

PLANNING JUSTIFICATION **REPORT**

1085 CLEARVIEW AND 1082, 1086 & 1090 ST. MATTHEWS AVENUE

Burlington

Date:
December 2018

Prepared for:
LIV Communities

Prepared by:
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Our File 15226D

EXECUTIVE SUMMARY

Liv Communities have consolidated the properties located at 1085 Clearview Avenue and 1082, 1086 & 1090 St. Matthews Avenue (the Subject Lands) in the City of Burlington. The Subject Lands are located 200 metres from the Aldershot GO Station, which is considered a Major Transit Station. The location benefits from being in close proximity to a number of existing and planned public transit routes, including GO Transit, Burlington Transit, Hamilton Street Railway and VIA Rail, as well as nearby commercial and employment areas. These qualities, among others, make the Subject Lands a prime location for intensification. The lands are also located on the periphery of an existing low density residential neighbourhood which requires a careful approach to design in order to ensure that a compatible built form and site layout is achieved.

Liv have undertaken considerable review and analysis of the redevelopment options for the Subject Lands to address the physical and policy context. The proposed redevelopment provides for six storey, mid-rise building containing 160 residential condominium units. A total of 203 parking spaces are provided with 49 located on the surface and 154 located in a below grade parking level. The Subject Lands will be accessed via two driveways on either side of the building connecting to Masonry Court. The proposed built form provides a transition in height to the surrounding neighbourhood through the use of appropriate building setbacks and stepbacks such that the building fits with the 45 degree angular plane measured from the rear lot line. An accompanying shadow study also shows that there are minimal shadowing impacts caused by the building (and predominantly directed away from existing residential areas). Furthermore, the proposal will enhance the public realm and streetscape along Masonry Court by creating ground level residential patios which serve to provide street-level activity and natural surveillance.

Amendments to the Official Plan and Zoning By-law are required to facilitate the proposal. The current land use designation and zoning for the Subject Lands are inconsistent with and do not conform with provincial and regional policy documents, in particular, with those policies which direct local municipalities to focus growth in intensification areas, achieve densities that support public transit, increase transit ridership and promote appropriate development standards. The proposed amendments to the Official Plan and Zoning By-law implement appropriate policy and development standards that allow the achievement of the level of intensification required by provincial and regional policies.

The proposed redevelopment and planning instruments are supported by a series of plans and studies related to functional servicing, stormwater management, transportation, noise, urban design and geotechnical. All of these studies have been undertaken in accordance with the City's requirements and provide a full assessment and justification for the proposed redevelopment.

Based on the existing physical context and surrounding neighbourhood, the technical assessment of the proposal and our analysis of the proposal within the current policy and regulatory context, the proposal is consistent with the Provincial Policy Statement, 2014, conforms with the Growth Plan for the Greater Golden Horseshoe, 2017 and conforms with the Halton Region Official Plan, 2015 and the in-force City of Burlington Official Plan, except those sections proposed to be amended.

The proposal can be adequately serviced and does not create any impacts to the surrounding area. The proposal is keeping with the character of the neighbourhood and provides an opportunity for intensification within the Built-up Area that is appropriate and represents good planning in the public interest.

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ABBREVIATIONS

BUD	Burlington Urban Design Advisory Panel
FSR	Functional Servicing Report
MTSA	Major Transit Station Area
LOS	Level of Service
OP	Official Plan
OPA	Official Plan Amendment
PJR	Planning Justification Report
PPS	Provincial Policy Statement (2014)
ROP	Halton Region Official Plan
ROW	Right-of-way
SWM	Stormwater Management
TDM	Transportation Demand Management
TIS	Traffic Impact Study
UDB	Urban Design Brief
uph	Units per hectare
ZBA	Zoning By-law Amendment

1.0 INTRODUCTION

MacNaughton Hermsen Britton Clarkson Planning Limited ("MHBC") has been retained by LIV Communities (the "Owner") to assist with planning applications to redevelop the property municipally known as 1085 Clearview Avenue and 1082, 1086 & 1090 St. Matthews Avenue in the City of Burlington (the "Subject Lands").

This report has been prepared in support of proposed amendments to the City of Burlington Official Plan and Zoning By-law (the "Applications") to facilitate the redevelopment of the Subject Lands with a 6 storey, mid-rise apartment building containing 160 dwelling units and 203 parking spaces.

This PJR provides the following:

- A general description of the Subject Lands and surrounding uses as well as the current physical conditions to provide an understanding of the locational context;
- A description of the proposed development and its design elements;
- A summary of the technical reports prepared to support the proposal;
- A description of the proposed planning instruments to amend the OP and Zoning By-law to implement the redevelopment;
- A review of the existing and evolving policy and regulatory framework and an assessment of the proposed development's consistency and conformity with Provincial, Regional and City policies and regulations;
- An assessment of the impacts of the redevelopment and how they are addressed as well as how the proposal is compatible; and,
- A summary of key conclusions and recommendations related to the proposed development.

Over the past three years, the Owner has brought together a team of consultants to develop and prepare a concept plan for the redevelopment of the Subject Lands. During this time, the project team and Owner have met with City and Regional staff at a number of meetings to discuss the proposal. Formal pre-consultation meetings were also held on January 11, 2017 and May 16, 2018. A record of the pre-consultation minutes is attached to this report as Appendix 1. The project was reviewed by the BUD panel on September 18, 2018 and a public open house was held of October 29, 2018. A summary of the BUD feedback is provided in the accompanying UDB and summary of the public open house is provided in Section 4.2 of this report. Feedback from staff, the BUD panel and the public were incorporated into the final plans for the redevelopment.

In addition to the pre-consultation meetings, on behalf of LIV Communities, MHBC has been actively involved in the draft OP, Mobility Hub and Mid-Rise Guidelines process undertake by the City. Multiple letters have been submitted providing comments and expressing concern with various issues as they relate to the Subject Lands. These letters have been included in Appendix 2.

The following reports and materials were identified as required for a 'complete application' through the pre-consultation process and are included as part of this application submission:

1. Planning Justification Report;
2. Conceptual Site Plan Layout & Site Survey;
3. Functional Servicing Report (including water, wastewater and stormwater);
4. Tree Inventory and Preservation Study;
5. Traffic Impact Study including TDM Plan and Parking Justification Report;
6. Noise Feasibility Study;
7. Shadow Analysis;
8. Environmental Site Screening Checklist;
9. Phase I Environmental Site Assessment (RSC at a later stage);
10. Height Survey of Adjacent Buildings;
11. Urban Design Advisory Panel Meeting Minutes;
12. Landscape Concept Plan;
13. Urban Design Brief;
14. Grading, Drainage and Servicing Plans;
15. Geotechnical Report; and,
16. Draft Zoning By-law.

Together these reports provide for the comprehensive assessment and justification for the proposed redevelopment of the Subject Lands as proposed.

2.0 SITE DESCRIPTION AND SURROUNDING LAND USES

The following sections of the report address the current site and surrounding physical context, including proposed and recently approved redevelopments. A photo record documenting the on-site conditions and the surrounding neighbourhood is provided in Appendix 3.

2.1 Site Description

The Subject Lands are located within the Aldershot community of Burlington (Ward 1). The Subject Lands are approximately 6,270 m^2 in area, with approximately 45 m of frontage along both Clearview Avenue and St. Matthews Avenue and 137 m along Masonry Court. The Subject Lands consists of 3 separate parcels of land which will be merged on title to facilitate the development (see Figure 1).

Figure 1: Location Map



The majority of the Subject Lands consist of 1085 Clearview Avenue and 1082 St. Matthews (which are considered a single parcel). Currently this parcel contains a 1 storey place of worship facility with surface parking and driveway access onto Clearview Avenue and Masonry Court. The portion of the parcel fronting onto St. Matthews contains a detached dwelling (used for administrative purposes) and an additional access driveway leading to the place of worship. The balance of the Subject Lands consist of 1086 and 1090 St. Matthews; two separate parcels with a detached dwelling located on each. The original concept plan for the proposal presented to staff at the initial pre-consultation meeting on held January 11, 2017 did not include these two properties. At the direction and recommendation of staff to acquire more lands to facilitate a more comprehensive development, the Owner acquired these lands and revised the concept plan. The purchase of all lands required to assemble the Subject Lands is expected to be finalized in March 2019.

Waterdown Road is located 300 m to the west and Plains Road East is located 275 m to the south.

2.2 Surrounding Land Uses

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

NORTH: Immediately north of the Subject Lands is Masonry Court. Further north is the Aldershot GO Station and parking area with Highway 403 beyond the GO Station.

EAST: A residential neighbourhood consisting of single detached dwellings is located to the east of the Subject Lands. Further east is Aldershot Park.

SOUTH: Immediately south of the Subject Lands is a residential community consisting of single detached dwellings. Further south and fronting onto Plains Road East is a mixture of retail and service land uses.

WEST: West of the Subject Lands are a limited number of single detached dwellings. Further west is an employment area with a variety of businesses.

Figure 2: Context Map and Surrounding Uses



2.3 Neighbourhood Context

The Subject Lands are located on the outer periphery of a low density residential neighbourhood characterized primarily by one and two storey detached dwellings. The detached residential lots in the immediate neighbourhood vary considerably in terms of lot areas ranging between 465 m^2 to 2,303 m^2. The existing place of worship represents one of the largest redevelopment opportunities adjacent to the Aldershot GO Station.

