permitted. Further, in accordance with Section 8.3.3(1) b), notwithstanding Subsection 8.3.3(1) a) of this Plan, townhouses may be considered by the City on lands designated Residential – Low Density, through a site-specific Zoning By-Law Amendment, subject to the fulfillment of the following criteria:

  i. the development does not exceed the density established in Subsection 8.3.3(1) c) of this Plan;
  ii. the development form is compatible with the surrounding area;
  iii. the development form is respectful of the physical character of the neighbourhood;
  iv. and the development includes the provision of a functional amenity area at grade.

- In accordance with Section 8.3.3(1) c) and d), on lands designated 'Residential – Low Density', development shall be permitted to a maximum density of twenty-five (25) units per net hectare and the maximum height of the development shall be established through the implementing Zoning By-law.
- The property is surrounded by lands designated as the 'City's Natural Heritage System' under the Plan. In accordance with to Section 4.2.5 b), if a development application involves lands in or adjacent to the Natural Heritage System that it is determined should be protected, the City shall seek, through the development approval process, the dedication of those lands and associated buffer lands to the City, Conservation Halton, another public authority or a non-government conservation organization. The dedication of such lands shall not be considered as contributing to the parkland dedication requirements under The Planning Act.
- Please refer to the policies outlined in Section 4.2.4. According to Section 4.2.4 a) iii), for developments or site alterations proposed, including infrastructure, that are located wholly or partially inside or within one hundred and twenty (120) m of the City's Natural Heritage System, the proponent shall be required to carry out an Environmental Impact Assessment (EIA) in

accordance with the Region of Halton's Environmental Impact Assessment Guidelines to the satisfaction of the City and Conservation Halton

- The subject site is also designated as Established Neighbourhood Area under Schedule B-1 – Growth Framework. Therefore subsection 2.4.2(3) policies in regards to Sustainable Growth and 7.3.2 a) and 7.3.2(2) policies in regards to Design Excellence would apply.
- Chapter 12.1.2(2.2) c) Development Criteria shall be satisfied where applicable.

Regional Matters

Due to the recent legislative changes (Bill 185 has now received Royal Assent), the Region will no longer be responsible for the Regional Official Plan – as this will become the responsibility of Halton's four local municipalities.

Therefore, the Region will no longer be providing comments related to the Regional Official Plan or Provincial Policy matters and is now seeking the City's direction on how to proceed with respect to the following ROP interests:

- *Growth Management policies*
- *Regional Natural Heritage System*
- *Site Contamination*

The Region has an interest in supporting our local municipal partners by providing review and comments on a much narrower scope of interests that include:

- *Water and Wastewater Infrastructure;*
- *Regional Transportation Systems including stormwater management infrastructure and acoustic mitigation on Regional right-of-ways;*
- *Waste Collection;*
- *Affordable and Assisted Housing;*
- *Responsibilities associated with a specific mandate prescribed by legislation (e.g. sourcewater protection, public heath); and*
- *Other Regional services that have a land component*

Regional Official Plan

- The subject lands are designated as 'Urban Area' and are located within the Built Boundary in accordance with Map 1 – Regional Structure and Map 1H – Regional Urban Structure.
- In accordance with Section 77, the Urban Area policies support a compact form of growth that is supportive of transit and non-motorized forms of transportation that takes place commensurately both within and outside of the *Built Boundary* and is focused on the *development* of *Strategic Growth Areas*. Further, development within the Urban Area is subject to Local Official Plan policy and direction. The ROP also provides identifying that the proper integration of uses with the surrounding neighbourhoods through urban design.
- In accordance with Section 84, the goal for housing is to supply the Region with an adequate mix of housing types. Additional housing polices in the ROP speak to making efficient use of serviced lands to increase the supply of housing and encouraging Local Municipalities and the development industry to be innovative in housing designs.

- The subject lands are not located within a defined or identified *Strategic Growth Areas.* As such, these areas are not a focus for growth and intensification of uses in the context of the ROP. Careful consideration of the proposed intensification of use for the subject lands will be given in the context of the Region's growth management strategy.

- In accordance with Section 89, 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.

- In accordance with the direction being implemented to address Bill 185, technical comments from a municipal servicing perspective can be found under the Region of Halton's notes.

- The subject lands are located in close proximity to the Regional Natural Heritage System (RNHS). Additionally, the subject lands are adjacent to:
    - Features identified as Key Features, as illustrated on Map 1G of the ROP and potential unmapped features, including:
        - Candidate Significant Woodlands
        - Potential habitat of endangered or threatened species;
        - Potential significant wildlife habitat;
        - Potential Fish habitat.
    - Enhancement and buffer areas that form the RNHS.
    - Watercourses, floodplain areas regulated by Conservation Halton.
- The proposed development would appear to result in the loss/removal of Key Features that form part of the Regional Natural Heritage System. Development that results in a negative impact or the removal of Key Features is not supported by Regional Official Plan policy.
- In accordance with Sections 118 (3) & (3.1) of the ROP, the development would therefore trigger the Environmental Impact Assessment (EIA) requirements of the Plan.
- The purpose of an EIA is to demonstrate that the proposed development will result in no negative impacts to that portion of the Regional Natural Heritage System or unmapped Key Features affected by the development or site alteration by identifying components of the Regional Natural Heritage System as listed in Section 115.3, 115.4 and their associated ecological functions and assessing the potential environmental impacts, requirements for impact avoidance and mitigation measures, and opportunities for enhancement. The EIA, shall, as a first step, identify Key Features on or near the subject site that are not mapped on Map 1G. Guidelines for preparation of EIAs should be followed and are available online here https://www.halton.ca/Repository/Environmental-Impact-Assessment-Guideline-2020
- The scope of work to be completed as part of EIA may vary depending on the nature and sensitivity of natural features and areas in the vicinity of the proposed works, the scale of the proposed development, and the magnitude of likely impacts. The Scoping Checklist to assist the EIA practitioner who will be preparing the EIA to inform the prepared of a Terms of Reference (ToR) has been attached. The EIA practitioner must prepare the draft ToR in accordance with Appendix D-2 of EIA Guidelines to establish an agreed upon scope for this study. The ToR must be submitted to the satisfaction of the Lead Planning Authority for review in consultation with other agencies prior to the start of the study.
- In accordance with Section 147(17), a property is to be free of contamination prior to any development/change of use taking place. Submission of a Regional Environmental Site Screening Questionnaire (ESSQ) is required. Additionally, a Phase 1 ESA (to O. Reg 153/04 standards and with a Letter of Reliance) in addition to any recommended ESA's is required to support a complete application.

- As the subject site is located in a previously undisturbed area and traversed by a creek, therefore the Region requires an Archaeological Assessment. Otherwise, a clearance letter from the Ministry of Heritage, Sport, Tourism, Culture Industries is required confirming that there are no archaeological resources present on the parcel if it was previously assessed as part of the neighbouring subdivisions.

Preliminary Review of the Concept Plan

- The subject site abuts predominately the property 2104 Cleaver Avenue which is zoned as Neighbourhood Park (P) and is currently used as a public park also known as 'Cleaver Park'. The property also abuts 2109 Headon Road which is the site to the west zoned as Residential Low-Density (R3.2) and currently contains a two (2) storey single-detached residential dwelling.
- The proposed density is of approximately 23 units per net hectare.
- The proposed housing intensification in this established neighbourhood must achieve compatibility with the existing neighbourhood character in terms of scale, massing, height, siting, setbacks,

coverage, parking and amenity area so that a transition between existing and proposed buildings is provided. Design methods including location and building orientation and the use of larger setbacks, appropriate screening and landscape buffering is therefore recommended to help minimize the impacts of increased massing.

