

PLANNING JUSTIFICATION REPORT

APRIL | 2024

OFFICIAL PLAN AMENDMENT & ZONING BY-LAW AMENDMENT
1393 GRAHAMS LANE, CITY OF BURLINGTON

MHBC
PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE



Date:
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ABBREVIATIONS

BUD Burlington Urban Design Advisory Panel
FSR Functional Servicing Report
FSI Floor Space Index
LUC Land Use Compatibility
MTSA Major Transit Station Area
NVIS Noise and Vibration Impact Study
OP Official Plan
OPA Official Plan Amendment
PJR Planning Justification Report
PPS Provincial Policy Statement (2020)
ROP Halton Region Official Plan
ROW Right-of-way
SWM Stormwater Management
TDM Transportation Demand Management
TIS Traffic Impact Study
UDB Urban Design Brief
ZBA Zoning By-law Amendment
ZBL Zoning By-law

EXECUTIVE SUMMARY

This Planning Justification Report ('PJR'), and the accompanying technical reports, support the proposed amendments to the City of Burlington's Official Plan and Zoning By-law for the redevelopment of 1393 Grahams Lane in the City of Burlington (the "Subject Lands"). The proposed development will provide for three residential apartment buildings with heights ranging from 9 to 20 storeys with a total of 722 residential units.

The Subject Lands have a lot area of approximately 1.08 hectares (2.68 acres), with an approximate frontage of 128.77 metres along Grahams Lane, and an approximate lot depth of 118.44 metres. The Subject Lands are currently occupied by a storage facility with associated outdoor storage and surface parking lot. Access to the site is provided through two existing driveways off Grahams Lane. The north and west borders of the site are lined with intermittent trees. A rail spur is located along the western boundary of the Subject Lands. Further west lies a hydro corridor that includes a recreational trail that begins at Grahams Lane and runs south towards Lake Ontario. The Subject Lands are relatively flat.

The Subject Lands are designated as 'Urban Area' within the 'Downtown Burlington Urban Growth Centre (UGC)/Burlington GO Major Transit Station Area (MTSA)' in the Region of Halton Official Plan Amendment 49 (ROPA 49). The Subject Lands are also designated as 'Mixed Use Corridor – Employment' in the City of Burlington Official Plan and are zoned 'Mixed Use Corridor - Employment' (MXE) under the City of Burlington Zoning By-law 2020. A detailed planning analysis of the provincial and municipal policy and regulatory framework, including applicable design guidelines, is provided in this report which supports and justifies the proposed development and proposed amendments to the Official Plan and Zoning By-law to facilitate the proposed development.

The proposed development represents an opportunity to intensify lands located within a designated Urban Growth Centre with residential uses that increase and diversify the housing supply in the community, as directed by ROPA 49 and the Growth Plan.

The proposal is supported by a series of plans and studies related to functional servicing, stormwater management, parking, urban design, noise/vibration and wind impacts. Each of these studies have been undertaken in accordance with the City and Region's requirements and provide a full assessment and justification for the proposed development.

Based on the physical context, planning policy and regulatory framework analysis, the proposed development and proposed Official Plan Amendment and Zoning By-law Amendment are consistent and conform to Provincial, Regional and City policies, represent good planning and are in the public interest.

1.0 INTRODUCTION

1.1 INTRODUCTION

MacNaughton Hermsen Britton Clarkson Planning Limited ("MHBC") was retained by 2621458 Ontario Inc. to assist with the planning approvals required to facilitate the proposed redevelopment of the lands municipally known as 1393 Grahams Line in the City of Burlington (the 'Subject Lands') with three residential apartment buildings with heights ranging from 9 to 20 storeys.

This Planning Justification Report ("PJR") supports the proposed amendments to the Official Plan ("OPA") and Zoning By-law ("ZBA") to facilitate the development of the Subject Lands with three residential buildings that provide indoor and outdoor amenity areas.

This Planning Justification Report provides the following:

- Description of the Subject Lands, surrounding uses, and existing physical conditions to provide an understanding of the locational context;
- Description of the proposed development including its functional and design elements;
- Summary of the technical reports prepared to support the proposal;
- Description of the proposed amendment to the City of Burlington Official Plan and City of Burlington Zoning By-law 2020;
- Review of the existing policy and regulatory framework and an assessment of the proposed development and the proposed Zoning By-law and Official Plan Amendments in relation to the Provincial, Regional, and City policies and regulations; and a,
- Summary of key conclusions and recommendations related to the proposed Official Plan and Zoning By-law Amendments.

1.2 PRE-CONSULTATION

A pre-consultation meeting was held on March 22, 2023 to discuss the proposed development, followed by an extension request being submitted to the City of Burlington on October 5, 2023. The extension request noted that no significant alterations were proposed regarding the Concept Site Plan for the forthcoming Official Plan Amendment and Zoning By-law Amendment applications.

A copy of the initial pre-consultation meeting report is attached to this report as **Appendix A**. The following reports and materials were identified as required for a 'complete application' and are included as part of this application submission:

PLANS/REPORTS	CONSULTANT
Planning Justification Report including, Draft Official Plan Amendment, Draft Zoning By-law Amendment, Comments received at BUD, Public Consultation Strategy, and Response to Comments Received at the Community Meeting	MHBC Planning
Housing Impact Statement	MHBC Planning
Survey Sketch, prepared by an OLS	MMP Land Surveyors
Financial Impact Study	Altus Group
Conceptual Site Plan Layout	Kohn Architects
Architectural Plans	Kohn Architects
3-D Model of Proposed Buildings	Kohn Architects
Shadow Analysis Plan/Study	Kohn Architects
Sustainable Building and Development Guidelines Checklist	Kohn Architects
Waste Management Plan	Kohn Architects
Phasing Plan	Kohn Architects and NCP
Wind Impact Study	Gradient
Landscape Plan including, Park Concept Plan	NAK Design Strategies
Tree Inventory & Preservation Plan & Report	Kuntz Forestry Consulting Inc.
Functional Servicing & Stormwater Management Report	Crozier
Grading & Servicing Plans	Crozier
Letter of Reliance for Engineering Studies	Crozier
Land Use Compatibility Study	RWDI
Noise and Vibration Impact Study	RWDI
Transportation Impact Study including, Transportation Demand Management Plan & Implementation Strategy and Parking Justification Report	Arcadis
Urban Design Brief including, BUD Advisory Panel Comments	MHBC Planning (UD)
Phase One Environmental Assessment	Englobe
Phase Two Environmental Assessment	Englobe
Environmental Site Screening Questionnaire	Englobe
Letter of Reliance for Environmental Site Assessments	Englobe
Correspondence Pertaining to Record of Site Condition	Englobe

The studies noted above are summarized in **Section 3.2** of this Report.

1.3 PUBLIC CONSULTATION STRATEGY

Prior to the finalization and submission of this application, a public meeting was held on September 25, 2023. Representatives from MHBC Planning, 2621458 Ontario Inc., KOHN, Altus, Arcadis, NAK, and the City of Burlington were present at the meeting to answer questions.

The event was organized by the project team and provided an overview of the proposal to the public in an open house format. A total of 24 members of the public attended the public meeting who requested clarification of matters grouped under the following themes:

- Unit sizes;
- Unit types and affordability;
- Surrounding area context and developments; and,
- Parking count and parking design.

A copy of the comments received and the responses provided at the public meeting is included in **Appendix B**. Further public consultation will be undertaken pursuant to the requirements of the *Planning Act*. The submission materials will also be posted to the City's website and available to the public for review and comment. The following opportunities for public consultation that are anticipated for the proposed development include:

- Upon receipt of a Notice of Complete Application, a Public Notice sign will be installed on site, advising of the proposed Zoning By-law Amendment, as per the sign specifications provided by the Town;
- The City will post all relevant information on its website for public review. This will include the application, concept plan and all technical studies, reports and plans submitted in support of the application;
- A notice outlining the proposed application and the Statutory Public Meeting will be issued by City staff to all land owners within 120 metres (400 feet) of the Subject Lands as per the requirements outlined by the *Planning Act*;
- The Statutory Public Meeting will be held at a date and time identified by the City where the public will have an opportunity to provide comments at the public meeting or in writing to the City. All public input and comments will be received at the public meeting and given further consideration by Council;
- City staff will prepare a report for Council consideration which will be available to the public in advance of the Council meeting; and,

- A Council meeting will be held, at which time the City's staff report, all available information and public input will be considered for Council's final decision.

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

1.4 BURLINGTON URBAN DESIGN PANEL REVIEW

A meeting was held with the Burlington Urban Design Review Panel (BUD) on October 19th, 2023 to discuss the residential development proposal. The Design Panel provided comments on the Context and Public Realm, the Site Design and Built Form, and the Outdoor Amenity Space and Landscaping.

Several changes were made to the proposed development to address the comments received at the BUD including the following: adjusting the spacing between Building B and C; relocating the amenity area closer to Grahams Lane; incorporating substantially tower separation distances; integrating thoughtful landscaping and hardscaping; and, delineating the building entrances. A copy of the minutes of the BUD meeting can be found in **Appendix C**. Fulsome responses to the comments received at the BUD which, demonstrate how the proposed development addressed the comments received, are provided in the Urban Design Brief prepared by MHBC.

2.0

SITE CONTEXT

2.1 SITE DESCRIPTION

The Subject Lands are located north of Grahams Lane, and south of the Brant Street and Fairview Street intersection, in the City of Burlington. The Subject Lands have an approximate area of 1.08 hectares (2.68 acres), with an approximate frontage of 128.77 metres along Grahams Lane, and an approximate lot depth of 118.44 metres. The Subject Lands are legally described as Pt Lt 69 RCP P199; Pt 1 20R3140; Pt 1 20R21599, City of Burlington.

The Subject Lands are currently occupied by a storage facility with associated outdoor storage and surface parking lot. Access to the site is provided through two existing driveways from Grahams Lane, one to the southwest of the existing building and one to the east of existing building. The west and southwest borders of the site are lined with an intermittent tree line. A rail spur is located along the southwestern boundary of the Subject Lands. Further west and southwest lies a hydro corridor and recreational trail. Based on aerial imagery, the Subject Lands are generally flat in nature.

A location map which identifies the Subject Lands within the context of the City of Burlington is provided as **Figure 1** below.



Figure 1- Location Map

2.2 SURROUNDING LAND USES

Figure 2 below illustrates the land uses surrounding the Subject Lands. The surrounding uses are described as follows:

North: North of the Subject Lands lies a surface parking lot that supports Royal Canadian Legion Branch 60 Burlington, followed by two commercial use buildings with the associated parking lots. These buildings consist of several businesses, including: Closet Envy; Cove Mechanical; Artisan Design; BodyFit4Life; and Zephyr North Ltd. Upper Hager Creek is located to the further north of the Subject Lands.

Northeast: Royal Canadian Legion Branch 60 Burlington, and a commercial plaza that contains businesses' such as: SWC Automotive; Cold Turkey Juice; Al's Lawnmower & Small Engine Repairs, are located to the east of the Subject Lands. Further, on Brant Street, is a 15 storey apartment building.

Southeast: Southeast of the Subject Lands is occupied by commercial/industrial uses including automobile centres, and a fuel supplier, followed by a nursing home.

Southwest: To the southwest of the Subject Lands lies a hydro corridor that incorporates a recreation trail, 'Maple Trail', with semi-detached dwellings further to the southwest.



Figure 2- Surrounding Context

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



Image 1- Looking from Grahams Lane at the southeast portion of the Subject Lands



Image 2- Looking from Grahams Lane at the eastern portion of the Subject Lands



Image 3- Looking from Grahams Lane at the southeastern portion of the Subject Lands



Image 4- Looking from Grahams Lane at the south portion of the Subject Lands



Image 5- Looking northwest at the Legion Road and Grahams Lane intersection



Image 6- Looking southeast at a commercial building along Grahams Lane



Image 7- Looking southwest along Grahams Lane



Image 8- Looking northeast along Grahams Lane



Image 9- Looking southwest at the trail entrance at the west end of Grahams Lane



Image 10- Looking southeast from the beginning of Maple Trail



Image 11- Looking southwest on Stephenson Drive



Image 12- Looking northwest at townhouses on Stephenson Drive



Image 13- Looking southwest along Grahams Lane from Brant Street.



Image 14- Looking northeast toward Brant Street from mid-block of Grahams Lane.



Image 15- Looking east at the intersection of Grahams Lane and Brant Street.

2.3 NEIGHBOURHOOD CONTEXT

The Subject Lands are located within a mixed use area that is 500 metres from the Burlington GO Station, where residential intensification is encouraged to support the viability of the Protected Major Transportation Station Area (PMTSA). The area has historically consisted of a mix of residential and commercial uses. The Subject Lands abut the Hydro Corridor, Maple Trail, and residential neighbourhood to the west, an institutional use to the north, service commercial to the east, and high density residential to the south. In particular, the Subject Lands are located in close proximity to a number of community and commercial facilities to meet daily needs, including: Burlington Square Plaza; Thorne Park; Wellington Park; Maple Trail; Central Public School; Burlington Central Elementary School; Burlington GO Station; and WalMart SuperCentre.

The Subject Lands are also located in close proximity to a number of community facilities, parks and recreation facilities which are listed in Table 1.

TABLE 1: PROXIMITY TO NEARBY COMMUNITY FACILITIES, PARKS, AND SCHOOLS

Destination	Travel Distance (km)	Travel Time (minutes)*		
		Walk	Cycle	Car
Burlington GO Station	1.1	15	4	3
Maple Park	2.2	17	5	5
Mapleview Shopping Centre	2.1	12	4	4
Thorpe Park	0.6	8	2	5
Wellington Park	0.8	9	2	3
Optimist Park	0.8	10	4	3
Burlington Central Public School	1.1	14	3	3
Royal Canadian Legion Branch 60 Burlington	0.7	3	1	2
Burlington Public Library – Central Branch	2.6	31	9	6
St. Christopher's Anglican Church	2.3	30	8	5
Joseph Brant Hospital	3	28	7	7

*Note: Distances and times are approximate.

2.4 TRANSIT & TRANSPORTATION CONTEXT

Access

Access to the Subject Lands is currently provided from two driveways from Grahams Lane, one on the east side of the existing building and one on the west side of the existing building. The closest major intersection to the Subject Lands lie 250 m from the site at Grahams Lane and Brant Street. Highway 401 (Queen Elizabeth Way) is approximately 1.5 km from the Subject Lands and is accessible via a highway interchange from Brant Street.

Road Network

The 1997 City of Burlington Official Plan, Schedule J- Classification of Transportation Facilities, identifies Grahams Lane as a 'Collector' road. Collector Roads are intended to accommodate local travel demands and connect neighbourhoods to one another while distributing traffic to, and from, arterial roads. In the new City of Burlington Official Plan that is under appeal, Grahams Lane is identified on Schedule O-1 Classification of Transportation Facilities, as a 'Neighbourhood Connector'. Neighbourhood Connectors are intended to serve inter-community travel demands, accommodating a high level of pedestrian and cycling activity and moderate vehicular traffic.

Local Public Transit

The Subject Lands are serviced by several existing bus routes that are in close proximity to the Subject Lands, including routes 1, 2, 10, 12, 50, 52, and 87, as shown in **Table 2** below.

TABLE 2: PROXIMITY TO LOCAL PUBLIC TRANSIT

Burlington Transit: Bus Routes	Distance from Subject Lands to Bus Stop
Route 2	210 m
Route 52	350 m
Route 1	550 m
Route 10	550 m
Route 12	550 m
Route 87	550 m
Route 50	550 m

Appendix A Schedule 1 - Long Term Transit Service Network of the in-force Official Plan identifies 'Primary Bus Service' along Brant Street and Fairview Street.

While not in full force and effect, Schedule B-2 – Growth Framework and Long-Term Frequent Transit Corridors of the Council-adopted Official Plan, identifies both Brant Street and Fairview Street as 'MTSA Primary Connectors' and 'Frequent Transit Corridors'. Enhanced levels of transit services and facilities, including frequent transit corridors, are to be provided on MTSA Primary connectors.

Regional Public Transit

The Subject Lands are located approximately 500 metres, or 1.1 km walking distance (15-minute walk or a 3-minute drive), from the Burlington GO Station located on Fairview Street. The Burlington GO Station forms part of the Lakeshore West GO line which provides connections to Hamilton GO and West Harbour Go Station to the west and service to Union Station in Toronto to the east. Trains operate approximately every 30 minutes.

Cycling

Schedule 2, Long Term Cycling Master Plan in Appendix A of the City of Burlington Official Plan designates Grahams Lane as a 'Bicycle Priority Street', with connections to a 'Multi-Use Path' to the west and Brant Street, that has a 'Bike Lane', to the east. Similarly, in the new City of Burlington Official Plan, Grahams Lane is identified as a 'Bicycle Priority Street', which connects to a 'Multi-Use Path' to the west and the 'Bike Lane' along Brant Street to the east.

Pedestrian

Pedestrian infrastructure is provided along the north side of Grahams Lane which, provides connections to the pedestrian walkways along both sides of Brant Street, Fairview Street, and Prospect Street. Maple Trail is a 1 km multi-use trail located immediately south of the Subject Lands, that runs through the hydro corridor from Grahams Lane southwards towards downtown Burlington and the waterfront. The trail provides numerous pedestrian connections to surrounding neighborhoods as it stretches south.

Summary

In summary, the Subject Lands are in a location well-served by the local road network, local and regional transit services, as well as active transportation and walking routes.

2.5 SURROUNDING DEVELOPMENT APPLICATIONS

As part of the preparation of the proposed application, a review of the City of Burlington's development application database was undertaken to provide a broader context of the recently approved and proposed developments within the surrounding area. Surrounding developments and proposed applications are described in **Table 3** below and illustrated in **Figure 3**.

TABLE 3: SURROUNDING DEVELOPMENT APPLICATIONS			
#	**Address/ Applicant**	**Application Status**	**Proposed Development**
1	Brant Street and Ghent Avenue Molinaro Group	- Review phase - Community meeting held. - Application for OPA and ZBA received - First application in 2020	Phase 1 – 774,778,782 Brant Street; • Two 25-storey residential mixed use buildings with 426 units and 420 square metres of retail space at grade Phase 2 – 769,779,783 Brant Street and 2023, 2027, 2031-2033 Ghent Avenue; • One 25-storey residential mixed use building with 316 units, 405 m^2 of retail space at grade and 7 separate townhouse units Phase 3 – 747, 761 Brant Street; • A 6 –storey residential mixed use building with 108 units and 997 m^2 of retail space at grade
2	789-795 Brant Street	- Appealed	The applications propose to amend the Official Plan and Zoning Bylaw to allow a 31-storey mixed use building.
3	2087-2103 Prospect Street Children's Financial Group Inc.	- Applications to amend the Official Plan and Zoning By-law. - Approved	- Two blocks of stacked townhouses, each containing 25 rental housing units. - The two existing fourplex buildings (eight housing units) will be demolished. - The eight-storey apartment building will remain
4	2170 Ghent Avenue Chamberlain Architects	-Three (3) townhouse blocks consisting of 19 three (3) storey units. - Single access from Ghent Avenue - 2 parking spaces per unit - 12,105 ft^2 of common amenity space and landscaping	- Site Plan Application - Currently under review by City of Burlington
5	535-551 Brant Street Renimmob Properties Lt.	- ZBA approved by way of OLT appeal	- 25-storey mixed use building - 248 residential units, including a mix of one, two and three bedroom units - Ground floor commercial

6	2089 Fairview Street Molinaro Group	- Site Plan Application - Currently under review by City of Burlington	- Two (2), eighteen (18) storey residential towers with commercial uses at grade. - A total of 364 residential units - 1,744 m^2 of commercial space. - Pedestrian connections to the surrounding neighbourhood and Burlington GO Station.
7	2243, 2269 Fairview St. and 864 Drury Lane Fairview LP	- Site Plan Application - Phase 1 Approved	- Seven (7) residential towers on top of four (4) mixed use podiums. - Overall heights ranging between 29 and 37 storeys. - A total of 2,494 residential units of mixed type and tenure. - 3993 m^2 of commercial space.

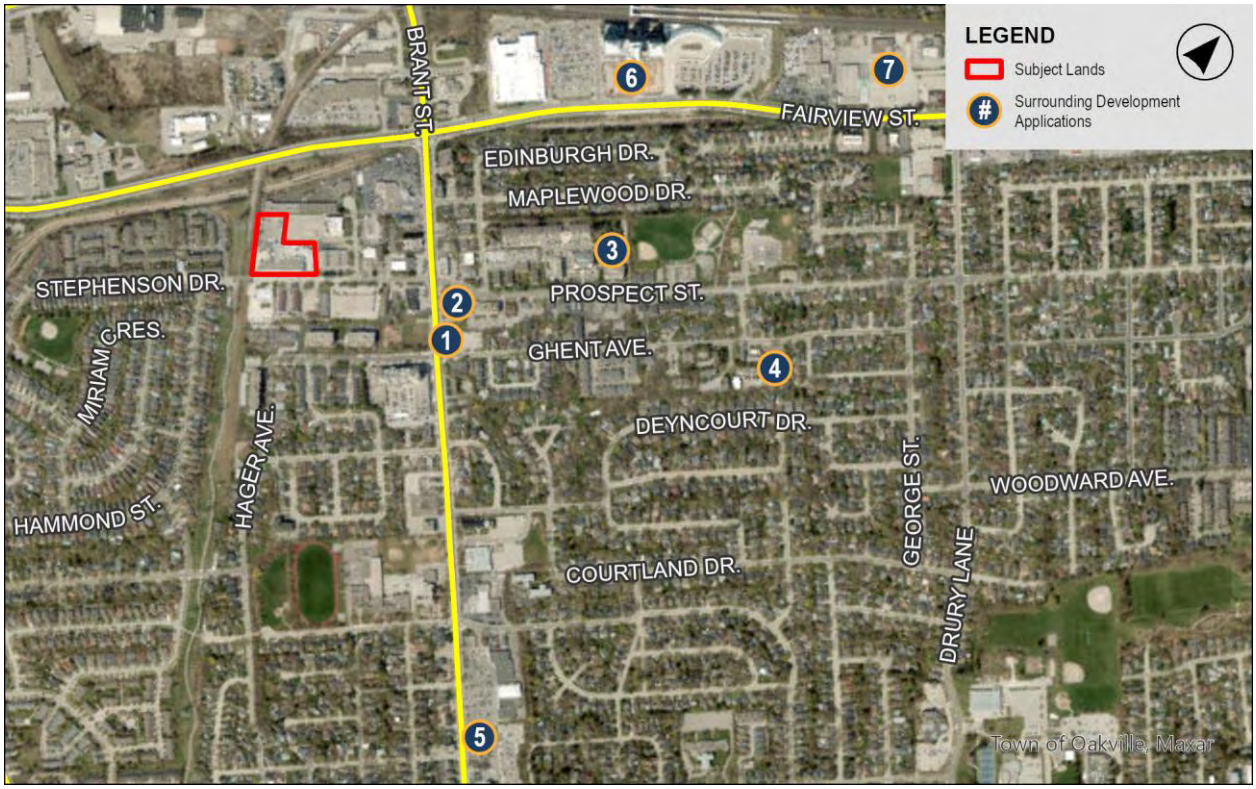


Figure 3- Surrounding Development Applications

3.0 PROPOSAL

3.1 DESCRIPTION OF PROPOSAL

Overall Design

The current redevelopment proposal is the result of coordinated planning and design work by the architectural and urban design teams in collaboration with technical experts and City staff input. The redevelopment proposal considers both the physical context of the site, as well as the Provincial and Regional policies that direct and manage urban growth, in conjunction with the local land use policies including, the City's emerging Burlington GO MTSA policies.

The Subject Lands have an area of approximately 1.08 hectares and currently contain a storage facility and associated outdoor storage. The proposal represents an opportunity to intensify the underutilized lands, located within the Burlington GO PMTSA, with residential redevelopment that supports the objectives of the PMTSA for more compact, transit-supportive, and diverse housing.

The proposed Concept Plan prepared by Kohn Partnership Architects Inc., dated March 15, 2024 and shown as **Figure 4 below**, provides for a residential development, in the form of three residential apartment buildings with heights of 9, 16 and 20 storeys, and with 8 and 6-storey podiums. The proposal will provide for a total of a total gross floor area of 45,821 m^2 and 722 residential units.

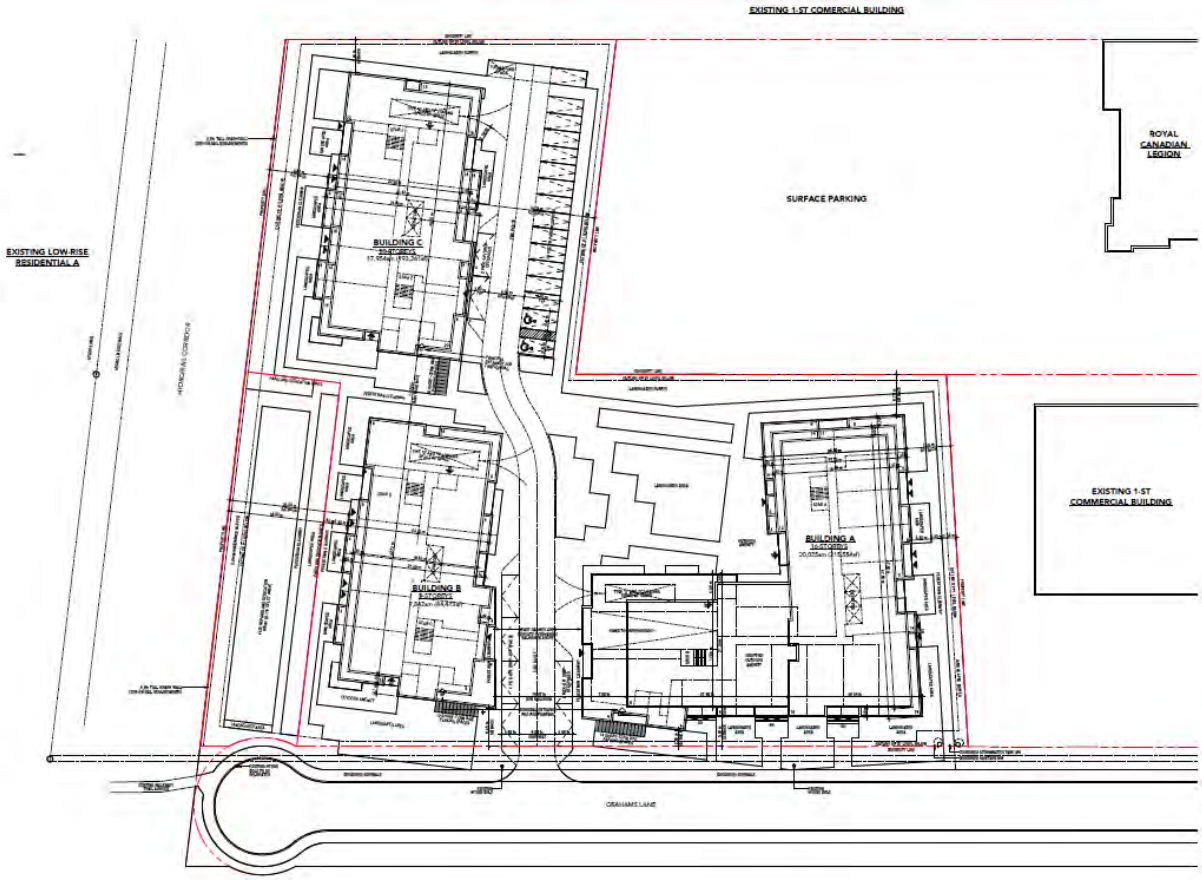


Figure 4- Proposed Site Plan

The three buildings will be identified as Building A (16 storeys), Building B (9 storeys), and Building C (20 storeys). Buildings A and B will front onto Grahams Lane and will provide several pedestrian entry points into the two buildings. Building C will be accessed via an internal courtyard and amenity area. Building A is proposed to be 16 storeys, with a GFA of 20,025 square metres, and a total of 311 units. Building B is proposed to be 9 storeys, with a GFA of 7,842 square metres, and a total of 125 units. Building C is proposed to be 20 storeys, with a GFA of 17,954 square metres, and a total of 286 units. Table 4 provides details of the site statistics.

TABLE 4: PROPOSED SITE STATISTICS	
Site Statistics	
Site Area	10,780.7 sq. m.
Total Residential Units	722 units
Total GFA	45,821 sq. m.
Indoor Amenity Space	1,533 sq. m.
Outdoor Amenity Space	8,431 sq. m.
Total Amenity Space	9,964 sq. m.
Total FSI	4.25
Resident Parking	505
Visitor Parking	93
Total Parking	598
Long-Term Bicycle Parking	362
Short-Term Bicycle Parking	36
Total Bicycle Parking	398

Land Use

The proposed redevelopment provides for residential uses that will address housing need in the City of Burlington. The residential units are located on all floors of the buildings, and include a total of 722 units with a breakdown of 15% studios, 55% 1 bedroom units, 25% 2 bedroom units, and 5% 3 bedroom units as illustrated in Tables 5 to 8 below.

TABLE 5: PROPOSED UNIT BREAKDOWN- OVERALL		
Type	**Units**	**%**
Studio	111	15%
1 Bedroom & 1 Bedroom + Den	397	55%
2 Bedroom & 2 Bedroom + Den	177	25%
3 Bedroom	37	5%

TABLE 6: PROPOSED UNIT BREAKDOWN- BUILDING A		
Type	**Units**	**%**
Studio	50	16%
1 Bedroom & 1 Bedroom + Den	169	54%
2 Bedroom & 2 Bedroom + Den	78	25%
3 Bedroom	14	5%

TABLE 7: PROPOSED UNIT BREAKDOWN- BUILDING B		
Type	**Units**	**%**
Studio	20	16%
1 Bedroom & 1 Bedroom + Den	64	51%
2 Bedroom & 2 Bedroom + Den	38	30%
3 Bedroom	3	3%

TABLE 8: PROPOSED UNIT BREAKDOWN- BUILDING C		
Type	**Units**	**%**
Studio	41	15%
1 Bedroom& 1 Bedroom + Den	164	57%
2 Bedroom& 2 Bedroom + Den	61	21%
3 Bedroom	20	7%

Public Realm, Design, and Massing

The proposed development has been designed as a comprehensive redevelopment of the Subject Lands that incorporates a high-quality site and building design with a vibrant and engaging public realm, as further described in the Urban Design Brief prepared by MHBC Planning.

The proposed development is a transit-supportive and compact residential project designed to integrate into the future redevelopment of the delineated PMTSA area and enhance the overall physical character of the evolving context. With a focus on fostering sensitive transition and compatible land use, the development incorporates design choices that complement future infill projects within the immediate vicinity and align with best practices for mid to high-rise building typologies.

The proposal incorporates setbacks and landscaping buffers along lot lines that border adjacent properties to ensure an appropriate transition to neighbouring properties. The spacing and massing of the 16 and 20 storey towers are carefully designed to promote compatibility with the surrounding context and maintain visual connectivity across the skyline.

Thoughtful orientation of the proposed towers within the existing grid and future developments is a key consideration. Each building is envisioned to showcase high-quality architectural design. The rectangular envelope of the towers aligns with the lot orientation and street layout, minimizes shadow impacts, and alleviates potential impacts from wind conditions on adjacent streets, buildings, and properties.

Architectural treatments, variations, and setbacks are incorporated into the podium design and break up the primary facades, contributing to a pedestrian-scaled massing that adds to the overall appeal of the development.

The Urban Design Brief, prepared by MHBC accompanying this submission, provides further detail on the design of the proposed development.

Proposed Crash Wall

The 'Guidelines for New Development in Proximity to Railway Operations', prepared by Dialog and J.E. Coulter Associates Ltd. for the Federation of Canadian Municipalities, in association with the Railway Association of Canada, provides building setback guidelines for new developments from a railway corridor, spur line or freight yard. As per Section 3.3.1 of the Guidelines, the standard recommended building setbacks for new residential development in proximity to a railway spur line is 15 metres. However, as per Guideline 3.3.1, "Horizontal setback requirements may be substantially reduced with the construction of a crash wall". Building C's southwestern façade is setback 9.8 m from the property line, and lies within the 15 metre setback from the spur line. It is acknowledged that the reduced 9.8 metre setback to the rail spur line will require a crash wall that must be designed and constructed in accordance with the requirements of the federal guidelines and safety standards to address and mitigate impacts.

Amenity Areas

The proposed development incorporates both indoor and outdoor amenity areas. The indoor amenity areas are located on floors 1 and 2 of each of the three residential apartment buildings proposed. The outdoor amenity areas will encompass both hard and soft landscaped areas, along with features designed to facilitate passive and active activities. A rooftop amenity area is also provided on Building A. The majority of units will also have private balconies.

A total of 9,964 m^2 of amenity space is provided for future residents that consists of 1,533 m^2 of indoor amenity space and 8,431 m^2 of outdoor amenity space. Amenity space is provided at a total rate of 13.8 m^2 per dwelling unit (2.12 m^2 of indoor amenity area and 11.68 m^2 of outdoor amenity area). This is in keeping with amenity areas provided within recent developments in the City, and is provided in addition to the privately-owned publicly accessible space noted below.

Privately-Owned Publicly Accessible Space (POPs)

A POPs is proposed in the southwest corner of the Subject Lands. The POPS will provide over 984 m^2 of publicly accessible parkland space inclusive of a children's splash pad, a playground, and a shaded seating area, as shown in the Landscape Plan prepared by NAK Design Strategies. The remaining parkland dedication will be provided through cash-in-lieu of parkland and will be further addressed through the Site Plan process.

Vehicular Parking and Circulation

There are 598 parking spaces proposed as part of the proposed residential development, of which 93 represent visitor parking (16 above grade and 77 below grade), while 505 represent resident parking space (all underground). A two level underground parking garage is proposed across the site, with access provided via the site's internal drive aisle. A total of 398 bicycle parking spaces are proposed in support of, and to encourage, active transportation within the PMTSA. Of the total, 362 long-term bicycle storage spaces are proposed on levels P1 and P2, with 36 short-term spaces proposed at-grade.

One 6.0 m combined 2-way vehicular entrance/exit is located along the southern border of the site from Grahams Lane. The 6 m paved drive aisle provides access to the loading and service areas (3 loading spaces are proposed for the site), the underground parking garage, and to Building C at the rear of the lot. Loading and servicing areas are contained within the podium and screened from the public street. Pick-up/drop-off areas are proposed near the entrances of each of the three buildings.

A network of pedestrian pathways that connect the main entrances of the buildings to the public realm along Grahams Lane are proposed. These pathways will offer access to both sides of the private drive aisle and along the perimeter of the buildings to facilitate pedestrian circulation.

3.2 SUMMARY OF SUPPORTING DOCUMENTS/TECHNICAL REPORTS

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

3.2.1 Transportation Impact Study

A Transportation Impact Study (TIS) has been prepared by Arcadis Professional Services Inc. in support of the applications. The report provides an analysis of the existing and future transportation context, a conditions analysis, a trip generation and distribution analysis, traffic analysis, parking analysis, and an analysis of potential transportation demand management measures.

The proposed development is expected to generate 201 two-way (53 inbound and 148 outbound) primary trips during the Weekday AM peak hour, and 239 two-way (151 inbound and 88 outbound) primary trips during the Weekday PM peak hour. The traffic operations analysis indicates that the additional development site traffic in the study area is expected to have a minimal effect on the operation of the existing signalized intersection at Brant Street and Grahams Lane.

The proposed parking supply rate to support the proposed residential redevelopment is a combined rate of 0.83 residential and visitor parking spaces per unit (0.7 resident spaces per unit and 0.13 visitor spaces per unit). Based on a review of the parking occupancy studies, and the quality and proximity of the Subject Lands to rapid transit and active transportation routes, it was determined that the actual demand for parking will be as low as 0.68 spaces per unit. As such, the proposed parking rate of 0.83 spaces per unit for residential and visitor space is expected to be sufficient to accommodate anticipated demand.

A review of the accessible parking spaces provided was also undertaken. While the site is deficient in accessible parking requirement as per the City's ZBL, the accessible parking provided meets the requirements under the City of Burlington Accessibility Guidelines, 2016 when calculating the accessible parking relative to the proposed parking. The proposed residential development will provide a total of 398 bicycle parking spaces including, 36 short-term spaces and 362 long-term spaces. The City of Burlington ZBL 2020, does not provide bicycle parking requirements for residential land uses. As the proposed development is equipped with ample bicycle parking spaces, and is located near existing and future cycling and transit facilities, the TIS recommended the implementation of Transportation Demand Management (TDM) Incentives to leverage these sustainable transportation opportunities including, the provision of bicycle repair tools and stations and the addition of a real-time transit and transportation information screen.

The Transportation Impact Study is included with the application submission under separate cover.

3.2.2. Functional Servicing & Stormwater Management Report

A Functional Servicing & Stormwater Management Report has been prepared by C.F. Crozier & Associates Inc. in support of the applications. The report provides guidance for the detailed design of the works required to support the applications, from a municipal servicing perspective, including the stormwater management servicing strategy.

The report determines that there is sufficient capacity within the Region's water distribution system to support the proposed development. The system is proposed to operate within the Halton Region's preferred pressure range of 50 to 70 psi.

Fire and domestic water supply for the site will be provided using a 200 mm diameter fire line and 100 mm diameter domestic line extending from the 350 mm diameter municipal watermain beneath Grahams Lane.

Sanitary servicing for the Site will be provided with a 200 mm diameter sanitary sewer lateral, which is to be installed over the existing 250 mm municipal sanitary sewer beneath Grahams Lane. The municipal 250 mm sanitary sewer is estimated to operate at a maximum 84% of its full flow capacity.

Stormwater management for the proposed development has been designed in accordance with the relevant guidelines and standards. The proposed stormwater quantity controls for the proposed development consists of rooftop ponding on each of the proposed apartment buildings, and a stormwater vault located in the underground parking garages. It is anticipated that the surging conditions will be reduced as part of the proposed development since the proposed stormwater management controls for the site will over-control post-development runoff to the 5-year pre-development peak flow rate, therefore resulting in an overall net benefit on the area from a stormwater perspective. As the existing site conditions are largely impervious, consisting of an existing storage facility, outdoor storage area, and an asphalt parking lot, the increased landscaped areas at grade provided through the proposed development will inherently improve the quality of stormwater runoff. The City of Burlington Sustainable Building and Design Guidelines (2021) were considered through the stormwater management design, and the design of sustainable systems such as green roofs, an oil/grit separator, and water conservation systems, will be further investigated at the detailed design stages.

The Functional Servicing & Stormwater Management Report is included with the application submission under separate cover.

3.2.3 CN Requirements and Crash Wall

Correspondence between the project management team and railway advisors has been ongoing with respect to the federal safety requirements of development adjacent to a rail spur line. Section 3.3.1 of the 'Guidelines for New Development in Proximity to Railway Operations', prepared for the Federation of

Canadian Municipalities and the Railway Association of Canada, provides the standard recommended building setbacks for new residential development in proximity to a spur line to be 15 metres. However, as per the policy, *"Horizontal setback requirements may be substantially reduced with the construction of a crash wall".*

Building C encroaches into the 15 metre setback from a spur line. From discussions with railway advisors, the project team was directed to incorporate a crash wall in the proposal as an alternative to the setback. It is acknowledged that the reduced 9.8 metre setback to the rail spur line will require a crash wall that must be designed and constructed in accordance with the requirements of the federal guidelines and safety standards to address and mitigate impacts.

3.2.4. Land Use Compatibility Study

The Land Use Compatibility (LUC) Study prepared by RWDI Inc. was completed as a feasibility-level assessment of the land use compatibility of the proposed development. The scope of the study was to identify existing and potential compatibility issues and assess possibilities for achieving appropriate design between the proposed development and nearby employment areas and/or major facilities. Studies prepared for this report include a screening-level air dispersion modelling study and a Noise and Vibration Impact Study (NVIS).

The LUC Study identifies facilities whose potential influence areas extend to the Subject Lands such as Solenis Canada, Smit Autobody, Hi Tech Collision, and Nalco Chemical Co. The LUC concluded that the majority of these facilities do not represent compatibility issues for the proposed development in terms of noise or air quality emissions. One facility, Solenis Canada, that is situated northwest of the Subject Lands and north of Fairview Street, is a specialty chemical manufacturer. The LUC recommends that Solenis be contacted to confirm that Solenis' E2 Plan (Federal Environmental Emergency Regulations) is in place. It is acknowledged that subject to the additional information, further consideration of mitigation measures may be required.

Notwithstanding the above, the LUC Study notes that the potential future development on the Subject Lands is not expected to have a significant effect on the ability of new or expanded uses to be located in mixed use areas.

The LUC Study includes a summary of the NVIS also prepared by RWDI, including: the recommendation that improved building components would be required; that influences from surrounding businesses and industries were modelled on the proposed development and were concluded to be in marginal excess of the MECP Class 1 sound level limits; application for a Class 4 designation is recommended to allow mitigation of sound on the development; and, that rail vibration from the adjacent spur line was measured and found to be below the applicable vibration criteria. The LUC concluded that, through the implementation of the mitigation measures from the NVIS, adverse effects are not anticipated.

The Land Use Compatibility Study is included with the application submission under separate cover.

3.2.5. Financial Impact Study

Altus Group Economic Consulting was retained to prepare an economic and fiscal impact study for the proposed redevelopment. The study concluded that the proposed redevelopment is anticipated to provide significant positive economic and fiscal benefits for the City of Burlington, and the wider regional and provincial economies. The benefits of the redevelopment are measured as direct/local impacts as well as indirect and induced impacts which, are typically regional or provincial effects. The three benefits are measured based on wages, employment creation, and government revenue.

The Financial Impact Study is included with the application submission under separate cover.

3.2.6. Sun/Shadow Analysis

The Sun/Shadow Study, prepared by Kohn Partnership Architects Inc., captures relevant shadow impacts on the site as well as the adjacent context and was prepared utilizing the City of Burlington submission guidelines and terms of reference. The study features views of the Context Plan at a scale of 1:3000 and illustrates the extent of the new shadowing created by the proposed buildings both on internal elements of the site as well as adjacent sites and existing buildings. Each view illustrates the shadowing at different requested times of day. The study also provides a quantitative assessment of the degree of shadowing cast by each proposed building on outdoor amenity spaces at grade and the future parkland dedication area to the southwest.

The study determined that the shadow impact of the proposed building on key communal outdoor areas is minimal in nature. Shadow impacts were found to be especially minimal at times of the day and year when access to outdoor amenity space is most desirable.

The Sun/Shadow Analysis is included with the application submission under separate cover.

3.2.7. Pedestrian Level Wind Study

The Pedestrian Level Wind Study was prepared by Gradient Wind Engineers & Scientist in support of this application. The study prepared two massing configurations to assess the influence of the proposed development on the existing wind conditions surrounding the site; (i) *the existing scenario* which included all approved surrounding developments without the proposed development; and the (ii) *proposed scenario* with the proposed development in place. The grade-level investigation included sidewalks, walkways, laneways, landscaped spaces, parking areas, outdoor amenity areas, parkland and building access points.

The study concluded that, (based on wind tunnel test results, meteorological data analysis, and experience with similar developments in the area), wind conditions will be acceptable for the intended pedestrian use on an annual and seasonal basis. Exceptions include the pedestrian clearway between Building B and C, where mitigation measures are recommended in Section 5.2 of the study and may include tree plantings

or other landscape design features. Overall, within the context of typical weather patterns, and apart from the noted pedestrian clearway between Buildings B and C prior to the introduction of mitigation measures, no areas over the site were identified to experience conditions that could be considered unsafe.

The Pedestrian Level Wind Study is included with the application submission under separate cover.

3.2.8. Tree Inventory & Preservation Plan Report

The Tree Inventory and Preservation Plan was prepared by Kuntz Forestry Consulting on behalf of NAK Design Strategies. The report contains an inventory of trees measuring 10cm at breast height (DBH) and greater within six metres of the Subject Lands, as well as trees of all sizes within the road right-of-way. An evaluation of potential tree saving opportunities based on the proposed development plans was conducted.

The study found that there are a total of 25 trees on, and adjacent to, the Subject Lands. The removal of ten (10) trees will be required to accommodate the proposed development. The removal of a dead tree on the site has been recommended regardless of the proposed site plan. The plan determined that the remaining 15 trees can be saved with the use of appropriate tree protection measures, such as appropriate barriers and fencing at locations identified in the report. No construction activity is permitted within the tree protection zone (TPZ) at any time during or after construction.

Site visits are recommended at three stages of the development process: pre-construction, during construction, and post construction to ensure the proper utilization of tree protection barriers and to inspect the trees for damage which may incur during construction.

The Tree Inventory and Preservation Plan Report is included with the application submission under separate cover.

3.2.9. Noise & Vibration Impact Study

The Noise and Vibration Impact Study (NVIS) was undertaken by RWDI Inc. which assessed the proposed development based on both sound level modeling and vibration measurements and found that with appropriate noise mitigation measures, it is feasible for the proposed development to meet the applicable sound and vibration criteria.

The NVIS recommended noise control measures that may include matters such as, the installation of central air-conditioning so that all suites' windows can remain closed, minimum sound isolation performance, and the construction of perimeter noise barriers along the outdoor amenity areas. Appropriate mitigation measures will be incorporated into the proposed development at the time of Site Plan Approval.

The rail vibration measured from the adjacent spur line was found to be below the applicable vibration limits, so that no mitigation measures for vibration are required. The influence of stationary sources of sound were also evaluated. Application for a Class 4 designation is recommended to allow mitigation of sound on the development. Cumulative sound from all of the facilities is predicted to be in compliance with the Class 4 limits.

The NVIS is included with the application submission under separate cover.

3.2.10 Phase One Environmental Site Assessment

The Phase One Environmental Site Assessment was prepared by Englobe Corporation. The Phase One consists of a review of historical background information and a detailed site inspection of the subject property and surrounding properties to determine the current condition of the property and surrounding area.

The results of the Phase One ESA determined that there are Potentially Contaminating Activities (PCA) noted on the Phase One Property which resulted in ten (10) Areas of Potential Environmental Concern (APECs) generated from the PCAs. The Phase One ESA concluded that the quality of soil and groundwater should be assessed prior to the proposed development of the property. A Phase Two Environmental Site Assessment is also required to investigate the APECs identified in Phase One, which may result in adverse impacts to the environmental condition of the Property.

The Phase One Environmental Site Assessment is included with the application submission under separate cover.

3.2.11. Phase Two Environmental Site Assessment

A Phase Two Environmental Site Assessment (ESA) was completed for the Subject Lands by Englobe Corporation. The Phase Two ESA was completed as a recommendation of the Phase One ESA which identified 10 APEC.

A total of eleven boreholes were advanced on the site. Soil conditions encountered with the boreholes consisted of primarily a layer of earth-fill and nature soils. The earth-fill material consisted primarily of brown, clayey/sandy silt to silty sand with trace amounts of gravel and organic matter. The native soil underlain the earth-fill layer consisted of clayey silt, with trace to some sand, trace gravel, very stiff to hard, brown and moist.

Selected soil samples and groundwater samples were analyzed and were submitted for chemical analysis. All of the soil and groundwater samples met the applicable Ministry of Environment, Conservation and Parks (MECP) standards expect for a select few. Based on the findings of the Phase Two ESA additional soil and groundwater investigation is required to delineate the lateral and vertical extent of the impacts.

Remediation of impacted soil and groundwater followed by confirmatory sampling will be required to meet the applicable site condition standards before the filling of a Record of Site Condition (RSC) in accordance with O. Reg. 153/04, as amended.

It is anticipated that there will be significant removal of soil materials on the Subject Lands during construction of the proposed development that will result in the removal of fill maternal and native soils. The excess soil is unlikely to be reused on-site and will be governed by Ontario Regulation 406/19 (O. Reg. 406/19). O. Reg. 406/19 has additional testing requirements for appropriate management of the resulting excess soils generated during redevelopment of the Property.

The Phase Two Environmental Site Assessment is included with the application submission under separate cover.

3.2.12 Urban Design Brief

An Urban Design Brief (UDB) was prepared by MHBC to illustrate how the proposed development implements the design visions of both the current and new Official Plan for the City of Burlington. The Brief demonstrates how the proposed development supports the general intent and policy direction of the proposed Burlington GO Major Transit Station Area (MTSA). The Brief draws policies from the City of Burlington Official Plan, City of Burlington Tall Building Guideline, and City of Burlington Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings.

The proposal is intended to create a compact transit-supportive development within the 'Mixed-use Node and Intensification Corridor' that will introduce increasingly dense forms of housing to the Burlington GO Major Transit Station Area (MTSA) that will help achieve the vision of a complete community. The proposal allows for the revitalization of an under-utilized property, into a pedestrian-oriented and transit-supportive residential apartment development that will diversify the housing stock in the community, encourage the use of active and public transportation, and contribute to the creation of a vibrant public realm.

The proposed residential redevelopment will create a well-defined, pedestrian-friendly public realm and streetscape along Grahams Lane, and will improve the quality, accessibility, and connectivity of surrounding streets to existing and future transit. Thoughtful building articulation, orientation, and massing ensure that the development is well-integrated with the existing and planned character of the surrounding context.

Enhanced landscaping and high-quality architectural design have been used to create a visually attractive built form that is pedestrian-scaled, engaging, and oriented to define the street edge. The buildings articulation and the use of high-quality materials with a defined colour palette will help with wayfinding, and create a landmark feature along Grahams Lane.

To conclude, the proposed residential apartments represents a high-quality design that facilitates intensification and revitalization of the Subject Lands, while allowing for an appropriate planned transition to the surrounding neighbourhoods, thereby promoting placemaking in the community.

The Urban Design Brief is included with the application submission under separate cover.

3.3 PROPOSED OFFICIAL PLAN AMENDMENT

The proposed Official Plan Amendment (OPA) for the proposed redevelopment seeks to amend the mapping and text of the City of Burlington Official Plan to facilitate the redevelopment of the Subject Lands with residential uses. The Subject Lands are currently designated as 'Mixed Use Corridor – Employment' in the City of Burlington Official Plan. The OPA seeks to redesignate the Subject Lands to a site specific 'Mixed Use Corridor- General' designation. As demonstrated in the following sections of this report, the proposed OPA is appropriate for the Subject Lands and is necessary to allow for the intensification of the underutilized lands, with a redevelopment which conforms to and implements the Growth Plan and the Regional Official Plan. With the new Official Plan under appeal, the Official Plan Amendment will seek to amend the in-effect Official Plan designation and associated policy framework as follows:

- The mapping of the Official Plan for the Burlington Planning Area is amended by changing the designation on the Subject Lands from Mixed Use Corridor - Employment to Mixed Use Corridor - General as shown on Schedule A, attached to the Draft OPA.
- The text of the Official Plan of the Burlington Planning Area is amended by adding the following site-specific policy at the end of Part III, Land Use Policies – Urban Planning Area, Section 5.3 Mixed Use Corridors, Subsection 5.3.2, General Policies, which reads as follows:

"X) For lands located at 1393 Grahams Lane:

i. Notwithstanding the policies of Part III, Policy 5.3.2.a)(i) and (ii), high density residential uses are permitted without the need to provide a mix of uses.

ii. Notwithstanding the policies of Part III, Policy 5.3.2.d)(i), of this Plan, a maximum floor space index of 4.25 shall be permitted.

iii. Notwithstanding the policies of Part III, Policy 5.3.2.d)(ii), of this Plan, a maximum building height of 20 storeys (plus mechanical penthouse and rooftop amenity) shall be permitted.

iv. Notwithstanding the policies of Part III, Policy 5.3.2.k, of this Plan, the re-designation of the lands designated Mixed Use Corridor - Employment to Mixed Use Corridor – General, shall be permitted to allow non-employment uses."

v. The land shall be classified as a Class 4 area as defined by the Ontario Ministry of Environment, Conservation, and Parks NPC-300 Environmental Noise Guidelines."

The draft OPA is included in **Appendix D** of this report.

3.4 PROPOSED ZONING BY-LAW AMENDMENT

The proposed Zoning By-law Amendment (ZBA) seeks to amend the mapping and text of the City of Burlington Zoning By-law 2020 to facilitate the redevelopment of the Subject Lands. A ZBA is required to re-zone the Subject Lands from 'Mixed Use Corridor- Employment (MXE)' zone to a site-specific 'Mixed-Use Corridor- General (MXG)' zone in order to permit the proposed residential development. Site-specific provisions are required to increase the: permitted floor area ratio; building height; and, maximum yard requirements abutting a street. Site specific provisions are also required to reduce the: minimum required yard abutting a street; required separation distance from a railway right-of-way; amenity area requirements; parking and accessible parking rate requirements; accessible parking pathway width; dimensions for long-term bicycle parking spaces; landscape area abutting a street; and, reduce the setback from a below-grade parking structure to the property line. All of these exceptions are appropriate to implement the proposed development as noted.

A draft ZBA is included in **Appendix E** of this report.

4.0 POLICY ANALYSIS

This section of the PJR provides an overview of the policy and regulatory context applicable to the Subject Lands. A detailed assessment of each policy document is provided in **Appendix F**.

4.1 PLANNING ACT

The *Planning Act*, R.S.O. 1990 (the "*Planning Act*"), consolidated February 22, 2024, represents legislation that governs land use planning throughout the Province of Ontario.

The *Planning Act*, s.2, sets out the matters of provincial interest which the Minister, the council of a municipality and the Tribunal shall have regard to when carrying out their responsibilities under the Act. Matters of provincial interest that pertain to the proposed development include:

- *The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;*
- *The orderly development of safe and healthy communities;*
- *The protection of the financial and economic well-being of the Province and its municipalities;*
- *The protection of public health and safety;*
- *The appropriate location of growth and development;*
- *The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;*
- *The promotion of built form that,*
    1) *Is well designed;*
    2) *Encourages a sense of place;*
    3) *Provides for public spaces that are of high quality, safe, accessible, attractive and vibrant; and,*
- *The mitigation of greenhouse gas emissions and adaptation to a changing climate.*

Planning Act Summary:

A detailed analysis of the applicable matters of Provincial Interest, in regard to the proposed development and amendments, can be found in **Appendix F**.

In summary:

1. The proposed OPA and ZBA allow for intensification within the built boundary on existing municipal services and will make efficient use of the existing services and public transit infrastructure in the area. As a result, the proposed development will contribute to the financial and economic well-being of the municipality.

2. The proposal represents orderly development through redevelopment of under utilized land through intensification within the Downtown Urban Growth Centre/Burlington GO Major Transit Station Area. The proposed redevelopment will provide housing required to achieve Provincial and Regional growth

targets in an MTSA through a range of unit sizes and will diversify the housing options available in the area.

3. The proposed development represents a high quality designed development with consideration given to the site's locational context. Elements of the design provide a compatible use and built form that are well integrated into the existing mixed use community through appropriate massing that frames the street and sites the structures accordingly.

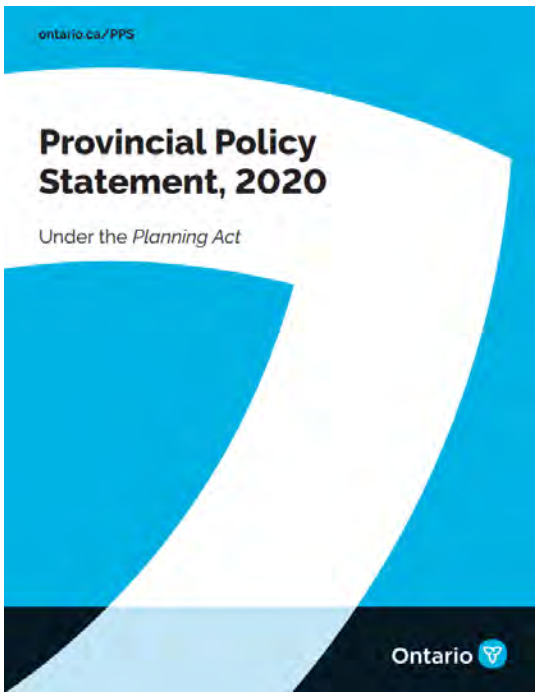
4. The Subject Lands are located within the Burlington GO MTSA that is a Primary Connector and Regional Express Rail ("RER"), and contains a number of existing commercial and employment uses. As such, future residents will have convenient options to access and use public transit and active transportation as an alternative to the car while supporting reductions in greenhouse gas emissions.

5. The proposal is located within the built boundary and within the Downtown UGC/Burlington GO MTSA. The highest level of intensification is to occur in Primary Growth Areas such as the UGC/MTSA and, as a result, the Subject Lands represent an appropriate location for transit supportive growth and development.

6. The proposed residential redevelopment will implement appropriate land use compatibility mitigation measures to ensure the protection of public health and safety.

The proposal has regard for all applicable matters of provincial interest as outlined in Section 2 of the Planning Act.

4.2 PROVINCIAL POLICY STATEMENT (2020)



On May 1, 2020, the Minister of Municipal Affairs and Housing issued an update to the Provincial Policy Statement (2020) (the "PPS"). The PPS provides a land use planning vision for development through Ontario that encourages the efficient use of land and public investment in infrastructure.

The PPS states that long term prosperity and social well-being of residents is dependent upon strong and sustainable communities and a strong and competitive economy. This vision for the land use planning system is dependent upon efficient and resilient development and land use patterns that support livable communities and facilitate economic growth. Land use planning decisions, including those made on applications for Official Plan Amendments and Zoning By-law Amendments, must be consistent with the PPS. This report further identifies how the proposal advances and implements the PPS policies beyond the current, in effect City of Burlington Official Plan policies, through an assessment of the Subject Lands' redevelopment proposal and amendments.

An analysis of the PPS 2020 policies, and how the proposed amendments are consistent with these policies, is provided below and provided in greater detail in **Appendix F**.

Section 1.1.1: Healthy, liveable, and safe communities outlines the decisions needed to create and maintain a healthy, liveable, and safe community by accommodating a market-based range and mix of residential types while promoting the integration of growth management, transit-supportive development, and intensification to achieve cost-effective development patterns, optimization of transit investments, and minimizing land consumption and servicing costs.

Section 1.1.3: Settlement Areas emphasizes that the regeneration of settlement areas is critical to the long-term prosperity of Ontario communities. The policy states that it is in the interest of communities to use land wisely and to promote efficient development patterns that ensure effective use of infrastructure while minimizing unnecessary public expenditures. Land use patterns are to be based on densities that are appropriate for, and efficiently use, the infrastructure that are planned, or available, and that are transit-supportive.

Policies 1.2.6: Land Use Compatibility requires that sensitive land uses shall be planned and developed to minimize and mitigate any potential adverse effects from noise and to ensure the long-term operational viability of major facilities in accordance with provincial guidelines, standards, and procedures.

Policy 1.4: Housing supports the provision of an appropriate range and mix of housing options, densities, and residential intensification through redevelopment, to meet projected market-based housing needs of current and future residents.

Policy 1.5: Public Spaces, Recreation, Parks, Trails and Open Space promotes the equitable distribution of publicly-accessible built and natural settings for recreation, that includes public spaces, open space areas, trails and linkages. Public streets, spaces and facilities are to be safe, meet the needs of pedestrians, foster social interaction, and facilitate active transportation and community connectivity.

Policy 1.6: Infrastructure and Public Service Facilities directs municipalities to provide these facilities in an efficient manner that prepares for climate change impacts yet accommodates projected needs. Municipalities are to accommodate forecasted growth through water and sanitary service provision that efficiently uses and optimizes existing services. New development proposed on lands adjacent to existing corridors and transportation facilities are to be compatible with the long-term purposes of the corridor and should be designed to mitigate negative impacts on and from the corridor and transportation facilities. Similarly, efficient use should be made of existing transportation infrastructure and connectivity amongst transportation modes should be improved.

Policy 1.7 Long-Term Economic Prosperity supports the creation of residential uses that respond to dynamic market-based needs including, the provision of necessary housing supply and range of housing options for a diverse workforce.

Policy 1.8 Energy Conservation, Air Quality and Climate Change encourages land use and development patterns, through transit-supportive development and intensification that promote a compact form and the use of active transportation and transit.

Provincial Policy Statement Summary:

In summary:

1. The proposed OPA and ZBA represents efficient development of underutilized lands within the City's Urban Growth Centre and MTSA utilizing existing municipal services.

2. The recommended OPA and ZBA will support the redevelopment and intensification of under utilized lands within the Built Up area. The redevelopment will contribute 722 residential units to the City's housing supply and provide new housing options and unit sizes through a higher density built form than currently exists, as described in the Housing Impact Study.

3. The proposed OPA and ZBA will allow for the redevelopment of the site with residential uses that introduce a compact built-form, within the Burlington GO MTSA/Urban Growth Centre, and that will efficiently use land through increased density and optimization of existing infrastructure.

4. The Subject Lands are suitable for intensification being in close proximity to the Burlington GO Station, Frequent Transit Corridor and MTSA Primary Connector, a bus route along Brant Street and within walking distance of a number of commercial and employment uses as well as public schools, parks and community facilities and the Hydro Corridor trail system. In this context, future residents will be provided a range of opportunities to reside in a complete community that contributes to services that meet residents' daily needs.

5. The proposed redevelopment will ensure the long-term operational viability of major facilities within the area and compatibility with the rail spur line to the west, through the provision of an appropriate setback to the property line in conjunction with a crash wall that will be designed and constructed in accordance with the requirements of federal guidelines and safety standards to address and mitigate impacts.

6. The redevelopment will take advantage of the existing public trail system that follows the Hydro Corridor which will provide future resident's with the ability to live within a healthy, walkable community.

7. The proposed development can be adequately serviced by existing and planned municipal water, sanitary, storm water and transportation infrastructure and will ensure the efficient use of this infrastructure.

8. The proposed development is designed in a compact and sustainable built form that achieves compatibility with surrounding uses, through designed mitigation measures which support its strategic location in the City's Burlington GO MTSA/Urban Growth Centre.

The proposed development and related OPA and ZBA are consistent with the policies of the PPS.