Small scale commercial uses are located within walking distance along Plains Road East. Employment uses are located along Cooke Boulevard, Waterdown Road and Howard Road. The

Subject Lands are 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 Destinations

Destination	Travel Distance (km)	Travel Time		
		Walk	Cycle	Car
Aldershot GO Station	0.2km	3min	1min	N/A
Glenview Public School	0.85km	10min	3min	2min
Aldershot School and Pool	1.0km	13min	4min	3min
Holy Rosary Catholic School	1.0km	11min	4min	2min
LaSalle Park	1.2km	14min	4min	3min
Grove Park	1.2km	15min	5min	3min
Aldershot Park	1.2km	14min	5min	3min
Burlington Sailing and Boating Club	1.4km	17min	5min	4min
LaSalle Marina	1.5km	18min	5min	4min
Hidden Valley Park	1.7km	21min	6min	3min
Burlington Public Library – Aldershot Branch	2.0km	25min	7min	5min
Aldershot Arena	2.3 km	28 min	7 min	4 min
Burlington Golf and Country Club	2.4km	28min	7min	5min

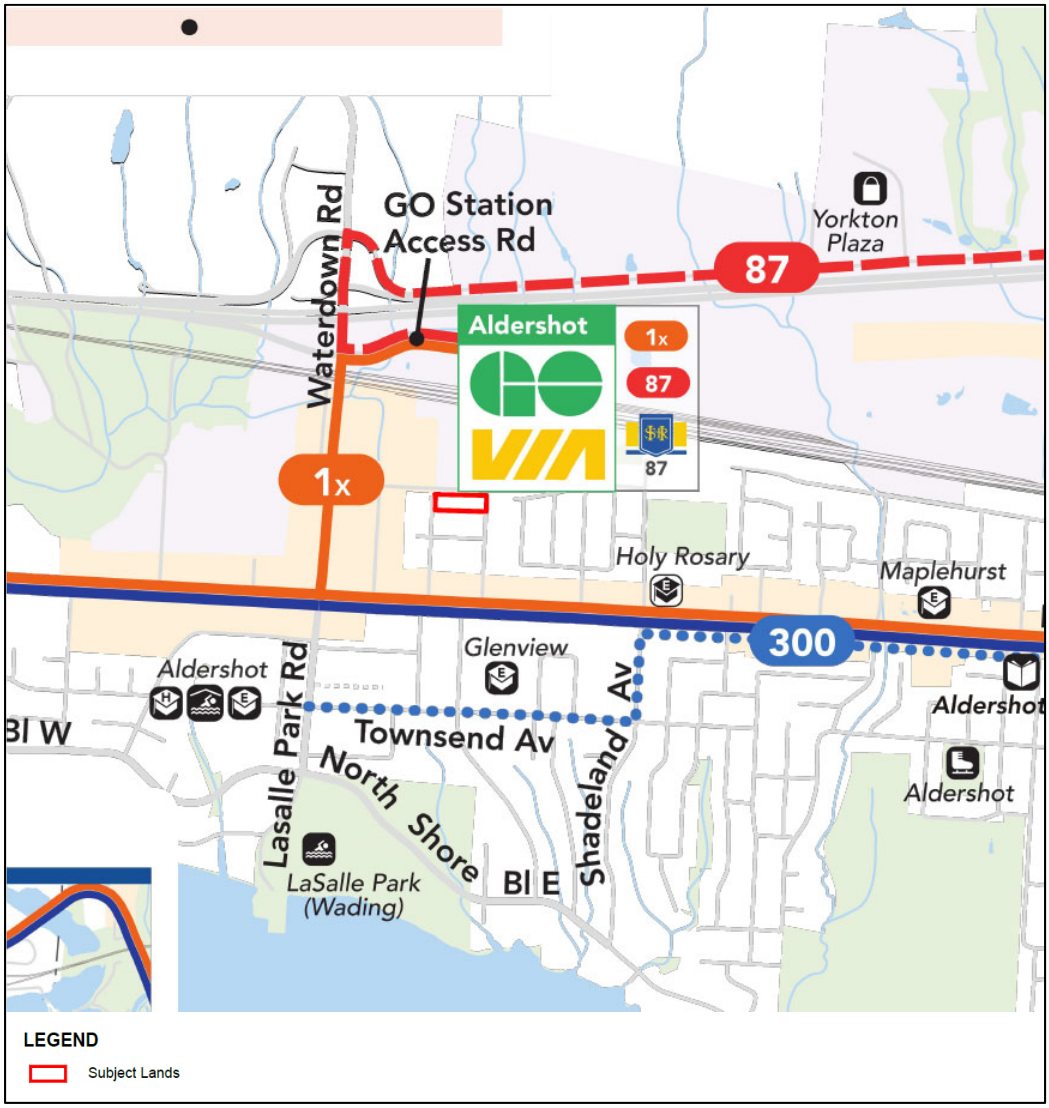
Note: Distances and times are approximate.

2.4 Transit & Transportation

Local Public Transit

The Subject Lands are serviced by two existing bus routes as shown on Figure 3. Route 1 has a service frequency of 30 minutes and operates between downtown Hamilton and the Burlington GO Station. Route 101 serves as an express Route 1 and has varying frequencies throughout the day ranging between 15 and 30 minutes. Hamilton Street Railway Route 18 operates from the Aldershot GO Station and provides service to Waterdown with a service frequency of approximately 30 minutes.

Figure 3: Context Map and Surrounding Uses



Appendix A Schedule 1 - Long Term Transit Service Network of the in-force OP identifies Primary Bus Service on Plains Road East, a portion of Waterdown Road and Townsend Avenue. Secondary Bus Service is identified on a portion of Waterdown Road and North Service Road.

While not in full for and effect, Schedule B-2 – Growth Framework and Long Term Frequent Transit Corridors of the council-adopted OP identifies Plains Road East and a portion of Waterdown Road as frequent transit corridors. North Service Road is identified as a Transit Support Corridor.

Regional Public Transit

The Aldershot GO Station is on the Lakeshore West line with service to Downtown Toronto with a frequency of approximately 20 minutes during the peak hours and 30 minutes during off peak

hours and weekends. Additionally, two GO bus routes operate from the station. Route 18 provides service to Downtown Hamilton with a frequency of approximately 30 minutes. Route 15 provides service to Brantford and Route 15A provides service to McMaster University and Downtown Hamilton. Routes 15 / 15A have a combined service frequency of approximately 30 minutes to 1 hour during the week. Only route 15 operates on the weekends and has a 2 hour service frequency. Metrolinx is in the process of implementing an expansion of the existing parking lot on the south side of the station which will add 450 parking spaces (with provisions for another 450 spaces in the future).

Road Network

Plains Road East is classified as a Multi-Purpose Arterial Road and Waterdown Road is classified as a Minor Arterial in the in-force City of Burlington Official Plan. The streets surrounding the Subject Lands, including Clearview Avenue, Masonry Court, St. Matthews Avenue and Queen Mary Avenue are all classified as Local Streets. The current approximate widths of these streets is 20.1 m, 20 m, 18.5 m and 20.4 m, respectively.

Cycling

There are currently bike lanes along Plains Road East and Waterdown Road. Masonry Court and St. Matthews Avenue are identified as shared lanes through the use of sharrow pavement markings. Bike lanes are also present on North Service Road.

2.5 Surrounding Development Applications

There are currently four recent or on-going development applications in close proximity to the Subject Lands (shown on Figure 4 and summarized in Table 2.

Table 2: Surrounding Development Applications

Development	Current Application	Number of Units	Height	Density	Status
92 Plains Rd East	OPA & ZBA	50 apartments	6 storeys	230 uph	Appealed to LPAT
53-71 Plains Rd E and 1025 Cooke Blvd.	OPA & ZBA	450 apartments	10 & 12 storeys	416 uph	Under review by the City
35 Plains Rd. E	OPA & ZBA	72 apartments	8 storeys	360 uph	Approved
101 Masonry	Site Plan (previously	249 towns	2-3 storey	145 uph	Under

Crt.	subject of OPA & ZBA applications)	172 apartments	townhouse blocks 6 storey apartments		construction
484-490 Plains Rd E	OPA & ZBA	117 towns 283 apartments	6-4 storey townhouse blocks 2-9 storey apartment	217 uph	Appealed to LPAT – hearing on December 19, 2018

Figure 4: City of Burlington Surrounding Development Proposals



3.0 HISTORY AND BACKGROUND

Historically, settlement in Burlington's planning area occurred in small communities along Lake Ontario and Burlington Bay and in a few northern areas. The Town of Burlington, created in 1873 from the villages of Wellington Square and Port Nelson, developed as a prime residential area through the early 1900s. In 1958, Burlington, Aldershot and Nelson Township were amalgamated and in 1973, the present planning area boundaries were established through the Regional Municipality of Halton Act.

Since the 1950s, Burlington has experienced constant growth and expansion of its urban area generally from Lake Ontario north to the Queen Elizabeth Way. The period from 1958 to 1979 comprised the most extensive period of development, with construction activities occurring north of the Queen Elizabeth Way.

The Subject Lands were initially developed with a one storey place of worship and meeting hall in addition to surface parking. The place of worship was constructed in 1986. The surrounding low rise residential neighbourhood was built predominately through a series of Plans of Subdivision including Plans 665 and 753 prior to 1951.

Aldershot GO Station opened in the early 1990s in order to relieve Burlington GO, and extend train service closer to Hamilton without the capacity restrictions on the track leading to Hamilton GO Centre. Historically, transit arrived at the station primarily by car to take the train. Since the station first opened there have been significant shifts in the land use planning policy throughout the Golden Horseshoe with a corresponding change in vision for the area surrounding the station. As discussed in greater detail in the Section 5.0, the area around the Aldershot GO Station is considered a Major Transit Station Area (MTSA) and a Mobility Hub by a number of provincial, regional and local planning documents. These designations recognize the higher level of existing and planned transit service provided to the station and indicate that the area around the station is intended to grow into a higher density, pedestrian friendly, mixed use environment where public transit, cycling and walking are prioritized. The importance of these policy and vision shifts are discussed throughout Section 5.0 of this report.