- The proposed development could be rezoned to a RM2 zone which allows for the type of townhouses being proposed. If an RM2 zone is proposed then it would require a minimum lot width of 45m, lot area of 0.4 hectares, front yard of 7.5m, rear yard of 9m, side yard of 4.5m, street side yard of 6m, an amenity area of 25m² per bedroom and 15m² per efficiency as well as a privacy area of 20m² per unit. The RM2 zone also allows for a maximum building height of 2-storeys, up to 11.5m in height measured from fixed grade for a townhouse with peaked roof. Therefore, it is encouraged that the concept plan is revised to include these requirements.
- The 2-storey townhouse height permitted under the RM2 zone regulations is considered more desirable for the site in comparison to the proposed three (3) storey townhouses due to the scale and height being more compatible with immediate adjacent residential uses. We ask that you please provide appropriate justification for the increased height being requested.
- We ask that you please include amenity area calculation on your plans.
- The RM2 zone also requires a 6m landscape buffer for townhouses abutting Residential Low-Density zones (R1, R2 and R3 zones). As per the Zoning By-law, buildings and parking spaces can not encroach into the required landscape buffer. Staff therefore recommend that the location of the proposed visitor parking on the west corner section of the site is revised to allow for a larger landscape buffer if possible, to provide appropriate separation between the proposed uses and the existing residential uses. We ask that you please provide appropriate justification as part of the Planning Justification Report being requested if you are proposing to reduce the required landscape buffer.
- Townhouse dwellings require a parking rate of two (2) spaces per unit for townhouse dwellings and 0.25 visitor parking spaces per unit, therefore three (3) visitor parking spaces are required for this proposal one of which is to be designated as accessible parking. Parking measurements are to be provided in accordance with the Zoning By-law as referenced later in these notes. Please refer to Part 1 Section 2.24 3 a) of the By-law for more information and Transportation staff comments below.
- Effects on existing vegetation should be minimized and appropriate compensation should be provided for significant loss of vegetation to assist in maintaining neighbourhood character. Retaining the existing trees and providing landscaping along the property lines abutting existing residential uses is encouraged to maintain the neighbourhood character. Please refer to Urban Forestry staff for additional comments on this.
- It is encouraged that the proposed dwellings contain peaked roofs to help maintain the existing neighbourhood character.
- A peer review prior to the formal application may be required due to Regional Planning reviews now being responsibility of City staff which may include additional costs to be covered by the applicant.
- Please confirm whether the proposal is intended for a subdivision or condominium, as well as the proposed amenity spaces calculations as may trigger additional comments.
- The subject lands are also located within an area that is regulated by Conservation Halton (CH). It is recommended that CH staff be consulted and that any comments/concerns pertaining to natural hazards matters be addressed to their satisfaction in order to ensure conformity with CH Regulations and Provincial Policy Statement (PPS) policy direction.

Application Requirements

- A Zoning By-law Amendment application would be required to facilitate the proposed use. A plan of subdivision or plan of condominium application would be required.
- Prior to submitting the application, a Pre-Application Public Consultation Meeting is required:
    - The meeting is to be organized by the applicant and must be held before the application is submitted. Please try to avoid holding meetings in late December.
    - Circulation of the meeting invitation to residents and tenants within 120 metres of the development site will be completed by the City for a fee. Provide a PDF of the meeting

invitation on the applicant's letterhead for distribution. Notice must be sent a minimum of 20 days in advance of the meeting.
    - Please notify the Ward Councilor, and the Coordinator of Development Review of the date, time and location of the meeting. Be sure your meeting location is accessible and close to the development site. The meeting may be held virtually. Please contact William Wallace, Coordinator of Development Review, at william.wallace@burlington.ca for further instructions on hosting a virtual meeting.
    - During the meeting, provide a detailed overview of the development proposal and allow time for questions and comments from the public. Take notes of the discussion.
    - As part of a complete application, the applicant must provide neighbourhood meeting minutes which include a written summary of public input received at the meeting. As part of the Planning Justification Report, the applicant must explain how this public input was used to modify the development proposal.
    - If a complete application is not submitted within six months of this pre-consultation form, another community meeting may be required.
- Complete application Form
- Fees for the processing of planning applications
- Planning Justification Report (additional information provided on the 'pre-submission document terms of reference later in this document')
- Survey and Draft Reference Plan showing hazard and setback dedications, prepared by an Ontario Land Surveyor, including PIN Report and copies of any registered agreements on title, prepared by an Ontario Land Surveyor
- Archeological Report
- Conceptual Site Plan Layout
- Environmental Impact Assessment
- Phase One Environmental Assessment and Phase Two required if suggested by the results of Phase One.
- Sustainable Building and Development Guidelines Checklist
- Environmental Site Screening Checklist
- Architectural Plans including conceptual floor plans and elevations.
- Please consult with Burlington Hydro and Union Gas in regard to servicing supply and requirements.
- Staff contact: Mariana Da Silva, mariana.dasilva@burlington.ca

Zoning Comments:

We have reviewed the revised provided materials and have the following comments. Other planning approvals / revised plans may be required to address any deficiencies.

Plans Reviewed:

Plan	Date	Revision Date
Conceptual Plan	March 2024	N/A

Zoning:

The subject property is zoned R2.3, Low Density Residential under By-law 2020. The applicant is proposing 9 three-storey townhouse units. A site-specific Zoning By-law Amendment is required to permit townhouses and to capture site specific regulations reflective of the overall proposal.

Deemed Street:

1.1 Right of Way

1. Headon Rd has a deemed street width of 20m. The applicant shall confirm that Headon Rd is at

the deemed street width. All zoning regulations are required to be taken from the deemed width.

Submission Requirements for Formal Submission:

1. Survey of the property stamped and signed by an Ontario Land Surveyor.

2. Fully dimensioned site plan in metric, with property statistics, zoning statistics, parking calculations, amenity area calculations, landscape area calculations.

3. Detailed floor plans with rooms labeled, fully dimensioned (outside wall to outside wall, or outside wall to midpoint of common wall) and labeled for each building/unit, in metric, inclusive of rooftop amenity area, if proposed. Floor plans to provide internal garage dimensions. All balconies, terraces and patios are to be dimensioned to confirm privacy area calculations.

4. Fully dimensioned landscape plan with landscape areas / buffers labelled and dimensioned and amenity areas confirmed.

5. Fully dimensioned elevation plans for each building, in metric, showing height as per the definitions noted below.

6. Parcel of Tied Land (POTL Plan) prepared by Ontario Land Surveyor if proposal will be a Parcel of Tied Land development.

Additional Information Required:

- Ontario Land Surveyor (OLS) stamped plan required to confirm deemed width. All zoning regulations are to be taken from deemed width.

- Applicant to confirm if the proposal is for a Parcel of Tied Land (POTL) development. If so, a POTL plan prepared by Ontario Land Surveyor is required showing proposed building footprints and setbacks to each POTL boundary as additional zoning regulations apply. See POTL regulations in Zoning Review comments below.