4.3 A PLACE TO GROW: GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE (August, 2020)

The Growth Plan for the Greater Golden Horseshoe 2019 was prepared and approved under the Places to Grow Act, 2005 and took effect on May 16, 2019. Amendment 1 (2020) to the Growth Plan was approved and took effect on August 28, 2020. The Growth Plan represents, "the Ontario government's initiative to plan for growth and development in a way that supports economic prosperity and helps communities achieve a high quality of life."



The Growth Plan creates the long-term framework for where and how the region will grow to ensure sufficient housing supply reflects market demand. The vision states that urban centres will be vibrant and characterized by more compact development patterns that provide a diversity of opportunities for living, working, and enjoying culture.

How land is developed is guided by several principles found in **Section 1.2.1: Guiding Principles** that includes the:

- Achievement of complete communities that meet people's needs for daily living;
- Prioritization of intensification and higher densities in Strategic Growth Areas to make efficient use of land and infrastructure and support transit viability; and the
- Support of a range and mix of housing options.

Section 2.2.1: Managing Growth provides policy direction that requires forecasted growth to 2051 to be allocated to areas that have existing or planned municipal water and sanitary services and can support the achievement of a complete community with a diverse mix of land uses and range of housing options, with convenient access to local stores, service, and public service facilities. Convenient access should also be provided to a range of transportation options and public parks and recreational facilities.

Section 2.2.2: Delineated Built-up Areas states that the annual minimum residential development occurring in Halton Region will be 50% within the delineated built-up area. The annual minimum intensification target of the Halton Region Official Plan will apply. Municipalities are required to develop a strategy to achieve the Region's minimum intensification target and the strategy will:

- Identify Strategic Growth Areas to achieve the minimum intensification target;
- Identify the appropriate type and scale of development in Strategic Growth Areas and transition of built form to adjacent areas;

- Ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities;
- Prioritize planning and investment in infrastructure and public service facilities to support intensification; and,
- Implement the strategies through official plan policies and designations, and through updated zoning to implement these annual intensification targets.

Within **Section 2.2.3: Urban Growth Centres,** the policies indicate that urban growth centres should be planned to accommodate significant population and employment growth. By 2031, or earlier, Burlington's urban growth centre will be planned to achieve a minimum density target of 200 residents and jobs combined per hectare. Similarly, **Section 2.2.4: Transit Corridors and Station Areas** requires that Priority Transit Corridors and Major Transit Station Areas are also to be planned for the minimum density target and a diverse mix of uses that support existing and planned transit service levels.

Section 2.2.6: Housing states that municipalities will support housing choice through the achievement of the minimum intensification and density targets of the Growth Plan to meet the projected needs of current and future residents. And to achieve a complete community, the Growth Plan indicates that Burlington will consider tools that require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.

Section 3.2.6: Water and Wastewater Systems will be planned, constructed or expanded for the system to serve growth in a manner that supports achievement of the Growth Plan's minimum intensification and density targets.

Growth Plan Summary:

A full analysis of the proposed development as it conforms to the relevant Growth Plan policies can be found in **Appendix F**.

In summary:

1. The proposal represents an intensification project within the delineated Built Boundary of a Settlement Area with existing municipal services. The site is also within the City of Burlington's Urban Growth Centre that is aligned with the Burlington GO Station which, is delineated as a Major Transit Station Area located on a Priority Transit Corridor. The area is currently serviced by commercial uses that meet the daily needs of current and future residents through a number of shopping and employment uses existing along Fairview Street and Brant Street and establishes the framework of a complete community.

2. The Growth Plan identifies the Burlington GO Station as a Major Transit Station Area (MTSA) located on a Priority Transit Corridor with an Existing Higher Order Transit Corridor (the GO rail network). The delineated MTSA that surrounds the Burlington GO Station is also designated as Burlington's Urban

Growth Centre. The proposed OPA and ZBA reflects a level of intensification appropriate within the City's physical and planned site context that supports the achievement of the required annual minimum residential intensification targets established by the Growth Plan and Halton Region Official Plan for Burlington's Urban Growth Centre. The proposal constitutes a residential development in a compact built form which is transit supportive and adjacent to the City's active transportation system.

3. The proposed development will provide a diversity of housing options within the immediate MTSA vicinity by providing apartment units in a range of unit sizes from studio to three bedrooms that will accommodate the needs of a variety of household formations and sizes, including families, as described in the Housing Impact Study. The added population will support existing and planned public transit services.

4. The proposal constitutes a residential development in a compact built form which is transit supportive and adjacent to the City's active transportation system.

5. The proposal contributes to the efficient utilization of the existing built up area's municipal services. The accompanying FSR prepared by Crozier Consulting Engineering confirms that there is existing water and sanitary infrastructure capacity that is able to accommodate the proposed development.

The proposed development and related OPA and ZBA conform to and implement the policies of the Growth Plan.

4.4 METROLINX 2041 REGIONAL TRANSPORTATION PLAN

On March 8, 2018, the Metrolinx Board of Directors adopted the "2041 Regional Transportation Plan for the Greater Toronto and Hamilton Area", that was an update to the 2008 Regional Transportation Plan (RTP) that was called, "The Big Move." The 2041 RTP's Vision for the region is to, "have a sustainable transportation system that is aligned with land use, and supports healthy and complete communities. The system will provide safe, convenient and reliable connections, and support a high quality of life, a prosperous and competitive economy, and a protected environment." The 2041 RTP's five strategies are tied to the growth policies contained within the Growth Plan for the Greater Golden Horseshoe with Strategy 4 representing the integration of transportation and land use.



The RTP states that transportation investments and decisions must align with land use plans. Regional collaboration, supported by appropriate regulatory measures, will encourage the planning of communities and active transportation networks. Strategy 4 is to intensify and integrate development at Major Transit Station Areas, as stations link people to jobs, schools and amenities. Sufficient land use density at stations is important to ensure significant two-way, all-day ridership and the Growth Plan prioritizes planning and sets density targets for development of stations on Priority Transit Corridors, such as the Burlington GO Station. MTSAs are intended to create important transit network connections while accommodating an intensive concentration of places to live, work, shop or play.

Strategy 4 recommends developing a process where Metrolinx is involved in reviewing planning applications, such as zoning by-law amendments, so that land uses are aligned to the RTP strategies. While the RTP identifies ten actions, the following six are applicable to the Burlington GO MTSA:

4.1 Develop an approach and framework for Metrolinx to review and provide input to secondary plans, publicly funded development plans and large-scale planning applications (e.g. at GO stations) to advise on alignment with the 2041 RTP

4.2 Make investments in transit projects contingent on transit-supportive planning being in place.

4.3 Focus development at Mobility Hubs and MTSAs along Priority Transit Corridors identified in the Growth Plan; and

4.4 Evaluate financial and policy-based incentives and disincentives to support transit-oriented development. Work collaboratively to build on and develop regional and site-specific measures and tools to encourage development that supports growth management and transportation objectives.

4.5 Plan and design communities, including development and redevelopment sites and publics rights-of-way, to support and promote the greatest possible shift in travel behaviour, consistent with Ontario's passenger transportation hierarchy.

4.8 Rethink the future of parking.

The RTP continues to utilize the term 'mobility hub' interchangeably with 'major transit station area'. The RTP defines mobility hub as follows:

"Mobility Hubs are Major Transit Station Areas at the intersection of two or more Frequent Rapid Transit Network routes, designed to support a high number of transit boardings and alightings, and facilitate seamless, efficient transfers between modes. They have and/or are planned to have a high density mix of jobs, residences, public services, and other land uses that encourage and support transit use and active transportation, or the potential to develop into areas with a high-density mix of land uses."

The definition of Frequent Rapid Transit Network is also defined and is used in the RTP Map 6 noted further below:

"A seamless and reliable network of transit services running at least every 10-15 minutes all-day, every day. The Frequent Rapid Transit Network will consist of transit routes and corridors that ensure fast and reliable service through the use of dedicated infrastructure, design elements, and other supporting investments as required (e.g., full grade separation, exclusive right-of- way, HOV lanes, queue jump lanes, wider stop spacing than conventional transit routes, signal priority, or other transportation systems management measures). The Frequent Rapid Transit Network proposed will allow transit users to make efficient transfers between routes on the network, which includes subways, bus rapid transit, light rail transit, frequent (15-minute) two-way all-day GO rail, Priority Bus corridors, and Frequent Regional Express Bus."

The RTP provides Map 6: Complete Frequent Rapid Transit Network that identifies the services of the Burlington GO MTSA. This map indicates that there are three Frequent Rapid Transit routes in the vicinity of the Burlington GO Station:

- GO Rail – 15 minute, Two-Way, All-Day (Lakeshore West Line);

- Priority Bus Route (Dundas Street/Brant Street);
- Priority Bus Route (Harvester/Speers/Cornwall).

As the Subject Lands are located within a Mobility Hub, the RTP states that *"Mobility Hubs present a vital opportunity to maximize the benefits of transit investments, establish a well-connected regional transit network, and foster transit-oriented development through collaboration by public and private sectors."*

Metrolinx 2041 Regional Transportation Plan Summary:

The proposed development implements the land use actions required to support the transportation and land use strategy of the Metrolinx 2041 Regional Transportation Plan. This includes the redevelopment of the Subject Lands to a higher density development in support of a shift in travel behaviours from vehicular use to transit and active transportation systems, and through land use tools such as reduced parking. The proposal represents transit-supportive intensification within the Burlington GO Mobility Hub, and assists in implementing the vision of the 2041 RTP.

4.5 REGION OF HALTON OFFICIAL PLAN (ROPA 49, November 4, 2022)

The Region of Halton Official Plan (ROP) serves as Halton's policy document for land use planning for growth to 2051. The ROP establishes the goals and objectives that manage growth with policies that direct physical land use change that positively supports social, economic and natural environments. The ROP has had various comprehensive reviews and amendments since its original adoption in 1997. The most recent amendments were the Region Official Plan Amendment No. 48 ("ROPA 48") that established the urban and rural structures, including the hierarchy of Strategic Growth Areas, and identifying intensification and growth targets to 2051, followed by Regional Official plan Amendment No. 49 ("ROPA 49") that identified the population and employment distribution and densities to the lower-tier municipalities, including the City of Burlington.

ROPA 48 and ROPA 49 made several key policy changes to the Official Plan:

- Updating Table 1 to the year 2051 for population and employment forecasts region-wide;
- Distributing intensification and density targets to lower-tiers;
- Adding new Table 2b that identifies the minimum density targets for Strategic Growth Areas;
- Altering the location of the Burlington Urban Growth Centre from the historic downtown area to the Burlington GO MTSA;
- Delineating the boundaries of the Burlington GO and adding applicable MTSA policies; and,
- Employment Area conversions that removed the Subject Lands from the Region's Employment Area overlay.

The hierarchy of the Regional Urban Structure, as established in the ROP, lays out broad land use designations to generally guide growth and development in various areas of the municipalities, while the lower-tier municipal Official Plans refine these broad land uses to more area-specific land use designations with more specific permitted uses and policies. The ROP also provides general guidance for redevelopment, creation of complete communities and intensification.

The Region is expected to have a population of 929,400 by 2041 increasing to 1,098,070 by 2051. In Burlington, the population is expected to increase by 45,050 persons between 2021 and 2041 to 240,050 persons and reach a population of 265,160 by 2051 (Halton ROP, Table 1).

Table 2: Intensification and Density Targets indicates that the intensification target of new housing units required to be built within Burlington's built-up area by 2041 is 20,500 units. The phasing of building these new units is identified in **Table 2A: Regional Phasing**, that indicates that in Burlington, 4,790 units are to be built within the City's Built Boundary by 2026, followed by 5,090 built between 2027 and 2031, 5,170 built between 2032 and 2036 and 5,270 built between 2037 and 2041. This represents 20,320 new units that are to be built within the next 25 years.

Table 2B: Strategic Growth Area Targets identifies that the minimum density target of residents and jobs combined per hectare ("ppj/ha") for the Downtown Burlington Urban Growth Centre (UGC) / Burlington GO Protected Major Transit Station Area (PMTSA) that is on a Priority Transit Corridor is 200 ppj/ha. The general target proportion of persons to jobs is to be 65% residents to 35% jobs throughout the Burlington GO UGC and based on s.55.3 that states that specific minimum density targets for UGCs are to be achieved by 2031 or earlier. The proportion of residents and jobs in SGAs may be refined by lower-tier municipalities.

The following designations of the Region of Halton Official Plan apply to the Subject Lands:

- **Map 1: Regional Structure**- Urban Area **(Figure 5);**
- **Map 1H: Regional Urban Structure**- Strategic Growth Area, UGC/MTSA **(Figure 6);**
- **Map 6b: Downtown Burlington UGC / Burlington GO MTSA-** UGC/MTSA **(Figure 7);** and,
- **Map 3: Functional Plan of Major Transportation Facilities**- Minor Arterial (Brant Street), & Multi-Purpose Arterial (Fairview Street) (**Figure 8).**

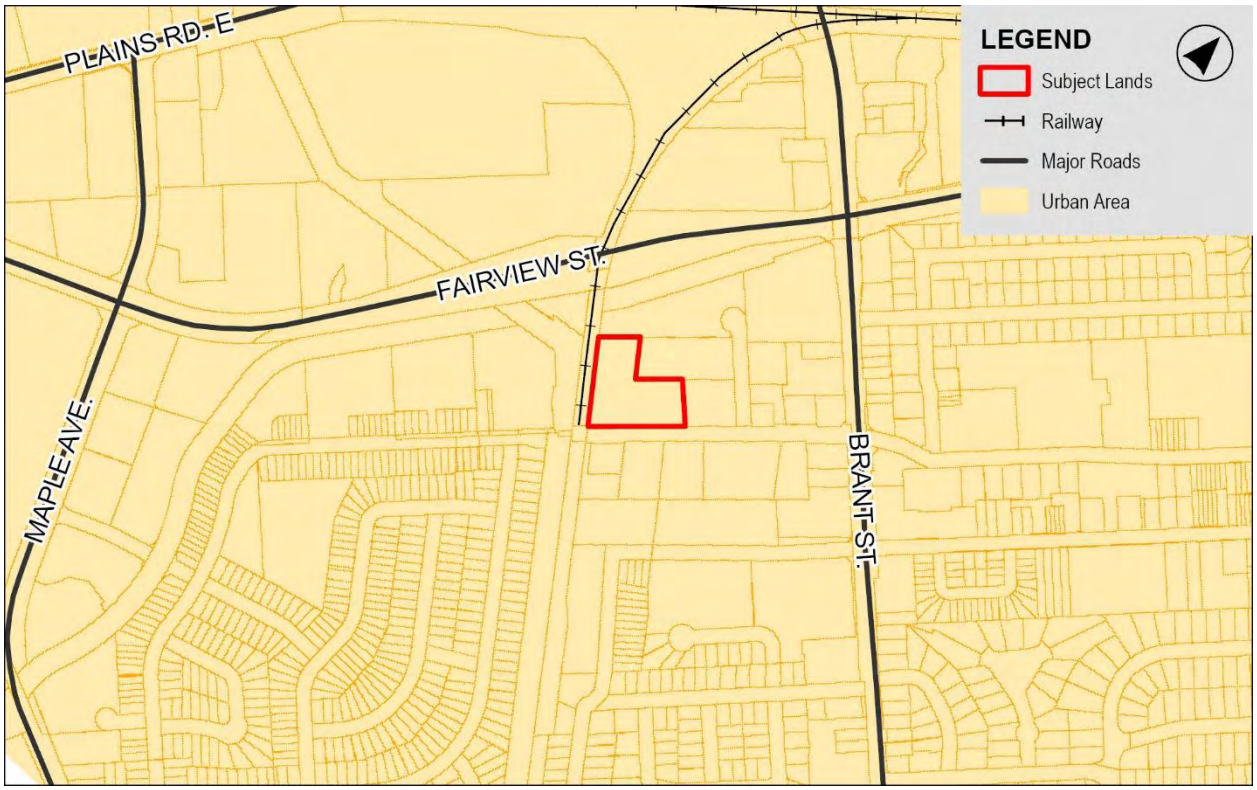


Figure 5- Region of Halton Official Plan, Map 1: Regional Structure

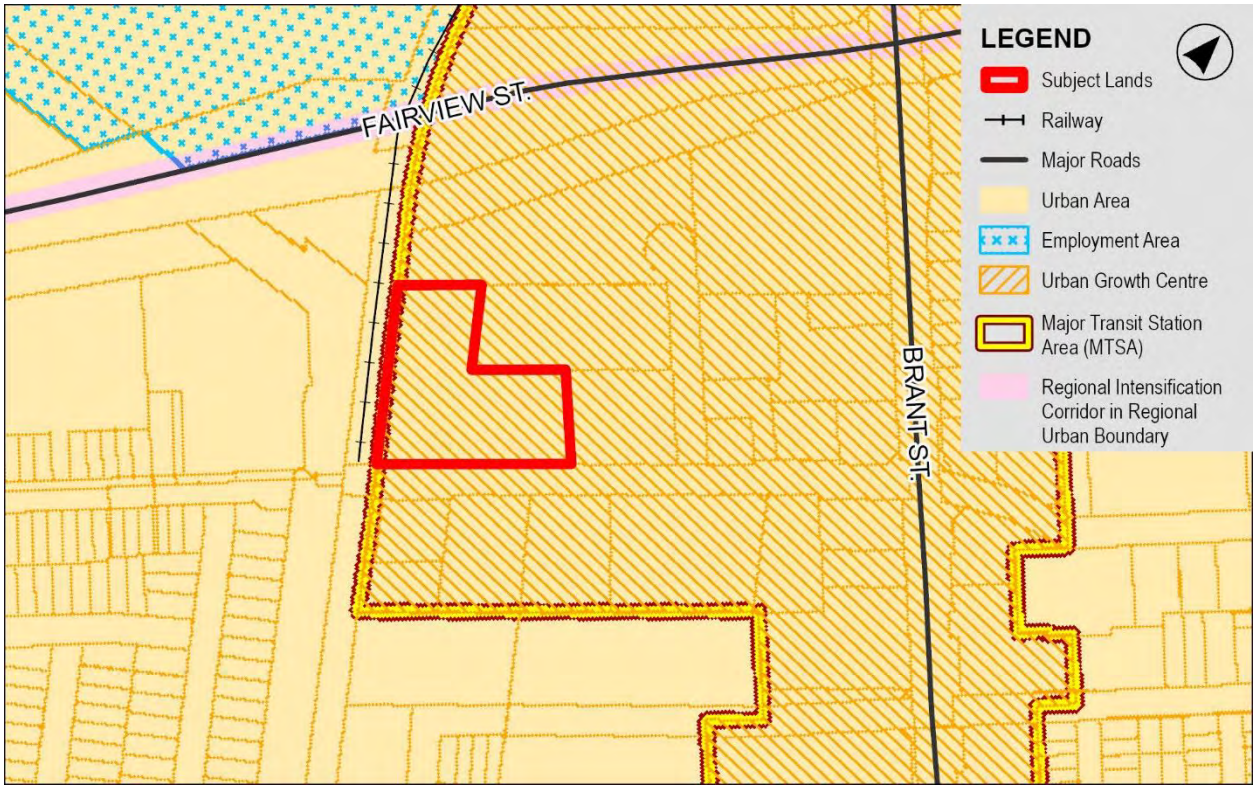


Figure 6- Region of Halton Official Plan, Map 1h: Regional Urban Structure

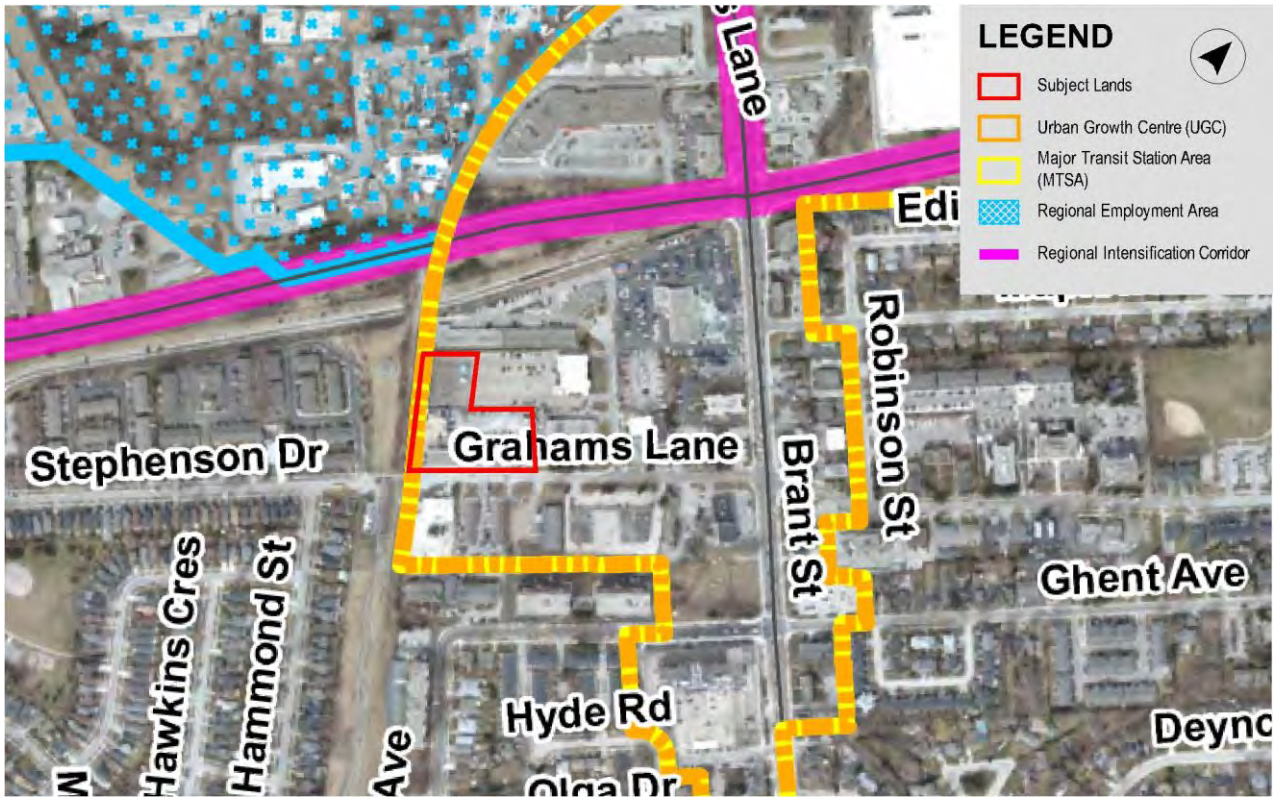


Figure 7- Region of Halton Official Plan, Map 6b: Downtown Burlington UGC / Burlington GO MTSA

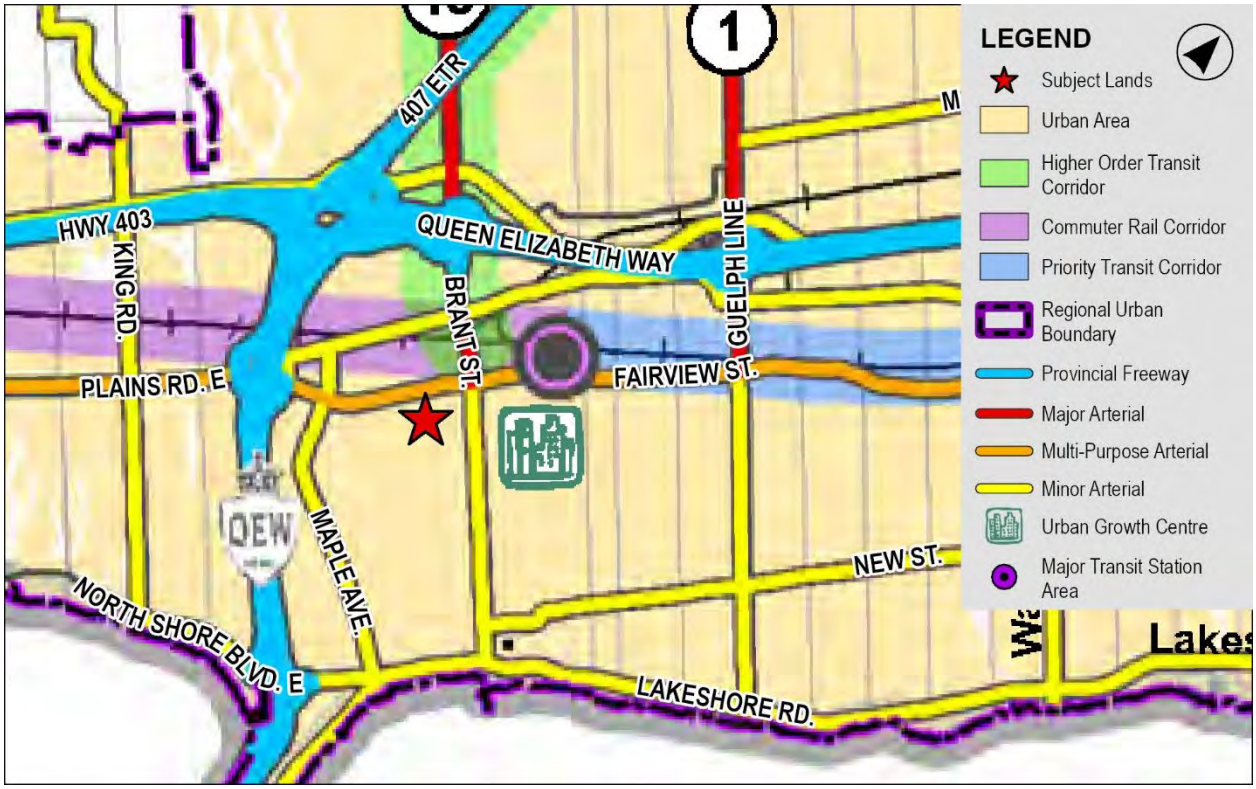


Figure 8- Region of Halton Official Plan, Map 3: Functional Plan of Major Transportation Facilities

The ROP, Map 1: Regional Structure places the Subject Lands within the Burlington's built boundary and within the City's 'Urban Area' (**Figure 5**). According to Map 1h: Regional Urban Structure, the Subject Lands are also within the delineated 'Downtown Burlington GO MTSA and Burlington Urban Growth Centre' (**Figure 6**). The Subject Lands location within the 'Downtown Burlington GO MTSA' is more clearly delineated in Map 6b – Downtown Burlington UGC/Burlington GO MTSA (**Figure 7**). The Subject Lands are located immediately southwest of Brant Street and Fairview Street which are identified as a 'Minor Arterial Road' and a 'Multi-purpose Arterial', as per Map 3: Functional Plan of Major Transportation Facilities (**Figure 8**).

Section 72: Urban Area and the Regional Urban Structure, states that the goal of the structure is to manage growth in a manner that fosters complete communities, enhances mobility and improves housing affordability, sustainability and economic prosperity. The objective in the Urban area is to support a form of growth that is compact and supportive of transit usage and to direct growth to Strategic Growth Areas through facilitating intensification and increased densities.

Section 77(5)f.1) states that Area-Specific Plan or policies for major growth areas prepared by Local Municipalities shall consider land use compatibility in accordance with Regional and Ministry of the Environment Guidelines.

Section 79: Strategic Growth Areas, that includes Urban Growth Centres and Major Transit Station Areas, as identified on Maps 1H and 6b, states that the Region's objective is to provide an urban form in

these areas that uses space more economically, promotes live-work relationships, fosters social interaction, enhances public safety and security, promotes active transportation and is environmentally more sustainable in order to promote the development of complete communities. Another objective is that development in Strategic Growth Areas, will provide opportunities for more cost-efficient and innovative urban design, a diverse mix of land uses, a vibrant/diverse pedestrian-oriented environment, and cumulatively attract a significant portion of population growth. Similarly, the Region's goal is to achieve higher densities than the surrounding non-SGA areas. Local Municipalities are required to include Official Plan policies and Zoning By-law's to meet intensification and mixed-use objectives with prescribed minimum development density of 200 ppj/ha in the UGC/PMTSA Strategic Growth Area, as per ROP **Table 2b**, to support existing and planned transit services.

Section 80: Urban Growth Centres, indicates that a Regional objective for UGCs is that these areas will serve as focal areas for investment in institutional and region-wide public services, as well as commercial, recreational, cultural and entertainment uses. Urban Growth Centres will function as primary Strategic Growth Areas of the Regional Urban Structure hierarchy where a significant share of population growth will be accommodated. The policy of the Region is to require that UGC are planned to achieve the minimum 200 ppj/ha by 2031 or earlier as identified in **Table 2** of the ROP.

Section 81: Major Transit Station Areas, indicates that the Regional objectives for MTSAs include leveraging infrastructure investments to support a significant share of growth to achieve transit-supportive densities. Local Official Plans are to also identify minimum densities of buildings authorized within a MTSA such as the Downtown Burlington GO MTSA. The ROP MTSA/PMTSA policies direct development with higher densities to PMTSAs and require that Local Official Plans plan to achieve the 200 ppj/ha minimum density target. Local Official Plans are also required to identify land uses that support complete communities. Development of sensitive land uses should achieve land use compatibility through the mitigation of adverse effects and any potential adverse impacts on other uses that may be vulnerable to encroachment.

Section 84: Housing, states that the goal of Halton Region is to supply the people of Halton with an adequate mix and variety of housing to satisfy differing social and economic needs. The Region's policy is to adopt the housing target requiring that 65% of new housing units produced annually will be in the form of multi-storey buildings to the year 2031, followed by at least 75% per year thereafter.

Section 143: Air and Ambiance, requires that proposed development adjacent, or in proximity to, railway lines or railway yards to undertake noise and vibration studies, to the satisfaction of the Region, the Local Municipality and the Ministry of the Environment and in consultation with the appropriate railway agency, if the development is within 75 m of a railway right-of-way or yard. Land use compatibility is to be achieved between sensitive land uses and major facilities, to minimize and mitigate any potential adverse effects from odour, noise, vibration, air pollutants, and other contaminants to minimize risk to public health and safety, while ensuing the long-term operational and economic viability of major facilities.

Section 172: Transportation, indicates that one objective of the Region is to ensure that development is designed to support active transportation and public transit and to integrate transportation planning, land use planning and investment in infrastructure. Another objective is to promote land use patterns and densities that foster strong live-work relationships that can be effectively served by public transit and active transportation.

Section 192 (5.2) Land Use Compatibility Guidelines, indicates that the policies of the Halton Region Official Plan prevail over the Region's Guidelines. The Guidelines defer to the Ministry of Environment's D-Series in regards to situations wherein amendments to Official Plans are proposed to permit sensitive uses near employment area uses. In such cases, the Guidelines provide directives to lower-tier municipalities regarding various mitigation approaches. The Guidelines note that a building's design may be utilized to mitigate adverse impacts and protect public health and safety through adherence to the Ontario Building Code.

Region Official Plan Summary:

A full analysis of the proposed development's conformity with the applicable Halton Region Official Plan policies may be found in **Appendix F**.

In summary:

1. The proposal conforms with the Regional Official Plan's growth and land use objectives. The Subject Lands are located within the Downtown Burlington Urban Growth Centre / Burlington GO PMTSA which will allow the proposed development to support transit services while also reducing residents reliance on vehicles. Housing choice within the MTSA is provided to residents through the provision of varying unit sizes to provide a range of units sizes that meets the diverse needs of various households. Intensification within the UGC and MTSA is a Provincial and Regional objective and the proposal reflects an appropriate level of intensification within this specific geographic and targeted growth area context.

2. The Subject Lands are located within walking distance of the Burlington GO Station itself. The proposed development is designed in an urban form that will utilize urban lands more efficiently through mid and high-rise compact buildings. The proposal will add new housing units in support of the complete community of the Downtown Burlington UGC/Burlington GO PMTSA, as outlined in the Housing Impact Study.

3. The proposal conforms with the policies requiring minimum and higher densities to be located within Strategic Growth Areas that are transit supportive. The proposed conceptual site plan contains appropriate landscaping to enhance the visual amenities for pedestrians utilizing Grahams Lane and the Hydro Corridor pathway system adjacent to the proposed development.

4. The proposal recognizes the Subject Lands' location near public facilities and amenities within the PMTSA (MTSA and UGC) while optimizing the use of the land. The associated planning instruments facilitate the proposal and implement the intensification policies of the ROP, allowing for residential uses and increased density that will support local commercial services, as well as transit services and active transportation systems.

5. The proposal is located within a Major Transit Station Area as delineated by the Region and represents contextually appropriate intensification of the Subject Lands that will maximize the number of potential transit users within walking distance of the Burlington GO Station.

6. The proposal for a mid to high-rise development with 9, 16 and 20 storey buildings is contextually appropriate within the Downtown Burlington UGC/PMTSA given its proximity and walking distance to the Burlington GO Station. The proposal will increase the mix of housing by density, type and accessible housing in the immediate geographic area. It will make for more efficient use of developed lands within the Settlement Area boundary through the intensification of an existing site. The development has been cited and designed to ensure compatibility with the existing employment uses to the south and east and will incorporate appropriate mitigation measures as required.

7. As stated in the feasibility-level LUC Study completed by RWDI, through the implementation of appropriate mitigation measures and additional review, as recommended in the LUC and NVIS, impacts to and from the proposed development will be addressed.

Through the provision of additional height, density, and mix of residential dwelling units to meet the needs of the current and future population, the proposed development contributes to the achievement of the objectives and policies for Urban Areas, Strategic Growth Areas, MTSAs, UGC, as well as policies on intensification, and housing. The proposed development represents an appropriate level of intensification that is an efficient use of land serviced by existing infrastructure. The proposed buildings will achieve the Region's minimum intensification growth targets established for the area and will support transit service use while creating an attractive built form. The proposal will optimize the site's development potential within the Downtown Burlington Urban Growth Centre/Burlington GO MTSA. The proposed development and associated OPA and ZBA conform with the Halton Region Official Plan through the provision of 722 new residential units within the City of Burlington and assists the Region in achieving the minimum planned target for new housing units built and planned population targets to 2031, 2041 and 2051.

4.6 CITY OF BURLINGTON OFFICIAL PLAN (IN FORCE)

On October 24, 2008, the Ontario Municipal Board approved the City of Burlington Official Plan that is in force and effect (the "current BOP" or "in-force BOP"). An office consolidation was undertaken on December, 2019, to update Official Plan text and maps. The consolidation incorporates all modifications and amendments to the Plan up to the date of the consolidation. These modifications and amendments up to December, 2019, included the adoption of policies to bring the Burlington Official Plan into conformity with Regional or Provincial Plans, such as through OPA 55 that brought the Official Plan into conformity with the Growth Plan 2006.

It is important to note that the current, in effect BOP is not in conformity with the current, in effect Halton Region Official Plan. Under the Region Official Plan, the Subject Lands are no longer within the 'Region Employment' Overlay. This signifies that the current designation of the Subject Lands, as 'Mixed Use Corridor – Employment' is no longer in conformity with the in force and effect Region Official Plan that designates the land as the 'Downtown Burlington Urban Growth Centre and Burlington GO MTSA'. As the proposal is seeking the redesignation of the lands from 'Mixed Use Corridor – Employment' to a site-specific 'Mixed Use Corridor – General', the policies of the 'Mixed Use Corridor – General' will be assessed below.

The following designations of the City of Burlington Official Plan apply to the Subject Lands:

- **Schedule A: Settlement Patterns**- Mixed Use Activity Areas **(Figure 9);**
- **Schedule B: Comprehensive Land Use Plan – Urban Planning Area**- Mixed Use Corridor – Employment **(Figure 10);** and,
- **Schedule J: Classification of Transportation Facilities-** Grahams Lane is identified as a 'Collector' Road, while Brant Street to the east is a 'Minor Arterial', Fairview Street to the north is a 'Multi-Purpose Arterial', and the spur line to the west is identified as a 'Rail Line' **(Figure 11).**

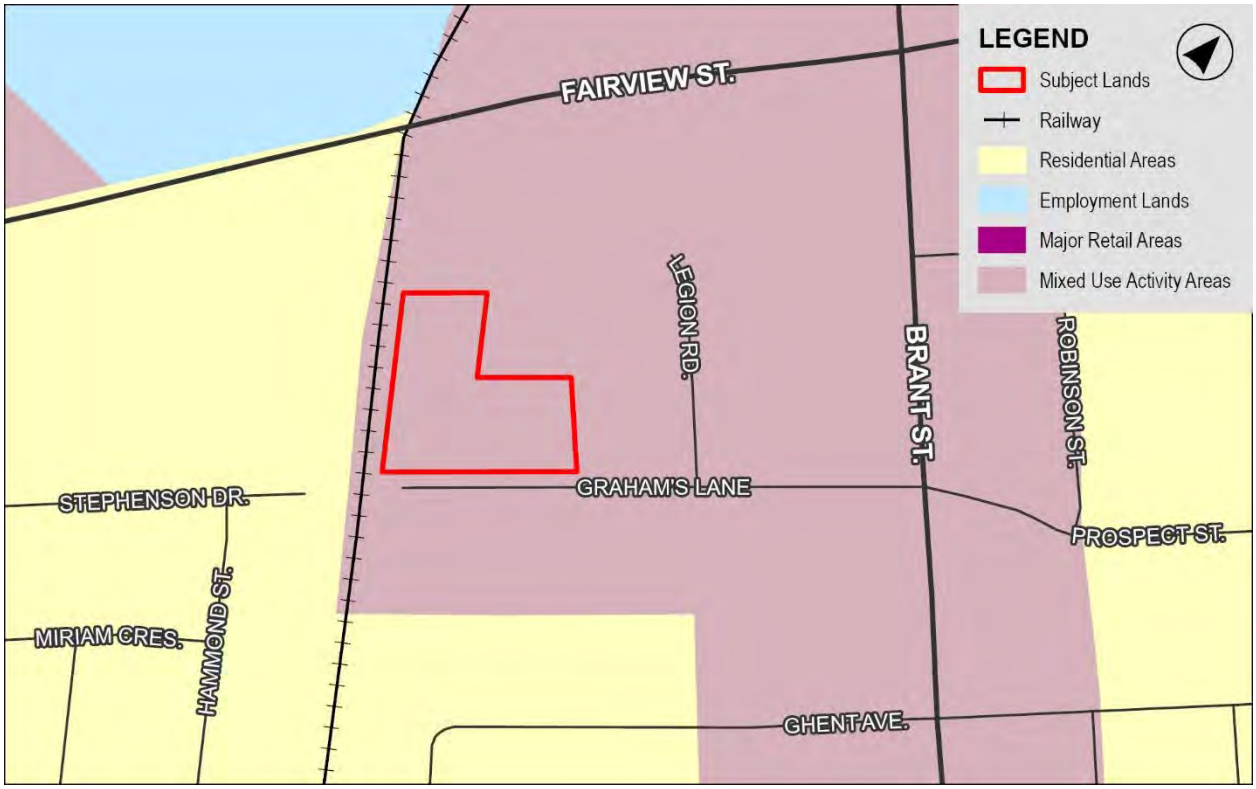


Figure 9- City of Burlington Official Plan, Schedule A: Settlement Patterns

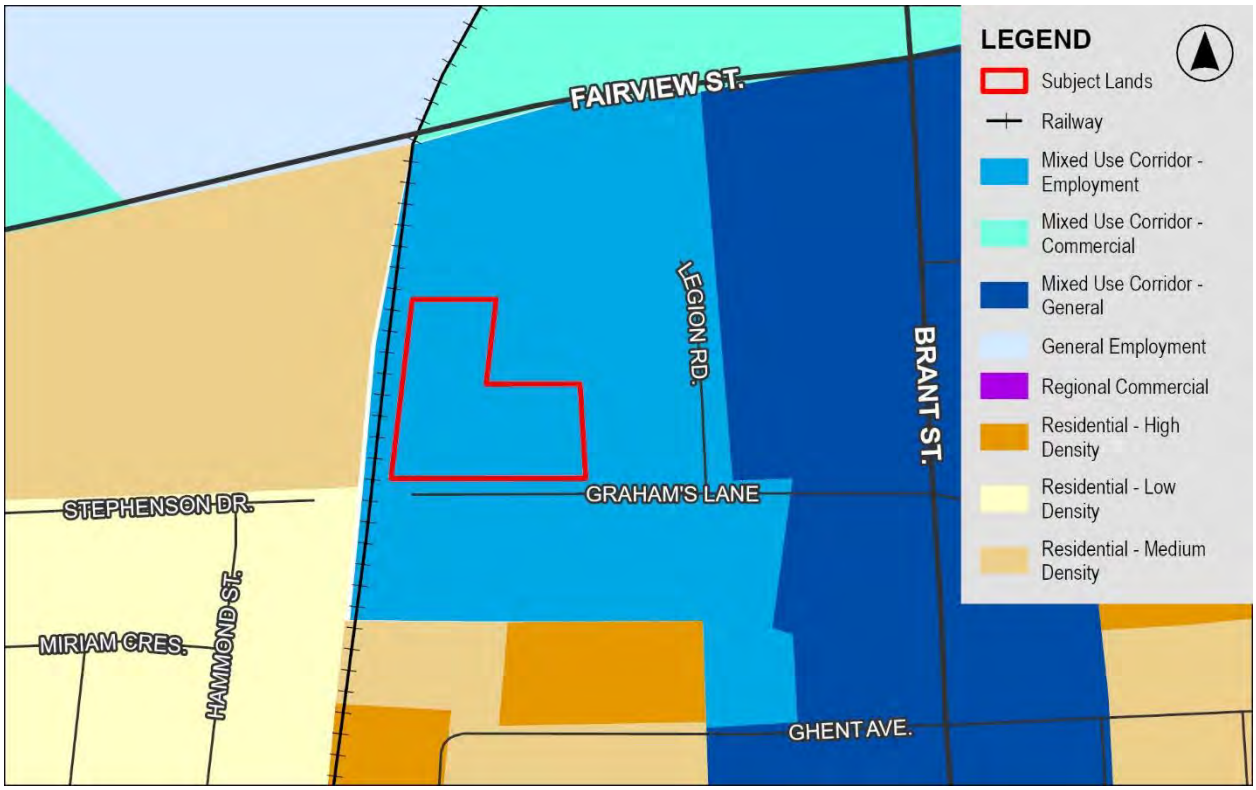


Figure 10 – City of Burlington Official Plan, Schedule B: Comprehensive Land Use Plan – Urban Planning Area

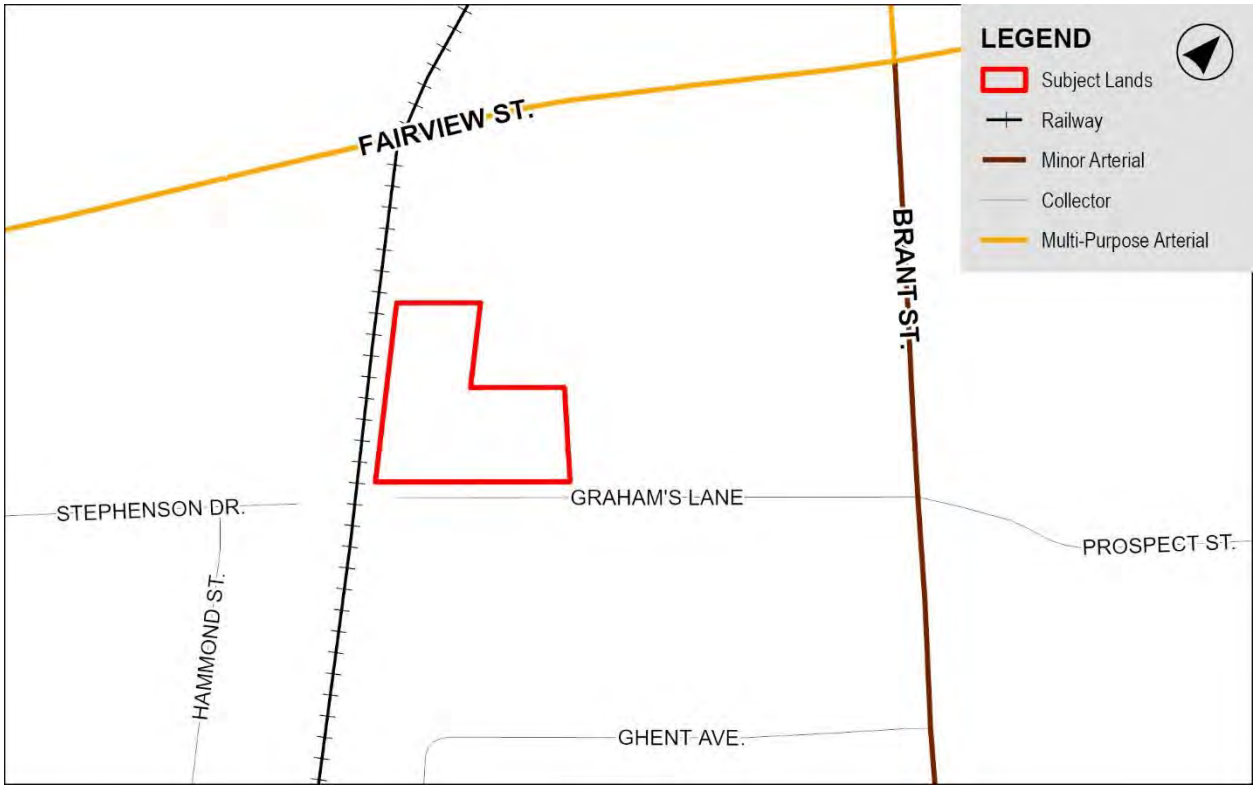


Figure 11-City of Burlington Official Plan, Schedule J: Classification of Transportation Facilities

The following summary of the relevant current BOP policies includes an analysis of how the proposed development conforms to the general direction and policies of the BOP and how the proposed site specific OPA conforms with the goals and objectives of the BOP.

Part I: Policy Framework

In BOP, Part I, section 3, the BOP sets out Guiding Principles that are applicable to all development throughout the City of Burlington. While these foundational statements from 2008 represent the land use ideas at that time, they continue to be applicable and provide an important consideration in evaluating intensification within MTSAs. In conformity with the Growth Plan and ROP, the BOP identifies MTSAs as areas within 500 to 800 m of a higher order transit station, which includes the Burlington GO Station.
Guiding principles for the urban and rural environment
include:

- *Provide a community plan and growth strategy aimed at creating an attractive, liveable community that offers a wide range of housing, employment, transportation, and leisure opportunities.*
- *Support a healthy, clean and sustainable community based on an ecosystem approach and the implementation of the principles of Sustainable Development, by ensuring that environmental integrity and diversity, social and economic factors, and compatibility are considered in land use decisions.*
- *Ensure that the City's infrastructure and services are maintained or expanded at a level that is fair, realistic and affordable.*

- *Foster a unique, vibrant and strong community identity.*
- *Create a community development pattern that supports the existing business community and promotes new business development opportunities, by protecting critical areas of economic enterprise and promoting a variety of locations for economic activity.*
- *Promote safety and health in the community as well as fair access to housing, municipal services, community facilities, education facilities and economic opportunity.*
- *Promote the efficient use of land through intensification within appropriate areas of the City, in accordance with provincial growth management objectives, while recognizing the need for balancing this objective with other planning considerations.*

Through the design of the proposed development, the proposal has carefully considered and applied these guiding principles. The development provides for intensification and growth at an appropriate location in the Urban Growth Centre as determined and delineated by the City and Region. It delivers on the Province's growth objectives while balancing other objectives of the current Official Plan. It will enhance and contribute to the creation of an attractive and livable community that provides access to housing within close proximity to services, community facilities, parks, schools, and retail services.

The proposal adds new housing opportunities in the Urban Growth Centre and efficiently utilizes serviced land. The increased growth and density will support existing and future local businesses and existing and planned public transit services, while future residents will be living in proximity to a number of recreational and community facilities located throughout the neighbourhood. The Downtown Urban Growth Centre/Burlington GO MTSA represents an appropriate location for intensification due to the higher levels of existing and planned transit service. The proposed development helps achieve the City's intensification growth and density targets.

Land Use Vision

In the BOP, **Part 1, Section 4: Land Use Vision**, states in **Section 4.1**, that the vision is based on the City's mission statement to direct growth in a manner that enhances the City's character while providing a broad range of opportunities for its residents and businesses. The Vision acknowledges that the guiding principles provide direction on the image to be created. **Sections 4.2 and 4.3** identify that the existing built form and environment in Burlington is going to change from the current, typical suburban community to acknowledging that growth will be in the form of intensification and redevelopment within the existing urban boundary.

Section 4.2: The Present Built Form and Natural Environment *D53, notes that the historical built form of the City reflected the residents' belief that there were no limits to settlement boundary expansions as a result of there being an abundant supply of developable land available during a post-WWII era. Since that time, a generational perception shift has occurred wherein the BOP's vision reflects this. This revised vision acknowledges that as the City matures from a more suburban form, that a significant amount of its future growth will be in the form of intensification and redevelopment within the existing urban boundary.

The Plan notes that, by securing urban boundaries, the challenge will be to accommodate land supply demands while maintaining stability and compatibility.

Section 4.3: The Future Built Form and Natural Environment, identifies through the BOP, that the City encourages the following:

- The development of a greater diversity of housing types to meet the changing needs of the population;
- The development of a more self-contained City by encouraging a greater live-work relationship;
- Focusing more intense land uses into specified mixed use centres;
- A move toward a more balanced transportation system; and,
- A greater emphasis on the long-term preservation and conservation of significant natural features with greater public access.

Population growth is to be directed toward underutilized or vacant parcels in existing communities where new residential growth will be mainly in the form of more compact housing served by various modes of transportation and in closer proximity to jobs, shopping and leisure areas. Infill development is also encouraged on vacant and under-utilized lands while enhancing the quality of life features that exist in neighbourhoods and which must be considered in the review of any new and/or intensified development proposals.

The proposal supports and builds upon the City's land use vision of a future built form. Through the intensification of a site that is in close proximity to the Burlington GO Station, the proposed development will respect the existing mixed use densities of the area through compatible design. Housing is provided for a diversity of households within a compact built form that reflects the changing needs of smaller and larger households and an aging population who may be seeking smaller and more affordable housing options closer to transit services. The height, form, and density of the development is consistent and compatible with other approved developments in the MTSA area as noted in Table 3 of this report.

Part II Functional Policies

The Burlington Official Plan, **Part II: Functional Policies** provides further principles, objectives and policies that are applicable throughout the municipality regardless of land use designation. These matters are to be read in conjunction with all other principles, objectives and policies of the plan and provide policies that guide the City's functional elements of growth and development related to sustainability, infrastructure services and transportation.

Part II, Section 2.7: Sustainable Design and Compatibility is applicable to the proposal as it provides an overview of the City's sustainable development objectives that ensure, through the site planning process (i.e. the next step after this proposed application), that the building layout and urban form is efficient, safe, accessible, affordable and energy efficient and to encourage active transportation accessibility. During the site planning stage, development will be reviewed to ensure efficiency of land use

in terms of energy, travel time, intensity and density. Development that provides choices in housing, shopping, employment and transportation will be encouraged. Transportation Demand Management strategies will be used to encourage increased transit ridership, walking and bicycling.

The proposed development will, at the time of the site plan application stage, be designed based on the sustainable development objectives and policies. The Subject Lands are within walking distance to public transit services and to a number of community and recreational facilities, as shown in Table 1 and 2 of the report. The proposal represents an efficient use of serviced land located within the built boundary and in proximity to existing commercial areas, employment opportunities and transportation networks, making the area accessible to the proposed development's future residents by providing opportunities for active transportation, including walking, cycling and public transit use. The proposed development has been evaluated through a Sustainable Building and Development Guidelines Checklist, prepared by Kohn Partnerships Architects, enclosed with this application.

Part II, Section 3: Transportation contains transportation system policies that state that City of Burlington will design roadways through 'Context Sensitive Design' where serious constraints, such as property impacts and cost, require flexibility in design to achieve an optimal solution. The transportation functional policies also promote the development of cost-effective transit services through transit-supportive land uses and transportation plans in areas of development including mixed use corridors and centres. Development applications shall be reviewed to ensure that, where feasible, proposed land development encourages the efficient and effective use of transit services.

The proposed development supports the noted functional transportation objectives and conforms to the policies given the planned intensification of the site which increases population that will utilize the public transit services and facilities. The proposal's location within walking distance of the Burlington GO Station and proximity to walkable trails and safe streets for cyclists and pedestrians, will maximize the cost-effectiveness and coordination of local transit services with Provincial and Regional transportation initiatives.

Part II: Section 3.3: Roads of the BOP contains policies that indicate that Grahams Lane is a Collector Road. According to Section 3.3, **Table 1: Function & Classification of Transportation Facilities of the BOP**, Collector Roads serve local travel demands and connect neighbourhoods to one another while distributing traffic to, and from, arterial roads. Collectors may provide convenient local transit routes and be 2 to 4 travel lanes in width while providing up to 12,000 vehicles/day. On-street parking is generally permitted, although mainly on one side. Right-of-way widths are between 20 to 30 m, unless specifically identified. The BOP, **Table 2: Road Allowance Widths** do not indicate a specific road allowance width for Grahams Lane, but notes that road allowance width of all other roads are deemed to be 20 metres. The policies also indicate that road allowance widths shall be protected, and where widenings are required and shown on **Table 1**, they will be secured through the development process of the approval of plans for subdivision, consents, rezonings and site plan agreements. The section states that development close to a rail spur line service will be encouraged for employment uses, but this is no longer in conformity with

Provincial and Regional policies directing high density residential development adjacent to the Metrolinx rail corridor within MTSAs. As the lands are not within 50 metres of a provincial freeway, multi-purpose arterial or minor arterial road, a noise study is not required.

The proposed development has been designed with one access point from Grahams Lane to consolidate vehicular access that will ensure a safe, controlled access. The Subject Lands provide convenient access to active transportation systems, namely the Hydro Corridor public trail system in proximity to the proposed development site that is accessible via the west end point of Grahams Lane.

Section 3.7, Rail: states that new residential development or sensitive land uses located within 75 m of a railway right-of-way or railway yard shall be required to undertake noise and vibration studies, by a qualified consultant**,** in accordance with Provincial policies, to the satisfaction of the Region of Halton, the City, and the Ministry of the Environment, in consultation with the appropriate railway agency.

The study and recommendations in the NVIS prepared by RWDI have addressed the requirements in relation to the rail spur line.

The BOP, Section 6: Design, establishes that the public expects a high standard of architecture, that is designed in an efficient, attractive and compact manner. Preference will be given to design containing a more compact form of development that support higher densities, are pedestrian oriented and encouraged increased use of public transit. The section also provides general design directives for development that guide the density, form, bulk, height, setbacks, spacing and materials that are encouraged to be incorporated with the design of the lands and building. The policies state that to ensure compatibility and quality of the built environment, the City will allow for a diverse design expression. The creation of a continuous streetscape environment shall be encouraged with emphasis on maintaining the continuity of grade-related activity areas, both inside and outside of buildings. The location and amount of parking areas shall be reviewed to minimize impacts on the public streetscape.

The proposal provides a high quality design and compact development that balances the need for higher density within the UGC/MTSA while maintaining compatibility within the mixed land use and evolving context. The proposed built form achieves this by efficiently utilizing the site through the incorporation of underground parking, landscaping, and accessible amenity space. The urban design features of the proposal are discussed in greater detail in the accompanying Urban Design Brief prepared by MHBC, which provides a detailed assessment of the proposal's design merits in relation to the physical context.

Part III: Land Use Policies

The BOP, Part III: Land Use Policies – Urban Planning Area provides the land use policies for the Subject Lands' current location within the Mixed Use Activity Area and with its designation as a 'Mixed Use Corridor – Employment'. As noted previously, the Subject Lands are no longer designated as Employment

Area under the recently approved Halton Region Official Plan, as they are now delineated by the ROP as being within the 'Downtown Burlington UGC/Burlington GO MTSA'.

The BOP, **Section 5.3.1** contains the objectives for development within Mixed Use Corridors that indicate that these are areas 'within the vicinity of a major transit station area' rather than being 'within' the MTSA. The key objective is to encourage higher intensity, transit-supportive, and pedestrian-oriented mixed use development in a compact urban form. Mixed Use Corridors provide locations for a range and concentration of uses including, high density residential, retail, service commercial, office, entertainment, community facilities and institutions and open space uses. These uses are to be integrated in a compact urban form, at higher development intensities and be pedestrian-oriented and highly accessible by public transit. These areas permit a mixed use development on individual sites or on different sites where residential, retail, office and other uses are located next to one another.

The development proposal supports the planned function of Mixed Use Activity Areas, through providing a high density, transit-supportive, and pedestrian-oriented residential development. An attractive and compact built form has been incorporated into a pedestrian-oriented and enhanced streetscape, located in proximity to public and active transportation routes as well as a range and mix of commercial, residential, and community uses.

While the Subject Lands are currently designated as 'Mixed Use Corridor – Employment', the policies of the 'Mixed Use Corridor – General' will be assessed as they are proposed to apply to the proposed development through the OPA application. The objectives and policies for the 'Mixed Use Corridor – General' are provided in the BOP, **Section 5.3**. While the objective is to develop higher density mixed uses along multi-purpose or major arterial roads, such as Fairview Street to the north and Brant Street to the east, the Subject Lands are within 65 metres of Fairview Street and approximately 200 metres of Brant Street. The Subject Lands represent an optimal location to meet the objective of development a high density residential building in proximity to public open space. The intent of a Mixed Use Corridor, is not only to permit the mix of uses within one building, but to also permit the mix of stand-alone buildings that offer different uses. This is noted in the objective in **Section 5.3.1.c**. that states, *"To permit mixed use developments on individual sites where various combinations of residential, retail, office and other uses are located, or on different sites where residential, retail, office and other uses are located next to one another."*

The objective for 'Mixed Use Corridor – General' areas is to provide a concentration of mixed uses including high density residential, retail, service commercial, office, entertainment, community facilities and institutions, and open space uses (**Policy 5.3.1**). The 'Mixed Use Corridor – General' designation permits the following uses (**Policy 5.3.2(a**)):

- *A wide range of retail, service commercial and personal service uses; financial institutions and services; a broad range of office uses; entertainment, recreation and other community facilities such as day care centres; and small-scale motor vehicle dealerships;*
- *High density residential uses and a full range of office uses. Townhouses may only be permitted as a component of an overall development of mixed residential or residential/commercial building forms, where the townhouse portion of the mixed development does not abut the multi-purpose*

arterial or major arterial road and where the development of the townhouse component does not compromise the long-term objectives for the Mixed Use Corridor designation with respect to such matters as mix of uses, building form and intensity; and

- *Development and redevelopment of lands within a major transit station area, such as a GO transit commuter rail station, shall achieve a higher intensity of re-development and consist of transit supportive uses, as called for and defined in the Growth Plan for the Greater Golden Horseshoe. Notwithstanding Part III, Subsection 5.3.3 b) and e), those lands designated Mixed Use Corridor subject to the Commercial Corridor Policies of Subsection 5.3.3 and located within a major transit station area, shall permit only transit supportive uses, as defined in the Growth Plan for the Greater Golden Horseshoe, have a minimum floor space index of 0.5 and a minimum building height of two storeys.*

The 'Mixed Use Corridor – General' policies include the following (**Policy 5.3.2.b, f, h, i, j**):

- Mixed Use Corridor lands are intended to provide for the day-to-day and weekly shopping needs of residents within and in close proximity to the Corridor.
- Higher density land uses and taller buildings shall be permitted at locations where Mixed Use Corridor areas intersect with multi-purpose arterial roads, major arterial roads or provincial freeways; or existing areas of development concentration, subject to the criteria outlined in Part III, Subsection 5.3.2, d) (i).
- Transit-supportive and pedestrian-oriented urban design shall be required in the development of Mixed Use Corridor sites.
- The design and development of Mixed Use Corridors shall encourage the use of public transit, pedestrian and bicycle travel as an alternative to the automobile and shall maximize personal safety by encouraging site plan features such as:
  - Buildings should be oriented to the street and transit services, and buildings should be located so as to be in proximity to, and face the street, to provide a sense of human comfort and pedestrian scale and interest;
  - Safe and convenient access shall be provided for pedestrians between buildings and transit stops, parking areas, and other buildings and facilities; and
  - Roads shall be designed for automobile use, efficient transit services as well as pedestrian and bicycle travel.
- Proposals for the re-designation of lands to Mixed Use Corridor from another designation shall require an amendment to the Plan and shall be evaluated based on the following criteria:
  - The impact of the proposal on adjacent land uses, particularly residential;
  - Adequate municipal services are available;
  - Sufficient on-site parking is provided;
  - The site is served by efficient peak period public transit;
  - Vehicular access to and from the site does not adversely affect local streets; and
  - The site is located on a multi-purpose arterial or major arterial road that can accommodate the anticipated traffic.

As the proposal is in conformity with Provincial and Regional Urban Growth Centre and Major Transit Station Area policies, while the in effect BOP policies may not be, the proposal is in conformity with the intent and envisioned outcome of the Mixed Use Corridor – General policies. The proposal implements a high density transit-supportive and pedestrian-oriented residential development that is permitted as a standalone use within a high volume collector road, within the UGC/MTSA and is compatible with the adjacent mix of land uses. In regards

to design policies, the proposed development will be oriented to Grahams Lane with varying building heights of 9, 16, and 20 storeys above appropriately sized podiums that will be incorporated within the 16 and 20 storey buildings to provide a sense of human-scale building mass to pedestrians. The proposed development provides multiple pedestrian connections from the building entrances directly to the public sidewalk that will serve residents and visitors.

The proposed redesignation of the Subject Lands, as documented within the attached OPA, will meet the criteria established for proposals requiring a redesignation to the Mixed Use Corridor. The proposal will have minimal impact to adjacent uses, as the majority of residential uses are west of the Hydro Corridor or to the south of the employment uses on the south side of Grahams Lane. Adequate municipal services exist to service the Subject Lands and sufficient on-site parking will be provided, and in context of being within an MTSA. Vehicular access is from a Collector Road as no local roads abut the Subject Lands. Grahams Lane connects to the major arterial road to the east – Brant Street that connects to the Multi-Purpose Road – Fairview Street – to the north.