4.0 DESCRIPTION OF THE PROPOSAL

4.1 Proposal

Since the initial pre-consultation in 2017, the concept plan has undergone iterative revisions. These changes reflect the purchase of additional lands along St. Matthews Avenue and discussions with City staff, additional pre-consultation meetings and technical comments, as well as feedback from BUD and the community. The design of the proposal has also been guided by the local context and the evolving policy and regulatory framework including the Council-adopted OP and the recommendations of staff from the Aldershot GO Mobility Hub Study.

The proposed redevelopment represents a modest intensification of the Subject Lands that will act as a transition from the future development and activity associated with the Aldershot GO Station to the existing low density residential neighbourhood to the east and south. The proposal consists of a 6 storey (19.55 m) mid-rise apartment building with 160 dwelling units and 203 parking spaces (154 of which are provided in 1 level of underground parking). The resulting density is approximately 257 uph. The preliminary intended unit breakdown is provided in Table 3 which may be subject to change prior to occupancy.

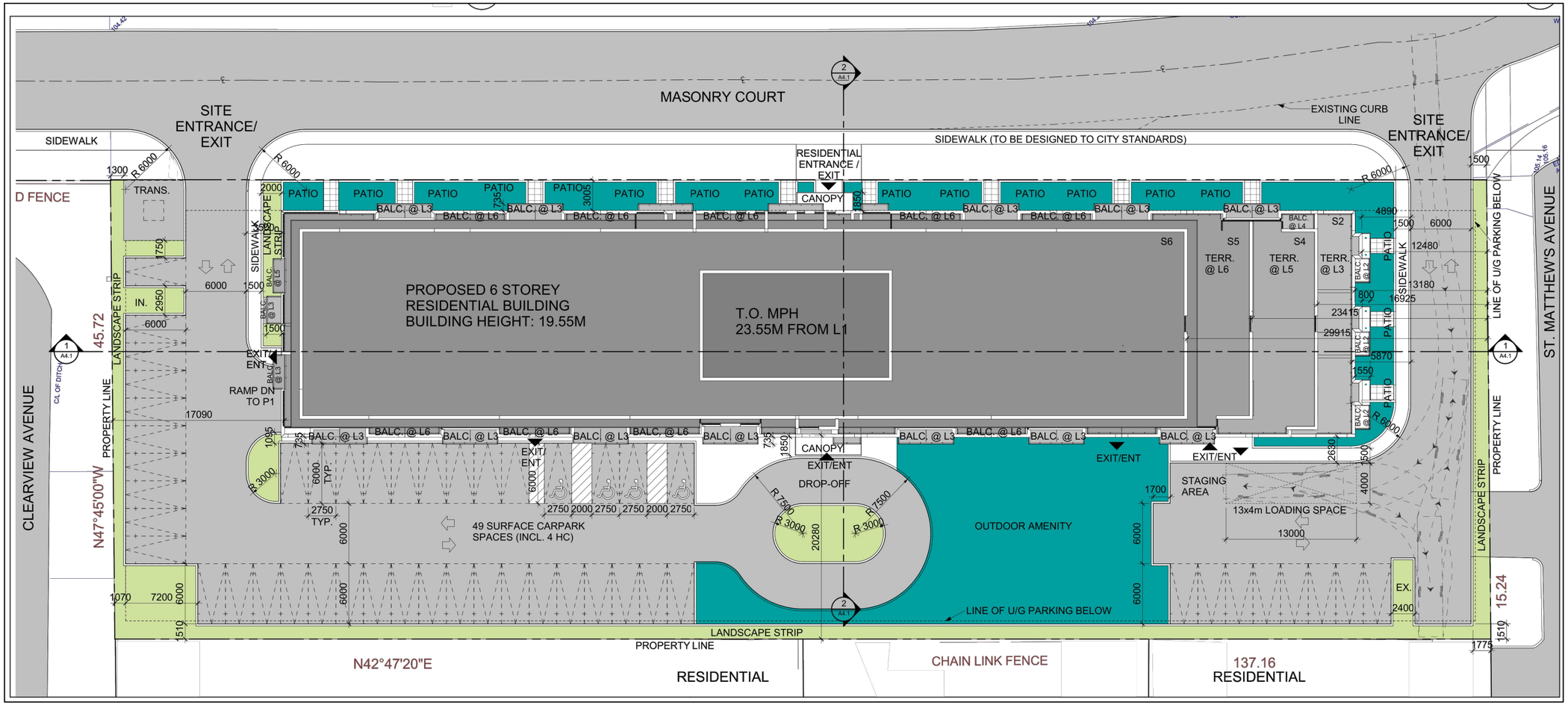
Table 3: Unit Breakdown

Unit Size	Quantity
1 bedroom	29
1 bedroom plus den	95
2 bedroom	11
2 bedroom plus den	25
Total	160

The site will be accessed via two driveways off of Masonry Court. Limited surface parking is located at the side and rear of the building, including one loading space. A 572m^2 amenity area is provided at the rear of the building which is also fronted by the ground level internal amenity area. A total of 88 internal bike lockers will be provided on the ground floor. A bike repair room will also be provided in the parking garage. The building contains 3 levels of stepbacks at the easterly edge of the building while colour and material changes are used to differentiate the bottom 3 storeys from the top 3 storeys around the perimeter of the building. This technique is also used to articulate middle of the central portion of the building as viewed from the front and rear.

The proposal is shown in Figures 5A and 5B.

Figure 5A: Site Plan



Data Source: KIRKOK Architects and Planners

DATE: October 25, 2018

SCALE: N.T.S

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Figure 5B: Elevations

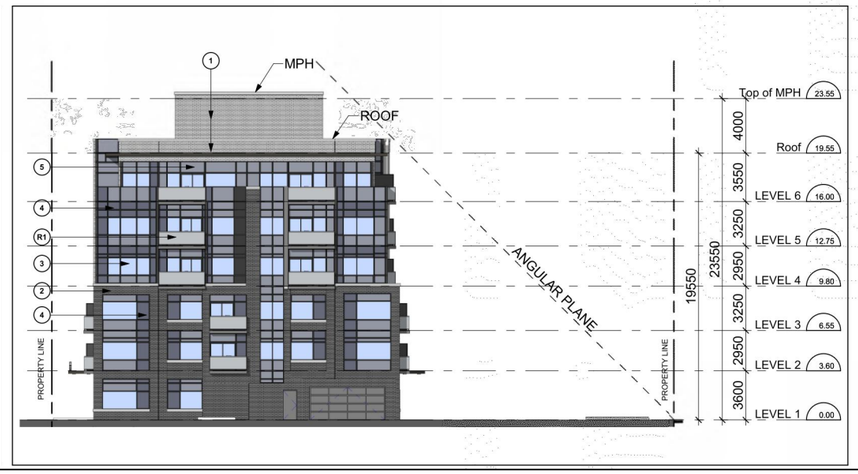


North Elevation 5 A3.1



South Elevation 4 A3.1





EXTERIOR FINISH LEGEND

18-035 - 1085 CLEARVIEW AVENUE & 1082, 1086 AND 1090 ST. MATTHEWS AVENUE

1. LIGHT GREY BRICK
2. DARK GREY BRICK
3. VISION GLASS
4. DARK GREY SPANDREL
5. LIGHT GREY SPANDREL
6. DARK GREY-BLACK METAL PANEL

R1. CLEAR GLASS RAILING

Data Source: 18-035P10 - Model - Masonry Court_2018.12.17- Rezoning Submission Set

DATE: December 18, 2018

SCALE: N.T.S

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4.3 Summary of Technical Report

The following studies have been identified as submission requirements through the pre-consultation process and have been prepared in support of the proposal. The studies have been considered as part of the formulation of the planning opinion expressed in this report.

Arborist Report

The Arborist Report was prepared by MHBC Planning to describe the inventory of trees taken on the Subject Lands, including the species, size, condition of each tree and whether it is to be retained or removed. The report concludes that, of the 55 trees surveyed on and around the property, 6 can be retained, 2 require removal due to death and the remaining 47 require removal due to construction of the building and the public sidewalk along Masonry Court. Most of the trees surveyed are either in fair or poor condition. The report also provides recommendations for tree protection measures. Given that the proposed development requires the utilization of the entire site, there is limited opportunity to retain existing trees. Removal of trees is intended to be compensated through street tree planting, on-site planting and financial compensation, if required.

Urban Design Brief

The Urban Design Brief (UDB) prepared by MHBC illustrates how the proposed development is in accordance with Official Plan urban design policies and guidelines. The UDB organizes key urban design principles into categories. Within each category, a written response demonstrating adherence with those principles is provided. In some cases where strict compliance is not feasible, design rationale is provided to outline the design intent continues to be respected. The UDB also includes a discussion on how the comments of the BUD panel were used to refine the design. The UDB demonstrates that through careful design considerations, the proposal is consistent with the intent of the existing and proposed policy framework.

Functional Servicing and Stormwater Management Report

The Functional Servicing and Preliminary Stormwater Management Report (FSR) was prepared by MTE Consultants Inc. and outlines a proposed strategy for site servicing and stormwater management. There is an existing 450 mm sanitary sewer within the St. Matthews Avenue right-of-way (ROW) which has existing capacity to service the proposal. There is an existing 300 mm water main within the Masonry Court ROW which will service the proposal. A hydrant flow test will be conducted to ensure that the water distribution system can maintain an adequate residual pressure. For minor storm events, the proposal will be serviced by the 600 mm storm sewer located within the Masonry Court ROW which has sufficient capacity to accommodate the future flow. For major storm events the storm water flows will outlet into St. Matthews Avenue and Clearview Avenue which is how the Subject Lands currently drain. However, there will be a reduction in post development flows relative to current conditions. An oil / grit separator will be installed to treat all flows outletting into the 600 mm storm sewer to an "Enhanced" (Level 1, or 80% TSS removal) quality.