- Separate letter from surveyor to confirm fixed grade (as defined) and proposed height for each individual unit. Alternatively, fixed grade may be shown on OLS stamped POTL plan.

- Fencing and privacy screen details to be provided for each type of privacy screen and fence, if proposed, to confirm compliance.

- If the natural heritage feature on the property is proposed to be re-zoned to protect it from future development as part of a future application and in line with Conservation Halton comments, setbacks and site development statistics will need to be provided from proposed zone boundary line. The zoning regulations affecting the development would apply to the RM2 zoned portion of the lands only, in accordance with Part 1, Section 1.7.1 (g):

  g) Where a property or lot has two or more zoning designations, the zoning boundary between the designations shall be the limit from which the zoning regulations shall apply.

Site Plan:

- Show deemed width and provide setbacks and site development statistics from the deemed width as confirmed on OLS stamped plan.

- Dimension all driveways at shortest distance for length and width to confirm parking compliance.

- Show any at grade privacy areas associated with standard townhouse units on site plan.
- Show locations of any proposed amenity areas
- Show delineation for any proposed decks/patios or balconies and provide minimum setback dimensions to adjacent lot lines.
- Provide setback from dwelling unit to low density residential zone at 2109 Headon Rd.
- Confirm location and detail of garbage storage, if proposed.

Elevations:

- Dimensioned building heights (in metric) to be provided from fixed grade to top of roof and should align with information confirmed by surveyor and associated POTL plan if proposed as POTL).

Notes:

- A Zoning Clearance Certificate for each building will be required as a condition of Site Plan Approval (if required), or prior to Building Permit submission.
- Condo Exemption approval or plan of subdivision may be required depending on proposed tenure.
- Development charges will apply subject to various agencies by-laws at future building permit stage.
- Conservation Halton approval required prior to issuance of any future Zoning Clearance Certificates

Residential Comment Sheet

APPLICANT: Zelinka Priamo		
LOCATION : **2015 Headon Rd**		
PROVISION	**PROPOSED**	**CONFORMS**
PROPOSED ZONE: RM2	PROPOSED USES : 9 townhouse units	Yes – use complies
Definitions: **Standard Townhouse Units** **Townhouse** A residential building containing not more than 16 dwelling units with attached units being separated by a common or party wall, provided that: (a) townhouse buildings shall have a maximum length of 55 metres;		

(b) individual units shall have at least one separate outside entrance.

Parcel of Tied Land

Any parcel of land legally bound and tied to a common element condominium. A Parcel of Tied Land must front on either a public street or a condominium common element roadway and shall, subject to the regulations of this by-law that relate strictly to Parcels of Tied Land, be regarded as a type of lot.

Height, Building

For residential buildings designed to be accessible by direct access from the ground or by means of stairways, height means the vertical distance measured in linear metres, between fixed grade and the highest point of a flat or peaked roof, exclusive of any ornamental dome, chimney, tower, cupola, steeple, spire, water storage tank, electric apparatus, sign, television antenna, structure for mechanical equipment required for the operation of the building. For Accessory Buildings and Structures to residential uses, specifically detached, semi-detached, duplex, triplex, fourplex, or street townhouse dwellings, height means the vertical distance measured in linear metres, between grade and highest point of a flat or peaked roof, exclusive of any ornamental dome, chimney, tower, cupola, steeple, spire, water storage tank, electric apparatus, sign, television antenna, structure for mechanical equipment required for the operation of the building.

For all other buildings, height means the vertical distance measured in linear metres, between grade and the highest point of a flat roof, or the mid-point between the eaves and the peak of a peaked roof, exclusive of any ornamental dome, chimney, tower, cupola, steeple, church spire, water storage tank, electric apparatus, sign, television antenna, structure for mechanical equipment required for the operation of the building, including elevator and stairway receiving area no larger than 9 m^2.

For rural zones, height means the vertical distance measured from grade at the foundation of the front wall to the mid-point between the eaves and the peak.

Grade, Fixed

The elevation of the ground at the street line measured at the midpoint of a lot, or in the case of multiple unit developments, means the elevation of the ground at the street or common driveway line measured at the midpoint of the dwelling unit.

Non-compliant regulations are in red.

RM2 Zone Regulations (standard towns)	**Zoning Comments:** Use complies
Lot Width: 45m	+/- 40m – OLS plan to confirm.
Lot area: 0.4 ha	Complies per concept plan. OLS plant to confirm.
Front Yard: 7.5m	34m
Rear Yard: 9m	10m +
Side Yard: 4.5m	6m north and 21.29m south
Street Side Yard: 6m	n/a
Yard abutting R1,R2,R3: 9m	North: 6m +/- (standard towns) Note: dimension to R3.2 zone required.
Density: min 25 uph, max 40 uph	23 uph – Amendment Required for minimum density
Amenity area: 25m2/bedroom 15m2/efficiency	Amenity area calculation is per bedroom – additional details required including bedrom counts and overall amenity calculation
Privacy Area: 20m2/Unit	TBD – detailed plans required to confirm proposal.

Landscape Area: 4.5m abutting a street with a deemed width up to 26m	complies
Landscape buffer abutting R1,R2,R3: 6m	0.85m provided to sidewalk at pinch point.
Building Height: 2 storeys 10m (peaked roof) or 7m (flat roof)	Amendment required –3 storey height based on previous proposals. Linear height unknown.

2.33 – PARCEL OF TIED LAND

Parcel of Tied Land

Any parcel of land legally bound and tied to a common element condominium. A Parcel of Tied Land must front on either a public street or a condominium common element roadway and shall, subject to the regulations of this by-law that relate strictly to Parcels of Tied Land, be regarded as a type of lot.

PROVISION	PROPOSED	CONFORMS
Front Yard: 3m	TBD – Will likely comply	TBD – POTL plan required.
Driveway Length: 6.7 m	6.1m	No
Side Yard Adjacent to exterior wall of building: 1.2 m	N/A – Buildings are not proposed side by side	N/A
Yard abutting a public street: 3 m	Appears to be 4m +	Yes
Rear yard: 6 m (except that back to back townhouses, the rear yard shall be 0m)	Townhouse units – TBD	No – POTL plan to confirm
2.25 PARKING		
At least one off-street loading space shall be provided in conjunction with every principal building, including mixed-use buildings, but excluding residential buildings less than 4 storeys high	Not required	N/A
PARKING REQUIREMENTS: • Townhouse: 2 occupant spaces per unit and 0.25 visitor spaces per unit (9 units = 18 occupant spaces and 3 visitor spaces)	TBD – assume 18 occupant spaces (1 in garage 1 in driveway) and 3 visitor spaces	Yes assuming compliant garage

2.26 – Each parking space shall have a minimum width of 2.75 m and a minimum area of 16.5 m2 The minimum internal dimensions for a private garage are 6 m depth x 3 m width and 2 m height	Visitor parking spaces are proposed at 2.7m x 5.5m	No
Illumination: Where parking facilities are illuminated by lighting fixtures or standards, they shall be arranged so that light from the fixture is shielded and/or directed away from the residential dwellings	Light standard locations adjacent to parking. Shielding and lighting information required.	TBD – Photometric plan to confirm at SPA stage
Surface treatment: Every parking lot which includes parking and driveways shall be permanent durable and dustless surface.	Asphalt proposed	CONFORMS
ACCESSIBLE PARKING STALL SIZE: Designated accessible space minimum size: 2.75 m + 2 m accessible walkway x 6 m (typical) Note: An accessible parking space is not required based on visitor parking requirements under 5 spaces	PROPOSED: 1 proposed – accessible walkway required to be shown.	TBD
ACCESS: EVERY PARKING SPACE SHALL HAVE ADEQUATE MEANS OF ENTRANCE AND EXIT DIRECTLY TO AN EXISTING STRET OR LANE	Access provided	conforms
GENERAL REGULATIONS – PART 1		
Deck Regulations (table 1.2.2)		