City of Burlington Official Plan Summary:

A detailed analysis of the proposal's conformity to the current, in force Official Plan may be found in **Appendix F**.

To summarize:

1. The proposed OPA to the in-force Official Plan will allow for well designed, high density, standalone residential development within the Downtown Burlington UGC/Burlington GO MTSA that implements and achieves all of the policy outcomes envisioned by the policies of the Growth Plan and the ROP as they pertain to Urban Growth Centres and the Burlington GO MTSA.

2. The proposed development conforms to the general vision, principles, and objectives of the Burlington Official Plan as it provides for residential intensification in an appropriate location, within an Urban Growth Centre, that will contribute to the envisioned outcome of the lands as an attractive and livable community through providing new housing within close proximity to community amenities and services.

3. The Downtown Burlington UGC/Burlington GO MTSA is an appropriate location for residential intensification due to the planned and existing higher levels of transit service wherein the new residential population will support and increase transit ridership and participate in utilizing active transportation systems. The proposal is located within walking distance of the Burlington GO Station, and within proximity to the City's primary bus service route along Brant Street.

4. The proposal is consistent with the City's land use vision that envisions intensification on a site in close proximity to a priority GO Station. The proposed compact built form increases the diversity of housing options that will not impact adjacent employment land uses. The proposed redevelopment delivers new housing options and addresses the needs of the changing demographic of smaller and larger households as well as an aging population who may be seeking new housing choices close to transit, as described in the Housing Impact Study. The height, form, and density of the development is consistent and compatible with other approved developments in the UGC/MTSA area.

5. The development proposal maintains the planned function of Mixed Use Activity Areas as it abandons historic suburban, low density development by providing a high density, compact form that makes efficient use of land and existing resources. It directly responds to, and delivers on, the demand for higher intensity residential uses within the City in an area delineated for such use.

6. The proposal will provide a diversity of residential built form through the development of three buildings, which animate the street through multiple at-grade entrances and residential amenity spaces along the Grahams Lane facades. The proposed buildings are oriented to the street with the nine and sixteen storey buildings lining the street to provide a sense of human-scale massing for on-street passersby.

7. The proposed development can be adequately serviced by municipal infrastructure and the transportation network as discussed in the attached, supporting technical studies.

8. The proposed residential development will implement appropriate noise mitigation measures recommended through the NVIS prepared by RWDI at the time of Site Plan Approval which, make it feasible for the proposed development to meet the applicable sound and vibration criteria.

The development proposal including, the corresponding OPA and ZBA conforms to the general policies of the in effect Burlington Official Plan. The amendments are required to provide consistency with, and conformity to, the applicable policies of the Provincial Policy Statement, Growth Plan and Halton Region Official Plan to ensure a transit supportive, high density development within the delineated Downtown Urban Growth Centre/Burlington GO Major Transit Station Area.

4.7 NEW CITY OF BURLINGTON OFFICIAL PLAN (UNDER APPEAL)

On April 26, 2018, the City of Burlington Council adopted the new Official Plan ("new OP"). Through its review, the Region of Halton, as approval authority, did not approve the new Official Plan as the Region determined that the new Official Plan contained several areas of non-conformity. The City of Burlington then undertook a separate policy re-examination process by reviewing the adopted new Official Plan and focused specifically on the Downtown Burlington area, which at the time was the delineated Urban Growth Centre. On November 30, 2020, the City-modified new Official Plan was approved by Halton Region that delineated a new Urban Growth Centre in line with the Halton Region delineated boundary for the Burlington GO MTSA. Appeals were subsequently filed with the City Clerk to significant sections of the new Official Plan by multiple stakeholders which, remain under appeal, including all policies that apply to the Subject Lands. While these policies remain under appeal, they are assessed in this PJR as they are informative of Council's direction, but are not determinative.

The following section provides a summary of the new OP policies applicable to the proposed development and an analysis of how the redevelopment meets the City's planning vision and objectives and how the development is in conformity with the policies.

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

- **Schedule A: City System-** Urban Area **(Figure 12);**
- **Schedule B: Urban Structure-** Mixed Use Nodes & Intensification Corridors, and MTSA Special Planning Area **(Figure 13)**;
- **Schedule B-1: Growth Framework-** Primary Growth Area, and MTSA Special Planning Area **(Figure 14)**;
- **Schedule B-2: Growth Framework and Long Term Frequent Transit Corridors**- The Subject Lands are located by a rail line, MTSA Primary Connector/Frequent Transit Corridor (Fairview Street and Brant Street) **(Figure 15)**;
- **Schedule C: Land Use**: Urban Area- Urban Corridor Employment in Mixed Use Intensification Areas **(Figure 16)**;
- **Schedule F: Burlington GO MTSA Special Planning Area**- MTSA Special Planning Area **(Figure 17)**;
- **Schedule O-1: Classification of Transportation Facilities, Urban Area**- Neighbourhood Connector (Grahams Lane) **(Figure 18)**;
- **Schedule P: Long Term Cycling Master Plan**- Bicycle Priority Street (Grahams Lane) with connections to a Multi-Use Path to the west and a street with a Bike Lane (Brant Street) to the west **(Figure 19)**; and,

- **Schedule Q: Trails Strategy**- Proposed Multi-Use Trail Connection (Outside of Road Right-of-Way) along the western property boundary **(Figure 20)**.

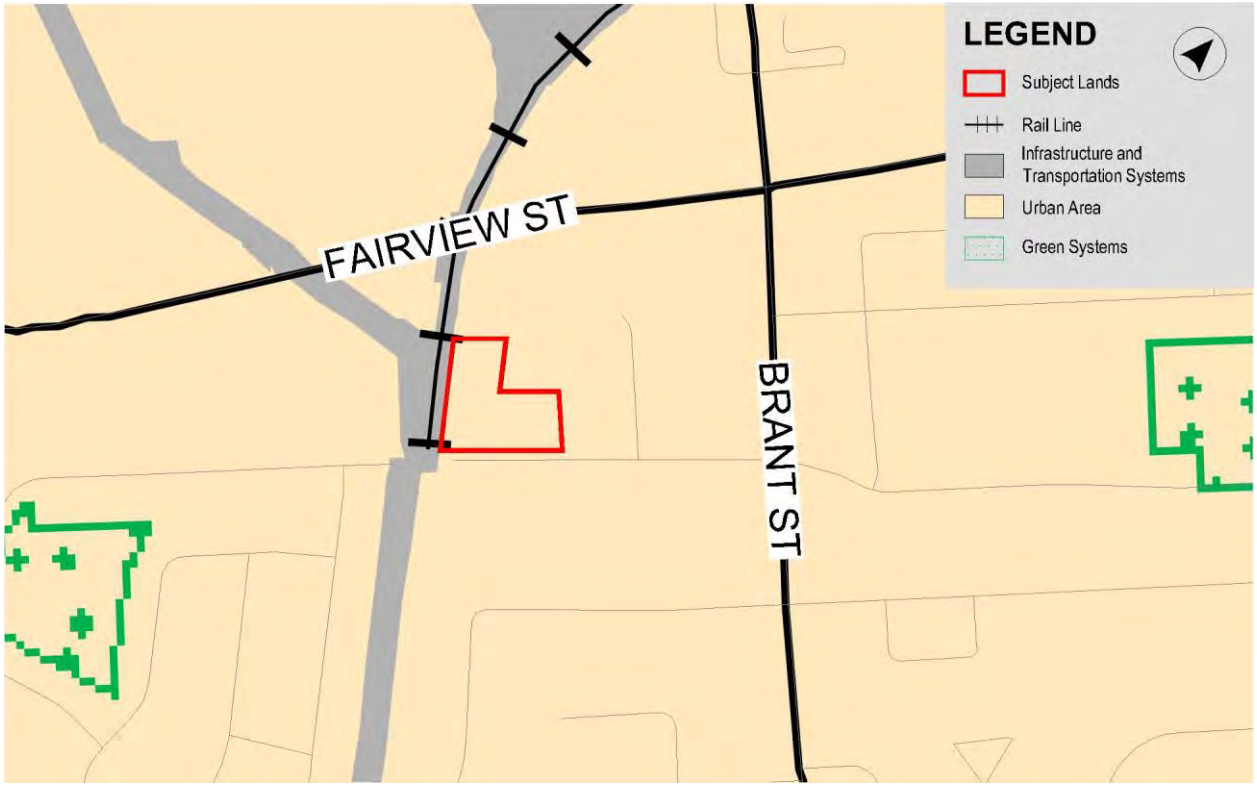


Figure 12- New City of Burlington Official Plan, Schedule A: City System

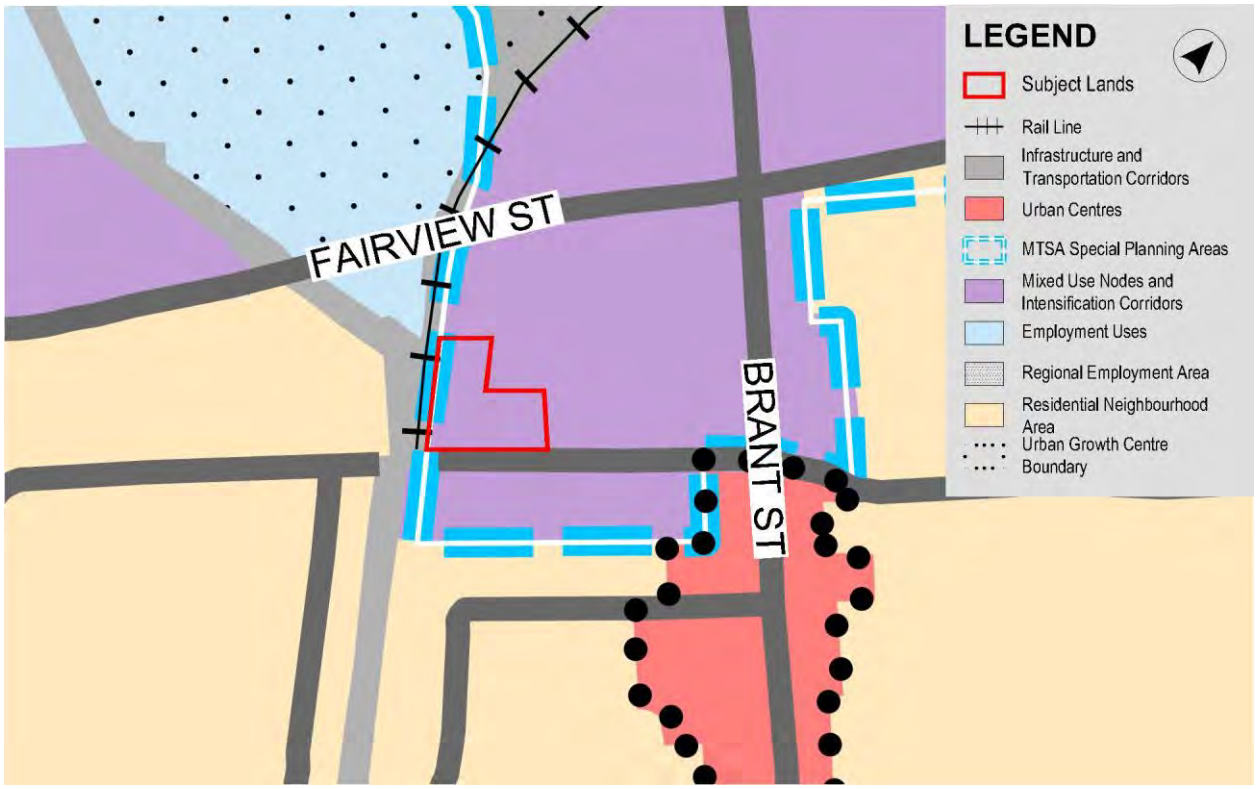


Figure 13- New City of Burlington Official Plan, Schedule B: Urban Structure

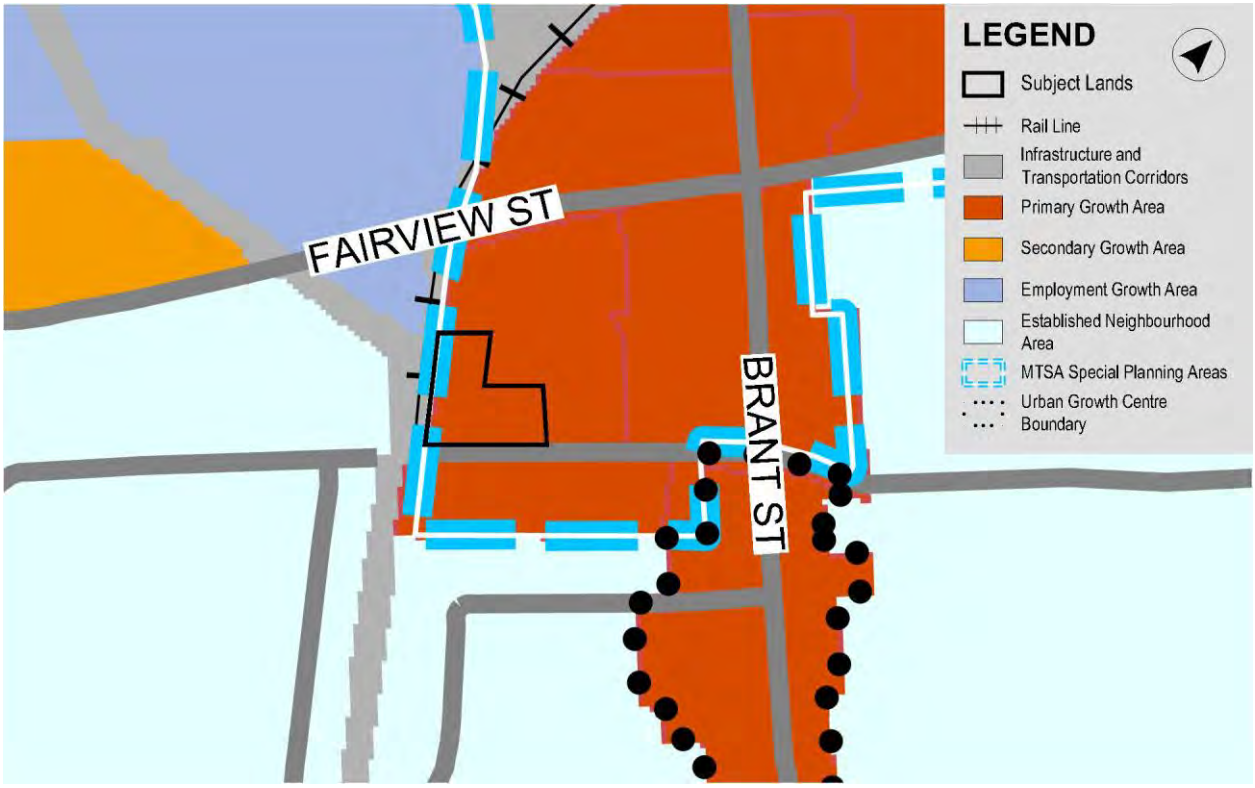


Figure 14- New City of Burlington Official Plan, Schedule B-1: Growth Framework

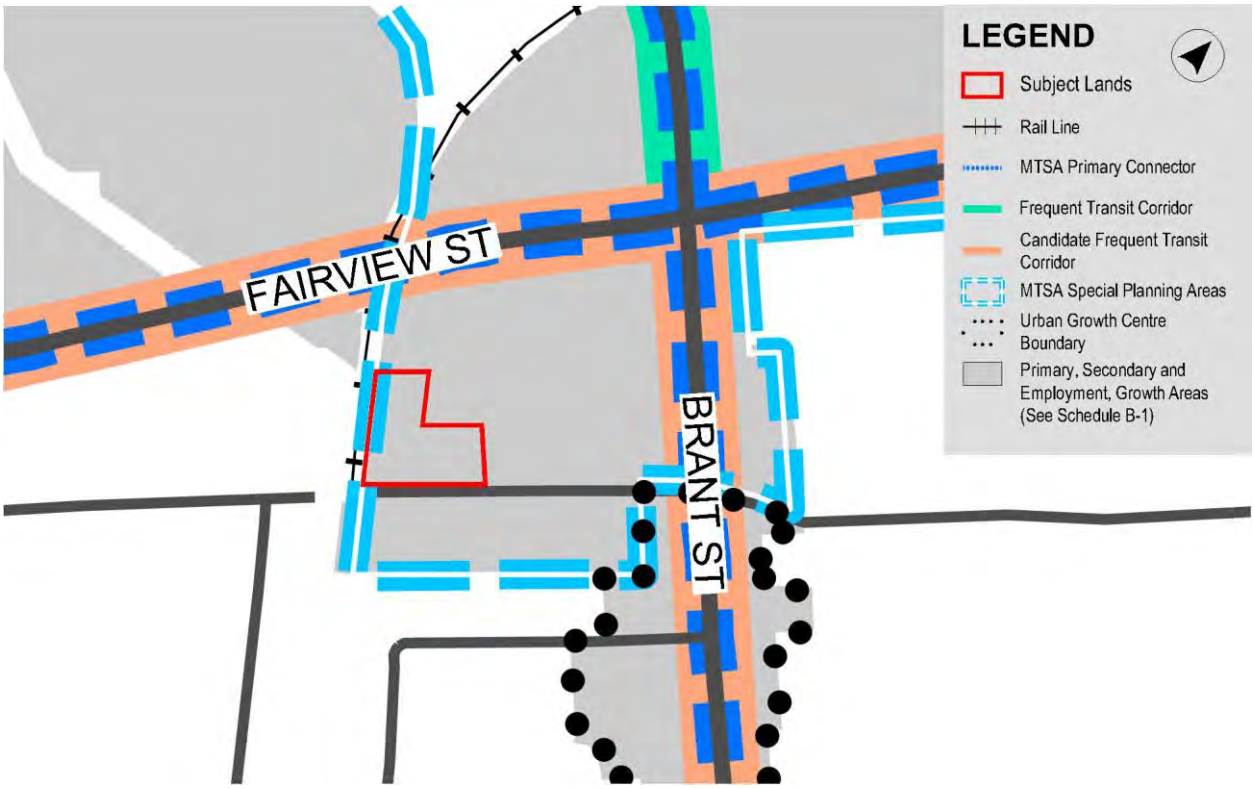


Figure 15- New City of Burlington Official Plan, Schedule B-2: Growth Framework and Long Term Frequent Transit Corridors

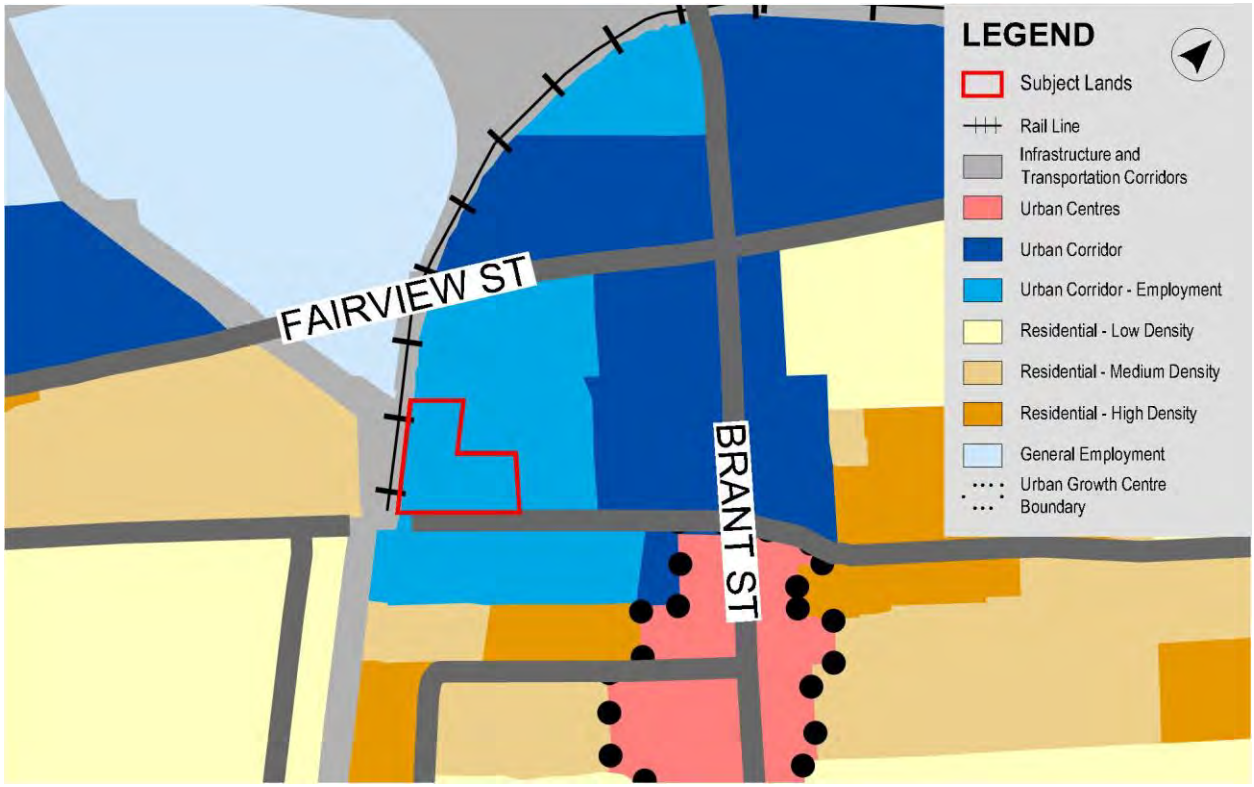


Figure 16- New City of Burlington Official Plan, Schedule C: Land Use

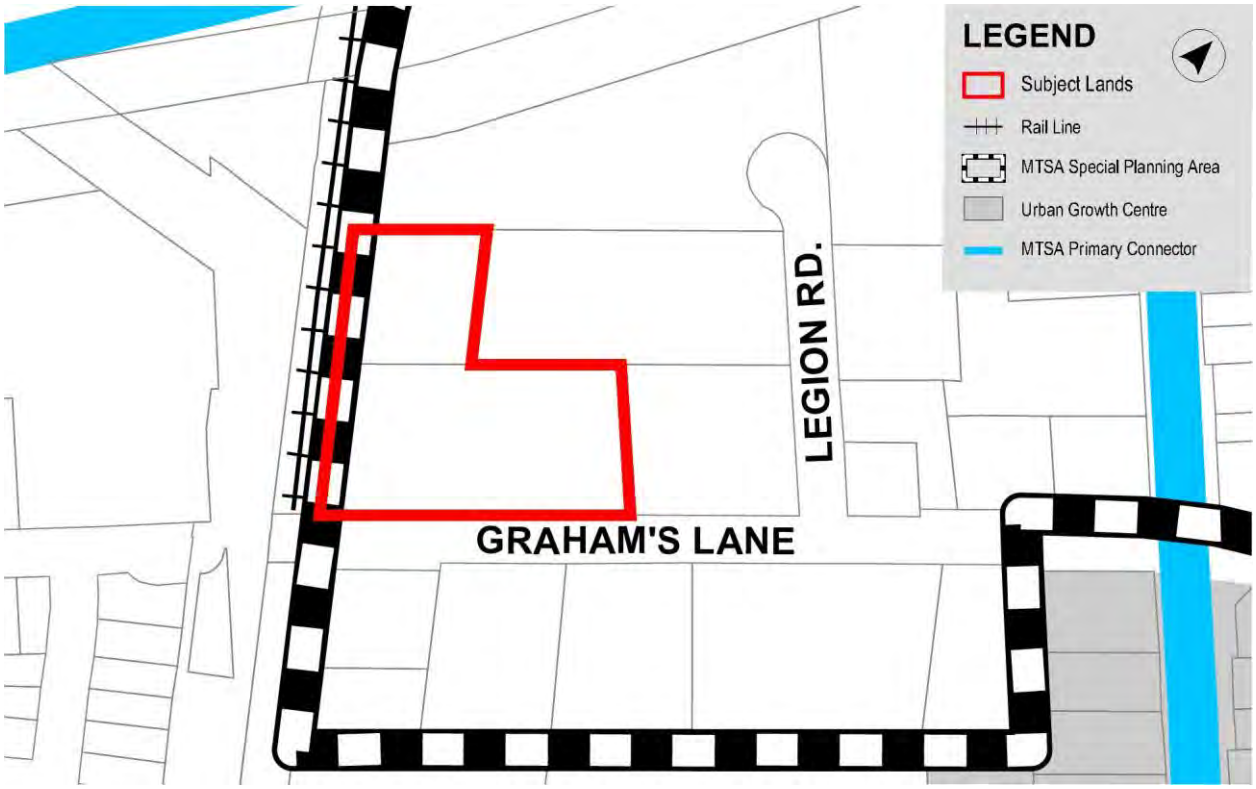


Figure 17- New City of Burlington Official Plan, Schedule F: Burlington GO MTSA Special Planning Area

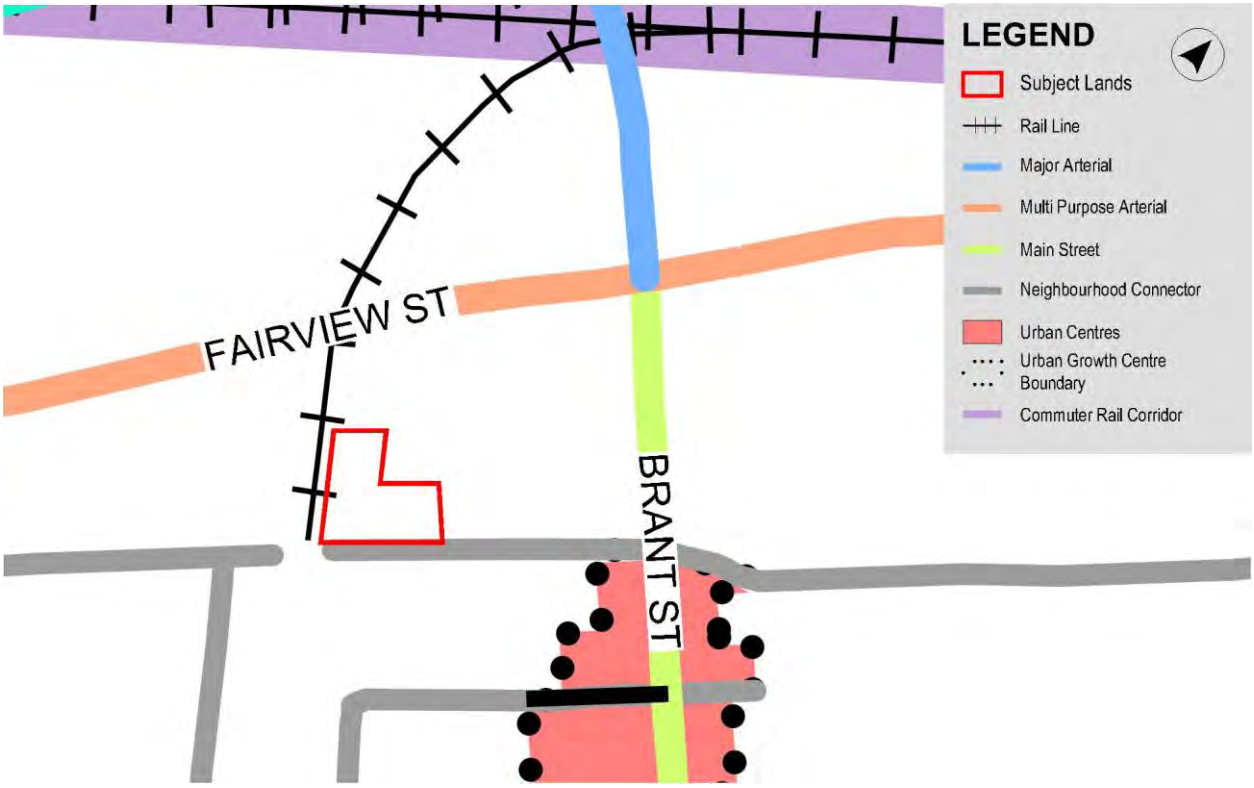


Figure 18- New City of Burlington Official Plan, Schedule O-1: Classification of Transportation Facilities, Urban Area



Figure 19- New City of Burlington Official Plan, Schedule P: Long Term Cycling Master Plan

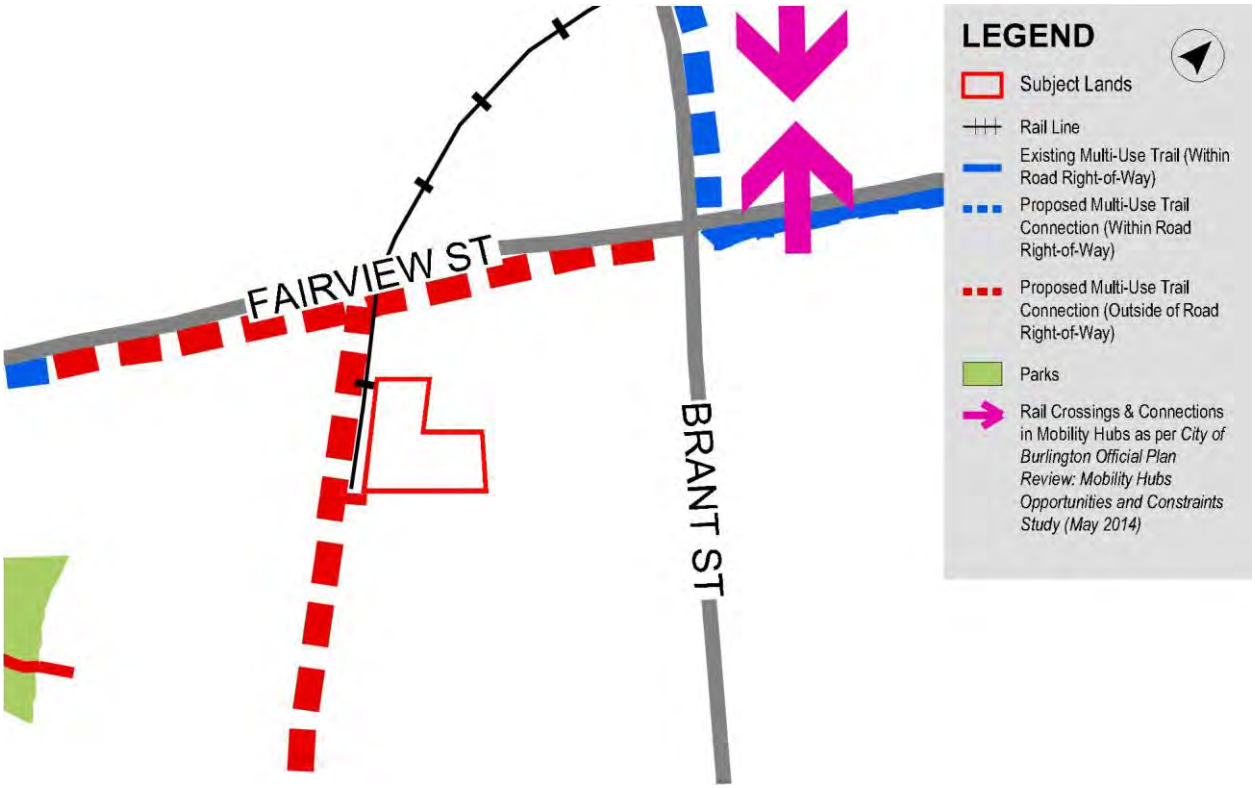


Figure 20- New City of Burlington Official Plan, Schedule Q: Trails Strategy

Within **Section 2.4 Growth Framework**, as the Subject Lands are identified as being within a 'Primary Growth Area' in **Schedule B-1**, **Section 2.4.2(1) Primary Growth Areas** objectives and policies apply. Primary Growth Areas are areas that shall be recognized as a distinct area of the City that will accommodate the majority of the city's forecasted growth and will experience the greatest degree of change. The Primary Growth Area shall be regarded as the most appropriate and predominant location for new tall buildings in accordance with underlying land use designations or policies of area specific plans. These areas shall be priority locations for City's investments in transit as well as other infrastructure and public service facilities including parks. Primary Growth Areas shall be a priority for Provincial, Regional, and City investment in new or upgraded infrastructure.

The proposed development supports the creation of a distinct area within the Grahams Lane neighbourhood and can accommodate the intensification and growth targets of the Province and Halton Region. The location of the Subject Lands, at the end of Grahams Lane, near to the public trail system, and near existing amenities and services, makes it an appropriate location for the proposed mix of mid and tall building heights.

Section 4.6.2 Land Use Compatibility, states that major facilities and sensitive land uses shall be developed to avoid, or minimize and mitigate, any potential adverse effects of vibration, noise, dust, odour or other contaminants and minimize risk to public health and safety. The policy also indicates that new development will ensure the long-term operational and economic viability of major facilities. Where avoidance is not possible, the long-term viability of existing or planned industrial, manufacturing and other uses shall be protected.

Through the consideration and implementation of appropriate mitigation measures and additional review, as recommended in the feasibility-level NVIS and LUC Study prepared by RWDI, impacts to and from the proposed residential redevelopment should be minimized to ensure the long-term viability of major facilities surrounding the Subject Lands.

Urban Structure - Mixed Use Intensification Areas: MTSA Special Planning Area

The Subject Lands are within a Mixed Use Intensification Areas, the delineated MTSA Special Planning Areas and in a Mixed Use Nodes and Intensification Corridors, based on **Schedule B: Urban Structures.** Lands that are situated within a Mixed Use Intensification Area are described in the introductory paragraph of **Section 8.1, Mixed Use Intensification Area,** as areas that may include a broad range of employment, shopping, public service facilities, residential and complementary uses such as open space, institutional, and cultural uses. Mixed use Intensification Areas are further divided into three sub-areas: Urban Centres, MTSA Special Planning Areas, and Mixed Use Nodes and Intensification Corridors. The policies within the new BOP, Chapter 8 that pertain to Major Transit Station Areas (MTSAs) do not designate the lands but provide direction for development applications that precede through the completion of any Area Specific Plans for an MTSA.

Section 8.1.2: Major Transit Station Areas acknowledges that Halton Region delineates the boundaries of the Burlington GO MTSA and identifies the minimum density targets through the Region's Municipal Comprehensive Review to be 200 ppj/ha. The MTSAs are to be focal points for higher intensity and mixed use development to accommodate a significant share of the City's future population growth to 2031 and beyond. The Subject Lands are located within the Burlington GO MTSA that is on the Regional Express Rail (RER) which is a Priority Transit Corridor, as identified in the Growth Plan.

The general objectives for development within all MTSAs are identified as follows:

- Develop into a compact, pedestrian, environmentally sustainable and transit-supportive place with a distinct character;
- Promote intensification in order to achieve transit-supportive residential density targets;
- Require a mix of uses throughout each MTSA to support the creation of a complete community;
- Provide a network of complete streets that provide efficient, accessible and safe movement of people and goods and that prioritize pedestrian, bicycle and transit activities;
- Prioritize the development and intensification of underutilized lands and buildings;
- Provide low-rise, mid-rise and tall building forms, where appropriate, that support a variety of demographics;
- Accommodate a diverse range and mix of household sizes and incomes and housing tenure;
- Provide a range of open spaces and connections;
- Ensure that there is an appropriate transition in scale, intensity, height, massing and spacing of development in including appropriate transitions between various land uses and built forms;
- Achieve design excellence in MTSAs that encourage long-term investment and the creation of high quality and sustainable built forms in the public and private realm;

The proposal will deliver on the outcomes envisioned by the MTSA objectives. The proposed development will have a distinct character through a varied skyline and building placement and represents the intensification of the lands in a compact, sustainable and transit-supportive built form delivering the minimum Urban Growth Centre density targets established by the Province.

Development Applications that precede and Area Specific Plan must be consistent with the policies of **Section 8.1.2(3)** as follows:

- Applications shall have regard to the Province's Mobility Hubs and Transit-Supportive Guidelines, implement Provincial and Regional MTSA policies and be consistent with the goals and objectives of the existing land use designation;
- Plan to achieve the transit-supportive densities of the Province;
- MTSAs will promote these areas as multi-functional activity centres characterized by a mix of uses and a compact built form of development, pedestrian-oriented, accessible to public transit and higher intensity development;
- Development shall be compatible with surrounding areas;
- Multi-unit residential developments should incorporate a mix of unit sizes and types to accommodate a diverse range of household sizes and incomes;

- Transportation Demand Management measures shall be addressed and form part of the City's evaluation of opportunities for reduced parking standards;
- Development will incorporate minimal parking at grade through the provision of underground parking;
- New green spaces such as trees and landscape area shall be provided, that may include parkland dedication, POPS and/or trees and landscape areas between a public right-of-way and a building;
- Development patterns shall optimize land and public investment in infrastructure and public services; and,
- Development will be consistent with the vision and intent of the MTSA typology as an Urban Growth Centre and maintain the land use vision established in the land use designation.

The development applications for the OPA and ZBA, as noted in previous sections, are consistent with the PPS 2020 and conform to the Growth Plan and Halton Region Official Plan policies for Urban Growth Centres and MTSAs. The proposed development is consistent with the goals and objectives of the Urban Corridor designation, is compatible and appropriately transitions to the surrounding area, and will incorporate a mix of unit sizes to accommodate the diversity of households in the Region.

Section 8.1.2(4.2) Burlington GO MTSA policies conform to the general MTSA policies noted above, but provide several more design-related policies such as:

- Development applications shall incorporate a variety of built forms, including mid-rise and building podiums to provide a human scale experience at street level;
- Development shall develop in a more compact built form supported by a mix of uses, parks, green spaces, public service facilities, offices, other employment uses, including existing industrial and institutions; and,
- Development shall incorporate private pathways that make the development more accessible for pedestrians, cyclists and transit users and includes a permeable active transportation network to the GO station.

The proposed development incorporates mid and high-rise buildings with podiums that will provide a human scale at the street level. The Subject Lands will be developed as a compact built form supported by green spaces, amenity areas, and a private pathway system around the site that links to the public pedestrian system and to public transit.

Mixed Use Nodes and Corridors

Within the introductory paragraphs of **Section 8.1.3: Mixed Use Nodes and Corridors**, the City indicates that such lands provide locations where mixed commercial, residential and employment uses will be developed and integrated in a compact built form and at greater development intensities, encouraging the efficient use of physical resources and municipal infrastructure. The Subject Lands are within the Intensification Corridors that are defined as being within higher order transit corridors that have the potential to provide a focus for higher intensity mixed-use development consistent with planned transit

service levels. The Intensification Corridors are designated as either Urban Corridor or as Urban Corridor – Employment Lands. This introductory section also states that the Urban Corridor designation, "*recognizes the diversity of the lands along the corridor and establishes policies allowing for flexibility. Key intersections and areas within Major Transit Station Areas are identified as having the potential to develop into full mixed-use areas, while general areas along the corridor may develop for single use, including residential.*"

In the context of the Province recently approving Halton Region Official Plan (ROPA 49), the designation of the Subject Lands as 'Urban Corridor – Employment Lands' in the new OP is no longer in conformity with the ROP. Through the Halton Region Municipal Comprehensive Review, the Subject Lands were removed from the 'Halton Region Employment Area' overlay as they are now delineated as the 'Burlington Downtown Urban Growth Centre/Burlington GO MTSA' and subject to UGC-wide redevelopment and intensification. Lands within the 'UGC/MTSA' that were retained within the Regional Employment Area overlay are located at the north end of the MTSA on the north side of the Metrolinx GO rail corridor between Queensway Drive and the QEW Highway.

One general objective of the Mixed Use Nodes and Corridors is to provide locations in the City that will serve as areas for more intensive integration of uses, such as retail, service commercial, offices, institutional and entertainment uses with residential uses, public service facilities, cultural facilities, institutional uses and open space. Another objective is that amenities and services are to be closer to where people live with the goal of creating a complete community. Similar to Provincial and Regional policies, another objective is to promote a built environment that uses infrastructure efficiently and encourages a high quality of life. Other objectives include: encouraging the use of public transit, providing open space areas, and accommodating a diverse range of household sizes.

Section **8.1.3(2): General Policies**, contains policies that align with the above objectives. The new OP does note that these areas are: priority locations for infrastructure and public service facility improvements; creation/application of financial, regulatory and other incentives; preparation of transportation demand management and parking studies/strategies; and provision of higher level of transit service compared to other areas of the City. Another policy notes that multi-unit residential developments in this designation should incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes. The City will ensure that this designation is properly integrated with surrounding neighbourhood through pedestrian walkways, cycling paths, and transit routes. Intensification of existing Mixed use Nodes and Intensification Corridors is encouraged.

The Subject Lands are no longer within the Halton Region Employment Area Overlay. The Subject Lands are now within an Urban Growth Centre and MTSA. The Growth Plan defines an Urban Growth Centre as an emerging Downtown Area. Section 2.2.3 of the Growth Plan states that these areas that are to accommodate significant population and employment growth. The Subject Lands are an ideal location for residential intensification and infill, due to the location near the public trail system at the cul-de-sac of Grahams Lane.

Urban Corridor Designation

Section 8.1.3(7) Urban Corridor Designation indicates that Urban Corridor lands are located along key Major Arterial or Multi-Purpose Arterial Streets that serve as areas of concentration for mixed use development in a compact built form, with higher intensity residential, retail, service commercial, office, entertainment, public service facilities and institutional uses, and open space uses.

The policies for the Urban Corridor designation in **Section 8.1.3(7.2)** require that development should be transit-supportive and pedestrian-oriented and may permit retail and service commercial uses, residential uses, office uses, entertainment uses and recreation uses. The regulatory policies indicate that a maximum floor area ratio of 2.0:1 is appropriate but may be increased through a site-specific zoning by-law amendment. Similarly, the policies indicate a minimum building height range from two to six storeys.

Urban Corridor-Employment Designation

Section 8.1.3(8): Urban Corridor-Employment Designation states that its first objective is to provide locations in the City along Major Arterial or Multi-Purpose Arterial Streets that are primarily intended for higher intensity employment uses. **Section 8.1.3(8.2)** states that industrial uses are permitted, as well as office, accessory commercial, automotive commercial, entertainment and recreation uses. The maximum floor area ratio is similar to the 'Urban Corridor' designation at 2.0:1 with a similar building height range between two and six storeys. Buildings may be permitted up to eleven storeys through a site-specific zoning by-law amendment subject to criteria where there is a significant reduction of parking at grade, residential and sensitive land uses are prohibited, and an urban design brief is submitted to demonstrate the high quality of design and the mitigation measures to limit adverse impacts to public sidewalks, public open spaces and adjacent uses.

The Subject Lands are not located on any key Major Arterial or a Multi-Purpose Arterial Street but are located on a Neighbourhood Connector road (Schedule O-1: Classification of Transportation Facilities – Urban Area). Given that the intent of the UGC/MTSA policies is for intensification that remains compatible with surrounding areas and transitions into the City of Burlington's Downtown Area, and that the lands are no longer within an Employment Area, the designation of the Subject Lands as Urban Corridor-Employment that permits industrial uses, is no longer in conformity with Provincial and Regional Plans. The policies permit additional building heights through a site-specific zoning by-law amendment, subject to applicable criteria.

Section 8.1.3(7.2)l) states that non-employment uses shall only be permitted through a site-specific Official Plan Amendment on lands outside of the Region of Halton Employment Area where the lands meet the overall intent of the Urban Corridor-Employment designation and where the site could achieve 50 jobs/ha and where a proposed development is made in advance of an area-specific plan.

As previously noted, the Subject Lands are no longer within the Halton Region Official Plan 'Employment Area' and are now within the Halton Region 'Downtown Burlington Urban Growth Centre' that is intended to intensify and transition into a downtown within an MTSA that is capable of supporting public transit services. The Subject Lands are located in an area that is intended to transition from its employment uses functions into an urban growth centre, with residential uses that feature a compact built form. The proposed development supports this transition and change into a pedestrian- and transit-supportive development.

New City Official Plan Summary:

A detailed analysis of the proposal's conformity with the New Burlington Official Plan is provided in **Appendix F.**

In summary:

1. The proposed development represents an appropriate, high quality development that seeks to amend the in force and effect City of Burlington Official Plan through an OPA that will implement a higher density development within the Urban Growth Centre and MTSA.

2. The proposed development, located within the Burlington UGC/Burlington GO MTSA, as delineated within the new Official Plan, is in an appropriate location for intensification due to the current and planned transit services as well as the existing active transportation linkages in the area that will support the mobility of future residents.

3. The proposed development seeks to implement a high density use within a Primary Growth Area and within the Burlington UGC/Burlington GO MTSA where tall buildings, compact built form, and intensification are directed.

4. The proposal conforms to the general policies of the Major Transit Station Areas through the provision of a higher density residential development with a diverse range and mix of units. The proposed development is designed to be compatible with the surrounding area through an appropriately sited built form and setbacks that minimizes shadow impacts on the surrounding area.

5. The proposal ensures that the building orientation, formation, massing, and setbacks will support an attractive pedestrian environment along Grahams Lane.

6. The proposed development also provides a range of open spaces including indoor and outdoor amenity areas, landscaped areas, a pedestrian path that borders the entire site, and a 984 m^2 of future parkland dedication. The remaining parkland dedication will be provided through cash-in-lieu of parkland and will be further addressed through the Site Plan process.

7. The site-specific provisions sought through the OPA for increased building heights are appropriate given the edge condition context of the site and given the location of the site within the Burlington UGC/Burlington GO MTSA. The redevelopment does not create adverse impacts on surrounding Hydro Corridor lands, surface parking areas of the current Royal Canadian Legion, or the one storey business commercial buildings north of the Subject Lands.

8. The proposed development can be adequately serviced by municipal services and the transportation network as discussed in the supporting technical studies.

9. The feasibility-level LUC and NVIS Studies, completed by RWDI and enclosed with this application, provided appropriate mitigation measures for the proposed development to meet regulatory and policy requirements. The NVIS found that through the implementation of appropriate measures, it is feasible for the proposed development to meet the applicable sound and vibration criteria. The LUC Report indicates that future development on the Subject Lands is also not expected to have a significant effect on the ability of new or expanded uses to be located in mixed use areas.

Significant portions of the Official Plan were appealed and remain under appeal including the policies that may apply to the Subject Lands. While these policies remain under appeal, they are assessed for the purposes of being informative of Council's direction but are not determinative.

The development proposal and corresponding OPA and ZBA are required to provide consistency and conformity with, and implement, the applicable policies of the Growth Plan and Halton Region Official Plan.

4.8 CITY OF BURLINGTON ZONING BY-LAW 2020

The City of Burlington Zoning By-law 2020, is the City's comprehensive Zoning By-law that controls the use of land throughout the City. Pursuant to Zoning By-law 2020, the Subject Lands are zoned 'Mixed Use Corridor-Employment (MXE)' (**Figure 21**).

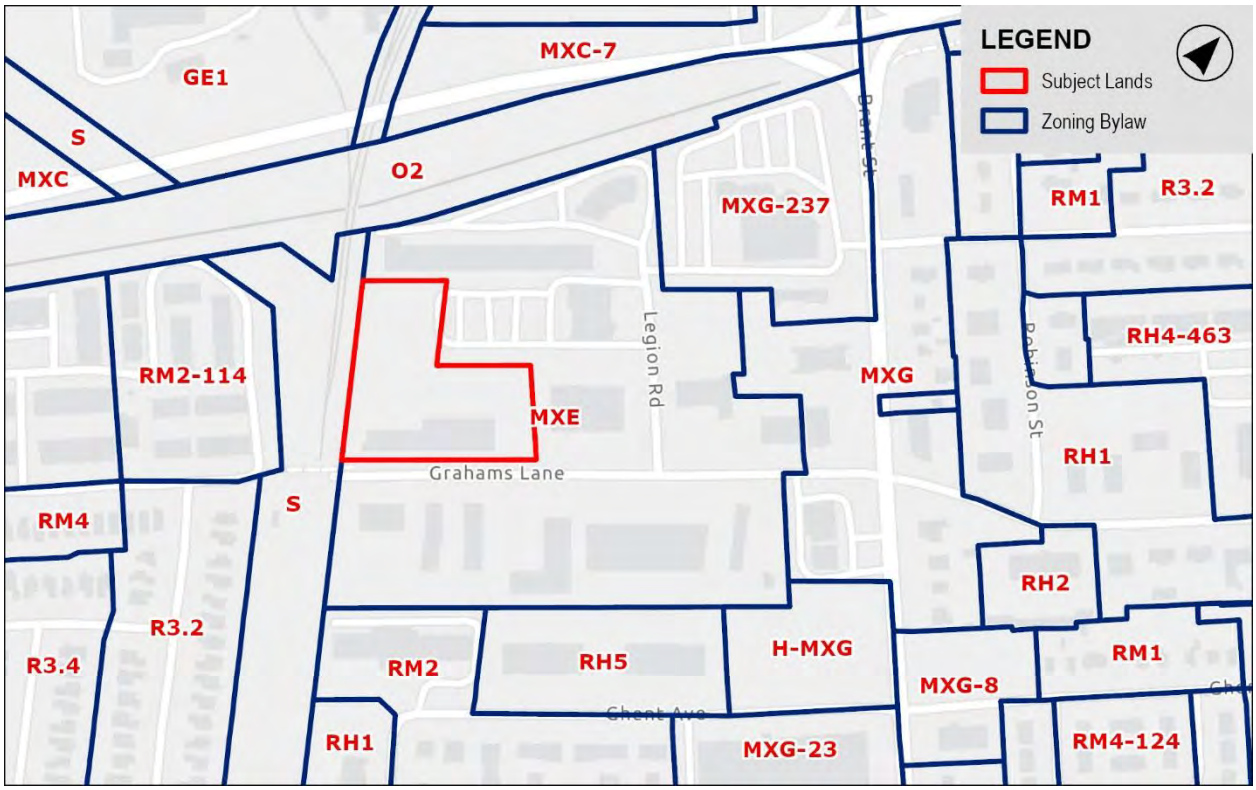


Figure 21- City of Burlington Zoning By-law 2020

The following uses are permitted in the 'MXE' Zone:

TABLE 9: PERMITTED USES IN THE 'MXE ZONE'	
Convenience/Specialty Foods Store	Other Retail Stores (l)
Standard Restaurant	Standard Restaurant with Dance Floor
Fast Food Restaurant	Convenience Restaurant
Dry Cleaning Depot, Laundromat, Laundry Service	Veterinary Services (d)
Elevated Parking Facility (i)	Other Service Commercial Uses
All Office Uses	Community Institution
Convention/Conference Centre (b)	Banquet Centre (b)
Caterer	Car Wash per Part 1, 2.9 (b)
Motor Vehicle Service Station per Part 1, 2.10	Motor Vehicle Sales, Leasing, Rental, and Service
Motor Vehicle Repair Garage (b)	Retail Propane Facility per Part 1, 2.7

Industrial Uses permitted in a GE2 zone (j)	Recreational Establishment
Entertainment Establishment	

Footnotes:

(a) Retail or service commercial uses permitted on the ground floor only
(b) Not permitted on a lot abutting a residential zone
(c) Not permitted on a lot containing residential dwelling units
(d) Facilities for the keeping of animals outside are not permitted.
(e) Not permitted on a lot exceeding 0.2 hectares or on a lot containing residential dwelling units
(f) Service bay doors shall be restricted to a maximum of two and are not permitted in a building elevation facing a residential zone.
(g) Not permitted on lots exceeding 0.2 hectares which abut a residential zone
(h) Maximum capacity shall not exceed 500 persons.
(i) Excluding a driveway entrance, the ground floor area of all parking structures within 15 metres of a public street shall be used for retail, service commercial, entertainment, or recreation uses.
(j) For industrial uses permitted in the MXE zone, the provisions of Part 3, Subsection 6.8 apply.
(k) Permitted only as an accessory use to a permitted use but not permitted as a principal use or commercial parking lot. Footnote (m) paragraph 1 does not apply.
(l) The following are the only other retail commercial uses permitted in an MXE zone: Office Furniture & Equipment, Computer Hardware & Software, Machinery & Equipment, Home Improvement Products.
(m) Additional regulations for the MXT zone: All retail commercial, service commercial, hospitality, entertainment and recreational uses in an MXT zone are subject to a maximum floor area per use of 500 m2. Notwithstanding the uses permitted in Table 5.2.1, any use in an MXT zone that existed legally at the time of the passing of Zoning By-law 2020.213 (October 10, 2006) is deemed to conform to this By-law with respect to permitted uses.
(n) Buildings containing stacked townhouse units are not permitted within 25 metres of a public street having a deemed width of 26 m or greater.
(o) Buildings containing back-to-back townhouses are not permitted within 25 metres of a public street having a deemed width of 26 m or greater.
(p) Buildings containing townhouse units are not permitted within 55 metres of a public street having a deemed width of 26 m or greater.
(q) In buildings containing residential dwelling units, a Standard Restaurant, with Dance Floor is only permitted at grade where office uses or uses accessory to residential are located on the second storey.
(r) Subject to Part 1, Section 2.21, Subsection (u)

As the 'Mixed Use Corridor-Employment (MXE)' zone does not permit residential uses, a Zoning By-law Amendment (ZBA) is required to rezone the Subject Lands to 'Mixed Use Corridor-General (MXG)', to allow for the proposed residential development. The proposed Draft ZBA is intended to bring the zone category into conformity with Growth Plan, Halton Region Official Plan, and the proposed OPA proposed for the Subject Lands, as described in **Appendix D.**

The following uses are permitted in the 'MXG' Zone:

TABLE 10: PERMITTED USES IN THE 'MXG' ZONE	
Convenience/Specialty Foods Store (a)	Other Retail Stores (a)
Standard Restaurant	Standard Restaurant with Dance Floor (r)
Fast Food Restaurant	Convenience Restaurant
Dry Cleaning Depot, Laundromat, Laundry Service (a)	Veterinary Services (d)
Elevated Parking Facility (i)	Other Service Commercial Uses (a)
All Office Uses	Community Institution
Night Club (b,c,h)	Car Wash per Part 1, 2.9 (b, c)

Motor Vehicle Service Station per Part 1, 2.10 (c)	Motor Vehicle Sales, Leasing, Rental, and Service (e,f)
Entertainment Establishment	Recreational Establishment
Apartment Building	Retirement Home
Dwelling Units in a commercial/office building	Stacked Townhouse (see Subsection 5) (n)
Back-to-Back Townhouse (see Subsection 5) (o)	Townhouse (see Subsection 5) (p)
Additional Residential Units	

*The permitted uses in the MXE Zone are subject to the same footnotes as the MXG Zone

The following is a summary of the zone regulations for the MXG zone and the proposed site-specific provisions:

TABLE 11: ZONING COMPARISON CHART, CITY OF BURLINGTON ZONING BY-LAW 2020

		EXISTING	PROPOSED	COMPLIANCE
Provision		**Required as per By-law 2020 For 'MXE' Zone**	**Required as per By-law 2020 For 'MXG' Zone**	**Proposed, including Site Specific Amendments**
Lot Width		25 m	25 m	128.77 m
Lot Area		1,000 m^2	1,000 m^2	10,780.75 m^2
Yard abutting any other street	**Minimum**	3 m	3 m	Building A= 2.7 m (min) and 5.0 m (max) abutting Grahams Lane Building B= 6.5 (min) and 11.2 m (max) abutting Grahams Lane Building C= N/A
	Maximum	4.5 m (a) (a) Maximum yard shall apply only to buildings located within 60 metres of a public street.	4.5 m (a) (a) Maximum yard shall apply only to buildings located within 60 metres of a public street.	
Rear Yard		3 m	3 m	Building A= 6.76 m Building B= N/A Building C= 5.44 m
Side Yard		No minimum	No minimum	Building A= 7.46 m Building B= 20.0 m Building C=19.78 m & 9.80 m
Yard abutting a railway right-of-way		none required	none required	Building B= 20.0 m Building C= 9.80 m
Separation Distance from a railway right-of-way		30 m for land uses sensitive to Railway rights-of-way	30 m for land uses sensitive to Railway rights-of-way	Building B= 20.0 m Building C= 9.80 m
Maximum Floor Area Ratio for: Other Buildings:		1.0:1	1.5:1	4.25:1
Minimum Floor Area Ratio for Buildings other than Entertainment, Recreational, or Industrial Buildings		***	0.3:1	4.25:1

Minimum Density in a Residential Building	***	30 units/ha	722 units/1.08 ha= 669 units/ha
Landscape Area, Abutting a Street	3 m *An outdoor patio may encroach into a required landscape area abutting a street.	3 m *An outdoor patio may encroach into a required landscape area abutting a street.	Building A= 2.7 m abutting Grahams Lane Building B= 7.7 m abutting Grahams Lane
Building Height	Other uses: 6 storeys maximum	Other uses: 2 storeys minimum, 6 storeys maximum	Building A= 16 storeys, 49.5 m Building B= 9 storeys, 28.5 m Building C= 20 storeys, 61.5 m
Parking			
Parking Rate, Apartments	Within a Primary Growth Area as identified on Schedule B-1 of the City Official Plan (2020), as approved by Halton Region on November 30, 2020, and as may be further amended: 1.25 spaces per unit inclusive of visitor parking. *This is an interim rate and is subject to further study to be undertaken by the City. An application to reduce this parking rate will be required to be supported by a parking justification study deemed acceptable by the City.	Within a Primary Growth Area as identified on Schedule B-1 of the City Official Plan (2020), as approved by Halton Region on November 30, 2020, and as may be further amended: 1.25 spaces per unit inclusive of visitor parking. *This is an interim rate and is subject to further study to be undertaken by the City. An application to reduce this parking rate will be required to be supported by a parking justification study deemed acceptable by the City.	Combined rate of 0.83 parking spaces/unit 0.70 residential parking spaces/unit 0.13 visitor parking spaces/unit
Parking Size Requirement	Minimum width of 2.75 m and a minimum area of 16.5 sq m	Minimum width of 2.75 m and a minimum area of 16.5 sq m	Perpendicular stall dimension= 6.0 m in length x 2.75 m in width ▪ Minimum area= 16.5 m^2 Parallel stall dimension= 7.2 m in length x 2.75 m in width ▪ Minimum area= 19.8 m^2 Barrier free stall (type A)= 6.0 m in length x 3.4 m in width ▪ Minimum area= 20.4 m^2 Barrier free stall (type B)= 6.0 m in length x 2.75 m in width ▪ Minimum area= 16.5 m^2
Pedestrian Walkway	A 3 m walkway shall be provided from the street connecting the sidewalk to the principal entrance of the building and shall be unencumbered except	A 3 m walkway shall be provided from the street connecting the sidewalk to the principal entrance of the building and shall be unencumbered	3 m walkway is provided from the right-of-way to the principal entrance of Buildings A and B.

	that the walkway may cross a driveway.	except that the walkway may cross a driveway.	
Parking Structures	i) Any part of an enclosed parking structure that projects 1.6 m or more above grade shall be subject to the yard requirements of the zone designation. ii) Entrance and exit ramps to below-grade and above-grade parking structures or building shall be set back 7.5 m from a street line. iii) Below-grade parking structures shall not extend into a required landscape buffer and shall be set back 3 m from all other property lines and street lines.	i) Any part of an enclosed parking structure that projects 1.6 m or more above grade shall be subject to the yard requirements of the zone designation. ii) Entrance and exit ramps to below-grade and above-grade parking structures or building shall be set back 7.5 m from a street line. iii) Below-grade parking structures shall not extend into a required landscape buffer and shall be set back 3 m from all other property lines and street lines.	i) The entrance to the underground parking structure is located internal to the site. ii) Setback from ramp to below-grade parking to street line= 15.52 m. iii) Setback from below-grade parking structure to property line= 0.8 m. The parking structure is not located within a required landscape buffer.
Accessible Parking Spaces	5 to 50 spaces: 1 designated accessible parking space 51 to 90 spaces: 2 designated accessible parking spaces Over 90 spaces: 3% of required parking *Each designated accessible parking space shall meet the minimum width and area requirements of subsection (1) (a) above and shall be located adjacent to a delineated "accessible parking pathway" with a minimum width of 2.0 metres.	5 to 50 spaces: 1 designated accessible parking space 51 to 90 spaces: 2 designated accessible parking spaces Over 90 spaces: 3% of required parking *Each designated accessible parking space shall meet the minimum width and area requirements of subsection (1) (a) above and shall be located adjacent to a delineated "accessible parking pathway" with a minimum width of 2.0 metres.	A total of 14 accessible parking spaces are provided, 7 type A (1 at-grade, 6 below-grade) and 7 type B (1 at-grade, 6 below-grade) parking spaces are provided. This translated to a rate of 2.34% of total proposed parking as accessible spaces. The minimum "accessible parking pathway" width is 1.5 metres.
Bicycle Parking Dimensions	(a) Each bicycle parking space shall be 60cm x 1.8m in size"	(a) Each bicycle parking space shall be 60cm x 1.8m in size"	Minimum short term bicycle space dimensions= 0.6 m in width X 1.8 m in length X 2.75 m in vertical clearance Minimum long term bicycle space dimensions= 0.45 m in width X 2.0 m in length X 2.75 m in vertical clearance
Loading and Unloading			

Required Loading and Unloading	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.	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.	One off-street loading space is provided at each of the three (3) buildings.
Loading and Unloading	(b) Loading/unloading docks shall be screened from view from a street or adjoining residential zone.	b) Loading/unloading docks shall be screened from view from a street or adjoining residential zone.	Loading/unloading docks will be screened from public view.
Amenity Area			
Amenity Area	15 m^2 per efficiency dwelling unit 20 m^2 per one-bedroom dwelling unit 35 m^2 per two or more bedroom dwelling unit	15 m^2 per efficiency dwelling unit 20 m^2 per one-bedroom dwelling unit 35 m^2 per two or more bedroom dwelling unit	13.8 m^2 of amenity area per dwelling unit (2.12 m^2 of indoor amenity area and 11.6 m^2 of outdoor amenity area)
Balconies- Residential			
Balconies	Balconies are permitted in all zones, provided: -Accessory to dwelling unit -Must meet principal building setback with encroachment allowance permitted in Part 1, Section 2.13 (c).	Balconies are permitted in all zones, provided: -Accessory to dwelling unit -Must meet principal building setback with encroachment allowance permitted in Part 1, Section 2.13 (c).	None of the balconies encroach into a required yard.