Traffic Impact, Parking and TDM Study

A Traffic Impact, Parking and TDM Study (TIS) was prepared by Paradigm Transportation Solutions Limited. The TIS reviewed the capacity of surrounding intersections and site access to handle the future traffic conditions, the feasibility of reducing the minimum parking

requirements and recommends the implementation of specific Transportation Demand Management (TDM) measures. The proposal is expected to generate a total of 41 vehicle trips in the AM peak hour and 53 vehicle trips in the PM peak hour

The Study found that the study intersections currently operate under generally acceptable level of service (LOS) during the AM and PM peak hour. However queue length issues were identified for the intersections of Waterdown Road - Masonry Court and Waterdown Road – Plains Road East. Under future traffic conditions the study intersections will continue to operate under generally acceptable LOS with continued problems at the aforementioned intersections as well as the Masonry Court – Cooke Boulevard intersection. It is recommended that this intersection be monitored and that a left turn lane be eventually added on Masonry Court to facilitate left turns onto Cooke Boulevard. No issues were identified for the site driveway accesses.

The report notes that the proposed parking rates meets the recommendations of the Burlington City-Wide Parking Standards Review study.

A number of the proposed TDM measures recommended by the report including short term visitor bike parking, bike repair station, enhanced pedestrian environment and the provision of planning materials in the building and upon purchase of the unit.

Environmental Noise Assessment

The Environmental Noise Assessment (Noise Study) was prepared by Novus Environmental to assess the impacts of the surrounding environment on the proposed development, the proposed development on the surrounding environment and the proposed development on itself. The study indicated all expected impacts can be controlled through selecting appropriate building materials, mechanical units and the use of warning clauses for future occupants. As the mechanical systems for the proposed building have yet to be designed, the study recommends that the acoustical requirements should be confirmed by an Acoustical Consultant as part of the final building design.

Phase 1 Environmental Site Assessment

A Phase Once Environmental Site Assessment (ESA) has been prepared by Soil-Mat Engineers and Consultants. The purpose of the ESA was to identify Potentially Contaminating Activities (PCA) within the study area and assess if these activities have contributed to Areas of Potential Environmental Concern (APEC) as a result of current or past activities on the property and/or neighbouring properties. The ESA notes previous Phase 1 and 2 ESAs were conducted for the property and found a PCA associated with the import of unknown fill material. The ESA recommends further investigation be completed for the Subject Lands.

Geotechnical Report

A Preliminary Geotechnical Investigation was prepared by Soil-Mat Engineers and Consultants that investigates the subsurface soil, rock and groundwater conditions. A series of boreholes were drilled at the site and samples were retrieved. The report contains recommendations on the design of foundations, floor slabs-on-grade and paving. Construction conditions pertaining to excavation, backfill and ground water control are also discussed.

4.2 Public Consultation

Prior to the finalization and submission of the Applications, a public open house meeting was held on October 29, 2018 at the Aldershot Arena (494 Townsend Avenue). Notice of the meeting was circulated to all property owners within 120 m of the Subject Lands by the City of Burlington. Comment sheets were also available as well as post-it notes to provide attendees with an opportunity to share feedback and comments. Representatives from the LIV Communities, MHBC Planning, Kirkor Architects and the City of Burlington were present at the open house to answer questions. The event was organized by the project team and intended to provide an overview of the proposal to the public in an open house format.

A total of 35 people signed in to the open house meeting and 25 comment sheets were submitted. Table 4 provides a high level overview of the themes expressed on the comment sheets.

Table 4: Themes Expressed at Open House

Design	• The design is too contemporary and similar to other new builds in the area. • Use more natural materials for cladding. • Provide larger unit sizes for families. • Privacy concerns due to balconies at the rear of the building. • Potential for stormwater runoff to neighbours. • Add more times to shadow study (to 8:30 pm). • Concern over shadowing on St. Matthews after 4:00 pm.
Access	• Opposition to connecting Clearview Avenue and St. Matthews Avenue to Masonry Court. • Support for driveway access being provided only from Masonry Court. • Provide a drop off spot in front of the building.
Traffic and Parking	• Traffic and on-street parking issues. • The number of parking spaces should be reduced to encourage transit use and reduce traffic.
Other	• Need for more green space (generally). • Provide more area for trees and screening at the rear. • Concerns over the potential reduction in property values. • The area should be taken out of the mobility hub plan. • Support for the proposal given proximity to GO Station.
Scale	• The proposal does not fit with the stable low density neighbourhood; the building is too tall and massive.

The above noted public input was considered, in addition to input from the pre-consultation process and feedback from BUD and the following changes were made to the proposal, among others:

- Building step backs were incorporated at the eastern façade;
- Surface parking was further reduced;
- The outdoor amenity areas have been consolidated and enlarged at the rear of the property which serves to enhance the interface between the rear yard of the Subject Lands and the rear yards of abutting single detached dwellings and provide opportunities for additional landscaping;
- Material changes and façade articulation have been applied in the middle of the façade to break up the building length and massing;
- The overall unit count has been reduced; and
- The scope of the shadow study has been expanded.

Once the application has been submitted, 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.

4.4 Neighbourhood Compatibility

The proposed development has been designed to be compatible with the surrounding neighbourhood. This section provides an assessment of compatibility based on the definition of "compatible" in the in-force OP which is as follows:

> *"Compatible – Development or re-development that is capable of co-existing in harmony with, and that will not have an undue physical (including form) or functional adverse impact on, existing or proposed development in the area or pose an unacceptable risk to environmental and/or human health. Compatibility should be evaluated in accordance with measurable/objective standards where they exist, based on criteria such as aesthetics, noise, vibration, dust, odours, traffic, safety and sun-shadowing, and the potential for serious adverse health impacts on humans or animals"*

Aesthetics and Design

The proposed building has a modern design using glass and spandrel paneling mixed with light and dark brick. The proposed materials area a combination modern and traditional building materials which serve to both reflect some of the older building stock in the neighbourhood while acknowledging that the neighbourhood is in a state of transition due to the MTSA. The design includes three levels of building step backs at the east end of the building which provides for a smooth height transition at the location where the three existing detached dwellings will be demolished. The use of lighter and darker building materials for the upper and lower portions of the building, as well as the centre, help break up the building mass. The building is also located on the lot so that it meet the 45˚ angular plane when to the rear lot line.

Noise, Vibration, Dust and Odour

A noise study has been prepared to assess the impacts of the surrounding environment on the proposed development, the proposed development on the surrounding environment and the

proposed development on itself. The study indicates that all expected impacts can be controlled through selecting appropriate building materials, mechanical units and the use of warning clauses for future occupants. Given that the proposal is for residential purposes, dust and odour issues are not expected. Vibration issues are not expected given that the Subject Lands are more than 75m from the railway corridor where detailed vibration studies are required.

Traffic and Parking

The proposed parking space standards have been taken from those recommended by Burlington City-Wide Parking Standards Review (2017) and will be used by the City to update the parking standards of the current by-law. The Subject Lands are located in an area with existing and proposed public transit services and within an MTSA. As such, it is anticipated that the area will evolve into an area which is less reliant on the car for transportation. The accompanying TIS notes the study intersections will continue operating at generally acceptable levels.

Health and Safety

The Subject Lands are not located on hazardous lands. A Phase I ESA was completed notes that previous ESA conducted for the property found a potential area of concern which warrants remediation measures. The ESA recommends further investigation be completed. Since a Record of Site Condition would be required prior to building permit issuance, the site will be remediated prior to human habitation.

Shadowing

A shadow analysis has been completed in support of the application and notes that there will be minimal shadowing impacts to surrounding properties and public areas.

The proposal is compatible with the surrounding neighbourhood based on the issues noted in the definition of "compatible" in the OP recognizing it is under appeal but is recognized as a standard definition for "compatibility".

4.5 Proposed Official Plan and Zoning By-law Amendments

4.4.1 Official Plan Amendment

The proposed amendment to the Official Plan seeks to change the land use designation applicable to the Subject Lands from Residential – Low Density to Residential – High Density. This change will allows the development of an apartment building. The OPA also introduces a site specific policy to permit a maximum density of up to 257 uph, whereas 185 uph is permitted, and to permit the development of the site with access and frontage off of a local road as opposed to an arterial or multi-purpose road. The draft OPA is included in Appendix 4.

4.4.2 Zoning By-law Amendment

The Subject Lands are currently zoned Residential Low Rise (R2.1), which is restricted to low rise residential development. As such, an amendment to the Zoning By-law is required to rezone the lands from Residential Low Rise to Residential High Density (RH1) with special exception to facilitate the proposed development. The Residential High Density Zone (RH1) permits apartment buildings, stacked townhouses, back to back townhouses, street townhouses, retirement homes, community institutions, lodges, fraternity and private clubs.