Maximum encroachment into: - Front yard – not permitted - Rear yard: 3m max - Side Yard: 3m max	TBD – not shown	TBD
2.4 – Fencing and Privacy Screens		
2.4.1 – Fences Maximum fence height is 2m, and 1.2m within 3m of a street line **2.4.2 – Privacy Screens:** Privacy screens are permitted on decks and balconies for detached, semi-detached, duplex, triplex, fourplex, and townhouse dwellings subject to the following regulations: a) Maximum height from grade 2.5m b) Maximum height from platform 1.8m c) Enclosed on two sides only d) Setback from street line: 9m e) Setback from a side lot line: 1m f) Setback from a side lot line that extends from a common wall dividing dwelling units: 0m g) Setback from a rear lot line: 1.5m h) Combined length of privacy screens (per unit) 12m	- TBD – Details will be required at formal submission Unclear if proposed - TBD	**TBD**
2.2.3 Where a building or structure for the storage of garbage for all other uses not mentioned in 2.2.1, would be permitted only in a rear or side yard, not in the front or street side lot line and shall comply with the following regulations:	Unclear if proposed - TBD	

(a) Shall be located outside a required landscape area, landscape buffer and landscape open space (b) Minimum setback from a rear lot line: 1 m (c) Minimum setback from a side lot line: 1 m (d) Minimum setback from a residential zone: 15 m (e) Maximum height: 3.7 m (f) Shall not be located in any required parking area or obstruct any required parking or drive aisles		
Part 2, Section 1 – Additional General Regulations for Residential Zones:		
Parking Lots shall be setback a minimum of 4.5 m from a street line	complies	yes
Parking spaces and driveways: For townhouses, back-to-back townhouses, stacked townhouses, cluster homes, and apartment buildings up to 3 storeys n height, driveways and parking lots shall be set back 3 m from a wall of a building containing windows of habitable rooms, except where the parking spaces and driveway is for exclusive use of the unit occupant the setback shall not apply	1.8m setback from parking space to side wall of townhouse unit. Unclear if main floor habitable rooms proposed.	TBD
Parking spaces shall be setback at least 6 m from an R1, R2, or R3 zone.	Less than 6m – no dimension provided. Approx 2.5m	No

- Staff contact: Nathan Dart, nathan.dart@burlington.ca

Region of Halton Comments:

Regional Comments (Bill 185 Transition)
As a result of Bill 185 transition work being undertaken by the City of Burlington and the Region of Halton, and in accordance with the direction outlined in the Memorandum of Understanding (MOU), we offer the following comments from a Regional Interests perspective:

WASTE MANAGEMENT:

- A Waste Management Plan is required to address waste collection for the proposed development. Please reference the Region's Development Design Guidelines for Source Separation of Solid Waste for site design requirements/dimensions. Regional Staff recommends that the proponent design the development to accommodate Regional collection.
- Regional Staff note that the current development design does not meet regional requirements and that regional waste collection cannot service this site for waste collection as it does not meet regional waste design guidelines for collection of waste materials.
- Collection vehicle cannot back out onto a municipal road and cannot turn around on site.

MUNICIPAL SERVICING:

- There is a Halton Region local watermain within Headon Road adjacent to the proposed development, more toward the west side of the road. There is a Halton Region trunk watermain within Headon Road adjacent to the proposed development, more toward the east side of the road. No trunk watermain service connection laterals will be permitted.
- There is a Halton Region trunk wastewater main (sanitary sewer) within Headon Road adjacent to the proposed development. Any proposed trunk wastewater main connection lateral requires special review and Regional permission to connect into, and it should be noted that permission is not always guaranteed.
- An FSR would be required to be submitted with the application that demonstrates that the existing water system in the area can support the proposed development and that the existing downstream sewer system can accommodate the development.
- The FSR should demonstrate the external services that will be required for both trunk and local watermains and trunk and local sanitary sewers that will be required to be extended to service the development.

Submission Requirements:

- All submission materials (digitally)
- Applicable Regional Fee(s)
- Complete Application forms
- Functional Servicing Report
- Site Servicing Plans
- Waste Management Plan

- Staff contact: Adam Huycke adam.huycke@halton.ca, Amanda McNeish amanda.mcneish@halton.ca, Andrea Witoszkin andrea.witoszkin@halton.ca.

Development Engineering Comments:
Please find below the Development Engineering comments for the Zoning By-Law Pre-Consultation for 2105 Headon Road (PRCN-DRT-020/24). Please communicate to the Applicant that they or their consultants are welcome to contact me directly if they have any questions about the comments/requirements. I would ask that they copy Planning on all correspondence.
The following items are not intended to be an exhaustive list but rather to help identify areas of possible concern. City staff are not responsible for any errors or omissions. The detailed design review will occur during the subsequent development related application(s) and additional supporting materials may be required.

GENERAL COMMENTS
1. All plans to use the same base layer.

2. Identify existing and/or proposed property lines on all plans.

3. Identify existing and/or proposed municipal easements on all plans. For existing municipal easements, provide copies of registered instruments/agreements.

4. Identify all applicable external agency setbacks on all plans.

5. All private utilities must be constructed within the subject property limits.

6. City Plan and Profile drawings may be downloaded from the Open Data Portal.

RIGHT OF WAY

1. Please be advised that any future land conveyances are to be free and clear of contamination and will not be accepted with a Certificate of Property Use. As such, for sites with contamination concerns environmental investigations should clearly delineate between lands to be conveyed and those to be retained.

2. Please be advised that a Municipal Consent Permit is required for any works on public lands, including but not limited to daylighting, temporary staging, grading, servicing, construction, or disturbance of vegetation. Fees for a Municipal Consent Permit shall be in accordance with the City's Rates and Fees By-law, as amended.

3. Please be advised that the City has a capital project forecasted for year 2026, the scope of which includes the renewal/replacement of Cleaver Park infrastructure.

FUNCTIONAL SERVICING & STORMWATER MANAGEMENT REPORT

1. All documents to be prepared in accordance with the Council approved Stormwater Management Design Guidelines (COB SWM), as amended.

2. To be stamped and certified by a Professional Engineer.

3. Should an external agency have differing requirements then the most stringent criteria shall apply.

4. The City's Stormwater Engineer has provided the following criteria:

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

   b. **Quantity Control (COB SWM 6.1.1.1):**
   - 100-year post development Flows controlled to 5-year pre-development flow rates by providing on-site storage for all City of Burlington design storm events up to and including the 100-year.
   - Discharge to a watercourse control post development to pre-development for the 2-year to the 100-year.
   - Discharge to a storm sewer control either the 100-year post development or Regional Storm, whichever is greater to the 5-year pre-development.
   - A max. pre-development imperviousness of 36.0% (C = 0.50) for re-development is to be used for the pre-development calculations.

