April 11, 2022

Submitted Digitally

Ms. Elyse Meneray, MCIP, RPP
Planner II – Development Review
Community Planning Department
City of Burlington
426 Brant Street
P.O. Box 5013
Burlington, Ontario
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Dear Ms. Meneray:

Re: Planning Addendum
Applications to Amend the City of Burlington Official Plan and Comprehensive Zoning By-law 2020 and Draft Plan of Subdivision
Millcroft Greens Corporation
2155 Country Club Drive & 4274 Dundas Street
City of Burlington
Our File: 2017/09
City File Nos.: 505-07/20; 520-07/20; and 510-02/20 (24T-20002/B)

The purpose of this planning addendum ("addendum") is to respond to the planning comments received through the circulation of the Millcroft Greens applications and address the modifications to the proposal arising from public feedback and public agency comments received. The addendum will also review emerging policies at the Region and local levels.

Emerging Policy Regime

In comments dated July 9, 2021, City Planning staff requested that Millcroft Greens demonstrate how converting a portion of the subject lands to a residential designation responds to the City's desired urban structure as outlined in the City's New Official Plan ("New OP"). This addendum will also review other pertinent planning initiatives including the recent Provincial approval of Region of Halton Official Plan Amendment No. 48 ("ROPA 48"), the Region's Integrated Growth Management Strategy ("IGMS") and proposed ROPA 49, and the City's Housing Strategy including the recent work on the Housing Needs and Opportunities Report.

Region of Halton Official Plan Amendment No. 48 ("ROPA 48")

Following the submission of the Millcroft Greens applications and approval of the New OP presently under appeal, there have been changes in the City's urban structure through the Provincial approval of ROPA 48.

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ROPA 48 was approved by the Ministry of Municipal Affairs and Housing ("MMAH") with modifications on November 10, 2021. ROPA 48 relocates the Urban Growth Centre, as established through the Provincial Growth Plan, from Downtown Burlington to the Burlington GO Station. The City's three (3) GO Stations (i.e., Aldershot, Burlington and Appleby) are identified as Major Transit Station Areas ("MTSA's").

The "Downtown Urban Centre" is now identified as a "Secondary Regional Node" under the policies of ROPA 48. The "Uptown Urban Centre", centered around the intersection of Appleby Line and Upper Middle Road, is identified as a "Primary Regional Node" by ROPA 48. The Uptown Urban Centre is within walking distance of the proposed Millcroft Greens development.

The policies of ROPA 48 establish a hierarchy of "Strategic Growth Areas". The Uptown Urban Centre, as a Primary Regional Node, provides a hierarchical shift in expected growth in comparison to the Downtown Urban Centre, which is now identified as a Secondary Regional Node. This is a significant change in the planned function of the City and, in our opinion, one that will result in increased growth demands on the Uptown Urban Centre as well as the MTSA's.

Given the elevation of the Uptown Urban Centre to a Primary Regional Node, and the walking distance proximity of the lands contemplated for residential development under the pending Millcroft Greens applications, it is our opinion that the proposed residential development represents good planning by promoting intensification in accordance with the City's updated growth hierarchy.

New City of Burlington Official Plan ("New OP")

The New OP remains under appeal and is currently not in effect. As such, based on the long established "Clergy Principle", the New OP is informative rather than determinative in considering the Millcroft Greens applications.

Major Parks and Open Space Designation

The New OP designates the Millcroft Greens lands (Areas A-D) as "Major Parks and Open Space Designation". The proposed designation is consistent with the existing, approved Official Plan in effect. The New OP recognizes parks and open space lands as valuable resources to the community that play an important role in defining the community character and the lifestyle of the City's residents. The Major Parks and Open Space Designation permits "golf course and related uses" which reflects existing golf courses within the urban area. Presently, the three (3) existing golf courses in the urban area are Millcroft Golf Course, Burlington Golf & Country Club and the City owned Tyandaga Golf Course.

The policies further prohibit new golf courses as well as expansion to existing golf courses. The prohibition of new and/or expanded golf courses is based on a recognition that golf courses are an inefficient use of urban serviced land.

Notwithstanding this, the Millcroft Greens applications propose the retention of an 18-hole golf course on the subject lands. The proposal seeks to reconfigure the existing golf course to: (a) make more efficient use of the space as an executive-style course and (b) create greenfield opportunities on serviced land within the existing City urban boundary. The City presently has no ability to provide for new greenfield development based on existing urban boundary constraints. Therefore, urban serviced land is at a premium and the creation of new greenfield opportunities through the reconfiguration of an existing inefficient land use should be supported.

The New OP includes Section 8.4.2(2) d) which indicates that any proposal to redesignate lands within the Major Parks and Open Space Designation shall only be considered in conjunction with a statutory Official Plan Review. As noted above, the Millcroft Golf Course is private open space. Much of the golf course will remain within the Major Parks and Open Space Designation apart from the four (4) parcels subject to redesignation. The fifth development parcel (Area E) is already designated for residential purposes.