The special exception makes the follow modifications:

1) Reduction in front yard depth from 7.5 m to 0 m;
2) Increase in density from 75 units per hectare to 257 units per hectare;
3) Reduction in the required amenity area from 25 m^2 per unit to 15 m^2 per unit;
4) Permit Landscape Areas and Buffers to include a transformer, exhaust shaft, hard and soft landscaping, other decorative features and a driveway hammerhead;
5) Reduction in Landscape Area width from 4.5 m to:
    a. 1 m along Clearview Avenue;
    b. 0 m along Masonry Court;
    b. 1.5 m along St. Matthews;
6) Reduction in Landscape Buffer abutting an R2 zone from 6 m to 1.5 m;
7) Reduction in the setback from a window of a habitable unit to parking and driveway areas from 4 m to 2.5 m;
8) Permit patios to be in in a front yard and up to 0 m from the street line whereas patios are not permitted in a front yard and must by a minimum of 3 m from any street line;
9) Permit a second 6 m driveway on Masonry Court whereas only one driveway is permitted per street frontage and where the second driveway can only be a maximum of 4 m in width;
10) Permit a total parking space count of 203 spaces provided at a minimum ratio of:
    a. 1 occupant space per unit;
    b. 0.25 visitor spaces per unit;

    whereas the by-law requires a total parking space count of 259 parking spaces provided at a ratio of:
    c. 11.25 occupant spaces per one bedroom unit
    d. 1.50 occupant spaces per two bedroom unit
    e. 0.35 visitor spaces per unit
11) To permit 2.97% of required parking to designated accessible spaces whereas 3.0% of parking spaces is required to be designated accessible spaces; and,
12) Permit below grade parking structures to extend into a required landscape buffer and be permitted up to:
    a. 1.3 m from the Clearview Avenue street line;
    b. 1.3 m from the St. Matthews Avenue street line;
    c. 2.1 m from the rear lot line.

The draft ZBA is included in Appendix 5 and justification for the zone changes is provided in Section 5.6 below. A zoning compliance table is included in Appendix 6.

5.0 POLICY CONTEXT OVERVIEW

The following section of the Planning Justification Report provides a review and assessment of the land use policy and regulatory framework related to the Subject Lands and the proposed redevelopment. Each subsection describes the applicable policies and regulations and identifies how the proposed redevelopment as well as the proposed changes to the City's current Official Plan are consistent, conform to and implement Provincial and Regional policy.

Under the current OP, the City has not recognized the appropriate level of intensification which the site can and should provide. The current OP is also not reflective of the direction in the Growth Plan for the Greater Golden Horseshoe to provide for mixed-use redevelopment on underutilized sites which can provide for intensification to meet the City's growth targets to 2041. Nor does the City's current OP recognize the Aldershot GO Station as a MTSA which requires a minimum level of intensification within 500 m. The proposal will provide for consistency and conformity as described herein and be implemented by changes to the current OP policies which are not consistent with the Provincial Policy Statement and do not conform to the Growth Plan or the Region of Halton's Official Plan.

5.1 Planning Act, R.S.O. 1990, c. P.13

The *Planning Act* establishes the legal framework for Ontario's policy-led planning system. The *Planning Act* grants legislative authority to the Province, its agencies and municipalities to prepare various plans, policies and regulations, where appropriate. Section 2 of the *Planning Act* sets out the "matters of provincial interest" which the Minister, the Council of a municipality, a local board, a planning board and the Tribunal shall have regard to while carrying out their responsibilities under the Act. The following matters of provincial interest are applicable to the proposal at this stage of the planning process:

"(f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
(l) the protection of the financial and economic well-being of the Province and its municipalities;"

The proposal is for an intensification project located within the built boundary on existing municipal services. The proposed development will make efficient use of the already existing municipal services and public transit infrastructure in the area which contributes to the financial and economic well-being of the municipality.

"(h) the orderly development of safe and healthy communities;
(j) the adequate provision of a full range of housing, including affordable housing;
(r) the promotion of built form that,
(i) is well-designed,
(ii) encourages a sense of place, and

(iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;"

The proposal represents orderly development through a modest amount of intensification located 200 m from a GO Station and at the periphery of an existing low density neighbourhood. The 6 storey mid-rise building will provide a range of unit sizes and diversify the housing options available in the area. The proposal embodies a high quality design. Careful consideration has been given to the site's locational context. Elements of the design provide a compatible use and build form that are well integrated into the community. The design has also been refined using feedback received from the public and the Burlington Urban Design Review Panel. The proposal also contributes to enhancing the streetscape environmental along Masonry Court through the provision of at-grade residential patios which function to both increase activity along the street and provide natural surveillance.

"(q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
(s) the mitigation of greenhouse gas emissions and adaptation to a changing climate."

The Subject Lands are located 200 m from the Aldershot GO Station, 300 m from a designated frequent transit route and within walking distance of a number of commercial and employment uses. The proposed building will also contain a secure internal bike parking area. As such, future residents will have convenient options to utilize public transit or active transportation as an alternative to the car, thereby helping achieve reductions in greenhouse gas emissions.

"(p) the appropriate location of growth and development;"

The proposal is located within the built boundary, 200 m from a GO Station. The MTSA is clearly an appropriate location for growth and development. The proposal represents a modest amount of intensification on an underutilized parcel of land while maintaining compatibility with the existing low density neighbourhood through a number of design measures, including a 45° angular plane.

It is our opinion that the proposal has regard for all applicable matters of provincial interest as outlined in Section 2 of the *Planning Act*.

5.1 Provincial Policy Statement (2014)

The Provincial Policy Statement (2014) (the "PPS") was issued under Section 3 of the *Planning Act* and came into effect on April 30, 2014. The PPS establishes the policy foundation for regulating the development and use of land in Ontario and provides policy direction on matters of provincial interest related to land use planning and development. It provides a vision for land use

planning in Ontario that encourages an efficient use of land, resources and public investment in infrastructure.

The PPS strongly encourages development that will provide long term prosperity, environmental health and social well-being. These directives depend on the efficient use of land and development patterns that support strong, livable and healthy communities that protect the environment and public health and facilitate economic growth. Land use planning decisions, including those made on applications for Official Plan Amendments and Zoning By-law Amendments, must be consistent with the PPS. In assessing the redevelopment proposal and the proposed amendments for the Subject Lands, we have further identified how the proposal advances and implements the policies of the PPS beyond the current City of Burlington Official Plan policies.

The following policies apply to the proposed development of the Subject Lands:

Building Strong Healthy Communities

The following policies of Section 1.1 of the PPS, Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns apply to the proposal:

"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;*
- *b) accommodating an appropriate range and mix of residential (including second units, 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;*
- *e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;*

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

The Subject Lands are located within a settlement area, as defined by the PPS, which will be developed on full municipal services. The proposed development can be accommodated by existing municipal infrastructure and represents an efficient use of land and resources in the area. The requested amendments will provide an opportunity for redevelopment and modest intensification within the built up area and will provide residents with additional housing choice and access to the existing public transportation network.

Additional policies in Section 1.1 include:

1.1.3.2 Land use patterns within settlement areas shall be based on:

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

b) A range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for 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.

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.

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.

1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities."

The Subject Lands are an underutilized parcel of land located within the urban area of City on full municipal services. Furthermore, the City's proposed new Official Plan identifies the Subject Lands as part of Burlington's Aldershot GO Station Mobility Hub. The proposal represents a modest intensification opportunity with appropriate considerations for transitions in urban form and respect for the surrounding development through a number of urban design measures, including a 45° angular plane.

The Subject Lands are located in an appropriate location for intensification being, 200 m from the Aldershot GO Station, 300 m from a designated frequent transit route and

within walking distance of a number of commercial and employment uses.

The accompanying TIS demonstrates that there is adequate capacity in the surrounding transportation network to accommodate the redevelopment. The proposal is intended to contribute to ridership on existing public routes which serve the area. The accompanying FSR proposes a servicing scheme for the Subject Lands which does not require upgrades to existing municipal infrastructure and, subject to confirmation through a hydrant flow test, confirms that there is existing water and sewer capacity to accommodate the proposed development.

Section 1.4 of the PPS provides policies for Housing as follows:

"1.4.3 Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

b) permitting and facilitating:
   1. *all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements; and*
   2. *all forms of residential intensification, including second units, and redevelopment in accordance with policy 1.1.3.3;*

c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;

d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; and

e) 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 proposal will add 160 new residential units within walking distance of the Aldershot GO Station, employment and commercial uses in addition to a number of parks and community facilities located in the area. As such, future residents will have a range of opportunities to complete daily tasks using active transportation or public transportation.

The proposal diversifies the range of housing forms in the area by adding apartment units of varying sizes to the local housing stock.

The proposal consists of a compact built form and has been designed to not create adverse impacts and achieve compatibility using a number of design measures including

a 45° angular plane which recognizes it critical location located on the periphery of a low density neighbourhood and within 200 m of a GO Station.

Section 1.6, Infrastructure and Public Service Facilities, provides polices to address the supportive infrastructure required to facilities development as follows:

"1.6.3 Before consideration is given to developing new infrastructure and public service facilities:

a) the use of existing infrastructure and public service facilities should be optimized; and
b) opportunities for adaptive re-use should be considered, wherever feasible.

1.6.6.1 Planning for sewage and water services shall:

a) direct and accommodate expected growth or development in a manner that promotes the efficient use and optimization of existing:
1. municipal sewage services and municipal water services;
b) ensure that these systems are provided in a manner that:
1. can be sustained by the water resources upon which such services rely;
2. is feasible, financially viable and complies with all regulatory requirements;

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

The proposal constitutes an intensification project within the built boundary of a settlement area on existing municipal services. The proposal will contribute to the optimization of existing municipal services. The accompanying FSR proposes a servicing scheme for the Subject Lands which does not require upgrades to existing municipal infrastructure and, subject to confirmation through a hydrant flow test, confirms that there is existing water and sewer capacity to accommodate the proposed development.

The PPS contains the following relevant policies with respect to transportation systems:

"1.6.7.2 Efficient use shall be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.

1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation."