- Engineering consultant to contact the City's Stormwater Engineer (umar.malik@burlington.ca) and Development Engineering staff (peter.dimitroulias@burlington.ca) with any questions.

c. **Erosion Control (COB SWM 3.4 and 6.1.2)**:
- 25mm / 24hr min. with 48 hours preferred or retention of the 90th percentile rainfall 27mm if a creek outlet proposed.

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

e. **Groundwater:**
- If there is a foundation drainage collection system, flows must be accommodated in the quantity control for the site, and discharge must meet the Storm Sewer Discharge Bylaw 59-2022 Table 1 criteria, as amended.

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

g. **Overland Flow Route (COB SWM 5.3.2 and 6.1.1.3):**
- Provide the emergency overland flow route on the plans. Include the neighboring properties to ensure existing drainage patterns are being maintained.

5. Provide full sized scalable, signed, and stamped plans for the following:
   a. pre-development storm drainage area
   b. post-development storm drainage area
   c. grading
   d. servicing
   e. any additional applicable plans

6. Include a Letter of Reliance that allows the City to rely upon the documents.

NOISE AND VIBRATION FEASIBILITY STUDY

1. All documents to be prepared in accordance with the MECP's Environmental Noise Guideline Publication NPC-300, as amended.

2. To be stamped and certified by a Professional Engineer.

3. Should an external agency have differing requirements then the most stringent criteria shall apply.

4. The study shall include but is not limited to the following:
   a. Considered a Class 1 property.
   b. Identify offsite stationary noise sources that may require mitigation for existing and/or proposed development and provide the mitigation requirements. If offsite mitigation is required, then confirmation of a legal agreement between the development and offsite sources is required. Please be advised that adjacent property owners are not obligated to mitigate their onsite stationary noise sources, as it relates to stationary noise impacts on the subject development. The applicant is responsible for mitigating the exceedances within the limits of the subject development, which may require mitigation or a site redesign.
   c. Provide all model calculations for both onsite and offsite.
   d. Provide any onsite noise measurements.

e. Use reflective surfaces for model calculations where applicable.
f. Provide capacity volumes received from the City's Transportation Services Department for roads using model calculations. Include the correspondence within the appendix.
g. Provide any correspondence from external agencies to confirm traffic and/or train counts within the appendix.
h. Provide all mitigating measure calculations including but not limited to window glazing, façade requirements, noise walls, etc.
i. Provide a key plan identifying points of reception.
j. Provide a key plan identifying sources of noise for both stationary and linear noise sources and include distances from subject property.
k. NPC-300 exceedances for every floor and side of building for high-rise development sites.
l. Predictable worst case noise impact(s) to be identified for all development sites.
m. Points of reception required for every neighbouring property.
n. Provide a table for the points of reception and include the allowable noise level under NPC-300, estimated noise level, and the mitigated noise level.
o. Provide warning clause recommendations where applicable.
p. Provide a summary and drawing of any required mitigation measures.

5. Include a Letter of Reliance that allows the City to rely upon the documents.

- Staff contact: Peter Dimitroulias, peter.dimitroulias@burlington.ca

Urban Forestry & Landscape Comments:

This review is of the Zoning By-Law Amendment application for 2105 Headon Road. The following document has been reviewed:

- Concept Plan by Zelinka Priamo Ltd. dated March 2024.

Urban Forestry and Landscaping may provide additional comments, raise additional concerns, or request additional information upon receiving the outstanding or revised information, and upon further comprehensive review of its contents.

Landscape General ZBA Comments:

1. A Landscape Concept Plan will be required showing the general layout and intent of what is proposed for landscaped areas, including landscape buffer planting, outdoor amenity areas, fence location and types and pedestrian circulation. See the Pre-Submission Checklist for requirements.
2. The Landscape Concept Plan must show and dimension pedestrian walkways and connections to the city sidewalk (1500mm minimum width, 1800mm recommended). Consider the width of the pedestrian walkways minus the doors that open out to ensure pedestrians do not need to walk on vehicular driveways.
3. The property of 2105 Headon Road is regulated by Conservation Halton (CH). Please ensure the Landscape Concept Plan shows all regulated limits/hazard lines to the satisfaction of Conservation Halton (CH). Additionally, please ensure all active easements are outlined and labeled on the Landscape Concept Plan.
4. The Landscape Concept Plan must show the proposed layout and use of any outdoor amenity areas. This includes showing all wind mitigation and safety measures such as buffer planting, screens and fencing, trellises or awnings for outdoor rooftop amenity areas.
5. The Landscape Concept Plan must show the location of air vents/shafts and coordinate with landscape concept (i.e., do not locate vents in walkways and coordinate with proposed planting locations).
6. The Landscape Concept Plan must show proposed tree plantings that follow the ESA's guide *Planting Under or Around Powerlines & Electrical Equipment:* trees and/or shrubs with a max. mature height and spread of 4.5m in the Low Zone (to 4.5m from the power lines), trees with a max. mature height and spread of 7.6m in the Medium Zone (7.6m from the power line), and trees

of any size beyond 7.6m from the power line. See the ESA Guidelines for Planting Under or Around Powerlines & Electrical Equipment.

7. Where trees are proposed, ensure the minimum required soil volumes are provided and documented on the Landscape Concept Plan using good quality soil. The minimum requirements are as follows: 30m^3 of soil per tree in a single tree pit, 20m^3 per tree in a shared planting environment. Excavation for each planting environment should be 0.75m to 1.2m depth and should not exceed 1.5m depth and be tailored to stock size used. Smaller rooting volume (minimum 15-20m^3) may be proposed for smaller trees. This will be reviewed at the building pre-approval stage.
8. Where trees, shrubs and herbaceous material is proposed, ensure material is suitable for the existing and proposed conditions to ensure success (i.e., salt tolerant, and suitable for existing and proposed soil and other environmental conditions).
9. Where required, landscape buffers should provide separation and be designed to partially obstruct the views to adjacent properties along shared property lines. The landscape buffers should consist of a dense landscape screen including a combination of evergreen trees, deciduous trees, and understory shrubs. Or alternatively, a combination of solid screen fencing with evergreen and deciduous trees and understory shrubs.
10. Screen parking spaces from road frontages using buffer planting.
11. Locate the barrier free parking spaces closest to the main entrances and not crossing vehicular traffic.

Urban Forestry General ZBA Comments

12. Urban Forestry does not support any removal or injury to trees within a Significant Woodland to facilitate this development.
13. Consider alternative design concepts that will result in fewer trees being proposed for removal. In the case that alternatives to the design are not possible, please provide detailed justification for the removal of every individual tree. The City of Burlington does not support the removal of trees due to condition alone. Similarly, work shall be modified to avoid working inside the minimum tree protection zone of all trees.
14. The City's Public Tree By-law 68-2013 is applicable to the proposed development. A tree permit is required for all work around city trees, including the payment of the Tree Permit fee and securities for trees to be retained. Details regarding the issuance of a Public Tree Permit will be outlined in detail at the pre-building approval stage.
15. The City's Private Tree By-law 40-2022 is applicable to the proposed development. A tree permit is required for all work around private trees, including the payment of the Tree Permit fee and securities for trees to be retained. Details regarding the issuance of a Private Tree Permit will be outlined in detail at the pre-building approval stage.
16. Removal of public and private trees will require a plan for replacement. Replacement of public trees will be in the form of cash-in-lieu of replacement based on the size and condition of the tree removed. Removal of private trees will require a certain number of trees to be planted based on the size of private trees being removed. Where there is no room for replacement of private trees, cash-in-lieu of replacement will be required. Specific compensation and replacement quantities will be identified at the pre-building approval stage.
17. A qualified tree professional (as defined in the City's Private Tree By-law) will be required to be retained to address potential impacts on existing trees during demolition, excavation, and other construction-related operations to ensure no damage to protected trees or their root systems.
18. An arborist report, tree inventory, and tree protection plan coordinated with other construction-related disciplines (e.g., demolition, excavation, grading, stormwater management, servicing) will be required at the pre-building approval stage. The applicant must conform to all requirements to satisfy a complete tree permit application. Refer to the City's Forestry Checklist and FAQ

document found here: https://www.burlington.ca/en/planning-and-development/resources/Zoning-Clearance-Certificates/FORESTRY-FAQ---final.pdf

19. The applicant must include the boundary of the Significant Woodland (as determined through the required Environmental Impact Assessment process) in the arborist report and tree protection plan. This boundary is necessary to determine which trees are outside of the Significant Woodland and are therefore potentially regulated by the City's tree by-laws.