The various exceptions proposed in the zoning table above are appropriate for the Subject Lands. The following table demonstrates how each of the proposed amendments are justified for the Subject Lands

TABLE 12: JUSTIFICATION FOR SITE-SPECIFIC AMENDMENTS IN THE PROPOSED ZBA	
PROVISION	**RATIONALE**
Reduced Amenity Area	The amenity requirements of the City of Burlington are significant for apartment buildings. The reduced amenity area is appropriate given the site's situational context in close proximity to the nearby parks and community amenities, as identified in Table 1. Design choices have been made throughout the development of the proposal, including the need to balance amenity space while achieving an efficient site design that prioritizes livability.
Reduced Required Parking	The parking provided through the proposed development reflects appropriate parking requirements for lands located within a Major Transit Station Area (MTSA). The lower required parking rate is appropriate given the proximity of the Subject Lands to the Burlington GO Station, and the transit-supportive design of the development. The reduction in parking has been determined to be appropriate as justified in detail in the accompanying TIS and Parking Justification Plan prepared by Arcadis.

Reduced Required Accessible Parking	The accessible parking provided aligns with more contemporary standards for accessible parking provided under the Accessibility for Ontarians with Disabilities Act, 2005. Ontario Regulation 191/11: Integrated Accessibility Standards, under the Accessibility for Ontarians with Disabilities Act, 2005 states that the minimum number of parking spaces for the use of persons with disabilities is two parking spaces with an additional 2% of parking spaces for the use of persons with disabilities, where there are between 201-1000 parking spaces provided. The proposed development meets these requirements through providing 14 accessible parking spaces (2 spaces + (0.02*598)= 14 spaces). Further justification is provided in the TIS and Parking Justification Plan prepared by Arcadis.
Reduced Minimum Accessible Parking Pathway Width	The minimum width of the accessible parking pathway has been designed to conform to the minimum width for parking pathways outlined in O. Reg 191/11 which, is 1.5 m. Additional details pertaining to the accessible parking pathway width is provided in TIS and Parking Justification Plan prepared by Arcadis.
Increased Height and FAR	The proposed site-specific exceptions to the height and FAR in the ZBA are appropriate for the Subject Lands, due to the location of the site within the Burlington GO UGC/MTSA where higher and more compact building forms and transit-supportive densities are to be directed. The increased height and density proposed will allow for a redevelopment of an underutilized site, in close proximity to transit, active transportation routes, and community amenities, to increase reliance on alternative modes of transportation. Impacts related to the height and density are addressed through the building design which is outlined in detail in the Urban Design Brief.
Increased Maximum Yard Setback Abutting a Street	An increase in the maximum yard requirement abutting Grahams Lane is required to accommodate the angled footprints of Buildings A and B that are not parallel to Grahams Lane. The increased front yard allows for the enhanced landscaped area, outdoor amenity area, and bike parking at the front of Buildings A and B, which supports the achievement of a pedestrian-oriented public realm along Grahams Lane. The increased setback also allows for maximal site efficiency, while ensuring compatibility with surrounding land uses.
Reduced Minimum Yard Setback Abutting a Street	A reduced minimum front yard setback is required to accommodate the enhanced built form and massing proposed for Building A which, incorporates appropriate setbacks and stepbacks to accommodate a seamless transition to the public realm.
Reduced Separation Distance from a Railway Right-of-Way	As per Section 3.3.1 of the 'Guidelines for New Development in Proximity to Railway Operations' prepared for the Federation of Canadian Municipalities (FCM) and the Railway Association of Canada in 2013, the general setback from a mutual lot line between the spur line and a new residential development is 15 m. Section 3.3.1 also indicates that this setback may be substantially reduced through the construction of a crash wall. Building B is setback 20.0 m from the mutual lot line, while Building C is setback 9.8 m. It is acknowledged that Building C's reduced 9.8 metre setback to the rail spur line will require a crash wall designed and constructed in accordance with the requirements of the federal guidelines and safety standards to address and mitigate impacts.

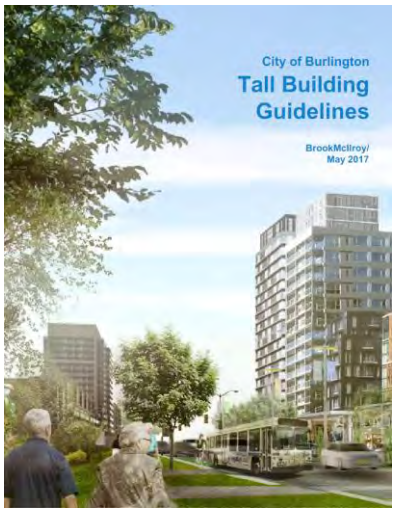
Reduced Dimensions for Long-Term Bicycle Parking Spaces	A slight reduction in the width of the long-term bicycle parking space is required to allow for the 2-tier stacked bicycle parking system designed based on the manufacturer's dimensions, as seen in the details of the Site Plan prepared by Kohn Architects. This is a minor reduction to accommodate the bicycle parking.
Reduced Setback from a Below-grade Parking Structure to a Property Line	A reduction in the required setback from the proposed below-grade parking structure to the property line is required to accommodate the parking structure. The parking structure shall be setback a minimum of 0.8 m from the property line, whereas a 3 m setback from the parking garage to the property line is required. The reduction in setback is required to accommodate the proposed parking on the irregularly shaped lot.
Reduced Landscape Area Abutting a Street	A slight reduction in the landscaped area abutting a street is required along the frontage of Building A. Landscaped area will be provided within private and public lands along Grahams Lane to enhance the public realm, as depicted on the Landscape Plan prepared by NAK.

Zoning By-law Summary

The zoning applicable to the Subject Lands does not allow for the appropriate level of intensification as required by Provincial and Regional policy as discussed herein. A Zoning By-law Amendment to Zoning By-law 2020, to re-zone the Subject Lands from 'Mixed Use- Employment (MXE)' to 'Mixed Use-General (MXG)' with site-specific provisions, is required to accommodate the proposed residential redevelopment. Site-specific provisions are required to address an increase in: permitted floor area ratio; building height; and, maximum yard requirements abutting a street. Site specific provisions are also required to reduce the: minimum required yard abutting a street; required separation distance from a railway right-of-way; amenity area requirements; parking and accessible parking rate requirements; accessible parking pathway width; dimensions for long-term bicycle parking spaces; landscape area abutting a street; and, reduce the setback from a below-grade parking structure to the property line. All of these exceptions are appropriate to implement the proposed development as noted.

5.0 URBAN DESIGN

5.1 TALL BUILDING DESIGN GUIDELINES



The City of Burlington Tall Building Design Guidelines (2017) are to be considered in preparation of development applications as they provide direction on buildings over 11 storeys. The Design Guidelines provide direction for podium design, site design, open space and streetscaping, tower design and rooftop design.

The analysis of these guidelines and how the proposal implements these guidelines has been provided in depth in the Urban Design Brief prepared by MHBC Planning.

5.2 MID-RISE BUILDING DESIGN GUIDELINES



The City of Burlington Mid-Rise Building Design Guidelines (2019) are to be considered in preparation of development applications as they provide direction on buildings between 5 and 11 storeys. The Design Guidelines provide direction for podium design, site design, open space and streetscaping, tower design and rooftop design.

The analysis of these guidelines and how the proposal implements these guidelines has been provided in depth in the Urban Design Brief prepared by MHBC Planning.

6.0 CONCLUSIONS

6.1 PLANNING JUSTIFICATION SUMMARY

As discussed in detail throughout this report, the proposed OPA and ZBA will: facilitate development of the Subject Lands to allow for the appropriate intensification of the site to support growth and the achievement of minimum density targets in the PMTSA; provide an appropriate redevelopment within the PMTSA; implement an appropriate level of transit-supportive development to support transit usage; provide a high quality urban design and built form; mitigate impacts; and, be efficiently serviced with existing municipal infrastructure.

Appropriate Intensification to Support Growth and Density Targets

The proposed amendments to the Official Plan and Zoning By-law enable the redevelopment of the Subject Lands to align with appropriate intensification in a PMTSA. This development plan encompasses a residential development which will enhance the public realm and expand the housing options to meet the Provincial and Regional growth and density targets.

The proposal will introduce 722 new residential units thereby addressing the anticipated population growth expected to reach 193,000 people by 2031. Additionally, it contributes towards the achievement of the Regional housing target of 8,300 homes by the same year. The plan integrates appropriate intensification within a Protected Major Transit Station/Urban Growth Centre which requires a minimum density of 200 people and jobs per hectare.

Transit-Supportive Development

Strategically located within a Protected Major Transit Station Area, the proposal is to be transit-supportive, providing for residential units in close proximity to transit and the Burlington GO Station. This contextually appropriate intensification is designed to maximize potential transit users within walking distance of the Burlington GO Station and Downtown Burlington, contributing to increased transit use and efficient utilization of services. The project also provides for reduced vehicle parking, increased bicycle parking, and is in proximity to the Hydro Corridor trail for active transportation.

High-Quality Urban Design and Built Form

The proposed development allows for the comprehensive redevelopment of the Subject Lands, with residential apartments that feature integrated high-quality public realm improvements and a design that incorporates appropriate setbacks and step-backs in the built form, as well as connectivity between amenity and open spaces.

Land Use Compatibility

The proposed development shall be planned and developed to minimize and mitigate any potential adverse effects from noise and to ensure the long-term operational viability of major facilities in accordance with provincial guidelines, standards, and procedures.

Servicing and Infrastructure

Supported by the Transportation Impact Study and Functional Servicing and Stormwater Management Report, the proposal demonstrates that municipal infrastructure can effectively service the proposed development.

6.2 CONCLUSION

As outlined in this report, together with the supporting technical reports, the proposed development and associated OPA and ZBA represent an appropriate redevelopment and intensification of the Subject Lands.

Based on the existing physical context and surrounding area, the technical assessment of the proposal, and the analysis of the proposal within the current and proposed policy and regulatory context, the proposed redevelopment and associated OPA and ZBA:

1. Has regard for the *Planning Act*, is consistent with the Provincial Policy Statement (2020), and conforms to the Growth Plan for the Greater Golden Horseshoe (2020);

2. Conforms with the Halton Region Official Plan;

3. Conforms, as amended, with the in-force City of Burlington Official Plan;

4. Aligns with the direction and policies under the appealed new Official Plan;

5. Aligns with the Metrolinx Regional Transportation Plan (2041);

6. Is well-served by existing community infrastructure including public transit, bike lanes, parks, schools, and recreational amenities;

7. Enhances the public realm and pedestrian environment within the site and along the exterior street frontages;

8. Is compatible and mitigates impacts; and, is appropriate for the Subject Lands and represents good planning and is in the public interest.

Based on these conclusions, it is recommended that the proposed OPA and ZBA be approved.
Respectfully submitted,

MHBC



Dana Anderson, MA, FCIP, RPP
Partner



Tamara Tannis, MCP, MCIP, RPP
Associate

Appendix A

Pre-Consultation Report

CITY OF Burlington

DEVELOPMENT APPLICATION PRE-CONSULTATION FORM

Meeting Date: **March 22, 2023** **Update: December 22, 2023**	**Site Address:** **1393 Grahams Lane**
Property Owner: **2621458 Ontario Inc. c/o Mark Partin**	**Applicant / Address / Phone / Email** **MHBC Planning** **442 Brant St, Suite 204** **Burlington, ON** **L7R 2G4** **905-639-8686** **krauscher@mhbcplan.com**
Site Area: **1.08 ha**	

APPLICATION TYPE (check applicable applications):

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

1. Brief description of proposed development:

The proposal contemplates a residential development with three buildings of 20, 16, and 9 storeys. The total gross floor area is 45,968 square metres and total unit count is 628 units. Access is proposed from Grahams Lane and parking is proposed on two levels with 503 parking spaces for residents and 94 visitor parking spaces with a total of 597 parking spaces.

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

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

3. 1997 Official Plan Designation: Mixed Use Corridor - Employment

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

If 'NO' what is the nature of the OP amendment needed? Land use, built form

4. 2020 Official Plan Designation: Urban Centre - Employment

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

If 'NO' what is the nature of the OP amendment needed? Land use, Built form

5 Existing Zoning: Mixed Use Corridor - Employment

Conformity with existing zoning? YES _____ NO X

If 'NO' what is the nature of the zoning amendment needed? Land use, Built form

6. Design Guidelines in effect? YES ___X___ NO _____

Name of Design Guidelines: Tall Building Guidelines, Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings, Pedestrian Level Wind Study Guidelines and Terms of Reference, Shadow Study Guidelines and Terms of Reference, Sustainable Building and Development Guidelines, Stormwater Management Design Guidelines, Guidelines for Outdoor Lighting

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

YES _____ NO ___X___

8. Fees Required at Time of Application

APPLICATION	CITY	REGION	CONSERVATION HALTON
Official Plan Amendment:	$278,842.50	$9,526.13	TBD
Rezoning - Base Fee: Rezoning - Variable Fee:	$73,620.00 Units 0 to 25: Units 26 to 100: Units 101 plus: Need more information	$1,123.65	TBD
Subdivision - Base Fee: Subdivision - Variable Fee:	N/A	N/A	N/A
TOTAL	Need more information	$10,649.78	TBD

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

****To calculate the fees correctly, I will need the number of units per building. As per the "Application Fee Calculation Instructions" #1, For every building on a property greater than 4 storeys in height, each building shall be considered a separate application when calculating the maximum applicable fee.***

9. Additional Agencies to be contacted: Burlington Hydro, Hydro One, Enbridge, CN Railways, Metrolinx

10. Pre-Application Public Consultation Meeting

Is a pre-application consultation meeting required?

YES ___X___ NO _____

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

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

11. Community Benefits

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

YES X NO ____

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

12. Required Information for Complete Application

1)	Completed Application Form	Required
2)	Fees for the processing of planning application(s)	Required
Supporting Reports, Studies, Plans **In accordance with Policies contained within 11.1.2 of the City's Official Plan, all identified materials must be submitted in accessible PDF format consistent with the City's standards and the standards of <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 Severance Sketch, prepared by an Ontario Land Surveyor	Yes
iv.	Land Use Compatibility Study	Yes
v.	Retail and Service Commercial Needs Assessment	No
vi.	Financial Impact Study	Yes
vii.	Housing Impact Statement	Yes
viii.	Park Concept Plan	Yes
ix.	Agricultural Impact Assessment	No
x.	Social Impact Assessment	No
xi.	Archaeological Report	No
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	Yes
xvii.	Burlington Urban Design Advisory Panel (BUD) Comments	Yes
xviii.	Height Survey of Adjacent Buildings	No
xix.	Angular Plane Study	No
xx.	Shadow Analysis Plan/Study	Yes

xxi.	Quantitative Wind Impact Study	Yes
xxii.	Arborist's Report	No
xxiii.	Tree Inventory and Preservation Plan	No
xxiv.	Landscape Plan	Yes
xxv.	Water & Wastewater Functional Servicing Report	Yes
xxvi.	Hydrogeology Study / Water Budget & Hydrology Study	No
xxvii.	Source Protection Disclosure Report	No
xxviii.	Noise Feasibility Study / Vibration Study	Yes
xxix.	Transportation Impact Study	Yes
xxx.	Transportation Demand Management Plan and Implementation Strategy	Yes
xxxi.	Parking Justification Report	Yes
xxxii.	Storm Water Management Report / Functional Drainage Report, Storm Services Plan and Flooding Hazard Delineation and/or Grading and Drainage Plans	Yes
xxxiii.	Environmental Impact Assessment	No
xxxiv.	Top-of-bank Demarcation / Slope Stability Assessment / Creek Erosion Assessment / Geomorphic Study	No
xxxv.	Shoreline Hazardous Land Studies	No
xxxvi.	Geotechnical Report	No
xxxvii.	Phase One Environmental Assessment	Yes
xxxviii.	Phase Two Environmental Assessment Record of Site Condition	Yes Yes (in process)
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 (as part of Tertiary Plan)	Yes
xliii.	Response to Comments Received at a Community Meeting Held in Advance of a Formal Development Application	Yes
xliv.	Tertiary Plan for Legion Node	Yes
xlv.	Urban Design Brief	Yes
xlvi.	Tenant Relocation and Assistance Plan	No
xlvii.	**Other** Environmental Site Screening Questionnaire Draft Official Plan Amendment / Draft Zoning By-law Amendment Construction & Mobility Management Plan Waste Management Plan	 Yes Yes No Yes

	Phasing Plan (if applicable)	Yes
	Letters of Reliance for Environmental Site Assessments and engineering studies	Yes
	Flood Hazard Assessment (if proceeding prior to completion of City's Phase Two Flood Study)	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

1393 Graham's Lane - March 22, 2023

Attendees:

City of Burlington: Bill Wallace, Thomas Douglas, Benjamin Kissner, Jenna Puletto, Samantha Romlewski (Community Planning), Faye Wang (Development Engineering), Sandra Lucas (Transportation)
Region of Halton: Adam Huycke, Amanda McNeish, John Kisneris
Conservation Halton: Colleen Bain
Proponents: Dana Anderson, Katherine Rauscher (MHBC), Mark Partin, Matt Christie (Northstone Capital Partners), Andrea Nagy, Sean Lawrence, (Kohn Partnership architects), Alireza Takook and Mark Potter (Altus)

**Attendees list is from the meeting March 22, 2023. There was no additional meeting for the updated comments.*

Description of Development Concept:

- The proposal contemplates a residential development with a 20-storey building, a 16-storey building, and a 9-storey building. The total gross floor area is 45,968 square metres and total unit count is 628 units. Access is proposed from Grahams Lane and parking is in two levels of underground parking with 503 parking spaces for residents and 94 visitor parking spaces with a total of 597 parking spaces.

Planning Comments:

Official Plan (1997, as amended)

- The lands identified as "**Mixed Use Activity Area**" on Schedule A, Settlement Pattern provide locations where employment, shopping and residential uses will be developed. Employment, shopping and residential land uses will be integrated in a compact urban form, at higher development intensities and will be pedestrian-oriented and highly accessible by public transit.
- The subject property is designated "**Mixed Use Corridor – Employment**", as shown on Schedule B, Land Use Plan – Urban Area. This area has been identified as a location which is primarily intended for higher intensity, transit- and pedestrian-oriented employment development.
- The following uses may be permitted within the Mixed Use Corridor - Employment locations: industrial uses; a broad range of office uses, a limited range of retail, service commercial and personal service uses which serve the day to day needs of employees; financial institutions and services; entertainment, recreation and other community facilities such as libraries and day care centres and motor vehicle dealerships.
- In Mixed Use Corridor - Employment locations, residential uses shall be prohibited. In addition, individual retail and service commercial uses shall be limited to a maximum size as set out in the Zoning By-law.
- The maximum floor area ratio is 1.0:1, except industrial uses, where maximum floor area ratio is 0.5:1.
- The maximum building height is 6 storeys, except for industrial uses, where the maximum building height shall be 2 storeys.
- Buildings should be located so as to front and face the street, to provide a sense of human comfort and pedestrian scale and interest, and in close proximity to the street and to transit services.
- Off-street parking needs may be reduced for sites with transit supportive designs or shared parking arrangements.
- Proposals for the re-designation of lands designated Mixed Use - Employment to allow non-employment uses, or to add a range of uses to the Mixed Use Corridor-Employment designation that are primarily permitted in a non-employment designation, shall be evaluated based on meeting the following criteria:
    - the proposal shall only be considered in conjunction with the Comprehensive Review provisions identified in the Provincial Policy Statement and the policies of Provincial Plans
    - the proposal shall not detrimentally affect the short and long-term employment land needs of the City

- the intensity and characteristics of the proposed non-employment uses shall not detrimentally impact the viability, desirability, or the proper servicing of existing and future surrounding land uses
- the site's physical and natural characteristics, development constraints and location shall justify the consideration of nonemployment uses at the subject location
- re-designation of lands abutting major transportation corridors including railways, highways and major arterial roads shall be discouraged
- support studies as identified in Part VI, Section 5.3, Other Studies Policies of the Plan are prepared
- in addition to (i) through (vi) above, the re-designation shall also meet at least two of the following conditions:
    - the amount of land affected is minor in area based on the projected land requirements within the planning horizon of the Plan
    - the development of the site is not feasible for employment uses within the planning horizon of the Plan
    - there are no alternative sites, designated and approved for the proposed use elsewhere in the City
    - the proposal will have a beneficial impact on the surrounding uses and the broader community
    - the development of the land for non-employment uses will meet a public need identified by City Council resolution

New Official Plan (2020, subject to appeals)
Burlington's new Official Plan was adopted by City Council on April 26, 2018 and approved, with modifications, by Halton Region on November 30, 2020. The Planning Act states that all parts of an approved Official Plan that are not subject to appeal will come into effect on the day after the end of the appeal period. That date was December 22, 2020 for the Burlington Official Plan.

The record prepared for the Ontario Land Tribunal (OLT) by Halton Region on December 23, 2020 states that a total of 48 appeals were filed regarding the Burlington Official Plan, 2020. You can view a list of the appeals at the link below. For those parts of the plan which have been referred to the OLT for a decision, relevant sections of the Burlington Official Plan, 1997 (as amended) will remain in effect until the applicable appeals have been resolved. As the OLT process advances, the Burlington Official Plan, 2020 is subject to change and the interim working version will require periodic updates. The interim working version of the Burlington Official Plan, 2020 must be read along with all appeals, as well as any orders and decisions resulting out of subsequent OLT proceedings, and users must satisfy themselves as to the legal status and applicability of the policies.
The interim working version of the Burlington Official Plan, 2020 is provided for information purposes only. For legal purposes, reference should be made to the original certified documents which are on file with the City Clerk including the April 26, 2018 City of Burlington adopting bylaw (By-law 024-2018), the Nov. 30, 2020 Halton Region Notice of Decision and all subsequent orders and decisions issued by the OLT.
You can view the status of the OLT case, scheduled hearings, and orders and decisions that have been issued by visiting the Ontario Land Tribunal's website and searching case number "OLT-22-002219" (legacy case number PL210040).
For more information please visit the City's New Official Plan Project website www.burlington.ca/officialplan.

- Urban Structure
    - The property is located within a **Major Transit Station Area (MTSA)** and **Urban Growth Centre (UGC)**
    - The property is identified as **Mixed Use Nodes and Intensification Corridor** in Schedule B: Urban Structure of the new OP
    - Mixed Use Nodes and Intensification Corridors will be a focus of re-urbanization. These areas vary widely and will be guided by the underlying land use designations of this Plan. Some areas will be planned to evolve with higher residential intensities and a full mix of uses, while others may permit a more limited range of employment-oriented permitted uses, both designed to achieve their planned function. These areas will support the frequent transit corridors and provide focal points of activity

and a vibrant pedestrian environment and facilitate active transportation through careful attention to urban design, enhancing the opportunities for the location of public service facilities and institutional uses.
    - Over the long-term, Mixed Use Nodes and Intensification Corridors will contribute to accommodating employment uses and meeting the City's economic objectives.
- Land Use Designation
    - The property is identified as **Urban Corridor – Employment** on Schedule C: Land Use – Urban Area.
    - The Urban Corridor – Employment designation is intended for higher intensity employment uses. Given that major retail and residential uses are prohibited, these sites are expected to transition to accommodate employment and at-grade accessory retail and service commercial uses.
    - The permitted uses in the Urban Corridor – Employment designation are industrial uses, office uses, accessory retail and service commercial uses which serve the day to day needs of employees, home improvement and home décor sales, automotive commercial uses, including large-scale motor vehicle dealerships existing on the date this Plan comes into effect, entertainment uses, and recreation uses.
    - Accessory retail and service commercial uses may only be permitted provided that: the use is located at grade level; and the use is located within a building containing or proposed to contain employment uses above the first storey.
    - The maximum floor area ratio is 2.0:1. An increase to this floor area ratio may occur through a site-specific Zoning By-law amendment or minor variance application, without the need for an amendment to this Plan, provided that the objectives of the Urban Corridor-Employment designation are maintained.
    - The maximum building height is 6 storeys. Where required to ensure compatibility, four (4) to six (6) storey buildings may be required to be terraced back from adjacent residential areas and/or the street.
- MTSA
    - The property is located within the **Burlington GO Major Transit Station Area (MTSA)**
    - Major Transit Station Areas (MTSAs) are an important component of the City's Urban Planning Area, and are intended to serve as city-wide destinations and focal points for the provision of transit. MTSAs will exhibit a wide variety of land uses and building types, and densities that will be oriented to support and facilitate transit and active transportation. Located in key areas served by the regional and local transit networks, MTSAs are focal points for higher intensity and mixed-use, transit supportive development that will accommodate a significant share of the City's future population and employment growth.
    - Over the long-term, Major Transit Station Areas (MTSAs) will contribute significantly to accommodating employment and meeting the City's economic objectives.
    - MTSAs are currently being considered through an area-specific planning process, that will consider the importance of accommodating employment over the long term in areas targeted for intensification.
    - Section 8.1.2 of the New OP identifies objectives and policies for MTSAs, as well as considerations that will apply to the evaluation of development applications that are submitted prior to the completion of an Area-Specific Plan.
- Growth Framework
    - The property is identified as a **Primary Growth Area** on Schedule B-1: Growth Framework.
    - Primary Growth Areas shall be recognized as a distinct area within the City's Urban Area accommodating the majority of the city's forecasted growth over the planning horizon of this Plan and beyond, and consequently will experience the greatest degree of change
- Flood Hazard Mapping
    - As shown on Appendix E-14 of the new OP, the subject property is impacted by **Additional Flood Hazards**.
- Land Use Compatibility
    - The proposal is for residential use which is a sensitive land use and the policies of Chapter 4, Subsection 4.6 of the new OP apply.

- Staff will review the applications for Official Plan Amendment and Zoning By-law Amendment with consideration for the Official Plan Amendment criteria in section 12.1.1(3)(i) and the Intensification Criteria in section 12.1.2(2.2) of the new Official Plan.

Area-Specific Plan for Downtown Burlington Urban Growth Centre/Burlington GO MTSA Special Planning Area (Burlington Junction)

Background

The Major Transit Station Area Area-Specific Planning project commenced in 2017 with the purpose of establishing a policy framework that guides future development and investment within the Major Transit Station Areas to plan for the location and form of new housing, offices, industries, anticipated needs for services such as parks, new infrastructure, schools and community amenities. The policy framework will also guide the growth of complete communities in a transit supportive manner.

On October 11, 2023 staff released proposed draft Official Plan Amendment No. 2 (OPA 2) and draft Community Planning Permit (CPP) By-law for public engagement throughout Fall 2023. The draft OPA and draft CPP By-law are being advanced in conformity with both Provincial and Regional plans and reflect the culmination of the visioning, technical work and public consultation that has been completed to date. They largely reflect the vision for the MTSAs as outlined in the Council-endorsed Recommended Preferred Precinct Plans (Dec 2021) and the Major Transit Station Area Area-Specific Planning Study Final Report (June 2022), as well as technical study and additional areas of analysis as directed by Council that have been completed since then. For a detailed overview of key project milestones and documents that informed the preparation of the draft OPA and CPP By-law, visit www.getinvolvedburlington.ca/mtsa.

The land use schedules included in the draft OPA and draft CPP By-law are to be read in conjunction with the policies and regulations of both documents. Together they establish a vision for future growth in the MTSAs to the year 2051 and set the standards for future development over the long term.

A statutory public meeting on the proposed OPA and draft CPP By-law was held on October 31st. While the Notice of Statutory Public Meeting indicated a written comment deadline of November 7th, the deadline has since been extended to December 4th, 2023. A copy of the draft OPA and CPP By-law can be found at www.getinvolvedburlington.ca/mtsa.

Staff will be reviewing all feedback received and responding to that feedback through a future recommendation report to Council. Updates will be posted to the MTSA project website, www.getinvolvedburlington.ca/mtsa, when future staff reports are available. We encourage you to subscribe to the project website to be notified by email when updates are posted.

Draft MTSA & Precinct Policies and Regulations

The following section provides an overview of the draft policies and regulations for the site located at 1383 Graham's Lane as outlined the draft Official Plan Amendment No. 2 and draft Community Planning Permit (CPP) By-law.

- The subject site is located within the Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area. This MTSA is the City's Urban Growth Centre and the focal point for growth and intensification. It will have the greatest variety and intensity of uses in the City, from residential to commercial, major office, cultural, recreation, public service facilities and other employment uses. The Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area will be a destination

for residents both within and beyond the MTSA.

- Within the Burlington GO MTSA, the subject site is located within the Legion Commons/Nodes Precinct. The vision for the Legion Commons/Nodes Precinct is as follows:
    - Includes former City employment lands that were converted to become a complete community and serve as a community hub;
    - New community hub will provide for the introduction of new public service facilities such as community centres and will support the creation of a diverse range and mix of housing options, including the retention of existing rental housing;
    - Precinct presents opportunities for ground-oriented housing as well as some ground and second floor retail and service commercial uses in mixed use buildings;
    - The replacement of an equal number of jobs will be retained through the creation of new uses serving this area including public service facilities, retail and service commercial uses; and,
    - A Tertiary Plan of this precinct is required to ensure the delivery of public service facilities and community amenities.

- Development located within the Legion Commons/Nodes Precinct shall contain a minimum of two permitted or discretionary uses and should contain three permitted uses in the same building or lot where feasible (CPP By-law, 6.5.2). Permitted and discretionary uses for the Legion Commons/Nodes Precinct is outlined in Table 6.1 in the draft CPP By-law. Certain permitted uses are subject to footnote a): retail, service commercial and entertainment uses are limited to the bottom two floors only.

- As shown on Schedule F-2 "Downtown Burlington Urban Growth Centre/Burlington GO MTSA Activated Streets" in the proposed OPA No.2 and Figure 1a of the draft CPP By-law, the subject site is located along two Activated Streets - MTSA Major Mixed Use Street (Graham's Lane) and MTSA General Mixed Use Street (proposed street). Activated Streets located in MTSAs will be designed to cater to pedestrians and create a vibrant streetscape for leisure, shopping, dining and working. Section 5.26 and 5.27 of the draft CPP By-law provide considerations that apply to development along Activated Streets.

- Along Major Mixed Use Streets such as Graham's Lane, retail, service commercial or office, uses shall be required continuously at grade in buildings having frontage onto public streets. Public service facilities, institutional uses and residential lobby entrances in conjunction with other permitted uses are permitted along activated streets (draft OPA No. 2, policy 8.1.2 (8.2)).

- Vision for other elements of the public realm:

    - As shown on Schedule F-1 "Downtown Burlington Urban Growth Centre/Burlington GO MTSA Transportation Network" in the draft OPA No.2, new MTSA Distributor Streets are proposed within the Legion Commons/Nodes Precinct. As noted in Table 3: Classification of Major Transit Station Area Facilities of the draft OPA No.2, MTSA Commercial Distributor Streets have a requirement of a 26m right of way, cycling provisions of wide land sharrows and a minimum 2.0m pedestrian clearway and 1.5 planting and furnishing zone. MTSA Commercial Distributor Streets are described as:

        - A community street that provides 'rear' service and access functions to adjacent commercial and residential properties;

        - High level of pedestrian and cycling activity and low to moderate level of vehicular traffic; and
        - Provides an attractive environment that complements adjacent main or civic streets.
    - As noted in Table 3: Classification of Major Transit Station Area Facilities of the draft OPA No. 2, Graham's Lane between the Hydro Corridor and Brant Street is identified as a 26m public right of way. A road widening of 3m is required.
    - As shown on Schedule F: Land Use of draft OPA No.2 and Figure 1a: Public Realm and Active Transportation Plan in Downtown Burlington UGC/Burlington GO MTSA Permit Area, a New Park is identified at the northeast corner of Graham's Lane and the Hydro corridor fronting on Graham's Lane.

- The entirety of the Legion Commons/Nodes precinct is shown on Schedule F-3: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Tertiary Planning Areas, of the proposed OPA. A Tertiary Plan shall consider the items set out in Section 8.1.2(9.1)d) of the proposed OPA and shall also address the following:
    - Transportation connections, including new streets and active transportation connections throughout the precinct in accordance with the Major Transit Station Area Transportation Study and completion of a Transportation Impact Assessment;
    - A new public park and linear park connections within the precinct;
    - Public service facilities and institutional uses provided as part of mixed use development.

- Maximum Heights and the Provision of Services, Facilities and Matters:

  With respect to height, the intent of the draft CPPS is to permit the maximum heights set out in the Council-endorsed Recommended Preferred Precinct Plans (Dec 2021) and allow for the possibility of heights beyond those specified in the CPP By-law without the need for an official plan amendment, provided that the achievement of complete communities and appropriate transitions to existing low-rise areas outside of the MTSAs are demonstrated.
    - It should be noted that while the draft OPA provides minimum density targets for each MTSA and general policies regarding complete communities and built form transitions, it does not establish minimum/maximum heights; instead, heights are regulated through the draft CPP By-law.
    - The draft CPP By-law requires the provision of services, facilities and matters commensurate with permissions for height, and sets out development standards to ensure that development delivers a variety of community amenities and transitions appropriately to existing low rise areas outside of the MTSAs. All CPP applications are subject to sections 5.28 Burlington Housing Targets, and 5.29 Provision of Services, Facilities and Matters, of the draft CPP By-law.
    - The minimum height of the subject site is envisioned to be 4 storeys (Table 6.2), and the maximum heights are contemplated to be 6 storeys for a Class 1 application and 11 storeys for a Class 2 application (Schedule B-2 and B-3, respectively). Heights above 11 storeys would require a Class 3 Community Planning Permit.

- Class 2 and 3 applications are also subject to provision 3.5.1, Criteria for Variations from Standards, of the draft CPP By-law.

- Please refer to Section 5 General Provisions and Section 6.6 Development Standards of the draft CPP By-law for general standards applying to all MTSAs and standards specific to the MTSA and precinct. Variations to standards may be allowed through a Class 2 or 3 CPP application; see Table 3.1 and Section 3.4 Variations of the draft CPP By-law for more information about how variation requests are proposed to be administered under the CPPS.

Next Steps

- Staff continue to engage on the draft Official Plan Amendment and draft Community Planning Permit By-law and have extended the deadline to receive comments to **Monday, December 4th** and welcome your feedback. We are committed to working with the development industry throughout the process and suggest walking your development proposal through the CPPS as a test case. Comments can be provided to mtsa@burlington.ca

- Feedback received by December 4, 2023 will be used to inform staff's recommended OPA and CPP By-law. The recommended OPA and By-law are anticipated to be brought to City Council in Q1 2024.

- Continue to follow the MTSA project at www.getinvolvedburlington.ca/mtsa and email us at mtsa@burlington.ca with question or if you would like to set up a meeting to discuss further.

Urban Design Guidelines

The following design guidelines are applicable to the proposed development:

a) Tall Building Guidelines (2017)
b) Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings (2019)
c) Pedestrian-Level Wind Study Guidelines and Terms of Reference (2020)
d) Shadow Study Guidelines and Terms of Reference (2020)
e) Sustainable Building and Development Guidelines (2021)
f) Stormwater Management Design Guidelines (2020)
g) Guidelines for Outdoor Lighting (2008)

Preliminary Feedback on Development Concept

1. The redevelopment of the subject lands represents a significant opportunity to achieve numerous City-Building objectives of the new Official Plan and the Area-Specific Plan for the Burlington GO MTSA, including in relation to housing, community uses, commercial uses, employment uses, parks and open space, transportation, sustainable development, and urban design. The subject lands are irregularly shaped and located within an area (Legion Node) subject to land use compatibility constraints and hazardous lands. The subject lands are the first parcel within the Legion Node to come forward for redevelopment in the context of the Urban Growth Centre, New Official Plan, and Area-Specific Plan for Burlington GO. **Staff will require the applicant to complete a Block Plan for the entire Legion Node to ensure the redevelopment of the subject property contributes to, and does not hinder, the achievement of the objectives of the New Official Plan and the Area-Specific Plan for Burlington GO MTSA.** The applicant should contact Planning staff for further discussion of the terms of reference for this Block Plan. Please refer also to the MTSA Final Report (2022) by Dillon Consulting, in particular sections 3.3.8 and 4.3.

2. The Regional Official Plan Amendment identifies the Protected MTSA boundary and minimum density target (200 people and jobs per hectare) and target proportional mix of residents and jobs (65% of residents and 35% of jobs) for the Burlington UGC/MTSA. In addition, Section 3.3.6 Employment Uses and Conversions of the Dillon Consulting Final Report for the MTSA identifies that for lands within the MTSA that have proposed designations that were the result of an Employment re-designation, the redevelopment of any employment lands will retain space for a similar number of jobs to remain accommodated on site. Furthermore, for the lands that have been converted from either the Region's Employment overlay or the City's Employment Area, the City may utilize planning tools such as a holding provision and supported by metrics and monitoring to ensure the delivery of a similar number of jobs on site. It is the City's expectation that the people and jobs provided through new development be in line with the proportional mix of people to jobs as set out through the Region's Official Plan (65% Residents/35% jobs).
   The Legion Node is envisioned as a mixed-use Community Hub with community facilities and active uses at grade. The proposed development consisting of 3 residential buildings does not contribute any jobs to meet the intent of the policies of the Regional Official Plan, nor the vision of Legion Node. The proposed development should incorporate a mix of uses, and the Planning Justification Report should address how the proposed development contributes to the targets and objectives of the MTSA/UGC.
3. The City does not support the future parkland dedication proposed running north-south adjacent to the CN rail corridor. As this rectangular block falls within the CN rail corridor, these hazard lands are not safely programmable for public use and lead to a dead end in terms of pedestrian connectivity. The City will not accept this space as parkland dedication. Further, the City does not support the central landscaped area as a parkland dedication or future City park. This space is internal to the development and has no street frontage on a public street.
4. A Noise Report and Land Use Compatibility study will be required to address compatibility with the surrounding uses (including employment uses, rail corridor, Hydro One corridor, arterial roads).
5. The subject property is within an area studied by the City through a Flood Hazard and Scoped Stormwater Management Assessment (Phase 1 and 2). Refer to Conservation Halton comments below related to flood hazards, and Region of Halton comments related to Natural Heritage System.
6. The proposed development is of a scale and intensity that greatly exceeds what is permitted by the Official Plan and the new Official Plan, and what is envisioned for the Legion Node in the Council-endorsed MTSA Precinct Plan. The Planning Justification Report and Block Plan will need to provide a strong planning rationale for the proposed increased scale and intensity of development on this site, and address how this increase is supported by the provision of parkland and a mix of land uses, as well as community amenities/public service facilities/institutional uses, and other features that contribute to achieving the objectives of the MTSA Precinct Plan and the City-building objectives of the new Official Plan.
7. The proposed side and rear setbacks for Building A and C appear to be insufficient to allow for appropriate building separations from potential future developments on adjacent properties to the east and north. The proposed development must not hinder the development potential of the adjacent properties. Refer to the City's Design Guidelines for Mixed-Use and Residential Mid-rise Buildings (Mid-Rise Guidelines) for guidance on building separation and setbacks.
8. Please ensure the main pedestrian access to Building C is located near to a drop-off area and has safe, direct access to the street. Based on the submitted drawings, it is not clear where the main pedestrian entrance of this building is proposed to be located, but it appears that pedestrians may have to cross a loading area and garage ramp to reach the east side of the building, or walk a long distance from the drop-off area around to the west side of the building.
9. The siting of the proposed at-grade outdoor amenity area (central to the site) may result in this space being in shadow for most of the day. Please consider shadow and wind impacts when determining design of buildings and the location of the outdoor amenity area relative to the proposed buildings. The Urban Design Brief and Landscape Concept Plan should outline the proposed concept for programming of the outdoor amenity area.

10. Please ensure a mix of residential unit types including multi-bedroom units to provide diverse housing options. Refer to Burlington's Housing Strategy
11. The proposed parking rate of 0.95 spaces per unit is substantially lower than the rate of 1.25 spaces per unit required within a Primary Growth Area. Please provide additional parking. A Parking Justification Report will be required for any proposed reduction in parking supply.
12. The location of the proposed surface parking spaces, immediately adjacent to the front lot line with no setback, is not supported. The Urban Design Brief should identify appropriate locations for any surface parking spaces, drop-off areas, ramps, and loading areas, with consideration for safe site circulation as well as impacts to the streetscape and public realm and the planned urban context of the neighbourhood.
13. Sufficient underground setbacks must be provided to ensure that shoring does not encroach into the City right-of-way, parkland, or adjacent properties.
14. Underground and above-ground setbacks should also provide space for the planting of trees. The need for additional setbacks may be identified through the block plan and/or the review of a development application, such as setbacks to avoid potential conflicts with underground infrastructure (including green infrastructure).
15. If the development is proposed to be phased, staff will require a Phasing Plan with the application

Application Requirements

1. Official Plan Amendment and Zoning By-law Amendment applications are required for the proposed development
    - A draft Official Plan Amendment and Draft Zoning By-law Amendment must be submitted with the application. If the development is proposed to be developed in phases and/or registered as multiple separate condominium corporations, these considerations should be factored into the Draft Zoning By-law Amendment.
2. Block Plan for Legion Node
    - Contact Thomas Douglas, Senior Planner, at Thomas.douglas@burlington.ca, to establish Terms of Reference for Block Plan
    - Please refer also to the MTSA Final Report (2022) by Dillon Consulting, in particular sections 3.3.8 and 4.3.
3. Prior to submitting the application, a Pre-Submission Neighbourhood Meeting is required. Please refer to the provided Applicant's Guide to Pre-Submission Neighbourhood Meetings.
    - Meeting may be held virtually, in person, or in a hybrid format that permits attendance remotely or virtually. Contact Thomas Douglas (Thomas.douglas@burlington.ca) to discuss options.
    - The neighbourhood meeting is to be organized by the applicant and must be held before the application is submitted.
    - Circulation of the meeting invitation to residents and tenants within 120 metres of the development site will be completed by the City for a fee. Provide a PDF of the meeting invitation on the applicant's letterhead for distribution. Notice must be sent a minimum of 20 days in advance of the meeting.
    - Please notify the Ward Councillor, and the Coordinator of Development Review of the date, time and location of the meeting. Be sure your meeting location is accessible and close to the development site.
    - 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.
4. Prior to submitting the application, consultation with the Burlington Urban Design Panel (BUD) will be required.
    - An Urban Design Brief will be required to explain how the City's Urban Design Guidelines have been addressed and how the comments of BUD have been taken into account.

- A copy of the BUD meeting minutes must be submitted with the application. BUD Terms of Reference are provided.
- Contact the City's Urban Designer, Silvia Laban, silvia.laban@burlington.ca, to initiate a BUD consultation

5. A Planning Justification Report is required:
   - to discuss the impact of Provincial, Regional, and local planning policy on the proposed development;
   - to explain why the requested change of land use and increase in height, density, and floor area ratio is desirable and represents good planning;
   - to discuss how the results of the required technical studies have been used to refine the redevelopment proposal;
   - to explain how input received at the pre-submission neighbourhood meeting has been used to refine the proposal;
   - to explain how input received from the Burlington Urban Design Review Panel has been used to refine the proposal;
   - to explain how the proposed development is compatible with surrounding land uses and maintains the Official Plan's intent for these lands.
6. Conceptual Site Plan
7. Architectural Drawings: floor plans, elevations
8. Landscape Plan
9. Refer to Conservation Halton comments below regarding Flood Study requirements
10. Both a Noise Report and a Land Use Compatibility study will be required to address compatibility with the surrounding uses (including employment uses, rail corridor, Hydro One corridor, arterial roads)
    - Noise Reports/Land Use Compatibility Studies will be peer reviewed at the expense of the applicant. The applicant is encouraged to consider submitting these studies prior to submitting the application so that City staff have sufficient time to initiate the peer review without affecting overall timelines for application review. Please contact Thomas Douglas, Senior Planner, regarding possible early submission of technical studies.
11. An Urban Design Brief is required in accordance with section 7.1.2 and 8.1.2(3) of the new Official Plan. The brief shall demonstrate how the proposed development contributes toward achieving MTSA objectives for design and how the development is consistent with the policies contained in Chapter 7 of the new OP, and any applicable design guidelines.
12. Quantitative Pedestrian-level Wind Impact Study (wind tunnel test) in accordance with the City's Pedestrian-Level Wind Impact Study Guidelines and Terms of Reference
13. Shadow Study in accordance with the City's Shadow Study Guidelines and Terms of Reference
14. Park Concept Plan to show location, size, dimensions, and conceptual design of the required public park, and how the proposed development will interface/integrate with the public park.
15. A Housing Impact Statement is required in accordance with section 3.1.1(2) of the new Official Plan
16. A Financial Impact Study is required in accordance with section 6.5.2(i) of the new Official Plan and Part II, section 12.3 of the Official Plan. Refer to standard terms of reference appended to this document
17. Phasing Plan (if applicable)
18. The required Transportation Impact Study (TIS) shall address all modes of transportation, giving priority to active transportation and transit considerations, including frequent transit corridors, in accordance with subsection 8.1.2(3)(e) of the new Official Plan
19. Please consider sustainable building design in your proposed development. An introductory letter from the Burlington Sustainable Development Committee and a copy of the Burlington Sustainable Building and Development Guidelines are provided under separate cover.
20. A 3-D model of the proposed development is required as part of a complete application
21. Section 37 Benefits may be required.
22. Staff contact: Thomas Douglas, Senior Planner, Thomas.douglas@burlington.ca, (905) 335-7600 ext. 7811

**The following comments from internal and external agencies have all been updated. From this point, I have stopped highlighting updates.*

Zoning Comments:
Current Zoning:

The subject property is currently zoned MXE, Employment Corridor, under By-law 2020 as amended.

Proposed Zoning:

The applicant has not indicated a proposed zone in the pre-consultation request form. It is assumed that the applicant's intent is to amend the MXE zone with a site-specific exception. If a different zone category is proposed through the Zoning Amendment, additional comments may apply.

Proposal:

The applicant is proposing a residential development comprised of three apartment buildings totaling 628 units with the following built forms:

- Building A: Apartment building comprised of a 4 storey podium, 9 storey tower and 16 storey tower in the southeast corner of the site fronting Graham's Lane
- Building B: An apartment building comprised of 9 storeys in the southwest corner of the site fronting Graham's Lane.
- Building C: An apartment building comprised of 20 storeys behind building B, located at the rear of the site
- Common outdoor amenity areas
- Underground parking with two levels of parking

No floor plans have been provided, and it is unclear if any other uses are proposed at this time.

Applicable Law:

The subject lands are within an area which is requires consultation with Conservation Halton. The proposed development may require a development permit or approval from Conservation Halton.

Submission Requirements:

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. Fully dimensioned floor plans for each building, including the roof, in metric, showing property boundaries with setbacks from the building and balconies / terraces to property lines, for each floor. All bedrooms and dens are required to be dimensioned for their room area. All balconies and internal amenity areas are to be dimensioned.
4. Fully dimensioned amenity area plan for each building, in metric.
5. Fully dimensioned below-grade parking level plans for each building, in metric, showing property boundaries with setbacks. All parking spaces including accessible parking spaces to be dimensioned and / or parking space width and area confirmed.
    a. All Parking spaces should be labeled (e.g., Occupant, visitor, non-residential, designated accessible spaces, accessible pathways, etc.)
6. Fully dimensioned landscape plan for each site / property and / or block, in metric, with landscape areas / buffers labelled and amenity areas dimensioned.

7. Show all bike parking spaces, fully dimensioned in metric, or a detail typical, on the site plan or landscape plan.
8. Fully dimensioned elevation plans for each building, in metric, showing height as per the definitions noted within this document. Please note that a mechanical penthouses is included in height for the building.

Notes:

- A Zoning Clearance Certificate is required for each proposed building.
    - ❖ Separate Zoning Clearances required for each non-residential tenant fit-up if proposed.
        - ✓ A detailed letter of use will be required to be provide with each prospective tenant for zoning staff to categorize each use.
    - ❖ As part of each tenant fit up zoning, each tenant / use will be required to confirm that there is sufficient parking on site prior to zoning issuing any approvals.

- Development is subject City, Region, School Board Development Charges and Park Dedication fees, and may be subject to Community Benefits Charges. The following will be required prior to the Building Permit issuance.
    - ❖ A letter from an Ontario land surveyor confirming the total floor area of the existing/demolished buildings for determining Development Charges credits.
    - ❖ Providing all dimensions and areas for dens, lofts, studies or other similar areas (not: including kitchen, bathrooms, living rooms, family rooms or dining rooms) on the floor plans, as well the information should be provided in a spreadsheet indicating the floor and unit number as well as the dimensions and areas.
    - ❖ Development Charges are subject to interest and indexing as per each agencies By-law.

General Zoning Comments:

A future Site Plan Control Application will be required. Please also identify which buildings /blocks are intended to be rental versus condominium tenure (and type of condo tenure) for review as this may impact the zoning regulations that apply.

Full Zoning statistics will be required based on the following definitions and regulations, including, but not limited to:

- **Deemed Road Width:**
  Confirmation is required that Graham's Lane is at the deemed road widths. All zoning regulations are taken from the deemed road width as per Part 1, Section 2.27.

PART 1 – GENERAL CONDITIONS AND PROVISIONS

2.25 OFF-STREET PARKING AND LOADING REQUIREMENTS

2.25.1 Whenever a new development occurs or whenever an existing development is enlarged, extended or increased in capacity, in accordance with this By-law, off-street vehicle parking spaces shall be provided and maintained on the property and within the zone designation for all uses, except, within the "Downtown Parking Exemption Area" shown on Diagram 1A, Subsection 2.25 shall only apply to residential uses.

2.25.2 Off-Street parking shall be in accordance with Subsection 2.26, "General Parking Provisions"

2.25.3 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.

2.25.4 The number of parking spaces required for permitted uses in all zones shall be in accordance with Table 1.2.6, unless otherwise specified in the respective zones.

Zoning Review: To be confirmed upon review of formal submission.

Proposed use	Regulation	Complies
Apartment Building	**Within a Primary Growth Area as identified on Schedule B-1 of the City Official Plan (2020), as approved by Halton Region on November 30, 2020, and as may be further amended**: 1.25 spaces per unit inclusive of visitor parking. *This is an interim rate and is subject to further study to be undertaken by the City. An application to reduce this parking rate will be required to be supported by a parking justification study deemed acceptable by the City.*	**628 X 1.25 = 785 required** **Proposed = 597 (0.95 spaces per unit)** **Does not comply**

2.26 GENERAL PARKING PROVISIONS

(1) **Parking Space Size & Accessibility**

(a) Each parking space shall have a minimum width of 2.75 m and a minimum area of 16.5 m^2 and be readily accessible without obstructions at all times for parking and removal of a motor vehicle without the necessity of moving any other vehicle or obstruction. The minimum area of a parking space may include walkways for residential uses only.

The minimum internal dimensions for a private garage are 6.0m depth x 3.0m width x 2.0m height. The minimum internal dimensions for unobstructed area in the private garage are 5.5m depth x 3.0m width x 2.0m height. One step is permitted in the unobstructed area.

(b) Accessibility shall not apply to a parking space in a garage which is for the exclusive use of a dwelling unit, provided the driveway serving the garage has a minimum length of 5.5 metres. Accessibility is not required for 20% of the required occupant parking in townhouse, back-to-back townhouse, stacked townhouse, maisonette, fourplex, and apartment buildings.

Zoning Review: Compliance to be confirmed upon review of formal submission.

(2) **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 residential dwellings.

Zoning Review: To be confirmed at Site Plan Approval stage.

(3) **Surface Treatment**

Every parking lot, which includes parking spaces and driveways, shall be graded and drained and the surface treated so as to provide a permanent durable and dustless surface. This provision shall not apply to parking lots of residential developments having three or fewer dwelling units.

Zoning Review: Will comply and be verified at Site Plan Approval stage.

(4) **Access**

Every such parking lot shall have adequate means of entrance and exit directly to an existing street or public lane, and every such entrance and/or exit shall be clearly marked by directional signs.

Zoning Review: Will comply.

(5) **Parking Structures**

i) Any part of an enclosed parking structure that projects 1.6 m or more above grade shall be subject to the yard requirements of the zone designation.

ii) Entrance and exit ramps to below-grade and above-grade parking structures or buildings shall be set back 7.5 m from a street line.

iii) Below-grade parking structures shall not extend into a required landscape buffer and shall be set back 3 m from all other property lines and street lines.

Zoning Review: To be confirmed upon review of formal submission. Applicant to provide setbacks to ramps or any parking structure elements which project above 1.6m from grade.

(6) **Designated Accessible Parking Spaces**

Where parking facilities are required, designated accessible parking spaces for the exclusive use of persons with disabilities shall be identified with a provincially regulated vertical sign displaying the international symbol for accessible parking spaces. Designated accessible parking spaces shall be included in the calculation of required parking and shall be provided in accordance with Table 1.2.7, 9(a) and 9(b):

Table 1.2.7

Required Parking	Designated Accessible Parking Spaces
Over 90 spaces	3% of required parking

(a) Medical office and institutional uses shall provide a minimum of one designated accessible parking space. Where out-patient services are provided, a minimum of 10% of the required parking shall be designated accessible parking spaces.

(b) Each designated accessible parking space shall meet the minimum width and area requirements of subsection (1) (a) above and shall be located adjacent to a delineated “accessible parking pathway” with a minimum width of 2.0 metres.

Zoning Review: To be confirmed upon review of formal submission.

(7) **Bicycle Parking**

Bicycle Parking spaces shall be provided in conjunction with office, retail, and service commercial, industrial and institutional developments, in accordance with Table 1.2.8 and (10)(a):

Table 1.2.8

Use	Required Bicycle Parking
Retail, Retail Centre Service Commercial Office, Institutional	2 spaces plus 1 space/1000 m^2 GFA
Industrial	2 spaces plus 0.25 spaces/1000m^2 GFA
Elementary & Secondary School	1 space/10 students & 1 space/35 employees
Post-Secondary School	1 space/20 students

(a) Each bicycle parking space shall be 60 cm x 1.8 m in size

Zoning Review: N/A – will comply.

2. PERMITTED USES

The uses permitted in a Mixed-Use Corridor Zone shall be in accordance with Table 5.2.1.

Table 5.2.1

USES	ZONES			
	MXG	MXC	MXE	MXT (m)
Retail Commercial				
Department Store				
Flea Market				
Large Building Supplies/Garden Store				
Large Furniture and Appliance Store				
Large Home and Auto Supplies Store				
Warehouse Club				
Supermarket/Grocery Store		✓		
Convenience/Specialty Foods Store	✓ **(a)**	✓	✓	✓
Farmers' Market				
Other Retail Stores	✓ **(a)**	✓	✓ **(l)**	✓
Service Commercial				
Standard Restaurant	✓	✓	✓	✓
Standard Restaurant with Dance Floor	✓**(r)**	✓**(r)**	✓	✓**(r)**
Fast Food Restaurant	✓	✓	✓	✓
Convenience Restaurant	✓	✓	✓	✓
Funeral Home		✓		
Dry Cleaning Depot, Laundromat, Laundry Service	✓ **(a)**	✓	✓	✓
Veterinary Services	✓ **(d)**	✓ **(d)**	✓ **(d)**	✓ **(d)**
Elevated Parking Facility	✓ **(i)**	✓ **(i)**	✓ **(i)**	✓ **(k)**
Other Service Commercial Uses	✓ **(a)**	✓	✓	✓
Office				
All Office Uses	✓	✓	✓	✓
Community				
Community Institution	✓	✓	✓	✓
Hospitality				

USES	ZONES			
	MXG	MXC	MXE	MXT (m)
Convention/Conference Centre		✓ (b,c)	✓ (b)	
Banquet Centre		✓ (b,c)	✓ (b)	
Caterer		✓	✓	✓
Automotive				
Car Wash per Part 1, 2.9	✓ (b,c)	✓ (b,c)	✓ (b)	
Motor Vehicle Service Station per Part 1, 2.10	✓ (c)	✓ (b,c)	✓	
Motor Vehicle Sales, Leasing, Rental, and Service	✓ (e,f)	✓ (c,g)	✓	
Motor Vehicle Repair Garage		✓ (b,c)	✓ (b)	
Taxi-cab Garage		✓ (b,c)		
Retail Propane Facility per Part 1, 2.7		✓ (b,c)	✓	
Industrial				
Industrial Uses permitted in a GE2 zone			✓ (j)	
Entertainment and Recreation				
Recreational Establishment	✓	✓	✓	✓
Entertainment Establishment	✓	✓	✓	✓
Night Club	✓ (b,c,h)	✓ (b,c,h)		
Residential				
Apartment Building	✓	✓ (a)		✓
Retirement Home	✓	✓		✓
Dwelling Units in a commercial/office building	✓	✓		✓
Stacked Townhouse (see Subsection 5)	✓ (n)	✓ (n)		
Back-to-Back Townhouse (see Subsection 5)	✓ (o)	✓ (o)		
Townhouse (see Subsection 5)	✓ (p)	✓ (p)		
Additional Residential Units	✓ (r)	✓ (r)		✓ (r)

Zoning Review: Apartment building to be added as permitted use within MXE zone.

Footnotes to Table 5.2.1

(a) Retail or service commercial uses permitted on the ground floor only

(b) Not permitted on a lot abutting a residential zone

(c) Not permitted on a lot containing residential dwelling units

(d) Facilities for the keeping of animals outside are not permitted.

(e) Not permitted on a lot exceeding 0.2 hectares or on a lot containing residential dwelling units

(f) Service bay doors shall be restricted to a maximum of two and are not permitted in a building elevation facing a residential zone.

(g) Not permitted on lots exceeding 0.2 hectares which abut a residential zone

(h) Maximum capacity shall not exceed 500 persons.

(i) Excluding a driveway entrance, the ground floor area of all parking structures within 15 metres of a public street shall be used for retail, service commercial, entertainment, or recreation uses.

(j) For industrial uses permitted in the MXE zone, the provisions of Part 3, Subsection 6.8 apply.

(k) Permitted only as an accessory use to a permitted use but not permitted as a principal use or commercial parking lot. Footnote (m) paragraph 1 does not apply.

(l) The following are the only other retail commercial uses permitted in an MXE zone: Office Furniture & Equipment, Computer Hardware & Software, Machinery & Equipment, Home Improvement Products.

(m) Additional regulations for the MXT zone:

All retail commercial with the exception of Convenience/Specialty Food Store uses, service commercial, hospitality, entertainment, community institution and recreational uses in an MXT zone are subject to a maximum floor area per use of 500 m^2. Convenience/Specialty Food Store uses in an MXT zone are subject to a maximum floor area per use of 1000 m^2 .

Notwithstanding the uses permitted in Table 5.2.1, any use in an MXT zone that existed legally at the time of the passing of Zoning By-law 2020.213 (October 10, 2006) is deemed to conform to this By-law with respect to permitted uses.

(n) Buildings containing stacked townhouse units are not permitted within 25 metres of a public street having a deemed width of 26 m or greater.

(o) Buildings containing back-to-back townhouses are not permitted within 25 metres of a public street having a deemed width of 26 m or greater.

(p) Buildings containing townhouse units are not permitted within 55 metres of a public street having a deemed width of 26 m or greater.

(q) In buildings containing residential dwelling units, a Standard Restaurant, with Dance Floor is only permitted at grade where office uses or uses accessory to residential are located on the second storey.

(r) Subject to Part 1, Section 2.21, Subsection (u)

3. PROHIBITED USES

In addition to Part 1, Subsection 2.22 “Prohibited Uses”, the following uses are also prohibited:

- Warehouse Club
- Hotel
- Propane Cylinder Handling Facility
- Bulk Propane Storage Depot
- Video Game/Pinball Machine Arcade
- Adult Entertainment Establishment
- Residential uses permitted in Table 5.2.1 shall be subject to Part 2, Subsection 2, “Prohibited Uses” (see below):

2. PROHIBITED USES

Notwithstanding the uses permitted in Residential Zones, the following uses, as well as those in Part 1, Subsection 2.22, are prohibited except where permitted by the respective zone:

- Parking or storing a motor vehicle, excepting a recreational vehicle, exceeding a registered gross vehicle weight of 3000 kg, an overall length of 6 m or an overall height of 2.6 m is prohibited.
- Parking or storing a motor vehicle equipped with a stake body is prohibited.
- Parking or storing a recreational vehicle on or off a trailer or supported by other means or parking or storing a utility trailer including its load which exceeds a combined height of 3.6 m is prohibited.
- The parking or storage of any motor vehicle, motorcycle, snowmobile, jetski, trailer, recreational vehicle, boat, or other such conveyance is not permitted within a landscaped open space area.

4. MXG, MXC, MXE, MXT ZONE REGULATIONS

4.1 LOT WIDTH, AREA, AND YARDS

Table 5.4.1

Regulation	Requirement	Proposed	Complies
Lot width	25 m	TBD via Survey	Will comply
Lot Area	1000 m^2	10,382m2 per applicant	Yes
Yard abutting Plains Road west of the Queen Elizabeth Way	3 m minimum; 23 m maximum	N/A	N/A
Yard abutting any other street	3 m minimum; 4.5 m maximum **(a)**	5m minimum proposed Bld A & B 50m plus Bld C – Setback needed to building to confirm if this reg applies to "C"	No
Rear Yard	3 m	3m	Yes
Side Yard	no minimum	6m-7.5m	Yes
Yard abutting a residential zone	Floors 1 to 3: 12 m Floors 4 and 5: 15 m Floor 6: 18 m	N/A	N/A
Building setback from a creek block	7.5 m	N/A	N/A
Yard abutting a Pipeline Easement	7 m	N/A	N/A
Yard abutting a railway right-of-way	none required	10m +	Yes
Separation Distance from a railway right-of-way	30 m for land uses sensitive to Railway rights-of-way	15m to apartment buildings, TBD to underground parking	No
Yard abutting a PC or P zone	6 m	N/A	N/A

Footnote to Table 5.4.1:

(a) Maximum yard shall apply only to buildings located within 60 metres of a public street.