The City's desire to restrict the conversion of Major Parks and Open Space lands outside of a statutory Official Plan Review is a new requirement that is not found in the *Planning Act*, the Provincial Policy Statement (PPS) or the Growth Plan. Moreover, as noted above, the Millcroft Greens applications were filed before this new restriction was approved, meaning the applications can continue to be processed (and potentially approved) pursuant to the "Clergy Principle". Finally, the redesignation of certain portions of the existing golf course is site-specific in nature and will not impact, nor alter, the City's urban structure or result in significant development that would adversely affect existing municipal infrastructure including services, roads and parkland.

Millcroft is one of only two privately owned golf courses within the City's urban area. The Millcroft Greens applications will retain the golf course in a revised format. The intent of the City's policies respecting the protection of recreational uses on major open space lands will accordingly be met. At the same time, the applications will facilitate intensification within walking distance to a Primary Regional Node.

<u>Natural Heritage System</u>

Portions of Area A are designated as "City's Natural Heritage System" on Schedule C in the New OP. The "Key Natural Features" are shown on Schedule M. These designations apply to Appleby Creek and the existing Mill Pond. Some of the key objectives contained within Section 8.4.1(1) of the New OP are as follows:

a) To maintain, restore and enhance the long-term ecological health, integrity and biodiversity of the Natural Heritage System in the Urban Area and its ecological and hydrologic functions.

b) To maintain, restore and enhance Key Natural Features.

c) To maintain, restore and enhance the continuity of linkages and functional

interrelationships among natural heritage features, ecological functions, surface and groundwater features and hydrologic functions.

d) To direct development to locations outside hazardous lands and hazardous sites.

e) To avoid increased flooding, erosion and sedimentation.

f) To protect and enhance the quality and quantity of ground and surface water and their related hydrologic functions.

j) To provide opportunities for non-intensive recreation uses within the City's Natural Heritage System, where appropriate.

Section 4.2 of the New OP provides many of the same objectives as noted above, with additional objectives seeking to direct development to locations outside hazardous lands and hazardous sites (Objective 4.2.1 i)) and to avoid increased flooding, erosion and sedimentation (Objective 4.2.1 k)).

The General Policies for the Natural Heritage System are set out in Section 4.2.2 of the New OP. Section 4.2.2 e) identifies the City's Natural Heritage System as an embodiment of a systems approach to protecting and enhancing natural heritage features and areas and ecological and hydraulic functions. The Natural Heritage System comprises various components including Key Natural Features and watercourses that are regulated by Conservation Halton.

Through the scoped Environmental Evaluation Report (EER) work undertaken by Beacon, it was previously confirmed that there are no treed areas that would qualify as significant woodlands and there are no significant valleylands, significant wetlands or significant areas of natural and scientific interest (ANSI). Additionally, Beacon has also confirmed the subject property does not support significant wildlife habitat due to its active use as a golf course and the highly urbanized nature of the surrounding lands and lack of habitat and species diversity. No endangered or threatened species were recorded within or adjacent to the study area. Fish habitat is the only natural heritage feature, listed within Section 2.1 of the PPS, identified on the subject lands.

Specifically, with respect to fish habitat, Beacon advised that the online pond upstream and downstream of Millcroft Park Drive within the study area qualify as Fish habitat under the PPS. The multiple barriers within the channel restrict migration between the ponds and downstream of Upper Middle Road. A 2016 CH factsheet rated the Appleby Creek watershed as "poor" for fish habitat. Nonetheless, Beacon concludes that fish habitat will be protected and that potential indirect impacts to fish habitat will be mitigated through enhanced stormwater treatment and management, the inclusion of riparian buffers and the naturalization of those buffers, and vegetation management to improve riparian habitat conditions. An overall improvement in fish habitat is expected post-development by taking the Mill Pond off-line.

Water Resources

Policies with respect to Water Resources are contained in Section 4.4 of the New OP. Section 4.4.1 of the New OP contains several key objectives. Some of the objectives pertinent to the Millcroft Greens applications are as follows:

b) To protect life and property from natural hazards.

c) To protect, restore and enhance the long term ecological integrity and biodiversity of the Natural Heritage System and its ecological and hydrologic functions.

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

f) To reduce flood potential in areas that are flood-prone.

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

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

j) To direct development to locations outside hazardous lands and hazardous sites.

k) To encourage implementation of low impact development features, where possible.

l) To control future development in a way that protects, improves and restores groundwater quantity and prevents undesirable groundwater level increases or decline and reduction in base flow to watercourses.

m) To ensure base flow maintains permanent and seasonal fish habitat where it exists naturally.

n) To protect, improve or restore groundwater quality.

o) To restrict or limit development in sensitive groundwater features and sensitive surface water features.

p) To control the quality of stormwater runoff from future developed surfaces, so that surface water and groundwater quality is maintained or enhanced.

q) To manage development and construction activity to minimize sediment and nutrient loading to receiving watercourses, Burlington Bay/Hamilton Harbour and Lake Ontario.

r) To control the quantity and volume of stormwater released to prevent downstream flooding and erosion risks.