20. Where applicable, a consent letter for the removal and/or injury of boundary tree(s) (those located along the shared property line) or a neighbour tree(s) to be attached to the report document. This is required as part of a complete tree permit application and shall be submitted at the time of the pre-building approval application.

Detailed Landscape and Forestry reviews help to lead the City of Burlington to a more sustainable and environmentally-friendly place to live which in return ultimately benefits all residents as well as wildlife. Please reach out if you have any further question regarding these comments.
Regards,

- Staff contact: Greg Bunker, greg.bunker@burlington.ca

Parks & Open Space Comments:

- With respect to the above Pre-Con, Parks wished to collect cash in lieu of parkland, with CILP charged at the rate in effect at the time of building permit issuance. Kristen L. (kristen.ljubicic@burlington.ca) in Realty Services will be able to provide further details with respect to the amount and calculations.
- Staff contact: Nick Pirzas nick.pirzas@burlington.ca Kyle Poole, kyle.poole@burlington.ca.

Transportation Services Comments:

- Comments are to be provided separately
- Staff contact: Derek Napoli, derek.napoli@burlington.ca

Building Comments:

1. Area of unprotected openings and construction of exposing building face shall be designed per Div. B, 3.2.3. if the building is designed per Part 3 of the Ontario building code or Div. B, 9.10.14. if the building is designed per Part 9 of the Ontario building code.
2. The area of rooms and window areas shall comply with Div. B, Part 9 per Div. B, 3.7.1.2.(1) and 3.7.2.1.(1)

- Staff comments: Ebtessam Mahrous, ebtessam.mahrous@burlington.ca

Conservation Halton

Conservation Halton (CH) staff has reviewed the above-noted pre-consultation request as per our regulatory responsibilities under The Conservation Authorities Act and Ontario Regulation 41/24 and our provincially delegated responsibilities under Ontario Regulation 686/21 (e.g. acting on behalf of the Province to ensure decisions under the Planning *Act* are consistent with the natural hazards policies of the *Provincial Policy Statement* [PPS, section 3.1.1-3.1.7] and/or provincial plans).

Conservation Authorities Act, Ontario Regulation 41/24, and the PPS Natural Hazards Policies

Effective April 1, 2024, CH's previous regulation, Ontario Regulation 162/06 ("Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses") under Section 28 of the Conservation Authorities Act (CA Act) was repealed and replaced by Ontario Regulation 41/24 ("Prohibited Activities, Exemptions and Permits"). Complementary provisions under Part VI ("Regulation of Areas Over Which Authorities Have Jurisdiction") and Part VII ("Enforcement and Offences") of the CA Act were proclaimed on the same date.

Under Part VI of the CA Act and Ontario Regulation 41/24, CH regulates all watercourses, valleylands, wetlands, Lake Ontario Shoreline and hazardous lands as well as lands adjacent to these

features. Based on CH's Approximate Regulation Mapping (available on our website), the subject property is adjacent to Tuck Creek and is regulated by CH as it contains the associated flooding and erosion hazards. CH regulates a distance of 15 metres from the greatest hazard associated with this creek system, which is likely the stable top of bank erosion hazard on the subject property.

Permits are required from CH prior to undertaking development activities within CH's regulated area and applications for development are reviewed under the CA Act, Ontario Regulation 41/24, and CH's Board-approved policies and requirements (https://conservationhalton.ca/policies-and-guidelines).

CH generally recommends that new development be outside of the regulated area (i.e. set back at least 15 metres from the stable top of bank on this property), and that the entire regulated area be zoned for protection and placed in public ownership where appropriate. This way, the developed area of the property will not be regulated by CH, either currently or going forward. However, given that the applicant has been working through pre-consultation processes for several years (predating the recent regulatory changes to CH's regulated area), and given the nature of the proposal and site (i.e. urban infill), CH would not object to a 7.5 metre setback from the long-term stable top of bank being zoned for protection as previously discussed in this specific case. Please note that this would result in the developed portion of the property containing a portion of the 15 metre regulatory allowance, and CH permits being required to develop in that area, both for the current proposal and for any future development activities by future property owners.

This setback would also satisfy the requirements of the Natural Hazards policies of the PPS, which requires that all development activities be outside of hazard lands (including an access allowance).

Limit of Erosion Hazard

CH Staff conducted a site visit on July 30, 2020. The physical top of bank was staked at this time. A geotechnical report will be required to assess slope stability and determine the location of the stable top of bank. The 15 metre regulatory allowance will then be applied from the stable top of bank (which may be at the physical top of bank, or a point landward). CH staff will need to review and accept the geotechnical assessment to confirm this hazard limit.

Stormwater

Given the size of the proposed site to be developed (.4ha), CH would defer to the City for review of stormwater management, provided that no new outlet to the creek is proposed. The applicant should confirm these details. CH generally does not support new outlets to the creek and justification would need to be provided for any new outlet.

Planning Recommendations

Through review of Planning applications, CH recommends that regulated lands be zoned appropriately for protection, restored with native vegetation based on CH's Landscaping and Tree Preservation Guidelines (https://conservationhalton.ca/policies-and-guidelines), and placed into public ownership where possible and appropriate. As discussed above, CH staff would not object to a minimum of 7.5 metres being zoned for protection and placed into public ownership if appropriate, provided the applicant and City can accept a portion of the development lands being regulated by CH.

Fees/Circulation

CH should be circulated the full application in digital format.

CH will confirm applicable review fees once additional details are provided. Fees will apply based on the applicable fee schedule at the time of submission. CH's current fee schedule is available online: https://www.conservationhalton.ca/planning-and-advisory/.

Summary of Submission Requirements:

- Topographic Survey
- Concept Plan (with top of bank and associated regulatory allowance delineated)
- Stormwater Management Report (per above comments)
- Geotechnical Report

- Engineering Drawing Set (i.e grading, servicing, ESC plans)
- Tree Protection/Landscape Plan (for regulated area)
- Staff contact: Laura Schreiner, lschreiner@hrca.on.ca

Halton District School Board

Thank you for the opportunity to review the proposed development application. It is understood that the application has a total area of 0.4 hectares and is a proposal nine (9) townhouse dwellings.