The Subject Lands are located 200 m from the Aldershot GO Station, 300 m from a designated frequent transit route and within walking distance of a number of commercial and employment uses. The proposed building will also contain a secure internal bike

parking area. As such, future residents will have convenient options to utilize public transit or active transportation as an alternative to the car, thereby helping achieve reductions in greenhouse gas emissions.

Section 1.8 of the PPS speaks to energy conservation, air quality and climate change as follows:

"Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and climate change adaption through land use and development patterns which:

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;

As noted above, given proximities to the Subject Lands, the proposal will promote the use of public transit and active transportation. The proposed 6 storey, mid-rise building represents and compact built form located within a Mobility Hub which is node for activity and transportation connections.

Section 4.0 of the PPS speaks to the implementation and interpretation of the PPS.

"4.7 The Official Plan is the most important vehicle for the implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans. Official Plans shall identify provincial interests and set out appropriate land use designations and policies… Official Plans shall provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas."

The ability to optimize development opportunities that better achieve provincial policy objectives should be considered through changes to the City's existing Official Plan. The proposal represents a modest amount of intensification within a neighbourhood that is within 200 m of a GO Station. The proposed planning instruments better-implement the policies of the PPS which seek to optimize underutilized close to public transit. The proposed Residential – High Density land use designation, and the associated zoning, are for more consistent with the PPS than the maintenance of the current Residential – Low Density land use designation which constrains intensification adjacent to the MTSA.

<u>Summary / Conformity Statement</u>

For the reasons outlined above, it is our opinion that the proposed development and related Official Plan and Zoning By-law Amendments are consistent with the policies of the PPS. The changes to the current Official Plan are required to achieve consistency.

5.2 Growth Plan for the Greater Golden Horseshoe (2017)

The Growth Plan for the Greater Golden Horseshoe (the "Growth Plan) provides a framework for implementing the Provincial Government's vision for building stronger, prosperous communities by better managing growth in the Greater Golden Horseshoe. The *Planning Act* also requires that decisions affecting a planning matter conform with the Growth Plan.

The Growth Plan provides policies for where and how to grow, directing that population and employment growth should be directed to urban areas and rural settlement areas. The policies of the Growth Plan are about developing cities and towns as 'complete communities' by meeting people's needs for daily living, which is to be achieved by directing growth to built-up areas. The Growth Plan also promotes intensification in strategic growth areas (including MTSAs) transit-supportive densities, a diverse mix of land uses, a range and mix of employment and housing types, affordable housing, high quality public open space and easy access to local stores and services. Changes to local Official Plans which better conform to these objectives and policies by providing large sites which contribute to complete communities also meet the Growth Plan's goal of optimizing the use of the existing urban land supply.

The following policies, amongst others, apply to the proposed redevelopment of the Subject Lands:

<u>Managing Growth</u>

"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 proposal constitutes an intensification project within the built boundary of a settlement area on existing municipal services. The site is also within a strategic growth area associated with the Aldershot GO Station, defined as a Major Transit Station Area and 300 m from a designated frequent transit corridor on Plains Road East. There are a number of shopping and employment uses existing on Plains Road East, Cooke Boulevard

and Howard Road which future residents will be able to utilize, contributing to a mixed use environment and the achievement of a complete community. The Subject Lands are also in proximity to a number of parks and community facilities which are listed in Table 1.

The Growth Plan contains the following additional regarding complete communities which are applicable to the proposal:

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

c) provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;

d) expand convenient access to:

i. a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;

e) ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards;"

The proposal diversifies the housing options available in the immediate vicinity by providing apartment units of various sizes. The added density is intended to contribute to transit ridership and support existing public transit as well as future service improvements. As discussed in greater detail below, and in the accompanying UDB, the proposal embodies a high quality design which has been refined using feedback received from the public and the Burlington Urban Design Review Panel. The proposal also contributes to enhancing the streetscape environmental along Masonry Court through the provision of at-grade residential patios which function to both increase activity along the street and provide natural surveillance.

Delineated Built-up Areas

The Subject Lands are located with the City's Built-up Area for which the following policies apply.

"2.2.2.1 By the year 2031, and for each year thereafter, a minimum of 60 per cent of all residential development occurring annually within each upper- or single-tier municipality will be within the delineated built-up area.

2.2.2.2 By the time the next municipal comprehensive review is approved and in effect, and each year until 2031, a minimum of 50 per cent of all residential development occurring annually within each upper- or single tier municipality will be within the delineated built-up area.

2.2.2.4 All municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will:

a) encourage intensification generally to achieve the desired urban structure;

b) identify the appropriate type and scale of development and transition of built form to adjacent areas;

c) identify strategic growth areas to support achievement of the intensification target and recognize them as a key focus for development;

d) ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities;

f) be implemented through official plan policies and designations, updated zoning and other supporting documents."

It should be noted that neither the in-force City of Burlington OP nor the Halton Region Official Plan reflect the intensification targets noted in in Policies 2.2.2.1 and 2.2.2.2 above. The proposed development contributes to these minimum targets and is consistent with the desired urban structure of the council-adopted OP which identifies the Aldershot GO Station Mobility Hub as an intensification area. The proposed 6 storey, mid-rise built form has been carefully designed to act as a transition to the adjacent low density development through the use of a number of design measures within the Hub. The proposed OPA and ZBA update the land use designation and zoning applicable to the Subject Lands and clearly implement the policies of the Growth Plan which are not reflected in the current OP.

The Growth Plan includes the following policy on Transit Corridors and Station Areas:

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 second 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.

2.2.4.10 Lands adjacent to or near to existing and planned frequent transit should be planned to be transit supportive and supportive of active transportation and a range and mix of uses and activities."

The Growth Plan defines major transit station areas as:

> *"The area including and around any existing or planned higher order transit station or stop within a settlement area; or the area including and around a major bus depot in an urban core. Major transit station areas generally are defined as the area within an approximate 500 metre radius of a transit station, representing about a 10-minute walk."*

Where higher order transit is defined as:

> *"Transit that generally operates in partially or completely dedicated rights-of-way, outside of mixed traffic, and therefore can achieve levels of speed and reliability greater than mixed-traffic transit. Higher order transit can include heavy rail (such as subways and inter-city rail), light rail, and buses in dedicated rights-of-way."*

Aldershot GO Station is a higher order transit station. The Subject Lands are located 200 m from the Aldershot GO Station and are thus within a major transit station area. The Subject Lands are also 300 m from a designated frequent transit route. The proposed building contains alternative development standards including reductions in parking and secure internal bike parking areas to encourage use of public transit. The proposal constitutes a compact built form which is transit supportive.

The Growth Plan includes the following policy on Housing:

2.2.6.3 To support the achievement of complete communities, municipalities will consider the use of available tools to require multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.

It is intended that the building will have a variety of unit sizes including 1 bedroom, 1 bedroom plus den, 2 bedroom and 2 bedroom plus den which can accommodate different household sizes and households with children.

<u>Water and Wastewater Systems</u>

The Growth Plan provides direction for municipalities to efficiently provide for servicing of growth.

"3.2.6.1 Municipalities should generate sufficient revenue to recover the full cost of providing and maintaining municipal water and wastewater 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:

a) the system will serve growth in a manner that supports achievement of the minimum intensification and density targets in this Plan;"

The proposal contributes to the efficient utilization of the existing municipal services available within the built up area. The accompanying FSR proposes a servicing scheme for the Subject Lands which does not require upgrades to existing municipal infrastructure and, subject to confirmation through a hydrant flow test, confirms that there is existing water and sewer capacity to accommodate the proposed development.

Summary / Conformity Statement

The proposal represents intensification within a defined major transit station area. The mid-rise building acts as a transition to the adjacent low density residential through a number of design measures including the use of a 45° angular plane. As such, it is our opinion that the associated planning instruments conform to, and better implements the policies of the Growth Plan compared to the existing policy and regulatory framework which contemplates low density, single detached dwellings 200 m from the Aldershot GO Station and 300 m from a designated frequent transit route.

5.3 Metrolinx 2041 Regional Transportation Plan

In March 2018, Metrolinx adopted an update to the 2008 Regional Transportation Plan (RTP) entitled "2041 Regional Transportation Plan". The RTP builds an integrated transportation system for the GTHA that is comprehensive, connected, accessible, sustainable, and focused on people. The 2041 RTP is an update to The Big Move, and intends to build upon the framework established in the previous RTP, while also supporting the 2017 Growth Plan for the Greater Golden Horseshoe. The RTP intends to provide detailed strategies and actions for addressing transportation challenges in the GTHA.

The 2041 RTP identifies a comprehensive transportation development plan for the region, consisting of 1,800 kilometers of rapid transit, 1,000 kilometers of cycling infrastructure, and 1,000 lane kilometers of high occupancy vehicle and transit lanes. **Strategy 4** identifies the creation of a system of connected Mobility Hubs and Major Transit Station Areas at key points in the regional transportation network that provide travelers with access to the system, support high density developments, and integrate various modes of transportation with an intensive concentration of places to live, work, shop, and play.

A Mobility Hubs is defined as:

"Major Transit Station Areas at the intersection of two or more Frequent Rapid Transit Network routes, designed to support a high number of 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."

Where the definition of Major Transit Station Area is with that of the Growth Plan noted above and where Frequent Rapid Transit Network is defined as:

"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."

Aldershot GO Station is a Major Transit Station Area as noted in the Growth Plan section above. Map 6: Complete Frequent Rapid Transit Network in the RTP shows the following three Frequent Rapid Transit routes in the vicinity of the Aldershot GO Station:

- GO Rail – 15 minute, Two-Way, All-Day
- Frequent Regional Express Bus
- Harvester / Speers / Cornwall Priority Bus (Waterdown Rd. – Port Credit GO)

As such, 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."