Detailed policies relating to Water Resource and Stormwater Management (Section 4.4.2(2)) and Natural Hazards and Watercourses (Section 4.4.2 (3)) are provided in the New OP.

Through the work and documentation produced by the Millcroft Greens Study Team, there have been various stormwater management best practices recommended to address stormwater quality and quantity. Some of these best practices include the reinstatement of the low flow channel of Appleby Creek and as previously noted, the proposal to take the existing Mill Pond offline as part of the Millcroft Greens applications. Further, improvements to the water quality through the implementation of LID measures and enhanced stormwater management techniques will result in improvements in the water quality of Appleby Creek.

Regarding the Natural Hazards and Watercourses policies, the Millcroft Greens Study Team has undertaken considerable work to delineate hazard lands and floodplain refinements to determine the development constraint limits. Development is proposed outside of flooding and erosion hazard lands. The proposed development protects all regulated features and their functions with appropriate setbacks and buffers and other mitigation measures in accordance with Conservation Halton policies.

The hazard lands and established development limits are included within Block 91 of the revised draft plan of subdivision (March 2022). Block 91 will be dedicated into public ownership (i.e., City) and zoned Open Space (O1) through the implementing Zoning By-law to ensure the long-term protection of these lands.

Residential Neighbourhood Areas

Within the New OP, the Millcroft Community is designated largely as “Residential Neighbourhood Areas” on Schedule B (Urban Structure). The existing golf course is designated “Natural Heritage System, Major Parks and Open Space”. The Millcroft Community is identified on Schedule B-1 (Growth Framework) as an “Established Neighbourhood Area”. Millcroft is not identified as a “Neighbourhood Character Area”. There are three (3) Neighbourhood Character Areas in the City, these being Roseland, Indian Point and Shoreacres.

It is anticipated that new residential within Residential Neighbourhood Areas will be accommodated through intensification of existing areas, where compatible. “Compatible or Compatibility” is defined in the New OP as:

"Development which may not necessarily be the same as or similar to existing or planned development in the vicinity, but nonetheless can co-exist without causing adverse impacts to the surrounding area."

General Objectives

Some of the key General Objectives within the Residential Neighbourhood Areas (Section 8.3.1) are as follows:

a) To encourage new residential development and residential intensification within the Residential Neighbourhood Area in accordance with Provincial, Regional and City growth management objectives, while recognizing that the density and form of new development must be balanced with other planning considerations, such as the availability of infrastructure and public service facilities, and also ensuring that new development achieves compatibility and integration within existing residential neighbourhoods.

b) To provide housing in a form and location that supports the existing, and the expansion of, the city's transportation network, with emphasis on public transit and active transportation.

e) To provide, where compatible, housing opportunities in proximity to Employment Areas and other land uses that support residential neighbourhoods, such as commercial and recreational activities, in order to improve access to places of work and neighbourhood amenities with a reduced dependence on private automobiles.

g) To encourage the integration of a wide range of housing types and tenures within Residential Neighbourhood Areas, including assisted and special needs housing, affordable housing and rental housing.

h) To ensure that development within the Residential Neighbourhood Area is compatible with surrounding properties.

The above objectives are implemented by specific policies in the New OP. These policies are contained in Sections 8.3.2 (General Policies), 8.3.3 (Residential-Low Density), and 8.3.4 (Residential-Medium Density). The Residential-Medium Density policies would apply to Area E.

General Policies

The General Policies address the neighbourhood supportive uses within the Residential Neighbourhood, development on a "common roadway" and the preservation, enhancement and removal of trees. The above-noted objectives encourage a wide range of housing types and tenures which in our opinion would include various forms of condominium tenure such as single-detached dwellings serviced by a private condominium road. Despite the above objective, Section 8.3.2 c) reads as follows:

c) Development which proposes the creation of a new common roadway will be encouraged to provide the roadway in the form of a public right-of-way.

The above policy appears to conflict with the stated objective of encouraging a wide range of tenures by encouraging development on a public right-of-way. There are existing examples of condominium development in the Millcroft Community, and this form of development has been widely accepted throughout the Province and the City as an acceptable and efficient form of development. City staff has not raised an issue with respect to the condominium tenure. The City has indicated it will require a public easement over the proposed private condominium roads. Millcroft Greens supports the City's requirement for a public easement as it is conducive for community connectivity and future trail development.

Regarding tree removal, it has been documented by the Millcroft Greens Study Team that ornamental golf course trees will be removed to facilitate development. Section 8.3.2 e) anticipates that development may result in loss of on-site trees and vegetation and that appropriate compensation shall be provided. Millcroft Greens has provided compensation details within the EER and Arborist Report (Beacon March/April 2022). With the removal of approximately 373 trees due to conflict with the proposed development and poor health, a minimum of 1,792 trees will be planted as compensation[1]. This equates to approximately 4.8 trees planted for every tree removed.