General Comments - Student Accommodation
The Halton DSB will provide these comments if a Site Plan or Plan of Condominium is submitted. ***Should a Plan of Condominium or Site Plan not be submitted Halton DSB would ask the City of Burlington to request to the developer that the warning clauses listed be included in their Purchase and Sales agreement.***

Students from this area are currently within the **C.H. Norton, Clarksdale, Rolling Meadows and M.M. Robinson** catchment areas. The Halton District School Board recognizes this development application will have an impact on student accommodation needs in this area and as well as the available courses of action for the Board, to address these needs.

Long range projections for schools can be viewed in our Long Term Accommodation Plan (LTAP) which can be found on the Board's website. Specifically, Elementary Review Area (ERA) 105 (page 57) and Secondary Review Area (SRA) 100 (page 163) are the areas on which this application will have the greatest impact.

Other issues that will affect student accommodation in this area are the following:

1. The Long Term Accommodation Plan (LTAP) is an annually reviewed planning tool that provides enrolment projections and school facility information to guide accommodation planning needs and actions over a 15-year time period. The 2022 LTAP was approved in June 2023 and provides 15-year school projections from 2023 to 2037. LTAP projections will need to be updated to include new development applications that have been circulated to the Board since June 2023.
2. The last update of the Board's student yields was completed in Summer 2022. The Board will be reviewing and updating their student yields, tentatively Summer 2024. The Board expects that student yields for higher density residential units will increase.

Comments 2105 Headon Rd
Please be advised that the Halton District School Board has no objection to the proposed site plan application as submitted subject to the following conditions being completed prior to site plan approval.

1. The owner agrees to place the following notification in all offers of purchase and sale for all lots/units and in the City's subdivision agreement, to be registered on title:
    a. Prospective purchasers are advised that schools on sites designated for the Halton District School Board in the community are not guaranteed. Attendance at schools in the area yet to be constructed is also not guaranteed. Pupils may be accommodated in temporary facilities and/or be directed to schools outside of the area. School attendance areas are subject to change and/or student redirections can be implemented to accommodate students outside of their community to address immediate school accommodation pressures.
    b. Prospective purchasers are advised that school busses will not enter cul- de- sacs and pick up points will be generally located on through streets convenient to the Halton Student Transportation Services (HSTS). Additional pick up points will not be located within the subdivision until major construction activity has been completed.
2. That in cases where offers of purchase and sale have already been executed, the owner sends a letter to all purchasers which include the above statement.
3. That the developer agrees that, should the development be phased, a copy of the phasing plan must be submitted prior to final approval to the Halton District School Board. The phasing

plan will indicate the sequence of development, the land area, the number of lots and blocks and units for each phase.

4. That the Owner shall supply, erect and maintain signs at all major entrances into the new development advising prospective purchasers that pupils may be directed to schools outside of the area. The Owner will make these signs to the specifications of the Halton District School Board and erect them prior to the final approval.
5. That a copy of the approved sidewalk plan prepared to the satisfaction of the City of Burlington, be submitted to the Halton District School Board.
6. The Owner shall provide Halton District School Board a pdf copy and a georeferenced AutoCAD file of the Draft M-plan once all Lot and Block numbering has been finalized. Should any changes occur after the initial submission to Lot and Block configuration or numbering on the draft M-plan the Owner shall provide a new AutoCAD file and a memo outlining the changes.

In addition, the following note should be included in the conditions:

Educational Development Charges are payable in accordance with the applicable Education Development Charge By-law and are required at the issuance of a building permit. Any building permits which are additional to the maximum unit yield which is specified by the Subdivision Agreement, are subject to Education Development Charges prior to the issuance of a building permit at the rate in effect at the date of issuance.

- Staff contact: Michelle D'Aguiar, daguiarm@hdsb.ca.

City of Burlington: Pre-Submission Document Terms of Reference
Address: 2105 Headon Road
Date: July 3, 2024

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

1) General Requirements

- Correct application fees (based on most current fee schedule)
- Correct number of application forms and copies of reports
- Application form fully completed and commissioned
- Landowner's authorization and consent to enter property signed
- Consistency within technical reports in terms of the development concept evaluated, and supporting appendices and drawings.
- Consultants have coordinated data and conclusions so that reports are consistent between disciplines
- Clear and legible drawings
- All electronic file submissions must be named using the following naming protocol: "Address_StudyName_MM-DD-YYYY". If a document is revised and resubmitted the file name should indicate that it is a revised submission and the date of the revision should be noted: "Address_StudyName_Revised_MM-DD-YYYY".
- Pre-Application Community Meeting Notes

2) Planning Justification Report

- Signed by a Registered Professional Planner
- Contains a written acknowledgement by the RPP that they have reviewed all supporting technical studies in consideration of their planning opinion.
- Contains a review of the applicable policies of the Provincial Policy Statement.

- Contains a review of the applicable policies of A Place to Grow Growth Plan
- Contains a review of Ontario Regulation 162/06.
- Contains a review of all other relevant Provincial legislation.
- Contains a review of the applicable policies of the Region of Halton Official Plan.
- Contains a detailed explanation of how the proposed development is consistent and/or conforms to all relevant Provincial Plans and policies.
- Contains a review and analysis of the applicable policies of the City of Burlington Official Plan (2008) and 'New Official Plan' (2020).
- Contains an analysis of the Intensification Criteria in the Burlington Official Plan.
- Contains a fulsome discussion of the results of the required technical studies and how they have been used to refine the redevelopment proposal.
- Contains a discussion of how input received at the Pre-application consultation meeting has been used to refine the redevelopment proposal.
- Contains a discussion of how the requested change addresses the objectives of Burlington's Housing Strategy.
- Contains an explanation of how the proposed development is compatible with surrounding land uses including height, setbacks, massing and design.
- Draft Amending Zoning By-law.
- Contains an explanation of why the requested change represents good planning and adheres to Provincial and municipal plans and policies.
- If land division is required, contains an explanation of the proposed process (condominium type, subdivision, consent), timing and next steps.

3) Survey and Severance Sketch / Conceptual Site Plan

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

4) Housing Impact Statement (may be included in the Planning Justification Report)

- Completed in accordance with Section 3.1.1(2)(h) and other applicable policies of the City's New Official Plan (2020)
- Comprehensive review of the proposal from an existing use and a proposed use perspective with a focus on affordability, unit/bedroom count, etc.
- Identify and discuss the proposed development in the context of Halton Region's Housing policies, and the Region's most recent State of Housing Report (note: the Region issues a State of Housing Report annually and any justification should reflect the current year report);
- Should identify and discuss other relevant and current housing information available;

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

- Is prepared by a qualified professional (e.g. Arborist certified by the International Society of Arboriculture (ISA), including ISA number; qualified by Ministry of Training, Colleges and Universities (MTCU) or Ontario Training and Apprentice Board (OTAB); registered professional Forester in Ontario, etc.)
- Contains legible drawings on 24x36
- Includes all dimensions in metric, to scale, and on a consistent base map layer
- Includes bar scale
- Shows the proposed development (including property lines, easements, regulated areas, paved areas, buildings and entrances, landscaped areas, regulated limits, etc.) and is coordinated with the Site Plan, Grading and Servicing drawings
- Arborist Report should describe the scope and methodology of proposed construction works and the tree preservation measures
- Identifies all existing trees (over 10cm diameter at breast height (DBH) measured at 1.4m above the ground) on site and within 3m of the property lines, and trees of any size on city property, their common and botanical name, size (DBH and height), structural and physiological condition, ownership, comments and notes, recommendations, and photos (particularly those requested for removal)
- Identifies trees proposed to be removed and retained, and the methods to be used to ensure preservation and protection of trees to be retained, including location and detail of tree protection fencing in accordance with the City of Burlington's Tree Protection and Preservation Specification SS12A: https://www.burlington.ca/en/services-for-you/resources/Forestry%20Operations/Tree_Protection_and_Preservation/City-of-Burlington-Standard-Specification-for-Tree-Protection-and-Preservation.pdf