Zoning Review: The maximum building setback likely will not apply to Building C, however setback is required to confirm. Separation distance to a railway right-of-way will be required to be amended.

4.2 SEPARATION DISTANCE

Standard Restaurant: 15 m between the use and a residential zone
Fast Food Restaurant: 30 m between the use and a residential zone
Night Club: 45 m between the use and a residential zone

Zoning Review: Not applicable unless uses are proposed. No residential zones nearby.

4.3 FLOOR AREA, FLOOR AREA RATIO, AND DENSITY

Table 5.4.2

Requirement	Zone			
	MXG	MXC	MXE	MXT
Maximum Floor Area Ratio for:				
Entertainment or Recreation buildings:	0.5:1	1.0:1	0.5:1	* * *
Industrial buildings:	* * *	* * *	0.5:1	* * *
Other buildings:	1.5:1	1.5:1	1.0:1	* * *
Maximum Floor Area per Retail or Service Commercial Use:	1800 m^2	5600 m^2	500 m^2	* * *
Minimum Floor Area Ratio for Buildings other than Entertainment, Recreational, or Industrial Buildings:	0.3:1	0.3:1	* * *	0.5:1
Minimum Density in a Residential Building	30 units/ha	30 units/ha	* * *	55 units/ha

Notwithstanding the above minimum floor area ratio provisions, any buildings or structures of less than 0.5:1 floor area ratio which legally existed as of the date of the passing of Zoning By-law 2020.205 (April 28, 2008) are deemed to conform to the floor area ratio regulations of this By-law for the life of the building or structure.

Zoning Review: Maximum Floor Area Ratio (FAR) will require amendment.

4.4 LANDSCAPE AREA AND BUFFER

Landscape Area:
Abutting a street: 3 m
Abutting a creek block or O3 zone: 3 m
Abutting a PC or P zone: 3 m
An outdoor patio may encroach into a required landscape area abutting a street.

Landscape Buffer:
Abutting a residential zone: 6 m

MXT Zone – Landscape Area
Abutting a street: 3 m
Abutting a creek block or O3 zone: 3 m
Abutting a PC or P zone: 3 m

An outdoor patio may encroach into a required landscape area abutting a street.

Zoning Review: Landscape area appears to include bicycle (short term parking) within it. If proposed, amending by-law would need to include permissions for bicycles within Landscape Area. If hydro transformers are required to be placed within landscape area, they should also be contemplated within amending by-law.

4.5 BUILDING HEIGHT

MXE Zone	
Industrial/automotive uses:	2 storeys maximum
Other uses:	6 storeys maximum
MXG Zone	
Automotive uses:	2 storeys maximum
Other uses:	2 storeys minimum, 6 storeys maximum
MXC Zone	
Office/Apartment building:	2 storeys minimum, 6 storeys maximum
Automotive uses:	2 storeys maximum
Other uses:	2 storeys minimum, 6 storeys maximum
MXT Zone	
All uses:	2 storey minimum, no maximum Notwithstanding the above maximum height provision for the MXT Zone, within 10 m of Fairview Street, Drury Lane and Brant Street streetlines, a maximum building height of 6 storeys is permitted

In MXG and MXC zones, the floor area of the second, third, and fourth storeys of a building containing more than one storey must be at least 50% of the floor area of the first storey.

Notwithstanding the above minimum height provisions, any buildings or structures of less than two storeys in height which legally existed as of the date of the passage of Zoning By-law 2020.205 (April 28, 2008) are deemed to conform to the building height regulations of this By-law for the life of the building or structure.

Zoning Review: Amending by-law required to reflect building heights inclusive of mechanical penthouses.

4.6 PARKING

(a) Parking shall be provided in accordance with Part 1, Subsection 2.25 “Off-Street Parking and Loading Requirements”, except as amended by the following:

(b) The minimum number of parking spaces required for non-residential uses in MXG, MXC, and MXT zones is deemed to be the number generated by the standards outlined in Part 1, Table 1.2.6, less a factor of 5%; and

(c) For non-residential uses in MXG, MXC, and MXT zones, the number of parking spaces provided shall not be greater than 102% of the minimum standard outlined in Part 1, Table 1.2.6;

(d) Visitor Parking: Where a development is comprised of a mix of residential and non-residential uses, non-residential parking located on the same property as the residential use may be counted toward required visitor parking for the residential use, using the standards outlined in clause (c) above;

(e) Where the use is a mixed-use development, the parking requirement may be calculated using percent of peak period use as given in the detailed table outlined below, using the standards outlined in clauses (b) and (c) above. For purposes of this subsection, "mixed-use development" is defined as a development which contains any combination of office, retail/service commercial, restaurant, and/or overnight accommodation uses which shares parking on the same lot.

The initial step in determining the parking for a mixed-use development is to calculate the parking requirement for each use contained within the development as if these uses were free-standing buildings. The parking requirement for each use is then multiplied by the percent of the peak period for each time period, (e.g.: noon) contained in the charts below. Each column is totaled for weekday and weekend. The maximum figure obtained from all time periods shall become the parking requirement for the specific mixed-use development.

Percent of Peak Period Occupancy (Weekday)				
Type of Use	**Morning**	**Noon**	**Afternoon**	**Evening**
Office/Financial Institution	100	90	95	10
Retail/Service Commercial	80	90	90	90
Restaurant	20	100	30	100
Percent of Peak Period Occupancy (Weekend)				
Type of Use	**Morning**	**Noon**	**Afternoon**	**Evening**
Office/Financial Institution	10	10	10	10
Retail	80	100	100	70
Restaurant	20	100	50	100

(f) Pedestrian Walkway: A 3 m walkway shall be provided from the street connecting the sidewalk to the principal entrance of the building and shall be unencumbered except that the walkway may cross a driveway.

(g) Notwithstanding (f), if a detached dwelling is converted to a service commercial or office use, a pedestrian walkway of 1.5 m shall be provided from the street connecting the sidewalk to the principal entrance of the building and shall be unencumbered except that the walkway may cross a driveway.

(h) Truck and Trailer Parking: Truck and trailer parking is prohibited except:

i. when the truck or trailer is being loaded or unloaded
ii. when the truck or trailer is for customers of the permitted principal use
iii. when the truck or trailer belongs to a property owner or tenant
iv. when the truck or trailer is being used for charitable purposes

(i) Bicycle Parking: Bicycle Parking for Residential and Entertainment uses in MXT zones, shall be provided in accordance with Table 5.4.3

Table 5.4.3

Use	Required Bicycle Parking (a) (b) (c)
Residential	0.05 short term bicycle parking spaces per unit 0.5 long term bicycle parking spaces per unit
Entertainment	2 short term bicycle parking spaces plus 1 short term bicycle parking space/1000 m^2 of GFA 2 long term bicycle parking spaces plus 1 long term bicycle parking space/1000 m^2 of GFA

Footnotes to Table 5.4.3

For the purpose of these regulations:

(a) Long term bicycle parking spaces are bicycle parking spaces for use by the occupants, employees or tenants of a building, and must be located in a building. Required long term bicycle parking spaces in apartment buildings may not be in a dwelling unit, on a balcony, or in a storage locker.

(b) Short term bicycle parking spaces are bicycle parking spaces for use by visitors to a building.

(c) Each bicycle parking space shall be 60 cm x 1.8 m in size.

Zoning Review: Compliance cannot be confirmed without review of formal submission encompassing all detailed plains outlined under Submission Documents on page 2 of the Zoning Comments document.

4.7 OUTSIDE STORAGE

(a) Only merchandise displayed for retail sale may be stored outside, provided the merchandise is not stored in a truck, trailer, or other vehicle.

(b) Perishable waste must be kept in refrigerated storage within a building. Alternatively, perishable waste may be stored outside if a deep collection waste disposal system, comprised of a sealed container with a lockable lid located primarily below grade, is used.

(c) Non-perishable waste stored outside on lands abutting a residential zone shall be kept within a solid screen enclosure subject to Part 1, Subsection 2.2.3.

Zoning Comments: Not proposed. To be re-confirmed at Site Plan stage.

4.8 OUTDOOR MANUFACTURING

Outdoor manufacturing in the MXE zone is prohibited.

Zoning Comments: No manufacturing uses are proposed.

4.9 FENCING

On lands abutting a residential zone fencing shall be installed along the common boundary with the residential zone and shall have a minimum height of 1.8 m, which may be a solid screen fence or a combination of chain-link fence and landscape planting to form a dense year-round screen.

Zoning Comments: N/A – does not abut a residential zone.

4.10 OUTDOOR PATIOS

Outdoor patios shall be set back 45 m from a residential zone.

Zoning Comments: Would only apply to an outdoor patio associated with a restaurant (see outdoor patio definition).

4.11 DRIVE-THROUGH FACILITIES

(a) Restaurants:

(i) Where drive-through facilities are located in or adjacent to building elevations facing a street, landscaping shall be provided to screen the building elevation from the street.
(ii) External conveyor pick-up systems are not permitted in a yard abutting a street and shall be set back 15 m from a residential zone.
(iii) Intercom ordering stations shall be set back 15 m from a residential zone.

(b) Other uses:

(i) Not permitted in building elevations facing a street.
(ii) Freestanding facilities shall be set back 15 m from a residential zone.

Zoning Comments: N/A – Not proposed.

4.12 LOADING AND UNLOADING

(a) Loading/unloading shall not take place within 7.5 m of a residential zone.

(b) Loading/unloading docks shall be screened from view from a street or adjoining residential zone.

Zoning Comments: To be determined upon review of formal submission of detailed floor plans.

4.13 AMENITY AREA

- 15 m^2 per efficiency dwelling unit
- 20 m^2 per one-bedroom dwelling unit
- 35 m^2 per two or more bedroom dwelling unit
- Back-to-back townhouse: 25 m^2 per dwelling unit

Zoning Comments: To be determined upon review of formal submission of detailed floor plans, site plan and amenity area plans.

4.14 DOORS

Every building located within 60 metres of a street with a deemed width of 26 metres or greater shall provide a pedestrian accessible door on the building elevation facing the street.

Zoning Comments: Graham's Lane has a deemed width of 20m. Regulation is not applicable.

DEFINITIONS:

Amenity Area
The area situated within the boundaries of a project and intended for recreational purposes, which may include open spaces, patios, balconies, communal play areas, lounges, sundecks, and roofdecks, but shall not include the area occupied at grade by the buildings, service areas, parking, and driveways.

Apartment Building
A building consisting of more than 4 dwelling units, which units have a common entrance from the street level and where the occupants have the right to use in common, halls, stairs, yards, and accessory buildings.

Floor Area, Gross Building
The total area of the floor measured to the outside of all outside walls, including a basement or cellar but excluding areas used for parking of motor vehicles or areas above an atrium.

Floor Area Ratio
The mathematical relationship between building floor area and lot area, determined by dividing the gross building floor area of all buildings on a lot by the net area of that lot.

Grade
When used with reference to a building, the average elevation of the finished surface of ground where it meets the front wall of such building, exclusive of any artificial embankment or depressed driveway.

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.

Landscape Area
An area of land within a lot dedicated to the planting of trees, shrubs, flower beds, or a combination thereof and which may include other decorative landscape features. A Landscape Area may be crossed by a driveway or walkway provided it is substantially perpendicular to the Landscape Area. A ground sign may be located within a

Landscape Area. A Landscape Buffer may be included in the calculation of Landscape Area. Snow storage and transformers are not permitted in a required landscape area.

Lot Line, Rear
The lot line or point of intersection of the side lot lines farthest from and opposite the front lot line.

Lot Line, Side
A lot line other than a front or rear lot line. In the case of a corner lot, the longer lot line that abuts a street shall be known as the side lot line abutting a street.

Region of Halton Planning Comments:

REGIONAL OFFICIAL PLAN, 2009

Designation & Overlays: Urban Area (Map 1), Built Boundary, Urban Growth Centre/Major Transit Station Area on a *Priority Transit Corridor*

Urban Area and Employment Area – Overlay, as amended by ROPA 48 & 49

- The Subject Lands are designated Urban Area (Built Boundary) in the 2009 ROP, as amended by ROPA 48 and 49. The Urban Area policies of the ROP provide that the range of permitted uses and the creation of new lots within the Urban Area will be in accordance with Local Official Plans and Zoning By-laws. All development, however, shall be subject to all other relevant policies of the ROP.
- The goal of the Urban Area and the Regional Urban Structure is to manage growth in a manner that fosters complete communities, enhances mobility across Halton, addresses climate change, and improves housing affordability, sustainability and economic prosperity.
- Section 72.1 (6) identifies a Regional Urban Structure that directs growth to the *Strategic Growth Area*. The policies of the ROP provide for a structure and hierarchy in which to direct population and employment growth.
- Staff note that the subject lands are located along a Regionally mapped *Strategic Growth Area,* being within the Urban Growth Centre/Major Transit Station Area. Brant Street is further considered to be a *Priority Transit Corridor*. The ROP identifies a minimum growth target of 200 persons and jobs per hectare for this growth area, and further identifies a growth target of 65%:35% (residents to jobs) ratio for this growth area.
- While the subject lands are located within a *Strategic Growth Area* where growth and redevelopment are to be focused, the ROP identifies and supports the comprehensive planning for these areas in accordance with policy 77(5) of the ROP. Specifically, the Region's Official Plan (Section 48, 77 (5) and Section 79.3(3)) provides that *Area Specific Plans* are required for the development of new *Strategic Growth Areas*. An approved *Area Specific Plan* would provide for the comprehensive development for the area. Any application received in advance of the approval of approval of an *Area Specific Plan* for this area may be considered premature. Careful consideration of the proposed intensification of use for the subject lands needs to be given in the context of the Region's growth management strategy and should be addressed robustly in a Planning Justification Report.
    - Matters to be addressed should an application be submitted in advance of the completion of the Regional Comprehensive Review and City of Burlington Area Specific Plan for this area:
        - How the proposal addresses the Regional Urban Structure and growth management policies of the ROP as amended by ROPA 48 and 49.
        - Consideration and evaluation of Section 77(5) of the ROP;
        - Comprehensive evaluation of the municipal services within the area consistent with the Region's Area Servicing Plan requirements;
        - Comprehensive evaluation of traffic impacts for the area and the proposed development (also subject to City of Burlington input).
        - Comprehensive analysis of flooding, floodplains and Regional Natural Heritage System impacts in conjunction with Conservation Halton.
- Section 77(22) of the ROP requires Local Municipalities to include in their Official Plans development criteria to ensure that, outside of Employment Areas, the redevelopment of any employment lands will retain space for a similar number of jobs to remain accommodated on site. It appears the proposed development would result in the loss/demolition of existing employment lands or uses, which would result in the loss of jobs.

The development concept and Planning Justification Report should clearly demonstrate how the loss of employment space and jobs is being addressed as part of the redevelopment of these lands.

Regional Natural Heritage System:

- The subject lands appear to be located within an area that is regulated by Conservation Halton (CH). Lands that are regulated by a CH form part of the Regional Natural Heritage System (RNHS).
- It is recommended that CH staff be consulted and that any comments/concerns pertaining to natural hazards and wetland matters be addressed to their satisfaction in order to ensure conformity with CH Regulations and Provincial Policy Statement (PPS) policy direction.
- All lands identified as forming part of the RNHS are to be properly designated and zoned (if required), and should be dedicated at the appropriate stage of development approval.

Land use Compatibility

- The subject lands are located within an area that is currently developed/occupied by employment uses (major facilities). ROP policy requires the assessment of Land Use Compatibility matters when a new sensitive uses are proposed in close proximity to major facilities and employment uses. Given the location the subject lands in relation to adjacent major facilities, a Land Use Compatibility Assessment is required to evaluate the adjacent major facilities, and to make recommendations on setbacks and mitigation measures to address impacts.
- In accordance with ROP policy, Land Use Compatibility Assessment Reports may be subject to a peer review at the Owners expense.

Potential for Site Contamination

- In accordance with S.147(17) of the Region's Official Plan states that a property is to be free of contamination prior to any development/change of use taking place.
    - Submission of a Regional Environmental Site Screening Questionnaire is required in addition to a Phase 1 Environmental Site Assessment (ESA), completed to O. Reg 153/04 standards and accompanied by a Letter of Reliance granting the Region third party reliance. Please follow the Region's letter template in this respect.
    - A Phase 2 ESA may be required depending upon the recommendation(s) of the Phase 1 ESA.
    - Furthermore, if a change to a more sensitive use is proposed, a mandatory Record of Site Condition (RSC) will be required.

Waste Management:

- To ensure that the efficient and safe collection of solid waste can be accommodated for this development, Regional Staff will require the submission of a detailed Waste Management Plan to be completed to the satisfaction of the Region.
- The Waste Management Plan and associated representative scaled drawings should be designed per the Region's Development Design Guidelines for Source Separation of Solid Waste and provide information on how waste collection for the development will be addressed.(as applicable depending on unit/ building type).
- Regional Staff strongly recommend that the proposed built form/site layout be designed to accommodate Regional Waste collection.

Regional Transportation

- The subject lands are in close proximity to a Regional Intersection (Brant Street & Fairview Street). While the subject lands are located away from this intersection, traffic impacts to this intersection need to understood and will require review.
- TIS Requirement:
    - A Transportation Impact Study (TIS) must be completed by a qualified Transportation consultant for the proposed development. The study must be completed as per Halton's Traffic Impact Study Guidelines. The final study, its assumptions & recommendations must be to the satisfaction of Transportation Planning and approved by Halton Region. The TIS Guidelines are available on-line at: https://www.halton.ca/Repository/Transportation-Impact-Study-Guidelines
    - A Scope of Work for the TIS is required for review and approval prior to the start of the study.
    - QEW Prosperity Corridor Study: The subject lands fall within the south extents of the Study Area for the ongoing QEW Prosperity Corridor Study. The details of the Study may be reviewed with the City of Burlington, as the lead project manager, for the tri-party Study (City of Burlington, MTO, and Halton Region.)

Municipal Servicing:

- Section 89 of the Regional Official Plan require that approvals for all new development within the Urban Area be on the basis of connection to Halton's municipal water and wastewater systems, unless otherwise exempt by other policies of this Plan.
- There is a Halton Region local watermain within Grahams Lane adjacent to the proposed development. There is a Halton Region local watermain within the neighbouring CN lands / Hydro Corridor lands to the west of the proposed development. Service lateral connections to these neighbouring lands and within easements are not permitted.
- There is a Halton Region local wastewater main (sanitary sewer) within Grahams Lane adjacent to the proposed development. A preliminary review indicates that many sections of this wastewater main (sanitary sewer) have low slopes, which very much limits the capacity of the sewer.
- Please note that the specific connection point locations to the Region's water (and wastewater) systems, and the number required, including watermain looping, and capacity, will be important to be worked out for this proposed development.
- The developer should undertake to locate the size and location of all watermains, water services, water meters, wastewater mains (sanitary sewers), wastewater (sanitary) services, property line wastewater (sanitary) inspection manholes, stormwater mains and stormwater services that exist within the road right-of-ways, to the property and within the property and place them on an Existing Site Servicing Plan drawings within their reports. Public and private utility companies can be utilized for this purpose.
- A Functional Servicing Report is required to be prepared by the developer's civil engineering consultant (watermains, water services, fire hydrants, sanitary sewer mains, sanitary sewer services, property line wastewater (sanitary) inspection manholes, stormwater mains and stormwater services) to show options for how the property is proposed to be serviced according to City of Burlington and Halton Region standards. Local watermain and wastewater main (sanitary sewer) hydraulic analysis should be completed by the developer's consultant as well for the local sewers and the drainage area down the to the nearest trunk sewer. The consultant should include details about other developments properties in the drainage area in their analysis of the local sewers (if any). The report should speak to the number/type of units proposed and the phasing of the development with respect to the impacts on the Region's water distribution system and wastewater collection system. Phasing, timing of the development, and required/available capacity shall be detailed in the report. The consultant will include details about potential external main upsizing or main extensions to accommodate the development, etc.. Also future forecast Regional capital works projects. The proposed development (FSR) should align with any Area Servicing Plan and Master Servicing Plan that is required for the area, City and Region.
- The FSR report should incorporate Fire Flow Rate Testing. The proponent should undertake fireflow rate testing of representative Regional fire hydrants in the area, with the proponent's fireflow contractor and Region forces present. Include within the Report a copy of the fireflow rate testing results, and the Fire Underwriters Survey (FUS) requirements for the development. This information will help to assist in informing the watermain design and watermain hydraulic modelling analysis that is being undertaken by the proponent's consultants.
- Further to the formal hydraulic analysis requirement, the developer's consultant can utilize the Region's current water and wastewater models (if required). The developer's civil consulting engineering firm will be required to enter into a Data License Agreement prior to obtaining any digital information from the Region.
- The FSR should include information related to all the other Utilities infrastructure in the area and potential conflicts.
- The FSR should show the existing site services and note how they are proposed to be decommissioned to make way for the development.
- The developer must physically locate the watermains and wastewater mains (sanitary sewers) that are located immediately south and west of the property within Granhams Lane and neighbouring CN/Hydro lands. The developer's Professional Engineer that is preparing the FSR must consult with the Region regarding the proximity of the proposed development to the watermains and wastewater mains (sanitary sewers), and the Region's approved set-back of the development from the watermains and wastewater mains. There shall be no impact from the development on the Region's watermains and wastewater mains. The Engineer shall prepare a number of cross-section engineering drawings along the south and west portion of the property and the City's road boulevards, for discussion with the Region. Proposed footings, foundation walls, overhangs, excavation, shoring, tie-backs, municipal mains and utilities will require to be detailed for review by the Region.
- Please note that this development may require additional municipal watermain isolation, and possibly a full size water chamber(s) (including three/four valves) for the proposed development's water service connections, to the Region's water distribution system. The developer's civil engineering consultant must undertake a design exercise within the FSR in order to demonstrate that a full size water chamber(s), if

required, can fit within the roads/boulevards, while giving adequate separation distances from the other utilities in the area. The Engineer shall prepare a number of detail drawings, for discussion with the Region early in the process.

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

Submission Requirements:

- All submission materials (digitally)
- Applicable Regional Fee(s)
- Complete Application forms
- Planning Justification Report (including support and justification of Urban Structure and Growth Management, and demonstration of how the loss of employment space and jobs is being addressed as part of the redevelopment of these lands)
- Comprehensive Development Plans / Site Plan
- Land Use Compatibility Assessment
- Functional Servicing Report (Comprehensive analysis)
- Traffic Impact Study
- Environmental Site Screening Questionnaire, Phase 1 and if necessary a Phase 2 Environmental Site Assessment (ESA) to O.Reg. 153/04 standards and with a Letter of Reliance. It is noted where a change to a more sensitive use is proposed, a Record of Site Condition (RSC) will ultimately be required.
- Waste Management Plan

Conservation Halton Comments:

Conservation Halton (CH) previously commented on this proposed development at 1393 Graham's Lane (DPC-007/23) in March 2023. Below I have updated our previous comments in purple to reflect changes to the proposal, hazard mapping updates, and discussions we have had with the applicants in the interim. I have removed generic comments about changes under Ontario Regulation 596/22 (Prescribed

Acts – Subsections 21.1.1 (1.1) and 21.1.2 (1.1) of the Conservation Authorities Act) which came into effect on Jan. 1, 2023, as most agencies are familiar with these changes now.

Pre-Consultation Comments

CH staff has reviewed the above-noted pre-consultation request as per our responsibilities under Ontario Regulation 162/06; and our provincially delegated responsibilities under Ontario Regulation 686/21 (i.e., represent provincial interests for Sections 3.1.1-3.1.7 of the Provincial Policy Statement (PPS).

Please note: at the time of the previous pre-consultation, flood hazard mapping from the City of Burlington's Flood Hazard and Scoped Stormwater Management Assessment had not yet been completed and deemed best available information; the flood hazard mapping is now considered the best available information for understanding the magnitude and extend of the flood hazard, assessing potential risk to life and property, and identifying areas requiring further analysis and/or decision making when development is contemplated in identified hazard areas (more on this below).

Proposed Use

The proposed development consists of a multi-unit residential proposal comprising 3 towers of 20, 16, and 9 storeys. The proposal comprises 628 units, GFA of 45,968 m2, FSI of 4.24, and a total of 697 parking spaces.

Flood Hazard and Scoped Stormwater Management Assessment

The subject property at 1393 Graham's Lane is within an area studied by the City of Burlington through a Flood Hazard and Scoped Stormwater Management Assessment (Phases 1 and 2). The Phase 1 Assessment was endorsed by the City 2 in October 2020, as part of a Downtown Re-examination Study. Phase 2 of the Assessment, titled "Major Transit Station Area (MTSA) Phase 2 Flood Hazard Assessment, Burlington Go and Downtown" (prepared by WSP, March 2023), refines the initial findings and identifies flood hazards within the Rambo Creek watershed that impact these properties, as further described below.

The study mapping ultimately identified no regulated spill on the subject property. As such, no further study is required on this front, and the property is not currently considered to be within an area regulated by CH.

The City's Phase 2 study included requirements for verification of a development's stormwater management (SWM) strategy using the watershed modelling developed by the study. Analysis requirements are deferred to City of Burlington staff; however, CH should be re-engaged if verification identifies regulatory SWM controls are required.

The subject property may, however, be affected by a potential flood hazard (spill) that is unmapped. No CH permit is required until such time as that spill is defined, spill policy is updated, or further direction is provided from the Province.

Ontario Regulation 162/06

As the subject property is not currently considered to be regulated by CH, there are no requirements under O.Reg. 162/06 (see above).

Key Comments/Requirements

Given the above, CH does not require circulation of this application, unless the SWM analysis determines that regulatory SWM controls are required.

Development Engineering Comments:

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 Site Plan review and may include but not be limited to an Environmental Site Assessment, and/or a Hydrogeological study. If you have any questions, please do not hesitate to call or email.

GENERAL COMMENTS

1. All plans to use the same base layer.
2. Identify existing and/or proposed property lines on all plans.
3. Identify existing and/or proposed easements on all plans.
4. Identify limits of existing and/or proposed underground parking on all plans.
5. If applicable, identify existing reserves across property frontage.
6. Identify all applicable external agency setbacks on all plans.
7. All private utilities must be constructed within the subject property limits.
8. As per the City's Hydro Services Policy for development sites within a designated MTSA, any new 27.6 kV hydro service or other utility which is required for the multi-story development shall be buried. Additionally, any existing overhead 4 kV hydro service along the frontage of the subject property shall be buried. The costs associated with the hydro service works shall be borne by the Developer.
9. City Plan and Profile drawings may be downloaded from the Open Data Portal.

RIGHT OF WAY / SETBACKS / EASEMENT / LAND CONVEYANCE

Graham's Lane deemed street width is 20m. The actual street width fronting the subject property is either equal or greater than the deemed width.

The subject property is adjacent to Hydro One Easement, CN railway and City trail. Please identify any setback and/or easement requirements from all the agencies.

The subject property is within the City's MTSA (Major Transit Station Area). Please further consult with the City's Planning, Transportation, Parks and Forestry for detailed justification, setback and land conveyance requirements.

City's Engineering Services, Design and Construction has identified that Graham's Lane Road Renewal capital project is budgeted for 2023 and forecasted for 2024/2025. The scope and timeline of the forecasted road construction is subject to change. Please coordinate the detailed design and construction with the City.

City staff determined the widening requirement from compiled information and is not responsible for any errors or omissions. Any widening information supplied by City staff must be verified by an Ontario Land Surveyor.

1. A Municipal Consent Permit is required for any works on public lands, including but not limited to temporary staging, grading, servicing, construction or disturbance of vegetation.
2. Include notes from Design and Construction if applicable.

The subject property is within the Conservation Halton regulated limits for Floodplain and Spill Zone Hazards. Flooding and Spill hazards study and mitigation will be required. Please consult with the CH and the City's Stormwater Engineer, Umar Malik (umar.malik@burlington.ca) and Faye Wang, Senior Engineering Technologist (faye.wang@burlington.ca) for more details.

It appears that there is an existing 600mm storm sewer on the subject property that may be shared with the neighbouring properties. Storm sewer rerouting, possible upgrade and an easement may be required.

Please note that Land conveyances and easement are to be free and clear of contamination. For sites with contamination concerns, environmental works should be undertaken for any lands to be conveyed separate from those for lands to be retained.

FUNCTIONAL SERVICING & STORMWATER MANAGEMENT REPORT

1. All documents to be prepared in accordance with the Council approved Stormwater Management Design Guidelines (COB SWM), as amended.
2. To be stamped and certified by a Professional Engineer.

3. External agency may review the report. If differing requirements exist between them and the City than the most stringent criteria shall apply.
4. The City's Stormwater Engineer has provided the following criteria:
    a. **Quality Control (COB SWM 6.1.4.1 and 6.1.4.2):**
        - Enhanced 80.0% TSS removal achieved with a treatment train approach. An OGS will only be credited with 50.0% TSS removal.
        - OGS CA-ETV certified units only.
        - OGS to be sized to capture and treat a min. 90.0% of the runoff volume.
        - Rooftop areas may be considered clean if the flows are separated from non-roof areas as per COB SWM 3.6 and 6.1.4.1.
    b. **Quantity Control (COB SWM 6.1.1.1):**
        - Engineering consultant to contact the City's Stormwater Engineer (umar.malik@burlington.ca) and Development Engineering staff (faye.wang@burlington.ca) to determine the quantity control. Overcontrol of the post-development runoff will be needed.
        - 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 25.0% (C = 0.43) for greenfield development is to be used for the pre-development calculations.
        - A max. pre-development imperviousness of 36.0% (C = 0.50) for re-development is to be used for the pre-development calculations.
    c. Erosion Control (COB SWM 3.4 and 6.1.2):
        - Not required.
    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 and direct it towards Graham's Lane. Include the neighbouring properties to ensure existing drainage patterns are being maintained.
5. Provide full sized scalable, signed, and stamped plans for the following:
    a. pre-development storm drainage area
    b. post-development storm drainage area
    c. grading
    d. servicing
    e. any additional applicable plans
6. Include a Letter of Reliance that allows the City to rely upon the documents.

NOISE AND VIBRATION FEASIBILITY STUDY

1. All documents to be prepared in accordance with the MECP's Environmental Noise Guideline Publication NPC-300, as amended.
2. To be stamped and certified by a Professional Engineer.

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

Urban Forestry & Landscape Comments:

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

1. A Landscape 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 don't need to walk on vehicular driveways.
3. The Landscape Concept Plan must show conceptually the proposed layout and use of any outdoor amenity areas.
4. The property of 1393 Grahams Lane is adjacent to Canadian National Railway (CNR) tracks. Please ensure the Landscape Concept Plan shows all regulated limits/hazard lines.

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 bicycle parking and snow storage locations.
7. The Landscape Plan must show proposed tree plantings that follow the ESA's guide *Planting Under or Around Powerlines & Electrical Equipment:* trees and/or shrubs with a max. mature height and spread of 4.5m in the Low Zone (to 4.5m from the power lines), trees with a max. mature height and spread of 7.6m in the Medium Zone (7.6m from the power line), and trees of any size beyond 7.6m from the power line. See the ESA Guidelines for Planting Under or Around Powerlines & Electrical Equipment.
8. Where trees are proposed, ensure the minimum required soil volumes are provided and documented on the landscape plans using good quality soil. The minimum requirements are as follows: $30m^3$ of soil per tree in a single tree pit, $20m^3$ per tree in a shared planting environment. Excavation for each planting environment should be 0.75m to 1.2m depth and should not exceed 1.5m depth and be tailored to stock size used. Smaller rooting volume (minimum 15-$20m^3$) may be proposed for smaller trees.
9. 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).
10. Any recommendations or issues of compatibility (i.e., noise, light, uncomfortable wind conditions) noted in the Planning Justification Report, Noise Report and Wind Study should be addressed and reflected on the Landscape Plan, for example with buffer planting, screens and fencing, trellises or awnings for outdoor areas including pedestrian walkways and amenity areas.
11. Where required, landscape buffers should provide separation and be designed to partially obstruct the views to adjacent properties along shared property lines. The landscape buffers should be a dense landscape screen consisting of evergreen trees or a combination of solid screen fencing with evergreen and deciduous trees and understory shrubs.
12. Screen parking spaces from road frontages.
13. Please review and apply the Sustainable Building and Development Guidelines.
14. Once the number of parking spaces is finalized, confirm the required number of Type "A" and Type "B" barrier free parking spaces required. Type "A" shall be 3400 mm in width and signed to indicate Van Accessible Parking. Type "B" shall be 2750 mm as per city zoning by-law. As per city zoning by-law, the access aisle shall be 2000 mm. The access aisle is to be clearly identified and can be shared by both spaces. Please see GAATES Figure 2.6.4.1 (page 127) for Van Accessible Signage detail.
15. Locate the barrier free parking spaces closest to the main entrances and not crossing vehicular traffic.
16. Contact the city's Accessibility Coordinator if you have any questions concerning **Accessibility:** Judi Lytle, 905-335-7600, ext. 7865, judi.lytle@burlington.ca.
17. An Arborist Report, Tree Inventory and Tree Protection Plan is required to document all existing trees greater than 10cm DBH on site and on adjacent properties within 6m of the property lines, and all trees of any size on city property. See the City of Burlington: Pre-Submission Checklist for further requirements. Ensure your tree inventory table is provided as an excel file in addition to the word file. Note, the inventory data for this file provided with the Arborist Report will require an update to existing conditions and a revised tree protection plan should evaluate the proposed development related impacts against all civil drawings (i.e., grading, servicing etc.).
18. Any existing private trees on the subject site should be considered for preservation. The removal of trees shall be considered as a last resort. Trees that are to be removed will require a plan for replacement. Private trees that are 15cm in DBH will be counted toward replacement requirements

using the City's aggregate caliper method. Tree replacements will be based on 50mm caliper replacement sizes. Proposals for replacement shall consider planting on the existing subject property as a priority. Where there is no room for replacement trees, cash-in-lieu of replacement will be required.

19. Removal to trees on neighboring properties, or that are located on a shared property line (boundary trees) will require consent from the adjoining and/or adjacent owner(s).

    Where impacts are proposed (i.e., encroachment / injury) to neighbouring and/or boundary trees the adjoining and/or adjacent owner(s) shall be consulted and made aware of the proposed development and potential impacts to their trees and/or boundary trees and the applicant shall submit a document in writing from adjoining and/or adjacent owner(s) that there are no concerns with the proposal for those trees, or the applicant's qualified tree professional (as defined in Pre-Submission Checklist) shall address the potential impacts to the neighbor's trees and/or boundary trees and provide an attestation in the Arborist Report that the impacts proposed will not be a detriment to the trees, and they will remain in healthy condition. Information in the report shall also include the preservation methods, including pruning and fertilizing, that can be implemented by the owner to ensure the health of trees on neighboring properties.

20. Private trees that are regulated and require removal or injury to facilitate project works may require a private tree permit depending on the timing of removal and/or injury relative to planning application(s). Please consult with the City at all stages of your project (i.e., demolition) to ensure compliance. Additional documentation may be required.

21. The City's Public tree by-law is applicable to the proposed development. The removal of public trees shall be considered as a last resort. Where City of Burlington public trees are proposed for removal, council approval is required prior to tree permit issuance. The number of replacements will be evaluated using the City's aggregate caliper method. Similarly, work shall be modified to avoid working inside the minimum tree protection zone of all public trees. Where impact is proposed for public trees, a public tree permit will be required and securities provided.

22. Trees and corresponding tree protection hoarding (vertical and/or horizontal) shall be illustrated and considered on all civil drawings and factored into all Construction Management and Mobility Plans.

23. Please provide a comment matrix that identifies the above comments and how they were addressed with the site plan submission.

City of Burlington: Pre-Submission Checklist

The Arborist Report, Tree Inventory and Tree Protection Plan is to be prepared by a qualified tree professional (i.e., 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.) and the Landscape Plans shall be prepared by a qualified member of the Ontario Association of Landscape Architects. Documents prepared by non-qualified professionals will not be accepted.

Tree Inventory Table Requirements:

- ☐ The address of the subject site
- ☐ Tree Identifier No. as indicated on the Tree Protection Plan.
- ☐ Common and botanical name of tree species
- ☐ Diameter at Breast Height for each individual tree identified on the Tree Protection Plan. For multi-stemmed trees, each stem diameter is to be provided in addition to the DBH using the sum of square formula.
- ☐ Health and structural condition rating for each tree

- ☐ The minimum tree protection zone, and critical root zone and associated impacts as a percentage based on the City's standard specification SS12A
- ☐ Tree ownership (i.e., private, public, boundary, neighbour) and corresponding address;
- ☐ Recommendation for each tree: injure (encroachment), remove, preserve (fully protect)
- ☐ General notes on the subject tree and mitigative measures (e.g., hydro-vac)
- ☐ Copy of excel file for tree inventory table to be provided

Tree Protection Plan Requirements:

- ☐ Contains legible drawings on 24x36
- ☐ Drawn to a metric scale of 1:100, 1:200, 1:250 or 1:300, and include a scale bar
- ☐ Illustrates 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 and civil drawings (i.e., grading, servicing etc.)
- ☐ A label and location of all existing tree(s) over 10cm diameter at breast height (DBH) measured at 1.4m above the ground) on site and within 6m of the property lines, and trees of any size on city property. Trunk for each tree to be scaled to size
- ☐ Legend that defines the symbols, lines or colours etc. used on the plan. The elements included in the legend should match those shown on the plan. Do not include other elements that are not applicable
- ☐ Label and dimension minimum tree protection zones (circles) and critical root zones (circles) in accordance with City's Tree Protection and Preservation Specification SS12A
- ☐ Label and dimension protective tree hoarding (fencing) and root protection (as required) in accordance with the City's Tree Protection and Preservation Specification SS12A
- ☐ Label all mitigative work around trees as necessary (e.g., exploratory air-spade and root pruning etc.)
- ☐ Location of all associated construction activities, including but not limited to:
  - Construction access route (with width measurements)
  - Construction material storage area(s)
  - Excavation area including limits of over-dig
  - Trenching and/or boring locations (with depths and width measurements)
  - All proposed servicing and utilities on both public and private property
  - Fill placement from excavation, or material being brought to the lot
  - Grade and surface changes

Arborist Report Requirements:

- ☐ The address of the subject site
- ☐ The author, contact information, and relevant qualifications (e.g., ISA, RPF)
- ☐ The date(s) that the assessment was conducted, methodology and limitations; ensure assessments were completed within the last year (365 days)
- ☐ An overview of the proposed work and explain what arboricultural work is to be undertaken for each tree(s) (e.g., tree to be injured, tree to be destroyed (removed), tree to be preserved and protected)
- ☐ Where applicable, a description of the trees to be removed including the specific reason(s) (e.g., new sanitary service) per tree. Alternate layouts and construction measures should be considered and discussed to ensure all proposed removals are necessary and justified (i.e., there are no alternatives)
- ☐ Where applicable, a description of the trees to be injured where construction activities will be in the minimum tree protection zone and the mitigation measures to be implemented to minimize impacts (e.g., exploratory air-spade and root prune)

- Where applicable, a description of the trees to be fully protected and the methods to be implemented to ensure no impacts
- Tree inventory (table of tree details) (refer to the tree inventory section)
- A proposal for the replanting or replacing of trees that are to be removed
- Confirmation that the Tree Protection Zones established and maintained around any trees on the property and all mitigative measures prescribed are in accordance with the City's relevant policies, procedures, and specifications (SS12A)
- Where applicable the minimum frequency of site inspections by a qualified tree professional during proposed works
- Recommendations for post-construction care and/or monitoring (as required) for regulated trees and proposed replacement trees
- Where applicable a consent letter for the removal of boundary tree(s) (those located along the shared property line) or a neighbours tree(s) to be attached to the report document
- Where applicable a consent letter for the injury to a boundary and/or neighbour tree(s) to be attached to the report document or an attestation
- Where applicable any additional relevant information (e.g., legal survey, TRAQ form, pre-construction exploratory review etc.) to be attached to the report document
- Abbreviations should be defined, and industry standard terminology used

Landscape Plan Requirements

- Is stamped and signed by a qualified member of the Ontario Association of Landscape Architects
- Contains legible drawings on 24x36 inch paper
- Includes all dimensions in metric, to scale, and on a consistent base map layer
- Includes bar scale
- Identifies the location and general design intent of the proposed plantings and amenity areas
- Shows location and dimensions of pedestrian walkways 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
- Identifies the location of any storm water management infrastructure, including swales, sub-drains, catch basins, pipes, and other quality and quantity controls as required

Is coordinated with the Site Plan, Grading and Servicing drawings, Planning Justification Report, Noise Study, Wind Study, and shows any recommended mitigation measures (e.g. buffer planting, screening, fencing) conceptually on the Landscape Concept Plans

Parks Design & Construction Comments:

Parkland Dedication will be a requirement of this development.

As a tool to help the applicant best understand the City's expectations on site selection for a new public park, the following guidelines are listed below.

General

1. OFFICIAL PLAN – The new park should be consistent with and satisfy Official Plan policies, related expressions of Council and all applicable approved City documents.

2. STREET FRONTAGE – The new park should provide a minimum of 50% block frontage onto Graham's Lane to allow visibility and natural surveillance.

3. SIZE AND SHAPE - The shape and configuration of the new park should be provided in a regular (square and rectangular) form to allow for flexible and viable programming.

4. LOCATION - Where possible, the new park should be in close proximity to existing Maple Recreational Trail and rail corridor. It should not be located adjacent existing or proposed noxious (harmful, poisonous or unpleasant) uses (e.g. garbage storage facility). The new park should be provided in a location that can provide access points from multiple directions and maximize sunlight and reduce shadow from buildings on the same and adjacent properties.

5. SITE ASSESSMENT - Prior to parkland dedication and conveyance by the City, the submission of a Phase 1 Environmental Site Assessment, a Phase 2 Environmental Site Assessment (if applicable) and a Record of Site Condition must be submitted to the City, to ensure the proposed parkland is clean and free of contaminants.

6. URBAN FOREST - URBAN FOREST – Proposed parkland should be consistent with the goals as set out in the latest version of the City's Urban Forest Master Plan.

7. SITE CONSTRUCTION - Land that is to be dedicated as a park should not be used for construction staging or stockpiling of material unless otherwise permitted by the City.

8. GRADING - The programmable portion of the park block should be within range of a 2-4% slope to limit the need for retaining walls and the consumption of open space to accommodate grade changes or drainage enhancements. Where retaining walls or similar structures are required to provide viable programming in proposed park blocks, they should be installed entirely on adjacent property.

9. RESTRICTIVE LANDS - Lands required for drainage and shoreline protection purposes, lands susceptible to flooding, steep valley slopes, hazard lands and other lands unsuitable for programmable park use, shall not be accepted as parkland conveyance unless otherwise permitted by the City for viable passive recreation purposes (e.g. trails).

10. PARK BASE – The applicant will be responsible for the design, construction and installation of the required park base improvements/conditions as determined by City staff at the sole cost of the applicant.

POPS, Strata and Encumbered Lands

11. Land(s) must meet zoning by-law requirements.

12. Fill and/or soil should be proposed at viable depths (1.8m min.) to accommodate structural footings as per the Ontario Building Code and to support tree planting where applicable to specific site design.

13. Land(s) must be at grade and accessible/visible from existing or proposed road right-of-ways or other City owned property. Lands with non AODA compliant grade differences or roof tops will not be considered for parkland credit.

14. All underground utilities/servicing should be amalgamated in a shared concrete sleeve and/or corridor to reduce conflicts during construction. The proposed location of utilities/servicing should be coordinated with City staff through the development approval process.

15. Land(s) should be considered in locations to compliment and/or expand on existing/proposed parks, open spaces and other planned public spaces where possible. Also consider locations that may highlighting views and heritage structures. Look to integrate design as much as possible.

16. Land(s) should be considered in locations that **maximize sunlight** and reduce shadow from buildings on the same and adjacent properties.

17. Land(s) adjacent to ground level residential units or service/delivery entrances on the same or adjacent properties should not be considered for the new park. Lands adjacent existing or proposed parking lots may be considered. Where permitted, the applicant should provide appropriate buffering to the satisfaction of City staff.

18. Land(s) containing at or above ground infrastructure (vents, grates, etc.) that may cause physical and/or noise obstructions should not be considered for parkland credit.

19. Land(s) containing drainage infrastructure should tie into internal (private) resources unless otherwise directed by City staff.

Additional Comments:
1. Parks does not support the future parkland dedication running North-South adjacent the CN rail corridor. As this rectangular block falls within the CN rail corridor, these hazard lands are not safely programmable for public use and lead to a dead end in terms of pedestrian connectivity. The City will not accept this space as parkland dedication.
2. Parks does not support the central, landscaped area as a parkland dedication and future City park. This space is internal to the development and has no street frontage on a public street.
3. The City requires any future owned City parks to have frontage on one public street minimum. The preference is for 50% park frontage onto Grahams Lane. The preferred park location is at the South-West corner of the site, with addental access from the adjacent Maple Trail.
4. The remainder of any under dedicated parkland shall be paid to the City by way of cash in lieu of parkland (CILP), with CILP charged at the rate in effect at the time of building permit issuance. Kristen L. in Realty Services will be able to provide further details with respect to the amount and calculations.

Transportation Services Comments:

BACKGROUND

Transportation Planning are in receipt of pre-consultation extension request documentation for 1393 Graham's Lane including:

- Site Plan, dated September 7, 2023,
- Building Statistics, dated September 7, 2023,
- Building Elevations, dated September 7, 2023, and
- Letter from MBHC, dated October 5, 2023.

DEVELOPMENT PROPOSAL

The proposed development is on the north side of Graham's Lane and west of Legion Road. The site is bordered to the west by the Hydro Corridor and Canadian National Railway lands. This site is in the south-west quadrant of Fairview Street at Brant Street, known as the Legion Node of the Burlington GO Major Transit Station Area (MTSA).

The proposed use is for multi-unit residential comprising 3 towers of 20, 16, and 9 storeys (formerly 20,10, 10) for a total of 628 units (formerly 700), GFA of 45,968 m^2 (formerly 52,567 m^2),and FSI of 4.24 (formerly 4.85). The proposal includes a parking ratio of 0.95/unit (formerly 0.9) for a total of 597 (formerly 639) parking spaces. An Official Plan Amendment and Zoning By-law Amendment is necessary to forward this proposal.

TRANSPORTATION PLANNING REVIEW and COMMENTS

This application has been reviewed in the context of the current Official Plan, Draft Official Plan Amendment No 2, Community Planning Permit By-Law and Major Transit Station Areas, Transportation Assessment.

Overview

Transportation Planning are of the opinion this development proposal is premature and it is recommended a Tertiary Plan (formerly called a Block Plan) be undertaken by the applicant/owner to show how the vision for the MTSA would be implemented. This would include conceptual plans for the alignment of new streets and/or realignment of existing streets, on and off-street active transportation connections for cycling, and pedestrians, trails, multi-use paths, etc.

The subject site is approximately 1/3 of the land mass of the Legion Node of the Burlington GO MTSA. It is the first area of the node to be developed and as such will have determinative factors for the ultimate multi-modal transportation network in the node and its connection with the surrounding area. It is of critical importance that the entire Legion Node be understood as it relates to transportation prior to development.

NEW: Official Plan Amendment No 2 and Community Planning Permit By-Law

1. As the City moves towards Official Plan Amendment No 2, and the Community Planning Permit By-law, which are both directly related to the MTSA, approvals for the subject application would be better served post approval of the OPA and CPP By-Law.

2. The Draft Official Plan Amendment No 2 includes the following which have been considered in the comments within:

a. Page 34, 8.1.2(5.2) Transportation Network
   d) The ultimate location and design of any new streets… *shall* be reviewed through a *development application…*
   e) The public street rights-of-ways identified… *shall* be protected and secured through the processing of a Community Planning Permit application…
   f) A detailed, intersection level Transportation Impact Assessment Study *shall* be completed for *development* proposals to assess the impacts of traffic on the local and Regional road network and to identify *infrastructure* upgrades and access improvements.
   g) Where a Transportation Study identified in Section 8.1.2(5.2) e) determines that capacity is not available, *development shall* not be permitted until improvements to address the identified constraints have been implemented to the satisfaction of the *City* and Region including alternative modes of travel, transit priority measures, Transportation Demand Management measures and other approaches outlined in the Burlington Integrated Mobility Plan and the Mobility Management Strategy for Halton Region.
   l) New streets to support *development shall* consist of short blocks and frequent crossings that will improve *active transportation* and vehicular connections.
   m) Midblock connections including *active transportation* connections *should* be incorporated to support site permeability and enhance pedestrian access.

b. Page 37, 8.1.2 (5.4) Active Transportation Network
   a) *Active transportation* connections *shall* be provided both on existing and proposed streets
   b) Off-Road a*ctive transportation* connections… *shall* be planned to facilitate direct connections within and outside of the *Major Transit Station Area*s.

c. Schedule F-1 of the Draft OPA 2 identifies:
   i. Graham's Lane as a Proposed MTSA Distributor.
   ii. The proposed L-shaped road from Graham's Lane to Brant Street is also identified as a Proposed MTSA Distributor.
   iii. Page 53 of the Draft OPA 2, Attachment 6, identifies MTSA Mixed Use/Commercial Distributor:
      - Right of Way requirements of 26 m
      - Cycling provision of wide lane sharrows
      - Minimum 2.0 m pedestrian clearway and 1.5 m planting and furnishing zone.
      - A community street that provides 'rear' service and access functions to adjacent commercial and residential properties;
      - High level of pedestrian and cycling activity and low to moderate level of vehicular traffic; and
      - Provides an attractive environment that complements adjacent main or
      - civic streets.

d. Page 53 of the Draft OPA 2, Attachment 7, Table 4: Major Transit Station Area Public Right-of-Way Widths also identifies Graham's Lane, between the Hydro Corridor and Brant Street as 26 m.

NEW COMMENTS: Major Transit Station Areas, Transportation Assessment

3. As part of the MTSA OPA and CPP process, the city had a transportation assessment undertaken by Dillon Consulting. In the opinion of Transportation Planning the *Major Transit Station Areas, Transportation Assessment* dated September 2023 should be followed for the subject development which supports the MTSA Planning Area.

4. The Major Transit Station Areas, Transportation Assessment includes the following which have been considered in the comments within:

   a. Page 39, Section 5.1.2 Mode Share Targets, identifies 2051 mode share targets for the Legion Node as 13% walking, 9% cycling, 23% transit and 55% auto.

   b. Page 41-42, Section 5.1.3 Trip Generation. It is important to note the subject development proposes 628 units which is a 92% of the targeted units of the MTSA TA.

Taken from Page 41, Table 17: Burlington GO MTSA – Proposed Precincts – Development Data by Traffic Zone

Office	Retail	Residential Units	Total	
38,714 ft^2	38,714 ft^2	681	In	Out

Taken from Page 41, Table 18: Burlington GO MTSA – Person Trips by Traffic Zone and Land Use – AM Peak Hour

Office		Retail		Residential		Total	
In	Out	In	Out	In	Out	In	Out
219	30	145	88	141	473	506	591

Taken from Page 42, Table 19: Burlington GO MTSA – Person Trips by Traffic Zone and Land Use – PM Peak Hour

Office		Retail		Residential		Total	
In	Out	In	Out	In	Out	In	Out
40	196	453	491	395	253	888	940

   c. Page 42, Section 5.2.1 Street Network of the Major Transit Station Areas, Transportation Assessment "The IMP network does include a number of planned sustainable transportation network elements, including: the bus rapid transit and on-road cycling spine network on Fairview Street, the Bus Rapid Transit and the on-road cycling spine network on Brant Street; and the off-road cycling spine network (Barrier Crossing) that crosses the QEW/ Highway 403 just north of the Burlington GO MTSA."

   d. Page 44-45, Section 5.2.2 Active Transportation (AT) "Fairview Street, Brant Street, Graham's Lane/ Prospect Street, Drury Lane (south of Fairview Street), and Leighland Road (east of Brant Street) are proposed to be part of the on-road cycling spine network. Fairview Street, Brant Street and Prospect Street are proposed to have protected bikeways, while Drury Lane is proposed to have painted bike lanes and Graham's Lane and Leighland Road are proposed to be local street bikeways. The intersections of … Brant Street and Fairview Street, Brant Street and Graham's Lane/ Prospect Street … proposed to become protected intersections for cyclists…

   e. Page 47, Figure 18: Burlington GO MTSA – Street Network identifies Brant Street as a Main Street, and Graham's Lane as a Neighbourhood Connector. Street 3, an L-

shaped Proposed Minor Collector runs north from Graham's Lane and east to Brant Street aligning with Maplewood Drive.



Taken from Page 48 Table 20: Burlington GO MTSA – Planned/ Proposed Street Network Rationale

Street	Classification	ROW Width	Rationale
Graham's Lane	Minor Collector	26 m	• Provides access to development parcels • Creates multimodal corridors to connect sustainable modes to development
Street 3	Minor Collector	26 m	• Provides access to development parcels • Creates multimodal corridors to connect sustainable modes to development

f. Graham's Lane and Street 3 are Potential New Complete Street per Figure 19, page 51.

g. Page 54, the Transportation Demand Management (TDM) Plans "The TDM plans must identify strategies for increasing short trips (or reducing average trip length), reducing car ownership, increasing auto occupancy, and increasing attractiveness of sustainable transportation."

Taken from Page 59, Section 8.2.5 Strategic Parking Management which suggests parking minimum and maximum rates based on unit type.

Type of Development	No of Parking Spaces per dwelling unit	
	Minimum	Maximum
Mixed Use or Apartment Building, Bachelor Unit	0.70 occupant + 0.15 visitor	0.85 occupant + 0.15 visitor
Mixed Use or Apartment Building, 1 Bedroom Unit	0.80 occupant + 0.15 visitor	1.00 occupant + 0.15 visitor
Mixed Use or Apartment Building, 2 Bedroom	1.00 occupant + 0.15 visitor	1.2 occupant + 0.15 visitor
Mixed Use or Apartment Building, 3 Bedroom or more	1.2 occupant + 0.15 visitor	1.4 occupant + 0.15 visitor

h. Page 60, Section 8.2.6 Transportation Impact Study "The implementing ASP OPA and related CPPS should include guidance for Traffic Impact Study(ies) (TIS) to accommodate development applications. The TIS should examine the impact of the proposed development on operations of the surrounding existing and planned multi-modal transportation network. Depending on the findings of the TIS, specific improvements to the network may be required before development applications are approved."

NEW COMMENTS: Right-of-Way Widening, Daylight Triangles, Draft R-Plan Required as part of a Complete Submission

5. The Proposed DRAFT Official Plan Amendment No 2 classifies Graham's Lane as a Minor Collector with a right-of-way width of 26 m. The existing ROW of Graham's Lane is ±20 m. A ±3.0 m right-of-way widening along the frontage of the subject site is necessary to meet 26 m. Properties fronting on both the north and south sides of Graham's Lane will dedicate ±3.0 m to the ROW to meet the OPA.

6. As part of a complete submission, a draft R-Plan is required showing the ±3.0 m dedication of lands fronting Graham's Lane at the subject lands.

7. The rights-of-way widths on the Tertiary Plan shall include appropriately sized daylight triangles at all intersecting public rights-of-way per Official Plan Section 6.2.2 (2)d and Zoning By-Law Section 2.11.

8. No private infrastructure is permitted within the ±3.0 m right-of-way widening.

Current Official Plan and Zoning By-Law

9. Apart from the Graham's Lane cul-de-sac, the right-of-way widths of Graham's Lane and Legion Road meet the current OP deemed width requirements. Visibility triangles per Zoning By-Law Section 2.12 will be required. New public roads shall also conform to deemed width requirements based on the classification set out by the Official Plan, and Zoning By-Law.

10. The existing cul-de-sac at the west terminus of Graham's Lane does not meet current City standards and should be improved for waste collection and service vehicle manoeuvring. The minimum radius of the required right-of-way limit is 16 m. For an enhanced pedestrian realm, sidewalks are required along the entire right-of-way fronting the subject property.

REVISED COMMENTS: Transportation Impact Study – Required as part of a Complete Submission

11. A Tertiary Plan (formerly called a Block Plan) is to be undertaken to show how the vision for the MTSA would be implemented. This would include conceptual plans for the alignment of new streets and/or realignment of existing streets, on and off-street active transportation connections for cycling, and pedestrians, trails, multi-use paths, etc.

12. A part of the Tertiary Plan, a comprehensive Transportation Impact Study/Assessment (TIS/TIA), also known as a Mobility Impact Study/Assessment (MIS/MIA) is required for the subject proposed development, 1393 Graham's Lane.

a. The applicants' transportation consultant contacted Transportation Planning with a proposed term of reference. By way of separate communication Transportation Planning will provide feedback on said ToR which will include but is not be limited to:
    - parking studies and strategies
    - transportation demand management (TDM)
    - trip generation rates
    - multi-modal levels of service (MMLOS)

13. The applicant shall obtain comments from the Region on the Tertiary Plan and TIS scope. The subject lands are close to the regional intersection of Brant Street and Fairview Street which will be impacted by the Legion Node and development site traffic.

REVISED COMMENTS: Parking Supply

Current Zoning By-Law

14. Per Table 1.2.6: Off-Street Parking Standards of the current Zoning By-Law, a parking rate of 1.25 spaces per residential unit, inclusive of visitors is required within a Primary Growth Area.
    a. The required parking spaces total 785, inclusive of visitors, for the proposed 628 units. The proposal is deficient by 188 parking spaces.
    b. The proposal includes a parking ratio of 0.95 spaces per residential unit for a total of 597 parking spaces (503 for residents, 94 for visitor) which does not meet the requirements of the Zoning By-Law.

Draft Community Planning Permit By-Law for MTSA

15. Per page 78 of Appendix B of PL-59-23, the Draft Community Planning Permit By-law, Section 5.17.2, Table 5.2 Required Residential Parking Spaces, the parking supply rate varies depending on the unit type.

TABLE 5.2: Required Residential Parking Spaces

Type of Development	Type of Parking	Minimum Number of Parking Spaces	Maximum Number of Parking Spaces
Stand-alone **ground-oriented dwellings**	Resident parking	1.00 parking spaces per **dwelling unit**	1.20 parking spaces per **dwelling unit**
Bachelor unit in a mixed use building or **apartment building**	Resident parking	0.70 parking spaces per **dwelling unit**	0.85 parking spaces per **dwelling unit**
	Visitor parking	0.15 visitor spaces per **dwelling unit**	0.15 visitor spaces per **dwelling unit**
1 bedroom unit in a mixed use building or **apartment building**	Resident parking	0.80 parking spaces per **dwelling unit**	1.00 parking spaces per **dwelling unit**
	Visitor parking	0.15 visitor spaces per **dwelling unit**	0.15 visitor spaces per **dwelling unit**
2 bedroom unit in a mixed use building or **apartment building**	Resident parking	1.00 parking spaces per **dwelling unit**	1.20 parking spaces per **dwelling unit**
	Visitor parking	0.15 visitor spaces per **dwelling unit**	0.15 visitor spaces per **dwelling unit**
3 or more bedroom unit in a mixed use building or **apartment building**	Resident parking	1.00 parking spaces per **dwelling unit** plus	1.20 parking spaces per **dwelling unit** plus
	Visitor parking	0.15 visitor spaces per **dwelling unit**	0.15 visitor spaces per **dwelling unit**

REVISED COMMENTS: Bicycle Parking

Burlington City-Wide Parking Standards Review

16. Long and short-term bicycle storage will be required with rates of:
    a. 0.05 short term parking spaces per unit, plus
    b. 0.5 long-term parking spaces per unit
    c. For 628 units: 31 short-term spaces plus 314 long-term spaces.
    d. The location of the proposed short-term parking spaces for each of the buildings is suitable.
    e. The applicant shall provide long-term locations with future applications and plans.

Draft Community Planning Permit By-Law for MTSA

17. Per page 85 of Appendix B of PL-59-23, the Draft Community Planning Permit By-law, Section 5.23, Table 5.3 Bicycle Space Requirements the parking supply rate is as follows:
    a. 0.1 short-term spaces per dwelling unit, 2 spaces minimum, plus
    b. 0.5 spaces per dwelling unit, 2 spaces minimum.
    c. For 628 units: 62 short term spaces plus 314 long-term spaces.

NEW COMMENTS: Internal Movement

18. Transportation Planning recommend an internal turnaround space for vehicles using the pick-up/drop—off areas adjacent to Buildings A and B to discourage U-turns within the internal road.

COMMENTS: Underground Parking

The submitted site plan shows the outline of P1 Level encroaching into the lands shown as "future parkland dedication" which is not acceptable. All private infrastructure shall be fully contained within the lands of the development, and not encroach into the future park or right-of-way dedications to the city.

City of Burlington: Pre-Submission Document Terms of Reference
1393 Graham's Lane
March 22, 2023

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

1) General Requirements

- ☐ Correct application fees (based on most current fee schedule)
- ☐ Correct number of application forms and copies of reports
- ☐ Application form fully completed and commissioned
- ☐ Landowner's authorization and consent to enter property signed
- ☐ Three CDs or flash drives containing electronic copies of all materials
- ☐ Consistency within technical reports in terms of the development concept evaluated, and supporting appendices and drawings.
- ☐ Consultants have coordinated data and conclusions so that reports are consistent between disciplines
- ☐ Clear and legible drawings
- ☐ All electronic file submissions must be named using the following naming protocol: "Address_StudyName_MM-DD-YYYY". If a document is revised and resubmitted the file name should indicate that it is a revised submission and the date of the revision should be noted: "Address_StudyName_Revised_MM-DD-YYYY".
- ☐ Two digital copies of all plans are required along with paper copies. Digital plans must be submitted in Autocad and/or GIS Shapefile format that must be geospatially positioned to match the City of Burlington's Geographic and Projected Coordinate Systems (Geographic Coordinate System: GCS_North_American_1983; Projected Coordinate System: NAD83_UTM_ZONE 17N).
- ☐ Response to Comments Received at a Community Meeting Held in Advance of a Formal Development Application
- ☐ BUD Meeting Minutes/Comments
- ☐ Sustainable Building and Development Guidelines checklist (the City does not have a template. Applicant can simply provide a table or memo addressing how the guidelines have been addressed).