Residential-Low Density

The Residential-Low Density policies are contained in Section 8.3.3 of the New OP. The policies permit single-detached and semi-detached units within the Residential-Low Density designation. In addition, the policies also include the consideration of townhouses within the Residential Low-Density designation subject to specific criteria. There are examples throughout the City and the Millcroft Community where townhouses and single-detached dwellings are adjacent to one another.

Consistent with the existing City Official Plan, the New OP provides for a maximum density of twenty-five (25) units per net hectare. "Net" is defined to include the overall developable area of a site excluding public road allowances and private laneways, community uses such as parks and schools, and natural heritage and hazardous lands. The definition differs from the existing Official Plan where private laneways are included in the density calculation. Based on the definition in the New OP, the proposed density of development for Areas A-D is approximately 15 units per net residential hectare.

The maximum height within the Residential Low-Density designation is established through the implementing Zoning By-law. The New OP provides criterion for the consideration of a minor variance for increased height which is not applicable. The

[1] The replacement estimate based on a replacement caliper size of 60 mm. Tree compensation requirements are based on the aggregate caliper of trees to be removed. The City of Burlington has agreed that trees of varying sizes, particularly in the 6 metre wide landscape buffers and the Appleby Creek corridor, including those smaller than 60 mm caliper will be acceptable. As such, more than 1,792 trees will be planted to compensate for proposed tree removals amounting to an aggregate caliper of 10,750 cm.

intent of the proposed development within Areas A-D is to provide compatible two (2) storey, single-detached peaked roof homes consistent with the adjacent homes. As previously discussed with City staff, Millcroft Greens is not proposing "flat roof" designs or the inclusion of a third storey for the proposed single-detached dwellings. This will be clarified/secured in the draft Zoning By-law.

Residential-Medium Density

The Area E lands are designated Residential-Medium Density under the New OP. This designation permits a range of ground and non-ground related residential uses including various forms of townhouses and low rise residential buildings. The building height is restricted to three (3) storeys for ground oriented dwellings and four (4) storeys for non-ground oriented buildings. Density of development is permitted between twenty-six (26) to seventy-five (75) units per net hectare. This is a modest increase from the current Official Plan which provides a density range between twenty-six (26) and fifty (50) units per net hectare. An Official Plan Amendment (OPA) would continue to be required for the development of Area E under the New OP.

Based on public and agency feedback received through the circulation of the applications, Millcroft Greens has included permission for townhouses in the draft Zoning By-law for Area E similar to the existing development immediately west. This feedback included concern with increases in height associated with a mid-rise building. There are also concerns with the efficiency of developing a mid-rise building in this location, given the City's requirements for amenity space (25 m^2 per unit) and costly underground parking. Permission to proceed with additional townhouses on Area E provides necessary flexibility should the site not be viable (in the eyes of both the public and the landowner) for a higher, denser, built form.

Housing Needs and Opportunities Report

The *Housing Needs and Opportunities Report* ("Report") prepared by Dillon Consulting Limited and SHS Consulting, dated November 23, 2021, provides a detailed overview of factors influencing population growth, the shifting housing needs of residents, and issues with housing affordability in Burlington. The goal of the Report is to explore ways to provide a range and mix of housing options to meet the varied needs of residents in the coming years and is geared towards middle income households. The report sets out tools and policies, identifies partnerships, and analyses and addresses current and future housing needs. The Report explores innovative ways to continue providing an adequate range of housing types within the existing built boundary. Key elements of the Report include:

- A summary of current housing policy;
- Identification of challenges associated with providing an adequate range of housing;
- Technical research of housing trends and future needs;
- A city-wide survey of resident's experiences with housing in the City; and,

- Identification of potential options and recommendations to address housing needs.

The most prevalent theme throughout the Report is housing affordability and attainability. The data presented shows that home ownership and, to an extent, renting, is unaffordable for many Burlington residents, especially for ground-oriented development (e.g., single-detached dwellings), which remains the preferred housing form for many residents. To address affordability, increased rental units are desired. Another prevalent theme is the lack of greenfield land available for development. As a result, residential intensification and higher density development is encouraged, particularly in Strategic Growth Areas. The Report also indicates that there is a need to accommodate families of various ages and sizes, including larger households, and denser rental units often do not provide adequate space/bedrooms.

In terms of single-detached dwellings, it is identified that these are the dominant housing type in Burlington, with 51.5% of all dwellings being single-detached. However, survey results indicated that although these are the dominant residential built form, homeownership is still a challenge due to various factors such as lack of housing options, lack of desirable neighbourhoods, and affordability. Survey responses from residents indicated that single-detached dwellings in low-density neighborhoods are still desirable housing forms. When asked which types of housing should be more available in the City, answers included detached homes, housing options with backyards, housing options by green space, and housing options in complete communities.