Supporting actions and supporting policies developed to achieve **Strategy 4** are of relevance to the proposed development. Key policies to be considered include:

- **Policy 4.3**, which states that development is to be focused at Mobility Hubs and Major Transit Station Areas along Priority Corridors identified in the Growth Plan; and,
- **Policy 4.5**, which intends to plan and design communities, including development and redevelopment sites and public rights-of-way, to support and promote the greatest possible shift in travel behavior consistent with Ontario's passenger transportation hierarchy.

<u>Summary/Conformity Statement</u>

Based on the above, the proposed development is positioned to assist in the implementation of the policy objectives of the 2041 RTP, including redevelopment that promotes a shift in travel behaviors through the provision of higher density development which will support alternate modes of transportation in this area. The proposal represents optimization of an underutilized parcel of land, 200 m from the Aldershot GO

Station, which will assist in implementing and achieving the vision of the 2041 RTP.

5.4 Region of Halton Official Plan (June 19, 2018 Office Consolidation)

The Region of Halton Regional Official Plan (the "ROP") serves as Halton's guiding document for land use planning and is intended to manage growth across the Region's four municipalities. Regional Official Plan Amendment 38 (ROPA 38) was adopted by Regional Council on December 16, 2009 ROPA 38 was approved by the Province with modifications. While ROPA 38 was appealed to the Ontario Municipal Board (OMB) those appeals have been resolved and the current consolidated ROP represents the in effect OP.

The ROP lays out a broad set of land use designations as part of the Regional Urban Structure, which are intended to guide growth and development while allowing individual municipalities flexibility to further define specific land uses within the broader designation. The ROP also provides general guidance for redevelopment, creation of complete communities and intensification. The *Planning Act* requires that the OPs and Zoning By-laws of local municipalities conform to the ROP.

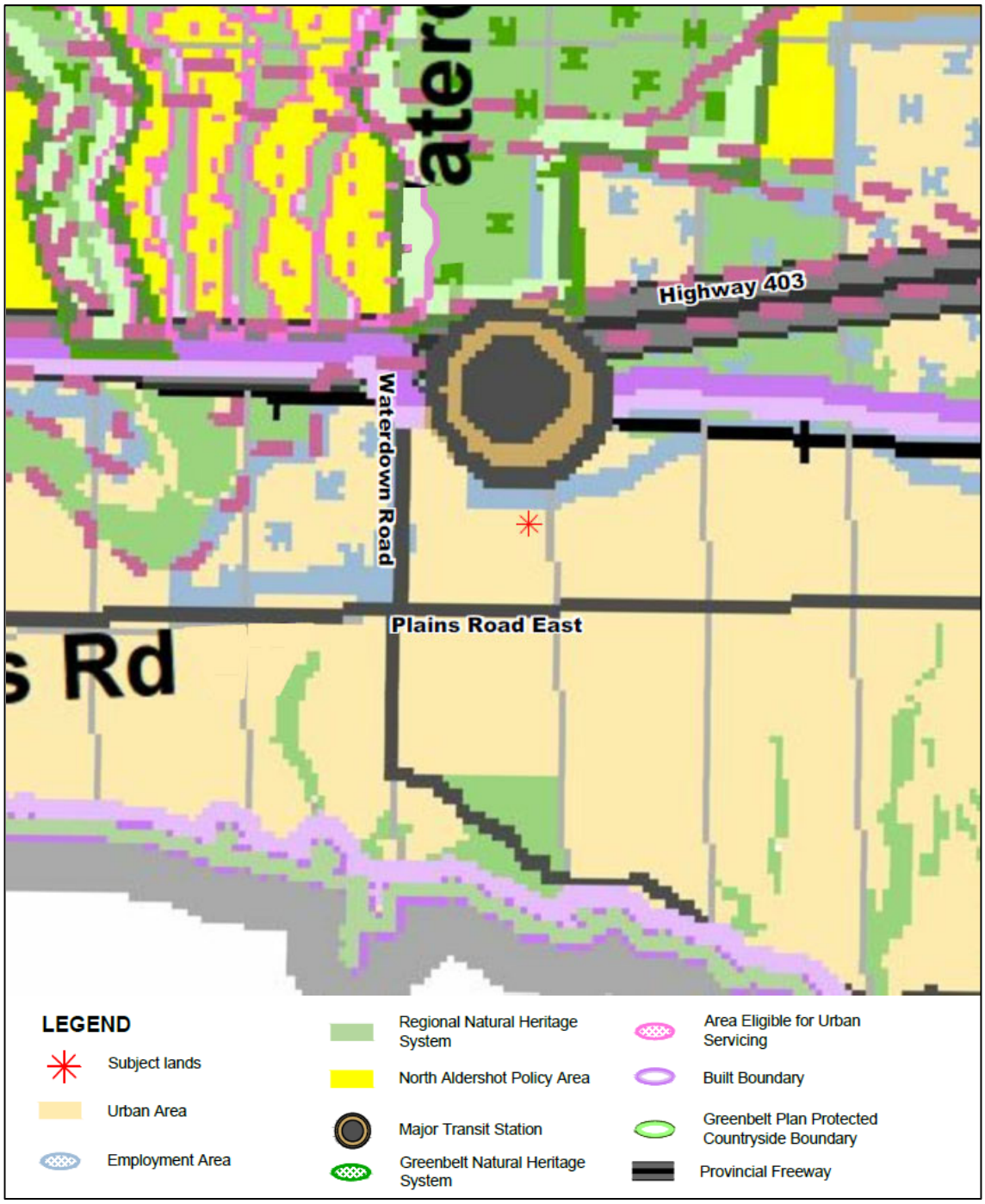
The Regional Structure is accompanied by a growth strategy for Halton based on population and employment forecasts for the planning horizon year of 2031. Overall, the Region is expected to grow by 324,000 and reach a population of 780,000 by 2031. Of the regional total, it is intended that the City of Burlington will grow by 22,000 and reach a population of 193,000 by 2031 (Halton ROP, Table 1). To achieve provincial directions and accommodate the forecast growth, the Region has adopted a regional intensification target of 40% (Policy 77 (2.1)).. The Region has assigned growth to the local municipalities in order to achieve this target. Based on this approach, Burlington is required to accommodate at least 8,300 new housing units within its Built-Up Area between 2015 and 2031 to achieve the Regional target (Halton ROP, Table 1).

The proposal will contribute to the Region's intensification goal by providing new housing within the Built-Up Area. As per the Growth Plan analysis above, it is important to note that the Provincial intensification target for 2041 growth is now 60%. As such, the Region will be required to revise the ROP growth target to conform with provincial policy. We understand this process is underway through the Region's Municipal Comprehensive Review.

<u>Urban Area</u>

The Subject Lands are located within the Region's built boundary and are designated an "Urban Area" in accordance with Map 1- Regional Structure of the ROP (Figure 6). It is the intent that lands within the Urban Area will accommodate existing and future development within the Region.

Figure 6: Regional Structure – Halton ROP



Objectives for Urban Areas are identified in Section 72:

"72(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.

72(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.

72(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.

72(6) To identify an urban structure that supports the development of Intensification Areas.

72(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.

72(8) To promote the adaptive re-use of brownfield and greyfield sites.

72(9) To facilitate and promote intensification and increased densities."

As discussed in detail in the policy review below, the proposal conforms with the objectives of the ROP. The proposed mid-rise building with below grade parking constitutes a compact built form. The close proximity to the Aldershot GO Station (within 200 m) is intended to support local and regional transit and thereby decrease dependence on the car. The introduction of a mid-rise building with varying unit sizes will help diversify the housing choices in the immediate area, contributing the creation of a more complete community. Intensification within the MTSA is clearly a provincial objective and direction and the proposal reflects an appropriate level of intensification given its locational context.

The ROP contains the following policy with respect to permitted uses in the Urban Area:

"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 Zoning By-laws. All development, however, shall be subject to the policies of this Plan."

An OPA and ZBA are required to implement the proposal. This PJR demonstrates that the proposal and its associated planning instruments implement the provincial direction for intensification within MTSA's.

Intensification Areas

The Subject Lands are located approximately 200 m from the Aldershot GO Station terminal which is identified as Major Transit Station in the ROP. Major Transit Station Areas (MTSAs) are defined as areas within 500 m of a Major Transit Station. MTSAs are identified as intensification areas in the ROP. Objectives for intensification areas are identified in Section 78 of the ROP.

"78(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.

78(2) To provide opportunities for more cost-efficient and innovative urban design.

78(5) To create a vibrant, diverse and pedestrian-oriented urban environment.

78(10) To achieve an appropriate transition of built form to adjacent areas

78(11) For Major Transit Station Areas and Intensification Corridors:

a) To achieve increased residential and employment densities in order to ensure the viability of existing and planned transit infrastructure and service."

The proposal consists of a compact, mid-rise built form which efficiently uses underutilized land within 200 m, of a GO Station. The 6 storey building maintains a 45° angular plane which provides for a smooth built form transition to the surrounding neighbourhood. The building locates a majority of the parking underground which is balanced by a cost-effective built form above grade. The increased density will contribute to increased pedestrian activity on the surrounding street network while street-fronting patios will contribute to natural surveillance in front of the building.

"78(8) To support transit and active transportation for everyday activities.

78(9) To generally achieve higher densities than the surrounding areas."

The Subject Lands are surrounded by single detached homes to the south, east and west and the GO Station to the north. The increased density is intended to utilize transit which is located within walking distance of the Subject Lands and provide for increased active transportation.

The ROP contains the following policies with respect to intensification areas:

"81(1) Direct development with higher densities and mixed uses to Intensification Areas.