2) Planning Justification Report

- ☐ Signed by a Registered Professional Planner
- ☐ Contains a written acknowledgement by the RPP that they have reviewed all supporting technical studies in consideration of their planning opinion.

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

3) Survey and Severance Sketch / Conceptual Site Plan

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

4) Land Use Compatibility, Risk Assessment, Air Quality Study

- ☐ Is signed by qualified professional
- ☐ Illustrates how the proposal satisfies Provincial D6 Guidelines criteria

5) Financial Impact Study

- Description and summary of the development proposal
- Fiscal Impact Study Approach (methodology), reference documents, assumptions and databases used.
- An estimation of One-Time Revenues (Development Charges) including to what extent will the development charges to be paid by the development cover the capital cost of providing services to the development.
- An estimation of Other Fees and Charges (development application fees, cash-in-lieu, building permit fees, etc.)
- Property taxes from the development and assessment assumptions
- An assessment of current revenues (non-tax revenues) to be projected from the development
- An assessment of the implication for expenditure and the incremental costs for the development (based on Financial Information Return data – income statement and balance sheet)
- An assessment of the net operating impact (comparison of revenues and expenditures and the associated surplus/deficit on the City of Burlington's finances from the development)
- An assessment of whether the taxes to be paid by the development will cover the expected incremental increase in operating costs (both facility related and general per-capita related), as well as capital costs not covered by development charges
- Realistic cost estimation of identified capital program and long-term life-cycle analyses including asset management, operational, energy use, phasing, capital works prioritization and cash flow analysis
- Study results and conclusions

6) Housing Impact Statement

- 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;

7) Park Concept Plan

- Plan to show proposed proposed location, shape, dimensions, street frontage, and ownership of proposed public park.
- Plan to show conceptually how the park may be designed and programmed
- Plan to show how proposed private development will interface with (and/or integrate with) proposed public park

8) Conceptual Site Plan layout and Architectural Plans

- Legible, metric scale drawing on 24x36 inch paper (or digital)

9) 3-d Model of Proposed Buildings

- Refer to 3-d model specifications provided separately

10) Quantitative Pedestrian-Level Wind Study

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

11) Shadow Study:

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

12) Landscape Plan

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

13) 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.

14) 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.

15) Transportation Impact Study, Transportation Demand Management Plan and Implementation Strategy, and Parking Justification Report

- ☐ 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

16) Stormwater Management Report

- Refer to Preconsultation Meeting Notes and contact Umar Malik, Faye Wang in City's Development Engineering section to confirm Terms of Reference

17) 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

18) Environmental Site Assessment Report(s)

- ☐ 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 (completed in accordance with Region's template for letters of reliance)
- ☐ 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.

19) Tertiary Plan for Legion Node

- A Tertiary Plan shall consider the items set out in Section 8.1.2(9.1)d) of the proposed OPA and shall also address the following:
  - Transportation connections, including new streets and active transportation connections throughout the precinct in accordance with the Major Transit Station Area Transportation Study and completion of a Transportation Impact Assessment;
  - A new public park and linear park connections within the precinct;
  - Public service facilities and institutional uses provided as part of mixed use development
- Refer to Planning comments in Preconsultation Meeting Minutes. Contact Thomas Douglas, Thomas.douglas@burlington.ca to discuss Terms of Reference for this study.
-

20) Urban Design Brief:

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

21) Waste Management Plan/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.

22) Phasing Plan (if applicable)

- Legible plan showing proposed phasing of development
- If it is anticipated that the proposed buildings will be registered as separate plans of condominiums, be mindful of the Zoning implications. Contact Planning staff or Zoning staff for more information.

23) Flood Hazard Assessment (if proceeding prior to completion of City of Burlington Phase Two Flood Study Report)

- Refer to Conservation Halton comments in Preconsultation Meeting Notes. Contact Conservation Halton, and City of Burlington Planning and Stormwater Engineering teams to establish Terms of Reference.

Appendix B

Response to Comments from Community Meeting

MHBC | PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE

Questions & Answers from Public Meeting

Date	**September 25, 2023**
Attendees	**MHBC:** Kaitlin Webber, Katherine Rauscher **North Stone Capital:** Mark Partin, Matt Christie **Kohn:** Sean Lawrence, Andrea Nagy, Joel Aguilar **Altus:** Alireza Takook **Arcadis:** Andrea Griffith **Nak:** Paul Di Profio, Yun Liu **City of Burlington:** Mayor Meed-Ward, Councillor Kearns, William Wallace, Kyle Plas
File	**22366A**
Subject	**Questions & Answers from Public Meeting**

Meeting began at 6:30pm

Approximately 21 members of the public present for the meeting, including 3 members who dialed in.

MHBC provided a brief introduction to the team and the structure of the evening.

Councillor Kearns and Mayor Meed-Ward provided a brief welcome and thanked all for attending, along with confirming that this is still early in the process and no decisions have been made at this time.

William Wallace provided a presentation outlining how the public can get involved in the planning process, and that no application has been received at this time.

MHBC and Kohn provided a presentation outlining the context, site and proposed development.

Question & Answer

Q: Where are townhouses around the building?
A: No townhomes are proposed.

Q: How many parking floors are there?
A: Two floor of underground parking are proposed and 0.83 parking spaces per unit. A parking justification will be submitted to determine the parking numbers and show how the ratio is appropriate for this context.

Q: Will there be gardens on the roof on the middle 10 storey building?
A: It's a possibility and we'll be exploring roof gardens with the client and in our submission.

Q: Will there be affordable units?

A: We'll have a range of size from studio to 2 bedroom + den.

Q: What are the sizes of the units?
A: There will be varied types of units from studio to 2 bedroom + den, the units will be more spacious than downtown Toronto condos.

Q: Are they going to be Condos or rental units?
A: At this point we're considering condo units.

Q: Are they going to open Grahams Lane to Stephenson road?
A: We haven't had a conversation on this at this point.

Q: How many other 20 floors buildings are in the area currently?
A: There are 25 and 19 mixed use buildings in the area, 16 storey, in Brant Street proximity, as well as 31 storey building in the area. Our tallest is 20 and we'll come down to 16 and 9.

Councillor Kearns:

Q: Rental is more important for residents than Condo ownership
Q: Potential environmental disturbances, small scale paint, probably of emissions, and compatible use. How are you addressing the compatible use?
A: We'll be submitting a land use compatibility study, and wind impact study reviewing all these issues.

Q: Draft of MTSA report, December 26, 2023, says that legion node should be between 6 to 11 stories and push higher close to the GO station, why are you not more aligned with the draft plan?
A: The land use compatibility will be able to tell use if we're aligned. It is based on our preliminary research we believe we're aligned.

Q: Regarding on-demand delivery cars, what can we see related to that for traffic management on site?
A: We'll provide a small parking area and lobby for quick drop-off, the back of the site has a slower rate road for cars to reach the back with additional service parking for prescriptions and other deliveries.

Q: Is Maple trail going to be extended to Fairview? Right now there is homeless people
A: Councillor: Out of scope for this meeting.

Q: What is the timeframe for the planning and building process?
A: Early process for planning and ZBA, we take into account all questions for tonight, we look to make a submission in Q1 2024.

Q: How many people are in attendance this evening?
A: 20 people.

Q: People say 6 to 11 stories, but that it is not as close to MTSA, what does MTSA stand for?
A: Major Transit Station Area.

Q: Is the MOE involved in this process?
A: The MOE will be involved most likely because of the sensitive land use.

Appendix C

BUD Review Panel Comments

Community Planning Department
Burlington Urban Design Advisory Panel (BUD)

MINUTES

October 19, 2023
3:00 p.m.
Virtual Meeting

Members of BUD

	present	absent / regrets
Jessica Hawes (Chair)	✓	
Matt Reid	✓	
David deGroot	✓	
Mike Flint	✓	
LeAnn Seely	✓	
Nigel Tai	✓	
Alexandru Taranu	✓	
Jackie VanderVelde	✓	

Item #2: 1393 Graham's Lane

Design Review: First Review

Application: Pre-Consultation for OPA & ZBA

Presentations:

City Staff: Thomas Douglas, Community Planning

Design Team: North Stone Capital Partners
Katherine Rauscher – MHBC
Eldon Theodore - MHBC
Andrea Nagy – Kohn Partnership
Sean Lawrence – Kohn Partnership
Joel Aguilar– Kohn Partnership
Alireza Takook – Altus Group
Mark Potter – Altus Group
Matt Christie – Northstone Group
Mark Partin – Northstone Group
Yun Liu – Nak Design
Paul DiProfio – Nak Design



Disclosure of conflict-of-interest

None.

City Staff Overview

City staff provided an overview of the application's status, as it came through a Pre-consultation for an Official Plan Amendment (OPA) and a Zoning By-law Amendment (ZBA). In the presentation, staff provided a brief overview of the proposed development, project details, the surrounding context, amenities, transportation and mobility, as well as future development context in relation to the Burlington GO Major Transit Station Area (MTSA).

Staff are seeking the Panel's advice on the following key issues:

1. Context and Public Realm

Please comment on the relationship between the proposed building and the surrounding context, particularly with respect to the proposed setbacks, and the relationship of the proposed design to Graham's Lane and the rail corridor.

2. Site Design and Built Form

Please comment on the overall site circulation, building sitting and massing for the proposed development, with attention to elements such as building entrance, balconies, tower step-backs and setbacks.

3. Outdoor Amenity Space and Landscaping

Please comment the project's articulation of building materials from a design and sustainability perspective, the proposed amenity space and landscaping.

Design Team Presentation

The design team provided a detailed description of the development proposal, referencing the site context, applicable policy, and development details. The team began by explaining that the proposal is located south of Fairview Street and west of Brant Street. Immediately adjacent to the site are low-rise commercial buildings with industrial components such as auto repair shops. Immediately west of the site is the hydro corridor with the interconnected trail network leading to the waterfront, and continuing west is a low-rise residential community. There is also an existing pedestrian connection located towards the southwest corner of the site that provides connectivity to the trail network and the low-rise residential neighbourhood. The site is currently occupied by a small storage facility that fronts on to Graham's Lane and the remaining portion of the site is undeveloped and asphalted. Majority of the surrounding context is residential in nature. There are currently several residential developments along Brant Street that are proposed, ranging in height between 18- and 31-storeys in height.

During the team's initial assessment of the site, the team took guidance from the Official Plan and the strategic priorities that the city has outlined, as well as the zoning (principle and the site-specific permissions) and bylaws that are applicable to the site and surrounding properties. The team identified that the site is located within an Urban Growth Center and a Major Transit Station Area, and as such is identified as an ideal site for intensification. The site is approximately a 15-minute walk from the Burlington GO station. In addition to policy context, the team recognised that intensification on this site needs to be done in a sensitive manner to the surrounding context. The subject site is approximately 1.0 hectare, which is a very large site. The team aimed to provide relief in the massing and take advantage of the large area of the site.

The team also explained that in consultation with their landscape architects and other consultants, they have worked to maximize green space, communal areas as well as outdoor amenity areas on the site. The team is proposing the use of diverse tree species and planting, as well as high quality landscapes, softscape and hardscape treatments. The proposal also includes a plethora of bike parking locations on the property, which would be covered to protect from the elements. Additionally, pedestrian shelter areas and canopies are proposed on site. The team also stated that as the design progresses further, they will be looking at utilising sustainable and thermally efficient materials on the exterior cladding. The team also aims to increase the percentage of wall to window in this project as shown in the renderings, specifically on the upper floors. Additionally,

energy efficient HVAC systems are proposed as part of the sustainability measures for this project.

In terms of building design consideration, the team took guidance from City policies, with respect to required step-backs. The proposed development includes increased step-backs to the upper portion of the building to reduce the sense of scale. The team then referred to a precedent midrise building that they had developed and related it to the proposed development through its massing and design components. The team explained that the other method used in the proposed development to help reduce scale, especially at the pedestrian level, is establishing podiums with varying heights and creating segments of different façades along the lengths of the buildings.
At the pedestrian level, the team is proposing to integrate 2-storey townhouse units that would front onto Graham's Lane or internal critical sidewalks within the project, to help animate sidewalks and provide additional eyes on the streets and green spaces proposed on-site. The units are also proposed to have dual entrances. Additionally, the team is proposing shared vehicular and pedestrian connections, i.e., a woonerf located in the centre of the site. The intent is to create a sense of a pedestrian-friendly and walkable site and provide linkages through the site from east to west. The woonerf is also proposed as a traffic calming measure within the site.

The development concept contemplates 668 units, all proposed to be housed in three buildings at the heights of 9-,16-, and 20-storeys. The team stated that the proposed development offers a large range of unit types and sizes ranging from studio to 3-bedroom units. The concept also proposes a blended parking ratio of 0.95 spaces per unit. This ratio was explained by the team as in-keeping with other developments in the area that are both under-review and approved. This supply of parking is proposed to be accommodated within two levels of underground parking with additional surface parking for convenience use.

The team then took the Panel through their design evolution through the pre-consultation stage and noted that City staff had emphasised that the mass and length of the buildings needed to be broken up. As such the team is proposing two buildings on the western portion of the site to allow for the creation of a street edge and creating pedestrian access and pathway through the site from east to west. This east-west connection is proposed to tie into the central amenity space being proposed on the east side of the site, framed by Building A. Also, the team noted that originally, they had proposed a continuous greenspace along the hydro corridor, to which City staff have advised the team that it is prudent to propose converting this space to parkland area. The team have since incorporated that concept into their plans and have proposed the east west

connection to create fully encompassing uses and connections through the site. The design of the parkland will be further explored by the team in collaboration with city staff. The team has also worked on reducing the width of their buildings and included several building articulations and step-backs to add visual interest and to provide opportunities for private outdoor space. Podium elements were also defined, and aesthetic articulations using material treatments, colours, textures were also added to define key areas within the buildings. Examples of this includes: the addition of the canopy at the main entrances, and the use of the checkered board look at the pedestrian level to distinguish it from upper levels. Also at the ground level, further refinements have been made to allow for the shared vehicular and pedestrian zones. Finally, the massing was also re-distributed form Building B on the southwest corner from the site to Building A on the east portion of the site, to alleviate shadow impacts on the central courtyard space.

Panel Questions:

The Panel asked the design team the following questions of clarification:

- What is the floor plate of the 20-storey building? Is it approximately 1,000 sq. m.?
    - The team did not have an answer to this question at hand.
- Can you explain why is a 20-storey building being proposed? Can you explain the rationale behind the height and what it is transitioning to?
    - The transition is based on the low-rise residential neighbourhood to the west. Hence why there was a shift in massing from Building B to Building C to reduce Building B's height. Similarly at the east end of the site, Building B was also reduced in height to allow for transition to the neighbourhood. At the north end of the site is Fairview Street, which is a vehicular throughfare and so the highest density is proposed at the northern end of the site. The height rationale was also based on the shadow study analysis and the impact that height had on the spaces that would be used by residents throughout the year.
- The current site condition is industrial, are there any environmental issues that exist on site e.g., water, soil, pollution, existing vegetation? What is the grading of the site, flat or slopped?
    - The team is currently surveying the site; however, the site is relatively flat. The team believes that there is an existing creek to the north of the site. As part of this application the team will be reviewing environmental report that are currently being prepared. As for the rail line, it is a spur line that is used to turn the trains around and is not a high velocity line. It does not have any

direct impact on the proposed design. Also, as part of the application, the team will be undertaking a Record of Site Condition since it is amore sensitive use.

- Can you please elaborate on how your development relates to the context, being the first to develop within this area?
    - The site has been designated within the MTSA and so warrants intensification. There is currently a significant demand for housing and it is not easy to find opportunities that offer sensible higher density developments in different parts of the city. The location of this development being next to a hydro corridor provides the opportunity to allow for reasonable density and fulfill the City's aspirations for housing needs. Also, other parts of the MTSA are being developed with the same goals in mind and they are at much higher densities than what is being proposed on this site.
- In terms of the open space, how much of it is considered public space and how much is private space?
    - Based on the MTSA Public Realm, Mobility Network and Precincts map, we are to provide publicly accessible green strips of land along certain creek lines and along this trail-corridor. According to the proponent's design team this justifies the siting of the proposed building and the presence of the parkland dedication along the western property line. This will open a lot of opportunity for other sites to develop in-kind and create this continuous outdoor space that can be accessible for all.
- Is the parkland dedication for the site all located on the west? And is the parkette within the site private or POPS?
    - Yes, the area on the west is all parkland dedication and the parkette is proposed for private use by the residence of the site. It however will have access points and connection to the public spaces.
- Did you have conversations with the city about having the western strip as parkland dedication?
    - Yes, the size of the proposed linear parkland dedication is the size that the city has requested for this specific site and the city has encouraged the team to locate the parkland as far west as possible to create this continuous connection to the trail network.

- On the south frontage of the site, the plan shows that there will be streetscaping, can you elaborate on how this will be done? Will this be done by the team or the city?
    - Typically, as part of the applications, the applicant is usually asked to facilitate upgrades to the boulevard. So, the team will be upgrading this boulevard and will be proposing city trees and lighting throughout.
- Has there been any updates to the plan that would remove the underground parking from the future parkland dedication area?
    - This is something that the team is investigating in consultation with the city. There may be opportunities to stratify this area in terms of the legalities and the extend of the underground garage. However, it is an ongoing discussion as part of the application preparation.

Panel Advice:

1. Context and Public Realm

Please comment on the relationship between the proposed building and the surrounding context, particularly with respect to the proposed setbacks, and the relationship of the proposed design to Graham's Lane and the rail corridor.

The Panel commended the team on proposing a public park along the western portion of the site. However, the Panel encouraged the team to look at opportunities to move Building B north to be closer to Building C. This would allow a wider open space to be created on the southwestern corner of the site, which will be accessible and visible from Graham's Lane for pedestrians. This will also allow for more daylight access into the proposed interior court of the site. The Panel also questioned the usefulness and programming of the proposed public park from a design perspective, being narrow and long with a hydro corridor on one side, while the playground and other programming is proposed on the private outdoor amenity space. The Panel recommended that team look into opportunities to relocate the private outdoor space closer to Graham's Lane and to consider merging the public park and the private amenity space. This will allow for a more integrated and meaningful parkland space with public amenities that is easily accessed from the street. Also, this merging of green space will allow the trees to survive and thrive as they would not be planted on top of the underground parking garage and will connect to the pedestrian realm on Graham's Lane. The Panel cautioned that

since the public park is next to a rail line, a berm or crash wall may be required, which does not create for the most effective public space and noise impacts may need to be considered by the team as their concept develops.

The Panel also commented on the development's status being the first development in the area, it poses both advantages and disadvantages. The Panel noted that being first to develop means that this development will set a precedent for other developments in the area in terms of setbacks, step-backs, tower and podium heights, material treatment, and pedestrian connections. Thus, the Panel advised the team to create a detailed urban design tertiary plan as it will help understand how the proposed development fits within its context. The Panel also noted that the proposed development contemplates tall buildings which contrasts with the inspiration images that the team had shown in their presentation as mid-rise buildings. As such the Panel recommended that the team continue to have further discussions with City staff to better understand the overall vision for this area. Also, in terms of context, the Panel pointed out that the location of the proposed development is at the edge of the MTSA boundary, which means that the neighbourhood to the south is less likely going to experience change. The Panel discussed that typically within an MTSA, density is encouraged closer to the transit station, and it transitions in height to the surrounding neighbourhoods. However, the Panel feels that this proposal does not meet these transition principles in terms of building form or height. The Panel was also concerned about the size of the proposed tower floor plates as they are larger than the maximum of 750 square metre as required in the Burlington Tall Building Guidelines and recommended that the team revisit their massing concept and look for ways to reduce the building heights, shrink the building massing to align with the guidelines, and increasing the separation distances between the buildings.

2. Site Design and Built Form

Please comment on the overall site circulation, building sitting and massing for the proposed development, with attention to elements such as building entrance, balconies, tower step-backs and setbacks.

In the presentation the design team had mentioned the use of woonerfs as part the proposed design, to which the Panel commented that the proposed design as currently depicted, demonstrates a driveway with a curve, which does not achieve the intent of woonerf vision. A properly designed woonerf typically creates the sense of a pedestrian focused space and aims

to slow traffic so that pedestrians can share the street, however, in this concept vehicles will not be moving at the expected slow speeds and will be driving through the pedestrian connection areas to get to the parking spaces to the north. Thus, the Panel suggested that further refinements in configuration, function and materials are needed for this area to truly reflect the vision for the woonerf.

The Panel also commented that although from a sustainability perspective the team have opted to have the top portions of the building to have more wall than window, this has resulted in a very heavy looking building massing. As such, the Panel recommended that if the team choose to proceed with the heavy material elements on top, further exploration of architectural articulations and inclusion of larger step-backs of the tower portions will be required to help break up the massing. Also, the Panel noted that the site includes buildings at different heights, which may need to be treated differently and do not need to look the same. Architectural elements introduced such as the orange colour need to also be cohesive in their placement to tell a story rather than arbitrary. The Panel also recommended that at this height, the team should consider looking at other precedents rather than those shown in the presentation for inspiration, as the ones shown are primarily mid-rise and not tall buildings. The proposed continuous balconies were also noted by the Panel to diminish the effect of the step-back and creates for a massive building look. Thus, the Panel encouraged the team to look at reducing the number and form of balconies proposed.

The Panel was also expressed concerns regarding the access to and the addressing of the proposed units and recommended that the team investigate incorporation of clear street address and recognizable front doors with a design to act as the public access point and transition to the private space.

The design team was also encouraged by the Panel to explore the addition of ground level bicycle parking.

3. Outdoor Amenity Space and Landscaping

Please comment the project's articulation of building materials from a design and sustainability perspective, the proposed amenity space and landscaping.

Again, the Panel stressed that the design of the woonerf needs further exploration from the team as it currently is in a state of a drive aisle and does not meet the vision. The Panel recommended that a walking loop be included to help provide for that feel and effect, this can be achieved if the parking on the north part of the site is designed to directionally face north-south rather than east-west. This could also be used as a tricycle trail for kids connecting to the central space within the development, and which could be used by residents for a variety of other uses. The Panel encourages the team to include active uses rather than passive uses as they will help animate the space and provide for a successful woonerf. Also, to help animate the site, the Panel recommended that the team look at exploring the integration of other ground related uses, such as retail, live/work units, day care, fitness centre and/or office space to contribute to the community rather than having a fully residential complex. The Panel stressed the importance of the relationship between the ground floor uses and the amenity spaces as well as the programming of theses spaces to be a key element in the success of this development and to help set the tone for the future developments in this area. The Panel also noted that the proposed parking to the north does not have any buffer to the property line, which would typically be required. The Panel also encouraged that surface parking be placed underground and the surface space be used as green space instead.

The Panel commended the team on their choice of location for the outdoor amenity of Building B. Building C's amenity space on the other hand is hidden and will be shaded much of the time. As such, the team is encouraged to explore ideas on how to reallocate Building B's massing to help open-up the space and allow for a better connection. Also, the site is large and incorporation of sustainable measures such as the inclusion of fauna friendly and bee friendly gardens could turn this industrial land into a positive environmental contribution.

End...Item #2

Meeting Adjourned

Appendix D

Draft Official Plan Amendment

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

CONSTITUTIONAL STATEMENT

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

PART A – PREAMBLE

1. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to change the land use designation on the Subject Lands from Mixed Use Corridor - Employment to Mixed Use Corridor – General to bring the lands into conformity with Halton Region Official Plan, Map 1C Future Strategic Employment Areas and Map 1h Regional Urban Structure which has removed the lands from the Employment Area overlay and added them to the delineated Major Transit Station Area (MTSA). The Amendment also introduces site specific policies to permit a maximum FSI of 4.25 and building heights ranging from 9 to 20 storeys on the Subject Lands. The Amendment facilitates a residential development consisting of three residential apartment buildings with heights ranging from 9 to 20 storeys with 8 and 6-storey podiums. The proposal will provide for a total of a total gross floor area of 45,821 sq.m, 722 units, and 598 parking spaces.

2. SITE AND LOCATION

The site is located on the north side of Grahams Lane, southwest of the Brant Street and Fairview Street intersection. The site has an approximate area of 1.08 hectares (2.68 acres), with an approximate frontage of 128.41 metres along Grahams Lane, and an approximate lot depth of 118.44 metres.

3. BASIS FOR THE AMENDMENT

i. The application proposes intensification that is consistent with the Provincial Policy Statement (PPS). The PPS promotes densities for new housing which efficiently uses land, resources, infrastructure, and public service facilities, and supports the use of public transit;

ii. The application directs intensification to an area in proximity to transit and that is within the delineated built-up area, and as noted in the City of Burlington Official Plan, sections 5.3.2.a.ii and 5.3.2.a.iii that permit high density residential uses within the Mixed Use Corridor designations. The proposal assists the City in achieving its *targets for* intensification and housing supply as noted in the City of Burlington's 2031 Municipal

Housing Target Pledge and conforms to the Growth Plan for the Greater Golden Horseshoe;

iii. The proposal conforms to the Halton Region Official Plan and the Official Plan for the Burlington Planning Area, upon finalization of this Amendment. The proposal directs residential growth and intensification within the delineated boundary of the Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area;

iv. The proposal generally conforms to the City of Burlington's 'Mid-Rise Building Design Guidelines' and the 'Tall Building Urban Design Guidelines';

v. The proposed development is located on lands with adequate transportation and servicing infrastructure;

vi. The proposal is well-served by existing community infrastructure including active and public transit routes, commercial uses, and community amenities. The proposed development satisfies Official Plan policies to provide housing opportunities in locations that can reduce travel times, decrease dependence on the car, and promote transit and active transportation;

vii. The proposal is compatible with the surrounding area and impacts from the proposed development will be mitigated and are minimized;

viii. The proposal enhances the pedestrian environment along Grahams Lane; and,

ix. The development represents appropriate intensification within a Major Transit Station Area.

PART B – THE AMENDMENT

1. DETAILS OF THE AMENDMENT

Map Change:

The mapping of the Official Plan for the Burlington Planning Area is amended by changing the designation on the Subject Lands from Mixed Use Corridor - Employment to Mixed Use Corridor - General as shown on the attached Schedule A.

Text Change:

The text of the Official Plan of the Burlington Planning Area, as amended, is hereby amended as follows:

By adding the following site-specific policy at the end of Part III, Land Use Policies – Urban Planning Area, Section 5.3 Mixed Use Corridors, Subsection 5.3.2, General Policies, which reads as follows:

"X) For lands located at 1393 Grahams Lane:

i. Notwithstanding the policies of Part III, Policy 5.3.2.a)(i) and (ii), high density residential uses are permitted without the need to provide a mix of uses.
ii. Notwithstanding the policies of Part III, Policy 5.3.2.d)(i), of this Plan, a maximum floor space index of 4.25 shall be permitted.
iii. Notwithstanding the policies of Part III, Policy 5.3.2.d)(ii), of this Plan, a maximum building height of 20 storeys (plus mechanical penthouse and rooftop amenity) shall be permitted.
iv. Notwithstanding the policies of Part III, Policy 5.3.2.k, of this Plan, the re-designation of the lands designated Mixed Use Corridor - Employment to Mixed Use Corridor – General, shall be permitted to allow non-employment uses."
v. The land shall be classified as a Class 4 area as defined by the Ontario Ministry of Environment, Conservation, and Parks NPC-300 Environmental Noise Guidelines."

2. INTERPRETATION

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

3. IMPLEMENTATION

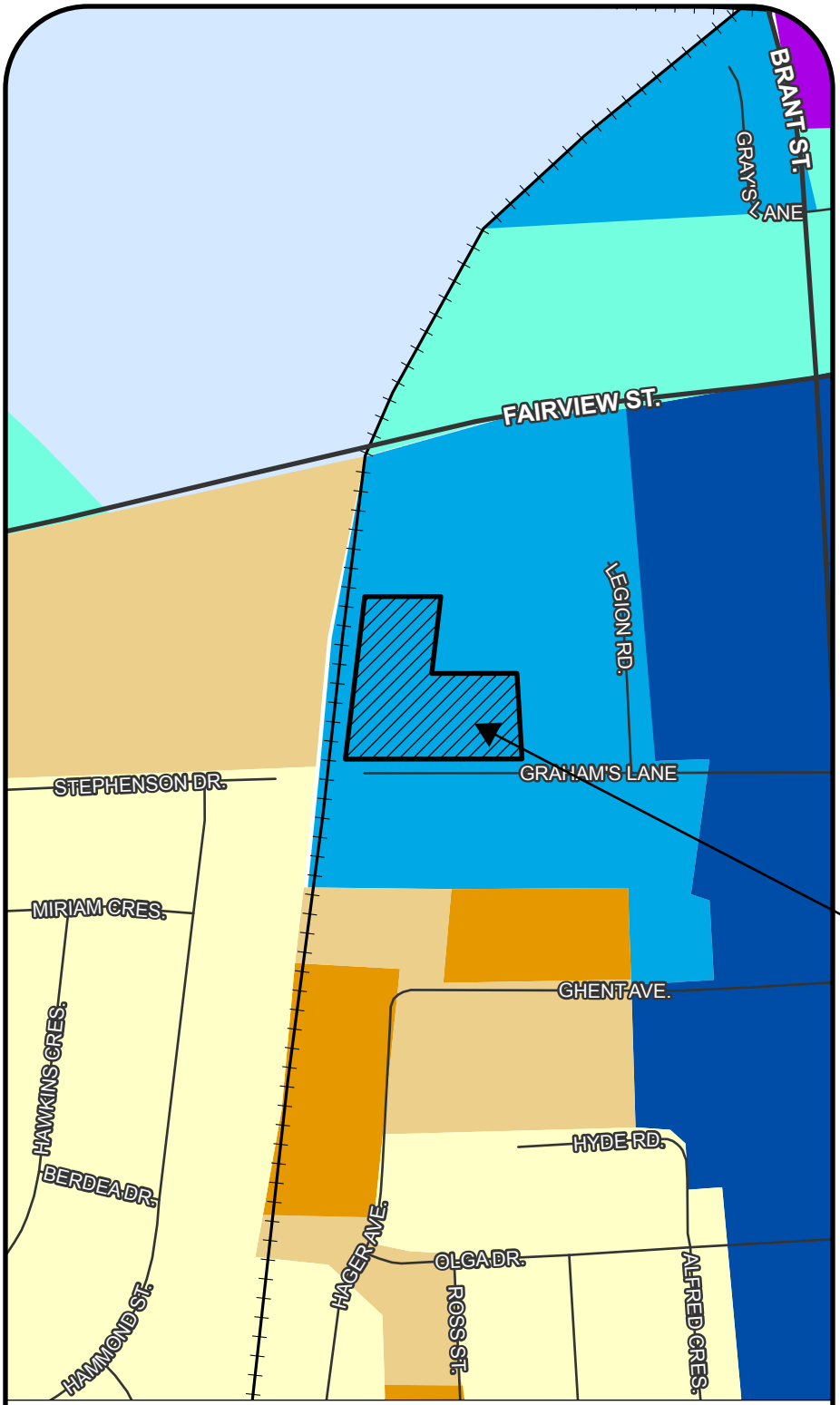
The Official Plan Amendment will be implemented in accordance with the "Implementation" policies of Part VI of the Official Plan of the Burlington Planning Area.

DRAFT

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

*Schedule **'A'***

File No.:



LEGEND

- Area 'A'
- Mixed Use Corridor - Employment
- Mixed Use Corridor - Commercial
- Mixed Use Corridor - General
- General Employment
- Regional Commercial
- Residential - High Density
- Residential - Low Density
- Residential - Medium Density

Area 'A'

Area 'A' to be amended from *Mixed Use Corridor - Employment* to *Mixed Use Corridor - General with* ***site specific policy***

Date: 2024-03-06 13:29

Community Planning Department

CITY OF Burlington

Appendix E

Draft Zoning By-law Amendment

THE CORPORATION OF THE CITY OF BURLINGTON

BY-LAW NUMBER 2020.XXX

A By-law to amend By-law 2020, as amended; for 1393 Grahams Lane

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

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

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

2. The lands identified on Schedule "A" attached hereto, are hereby rezoned from "Mixed Use Employment (MXE)" to "Mixed Use General Site Specific XX (MXG-XXX)".

3. PART 14 of By-law 2020, as amended, Exceptions to Zone Classifications, is amended by the addition of the following to section 14.3:

Exception XXX	**Zone** MXG	**Map** XX	**Amendment** 2020.XXX	**Enacted** XXX
1. Regulations				
a) Maximum floor area ratio			4.25:1	
b) Maximum building height exclusive of rooftop mechanical and rooftop terraces			Building A= 16 storeys/ 49.5 m Building B= 9 storeys/ 28.5 m Building C= 20 storeys/ 61.5 m	
c) Minimum parking rate for apartments			0.83 parking spaces per unit in total 0.70 residential parking spaces per unit 0.13 visitor parking spaces per unit	
d) Minimum accessible parking spaces			2.34% of total proposed spaces	
e) Minimum accessible pathway width			1.5 m	
f) Minimum bicycle parking dimensions			0.45 m in width X 2.0 m in length X 2.75 m in vertical clearance	

g) Minimum amenity area	13.8 m^2 of amenity area per dwelling unit
h) Maximum yard abutting any street	Building A= 5.0 m abutting Grahams Lane Building B= 11.2 abutting Grahams Lane
i) Minimum yard abutting any street	Building A= 2.7 m abutting Grahams Lane
j) Minimum separation distance from a railway right-of-way with crash wall along mutual lot line	Building B= 20.0 m from the crash wall Building C= 9.80 m from the crash wall
k) Minimum setback from a below-grade parking structure less than 1.6 m above grade	0.8 m
l) Minimum landscape area abutting a street	Building A= 2.7 m
m) Except as amended herein, all other provisions of the By-law, as amended, shall apply.	

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

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

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

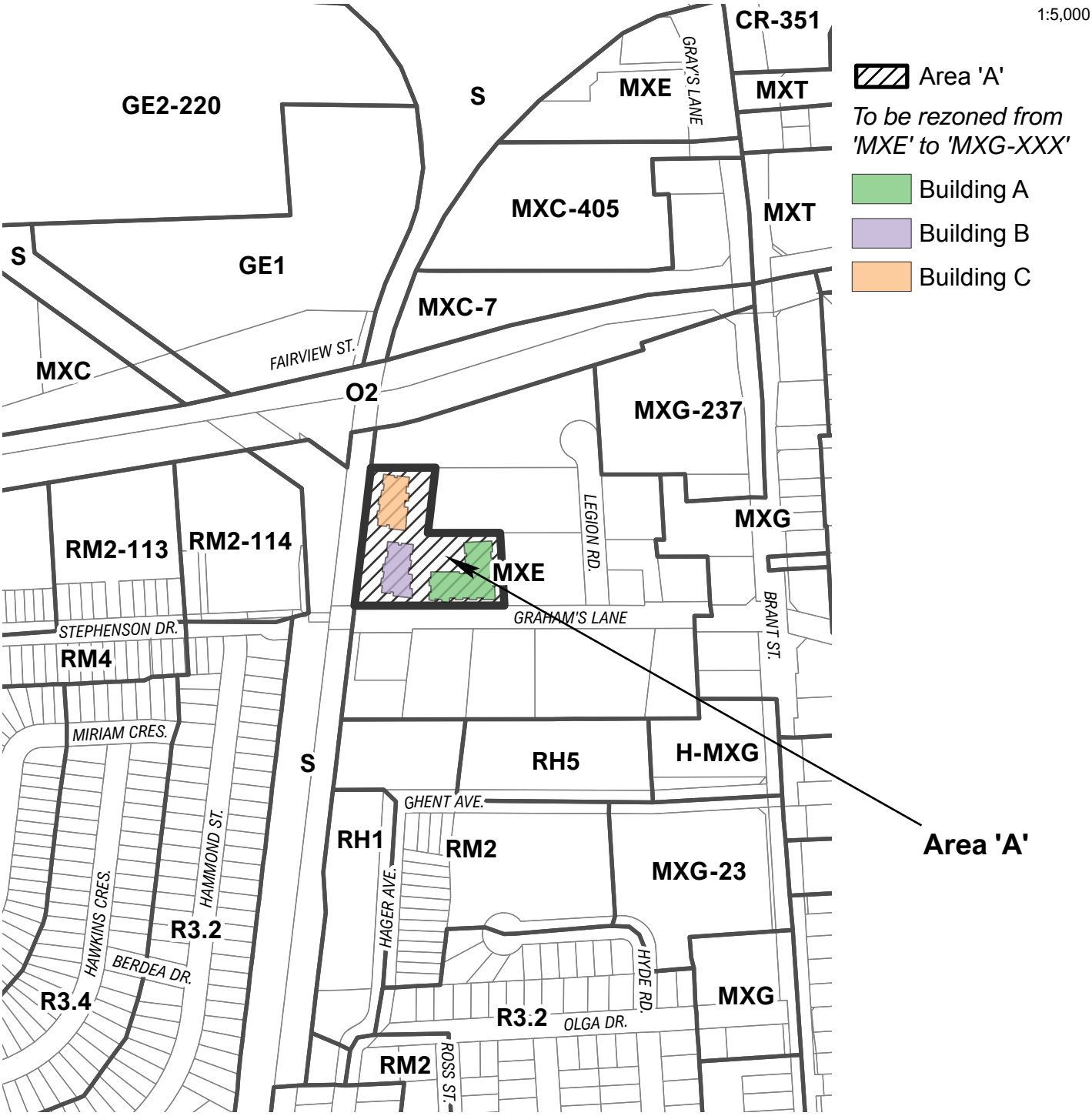
ENACTED AND PASSED this ……..day of ..... 2024.

_____MAYOR

_____CITY CLERK

DRAFT

SCHEDULE "A"



SCHEDULE 'A' TO BY-LAW 2020.XXX AMENDING MAP NO. 9, BY-LAW 2020 AS AMENDED
PASSED THE ____ DAY OF _____, 2024

_____ MAYOR

_____ CITY CLERK

TERANET CITY OF Burlington
Community Planning Department

Appendix F

Policy Assessment

Appendix F– Policy Assessment

Table 1: Planning Act, R.S.O. 1990 (Planning Act) - Assessment of Provincial Interests

Section	Matters of Provincial Interest	Assessment
Part I- Provincial Administration		
Provincial Interest		
Section 2		
2	*The Minister, the council of a municipality, a local board, a planning board and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,* *(f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;*	The proposed development will make efficient use of the existing municipal services and transportation infrastructure.
	(h) the orderly development of safe and healthy communities;	The proposal allows for the orderly residential redevelopment of lands located within the Burlington GO Station Protected Major Transit Station Area (PMTSA) that intensifies the site and promotes the creation of safe and healthy communities that are accessible, walkable, and lively.
	(h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;	The development will follow all relevant requirements of the Ontario Building Code and the Accessibility for Ontarians with Disabilities Act. These matters will be addressed during the Site Plan and Building Permit stages.
	(i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;	Recreational, social, and cultural amenities, including, indoor and outdoor amenity areas as well as future parkland, will be provided as part of the proposal.
	(j) the adequate provision of a full range of housing, including affordable housing;	The proposed development will incorporate a range and mix of housing options that will diversify the housing stock available.

Section	Matters of Provincial Interest	Assessment
	(l) the protection of the financial and economic well-being of the Province and its municipalities;	The proposal will be supported by existing roadways and make efficient use of existing municipal servicing infrastructure, thereby limiting additional costs to the Province or municipality.
	(o) the protection of public health and safety;	The proposal will ensure the protection of public health and safety through the implementation of appropriate measures that ensure compatibility between the proposed residential redevelopment and surrounding uses, including the rail spur to the west of the Subject Lands.
	(p) the appropriate location of growth and development;	The proposal is located within the Burlington GO UGC/MTSA that lies within the built boundary of the City of Burlington. Lands in these areas are intended to accommodate higher density transit-supportive residential developments.
	(q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;	The proposed development incorporates transit-supportive density in proximity to local transit that connects residents to the surrounding community.
	(r) the promotion of built form that, *(i) is well-designed,* *(ii) encourages a sense of place* *(iii)provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;*	The proposed development provides an attractive built form that is compact, compatible with surrounding uses and promotes a vibrant public realm. A privately-owned publicly accessible (POP) park is proposed to be provided on the site to provide a high-quality, safe, and accessible outdoor space for the public to enjoy.
	(s) the mitigation of greenhouse gas emissions and adaptation to a changing climate.	The Subject Lands are located within walking distance of the Burlington GO Station, as well as several municipal bus routes, and a public trail that provide future residents with convenient public and active transportation options as an alternative to the personal automobile, supporting the reduction of greenhouse gas emissions.

Table 2: Provincial Policy Statement, 2020- Assessment of Consistency

Section	PPS Policy Statement	Assessment
Section 1.0-Building Strong Healthy Communities		
Section 1.1 – Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns		
1.1.1	*Healthy, liveable and safe communities are sustained by:* *a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*	The proposed Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) will facilitate the development of a compact residential development in an area intended for growth which is serviced by existing municipal infrastructure.
	b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;	The proposed multi-unit housing development will contribute to the range and mix of housing in the community near employment and institutional facilities, commercial areas, and existing parks and open spaces.
	c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;	The proposed OPA and ZBA will facilitate the compatible redevelopment of the Subject Lands, mitigating impacts of the redevelopment and will not cause any public health or safety concerns.
	e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;	The proposal achieves a cost-effective development of the Subject Lands by encouraging growth and intensification through the development of a transit-supportive use while efficiently utilizing planned infrastructure.
	f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;	The proposed buildings will be constructed in accordance with the requirements of the Ontario Building Code, AODA, and all required accessibility standards.

Section	PPS Policy Statement	Assessment
	g) ensuring that necessary infrastructure, and public service facilities are or will be available to meet current and projected needs;	The servicing needs for the proposed development will be accommodated through expanded existing municipal servicing, as explained in the Functional Servicing Report (FSR) & Stormwater Management (SWM) Report prepared by Crozier & Associates.
1.1.2	*Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a provincial plan, that time frame may be used for municipalities within the area.* *Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas.* *Nothing in policy 1.1.2 limits the planning for infrastructure, public service facilities and employment areas beyond a 25-year time horizon.*	The proposed development is within the built up area and within an MTSA and an Urban Growth Centre. The 722 residential units provided through the three proposed residential apartments that range in height from 9 to 20 storeys, will contribute to the required growth and intensification targets for the Burlington GO MTSA and UGC.
Section 1.1.3 – Settlement Areas		
1.1.3.1	*Settlement areas shall be the focus of growth and development*	The Subject Lands are located within a Settlement Area in the City of Burlington, where new development and intensification are encouraged.
1.1.3.2	*Land use patterns within settlement areas shall be based on densities and a mix of land which:* *a) Efficiently use land and resources;* *b) Are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*	The proposed development will efficiently use lands and resources through the residential intensification of the site that makes use of existing water, wastewater, and stormwater infrastructure, as outlined in the FSR and SWM prepared by Crozier & Associates.

	c) Minimize negative impacts to air quality and climate change, and promote energy efficiency; *d) prepare for the impacts of a changing climate;*	The proposed residential development prepares for, and adapts to, the impacts of a changing climate through providing a compact development that optimizes existing and planned infrastructure, encourages the use of local transit, and incorporates elements of green infrastructure.
	e) Support active transportation; *f) Are transit-supportive, where transit is planned, exists or may be developed;*	The proposal provides transit-supportive densities in an MTSA, in close proximity to local public transit, and with accessible connections to active transportation routes.
1.1.3.3	*Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.*	The Subject Lands are within the City's Urban Growth Centre where transit-supportive development is to accommodate housing. The proposed residential development supports the goals of Strategic Growth Areas, through intensifying the Subject Lands with a higher density residential typology that remains compatible with surrounding uses, contributes to the range and mix of housing options, is serviced with existing infrastructure, and promotes the use of public and active transportation.
1.1.3.4	*Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.*	The compact built form and efficient site layout of the proposal provides for an appropriate and compatible level of intensification on the Subject Lands and mitigates risks to public health and safety.
1.1.3.5	*Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions. However, where provincial targets are established through provincial plans, the provincial target shall represent the minimum target for affected areas.*	The Subject Lands are located within the Downtown Burlington UGC and a MTSA as defined by the Growth Plan. New development in the Downtown Burlington UGC has a minimum density target of 200 residents and jobs per hectare. The proposed development meets the minimum density target through achieving a density of 699 units per hectare.
1.1.3.6	*New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.*	The proposed OPA and ZBA applications facilitate the creation of a compact residential development that makes efficient use of the land, resources, and infrastructure to contribute to the mix of uses and densities in the Burlington GO MTSA/UGC.
Section 1.4 – Housing		

1.4.3	*Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:* *b) permitting and facilitating:* *1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and* *2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*	As explained in the Housing Impact Statement (HIA) prepared by MHBC, the proposed development features a diverse range of unit typologies including, studio, one bedroom, two bedroom, and three bedroom units that ensure housing needs are met for a wide variety of residents at various stages of their lives. The proposed buildings will be constructed in accordance with the Ontario Building Code, AODA, and all required accessible standards.
	c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;	The proposed development represents a form of residential intensification in an area where appropriate levels of infrastructure and public services exist, as outlined in the FSR and SWM Report prepared by Crozier & Associates.
	d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;	The proposed density will efficiently utilize existing infrastructure and will support active transportation and transit.
	e) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and	The proposed development will support transit usage and intensification targets through the provision of increased density.
	f) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.	The compact residential intensification provided through the proposal will be implemented through development standards which will minimize costs without adverse impacts.
Section 1.5 – Public Spaces, Recreation, Parks, Trails and Open Space		

1.5.1	*Healthy, active communities should be promoted by:* *a) planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity;* *b) planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources.*	The proposed development supports the achievement of a healthy and active community, through the provision of 984 m^2 of POPS in combination with private amenity areas, and pedestrian and cycling infrastructure that connect residents to existing public facilities and park spaces.
Section 1.6 – Infrastructure and Public Service Facilities		
1.6.3	*Before consideration is given to developing new infrastructure and public service facilities:* *a) the use of existing infrastructure and public service facilities should be optimized; and opportunities for adaptive re-use should be considered, wherever feasible.*	The proposal will be accommodated through the expansions to existing municipal services, as summarized in the FSR and SWM Report prepared by Crozier & Associates.
Section 1.6.6 – Sewage, Water and Stormwater		
1.6.6.1	*Planning for sewage and water services shall:* *a) accommodate forecasted growth in a manner that promotes efficient use of existing municipal sewage services and municipal water services.* *1. municipal sewage services and municipal water services.* *c) promote water conservation and water use efficiency;*	The proposed development will operate on full municipal servicing, therefore promoting efficient use and optimization of existing and planned infrastructure, as outlined in the FSR and SWM Report prepared by Crozier & Associates.
1.6.6.2	*Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas on existing municipal sewage services and municipal water services intensification and redevelopment shall be promoted, wherever feasible to optimize the use of services.*	The proposed development will optimize and efficiently expand upon available water and wastewater services along Grahams Lane, as identified in the FSR and SWM Report prepared Crozier & Associates.
1.6.6.7	*Planning for stormwater management shall:*	The proposed STM management approach will address the noted requirements and has been designed in accordance with all

	a) *be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;* b) *minimize, or, where possible, prevent increases in contaminant loads;* c) *minimize erosion and changes in water balance and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;* d) *mitigate risks to human health, safety, property and the environment;* e) *maximize the extent and function of vegetative and pervious surfaces; and* f) *promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency and low impact development.*	Regional and Municipal requirements. Post-development flows will be controlled to the 5-year pre-development peak flow rates as the site will discharge to the existing storm sewer on Grahams Lane. Quantity controls will be provided through rooftop ponding and an underground SWM vault located within the underground parking, wherein detained flows will be pumped at a controlled rate, discharging to the storm sewer on Grahams Lane. Quality treatment of the runoff from the site will be provided via a treatment train, consisting of at-grade landscaped areas, green roofs, and a downstream oil/grit separate at the site outlet.
Section 1.6.7 – Transportation Systems		
1.6.7.2	*Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.*	Access to the proposed development will be provided through a driveway between Buildings A and B, off of Grahams Lane, that connects residents and visitors to the right-of-way. As outlined in the TIS prepared by Arcadis, the proposed development will make efficient use of the existing transportation network. As noted in the Transportation Demand Management (TDM) Plan and Implementation Strategy prepared by Arcadis, the proposed development is equipped with 398 bicycle parking spaces, located in proximity to existing and future cycling and transit facilities. Specific TDM measures recommended to leverage these sustainable transportation opportunities include: • The provision of bicycle tools and stations to be located within bicycle locker zones to incentivize cycling as a more feasible means of transportation. • The addition of a real-time transit and transition information screen.

1.6.7.4	*A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.*	The proposed development is supportive of existing and future active and public transit, and minimizes the length of vehicular trips through TDM strategies.
Section 1.6.9- Airport, Rail and Marine Facilities		
1.6.9.1	*Planning for land uses in the vicinity of airports, rail facilities and marine facilities shall be undertaken so that:* *a) their long-term operation and economic role is protected; and* *b) airports, rail facilities and marine facilities and sensitive land uses are appropriately designed, buffered and/or separated from each other, in accordance with policy 1.2.6.*	A rail spur is located immediately to the west of the Subject Lands. To ensure the long-term viability of the rail spur line, the proposed development will consider and implement appropriate mitigation measures, as recommended in the Noise and Vibration Impact Study (NVIS) prepared by RWDI, including the provision of a crash wall that will be designed to meet federal guidelines and safety standards.
Section 1.7 – Long Term Economic Prosperity		
1.7.1	*Long term economic prosperity should be supported by:* *b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;*	The proposed development provides for a variety of unit sizes and types that serve the diverse needs of residents of the City of Burlington, including: 111 studio units, 397 one bedroom units, 177 two bedroom units, and 37 three bedroom units.
	c) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;	The proposed development of an underutilized parcel of land within an UGC/MTSA supports the long-term viability of the land and provides for the optimization of existing and planned services and infrastructure.
	e) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes;	An Urban Design Brief (UDB), prepared by MHBC in support of the development, states that the proposed residential apartment development introduces a high-quality built form that has been thoughtfully sited, massed, and oriented to maintain compatibility with the existing and planned context, and implements the goals of the applicable urban design guidelines, with the intent of creating a livable, vibrant, and function development.
Section 1.8 – Energy Conservation, Air Quality and Climate Change		
1.8	*Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which:*	The proposed development represents a compact built form within a Strategic Growth Area.

	a) Promote compact form and a structure of nodes and corridors;	
	b) Promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;	The proposed development intensifies the Subject Lands with a transit-supportive density in a designated growth area.
	e) encourage transit supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;	The proposal, located in a Strategic Growth Area, intensifies the Subject Lands with a transit-supportive density that contributes to the diversity of uses in the community to shorten travel time.

Table 3: A Place to Grow: Growth Plan for the Greater Golden Horseshoe (August 2020) - Assessment of Conformity

Section	Growth Plan Policy	Assessment
Section 2 – Where and How to Grow		
Section 2.2- Policies for Where and How to Grow		
Section 2.2.1 – Managing Growth		
2.2.1.2	*Forecasted growth to the horizon of this Plan will be allocated based on the following:* *a) the vast majority of growth will be directed to settlement areas that:* *i. have a delineated built boundary;* *ii. have existing or planned municipal water and wastewater systems; and* *iii. can support the achievement of complete communities;* *c) within settlement areas, growth will be focused in:* *i. delineated built-up areas;* *ii. strategic growth areas;* *iii. locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and* *iv. areas with existing or planned public service facilities;*	The Subject Lands are located within a delineated built boundary, and Provincially recognized UGC and PMTSA, with existing municipal services, where growth is to be directed and achieved. The proposal supports the achievement of complete communities through providing a residential apartment development that provides for an appropriate level of intensification, located in close proximity to Municipal and Regional transit, that diversifies the mix of uses available to the community.
2.2.1.4	*Applying the policies of this Plan will support the achievement of complete communities that:* *a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;*	The Subject Lands are within an area for intensification identified by the Province, Region of Halton, and City of Burlington, where convenient access to amenities will support the creation of a complete community for future residents. The proposed residential apartment development will support the identity of the community, through contributing to the range and mix of compatible uses and housing options.
	c) provide a diverse range and mix of housing options, including additional residential units and affordable	A total of 722 residential units are proposed including: 111 studio units, 397 one bedroom units, 177 two bedroom units, and 37

Section	Growth Plan Policy	Assessment
	housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;	three bedroom units. The diverse range and mix of housing typologies is intended to provide housing that accommodates a range of household sizes, as described in the HIA prepared by MHBC.
	d) expand convenient access to: *i a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;* *ii public service facilities, co-located and integrated in community hubs;* *iii an appropriate supply of safe, publicly accessible open spaces, parks, trails, and other recreational facilities;*	The proposed development will contribute to the achievement of a complete community through providing convenient access to local and Regional transit, active transportation routes, public service facilities, commercial retail spaces, as well as open space amenities and community trail systems.
	e) provide for a more compact built form and a vibrant public realm, including public open spaces;	The proposed development will contribute to the provision of a high quality built form through making efficient use of the Subject Lands through the provision of new residential units in a compact high-density urban form with an improved public realm
Section 2.2.2 – Delineated Built-up Areas		
2.2.2.1	*By the time the next municipal comprehensive review is approved and in effect, and for each year thereafter, the applicable minimum intensification target is as follows:* *a) A minimum of 50 per cent of all residential development occurring annually within each of the Cities of Barrie, Brantford, Guelph, Hamilton, Orillia and Peterborough and the Regions of Durham, Halton, Niagara, Peel, Waterloo and York will be within the delineated built-up area;*	The proposed development will support the City of Burlington in achieving their minimum residential growth targets for the built-up area, as required by the Growth Plan.
2.2.2.3.	*All municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will:*	The development proposal represents an intensification opportunity that will assist the City and Region in achieving the intensification targets of the Urban Growth Centre set out in the Official Plan. The proposal reflects a level of intensification appropriate within the City's policy and physical site context, and

Section	Growth Plan Policy	Assessment
	a) identify strategic growth areas to support achievement of the intensification target and recognize them as a key focus for development; *b) identify the appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas;* *c) encourage intensification generally throughout the delineated built up area;* *d) ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities;* *e) prioritize planning and investment in infrastructure and public service facilities that will support intensification; and* *f) be implemented through official plan policies and designations, updated zoning and other supporting documents.*	is conforms to the goals of the Growth Plan that encourage and support intensification within the built up area.
Section 2.2.3- Urban Growth Centres		
2.2.3.1.	*Urban growth centres will be planned:* *a) as focal areas for investment in regional public service facilities, as well as commercial, recreational, cultural, and entertainment uses;* *b) to accommodate and support the transit network at the regional scale and provide connection points for inter-and intra-regional transit;* *d) to accommodate significant population and employment growth.*	The proposal will support the objectives of the Downtown Burlington UGC by providing a residential development that will accommodate population growth and increase the use of existing and planned transit networks.
2.2.3.2.	*Urban growth centres will be planned to achieve, by 2031 or earlier, a minimum density target of:* *g) 200 residents and jobs combined per hectare for each of the Downtown Brampton, Downtown Burlington,*	The proposed development will support the minimum density target for the Downtown Burlington UGC.

Section	Growth Plan Policy	Assessment
	Downtown Hamilton, Downtown Milton, Markham Centre, Downtown Mississauga, Newmarket Centre, Midtown Oakville, Downtown Oshawa, Downtown Pickering, Richmond Hill Centre/Langstaff Gateway, Vaughan Metropolitan Centre, Downtown Kitchener, and Uptown Waterloo urban growth centres;	
Section 2.2.4.- Transit Corridors and Station Areas		
2.2.4.1.	*The priority transit corridors shown in Schedule 5 will be identified in official plans. Planning will be prioritized for major transit station areas on priority transit corridors, including zoning in a manner that implements the policies of this Plan.*	The Subject Lands are located within an MTSA along the Lakeshore West Regional GO Train Line which, is a priority transit corridor.
2.2.4.3.	*Major transit station areas on priority transit corridors or subway lines will be planned for a minimum density target of:* *h) 150 residents and jobs combined per hectare for those that are served by the GO Transit rail network.*	The proposed development achieves a density of 699 units per hectare which, meets the minimum density target for MTSA's served by the GO Transit rail network.
2.2.4.8.	*All major transit station areas will be planned and designed to be transit-supportive and to achieve multimodal access to stations and connections to nearby major trip generators by providing, where appropriate:* *a) connections to local and regional transit services to support transit service integration;* *b) infrastructure to support active transportation, including sidewalks, bicycle lanes, and secure bicycle parking;*	The proposed residential apartment development will support the planned function of the MTSA through introducing compact transit-supportive density, establishing efficient connections to nearby local and Regional transit, and providing infrastructure that supports active transportation.
2.2.4.9.	*Within all major transit station areas, development will be supported, where appropriate, by:* *a) planning for a diverse mix of uses, including additional residential units and affordable housing, to support existing and planned transit service levels;* *c) providing alternative development standards, such as reduced parking standards; and* *d) prohibiting land uses and built form that would adversely affect the achievement of transit-supportive densities.*	The proposed residential development achieves a transit-supportive density that contributes to the diverse mix of uses and housing typologies in the community that will support the planned function and viability of the MTSA.

Section	Growth Plan Policy	Assessment
2.2.4.10	*Lands adjacent to or near to existing and planned frequent transit should be planned to be transit-supportive and supportive of active transportation and a range and mix of uses and activities.*	Through incorporating a transit-supportive density and a compact urban form supported by efficient pedestrian connections to active and public transit routes, the proposed development will contribute to the range and mix of uses in the community that encourage the use of existing and planned transit. Further descriptions of the design choices that have been incorporated into the proposal, to increase active mobility, is included in the TIS prepared by Acradis.
Section 2.2.6 – Housing		
2.2.6.1	*Upper-and single-tier municipalities, in consultation with lower-tier municipalities, the Province, and other appropriate stakeholders, will:* *a) support housing choice through the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan by:* *i. identifying a diverse range and mix of housing options and densities, including additional residential units and affordable housing to meet projected needs of current and future residents;*	Through integrating a range of unit types and styles into the proposed development, the proposal will help the City achieve their minimum intensification and density targets to meet the needs of current and future residents.
2.2.6.2	*Notwithstanding policy 1.4.1 of the PPS, 2020, in implementing policy 2.2.6.1, municipalities will support the achievement of complete communities by:* *a) planning to accommodate forecasted growth to the horizon of this Plan;* *b) planning to achieve the minimum intensification and density targets in this Plan;* *c) considering the range and mix of housing options and densities of the existing housing stock; and*	The proposal will support the City of Burlington in meeting their forecasted growth and intensification targets, through providing a residential redevelopment that contributes to the range and mix of housing densities, types, and options, that contribute to the creation of a complete community.

Section	Growth Plan Policy	Assessment
	d) planning to diversify their overall housing stock across the municipality.	
2.2.6.3	*To support the achievement of complete communities, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.*	The proposed redevelopment includes 722 residential units that range in size from studios to three bedroom units, to assist the City in providing housing that accommodates a diverse range of household sizes and incomes that support the achievement of complete communities.
Section 3 – Infrastructure to Support Growth		
Section 3.2- Policies for Infrastructure to Support Growth		
Section 3.2.3.- Moving People		
3.2.3.4	*Municipalities will ensure that active transportation networks are comprehensive and integrated into transportation planning to provide:* *a) safe, comfortable travel for pedestrians, bicyclists, and other users of active transportation; and* *b) continuous linkages between strategic growth areas, adjacent neighbourhoods, major trip generators, and transit stations, including dedicated lane space for bicyclists on the major street network, or other safe and convenient alternatives.*	As per Schedule 2, Long Term Cycling Master Plan of the City of Burlington Official Plan, the proposed development has frontage along Grahams Lane which is a 'Bicycle Priority Street', with connections to a 'Multi-Use Path' to the west and Brant Street, that has a 'Bike Lane' to the east. The proposed residential development incorporates cycling infrastructure including, bike parking spaces and cyclist connections, that ensures a safe and comfortable experience for cyclists.
Section 3.2.6 – Water and Wastewaster Systems		
3.2.6.2	*Municipal water and wastewater systems and private communal water and wastewater systems will be planned, designed, constructed, or expanded in accordance with the following:* *b) the system will serve growth in a manner that supports achievement of the minimum intensification and density targets in this Plan;*	The proposed development assists the City, Region, and Province in achieving the intent of the infrastructure policies of the Growth Plan by providing a compact residential redevelopment that supports minimum intensification targets through the efficient utilization of existing municipal services available within the built up area. The accompanying FSR and SWM Report prepared by Crozier & Associates, proposes a servicing scheme for the Subject Lands which confirms that there is existing water and sewer capacity to accommodate the proposed development.

Section	Growth Plan Policy	Assessment
Section 3.2.7 – Stormwater Management		
3.2.7.2	*Proposals for large-scale development proceeding by way of a secondary plan, plan of subdivision, vacant land plan of condominium or site plan will be supported by a stormwater management plan or equivalent, that:* *b) incorporates an integrated treatment approach to minimize stormwater flows and reliance on stormwater ponds, which includes appropriate low impact development and green infrastructure;* *c) establishes planning, design, and construction practices to minimize vegetation removal, grading and soil compaction, sediment erosion, and impervious surfaces; and* *d) aligns with the stormwater master plan or equivalent for the settlement area, where applicable.*	The proposal has been evaluated and supported by an FSR and SWM Report prepared by Crozier & Associates that outlines the measures taken to ensure best practices for stormwater management, designed in accordance with the City of Burlington's Stormwater Management Design Guidelines (2020) and Ministry of the Environment, Conservation and Parks Stormwater Management Planning and Design Manual (2003). The stormwater quantity controls proposed for the development include rooftop ponding on each of the proposed apartment buildings, and a stormwater vault located in the underground parking garage intended to accommodate over-control post-development runoff to the 5-year pre-development peak flow rate, resulting in an overall net benefit for the area. Stormwater quality runoff will be improved from the existing, largely impervious conditions, through the increased landscaped areas, future green roofs, and oil/grit separator. The design of sustainable systems will be further detailed at the design stages.
Section 4.2.10- Climate Change		
4.2.10.1	*Upper-and single-tier municipalities will develop policies in their official plans to identify actions that will reduce greenhouse gas emissions and address climate change adaptation goals, aligned with other provincial plans and policies for environmental protection, that will include:* *a) supporting the achievement of complete communities as well as the minimum intensification and density targets in this Plan;* *b) reducing dependence on the automobile and supporting existing and planned transit and active transportation;*	The proposed development incorporates transit-supportive densities that are intended to meet minimum intensification targets that reduce reliance on the automobile and encourage active mobility.