Responses to the greatest challenges identified to finding suitable housing included “not enough single detached homes”. These responses indicate that although the City is focusing on higher density rental housing types, there is still a demand for more single-detached dwellings. The Millcroft Greens proposal will respond to the limited availability of single-detached housing supply in the City. Millcroft Greens has received significant interest from residents wishing to purchase a new single-detached dwelling. Some of the tools identified by the City to increase housing availability applies to single-detached dwellings and the Millcroft Greens proposal, such as infill development of underutilized land within the existing built area, reusing land (including land not previously used for residential) to provide additional housing supply, and adopting advocacy and awareness strategies to deal with NIMBYism.

Region’s Integrated Growth Management Strategy (“IGMS”)

Over the past couple of years, the Region of Halton has embarked on an IGMS to assess future growth options to 2051. The IGMS is required to achieve conformity with the Provincial Growth Plan.

In February 2021, the Region released potential growth concepts for review and discussion with each concept providing a different level of growth based on densification and greenfield expansion. A further concept was subsequently added for densification/intensification based on no urban boundary expansion.

In November 2021, the Region released a Draft Preferred Growth Concept & Land Needs Assessment which was presented at a Regional Council Workshop on November 17, 2021. The Draft Preferred Growth Concept recommended urban boundary expansions for new designated greenfield areas to accommodate new community and employment areas for the Towns of Halton Hills and Milton.

On February 16, 2022, Regional Council in their consideration of the preferred growth concept opted for a no urban boundary expansion option until at least 2041. The Regional Council resolution reads as follows:

> **WHEREAS the Region of Halton is in the process of updating the Regional Official Plan to conform with the 2019 Growth Plan, as amended, in accordance with the Places to Grow Act, 2005, and to plan to accommodate a total population of 1.1 million and total jobs of 500,000 to 2051; and**
>
> **WHEREAS the Region is committed to meeting the Provincial conformity deadline of July 1, 2022; and**
>
> **WHEREAS by letter dated November 12, 2019, the Minister of Municipal Affairs and Housing clarified that municipalities may choose to take a phased approach to their municipal comprehensive review through multiple official plan amendments; and**
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> **WHEREAS the Region is completing its municipal comprehensive review using a phased approach, including updating the Regional Urban Structure, considering a Draft Preferred Growth Concept arising from the Integrated Growth Management Strategy that has explored issues and opportunities related to growth management, and considering a Policy Directions Report to guide the development of updated official plan policies; and**
>
> **WHEREAS the market for housing and employment is constantly evolving due to the COVID-19 pandemic, shifts in demographics, work from home opportunities, housing affordability, and other factors that are anticipated to significantly change the way people live, work and play in Halton; and**
>
> **WHEREAS on February 8, 2022, Ontario published a report from the Housing Affordability Task Force that may have significant implications on the supply of market housing to address the housing crisis and which implications are unclear;**
>
> **WHEREAS the Draft Land Needs Assessment provided in support of the Draft Preferred Growth Concept indicates that the majority of pre-2041 population and employment growth can be accommodated without expansions to the existing approved urban boundary; and**

WHEREAS it would be prudent for the Region consider all relevant information that is available to it during its municipal comprehensive review exercise to make a determination on land requirements and other fundamental planning decisions that will dictate growth in Halton to 2051;

NOW THEREFORE BE IT RESOLVED:

THAT Halton Regional Council directs Staff to prepare a Regional Official Plan Amendment (ROPA 49) that advances a modified Preferred Growth Concept in two phases to accommodate growth pre-2041 and from 2041 to 2051:

1. **For accommodating growth pre-2041, directing population and employment growth to the existing approved urban boundary;**

2. **For accommodating growth from 2041 to 2051, providing a clear framework for when, and how planned growth should be distributed based on principles of minimizing land consumption, making the most efficient use of land and infrastructure, and achieving other principles of the Growth Plan;**

(a) AND THAT the findings of the Affordable Housing Task Force, Natural Heritage and Water Resources Impact Assessment and Agricultural Impact Assessment be considered in the preparation of the policy framework for growth post-2041;

(b) AND THAT the specific distribution of growth post-2041 be defined in an ROPA prior to or in parallel with the next statutory 5 year OP review.

AND FURTHER THAT Staff be directed to schedule a Statutory Public Meeting and Open House to obtain comments on an updated draft ROPA 49 no later than April 30, 2022;

AND FURTHER THAT Staff be directed to prepare its recommendation report and bring it forward to Regional Council such that ROPA 49 could be adopted and forwarded to the Province for approval to meet the July 1, 2022 conformity deadline, subject to being directed by the Minister to meet an alternative date, as requested the Region and other municipalities;

AND FURTHER THAT this resolution be circulated to the City of Burlington, Town of Halton Hills, Town of Milton and Town of Oakville.

One of the key principles of the IGMS for a Preferred Growth Concept was to establish a broad range and mix of housing. The implication of the Regional Council position is that it will place added pressure on existing communities throughout the Region

including Millcroft to intensify/densify to address residential demands which includes ground oriented dwellings units. The Region's position adds to the concern over housing affordability and will not address the lack of supply of single-detached dwellings across Halton moving forward.