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

6) Landscape Concept Plan

- The Landscape Plan shall be prepared by a qualified member of the Ontario Association of Landscape Architects. Documents prepared by non-qualified professionals will not be accepted.
- A Contains legible drawings on 24 X 36.
- Drawn to a metric scale of 1:100, 1:200, 1:250 or 1:300, and include a scale bar.
- Drawing stamped and signed by a qualified member of the Ontario Association of Landscape Architects
- Identifies the location and general design intent of the proposed plantings and amenity areas.
- Shows location and dimensions of pedestrian walkways and crossings. Include dimensions from open doors if doors open out onto walkways.
- Identifies minimum required soil volumes, and location of any structural soil cell installation areas to achieve minimum soil volumes ($30m^3$ of soil per tree in a single tree pit, $15m^3$ per tree in a shared planting environment. Excavation for each planting environment should be 0.75m to 1.2m depth and should not exceed 1.5m depth)
- Identifies the location, type, and height of proposed fencing.
- Identifies snow storage and bicycle parking areas.

- Identifies the location of air vents/shafts.
- Identifies property lines, easements, regulated areas, impermeable surfaces (including curbs, roads, driveways, sidewalks, etc.), buildings and entrances, landscaped beds, lawns or other permeable surface areas, other information as needed.
- Identifies the location of all underground, at grade and overhead utilities with the connection to the proposed or existing building (if applicable).
- Identifies the location of any stormwater management infrastructure, including swales, sub-drains, catch basins, pipes, and other quality and quantity controls as required.
- Is coordinated with the Site Plan, Grading and Servicing drawings, Planning Justification Report, Noise Study, Wind Study, and shows any recommended mitigation measures (i.e., buffer planting, screening, fencing) conceptually on the Landscape Concept Plans.

7) Functional Servicing Report

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

8) Noise & Vibration Feasibility Study

- Is prepared, signed and stamped by a Professional Engineer.
- Includes determination of project feasibility
- Includes assessment of existing and proposed transportation sources of noise and stationary sources of noise and vibration.
- Includes traffic/train counts confirmed by relevant agencies and includes correspondence from those agencies in an appendix.
- Includes assessment of outdoor and indoor acoustical environments, including those onsite and on neighbouring noise sensitive land uses
- Includes clearly defined environmental sound levels for transportation sources of noise and stationary sources of noise as per City's requirements and the MOECC publication NPC-216 and NPC-300 as amended

- Includes investigation of feasible means of noise impact mitigation, including a chart outlining noise control measures required to achieve sound levels of 55dBA (or as close as possible) for each outdoor living area
- Includes all calculations and modeling (i.e. STAMSON output)
- Includes technical details, and clarifies the responsibility for the implementation and maintenance of the required noise control measures.
- Includes recommendations for warning clauses.

9) Traffic Impact Study

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

10) Stormwater Management Report

- Please refer to the City of Burlington Stormwater Management Design Guidelines, approved by City Council on June 22, 2020, please be advised of new IDF curves for the City of Burlington: https://www.burlington.ca/en/services-for-you/Stormwater.asp
- Refers to the Ministry of the Environment "Stormwater Management Planning and Design Manual" and the TRCA/CVC Low Impact Development Stormwater Management Planning and Design Guide.
- Is prepared, signed and stamped by a Professional Engineer

- Includes pre and post development drainage area plans that are legible, plotted to an acceptable metric scale, plotted on 24” by 36” paper and plotted on a consistent base map layer
- Includes site grading and servicing plans that are legible, plotted to a metric scale of 1:200, 1:250, 1:300 or 1:500, plotted on 24” by 36” paper and plotted on a consistent base map layer
- Includes digital copies of modeling, modelling program acceptability to be confirmed with City Staff prior to use and prior to submission of report.
- Includes a list of all past reports and current technical documents that have been consulted.
- Includes all calculations, modelling, and parameters (as per City Standard Drawings S-IDF, S-2D, S-3D, etc., as amended)
- Includes clearly defined stormwater criteria for the site (including source) and demonstrates in report how these criteria will be satisfied.
- Addresses all interim conditions as well as the ultimate condition
- Contains engineering details and cross-sections showing existing utility locations if any temporary and/or permanent encroachments are proposed.
- Provide chemical analysis of groundwater to determine if it satisfies the City’s storm sewer discharge criteria for water quality. (including documentation from the Geotechnical or Environmental Engineer in the appendix)
- If groundwater cannot be directly outletted to the municipal storm system, detail where it will outlet, i.e. treated then outlet to storm or outlet to the sanitary system.
- Provide an estimate of groundwater flow to be permanently managed in the site storm system (including documentation from the Geotechnical Engineer or Hydro-geologist in the appendix)
- Provide comment on whether or not it is anticipated a permit to take water would be necessary either temporarily during construction or permanently.

11) Grading and Servicing Plans

- Must be separate Plans
- Are stamped and signed by a Professional Engineer
- Contains legible drawings, plotted to a metric scale of 1:200, 1:250, 1:300 or 1:500, on 24” by 36” paper and plotted on a consistent base map layer
- Identifies property lines, dedications, easements, regulated areas, impermeable surfaces (including curbs, roads, driveways, sidewalks, etc.), buildings and entrances, and other information as needed

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

12) Geotechnical Study (including Groundwater)

- Is prepared, signed and stamped by a Professional Engineer.
- Contains legible drawings
- Includes digital copies of models
- Includes all dimensions in metric, to scale, and on a consistent base map layer.
- Includes groundwater information (for example: dewatering during construction vs. permanent dewatering to be accommodated in a stormpond). Includes estimated volumes of groundwater to be permanently managed.
- Indicates if a Permit to Take Water would be required either during construction or permanently.
- Includes testing of groundwater to ensure it meets municipal stormwater discharge criteria. (City and Regional staff have been contacted if groundwater does not meet discharge criteria.)
- Contains sufficient quantity and distribution of boreholes to map soil and groundwater conditions for the soil type.
- Provides sufficient monitoring data to address groundwater level seasonality.
- Contains results of any geotechnical test completed.
- Discusses infiltration capabilities if Low Impact Development is proposed.
- Contains shoring and excavation details (for example: tiebacks, caissons, foundations, forming, piles) if underground parking or encroachments are proposed.
- Includes cross-sections, and dimensions from property lines and details of over-digging.
- Includes a stable slope assessment if required at the preconsultation stage. This study refers to the Ministry of Natural Resources and Forestry Technical Guidelines “Natural Hazards Manual Technical Guide – River and Stream Systems: Erosion Hazard Limit” and final topographical survey drawings with stable top of bank delineation signed and stamped by a Professional Engineer.
- Contains confirmation of the need for pre-construction surveys of surrounding buildings, to an extent determined by a Professional Engineer specializing in vibration, OR confirmation that pre-construction surveys are not warranted.

13) Environmental Site Assessment Report

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

14) Waste Management Report

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