Table 4: Region of Halton Official Plan – ROPA 49 (2022) - Assessment of Conformity

Sections	Halton Region Official Plan	Assessment
Part III- Land Stewardship Policies		
Land Use Designations		
Urban Area and the Regional Urban Structure		
72	*The goal of the Urban Area and the Regional Urban Structure is to manage growth in a manner that fosters complete communities, enhances mobility across Halton, addresses climate change, and improves housing affordability, sustainability and economic prosperity.*	The proposed development supports the goals of the Urban Area, by introducing appropriate growth that enhances mobility, contributes to the diversity of housing, and supports the creation of a complete community.
72.1	*(1) To accommodate growth in accordance with the Region's desire to improve and maintain regional unity, retain local community identity, create healthy communities, promote economic prosperity, maintain a high quality, sustainable natural environment, and preserve certain landscapes permanently.* *(2) To support a form of growth that is compact and supportive of transit usage and non-motorized modes of travel, reduces the dependence on the automobile, makes efficient use of space and services, promotes live-work relationships and fosters a strong and competitive economy.* *(3) To provide a range of identifiable, inter-connected and complete communities of various sizes, types and characters, which afford maximum choices for residence, work and leisure.*	The proposal supports the Region's desire to create complete and healthy communities by providing a high-quality, pedestrian-oriented, and compact, residential development that diversifies the housing choices available in the community.

Sections	Halton Region Official Plan	Assessment
	(5) To establish a rate and phasing of growth that ensures the logical and orderly progression of development, supports sustainable and cost-effective growth, encourages complete communities, and is consistent with the policies of this Plan. *(6) To identify a Regional Urban Structure that directs growth to Strategic Growth Areas and protects Regional Employment Areas.* *(7) To plan and invest for a balance of jobs and housing in communities across the Region to reduce the need for long distance commuting and to increase the modal share for transit and active transportation.* *(9) To facilitate and promote intensification and increased densities.*	As per the Region of Halton Official Plan Map 1h, the Subject Lands are located within two Strategic Growth Areas including: an 'Urban Growth Centre (GC)' and 'Major Transit Station Area (MTSA)'. The proposal supports the Provincial and Regional objectives of the Strategic Growth Areas by intensifying the site with a residential apartment development that introduces a transit-supportive density and diversifies the existing housing stock.
74	*The Urban Area consists of areas so designated within the Regional Urban Boundary as delineated on Map 1, where urban services are or will be made available to accommodate existing and future urban development and amenities.*	The proposed development will be serviced by expanded municipal servicing, as set out in the FSR and SWM Report prepared by Crozier & Associates.
75	*The Urban Area is planned to accommodate the distribution of population and employment for the Region and the four Local Municipalities as shown in Table 1, the intensification and density targets as shown in Table 2, the Regional phasing as shown in Table 2a, and the targets for Strategic Growth Areas as shown in Table 2b.*	The Subject Lands are located within the Downtown Burlington/Burlington GO UGC/MTSA on a Priority Transit Corridor which, has a minimum density target of 200 people and jobs combined per hectare. Based on a Persons Per Unit (PPU) of 2.545 which, is the PPU for early 2024 provided in the 2024 Development Charge Background Study, completed by Watson & Associated Economists Ltd., the proposed redevelopment will achieve a density of 1,701 people per hectare that will support the Region and the City in meeting their targets for population density.
76	*The range of permitted uses and the creation of new lots in the Urban Area will be in accordance with Local Official Plans and*	An OPA and ZBA are required to implement the proposal. This PJR demonstrates that the proposal and its associated planning instruments implement the Provincial and Regional direction for

Sections	Halton Region Official Plan	Assessment
	Zoning By-laws. All development, however, shall be subject to the policies of this Plan.	intensification within MTSAs.
77	*It is the policy of the Region to:* *(5) Require the Local Municipalities to prepare Area-Specific Plans or policies for major growth areas, including the development or redevelopment of communities. The area may contain solely employment lands without residential uses or solely a Strategic Growth Area. Such plans or policies shall be incorporated by amendment into the Local Official Plan and shall demonstrate how the goals and objectives of this Plan are being attained and shall include, among other things:* *f.1) consideration for land use compatibility in accordance with Regional and Ministry of the Environment guidelines*	A feasibility-level assessment of the land use compatibility of the proposed development has been prepared by RWDI Inc., and addresses the requirements for land use compatibility.
Regional Urban Structure		
78	*Within the Urban Area, the Regional Urban Structure, as shown on Map 1H, implements Halton's planning vision and growth management strategy to ensure efficient use of land and infrastructure while supporting transit, and the long-term protection of lands for employment uses.* *The Regional Urban Structure consists of the following structural components:* *(1) Strategic Growth Areas;* *(2) Regional Employment Areas;* *(3) Built-Up Areas; and* *(4) Designated Greenfield Areas*	The Subject Lands are located in a Strategic Growth Area that lies within the Built-up Area.

Sections	Halton Region Official Plan	Assessment
78	The *objectives* of the Regional Urban Structure are: *(2) To focus a significant proportion of population and certain types of employment growth within Strategic Growth Areas through mixed use intensification supportive of the local role and function and reflective of its place in the hierarchy of Strategic Growth Areas identified in this Plan* *(5) To support climate change mitigation by directing growth to areas that will support achieving complete communities and the minimum intensification and density target of this Plan as well as reducing dependence on the automobile and supporting existing and planned transit and active transportation.*	The proposed development meets the minimum density target for the Burlington GO MTSA of 200 residents per hectare. The proposal introduces compact and transit-supportive densities that will increase reliance on existing and planned transit and active transportation.
Strategic Growth Areas		
79	The *objectives* of the *Strategic Growth Areas* are: *(1) To provide an urban form that is complementary to existing developed areas, uses space more economically, promotes live-work relationships, fosters social interaction, enhances public safety and security, reduces travel by private automobile, promotes active transportation, and is environmentally more sustainable in order to promote the development of complete communities.* *(2) To provide opportunities for more cost-efficient and innovative urban design*	The UDB prepared by MHBC Planning outlines the intentional design features that have been incorporated into the site layout and built form of the proposed residential redevelopment to maintain compatibility with surrounding uses, improve accessibility, encourage social interaction, and promote the creation of a complete community.
	(4) To provide a diverse and compatible mix of land uses, including residential and employment uses, to support neighbourhoods. *(5) To create a vibrant, diverse and pedestrian-oriented urban environment.*	The proposed residential development contributes to the mix and range of complementary uses in the community that stimulate a vibrant and pedestrian-oriented environment.

Sections	Halton Region Official Plan	Assessment
	(7) To provide high quality public parks and open spaces with site design and urban design standards that create attractive and vibrant places to promote the development of complete communities. *(8) To support transit and active transportation for everyday activities.* *(9) To generally achieve higher densities than the surrounding areas.* *(10) To achieve an appropriate transition of built form to adjacent areas.*	The UDB prepared by MHBC Planning outlines how the site design, proposed POPs, increased densities, and compact built form of the proposed development are intended to foster an animated, safe, and accessible public realm that supports active and public transit, and maintains compatibility with surrounding uses.

Sections	Halton Region Official Plan	Assessment
79.1	*Strategic Growth Areas are integral to the Regional Urban Structure within the Urban Area and consist of:* *(1) Urban Growth Centres, as delineated as an overlay on top of the Urban Area on Map 1H and Map 6, subject to specific policies in Section 80.1, in addition to those for Strategic Growth Areas* *(2) Major Transit Station Areas as delineated on Map 1H and Map 6 and identified by symbol on Map 3, which generally consist of areas within 500 m to 800 m of the Major Transit Station, subject to specific policies in Section 81, in addition to those for Strategic Growth Areas*	The Subject Lands are designated as an 'UGC/MTSA' as per Schedule 1H: Regional Urban Structure. Schedule 6B: Downtown Burlington UGC/Burlington GO MTSA, further delineates the Burlington UGC/MTSA which, is inclusive of the Subject Lands.

Sections	Halton Region Official Plan	Assessment
79.2	*The Regional Urban Structure contains a hierarchy of Strategic Growth Areas as delineated or identified by symbol on Map 1H:* *(1) Urban Growth Centres / Major Transit Station Areas on a Priority Transit Corridor;* *(2) Urban Growth Centres / Major Transit Station Areas on a Commuter Rail Corridor;* *(3) Major Transit Station Areas on a Priority Transit Corridor;* *(4) Major Transit Station Areas on a Commuter Rail Corridor;* *(5) Primary Regional Nodes;* *(6) Secondary Regional Nodes; and,* *(7) Regional Intensification Corridors.* *The Regional Urban Structure is supported by the Local Urban Structures identified in Local Official Plans which reflect this hierarchy of Strategic Growth Areas and may include additional Local Nodes and Local Intensification Corridors.* *The Strategic Growth Areas are not land use designations and their delineation or identification does not confer any new land use designations nor alter any existing land use designations. Development on lands within Strategic Growth Areas is subject to the applicable policies of this Plan and is to occur in accordance with Local Official Plans and Zoning By-laws.*	As per Map 1H, the Subject Lands are located within an 'Urban Growth Centre (UGC)/Major Transit Station (MTSA) on a Commuter Rail Corridor'.

Sections	Halton Region Official Plan	Assessment
79.3	*It is the policy of the Region to:* *(1) Direct development with higher densities and mixed uses to Strategic Growth Areas in accordance with the hierarchy identified in Section 79.2 of this Plan* *(6) Require the Local Municipalities to ensure the proper integration of Strategic Growth Areas with surrounding neighbourhoods through pedestrian walkways, cycling paths and transit routes, and the protection of the physical character of these neighbourhoods through urban design.*	The proposed development assists the Region in directing development with higher densities to Strategic Growth Areas, serviced by transit and community amenities. The proposal will ensure compatibility with the surrounding area through appropriate massing and building orientation and transition.
	(7) Require the Local Municipalities to: *a) include Official Plan policies and adopt Zoning By-laws to meet intensification and mixed-use objectives for Strategic Growth Areas;* *b) prescribe in Official Plans and Zoning By-laws minimum development densities for lands within Strategic Growth Areas in accordance with Table 2b, where applicable;* *d) promote development densities that will support existing and planned transit services.*	These policies underscore the importance that the Region places on promoting intensification and development within intensification areas. As such, it is critical that appropriate OP designations and zoning are applied to lands within intensification areas. The proposed OPA and ZBA implement this direction.
	(7.2) Consider intensification and development of Strategic Growth Areas as the highest priority of urban development within the Region and implement programs and incentives, including Community Improvement Plans, Community Planning Permit System, and Inclusionary Zoning in Protected Major Transit Station Areas under the Planning Act, to promote and support intensification and further the development of Affordable Housing.	The proposed OPA and ZBA will allow for the redevelopment of the Subject Lands with a residential apartment development that supports the Region's objectives for Strategic Growth Areas.
	(8) Encourage the Local Municipalities to adopt parking standards and policies within Strategic Growth Areas to	A reduction in required parking has been included as part of the proposed ZBA. The reduction in parking is appropriate given the location of the Subject Lands, within the Burlington GO

Sections	Halton Region Official Plan	Assessment
	promote the use of active transportation and public transit.	UGC/MTSA, where developments are encouraged to support active and public transit, and reduce reliance on personal vehicles.
	Urban Growth Centres	
80	*The objectives of the Urban Growth Centres, as delineated on Map 1H, are:* *(2) To accommodate and support the transit network at the regional scale and provide connection points for inter- and intra-regional transit* *(4) To function as the primary Strategic Growth Areas of the Regional Urban Structure hierarchy where a significant share of population and employment growth will be accommodated*	The proposed residential development incorporates a transit-supportive density that supports the planned function of the UGC, as an area intended to accommodate significant share of the population growth that supports the viability of the public transit network.
80.2	*It is the policy of the Region to:* *(1) Require Urban Growth Centres to be planned to achieve a minimum development density target of 200 residents and jobs combined per gross hectare by 2031 or earlier, as identified in Table 2b.*	The proposed development meets the Region's minimum density target for the UGC.
	Major Transit Station Areas	
81	*The objectives of the Major Transit Station Areas, as delineated on Map 1H and Map 6, are:* *(1) To leverage infrastructure investments and the development of public service facilities to support a significant share of growth, and achieve transit support densities through existing or planned frequent transit service.* *(2) To provide a range and mix of transit-supportive uses, such as residential, retail, office and public uses, as well as*	The proposed residential apartment development incorporates a transit-supportive density and a pedestrian-oriented urban form that leverages the proximity of the site to existing and planned transit and active transportation routes in support of creating a complete community. The proposal represents contextually appropriate intensification on the Subject Lands and will maximize the number of potential transit users within walking distance of the Burlington GO Station.

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	public service facilities and parks and open spaces that support the area in a pedestrian-oriented urban environment. *(3) To function as an important Strategic Growth Area component of the Regional Urban Structure and leverage infrastructure investment and frequent transit service to accommodate increased densities and transit-supportive growth.* *(4) To achieve multimodal access to stations and support complete communities.* *(5) To plan for a diverse mix of uses, including additional residential units and Affordable Housing, where appropriate.* *(7) To maximize the number of potential transit users within walking distance of a station, while considering contextually appropriate intensification opportunities within stable residential neighbourhoods to ensure the protection of neighbourhood character, to be determined through the preparation of Area Specific Plans.*	
Protected Major Transit Station Areas		
81.2	*It is the policy of the Region to:* *(1) Direct development with higher densities and mixed uses to Major Transit Station Areas in accordance with the hierarchy of Strategic Growth Areas identified in Section 79.2 of this Plan.* *(2) Require Local Official Plans to plan to achieve:* *a) the minimum density target for each Major Transit Station Area as prescribed in Table 2b, which may be achieved beyond the planning horizon of this Plan; and*	Burlington GO is defined as a PMTSA within the Regional Official Plan. As such, it is an appropriate location for higher density, pedestrian-oriented developments. The proposal helps realize this vision through achieving a transit-supportive density.

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	b) a general target proportion of residents and jobs within each Major Transit Station Area in accordance with Section 55.3 and Table 2b of this Plan, where applicable.	
81.2	*(4) Require the Local Municipalities to prepare detailed official plan policies or an Area-Specific Plan for a Major Transit Station Area, in accordance with Sections 48 and 77(5) of this Plan that also:* *a) Identifies the minimum density target to be achieved expressed as the number of residents and jobs per hectare in accordance with Table 2b.* *b) Identifies a target proportion of residents and jobs to be planned for in accordance with Section 55.3 and Table 2b of this Plan.* *c) Identifies land uses to support complete communities.* *f) Achieves land use compatibility, by ensuring that the planning and development of sensitive land uses or major office uses, avoids, or where avoidance is not possible, minimizes and mitigates adverse effects and potential adverse impacts on industrial, manufacturing or other uses that are vulnerable to encroachment, in accordance with Sections 79.3(12) and 83.2(7) of this Plan.* *h) Encourages alternative development standards, including reduced parking standards in Major Transit Station Areas.*	The proposed residential redevelopment will achieve a density of 699 units per hectare which supports the achievement of the minimum density target for PMTSAs of 200 ppj/ha. The proposal introduces a compact development that achieves a transit-supportive density that will contribute to the range and mix of uses and housing options in the City, in support of a complete community. A feasibility-level LUC Study was completed by RWDI, which concluded that through the implementation of appropriate mitigation measures and additional review, as outlined in the LUC and the NVIS, impacts to and from the proposed development will be addressed.
Housing		

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84	*The goal for housing is to supply the people of Halton with an adequate mix and variety of housing to satisfy differing physical, social and economic needs.*	The proposed development includes units in varying sizes and typologies, ranging from studio to three bedroom units, intended to meet the diverse housing needs of Region of Halton residents.
85	*The objectives for housing are:* *(3) To coordinate, improve upon, and expedite the development approval process so as to reduce the overall cost of housing.* (4) *To make more efficient use of existing developed lands, housing stock and available services to increase the supply of housing while maintaining the physical character of existing neighbourhoods.*	The residential density and built form provided through the proposed development, will allow for the efficient use the lands and increase the overall supply of housing in the area.
	(8) To encourage the Local Municipalities and the building and development industry to develop innovative housing designs that stress flexibility in use, mix of compatible land uses, good environmental practices, universal physical access, public safety and security needs, cost-efficiency, affordability and energy and natural resource conservation while maintaining sound engineering and planning principles.	The proposed development incorporates an innovative housing design that will incorporate sustainable practices and universal access.
86	*It is the policy of the Region to:* *(6) Adopt the following housing targets:* a) *that the per cent of new housing units produced annually in Halton in the form of townhouses or multi-storey buildings be at least 65 per cent to 2031 and at least 75 per cent each year thereafter;*	The proposed development consists of three apartment towers, ranging in height from 9 to 20 storeys that will contribute to the Region's housing targets for multi-storey buildings.
	(13) Encourage the Local Municipalities and the development industry to provide innovative building design that will facilitate subsequent conversion to provide additional housing units.	The proposed OPA and ZBA allow for investment in, and redevelopment of, a currently underutilized site with a residential development that will contribute to the housing stock to the City of Burlington.

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	(13.1) In partnership with the Local Municipalities, other government agencies and the private sector, identify brownfield and greyfield sites outside Employment Areas and work towards making them available, where appropriate, for development or redevelopment for housing purposes with components of Assisted, Affordable and Special Needs Housing. Such sites or lands may be declared as Community Improvement Project Areas under the Planning Act to facilitate their development or redevelopment.	
	(21) Require Local Official Plans to provide an appropriate mix of housing by density, type and affordability in each geographic area, consistent with current and projected demands reflecting socio-economic and demographic trends.	Through providing a compact residential redevelopment, the proposal will contribute to the range and mix of housing available in the Region to meet current and projected needs of the diverse demographic of residents.
Urban (Water Supply and Wastewater Treatment) Services		
87	*The goal for urban services is to ensure the adequate provision of an economic level of urban services to achieve Regional development objectives while conscious of the need to protect the environment.*	As set out in the FSR and SWM Report prepared by Crozier & Associates, the proposed development will operate on full expanded municipal servicing, that promotes the optimization of existing infrastructure while protecting the environment.
89(3)	*It is the policy of the Region to:* *(3) Require that approvals for all new development within the Regional Urban Boundary as delineated on Map 1 of this Plan, be on the basis of connection to Halton's municipal water and wastewater systems, unless otherwise exempt by other policies of this Plan.*	The proposed development will be serviced by expanded municipal water and wastewater system that are functionally efficient and economically viable, as outlined in the FSR and SWM Report prepared by Crozier & Associates.
Part IV- Healthy Communities		
Air and the Ambience		
142	*The objectives of the Region are:*	The proposed development incorporates a compact urban form and transit-supportive density, intended to promote sustainable

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	(2) To improve air quality and to address the impact of climate change. *(5) To support urban forms that will reduce long distance trip-making and the use of the private automobile.* *(6) To promote trips made by active transportation and public transit.* *(8) To address the impact of air pollution, noise, vibration and light on land uses.*	development and transportation that adapts to the impact of climate changes.
143	*It is the policy of the Region to:* *(5) Require all new urban development to consider in its design the provision of safe and accessible active transportation facilities and access to public transit services, or transit stops where they are likely to be located, within a walking distance of 400 m.*	The proposed development features 362 long-term bicycle parking spaces and 36 short term bicycle parking spaces. These spaces are provided in combination with delineated pedestrian/cyclists paths throughout the site that connect residents/visitors to the public right-of-way that provides further connections to nearby active and public transportation routes.
	(9) Require proposed development adjacent or in proximity to railway lines or railway yards to undertake, prior to development approval, the following studies by qualified consultants in accordance with Provincial policies, to the satisfaction of the Region, the Local Municipality and the Ministry of the Environment, and in consultation with the appropriate railway agency, and to implement the study recommendations, as approved, including the restriction of new residential and other sensitive land uses: *a) noise studies, if the development is within 300m of a railway right-of-way or 1000m of a railway yard;* *b) vibration studies, if the development is within 75m of a railway right-of-way or a railway yard;*	As the Subject Lands lies within 75 m of a railway right-of-way, a NVIS has been prepared by RWDI, which assesses the proposed development based on both sound level modeling and vibration measurements. The NVIS found that with appropriate noise mitigation measures, it is feasible for the proposed development to meet the applicable sound and vibration criteria.
	(12) Achieve land use compatibility between sensitive land uses and major facilities by: *a) requiring that such uses are planned and developed to avoid, or if avoidance is not*	The feasibility-level LUC completed by RWDI concluded that through the implementation of appropriate mitigation measures and additional review, as outlined in the LUC and the NVIS, impacts to and from the proposed development will be addressed

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	possible, to minimize and mitigate any potential adverse effects from odour, noise, vibration, air pollutants, and other contaminants, to minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities, in accordance with Provincial guidelines, standards, and procedures;	including, minimizing risks to public health and safety and ensuring the long-term viability of major facilities surrounding the Subject Lands.
	b) where avoidance is not possible, protecting the long-term viability of existing or planned industrial, manufacturing, or other uses that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses are only permitted if the following are demonstrated through appropriate studies in accordance with Provincial guidelines, standards and procedures: *i. there is an identified need for the proposed use;* *ii. alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;* *iii. adverse effects to the proposed sensitive land use are minimized and mitigated; and* *iv. potential impacts to industrial, manufacturing or other uses are minimized and mitigated;*	The proposed OPA and ZBA applications will facilitate the development of three residential apartments that have a compact built form and achieves a transit-supportive density that will contribute to the range and mix of uses and housing options within the Burlington UGC/Burlington GO MTSA. The proposed development has been evaluated through a LUC Study and NVIS prepared by RWDI, both of which conclude that through the consideration and implementation of appropriate mitigation measures as well as additional review, impacts from the proposed residential development should be minimized to ensure the long-term viability of major facilities surrounding the Subject Lands.
Transportation		
172	*(9) To support the early introduction of public transit service in new development and redevelopment areas and in Intensification Areas.* *(9.1) To ensure development is designed to support active transportation and public transit.*	The proposed residential development introduces transit-supportive densities in an area served by municipal and Regional transit, which will encourage residents to take advantage of those modes of transportation to accomplish their daily tasks.

Sections	Halton Region Official Plan	Assessment
	(9.2) To integrate transportation planning, land use planning and investment in infrastructure.	
	(10) To promote land use patterns and densities that foster strong live-work relationships and can be easily and effectively served by public transit and active transportation.	The proposed development retains the existing land use pattern and introduces density that capitalizes on the proximity of the Subject Lands to existing and planned public and active transportation infrastructure that encourage a vibrant and active community with strong live-work relationships.
173	*It is the policy of the Region to:* *(20.1) Support the planning and coordination of public transit service and urban design such that all residences are within 400m walking distance of a transit stop.*	Pedestrian and cyclist infrastructure has been incorporated into the design of the proposed development to facilitate connections to the nearby transit stops located within 500 m of the Subject Lands.
	(21) Require the Local Municipalities to: *c) direct the development of transit-supportive land uses to the Intensification Areas;* *e) adopt parking policies in the Intensification Areas that would promote active transportation and the use of public transit; and*	The proposed development features a compact built form and transit-supportive density that supports the intent and policy objectives of lands located in the Burlington GO UGC/MTSA. A reduction in the required parking rate is proposed as part of the proposed ZBA and is appropriate given the proximity of the Subject Lands to the Burlington GO Station and active transportation routes, as described in the TIS prepared by Arcadis.
	(22) Require the proponent of any development considered to have a transportation impact to carry out a detailed transportation study to assess the impact of the proposal and to recommend necessary improvements to the transportation network and services consistent with the goals, objectives and policies of this Plan.	The proposed development has been evaluated through a TIS prepared by Arcadis, which concludes that the addition of development site traffic to the study area is expected to have minimal effect on the existing signalized intersection operation, and no movements are exceeding critical thresholds for unsignalized intersection in the study area. The TIS also concludes through a vehicle swept path analysis that truck traffic can enter and exit the site, and that access to waste collection and loading areas are functional. Finally, the Study concludes that the proposed parking supply will likely be sufficient to accommodate anticipated demand.

Sections	Halton Region Official Plan	Assessment
	(32) Require proposed development adjacent or in proximity to railway lines/yards/terminals or within railway rights-of-way to ensure that appropriate safety measures such as setbacks, berms and security fencing are provided to the satisfaction of the Region and the Local Municipality to mitigate any safety concerns by the railway agency and/or abutting residents.	As per Section 3.3.1 of the 'Guidelines for New Development in Proximity to Railway Operations', prepared for the Federation of Canadian Municipalities and the Railway Association of Canada, the standard recommended building setbacks for new residential development in proximity to a spur line is 15 metres. However, as per the policy, "Horizontal setback requirements may be substantially reduced with the construction of a crash wall". Building C encroaches into the 15 metre CN setback from a spur line. It is acknowledged that the reduced 9.8 metre setback to the rail spur line will require a crash wall that must be designed and constructed in accordance with the requirements of the federal guidelines and safety standards to address and mitigate impacts.

Table 5: City of Burlington Official Plan (1997, Office Consolidation December 2019) - Assessment of Conformity

Sections	City of Burlington Official Plan	Assessment
Part I- Policy Framework		
Section 3.0- Guiding Principles		
3.0	*a) Provide a community plan and growth strategy aimed at creating an attractive, liveable community that offers a wide range of housing, employment, transportation, and leisure opportunities for all its citizens.*	The proposed OPA and ZBA will allow for the development of three (3) residential apartments that will contribute to the range and mix of housing in the community that supports the creation of an attractive and liveable community, co-located with local parks, shopping, professional services, and community facilities.
	c) Ensure that the City's infrastructure and services are maintained or expanded at a level that is fair, realistic and affordable.	The proposed development will be supported by efficient municipal infrastructure and services, as outlined in the FSR and SWM prepared by Croizer & Associates and the TIS prepared by Arcadis.
	d) Foster a unique, vibrant and strong community identity.	The high-quality, vibrant urban form incorporated into the design of the proposed development will support the unique identity envisioned for the evolving area.
	h) Promote the efficient use of land through intensification within appropriate areas of the City, in accordance with Provincial growth management objectives, while recognizing the need for balancing this objective with other planning considerations.	The proposed development introduces a compact and dense urban form that makes efficient use of the land and its resources to support the City of Burlington in meeting their Regional and Provincial growth targets.
Section 4.0- Land Use Vision		
Section 4.3- The Future Built Form and Natural Environment		
4.3	*Changes that are encouraged by this Plan are:* *i. the development of a greater diversity of housing types to meet the changing needs of the population;* *iii. the focusing of more intense land uses into specified mixed use centres and along certain roads;*	The proposal is consistent with the City's land use vision. The proposed OPA and ZBA will allow for a residential apartment development with a height, form, and density that is consistent and compatible with the policies for the Mixed Use Centres as well as other approved developments in the surrounding area.

Sections	City of Burlington Official Plan	Assessment
	The Plan directs population growth towards underutilized or vacant parcels in existing communities; to the Alton community in northeast urban Burlington; to certain mixed use corridors; and to the two mixed use centres: the Downtown and the Uptown.	The proposed redevelopment will allow for residential intensification on an underutilized parcel of land that will capitalize on the proximity of the lands to the Burlington GO Train Station through introducing a transit-supportive density and urban form.
	To meet the needs of the changing population as shown by smaller households, an aging population, alternative family units and a broader range of income levels, and in response to greater environmental awareness and fiscal restraints, new residential growth will be mainly in the form of more compact housing. This development will be served by various modes of transportation and located in closer proximity to jobs, shopping and leisure areas.	The compact built form provided through the proposed residential development will diversify the housing stock in the City of Burlington, to reflect contemporary housing needs for smaller households who are seeking smaller and more affordable housing options close to transit.
	The Plan encourages a broader mix of residential dwellings in terms of type, size, cost and ownership. Most residential development will be in low and medium density land use designations with some sites designated for high density development. While infill developments will be encouraged on vacant and under-utilized lands in existing neighbourhoods, the Plan provides that preservation and enhancement of the quality of life features of neighbourhoods must be considered in the review of any new and/or intensified development proposals in these areas.	The 722 residential apartment units provided through the proposed development will broaden the mix of residential dwelling types available in the community, intended to meet a range of unique housing needs, while maintaining compatibility with the surrounding area including, the existing residential neighbourhood to the west. The housing opportunities provided through the proposed development are further described in the HIA prepared by MHBC.
4.3 (cont.)	*Provision of residential support services and amenities are a priority of the Plan. New residential developments will be planned considering all forms of travel and be supportive of safe pedestrian and vehicular movement with convenient connections to employment areas, neighbourhood shopping areas, public open spaces and recreational facilities, schools, churches and other institutional uses. The goal is to promote*	The proposed residential development will capitalize on the proximity of the Subject Lands to nearby community amenities including, commercial areas, public open spaces, institutional uses, and transportation infrastructure, with the intent of promoting and supporting the community.

Sections	City of Burlington Official Plan	Assessment
	a sense of community identity that will continue to make Burlington a desirable place to live.	
	The City's transportation system will also gradually change. This Plan supports development of an integrated transportation system consisting of roads, public transit, pedestrian walkways and sidewalks and bikeways. While the automobile will remain the primary mode of transportation in the City, other forms of transportation will be encouraged to reduce congestion and improve environmental conditions. Land use decisions will coordinate transportation planning decisions so that higher density, mixed use and compact developments will be located where they can be well served by a safe, convenient and balanced transportation system.	The Subject Lands are located within the 'Burlington GO MTSA/UGC' as per Map 1h: Regional Urban Structure of the Region of Halton ROPA 49 (Figure 6). While this designation has yet to be incorporated into the in-force City of Burlington Official Plan, the intent of the proposed development is to help realize the vision for these lands, as an area that incorporates compact urban form, with higher transit-supportive densities and pedestrian-oriented public realm.
Part II- Functional Policies		
Section 2.0- Sustainability and the Environment		
Section 2.1- Principles		
2.1	*a) The City will endeavour to ensure that City operations and new development are consistent with the goals and objectives of Sustainable Development.*	A Sustainable Building and Development Guidelines Checklist prepared by Kohn Partnership Architects is enclosed with this application.
Section 2.2- Objectives		
2.2	*d) To use Sustainable Development criteria for review of applications for development, and to ensure that new development is compatible with existing land uses.*	The proposed development has been evaluated through a Sustainable Building and Development Guidelines Checklist, prepared by Kohn Partnerships Architects.
Section 2.7- Sustainable Design and Compatibility		
Section 2.7.1- Principles		
2.7.1	*a) To the greatest extent possible, proposed development shall be consistent with the goals and objectives of Sustainable Development.*	The proposed development has been designed in accordance with the Sustainable Building and Development Guidelines of the City of Burlington.

Sections	City of Burlington Official Plan	Assessment
Section 2.7.2- Objectives		
2.7.2	*b) To encourage, wherever possible, development to be accessible by pedestrians, cyclists and public transit.*	The proposal incorporates design elements that encourage active and public transportation including: connections to existing and planned active and public transportation routes and walkways that connect to adjacent streets.
Section 2.7.3- Policies		
2.7.3	*c) Development will be reviewed to ensure efficiency of land use in the urban community in terms of energy, travel time, intensity and diversity.* *e) The City will encourage development that provides choices in housing, shopping, employment, and transportation.*	Through introducing a compact, transit-supportive urban development, the proposal makes efficient use of the Subject Lands, its resources and infrastructure, and surrounding uses.
	f) Energy conservation shall be encouraged through community and site planning, design, and the use of energy-efficient materials and landscaping. When development applications are reviewed, consideration shall be given to energy conservation measures such as the solar orientation of streets and buildings, increased densities, walkability and decreased automobile dependency, and the use of landscaping and building materials.	As outlined in the Sustainable Building and Development Guidelines Checklist completed by Kohn Architects Partnerships, the proposed development will encourage energy conservation by providing: accessible pedestrian and cycling connections; short and long term bicycle parking; reduced parking; secure short-term and long-term bicycle parking; enhanced stormwater treatment approach; extensive landscaping throughout the site; significant softscaped areas; and, proposed POPS area.
	k) Transportation Demand Management strategies will be used to encourage increased transit ridership, walking and bicycling in the City.	A Transportation Demand Management Plan and Implementation Strategy has been included as part of the TIS prepared by Arcadis which recommends that the proposed development incorporates TDM measures to leverage the sustainable transportation opportunities of the proposed development including, the provision of bicycle report tools and stations and the addition of real-time transit information screens.

Sections	City of Burlington Official Plan	Assessment
	n) Exposure of residential and other land uses sensitive to vibration, noise, dust, odours or other effects caused by transportation or industrial facilities, and likewise, the encroachment of sensitive land uses on these facilities, shall be avoided through the use of separation distances, the placement of non-sensitive land uses in buffer areas, and/or other means. Proponents may be required to submit studies and undertake necessary mitigating actions to address compatibility issues to the satisfaction of the City and Region. Provincial guidelines shall be referred to for direction in land use planning decisions.	The proposal has been evaluated through a LUC Study and a NVIS prepared by RWDI enclosed with this application.
Section 2.8- Contaminated and Potentially Contaminated Sites		
2.8.2	*e) The City shall require a Phase II Environmental site assessment to be undertaken in accordance with Provincial legislation to support applications for sites where the Phase 1 Environmental site assessment reveals that the site may be contaminated. The Phase II Environmental site assessment shall include conclusions as to whether or not contamination is migrating off site.*	A Phase II Environmental Assessment has been completed by Englobe based on the recommendations of the Phase I ESA. The Phase II ESA has been completed to the satisfaction of Provincial legislation.
	f) The City may require the applicant to provide a Record of Site Condition in accordance with Provincial legislation, to be completed to the satisfaction of the City and the Ministry of the Environment, confirming that the site has been made suitable for the proposed use.	A Record of Site Condition will be completed at a later stage of development, as recommended by Englobe.
Section 2.11- Stormwater Management		
2.11.2- Objectives		
2.11.2.4 Storm Water Quality		

Sections	City of Burlington Official Plan	Assessment
2.11.2.4	a) *To control the quality of storm water runoff from future developed surfaces so that the natural surface water and groundwater quality is maintained or restored*.	The proposal has been assessed through a Functional Servicing/Stormwater Management Report prepared Crozier and Associates which demonstrates that the natural surface water and groundwater quality will be maintained.
2.11.3- Policies		
2.11.3	*a) Storm water management techniques shall be used in the design and construction of all new developments to control both the quantity and quality of storm water runoff. The degree of control and techniques used will depend on the conditions in the downstream receiving water bodies. The adverse effects of development on the downstream aquatic environment and adjacent lands shall be avoided or kept to a minimum.*	The proposal incorporates best practices for stormwater management, as outlined in the STM Report prepared by Crozier & Associates.
	e) Functional drainage designs shall be prepared at the draft plan of subdivision or zoning stage in accordance with the requirements of the City's Storm Drainage Criteria Manual.	Functional drainage designs for the proposed development have been included as part of the Functional Drainage Report prepared by Crozier & Associates.
Section 3.0- Transportation		
Section 3.2- General		
3.2.1	*c) To provide facilities to serve existing and future pedestrians, cyclists, transit riders and automobile users.* *d) To encourage alternative travel by creating an urban environment that encourages walking, cycling and transit use and increases opportunities to live close to work and satisfy day-to-day needs locally without relying on the automobile.*	The proposed development integrates higher densities in a compact urban form, located in close proximity to local and active transportation routes and a range of amenities, encouraging residents to use alternative travel modes to meet their daily needs.
	e) To maximize existing infrastructure to ensure that optimal benefit is obtained from the transportation system.	As outlined in the TIS prepared by Arcadis, the proposal will optimize existing transportation infrastructure.
Section 3.2.2- Policies		

Sections	City of Burlington Official Plan	Assessment
3.2.2	*d) A transportation study to assess the impact of a proposed development on current travel patterns and/or future transportation requirements may be required before Official Plan amendments, subdivision approvals, rezonings, site plan approvals or other development proposals are allowed.*	The proposed development is supported by a Transportation Impact Study (TIS) prepared by Arcadis which concluded that the additional development site traffic to the study area is expected to have minimal effects of the exiting signalized intersection operations. For unsignalized intersections, no movements are exceeding critical thresholds in the study area.
	e) The City will encourage opportunities for developing travel demand management (TDM) measures to reduce single occupancy automobile use, especially during peak travel periods, such as car pooling programs, transit passes, preferential parking for carpool members, telecommuting, flex hours, intranet carpooling and fare incentives.	A Transportation Demand Management Plan has been completed by Arcadis, as part of the TIS. As the proposed development is equipped with 362 long term and 36 short term bicycle parking spaces, located in proximity to existing and future cycling and transit facilities, the following TDM measures are recommended to leverage the sustainable transportation infrastructure: • The provision of bicycle tools and stations to be located within bicycle locker zones to incentivize cycling as a more feasible means of transportation. • The addition of real-time transit and transportation information screen.
	j) Reduced parking ratios and/or standards and/or on-street parking ratios and/or standards may be permitted subject to evaluation by the City of the appropriateness of such standards, and implemented through the approval of development applications or other City initiatives.	A reduction in required parking has been included as a site-specific amendment in the proposed ZBA. A reduction in parking is appropriate given the location of the Subject Lands within a Provincial and Regionally-designated MTSA/UGC, where transit-supportive densities and built form are intended to increase transit-usage and active mobility and decrease reliance on the personal automobile. A further justification for the reduced parking rate is provided in the TIS prepared by Arcadis.
Section 3.3-Roads		
Section 3.3.1- Objectives		
3.3.1	*c) To maximize the use of existing roads and rights-of-way instead of acquiring new rights-of-way and/or building new roads.*	The TIS completed by Arcadis concluded that the additional traffic from the development is expected to have a minimal effect on the existing signalized intersection operations. A road widening is not proposed for Grahams Lane as part of the

Sections	City of Burlington Official Plan	Assessment
	d) To provide adequate road capacity to meet the needs of local traffic, transit services and emergency response, but not necessarily inter-municipal traffic demands, which should be met by Provincial and Regional transportation facilities and services.	proposed development, as the existing right-of-way is in keeping with the requirements outlined in the Official Plan.
	f) To provide more pedestrian oriented streetscapes.	Streetscape improvements including, an active frontage with landscaped areas and residential uses facing the public sidewalk, have been incorporated along Grahams Lane, as outlined in the Urban Design Brief prepared by MHBC Planning,
3.3.2- Policies		
3.3.2	*a) The rights-of-way identified in Schedule J, Classification of Transportation Facilities - South of No. 1 Side Road; Schedule K, Classification of Transportation Facilities - Downtown Area and Schedule L, Classification of Transportation Facilities - No. 1 Side Road to Derry Road and Table 2 - Road Allowance Widths shall be protected and secured through the development process of the approval for plans of subdivision and condominium, part-lot control applications, consents, rezonings, site plan agreements, minor variances, and Parkway Belt applications and Niagara Escarpment Plan Amendment applications. Further, any right-of-way identified in a detailed engineering study or class environmental assessment study shall be secured and protected in the same way through the development process.*	The proposed development fronts onto Grahams Lane which is identified as a 'Collector Road' as per Schedule J- Classification of Transportation Facilities of the City of Burlington Official Plan (Figure 11). The existing right-of-way width of Grahams Lane is in keeping with the Official Plan's identified road widths which will be maintained through the proposed development application.
	l) The design standards for roads and streets shall be reviewed with the intent of making them more pedestrian-oriented, while recognizing traffic safety and emergency response considerations.	As outlined in the UDB prepared by MHBC, public realm elements have been incorporated into the enhanced streetscape design for Grahams Lane, intended to improve pedestrian experience and traffic safety.

Sections	City of Burlington Official Plan	Assessment
	u) Turning circles, roundabouts or other similar roadway features may be permitted subject to an evaluation by the City and Region of functional, operational, servicing and financial issues associated with their use.	The existing cul-de-sac at the end of Grahams Lane will be maintained.
Section 3.4- Transit Services		
Section 3.4.1- Objectives		
3.4.	*c) To promote the use of transit, and to reduce traffic and parking demands traffic congestion and air pollution, by providing increased levels of service, encouraging transit-supportive land use planning and introducing appropriate "transit priority" and Travel Demand Management (TDM) measures.*	The proposed development incorporates transit-support densities and land uses that have been planned and designed to promote the use of active and public transportation.
Section 3.4.2- Policies		
3.4.2	*a) Municipal transit services and facilities shall be provided in accordance with Schedule 1, Long Term Transit Service Network in Appendix A of the Plan. This Schedule identifies the long-term location of anticipated local and inter-regional transit services including VIA and GO rail lines and stations, and other proposed inter-regional services such as a Primary Bus Service Network and a Secondary Bus Service Network. Primary Bus Services provide peak period service frequencies of 15 minutes or better, while Secondary Bus Services offer peak period frequencies greater than 15 minutes.* **R9 The highest priority will be placed on improving transit service in the Mixed Use Corridors, especially the Fairview Street/Plains Road corridor and the Brant Street corridor connecting the Downtown Mixed Use Centre to the Burlington GO Transit Station.*	The Subject Lands are located in proximity to Brant Street and Fairview Road which, are both 'Primary Bus Service' routes that connect to the nearby 'Commuter Rail Station' as per Schedule J-Classification of Transportation Facilities of the City of Burlington Official Plan (Figure 11). The proposed residential development incorporates a transit-supportive density that capitalizes on the proximity of the Subject Lands to nearby public transit assets, located along, and accessibility through, Brant Street and Fairview Road.

Sections	City of Burlington Official Plan	Assessment
	c) The City's transportation system and land use development are intended to achieve the following minimum transit modal shares when "mature-state" urban development is reached: *i. 15% of all trips within Burlington by transit;* *ii. 30% of all eastbound trips leaving the City by transit; and* *iii. 10% of all westbound trips leaving the City by transit.*	The transit-supportive density achieved through the proposed development will support the City in meeting their targets for minimum transit modal shares.
	d) Council shall promote the development of cost-effective transit services through transit-supportive land use and transportation plans in areas of development including mixed use corridors and mixed use centres.	The proposed OPA is intended to re-designate the Subject Lands to 'Mixed Use-Corridor General (MXG)' with site-specific provisions that will allow for the redevelopment of the Subject Lands with three residential buildings with a transit-supportive density that promotes the use of local transit services.
	e) Development applications shall be reviewed to ensure that, where feasible, proposed land developments encourage the efficient and effective use of transit services.	The proposal residential development achieves an FSI of 4.25, with the intent of providing an appropriate development in the City's UGC/MTSA, in proximity to existing and planned transit that encourages the use of transit services.
Section 3.5-Cycling		
Section 3.5.2- Policies		
3.5.2	*a) Municipal cycling facilities shall be provided in accordance with Schedule 2, Long-Term Cycling Master Plan, in Appendix A of the Plan. This Schedule identifies the long-term location of bike routes and bike paths and connections to nearby communities.*	The Subject Lands front onto Grahams Lane which, is identified as a 'Bicycle Priority Street', that provides connections to a 'Multi-Use Path' to the west and a roadway with a 'Bike Lane' to the east, as per Appendix A, Schedule 2, Long Term Cycling Plan, of the City of Burlington Official Plan. The increased residential density provided through the proposed development, supported by ample cycling facilities including short-term and long-term bike parking spaces, has been designed to capitalize on the proximity and connectivity of the Subject Lands to existing cycling facilities and encourage an active lifestyle.

Sections	City of Burlington Official Plan	Assessment
	d) The connection of bike routes and paths with recreational facilities shall be encouraged.	Cyclist connections have been provided throughout the proposed development to existing bicycle routes long Grahams Lane that connect users to the broader community.
	e) Bicyclist and overall public safety and security shall be encouraged in the design and development of the bikeway network.	The proposed development includes 36 short term and 362 long term bicycle spaces, that are connects to the adjacent roadway through an enhanced streetscape designed to improve cyclist safety and enjoyment.
Section 3.6-Walking		
Section 3.6.2- Policies		
3.6.2	*b) Roads, sidewalks and walkways shall be designed to provide more direct walking access from the interior of blocks to transit locations.*	Pedestrian circulation throughout the site will be facilitated through landscaped internal walkways that connect the visitors/residents to the existing roadway that provides further connections to the public hydro-corridor trail to the west, and Brant Street to the east.
	c) The development of streetscapes that are safe, convenient and attractive for pedestrians shall be encouraged through measures such as providing wide sidewalks, locating retailing and personal service uses at street level, encouraging building designs that provide shelter, and the providing of convenient and sheltered transit stops, street furniture, trees and other amenities.	The proposal incorporates enhanced pedestrian infrastructure, designed to improve pedestrian experience and engagement through the provision of delineated pedestrian walkways that connect users to the adjacent right-of-way, outdoor amenity areas, and landscaping throughout the site, as seen in the Landscape Plan prepared by NAK.
	d) The connection of sidewalks, multi-use pathways and walkways with recreational facilities shall be encouraged.	See policy response 3.6.2b above.
	f) At the site plan application stage, proposed developments shall be required to provide direct, safe, convenient and attractive interior pedestrian access through the site.	Interior pedestrian access throughout the site will be further delineated through a future site plan application.
Section 3.7 Rail and Air		
3.7.2	*d) New residential development and other uses sensitive to noise and vibration shall not be permitted within 300 m of a railway yard. The proponent of land uses sensitive*	The proposed residential development has been evaluated through a NVIS prepared by RWDI, which assessed the proposed development based on both sound level modeling and vibration

Sections	City of Burlington Official Plan	Assessment
	to noise and vibration adjacent or in proximity to railway lines or railway yards shall be required to undertake, prior to development approval, the following studies by qualified consultants in accordance with Provincial policies, to the satisfaction of the Region of Halton, the City, and the Ministry of the Environment, in consultation with the appropriate railway agency, and to implement the study recommendations as approved, including the restriction of new residential and other sensitive uses: *(i) noise studies, if the development is within 300 m of the railway right-of-way or 1000 m of a railway yard; and* *(ii) vibration studies, if the development is within 75 m of the railway right-of-way or a railway yard.*	measurements and found that with appropriate noise mitigation measures, it is feasible for the proposed development to meet the applicable sound and vibration criteria.
	e) The proponent of any development adjacent to railways shall ensure that appropriate safety measures such as setbacks, berms and security fencing are provided to the satisfaction of the City in consultation with the appropriate railways to mitigate the affects of their development on the railways.	See policy response 3.7.2d above.
Section 3.9- Travel Demand Management		
Section 3.9.2- Policies		
3.9.2	*a) The City recognizes the role of Travel Demand Management (TDM) in promoting the more efficient use of existing transportation infrastructure, making automobile use more sustainable, and promoting increased transit use. The proponent of a major employment development may be required, prior to the occupancy and use of land, to establish with the City a transportation demand management plan and implementation strategy for the development. Priority*	The proposed development is equipped with 398 bicycle parking spaces (362 long term and 36 short term spaces), located in proximity to existing and future cycling and transit facilities. The following measures are recommended through the TDM prepared by Arcadis, to leverage these sustainable transportation opportunities: • The provision of bicycle tools and stations to be located within bicycle locker zones to incentivize cycling as a more feasible means of transportation.

Sections	City of Burlington Official Plan	Assessment
	shall be given to measures that are not capital intensive (e.g. flexible work hours, priority parking spaces for car pool vehicles) and which are feasible give	• The addition of real-time transit and transportation information screen.
Section 6.0- Design		
Section 6.1 Principles		
6.1	*a) The tangible elements of the urban form, consisting of a combination of the built environment and open space that form the urban landscape, shall be designed in an efficient, attractive and compact manner to enhance the well-being of the residents of the community and to reflect the vision of this Plan.*	As shown in the UDB prepared by MHBC, the proposed development consists of a high-quality, compact, and attractive built form, supported by a vibrant and engaging public realm, intended to support the well-being of the results of the community.
Section 6.2- Objectives		
6.2	*c) To ensure that the design of the built environment strengthens and enhances the character of existing distinctive locations and neighbourhoods, and that proposals for intensification and infill within existing neighbourhoods are designed to be compatible and sympathetic to existing neighbourhood character.*	As described in the UDB prepare by MHBC Planning, the proposed development has been designed to support a sensitive transition to existing neighbourhoods, and to be compatible with future development within the immediate context.
	d) To ensure that the design of the built environment in new communities integrates with the natural setting and provides a diverse social setting that is well served by public transit, and by attractive and well-developed pedestrian environments.	The proposed residential apartment development has an attractive built form that stimulates engagement and social interaction, as observed through the pedestrian and cyclist walkways, indoor and outdoor amenity areas, landscaped open spaces, and connections to public transit.
	e) To achieve a high quality of design within the public realm. *f) To ensure consistency, compatibility and quality in the built environment while allowing for a diverse design expression.* *g) To integrate urban design into the full range of decision-making activities to assist in achieving the design objectives of this Plan.*	The Urban Design Brief prepared by MHBC describes the design choices integrated into the proposed development that work collectively to achieve a high quality public realm. The proposed development ensures compatibility with the existing surrounding area, while introducing an innovative and sustainable urban form.

Sections	City of Burlington Official Plan	Assessment
	h) To ensure that the principles of Sustainable Development are considered in the design of the built environment.	A Sustainable Building and Development Guidelines Checklist has been prepared by Kohn Partnership Architects, to support the proposal.
Section 6.3- Existing and New Communities Policies		
6.3	*e) Preference will be given to community design containing more compact forms of development that support higher densities, are pedestrian oriented and encourage increased use of public transit.*	The proposed residential buildings range in height from 9-20 storeys, and achieve a net FSI of 4.25. The intent of incorporating a compact built form with higher densities is to support a pedestrian-oriented and transit-supportive environment.
Section 6.4- The Public Realm Policies		
6.4	*a) Design opportunities to enhance the quality of the public realm shall be encouraged as a part of the design of all municipal undertakings, including public parks and buildings, public streets, natural areas and all municipal engineering projects related to public spaces.*	Landscaped streetscapes, internal pedestrian paths, outdoor amenity areas, and short and long bike parking spaces have been incorporated into the proposed development with the intent of enhancing the quality of the public realm. A 984 m^2 POP's inclusive of a children's splash pad, a playground, and a shaded seating area, is proposed in the southwest corner of the site, as shown in the Landscape Plan prepared by NAK Design Strategies.
Section 6.5- Design Guidelines Policies		
6.5	*a) The density, form, bulk, height, setbacks, spacing and materials of development are to be compatible with its surrounding area.* *b) The compatibility of adjacent residential and non-residential development shall be encouraged through site design and buffering measures, including landscape screening and fencing.*	The urban form of the proposed residential apartment development has been intentionally designed to achieve compatibility with the surrounding community, as described in the UDB prepared by MHBC. Appropriate site design, landscaping, and screening and buffering has been incorporated into the proposed development, as observed in the Site Plan prepared by Kohn Partnership Architects and the Landscape Plan prepared by NAK.
	c) The design of all buildings must recognize pedestrian scale, safety and the perception of safety and access and the preservation of public vistas and views.	As identified in the UDB prepared by MHBC, the proposed development has been designed to a foster a pedestrian-oriented environment that supports pedestrian safety, connectivity, and engagement. Public vistas and views will be preserved, as shown

		in the Sun/Shadow Study prepared by Kohn Partnership Architects.
	e) All developments shall be designed having regard for public transit accessibility in the Urban Planning Area, convenience and comfort, and access and parking for the physically challenged, and to ensure that the needs of persons with disabilities and other special needs groups are addressed. *f) City Council shall require that design plans promote public safety and security, with adequate visibility and lighting and the avoidance of secluded areas.*	The Subject Lands are located within walking distance of several local bus routes as well as the Burlington GO Station, connecting residents to public transit, as shown in Tables 1 and 2. Fourteen (7 type A and 7 type B), accessible parking spaces have been provided through the proposed development, each of which conform to the standard dimensions outlined in the City of Burlington Zoning By-law 2020. A reduction in required accessible parking spaces is proposed through the ZBA to conform to contemporary accessible parking counts outlined in the Ontario Regulation 191/11: Integrated Accessibility Standards, under the Accessibility for Ontarians with Disabilities Act, 2005.
	g) The location, amount, position and design of parking areas shall be reviewed to minimize their potential to erode the qualities of the public streetscape, and to lessen their visual impact. City Council shall require landscaped islands and screening in the design of large parking lots.	The majority of the parking provided to support the proposed development lies in the two levels of underground parking. Minimal surface parking is located internal to the site, shielded from building view.
	h) The streetscape appearance of major, multi-purpose and minor arterial roads and collector streets shall be enhanced by encouraging buildings to present their main building facades to these roads or to enhance their treatment to avoid the appearance of blank buildings at service entrances.	Attractive and high-quality building façades have been incorporated onto the main face of the Buildings A and B which front onto Grahams Lane, as described in the UDB prepared by MHBC.
	j) The functional and visual impact of site servicing, loading, air conditioning and ventilation equipment and waste handling facilities shall be minimized, by integrating them into the building's main structure, by screening or by site design.	Site servicing and loading, mechanical equipment, and waste handling facilities will be located at the rear of the proposed apartments, shielded from public view.
	m) All development shall be designed having regard for Sustainable Development considerations as set out in Part II, Subsection 2.7.3 of this Plan.	The proposed development has been designed having regard for the policies for sustainable development outlined in the Official Plan, and has been evaluated through the Sustainable Building

		and Development Guidelines Checklist enclosed with this application.
Section 6.6- Implementation Policies		
6.6	f) The needs of persons with disabilities *shall* be considered in each *development*, and *universal physical access* features *should* be incorporated in all new buildings.	The proposed buildings will be constructed in accordance with the requirements of the Ontario Building Code, AODA, and all required accessibility standards.
Part III- Land Use Policies- Urban Planning Area		
Section 5.0- Mixed Use Activity Area		
Section 5.1- Principles		
5.1	*a) Mixed Use Activity Areas provide alternatives to low density, suburban development and encourage the efficient use of physical resources and municipal services.* *b) The design and development of Mixed Use Activity Areas provide opportunities to create and/or maintain a special community identity and a focal point for a variety of City-wide, community and neighbourhood functions.* *c) Mixed Use Activity Areas address the demand for higher intensity employment, shopping and residential areas within the City.*	The proposed residential apartment development supports the principles of Mixed Use Activity Areas including the efficient use of the land, its resources, and municipal infrastructure, with higher density residential uses that support the planned community.
Section 5.2- General		
Section 5.2.1- Objectives		
5.2.1	*a) To encourage comprehensively planned mixed use employment, shopping and residential areas that provide for the integration of uses such as retail stores, offices, hotels, institutional and entertainment uses with residential uses, community facilities, cultural facilities, institutions and open space in a compact urban form, while retaining compatibility with nearby land uses.*	The proposed compact, residential apartment development will contribute to the range and mix of uses and housing options in the community that maintains compatibility with surrounding uses.
	b) To ensure Mixed Use Activity Areas are developed in a compact urban form, are pedestrian-oriented and highly	The proposed OPA and ZBA will allow for the development of three residential buildings that have a compact urban form with connections to nearby active and public transportation routes.

	accessible by public transit, and foster community interaction.	
	c) To direct the phasing and/or expansion of municipal infrastructure and services to ensure the timely and orderly development of Mixed Use Activity Areas.	The expansions to municipal servicing capacity proposed to support the proposed redevelopment, located within a Mixed Use Activity Area, are sufficient to accommodate the projected needs of the proposed redevelopment as outlined in the FSR and SWM Report prepared by Crozier & Associates.
Section 5.2.2- Policies		
5.2.2	*a) Mixed Use Activity Areas identified on Schedule A, Settlement Pattern shall be designated as either Mixed Use Corridor-General, Mixed Use Corridor-Employment, Mixed Use Corridor-Commercial Corridor or Mixed Use Centre on Schedule B, Comprehensive Land Use Plan - Urban Planning Area.* *b) Lands designated as Mixed Use Corridor-General, Mixed Use Corridor-Employment, and Mixed Use Corridor - Commercial Corridor on Schedule B, Comprehensive Land Use Plan - Urban Planning Area shall be subject to the policies contained in Part III, Section 5.3.*	The Subject Lands are designated as 'Mixed Use-Employment' as per Schedule A-Settlement Pattern of the City of Burlington Official Plan (Figure 9). Since the Official Plan was updated in 2019, updated Provincial, Regional, and Municipal legislation and by-laws have been released that redefine the vision and the designation for these lands. The Growth Plan, updated in 2020, designates the Subject Lands as an 'UGC', while the Region of Halton ROPA 49, released in 2022 removed the Subject Lands from the Employment Area overlay and included it in the 'Downtown Burlington UGC/ Burlington GO MTSA'. An OPA is therefore required to re-designate the Subject Lands, to allow for a residential redevelopment that implements the goals and objectives of the contemporary upper-tier government policy context. The proposed OPA is to re-designate the Subject Lands to a site specific 'Mixed Use Corridor- General' designation that allows for the proposed residential apartment development.
	d) The design and development of Mixed Use Activity Areas shall promote these areas as focal points for community activities that are characterized by a compact form of development, pedestrian-orientation, greater accessibility to public transit and higher intensity development.	The proposed residential redevelopment will support the goal of the Subject Lands as an UGC and MTSA, and community hub, through providing a compact mid/high-rise development that incorporates a pedestrian-oriented built form, accessible through public and active transportation.
	e) The construction and expansion of municipal services shall provide for the development of Mixed Use Activity Areas in an orderly and cost effective fashion.	The expansions to municipal servicing proposed to support the needs of the proposed residential redevelopment allows for the logical, orderly, and cost-effective expansion of municipal

		servicing, as outlined in the FSR and SWM Report prepared by Crozier & Associates.
	i) It is the general intent of this Plan that Mixed Use Activity Areas shall be subject to a high quality of urban design. City Council may require the preparation of Urban Design Guidelines for specific Mixed Use Activity Areas or the preparation of site-specific Corridor Studies for Mixed Use Corridor Areas, which may include such design guidelines as a component of the Corridor Study. These guidelines shall be referenced in an appendix to this Plan and be used in the evaluation of all development proposals within the Mixed Use Activity or Corridor Area	The proposed development has been evaluated through an UDB prepared by MHBC, enclosed as part of this application.
	k) The City may ensure the proper integration of Mixed Use Activity Areas with surrounding neighbourhoods through measures such as pedestrian walkways, cycling paths and transit routes, and the protection of the physical character of these neighbourhoods through urban design.	The proposed residential redevelopment will integrate with existing and planned connections in the surrounding neighbourhood, as described in the UDB prepared by MHBC Planning.
	l) The City may consider the use of reduced parking standards in Mixed Use Activity Areas in order to encourage greater reliance on non-automobile forms of transportation.	A reduced parking standard of 0.83 parking spaces/dwelling unit is proposed through the ZBA, with the intention of encouraging residents and visitors to use the nearby public and active transportation routes and decrease reliance on the private automobile.
Section 5.3- Mixed Use Corridors (General, Employment, and Commercial Corridor)		
Section 5.3.1- Objectives		
5.3.1	*b) To encourage higher intensity, transit-supportive and pedestrian-oriented mixed use development, including land in the vicinity of a major transit station area, such as a GO Transit station, in a compact urban form, while retaining compatibility with nearby land uses.*	The proposed residential redevelopment will support the intent of the Subject Lands, as envisioned for the Burlington GO MTSA/UGC, through providing three residential apartments.
Section 5.3.2- General Policies *R16		
5.3.2	*a) The following uses may be permitted within the Mixed Use Corridor-General, Mixed Use Corridor-Employment and Mixed Use Corridor-Commercial Corridor designations:*	The proposed OPA seeks to re-designate the Subject Lands from 'Mixed Use Corridor-Employment' to a site specific 'Mixed Use Corridor-General' designation, to allow for residential

	ii. high density residential uses and a full range of office uses. Townhouses may only be permitted as a component of an overall development of mixed residential or residential/commercial building forms, where the townhouse portion of the mixed development does not abut the multi-purpose arterial or major arterial road and where the development of the townhouse component does not compromise the long-term objectives for the Mixed Use Corridor designation with respect to such matters as mix of uses, building form and intensity; *iii. development and re-development of lands within a major transit station area, such as a GO transit commuter rail station, shall achieve a higher intensity of re-development and consist of transit supportive uses, as called for and defined in the Growth Plan for the Greater Golden Horseshoe. Notwithstanding Part III, Subsection 5.3.3 b) and e), those lands designated Mixed Use Corridor subject to the Commercial Corridor Policies of Subsection 5.3.3 and located within a major transit station area, shall permit only transit supportive uses, as defined in the Growth Plan for the Greater Golden Horseshoe, have a minimum floor space index of 0.5 and a minimum building height of two storeys. *R16*	intensification on the Subject Lands in accordance with the planned vision for the lands as a Provincially and Regionally recognized priority MTSA/UGC. The proposal seeks to implement higher density uses in the form of mid-rise and tall buildings in an area subject to future development concentration within the MTSA. The proposal provides increased residential densities that are transit-supportive and pedestrian-oriented in design.
	d) Zoning By-law regulations affecting Mixed Use Corridors shall be based on the following factors: *i. the maximum floor area ratio of development at any site shall be 1.5:1. City Council may consider a higher floor area ratio in conjunction with a site-specific rezoning or variance application, subject to the consideration of various factors such as adequacy of services and infrastructure and the provision of compatibility with adjacent uses through measures such as terracing, a high quality of building*	The proposed OPA is seeking a site-specific amendment for additional height and density beyond what is currently permitted in the 'Mixed Use Corridor- General' designation. A maximum Floor Space Index (FSI) of 4.25, and a maximum building height of 20 storeys (plus mechanical penthouse and rooftop amenity) is proposed. Please see the Draft OPA included in Appendix B for a more detailed description of the proposed OPA.