Region of Halton Official Plan Amendment No. 49 ("ROPA 49")

In late March, at the time of preparing this addendum, the Region released a draft of ROPA 49. The purpose of draft ROPA 49 is to implement the direction of Regional Council as noted above to accommodate population and employment growth within Halton's existing urban boundary until 2041, and to develop a policy framework for the planning of growth from 2041-2051. ROPA 49 provides updated policies and mapping and updated targets for population and employment growth, intensification, density and Regional phasing. A public open house for ROPA 49 was held on April 6th, 2022 with the statutory public meeting to be held on April 13, 2022.

Table 1: Population & Employment Distribution of draft ROPA 49 identifies population growth from 193,000 (2021) to 240,500 (2041) for Burlington. The population of Halton Region is expected to grow from 615,000 (2021) to 931,000 (2041) and 1,100,000 (2051). Table 2: Intensification & Density Targets identifies the need for 20,500 new housing units in Burlington between 2022 and 2041 and 53,300 during the same time for Halton Region.

In order to achieve growth within the existing urban boundary, ROPA 49 relies on several Strategic Growth Areas throughout Halton, previously identified in ROPA 48. These Strategic Growth Areas represent key areas for future growth and development. The Strategic Growth Areas include Primary and Secondary Regional Nodes and Regional Intensification Corridors. Dundas Street is identified as a "Higher Order Transit Corridor" where intensified development is to be considered. Given the intent to intensify within the existing urban areas and avoid expanding the urban boundary, these Strategic Growth Areas will become increasingly important to accommodate population and employment growth. Given the new planning direction, a closer look at intensification opportunities within the existing urban serviced area, similar to the Millcroft Greens applications, is crucial.

Draft ROPA 49 proposes to "down-designate" the Uptown Urban Centre in Burlington from "Primary Regional Node" to "Secondary Regional Node". The Primary Regional Node for the Uptown Urban Centre was only recently approved by the Province in November 2021 through ROPA 48. Given that ROPA 49 contemplates no urban boundary expansion until at least 2041 and possibly longer, such a down-designation is counter-intuitive and contrary to Provincial planning directions.

Parkland and Open Space Opportunities

In their comments dated August 2021, City Parks and Recreation staff provided comments on the Millcroft Greens applications. City staff confirmed that the Millcroft Greens lands are privately owned and are not included in the City's calculation of parkland. It is important to note that while the Millcroft Community may treat the golf

course as public open space through the use of cart paths for walking trails, the golf course is privately owned and under no obligation to allow for public access. City staff has requested parkland dedication as a condition of approval for the Millcroft Greens applications. Representatives of Millcroft Greens have had several meetings with City staff to discuss both parkland and open space opportunities.

Based on the feedback received from the public, the key concern is the loss of open space lands as opposed to a deficiency of parkland. The Millcroft Community is presently well served by parkland. In response to the public feedback and discussions with City staff, we have provided two (2) updated packages with the latest submission – Parkland and Open Space Opportunities and Conceptual Open Space both of which were prepared by Nak Design Strategies.

The Parkland and Open Space Opportunities package shows two (2) areas of parkland dedication and two (2) areas of open space dedication. A parkette site has been included within Area C in response to City staff comments. The parkette has frontage and access on Country Club Drive and presently serves a portion of the Millcroft Community with an identified deficiency based on a 400 metre walking radius. A second proposed linear park is proposed at the bottom of Areas A and B which provides for a connection between the development parcels and the larger open space block (i.e., Block 91 on revised draft plan of subdivision).

In addition to the parkland dedication, Millcroft Greens is proposing to dedicate two (2) open space parcels in addition to Block 91 noted above; one adjacent to Area D beside the pipeline easement with frontage on Millcroft Park Drive; and the other situated north of Area B on the opposite side of Millcroft Park Drive. These open space parcels along with the dedication of Block 91 will serve a more passive parkland function and provide an overall benefit to the community.

The proposed park and open space lands combined would represent an over-dedication. We believe the combination of active and passive parkland and open space opportunities is appropriate and responsive to the concerns raised by the community.

The Conceptual Open Space package illustrates an existing and proposed trail network that serves both the existing development as well as the proposed development parcels. The package shows sidewalk connections for Areas A-D and pathway connections serving Areas A and B and the future public open space lands (Block 91). In addition, a trail connection from Area E to the existing multi-use trail along Dundas Street and the proposed multi-use trail within the hydro corridor is also shown.

Revisions to Draft Plan of Subdivision

In response to public feedback and public agency comments, there have been several revisions to the draft plan of subdivision for Areas A-D. The number of proposed lots has decreased from 98 lots to 90 lots due to the inclusion of a parkette within Area C, further environmental and design work and the provision of larger lots particularly within Area A. Furthermore, based on public feedback, the 6.0 metre landscape buffer has

been incorporated into the lot design, in addition to the required rear yard setback. The 6.0 metre landscape buffer was previously shown as a separate block that would form part of the condominium common element. Public concerns were raised that a separate 6.0 metre block independent of the lot would become an area of undesirable activity. The 6.0 metre buffer will continue to be zoned O1 (Open Space) to ensure long term protection.