	design, landscaping and streetscaping, and the provision of underground parking; *ii. the minimum building height shall be two storeys and the maximum building height shall be six storeys. Where required to ensure compatibility, four to six storey buildings may be required to be terraced back from adjacent residential areas and/or the street;*	
	iii. the implementing zoning by-law shall identify a minimum portion of all buildings abutting the corridor street to be located in close proximity to the corridor street. These setbacks may be modified for specific corridors following the completion of Council-approved Corridor studies;	A site-specific ZBA is proposed to re-zone the Subject Lands from the 'MXE' zone to the 'MXG' zone in the City of Burlington Zoning By-law 2020. The intent of the proposed ZBA is to bring the zoning of the Subject Lands into conformity with Growth Plan, Halton Region Official Plan designations of the Subject Lands. As part of the proposed ZBA, a site-specific amendment is being proposed to increase the maximum yard setback abutting a street to allow for an enhanced pedestrian realm along Grahams Lane. Please see the Draft ZBA provided in Appendix C for further details.
	iv. all buildings shall be required to have a building entrance from the building façade closest to the corridor street; *v. off-street parking needs may be reduced for sites with transit-supportive designs or shared parking arrangements.*	Each of the proposed buildings have entrances onto the nearest right-of-way; Building A has an entrance along Grahams Lane, Building B and C have entrances from the internal driveway. A reduction in required parking, to a combined rate of 0.83 parking spaced per unit (inclusive of visitor parking), has been proposed as a site-specific amendment in the proposed ZBA. The reduced parking rate proposed is appropriate given that the Subject Lands are within the Burlington MTSA and in close proximity of the Burlington GO Station, and the transit-supportive design of the development. The reduction in parking is expected to be sufficient to accommodate anticipated demand as justified in detail in the accompanying TIS and Parking Justification Plan prepared by Arcadis.
	f) Higher density land uses and taller buildings shall be permitted at locations where Mixed Use Corridor areas intersect with multi-purpose arterial roads, major arterial	While the Subject Lands are not located along an 'Arterial Road', the lands are located in close proximity to two arterial roads including, Brant Street which, is a 'Minor Arterial/Multi-purpose

	roads or provincial freeways; or existing areas of development concentration, subject to the criteria outlined in Part III, Subsection 5.3.2, d) (i).	Arterial Road', as well as Fairview Street which is a 'Multi-purpose Arterial Road', as shown in Figure 11. The accessibility of the Subject Lands to these arterial roads, served by ample public transit, will support the mobility of residents and visitors of the proposed residential apartment development.
	g) The design and development of Mixed Use Corridors shall ensure compatibility between the Mixed Use Corridor uses and adjacent land uses, particularly residential uses. The following factors shall be considered in reviewing proposals for new and/or expanding Mixed Use Corridor uses: *i. buildings should be located so as to be in proximity to the street, to provide a sense of human comfort and pedestrian scale and interest, and should be in close proximity to transit services;* *ii. the site plan includes features that integrate the development with surrounding uses;* *iii. the site plan promotes safe, convenient and barrier-free pedestrian travel within the site, between the site and adjacent uses and to and from transit stops;*	Intentional design choices have been made throughout the planning of the proposed development to ensure compatibility between the proposal and adjacent land uses. As described in the UDB prepared by MHBC, some of the design choices made to ensure compatibility include: • A pedestrian-oriented public realm; • Pedestrian pathways throughout the site that connect to primary building entrances, as well as the adjacent sidewalk that provides further connections to nearby transit stops. • Setbacks and landscaping buffers are provided along abutting lot lines to ensure a sensitive transition to adjacent uses. • The proposed towers are thoughtfully sited and oriented to ensure seamless transition to surrounding uses. • The overall massing of the base of the buildings are divided into smaller functional units via entrance recess, fenestration, and material transition to stimulate a pedestrian-scale streetwall.
	iv. the number and location of vehicular access points shall be limited to minimize disruption to traffic flows and to minimize the impact on local streets; *v. wherever possible, off-street parking should be located in the side and rear yards and away from adjacent residential uses. Off-street parking areas, loading areas and service areas shall be screened and landscaped and located to minimize adverse impacts on adjacent residential uses;* *vi. the site plan promotes public safety;*	Vehicular access to the site is provided via a 6 m driveway from Grahams Lane that begins between Building A and B and continues north to connect to Building C. Sixteen visitor parking spaces, including one type A and one type B accessible space, are located internal to the site, screened from public view, while the remainder of the parking is located in two levels of underground parking. The proposed access routes and parking are intended to ensure continuity with existing traffic patterns and flows, and provide convenient access to parking for visitors and residents, as outlined in the TIS prepared by Arcadis.

	h) Transit-supportive and pedestrian-oriented urban design shall be required in the development of Mixed Use Corridor sites.	As outlined in the UDB prepared by MHBC, the proposed residential redevelopment will achieve a transit-supportive density, supported by pedestrian-oriented urban design that support the objectives of Mixed Use Corridor sites.
	i) The design and development of Mixed Use Corridors shall encourage the use of public transit, pedestrian and bicycle travel as an alternative to the automobile and shall maximize personal safety by encouraging site plan features such as: *i. buildings should be oriented to the street and transit services, and buildings should be located so as to be in proximity to, and face the street, to provide a sense of human comfort and pedestrian scale and interest;* *ii. safe and convenient access shall be provided for pedestrians between buildings and transit stops, parking areas, and other buildings and facilities; and*	The proposed development provides for increased density within walking distance to higher order transit and active transportation routes. The proposed building is oriented to frame Graham's Lane, at an appropriate scale to provide a sense of comfort and pedestrian interest. The proposed development provides convenient access and connections from the site to the adjacent sidewalk and multi-use path, to ensure safe and convenient access for pedestrians to transit stops and other buildings and facilities in the surrounding community.
	j) Proposals for the re-designation of lands to Mixed Use Corridor from another designation shall require an amendment to the Plan and shall be evaluated based on the following criteria: *i. the impact of the proposal on adjacent land uses, particularly residential;* *ii. adequate municipal services are available;* *iii. sufficient on-site parking is provided;* *iv. the site is served by efficient peak period public transit;* *v. vehicular access to and from the site does not adversely affect local streets; and* *vi. the site is located on a multi-purpose arterial or major arterial road that can accommodate the anticipated traffic.*	The proposed development offers a sensitive transition to existing and planned uses in the surrounding area, as observed through the setbacks and landscaped buffers along the abutting lot lines, the spacing and massing of the towers, and the towers rectangular envelope that respects the lot orientation and street layout, further minimizing shadow impacts. A crash wall proposed along the southwestern border of the Subject Lands will act as a visual and sound barrier to the rail spur to the west. The Sun/Shadow Impact Study prepared by Kohn Partnership Architects concluded, both visually and quantitatively that the shadow impact of the proposed building on key communal outdoor areas is minimal in nature, particularly during times of day ad year when access to outdoor amenity areas is most desirable. As per the FSR and SWM Report prepared by Crozier & Associates, there is sufficient capacity within Halton Region's water and wastewater infrastructure to support the proposed development

		As per the supporting Traffic Impact and Parking Justification Report prepared by Arcadis, sufficient on-site parking is provided and the site is well served by efficient peak period public transit. Vehicular access to the site has also been appropriately sited and designed to ensure no adverse impacts to the local streets. While not directly located on a multi-purpose arterial or major arterial road, the Subject Lands are in close proximity to Brant Street to the east, a Minor Arterial/Multi-Purpose Arterial road, where vehicular traffic will be directed.
	l) *Infilling* of existing, linear Mixed Use Corridors *shall* be *encouraged* rather than the designation of new areas.	The proposal presents an opportunity to redevelop the currently underutilized site, with a mid/high-rise infill development that will contribute to the evolving character and identify of the Burlington GO UGC/MTSA and supports the City of Burlington in meeting their required Provincial and Regional growth targets.
Section 5.3.4- Mixed Use Corridor-Employment		
5.3.4	*a) Notwithstanding the policies of Part III, Subsection 5.3.2, the following Mixed Use Corridor locations as shown on Schedule B are primarily intended for higher intensity, transit and pedestrian oriented employment development and are subject to the policies of Part III, Subsection 5.3.4:* *(viii) Legion Road and Grahams Lane;*	The Subject Lands are located along Grahams Lane and are designated as 'Mixed Use Corridor- Employment' as per Schedule B of the Official Plan (Figure 10).
	b) The following uses may be permitted within the Mixed Use Corridor-Employment locations: industrial uses; a broad range of office uses, a limited range of retail, service commercial and personal service uses which serve the day to day needs of employees; financial institutions and services; entertainment, recreation and other community facilities such as libraries and day care centres and motor vehicle dealerships.	As residential uses are not permitted within the 'Mixed Use Corridor-Employment' designated, an OPA is required to re-designate the Subject Lands to allow for a residential redevelopment that implements the Provincial and Regional policy direction for the Subject Lands as a Strategic Growth Area and external to the Halton Region Official Plan's Employment Area.
	d) In Mixed Use Corridor-Employment locations, residential uses shall be prohibited. In addition, individual retail and	The strategic objectives and vision for the Subject Lands have undergone a significant shift due to recent Provincial and Regional policy changes including, the designation of the Subject Lands as

	service commercial uses shall be limited to a maximum size as set out in the Zoning By-law.	an UGC through the updates to the Growth Plan made in 2020, and the removal of the Subject Lands from the Halton Region Official Plan Employment Area overlay through ROPA 48 and 49, and the subsequent inclusion of the lands within the delineated Burlington GO MTSA/UGC. As such, these lands are no longer an appropriate location for employment uses, and must be re-designated to allow for a residential redevelopment concept that supports the objectives and goals of the Burlington GO MTSA/UG outlined in Provincial and Regional legislation and policies.
	e) Zoning By-law regulations affecting Mixed Use Corridor-Employment locations shall be based on the following factors: *i. the maximum floor area ratio of development at any site shall be 1.0:1, except industrial uses, where the maximum floor area ratio shall be 0.5:1;* *ii. the maximum building height shall be six storeys, except for industrial uses, where the maximum building height shall be two storeys;* *iii. buildings should be located so as to front and face the street, to provide a sense of human comfort and pedestrian scale and interest, and in close proximity to the street and to transit services; and* *iv. off-street parking needs may be reduced for sites with transit-supportive designs or shared parking arrangements*	The proposed OPA includes site-specific provisions for additional height and density that will support a residential redevelopment scheme of the Subject Lands that allows for the full potential of the lands, as an area intended for higher, transit-supportive growth and intensification. Please see the proposed OPA provided in Appendix B for a more fulsome description of the proposed OPA. The proposed ZBA includes site-specific amendments for a reduced parking ratio. The reduced parking ratio is appropriate given the location of the Subject Lands within the 'Burlington GO UGC/MTSA' where transit-supportive densities and compact built form are encouraged. The proposed development capitalizes on the proximity and accessibility of the lands to local and Regional transit routes, through enhanced pedestrian and cyclist connections that are intended to encourage alternative modes of transportation.
	g) Transit-supportive and pedestrian-oriented urban design shall be required in the development of Mixed Use Corridor-Employment sites.	See policy response 5.3.2h above.
	k) Proposals for the re-designation of lands designated Mixed Use-Employment to allow non-employment uses, or to add a range of uses to the Mixed Use Corridor-	As residential uses are not currently permitted in the City's 'Mixed Use Corridor – Employment' designation, an OPA is needed to re-designate the Subject Lands to 'Mixed Use Corridor – General' to

	Employment designation that are primarily permitted in a non-employment designation, shall be evaluated based on meeting the following criteria: *i. the proposal shall only be considered in conjunction with the Comprehensive Review provisions identified in the Provincial Policy Statement and the policies of Provincial Plans;* *ii. the proposal shall not detrimentally affect the short and long-term employment land needs of the City;*	allow for the proposed residential redevelopment which conforms to Provincial and Regional policies. The Official Plan states that proposals for the re-designation of lands designated as 'Mixed Use Corridor – Employment' to allow for non-employment uses are to be evaluated based on the comprehensive review provisions of Provincial Plans. The latest consolidation of the City of Burlington Official Plan predates the inclusion of the Subject Lands in an 'UGC' in the Growth Plan updates, and the subsequent removal of the lands from the 'Employment Areas' overlay through ROPA 48 and 49, and the re-designation of the lands within the 'Burlington GO MTSA/UGC'. The proposed residential redevelopment recognizes, and conforms to, the new Provincial and Regional objectives and vision for the Subject Lands through providing a compact, transit-supportive residential development that increases housing choice and increases reliance on active and public transit.
	iii. the intensity and characteristics of the proposed non-employment uses shall not detrimentally impact the viability, desirability, or the proper servicing of existing and future surrounding land uses; *iv. the site's physical and natural characteristics, development constraints and location shall justify the consideration of non-employment uses at the subject location;* *v. re-designation of lands abutting major transportation corridors including railways, highways and major arterial roads shall be discouraged;* *vi. support studies as identified in Part VI, Section 5.3, Other Studies Policies of the Plan are prepared;*	The proposed development is supported by several studies which conclude that the intensity and character of the development is appropriate for the current and future surrounding land uses. The location of the Subject Lands, in proximity to public transit and community amenities, represents an optimal location for residential redevelopment.
	vii. in addition to (i) through (vi) above, the re-designation shall also meet at least two of the following conditions:	Through ROPA 49, the Subject Lands were removed from an Employment Area, and were designated as 'Burlington UGC/ Burlington GO MTSA', within the Built-up Area of the Settlement

	i. the amount of land affected is minor in area based on the projected land requirements within the planning horizon of the Plan; *ii. the development of the site is not feasible for employment uses within the planning horizon of the Plan;* *iii. there are no alternative sites, designated and approved for the proposed use elsewhere in the City;* *iv. the proposal will have a beneficial impact on the surrounding uses and the broader community;* *v. the development of the land for non-employment uses will meet a public need identified by City Council resolution.*	Area Boundary. Thus, the intended use of the lands is not for employment uses. In the scheme of the Settlement Area, the land affected by re-designation is minor in area in the context of the projected land requirements for growth until 2051. The proposed residential redevelopment will provide 722 residential apartment units that contribute to the diversity of housing in a community dominated by low-rise housing forms.

Table 6: New City of Burlington Official Plan, Interim Working Version (February 2021) - Assessment of Alignment

Sections	New City of Burlington Official Plan	Assessment
Section 2- Sustainable Growth		
Section 2.4- Growth Framework		
Section 2.4.2(1)- General Policies, Primary Growth Areas		
2.4.2(1)	*a) Primary Growth Areas:* *i. are identified on Schedule B-1: Growth Framework, of this Plan and are generally located within areas identified in the Urban Structure within the Mixed Use Intensification Areas as Urban Centres and MTSA Special Planning Areas, as identified on Schedule B: Urban Structure, of this Plan, with some exceptions.* *ii. shall be recognized as a distinct area within the City's Urban Area accommodating the majority of the city's forecasted growth over the planning horizon of this Plan and beyond, and consequently will experience the greatest degree of change;* *iii. shall be regarded as the most appropriate and predominant location for new tall buildings in accordance with the underlying land use designations, or the land use policies of an area-specific plan;* *iv. shall be identified as priority locations for City-initiated area-specific planning and for investments in transit as well as other types of infrastructure and public service facilities, including parks to support population and employment growth; and*	The Subject Lands are located within the 'MTSA Special Planning Area' and are designated as a 'Primary Growth Area' as per Schedule B-1- Growth Framework of the Draft City of Burlington Official Plan (Figure 14). The proposed residential redevelopment supports the objectives of the Primary Growth Area through providing a compact and higher intensity, pedestrian-oriented development, accessible to active and public transportation routes.

Sections	New City of Burlington Official Plan	Assessment
	v. shall support the frequent transit corridors and accommodate development that is compact, mixed use, and pedestrian-oriented in nature.	
Section 3- Complete Communities		
Section 3.1- Housing		
Section 3.1.1- Housing, Housing Supply		
3.1.1	*e) The City will support housing initiatives that facilitate revitalization, particularly the identification and remediation of brownfield, greyfield and bluefield lands, compact built form, flexibility and adaptability in the design and function of the housing stock, and an increased variety of housing alternatives.*	The proposed OPA and ZBA will facilitate the redevelopment of greyfield lands with three mid/high-density residential towers, with a compact built form, that diversifies the housing stock in the community.
	k) The City will encourage a mix of housing forms. However, the city's existing areas of Residential Low-Density shall be considered sufficient to contribute towards that component of the mix.	See policy response 3.1.1e above.
Section 4- Environment and Sustainability		
Section 4.4- Water Resources		
Section 4.4.2(2)- Water Resource and Stormwater management		
4.4.2(2)	*a) Planning for stormwater management shall:* *i. be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;* *ii. minimize, or, where possible, prevent increases in contaminant loads, and enhance water quality;* *iii. minimize erosion and changes in water balance, where possible, enhance water quality and*	The STM management for the proposed development will adhere to best management practices to ensure the financial viability of the system over the long term and the protection of human health and safety, as outlined in the FSR and SWM Report enclosed with this application prepared by Crozier & Associates.

Sections	New City of Burlington Official Plan	Assessment
	prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure; *iv. mitigate risks to human health, safety, property and the natural environment;* *v. maximize the extent and function of vegetative and pervious surfaces; and* *vi. promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.*	
	b) Stormwater management techniques shall be used in the design and construction of all new developments to control both the quantity and quality of stormwater runoff. The degree of control and techniques used will depend on the conditions in the downstream receiving water bodies. The negative impacts of development on the downstream aquatic environment and adjacent lands shall be avoided or mitigated.	The stormwater management techniques proposed to support the residential redevelopment have been evaluated through an FSR and SWM Report prepared by Crozier & Associates. Post-development (100-year and Regional) flows will be controlled to the 5-year pre-development peak flow rates as the site will discharge to the existing storm sewer on Grahams Lane. Quantity controls for stormwater runoff will be provided through rooftop ponding, combined with an underground SWM vault located within the underground parking, with detained flows pumped at a controlled rate discharging to the storm sewer on Grahams Lane. Quality treatment of runoff from the Site will be provided through a treatment train which includes treatment by at-grade landscaped areas, green roofs, and a downstream oil/grit separator at the Site outlet. The existing Site is mostly impervious with no quality treatment provided. Therefore, the proposed quality treatment strategy will significantly improve quality of stormwater runoff leaving the Subject Lands compared to existing conditions.
	e) Functional drainage designs shall be prepared to support development applications in accordance with the requirements of the City's Storm Drainage Criteria	The FSR and SWM Report prepared by Crozier & Associates, enclosed with this application, describes and evaluates the

Sections	New City of Burlington Official Plan	Assessment
	Manual, in consultation with Conservation Halton and the Region of Halton, and where appropriate, the Province, the Niagara Escarpment Commission and other agencies. Within the Protected Countryside, the policies of the Greenbelt Plan also apply to the planning, design and construction of stormwater management infrastructure. The City may require a geotechnical study to support the functional drainage design.	drainage designs of the proposed development in accordance with the policies of all applicable agencies.
	j) The City will encourage stormwater management best practices and low impact development measures where appropriate, in consultation with Conservation Halton. The City may require a geotechnical study to support the low impact development measures.	Best management practices for stormwater management have been incorporated into the design of the proposed residential development to achieve the City of Burlington's Stormwater Management Design Guidelines (2020) and Ministry of the Environment, Conservation and Parks Stormwater Management Planning and Design Manual (2003). The City of Burlington's Sustainable Building and Development Guidelines (December 2021) were also considered throughout the functional servicing and stormwater management design, as observed through the elements of green infrastructure and LID proposed including, green roofs, an oil/grit separator, and increased landscaped areas.
Section 4.6- Land Use Compatibility		
Section 4.6.2- Policies		
4.6.2	*a) Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from vibration, noise, dust, odour or other contaminants and minimize risk to public health and safety, and to ensure the long-term operational and*	The proposed residential redevelopment has been assessed through a NVIS and a LUC Study, both of which were prepared by RWDI. The NVIS found that through the implementation of appropriate noise mitigation measures, it is feasible for the proposed development to meet the applicable sound and vibration criteria. The feasibility-level LUC Study concluded that through the implementation of appropriate mitigation measures and additional review, as outlined in the LUC and the NVIS,

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	economic viability of major facilities, in accordance with provincial guidelines, standards and procedures.	impacts to and from the proposed development will be addressed. At the time of Site Plan Approval, appropriate mitigation measures outlined in the NVIS and LUC prepared by RWDI, will be incorporated into the proposed development to ensure the protection of public health and safety and the continued operational and economic viability of major facilities in the surrounding area.
	b) Where avoidance is not possible in accordance with policy 4.6.2(a), of this Plan, the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment shall be protected by ensuring that the planning and development of proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures: *i. there is an identified need for the proposed use;* *ii. alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;* *iii. adverse effects to the proposed sensitive land use are minimized and mitigated; and* *iv. potential impacts to industrial, manufacturing or other uses are minimized and mitigated*	The LUC Study prepared by RWDI considered the influence of the proposed residential development on industrial uses in the surrounding employment areas. The Study concluded that through the implementation of appropriate mitigation measures and additional review, as outlined in the LUC and the NVIS, impacts to and from the proposed development will be addressed. The LUC Study recommends that the proposed development implement the mitigation measures outlined in the NVIS and engage with Solenis, a chemical manufacturer to the northwest of the site, to confirm that Solenis' E2 Plan (Federal Environmental Emergency Regulations) is in place. Future development on the Subject Lands is also not expected to have a significant effect on the ability of new or expanded uses to be located in mixed use areas. The Subject Lands are an appropriate location for residential growth and intensification as the lands have been removed from the 'Employment Area' through ROPA 49, and are now located within the Burlington UGC/Burlington GO MTSA. The proposed residential redevelopment will provide 722 apartment units that broaden the range of housing available in the City, and support the objectives of MTSA's for compact and transit-supportive land

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		uses. At the time of site plan approval, the proposed development will incorporate the appropriate recommendations provided from the NVIS and LUC, intended to limit adverse effects from surrounding uses.
	c) Proponents may be required to submit studies and undertake necessary actions to mitigate adverse effects to the satisfaction of the City and the Region of Halton. Provincial guidelines and Regional Land Use Compatibility and Air Quality Guidelines shall be referred to for direction in land use planning decisions.	See policy 4.6.2a above.
Section 6- Infrastructure, Transportation and Utilities		
Section 6.1- General		
Section 6.1.2- General Policies		
6.1.2	*a) The Region of Halton is responsible for the planning, design, delivery and maintenance of municipal sewage and water services, in accordance with the Regional Official Plan. It is the policy of this Plan that:* *i. all development within the Urban Area shall be connected to municipal water and waste water systems unless exempted by the policies of this Plan and the Regional Official Plan;* *iv. new servicing capacity, where required, shall be prioritized to those areas of the City identified as being Primary Growth Areas on Schedule B-1: Growth Framework, of this Plan. The City will work closely with the Region of Halton to address servicing capacity challenges in the Growth Areas within the Urban Area, consistent with the Regional Official Plan;*	The proposed expansions to municipal servicing capacity required to support the projected needs of the proposed residential redevelopment within a priority MTSA are appropriate given the location of the Subject Lands within a Primary Growth Area (Figure 14).

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	e) The highest priorities for servicing capacity improvements within the Urban Area are: *i. the Downtown and Uptown Urban Centres; and* *ii. the MTSAs, pursuant to the finalization of the area-specific plans, which will contain a full understanding of the short, medium and long term implications of the development proposed and investment required.*	As the Subject Lands are located within the MTSA Special Planning Areas, as per Schedule B-Urban Structure (Figure 13), the expansions proposed to municipal water and wastewater capacity should be a priority for servicing improvements.
	h) The following policies shall apply to the location and construction of new infrastructure and to expansions and extensions of existing infrastructure: *i. new or expanded infrastructure shall avoid unacceptable adverse impacts upon existing and planned communities, including public health and safety, and air quality;* *ii. new or expanded infrastructure shall have regard for the land use compatibility policies in Section 4.6, Land Use Compatibility, of this Plan; any other relevant considerations, as determined by the City;*	There is sufficient capacity within the Region's water and sanitary systems, to support the needs of the proposed residential redevelopment, while avoiding adverse impacts to the public health and safety of existing and planned communities, as described in the FSR and SWM Report prepare by Crozier & Associates.
	iv. new or expanding infrastructure should avoid Key Natural Features, Prime Agricultural Areas, key hydrologic features and key hydrologic areas, and unacceptable adverse impacts on cultural heritage resources;	The expansions to municipal servicing capacity does not impact Key Natural Features, Prime Agricultural Areas, key hydrologic features and key hydrologic areas, and unacceptable adverse impacts on cultural heritage resources.
	j) New development proposed on adjacent lands to existing or planned corridors and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be	The proposed development will implement a crash wall designed and constructed in accordance with the requirements of the federal guidelines and safety standards, as a mitigation measure that will ensure that the long-term function of the spur line to the west of the site is maintained.

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	designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities.	
Section 6.2- Multimodal Transportation		
Section 6.2.3- Transit		
Section 6.2.3(1)- Objectives		
6.2.3(1)	*a) To promote the use of transit and reduce reliance on the private automobile by making transit an attractive and convenient transportation option by encouraging transit-supportive land use.*	The transit-supportive density, compact built form, and enhanced public realm, provided through the proposed residential redevelopment will encourage the use of local transit.
	f) To ensure that new development provides adequate on site connections to transit, such as pedestrian pathways that connect to the public right-of-way.	Internal pedestrian pathways have been provided throughout the development site that have been designed to facilitate efficient, and safe connections to Grahams Lane.
Section 6.2.3(2)- Policies		

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6.2.3(2)	*a) Schedule B-2: Growth Framework and Long Term Frequent Transit Corridors, identifies the long-term frequent transit corridors and candidate frequent transit corridors in the city, along with the city's transit support corridors, Primary, Secondary and Employment Growth Areas, Mobility Hub Primary and Secondary Connectors, the GO commuter rail line/Priority Transit Corridor, and the location of Mobility Hubs and Major Transit Stations.* *Municipal transit services and facilities will be provided in accordance with Schedule B-2: Growth Framework and Long Term Frequent Transit Corridors, of this Plan. The full transit network is not shown on Schedule B-2: Growth Framework and Long Term Frequent Transit Corridors, of this Plan. The most up-to-date Burlington Transit schedules and maps should be referred to for information on all routes.*	The Subject lands are located immediately southwest of the intersection of Brant Street and Fairview Street which are both identified as 'MTSA Primary Connector/Frequent Transit Corridors' as per Schedule B-2: Growth Framework and Long-Term Frequent Transit Corridors (Figure 15).
	b) Long range transit planning will support the city's Intensification Areas with long-term frequent transit corridors and priority will be placed on providing the highest level of transit service in the city's Primary, Secondary and Employment Growth Areas, as shown on Schedule B-2: Growth Framework and Long Term Frequent Transit Corridors, of this Plan. Long range transit planning will be coordinated with Metrolinx and other transit agencies to ensure transit service integration within and across municipal boundaries.	The transit-supportive density provided through the proposed residential apartment development will increase reliance on the transit services planned for the Primary Growth Area.

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	f) The City will promote increased transit use through transit supportive densities, urban design measures and parking management measures to make development more accessible for transit users in Mixed Use Intensification Areas and Employment Area, as shown on Schedule B: Urban Structure, of this Plan.	The proposed residential redevelopment, located in a 'Mixed Use Intensification Area', incorporates a transit supportive density and urban design measures that make transit increasingly accessible to residents, as outlined in the UDB prepared by MHBC.
Section 6.2.4- Multimodal Transportation, Active Transportation		
6.2.4(1)	*g) To require that new development provides adequate active transportation connections to a public-right-of-way.*	Ample active transportation infrastructure has been incorporated into the design of the site, including short-term and long-term bike parking, landscaped pedestrian and cyclist paths, and convenient connections to Grahams Lane, each of which are intended to encourage active mobility.
6.2.4(2)	*a) Municipal cycling facilities shall be provided in accordance with Schedule P: Long-Term Cycling Master Plan, of this Plan. This schedule identifies the long-term location of bicycle routes, lanes, priority streets, buffered bike lanes and multi-use paths and connections to adjacent communities, in the Urban Area. Halton Region's Active Transportation Master Plan also identifies cycling facilities in the Rural Area.*	The Subject Lands front onto Grahams Lane which, is identified as a 'Bicycle Priority Street' with connections to a 'Multi-Use Path to the west and a street with a Bike Lane (Brant Street) to the west, as per Schedule P: Long Term Cycling Master Plan (Figure 19). The proposed residential development features infrastructure that is supportive of cyclists including: short- and long-term bicycle parking and internal cyclist paths that provide efficient connections to the right-of-way.
	k) The development of streetscapes that are safe, convenient, accessible and attractive for pedestrians and cyclists shall be implemented through the selection of appropriate site-specific measures such as providing wide sidewalks, bike lanes, barriers to protect cyclists, illumination, locating retail and service commercial uses at street level to provide an active street front, encouraging building designs that provide shelter, and providing convenient and sheltered transit stops and	As explained in the UDB, prepared by MHBC an improved streetscape along Grahams Lane has been incorporated into the design of the proposal, to improve safety, accessibility and the pedestrian and cyclist experience.

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	bike parking, street furniture, shade trees and other amenities.	
	Section 6.2.5- Rail	
6.2.5(2)	*d) The proponent of land uses sensitive to noise and vibration adjacent or in proximity to railway lines or railway yards shall be required to undertake, prior to development approval, the following studies by a qualified person in accordance with Provincial policies, to the satisfaction of Halton Region, the City, and the Province, in consultation with the appropriate railway agency, and to implement the study recommendations as approved, including the restriction of new residential and other sensitive land uses and noise and vibration mitigation measures:* *i. noise studies, if the development is within three hundred (300) m of the railway right-of-way or one thousand (1000) m of a railway yard;* *ii. vibration studies, if the development is within seventy-five (75) m of the railway right-of-way or a railway yard; and* *iii. air quality studies, if the development contains sensitive land*	The proposal has been evaluated and supported by a NVIS prepared by RWDI which provides recommendations for noise control measures for the proposed development. The Study concluded that based on the implementation of the recommendations included with the Study, it is feasible for the proposed development to meet the applicable sound and vibration criteria. The potential for vibration influences on the site due to the adjacent spur line, was also evaluated, and it was found that the vibration levels are below the applicable limits, so that no mitigation measures are required.
	e) The proponent of any development adjacent to railways shall ensure that appropriate safety measures such as, but not limited to, setbacks, crash walls, berms and security fencing are provided to the satisfaction of the City in consultation with the appropriate railway agency	A rail spur line is located immediately to the west of the Subject Lands. As per Section 3.3.1 of the 'Guidelines for New Development in Proximity to Railway Operations' prepared for the Federation of Canadian Municipalities (FCM) and the Railway Association of Canada in 2013, the general setback from a mutual lot line between the spur line and a new residential development is 15 m. Section 3.3.1 also indicates that this

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	to mitigate the adverse effects of their development on the railways.	setback may be substantially reduced through the construction of a crash wall. Building B is setback 20.0 m from the mutual lot line, while Building C is setback 9.8 m. It is acknowledged that the reduced 9.8 metre setback from Building B to the rail spur line will require a crash wall that must be designed and constructed in accordance with the requirements of the federal guidelines and safety standards to address and mitigate impacts.
Section 6.2.9- Multimodal Transportation, Major Transit Station Area Connectors		
6.2.9(2)	*a) MTSA primary and secondary connectors shall be complete streets and take into consideration the policies contained in Subsection 6.2.7, Public Right-of-Way Allowances, and the relevant land use policies, of this Plan.*	The Subject Site is located near the intersection of Brant Street and Fairview Street, both of which are identified as 'MTSA Primary Connectors' and 'Frequent Transit Corridors' as per Schedule B-2 Growth Frame and Long Term Frequent Transit Corridor. While the Subject Lands does not directly front onto Brant Street or Fairview Street, the site design of the proposed redevelopment features enhanced pedestrian and cyclist connections that increase the accessibility to Fairview and Brant Street.
	b) Enhanced levels of transit service and facilities such as frequent transit corridors shall be provided on MTSA primary and secondary connectors.	The transit-supportive density provided through the proposed residential redevelopment, will increase reliance upon the enhanced transit service provided on the nearby MTSA primary connectors.
Section 6.2.10- Transportation Demand Management		
6.2.10(2)	*a) Transportation demand management (TDM) promotes more efficient use of existing transportation infrastructure, reduces automobile use, and promotes increased transit use and active transportation.*	As the Subject Lands are located within a Primary Growth Area on Schedule B-1: Growth Framework (Figure 14), a TDM was completed in support of this application and is included as part of the TIS prepared by Arcadis.

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	i. within Primary, Secondary and Employment Growth Areas as shown on Schedule B-1: Growth Framework, of this Plan, development proponents shall be required to submit a TDM Plan and implementation strategy for the development, subject to City approval, prior to occupancy. Minor developments such as small additions or small townhouse developments may be exempted from this requirement, subject to the satisfaction of the City;	
	d) The City will consider reduced parking requirements for development where a comprehensive Transportation Demand Management (TDM) Plan is submitted and implemented to the satisfaction of the City. The City will evaluate reduced parking standards through a city-wide parking study.	The proposed development is equipped with 362 long term and 36 short term bicycle parking spaces, located in proximity to existing and future cycling and transit facilities. The following measures are recommended through the TDM prepared by Arcadis, to leverage these sustainable transportation opportunities: • The provision of bicycle tools and stations to be located within bicycle locker zones to incentivize cycling as a more feasible means of transportation. • The addition of real-time transit and transportation information screen.
Section 7- Deign Excellence		
Section 7.3- Urban Design and Built Form		
Section 7.3.1 Urban Design and Built Form, New Communities		
7.3.1	*a) In new communities, including within the city's Designated Greenfield areas and the MTSA Special Planning Areas, the appropriate public realm and built form and the urban design objectives and implementing tools shall be determined through a co-ordinated area-specific planning exercise. The design of new*	The proposed development has been designed in accordance with the urban design objectives for the MTSA Special Planning Areas, including a human-scaled public realm and compact and attractive built form that supports the evolving character of the area while ensuring an appropriate design and transition to the low-rise neighbourhood to the west.

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	communities shall serve to create and promote a new distinct character within Burlington as a result of an area-specific plan.	
	b) New community design should contain compact built forms of development that support higher densities, are pedestrian, cycling and transit oriented, particularly along transit and transportation corridors, support the achievement of complete communities with high-quality public realm elements and encourage increased use of public transit.	The proposal supports the creation of complete communities through incorporating transit-supportive density, an engaging public realm, and a compact built form.
Section 7.3.2 Urban Design and Built Form, Primary and Secondary Growth Areas		
7.3.2(1)	*a) In Primary and Secondary Growth Areas, as shown on Schedule B-1: Growth Framework, of this Plan, development shall promote a transit- supportive and pedestrian-oriented environment and ensure compatibility with adjacent land uses, particularly Established Neighbourhood Areas.*	As per Schedule B-1- Growth Framework of the City of Burlington Draft Official Plan, the Subject Lands are located within a 'Primary Growth Area' (Figure 14). The proposal supports the goals of the 'Primary Growth Areas' through providing transit-supportive densities, and a pedestrian-oriented public realm, while ensuing appropriate transitions to surrounding uses, including the residential uses to the west.
7.3.2(1)a	*i. The design of development in Primary and Secondary Growth Areas shall address the policies of Subsection 7.3.2 a) of this Plan, where applicable, and additional considerations such as, but not limited to, the following:* *a. locating buildings generally parallel to the public street to define the street edge and along the edges of parks, urban squares and other open space features, and in close proximity to the street and transit services;*	As outlined in the UDB prepared by MHBC, the proposed development implements the urban design guidelines for Primary Growth Areas including, locating Buildings A and B parallel to the public right-of-way, and providing an appropriate transition to existing and planning uses in the surrounding area.

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	b. providing appropriate transitions to adjacent land uses, particularly residential uses;	
	c. massing new buildings to frame adjacent streets in a way that respects the existing and planned street width but also provides for a pedestrian-scale environment; *d. locating building primary public entrances for uses located at grade towards a public right-of-way and visible and accessible from the public sidewalk;* *e. including direct pedestrian access, including barrier free access from grade level, to the primary public entrances located on the building façade;* *f. screening or integrating roof top mechanical equipment within the overall composition of the building;* *g. creating an attractive and connected interface between the private and the public realms;* *h. creating a continuous streetscape with emphasis on maintaining the continuity of grade-related activity areas, both inside and outside of buildings; and* *i. providing appropriate outdoor amenity areas and open spaces and promoting the incorporation of private open spaces to the open space network of the immediate community.*	As described in the Urban Design Brief prepared by MHBC an attractive and pedestrian-scaled streetscape will be created through design tactics including: defined building massing oriented to frame the frontage along Grahams Lane; main building entrances directed towards the proposed driveway and connected to the public sidewalk through a series of pedestrian walkways; and 1,444 m^2 of shared outdoor amenity areas, comprised of 3 ground-level outdoor amenity areas cross the site. Rooftop mechanical equipment will also be screened from public view.
	ii. Development in Primary and Secondary Growth Areas should locate and organize parking, access	The majority of the parking for the building will be located in two levels of underground parking. Above grade parking is located at the north of the site, near Building C, away from

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	and service areas to minimize their impact on surrounding properties and the public realm. The design of vehicle parking, access and service areas shall address considerations such as, but not limited to, the following: *a. locating off-street parking in the side and/or rear yards, in underground or structured parking where appropriate, away from the street edge and adjacent residential uses;* *b. integrating parking areas located at or above grade within the built form of the building and away from the street frontage, where appropriate;*	public view and each of the three loading areas are located at the rear of each building.
	d. screening and buffering of off-street parking areas from public view through the use of setbacks and landscaping; *e. locating loading areas and service areas to avoid conflict between pedestrian and vehicular traffic, and away from adjacent residential uses and adjoining streets;* *f. incorporating landscaped islands and pedestrian walkways; and* *g. incorporating fencing and/or screening of service facilities, such as loading bays or outdoor storage areas, in a manner which enhances screening from adjacent land uses and the public right-of-way and improves the aesthetic quality of the development.*	Off-street parking areas and loading areas will be located at the rear of the building and will be screened from public view.
Section 7.4- Sustainable Design		

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7.4.1	*a) Official Plan Amendments, Zoning By-law Amendments and site plan applications for high and medium density residential, mixed use, commercial, industrial, office, institutional and public service facilities shall address the following sustainable design measures:* *i. measures to prioritize pedestrian movement within the site, to the street and to adjacent buildings, sites and neighbourhoods, and other improvements to the public realm to facilitate pedestrian use;* *ii. safe and direct on-site connections to public transit where available;* *iii. on-site bicycle facilities;*	The proposed residential redevelopment has been designed to prioritize pedestrian and cyclist movement and accessibility, as observed through the network of pedestrian pathways that connect the primary entrances of buildings and the entrances of grade-related units to outdoor amenity areas, the proposed parkland dedication, and the public right-of-way. Three hundred and ninety-eight (398) bicycle spaces (362 long term and 36 short term bicycle spaces) are proposed to encourage active mobility.
	vi. tree protection measures and planting of non-invasive trees and other vegetation, in accordance with Section 4.3, Urban Forestry, of this Plan; *vii. storm water quality, quantity, erosion control and drainage measures, in accordance with Subsection 4.4.2(2) of this Plan;* *ix. a waste management plan with appropriate facilities in accordance with the Region of Halton's requirements;*	As described in the Sustainable Building and Development Guidelines Checklist prepared by Kohn Partnerships Architects, the prosed development features: • Over 75% of healthy mature trees greater than 20 cm DBH will be preserved. Please see the Tree Inventory and Preservation Plan Report prepared by Kuntz Forestry Consulting Inc. for further detail. • A level one/enhanced stormwater treatment approach is proposed to support the proposed development, please see the FSR/SWM prepared by Crozier for further detail. • A Waste Management Plan was prepared in accordance with Regional Requirements, and is enclosed with this application.
	b) Through the review of Official Plan Amendments, Zoning By-law Amendments, plans of subdivision and site plan applications, the proponent will be encouraged to consider sustainable design considerations such as, but not limited to:	As stated in the Sustainable Building and Development Guidelines Checklist prepared by Kohn Partnerships Architects, the proposed residential redevelopment will include several sustainable design elements including: extensive landscaped areas to increase surface permeability and reduce urban heat island effect, rainwater storage on cool roofs to minimize

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	iii. innovative storm water management techniques such as Low Impact Development measures; *vii. additional measures to mitigate the urban heat island effect;* *ix. other innovative sustainable design approaches or technologies.*	stormwater runoff, a proposed parkland dedication at the southwest corner of the property, and a woonerf (shared pedestrian and vehicular zone. Low-e, thermally efficient glazing systems, along with energy efficient HVAC systems will be proposed for the buildings at the detailed design stage.
	c) The Sustainable Building and Development Guidelines provide detailed direction for the implementation of the policies in this section. A development application shall be deemed to have met the policies in Subsections 7.4.1 a) and b) of this Plan, if it meets the requirements of the Sustainable Building and Development Guidelines adopted by the City.	The proposed development has been evaluated through the City of Burlington Sustainable Building and Development Guidelines Checklist prepared by Kohn Partnership Architects.
Section 8.0- Land Use Policies, Urban Area		
Section 8.1- Mixed Use Intensification Areas		
Section 8.1.2- Major Transit Station Areas		
8.1.2(1)b	*b) To develop the MTSAs into compact, pedestrian, environmentally sustainable and transit-supportive places each with a distinct character.*	As per Schedule B- Urban Structure of the City of Burlington Draft Official Plan, the Subject Lands are located in the 'MTSA Special Planning Area' (Figure 13). The proposed development will contribute to the objectives and character of the MTSA through providing a compact, pedestrian-supportive, and transit-orientated residential apartment development.
	c) To promote intensification in order to achieve transit-supportive residential and employment density targets.	The proposed residential apartment development achieves an FSI of 4.25 which, will provide needed intensification to the community to support local transit.
	h) To prioritize the development of surface parking lots and the intensification of underutilized lands and buildings.	The proposed OPA and ZBA will facilities the redevelopment of an underutilized storage facility and associated surface parking lot, with a residential apartment development that intensifies the site to support the character envisioned for the community.

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	j) To provide low-rise, mid-rise and tall building forms, where appropriate, that support a variety of demographics in MTSAs.	The proposed buildings will contribute to the mix of residential units in the community, to meet the unique needs of varying demographics.
	n) To ensure that there is an appropriate transition in scale, intensity, height, massing and spacing of development including appropriate transitions between various land uses and built forms.	The proposed development has been designed to ensure compatibility with surrounding areas through appropriately sited built form with setbacks and a tower profile that has been designed to ensure minimized shadow impacts on the surrounding area, as outlined in the Shadow Study prepared by Kohn Partnership Architects.
	p) To achieve design excellence in MTSAs that will encourage long-term investment and the creation of high quality and sustainable built forms in the public and private realm.	The proposal will set a high quality design example for development in the immediate surrounding area to the east, by providing a creative, attractive, and sustainable public and private realm that encourages further development and investment in the community.
	t) To direct an appropriate scale and intensity of transit-supportive development at each MTSA consistent with the MTSA typology in Subsection 8.1.2, Major Transit Station Areas, of this Plan, and in accordance with the Province's Transit Supportive Guidelines and Mobility Hub Guidelines.	The proposed development achieves a density of 4.25 FSI which, and is an appropriate scale and intensity to support the intensification goals of the Burlington MTSA, as outlined in the applicable policy guidelines.
	u) To encourage transit-supportive, pedestrian-oriented and cycling-friendly development in a compact built form, while ensuring compatibility with the surrounding areas is achieved.	The proposed development incorporates a compact built form that achieves a transit-supportive density that encourages active mobility while maintaining compatibility with the surrounding community.
	w) To ensure development is consistent with the vision and intent of the MTSA typology.	As outlined in the UDB prepared by MHBC, the proposed development will implement the vision and intent of the MTSA typology as outlined in the applicable municipal plans.
8.1.2(2)- Policies		

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8.1.2(2)	*c) Development applications shall be consistent with the overall role and function of the MTSA in which they are located, in accordance with the typology identified in Section 8.1.2.*	The intent of the proposed OPA and ZBA are to facilitate a residential redevelopment that implements the goals and objectives for the Burlington GO MTSA,
	e) Development in MTSAs should be planned to achieve transit-supportive densities in accordance with the Province's Transit Supportive Guidelines and the existing and planned level and type of transit service. The full extent of maximum development permissions on lands located in each MTSA may not be achievable on every site, due to site-specific factors including, but not limited to, compatibility, environmental impacts, hazard lands, transportation issues, cultural heritage resources and/or infrastructure capacity.	The Subject Lands are located within proximity of seven local bus routes, and within 1.1 km of the Burlington GO Train station, as shown in Table 2. The proposed residential redevelopment will capitalize on the enhanced mobility that the proximity of the Subject Lands to local and Regional transit services provides.
	f) The design and development of MTSAs shall promote these areas as multi-functional activity centres and focal points for a variety of activities that are characterized by a mixed use and compact built form of development, pedestrian-orientation, greater accessibility to public transit and higher intensity development.	The proposed residential apartment development will support the intended character of the Burlington GO MTSA through providing a compact urban redevelopment that incorporates a pedestrian-friendly public realm, access to public transit, and active transportation.
	g) Development shall contain a mix of land uses and transit supportive development that supports the achievement of complete communities through a more compact built form, while ensuring compatibility with surrounding areas is achieved.	The proposal contributes to the creation of complete communities through providing a compact residential redevelopment that achieves a transit-supportive density and contributes to the range and mix of compatible uses in the community.

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	j) Transportation demand management (TDM) measures shall be addressed, and form part of the City's evaluation of opportunities for reduced parking standards in proposed development, subject to the policies of Subsection 6.2.10, Transportation Demand Management.	The proposed development is equipped with 362 long term and 36 short term bicycle parking spaces, located in proximity to existing and future cycling and transit facilities. The TDM completed by Arcadis recommends measure to leverage these sustainable transportation opportunities including, the provision of bicycle tools and stations, and the addition of real-time transit information screens. As part of the proposed ZBA, a reduction in required parking is requested which, has been deemed sufficient to accommodate anticipated demand given the context of the site in proximity to both existing and planned active and public transit, as stated in the TIS prepared by Arcadis.
	k) Development applications shall incorporate minimal parking at grade or above grade through the provision of underground parking, except in areas immediately adjacent to a rail line or other areas where a buffer is required, where applicable.	Minimal parking is located at grade, as two levels of underground parking incorporate the majority of the parking. Sixteen at-grade parking spaces including, 1 type A and 1 type B accessible parking space, are located internal to the site, near Building C, to provide convenient access for visitors.
	l) New green spaces such as trees and landscape areas, parks and open spaces shall be provided as part of development applications, which may include, but are not limited to, dedication of parkland, Privately-Owned Publicly Accessible Spaces (POPS) and/or trees and landscape areas located between a public right-of-way and a building, to be provided to the satisfaction of the City.	Ample green spaces have been provided through the proposed redevelopment including: a 984 m^2 of future parkland space to be dedicated to the City; 2,340 m^2 of landscaped areas; 1,444 m^2 of outdoor amenity areas, all connected via pedestrian walkways and paths.
8.1.2 (3)- Development Application Preceding an Area-Specific Plan		
8.1.2(3)	*Development applications preceding an area-specific plan* *b) For the Burlington GO, Aldershot GO and Appleby GO MTSA Special Planning Areas, as identified on Schedule F: Burlington GO MTSA Special Planning Area; Schedule G: Aldershot GO MTSA Special Planning Area; and*	The proposal and associated OPA and ZBA seek approvals prior to the adoption of the Area-Specific Plan for the Burlington GO MTSA in the new Official Plan under appeal. The proposal is consistent with Provincial and Regional policies for MTSAs as discussed above. A mix of unit sizes is provided in the proposal, to accommodate a diverse range of household sizes and incomes,

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	Schedule H: Appleby GO MTSA Special Planning Area, of this Plan, the applicable objectives and policies for the underlying land use designations on Schedule C: Land Use-Urban Area, the objectives and policies for MTSAs in Subsection 8.1.2 of this Plan, and any other applicable policies of this Plan, shall apply. *c) Applications for Official Plan Amendments, Zoning By-law Amendments and site plan approvals within MTSA Special Planning Areas preceding the completion of an area-specific plan shall have regard for Provincial guidelines for mobility hubs and transit, and shall implement Regional and Provincial major transit station area policies. In addition, applications for Official Plan Amendments, Zoning By-law Amendments and site plan approvals within the Burlington GO, Aldershot GO and Appleby GO MTSA Special Planning Areas, shall have regard for the Mobility Hub Opportunities and Constraints Study (2014).* *d) Multi unit residential developments in MTSAs should incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.* *e) All development proposals requiring a Transportation Impact Study shall address all modes of transportation, giving priority to active transportation and transit considerations, including frequent transit corridors.* *f) Transportation demand management (TDM) measures shall be addressed, and form part of the City's evaluation of opportunities for reduced parking standards in proposed development within MTSAs, subject to the policies of Subsection 6.2.10, Transportation Demand Management, of this Plan.*	ranging from studio to three bedroom units. The supporting TIS addresses all modes of transportation and demonstrates how the proposal will support active transportation. The TIS also includes TDM measures and proposes and justifies reduced parking rates to further facilitate independence from the automobile. An UDB prepared by MHBC in support of the proposal to demonstrate how the proposal development contributes to achieving MTSA objectives for design excellence.

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	g) Applications for Official Plan Amendments, Zoning By-law Amendments and site plan approvals within MTSAs shall submit and implement, to the satisfaction of the City, an urban design brief prepared by a qualified person. The brief shall demonstrate how the proposed development contributes towards achieving MTSA objectives for design and how the development is consistent with the policies contained in Chapter 7: Design Excellence, of this Plan, and any applicable design guidelines. *h) All development within MTSAs shall consider opportunities to provide improved walking and cycling connections.*	
8.1.2(4)- Burlington GO Major Transit Station Area		
8.1.2(4)	*The Burlington GO Major Transit Station Area (MTSA) is centered around the Burlington GO transit station and located on a Priority Transit Corridor, as identified in the Growth Plan. The Burlington GO MTSA is positioned along a higher order transit route with planned frequent transit service by way of Regional Express Rail (RER). It is a primary focus for transit-supportive development and intensification in the City given its central and strategic location connected by rail, local and regional transit, provincial highways and major arterials.* *The Burlington GO MTSA is currently comprised of low density commercial and employment uses, and limited residential development, however there are opportunities to introduce a full mix of uses within the mixed use and commercial designations of the plan to enable the Burlington GO MTSA to function as a complete community. This area should continue to serve an important*	The proposed residential redevelopment, located within the Burlington GO MTSA, has been planned and designed to follow the relevant policies of the Burlington GO MTSA outlined in the Region of Halton and City of Burlington Official Plan, as an area-specific plan for the Burlington GO MTSA and associated OPA, have not been adopted nor approved.

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	employment function for the City, recognizing the ongoing operations of some existing industrial sites. *The policies within this section of the Plan are applied to the lands located within the Burlington GO MTSA Special Planning Area, as shown on Schedule F: Burlington GO MTSA Special Planning Area.* *In keeping with the policies of the Growth Plan, the final delineation of the MTSA boundaries and the identification of minimum density targets, will be established by the Region of Halton through the Municipal Comprehensive Review and will be implemented through a future Official Plan Amendment.* *The policies in this section provide guidance to development applications that are received prior to the completion of the Region's municipal comprehensive review and preceding the completion of the area-specific plan for the Burlington GO MTSA and approval of the implementing Official Plan amendments, in addition to the underlying land use designation.*	
8.1.2(4.1)- Burlington GO Major Transit Station Area Objectives		
8.1.2(4.1)	*a) To facilitate transit supportive development in the Burlington GO MTSA to achieve multi-modal access to the GO Station and connections to nearby major trip generators.*	The proposed residential redevelopment achieves an FSI of 4.25 in an effort to provide residential densities that are supportive of transit.
8.1.2(4.2)- Burlington GO Major Transit Station Area Policies		
8.1.2(4.2)	*a) In addition to the policies contained in Subsection 7.3.2 a) (v), Existing Community Areas, design plans for*	The proposed residential redevelopment has frontage along Grahams Lane which is identified as 'Bicycle Priority Street' that

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	development applications located in the Burlington GO MTSA shall identify active transportation connections to the Burlington GO Station.	provides connections to a 'Multi-use Path to the west and Brant Street to the east, which is identified as a road with a bike lane as per Schedule J- Long Term Cycling Master Plan of the City of Burlington Draft Official Plan (Figure 19). The proposed residential redevelopment will incorporate infrastructure that supports active transportation including, the provision of long term and short-term bike parking and cyclist paths that provide immediate connections to Grahams Lane.
	b) Development applications shall incorporate a variety of built forms, including mid-rise, and building podiums to provide a human scale experience at the street level.	The massing, scale, siting, and built form of each of the three residential buildings has been designed to ensure an engaging and pedestrian-oriented experience, as outlined in the UDB prepared by MHBC.
	c) Development in the Burlington GO MTSA shall support the achievement of a complete community through a more compact built form that is supported by mix of uses, parks, green spaces, public service facilities, offices, other employment uses, including existing industrial, and institutions.	The proximity of the Subject Lands to parks, public service facilities, and other community amenities makes it an optimal space for the proposed compact residential redevelopment that contributes to the mix and range of compatible uses that constitute complete communities.
	d) Development in the Burlington GO MTSA shall incorporate private pathways and complete streets elements that make development more accessible for pedestrians, cyclists and transit users and includes a fine grained, grid oriented and permeable active transportation network with multi-modal access to the GO Station.	The proposed development has been designed to support pedestrian and cyclist connectivity and safety as observed through the delineated internal walkways that connect users from the site to the public right-of-way and the creation of a vibrant public realm that follows the complete streets model.
Section 8.1.3- Mixed Use Nodes and Intensification Corridors		
8.1.3(1)	*d) To ensure Mixed Use Nodes and Intensification Corridors are developed in a compact built form, are*	Through the updates to the Growth Plan, the Subject Lands have been designated as an 'UGC', removed from a Regional 'Employment Area' through ROPA 49, and have been re-designated as a Regional 'UGC/MTSA'. The proposed residential

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	pedestrian-oriented and highly accessible by public transit.	redevelopment responds to these policy changes of upper-tier government legislation and policies by proposing a residential redevelopment scheme that conforms to the intent of UGC/MTSA's for compact, transit-supportive, and pedestrian-oriented urban development.
	f) To ensure that development in Mixed Use Nodes and Intensification Corridors is compatible with the surrounding area.	The proposed development represents a compatible land use with both existing development and potential future mixed-use infill development and redevelopment in the surrounding community.
	h) To encourage the accommodation of a diverse range of household sizes and incomes in Mixed Use Nodes and Intensification Corridors.	Through proposed higher density redevelopment of 722 apartment units across the 3 residential apartment developments, the proposed OPA and ZBA support and increase the mix and diversify of housing stock in the community.
	i) To encourage the use of public transit, pedestrian and bicycle travel as an alternative to the automobile and to maximize personal safety.	The proposed development achieves densities that are supportive of active and public transportation, located in proximity to public transit and cycling infrastructure.
8.1.3(2)	*a) The design and development of Mixed Use Nodes and Intensification Corridors shall promote these areas as focal points for community activities that are characterized by a compact form of development, pedestrian-orientation, greater accessibility to public transit and higher intensity development.*	The proposed development has been designed to include a compact built form and higher intensity development that are supported by a vibrant public realm and accessible connections to public transit and community amenities.
	e) Multi-unit residential developments in Mixed Use Nodes and Intensification Corridors should incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.	The proposed development seeks to provide 722 market based residential units including, 111 studio units, 397 one bedroom units, 177 two bedroom units, and 37 three bedroom units, that serve to meet the diverse needs of an evolving demographic, as described in the HIA prepared by MHBC.
	i) Transportation demand management (TDM) measures shall be addressed, and form part of the City's evaluation of opportunities for reduced parking standards in proposed developments in Mixed Use	The proposed development is equipped with 398 bicycle parking spaces, located in proximity to existing and future cycling and transit facilities. The TDM completed by Arcadis recommends measure to leverage these sustainable transportation

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	Nodes and Intensification Corridors, subject to the policies of Subsection 6.2.10 of this Plan.	opportunities including, the provision of bicycle tools and stations and the addition of real-time transit information screens. As part of the proposed ZBA, a reduction in required parking is requested which has been deemed sufficient to accommodate anticipated demand, given the context of the site in proximity to both existing and planned active and public transit, as stated in the TIS prepared by Arcadis.
	n) In accordance with the Urban Structure, intensification of existing Mixed Use Nodes and Intensification Corridors will be encouraged rather than the designation of new areas.	Through proposing a residential apartment development with buildings ranging from 9-20 storeys on the Subject Lands, the proposed development will implement intensification of an existing site slated for intensification.
	p) Development within Mixed Use Nodes and Intensification Corridors shall ensure compatibility with surrounding areas in accordance with the applicable policies in Section 7.3 of this Plan.	As described in the UDB prepared by MHBC, the proposed development has been thoughtfully sited and massed to support an appropriate transition to existing uses in the surrounding area.
Section 8.1.3(7)- Urban Corridor Designation		
8.1.3(7.2)	*a) Transit-supportive and pedestrian-oriented design shall be required in the development of Urban Corridor sites.*	As described in the UDB prepared by MHBC, the proposed residential redevelopment incorporates a transit-supportive density and pedestrian-oriented design, intended to increase reliance on active and public transportation, and support the creation of a vibrant public realm.

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	c) The following uses may be permitted on lands designated Urban Corridor: *i. Retail and service commercial uses* *ii. Automotive commercial uses, including large-scale motor vehicle dealerships existing on the date this plan comes into effect;* *iii. Residential uses with the exception of singe-detached and semi-detached dwellings;* *iv. Office uses;* *v. Entertainment uses;* *vi. Recreation uses.*	While the New City of Burlington Official Plan is not yet in-force and effect, the proposed OPA and ZBA applications allow for the development of 3 residential apartment buildings, that are permitted in lands designated as 'Urban Corridor'
Section 8.1.3(8)- Urban Corridor-Employment Designation		
8.1.3(8.2)	*a) Urban Corridor-Employment Lands are intended to provide for the retail and service commercial needs of the employment uses and their employees within and immediately adjacent to the Corridor.*	As the Subject Lands have been designated as an 'UGC' through the updates to the Growth Plan and subsequently removed from the Regional Employment Areas overlay and designated as an 'UGC/MTSA' through ROPA 49, the 'Urban Corridor-Employment' designation of the lands in the Draft Official Plan longer conforms to, and reflects, the policy objectives for the Subject Lands. The Subject Lands are also not shown as an 'Employment Use' in Schedule B-, Urban Structure or an 'Employment Growth Area' on Schedule B- Growth Framework of the Draft City of Burlington Official Plan. Conversely, the proposal introduces a residential apartment development that introduces transit-supportive densities and a pedestrian-oriented urban form that meets current Provincial and Regional growth targets, and the characteristics that define UGC/MTSA.
	b) The following uses may be permitted on lands designated Urban Corridor-Employment Lands: *(i) industrial uses;*	As per policy 8.1.3(7.2) of the Draft OP, the permitted uses for the 'Urban Corridor' designation include: *retail and service commercial uses; automobile commercial uses; residential uses*

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	(ii) office uses; *(iii) accessory retail and service commercial uses which serve the day to day needs of employees;* *(iv) home improvement and home décor sales;* *(v) automotive commercial uses, including large-scale motor vehicle dealerships existing on the date this Plan comes into effect;* *(vi) entertainment uses; and* *(vii) recreation uses.*	*with the exception of singe-detached and semi-dethatched dwellings; office uses; entertainment uses; and recreation uses.* As the proposed development has been designated as a Provincial and Regional UGC and has been removed from the 'Regional Employment Area' overlay and included in the PMTSA delineated boundary, the permitted uses for 'Urban Corridor-Employment' designation are no longer in conformity with the Provincial and Regional designation of the lands.
	e) Transit-supportive and pedestrian-oriented urban design shall be required in the development of Urban Corridor-Employment Lands.	The proposed residential redevelopment achieves an FSI of 4.5 which, will encourage public transit and active mobility. Pedestrian-oriented urban design have been focal to the design of the development, as observed through the landscaped amenity areas, pedestrian walkways, and enhanced streetscape.
	f) A maximum floor area ratio of development of 2.0:1 is an appropriate built form in Urban Corridor-Employment Lands. An increase to this floor area ratio may occur through a site-specific Zoning By-law amendment or minor variance application, without the need for an amendment to this Plan, provided that the objectives of the Urban Corridor-Employment designation are maintained.	The proposed residential redevelopment incorporates densities beyond what is permitted in the Urban Corridor-Employment designation. As the Draft Official Plan is not in force and effect, and is not determinative, an amendment to the Official Plan is not needed to allow for the proposed residential apartment development. The higher, transit-supportive density provided through the proposed development conform to the policy direction of the Province and the Region.
	g) The minimum building height shall be two (2) storeys, except for industrial uses where no minimum height is required; and the maximum building height shall not exceed six (6) storeys. Where required to ensure compatibility, four (4) to six (6) storey buildings may be required to be terraced back from adjacent residential areas and/or the street.	The proposed OPA to the in-force City of Burlington Official Plan would allow for a maximum height of 20-storey which, reflects the Provincial and Regional requirements of the Subject Lands, as a Strategic Growth Area intended to meet a minimum density target of 200 people and jobs per hectare.