With respect to Area A, a concern of the abutting residents on Hadfield Court was the proposed internal condominium road abutting their rear yards. The subdivision design has been modified whereby the proposed rear yards within Area A now back onto the existing rear yards of those homes on Hadfield Court with the internal condominium road shifted southerly, away from rear yards. Development consisting of abutting rear yards is prevalent throughout the Millcroft Community. The redesign of Area A has resulted in a reduction in the number of lots from 33 to 29 lots.

Regarding Area B, changes were made to the lotting pattern around the cul-de-sac together with minor lot line adjustments throughout the plan. The number of lots within Area B has been reduced from 42 to 40 lots.

As noted above, Area C now includes a parkette with direct frontage and access to Country Club Drive. The parkette is roughly the equivalent of three (3) residential lots. In addition, based on feedback from TransCanada Pipeline (TCP), design modifications have been undertaken to achieve the minimum 7 metre setback from their easement. The key design change is a shorter internal roadway with the cul-de-sac shifted to the south. TCP is now satisfied with the redesign. Through the reconfigured plan, the number of lots for Area C has decreased from 16 to 14 lots.

In regard to Area D, TCP has advised that the cul-de-sac servicing the proposed lots must be setback a minimum of 7 metres from their easement. As such, modifications were undertaken to the Area D layout to address the TCP concerns. TCP is now satisfied with the redesign. There were no changes to the lot yield (i.e., 7 lots).

Modifications to Mid-Rise Building (Area E)

City Planning comments were provided on June 14, 2021 with respect to Area E. A review of the New OP policies and their relationship to the mid-rise proposal was provided earlier in this addendum. In response to concerns raised by City Planning staff regarding building height, density, scale and design, we have included in the draft Zoning By-law provision for townhouses in various forms and tenures. Townhouses would result in a reduction in overall density to a maximum of 65 units per hectare. Presently, the draft Zoning By-law provides for a maximum density of 220 units per hectare for the mid-rise building. Four (4) potential townhouses concepts have been included in our resubmission package.

With respect to the mid-rise building, the building design has remained largely the same. A summary of the design changes provided by the Project Architect (Kirkor) is as follows:

1) The total indoor and outdoor amenity has increased to meet the minimum 25 m^2 per unit as required by City staff.

2) Additional rooftop outdoor amenity area was added on the 6th floor to achieve an increase in the overall amenity.

3) Revised exterior façade design along Dundas St. frontage. Modified cornices, insets and colours to address Urban Design comments.

4) Additional 6 metre drainage easement setback on the west property line has been added.

5) Reconfigured drop-off, surface parking design and layout.

6) Modified underground parking footprint and increased setbacks along the Dundas Street frontage.

7) Dropped slab of underground parking garage to allow for increase in soil depth for tree plantings and soft landscape treatment.

8) New pedestrian connection on the east side of the site with connection to existing and proposed trails.

9) Increase height of wind/sound barrier fences at outdoor amenity.

The extent of the Dundas Street road widening has been confirmed by our surveyor. Based on the expansive road allowance of Dundas Street inclusive of the road widening to be provided (i.e., ultimate 50 metre right-of-way), and the desire to provide a reasonable and appropriate streetscape, we do not support a 7.0 metre setback. Following road widening, a proposed setback of 2.8 metres is proposed.

The existing streetscape character of Dundas Street is in our opinion not indicative of good urban design. There are many instances of service roads for existing development interfacing with Dundas Street and situations where residential development backs onto Dundas Street. A mid-rise or townhouse redevelopment within Area E presents an opportunity to improve the streetscape character and presence along Dundas Street.

The enclosed circulation response matrix provides a detailed response to the City's June 14, 2021 comments. Based on the comments received and the numerous requests for changes by City Planning staff, Millcroft Greens is concerned with the viability of a mid-rise building at the present height (i.e., 6 storeys) and density (i.e., 220 units per hectare). Comments regarding setbacks, building length, parking requirements, the requested road widening and the requirement for 25 m^2 of amenity space per unit, are not conducive to the viability of a mid-rise building on this parcel of land.

With respect to the 25 m^2 of amenity space per unit requirement, we have undertaken a comparison of this standard with other municipalities within the GTAH. Many municipalities do not have a minimum amenity area requirement in their Zoning By-laws. Of those municipalities that have a minimum standard, the range is between 4 m^2 (Milton, Toronto) to 6 m^2 (Hamilton). Hamilton has a range between 4 m^2 for units less than 50 m^2 to 6 m^2 for units greater than 50 m^2. Mississauga requires 5.6 m^2 per unit. The City standard is suburban in nature and not reflective of a municipality that is urbanizing and intensifying. The 25 m² standard does not consider the context of Area E where nearby parkland and open space is presently available, and Area E will have direct connections to a City wide trail network. Nonetheless, Millcroft Greens has revised the Area E mid-rise plan to include 25 m² of amenity per unit.

Revisions to Draft Zoning By-law

Based on the revisions to the draft plan of subdivision for Areas A-D noted above, and feedback received through public engagement, various changes to the draft Zoning By-law have been undertaken.

At the public meeting, concerns regarding lot coverage, building height and built form for the proposed single-detached dwellings were discussed. Residents and City Councillors were concerned with the potential for three (3) storey single-detached dwellings and a flat roof house design. A flat roof design is not contemplated for the proposed single-detached dwellings within Areas A-D. The maximum building height has been clarified in the draft Zoning By-law with the removal of “two storeys or more” and replaced with a maximum of two (2) storeys or 12.5 metres. The 12.5 metre height would be measured to the peak of the pitched roof in accordance with the Building Height definition in the City’s Zoning By-law. The clarification of the two (2) storey/12.5 metre height in the draft Zoning By-law will ensure a consistency in built form between the existing and proposed single-detached dwellings.

The draft Zoning By-law for Areas A-D also includes a variety of zones for 15.24 metre (50 foot) and 18.3 metre (60 foot) lots. The proposed zone standards continue to account for the 6.0 metre planted buffer between existing and proposed residential development.

The specific zone provisions in the revised draft Zoning By-law including lot coverage and setbacks are based on a detailed review of each lot type, various potential built forms (i.e., bungalow, bungalofts and two storey) and the anticipation of market demand for features such as lanai/loggia. The current zone standards in parent Zoning By-law 2020 for single-detached dwellings are, in our opinion, outdated and do not reflect present day consumer demands.

With respect to Area E, as previously noted, the draft Zoning By-law has been revised to include provision for townhouses in conformity with the current and New OP. The zone standards provide flexibility for standard or common element types of condominium and a variety of different townhouse types including standard, rear lane,

and back-to-back product. The zone standards for the mid-rise building have been updated to include the requested 25 m^2 amenity space per unit, a building height of 7 storeys and maximum 24 metres inclusive of the mechanical penthouse and roof-top amenity, and a modest increase in density from 200 to 220 m^2 to account for the loss of property due to the Regional road widening request.

Planning Opinion

The emerging planning regime lends further support to the Millcroft Greens applications. The Provincial approval of ROPA 48 identifies the Uptown Urban Centre adjacent to the Millcroft Community as a Primary Regional Node, which is considered a Strategic Growth Area. The Regional Council direction through proposed ROPA 49 seeks to accommodate population and employment growth within Halton's existing urban boundary until at least 2041. This direction creates additional pressure on municipalities to identify intensification opportunities on lands within the existing urban boundary. Specific to Burlington, there is presently no greenfield development land available unless new greenfield opportunities are created through the optimization of existing lands. The Millcroft Golf Course presents this opportunity – by reconfiguring the existing golf course, the existing serviced urban lands can be better optimized for appropriate growth in proximity to a Primary Regional Node.

Redevelopment of individual parcels (Areas A-E) while maintaining the golf course in a reconfigured format will not alter or impact the Region's or City's urban structure. The Major Parks and Open Space Designation policies do not support new and/or expanded golf courses as golf courses represent an inefficient use of urban serviced land. Based on the urban boundary constraints facing the City and the lack of available designated greenfield areas, consideration of infill/intensification opportunities like the Millcroft Greens applications, especially for ground related housing product, will be become increasingly important as the City matures.

The policies of the New OP encourage new, compatible residential development and intensification within the Residential Neighbourhood Areas. The New OP also encourages a wide variety of housing types and tenures. The Millcroft Greens applications propose a compatible and appropriate built form in a condominium form of tenure. In the case of Areas A-D, a mild form of intensification is proposed that is below the maximum allowable density within the Residential-Low Density designation.

With respect to Area E, mid-rise and townhouse built forms are consistent with the Residential-Medium Density designation. The proposed increase in height and density for the mid-rise would continue to require an OPA under the New OP. This level of intensification is supportable based on the surrounding land uses, adjacency to and frontage on a major Regional road (Dundas Street) and transit corridor and the location of Area E situated at the periphery of the Millcroft Community. All development will be located outside flooding and erosion hazards and Key Natural Features will be protected and enhanced.

As reviewed earlier in this addendum, Millcroft Green has made several modifications to its development proposal and draft implementing Zoning By-law in response to comments and concerns of the public and agencies. These modifications include a subdivision redesign of Area A to shift the internal condominium road, a decrease in the number of single-detached lots from 98 to 90 lots, design changes to address comments from TCP and the provision of parkland and public open space. Revised draft Official Plan and Zoning By-law amendments have been provided and the various technical reports have been updated to reflect the aforementioned modifications.

Yours truly,
WELLINGS PLANNING CONSULTANTS INC.

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