81(6) Require the Local Municipalities to ensure the proper integration of Intensification 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 proposal is consistent with the policies requiring higher densities to be located within intensification areas especially MTSA's The proposed site plan contains appropriate landscaping and buffer areas to provide screening and separation distance while a 45˚ angular plane allows for a smooth built form transition to the existing lower density neighbourhood. Thus the physical character of the neighbourhood will not be negatively impacted.

"81(7) Require the Local Municipalities to:

a) include Official Plan policies and adopt Zoning By-laws to meet intensification and mixed-use objectives for Intensification Areas;

b) prescribe in Official Plans and Zoning By-laws minimum development densities for lands within Intensification Areas;

c) prohibit site-specific Official Plan or Zoning By-law amendments to reduce development density within an Intensification Area unless it is part of a municipal comprehensive review of the Official Plan or a review of the Area-Specific Plan for the Intensification Area; and

d) promote development densities that will support existing and planned transit services.

81(8) Encourage the Local Municipalities to adopt parking standards and policies within Intensification Areas to promote the use of active transportation and public transit."

The Subject Lands are currently designated Residential – Low Density in the in-force and council-adopted Burlington OP. Furthermore, the council-adopted OP does not include the Subject Lands within the Growth Area surrounding the Aldershot GO Station but does include them within the Mobility Hub boundary. The Subject Lands are currently zoned Low Density R2.1. Neither the OP nor the zoning appropriately implement the ROP's intensification policies as outlined above. The proposal recognizes the critical location of the Subject Lands within the MTSA and intended intensification area and seeks to optimize the land use of the underutilized parcel of land. The associated planning instruments facilitate the proposal and implement the intensification policies of the ROP, allowing for increased density and reduced parking standards that will support transit and active transportation.

"81(7.2) Consider intensification and development of Intensification Areas as the highest priority of

urban development within the Region and implement programs and incentives, including Community Improvement Plans under the Planning Act, to promote and support intensification.

81(9) Encourage the Local Municipalities to consider planning approval, financial and other incentives to promote the development of Intensification Areas."

The above-noted policies underscore the importance that the Region places on promoting intensification and development with intensification areas. As such, it is critical that appropriate OP designates and zoning are applied to lands within intensification areas. The proposed OPA and ZBA implement this direction.

The ROP contains the following policies with respect to housing:

"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.

85(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.

85(13) To promote residential intensification through the development or redevelopment of brownfield and greyfield sites."

86(6a) At least 50 percent of new housing units produced annually in Halton be in the form of townhouses or multi-storey buildings.

86(11) Permit intensification of land use for residential purposes such as infill, redevelopment, and conversion of existing structures provided that the physical character of existing neighbourhoods can be maintained.

86(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 project demands reflecting socio-economic and demographic trends."

The proposal for a mid-rise building on the periphery of a neighbourhood that consists predominantly of single detached dwellings. The proposal will increase the mix of housing by density, type and affordability in the immediate geographic area. It will make for more efficient use of developed lands through the intensification of an existing greyfield site. The character of the surrounding neighbourhood will be maintained through the use of landscaping and buffer areas as well as appropriate design and siting of the building to mitigate impacts.

Healthy Communities

The ROP has the following relevant policies with respect to creating healthy communities:

"140. The goal for environmental quality is to achieve a high-quality environment, for this and future generations, that will sustain life, maintain health and improve the quality of living.

142. The objectives of the Region are:

142(5) To support urban forms that will reduce long distance trip-making and the use of the private automobile.

142(6) To promote trips made by active transportation and public transit.

143(4) Promote walking, cycling and public transit over other modes of transportation."

The proposed mid-rise building represents a more sustainable and compact built form which will contribute to a healthier urban environment than the current underutilized use. It will also help achieve an urban form that reduces long distance car trips and promotes transit and active transportation.

143(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;

The accompanying Noise Study assesses the impacts of the environment on the proposed development and demonstrates that noise concerns can be controlled through selecting appropriate building materials, mechanical units and the use of warning clauses for future occupants.

156. It is the policy of the Region to:

156(1) Require all proponents of development to have regard for the Healthy Communities Guidelines in considering and providing physical design features that promote safety and security."

The Healthy Community Guidelines are reviewed in Table 5, below. The Guidelines note that

healthy communities encourage seven attributes which are presented as headings in Table 5.

Table 5: Healthy Community Guidelines Compliance

Built Environment	
Contribution to healthy community:	**Elements:**
• compact mixed use development, walkable and connected communities; • a range of densities and housing opportunities, choices and accessibility for all income levels and needs; • redevelopment/regeneration areas; • welcoming pedestrian-scaled environments; • a range of densities that will support public transit and amenities; and, • community infrastructure.	• Compact Development • Community Structure • Diversity of Uses • Walkable & Connected Communities • Diversity of Housing • Complete Streets • Schools • Redevelopment / Regeneration Areas • Mixed Use Opportunities • Urban Forest • Streetscapes and the Pedestrian Environment
Compliance of proposed development:	
The proposal is for the redevelopment of an underutilized parcel of land with a compact, mid-rise built form at a higher density than the surrounding uses. The proposal is designed to integrate into the surrounding community without adverse impact. This will provide a greater range of housing options in the immediate vicinity, contributing to the diversity of local housing stock. The Subject Lands are in proximity to commercial areas and a number of community parks and facilities.	
Mobility	
Contribution to healthy community:	**Elements:**
• encouraging physical activity; • facilitating active transportation and public transit; • providing access to services and amenities for vulnerable population groups including children, the elderly, persons with disabilities and low income individuals; • providing safe, convenient and accessible environment for walking and cycling through Transportation Master Plans and Active Transportation Plans; • reducing dependency on single occupant vehicles and improving access to transit; • promoting integration within transit systems inter-regionally; and, • providing connected street networks that are accessible to all modes of transportation.	• Universal Accessibility • Street Network • Active Transportation • Transit Accessibility • Transit-supportive Density • Major Transit Stations • Pedestrian & Cycling Routes • Parking
Compliance of proposed development:	
The proposed building will provide bike parking spaces encouraging the use of active transportation. The Subject Lands are also located within a 5 minute walk of the Aldershot GO Station and a number of local bus routes which provide convenient opportunities to take public transit and reduce dependence on single occupant cars.	
Natural Environment and Open Space	
Contribution to healthy community:	**Elements:**
• preserving and enhancing the natural	• Natural Heritage System

heritage system; • supporting recreational and cultural opportunities; • providing access to a range of open spaces, parks and recreational facilities, pathways and trails; and, • providing interconnected green space and urban forests within the urban boundary.	• Parks & Public Spaces • Pathways & Trails
Compliance of proposed development:	
The proposal is for the redevelopment of an existing greyfield site within the built boundary and will not impact the natural heritage system. Such intensification reduces the need to rely on the development of greenfield lands to accommodate the growing population. Although not in the immediate vicinity, the Subject Lands are located in proximity to a number of parks and recreational opportunities as shown in Table 1.	
Human Services	
Contribution to healthy community:	**Elements:**
• integrating and co-locating providing social infrastructure to meet the current needs of all residents; • providing social, cultural and recreational services such as Places of Worship, Community Centers, Libraries, social housing, youth centres, long term care homes and seniors centres; and, • providing access to health care and ensuring public safety through design (CPTED);	• Co-location & Integration of Services • Social, Community, Cultural, and Recreational Services • Health & Public Safety • Education
Compliance of proposed development:	
As noted in Table 1, the Subject Lands are in proximity to a number of recreational facilities including, Aldershot Pool, Aldershot Arena as well as parks and open spaces. The proposed building includes CPTED by providing natural surveillance on Masonry Court from ground floor patios and upper storey windows.	
Sustainable Design	
Contribution to healthy community:	**Elements:**
• designing new buildings, communities, and neighbourhoods to reduce water, waste, and energy use; • promoting energy conservation and alternative energy sources; • implementing Low Impact Design Standards in both new developments and established areas; • improving air quality through addressing the impact of climate change; and, • encouraging the design and construction of energy efficient green buildings.	• Energy • Water • Materials and Solid Waste • Air Quality • Green Buildings • Cool/Green Roof
Compliance of proposed development:	
The proposal includes a compact building design in a MTSA which reduces energy consumption increases air quality by encouraging non-car oriented modes of transportation.	
Economy	
Contribution to healthy community:	**Elements:**
• providing a balanced community between employment and residential areas;	• Population and Jobs • Employment Lands

• promoting a diversity of employment opportunities and densities at appropriate locations where transit is available; and, • promoting the efficient movement of goods.	• Retail / Commercial / Service • Mixed Use / Live Work Opportunities • Neighbourhood Jobs
Compliance of proposed development:	
The Subject Lands are located close to existing employment uses located on Cooke Boulevard and within a 5 minute walk of the Aldershot GO Station which provides access to a diverse job market throughout the Greater Toronto and Hamilton Area.	
Community Food Supply	
Contribution to healthy community:	**Elements:**
• encouraging accessibility to healthy food; and, • promoting locally grown food and farmers markets.	• Local Food / Farmers Markets • Retail Food Options such as Small, Medium, and Large Grocery Stores • Urban Agriculture • Community Food Centres • Local Food Distribution, Process, and Warehousing Facilities
Compliance of proposed development:	
Not applicable.	

The ROP contains the following transportation-related policies:

"172(8) To achieve a level of public transit usage that averages at least 20 percent of all daily trips made by Halton residents by year 2031.

172(9.1) To ensure development is designed to support active transportation and public transit.

172(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.

172(12) To support the provision of public transit service, within reasonable walking distance and at a reasonable cost, to all sectors of the public, including persons with a physical disability.

173(2) Ensure that the development of transportation systems in and around Halton supports the development of Intensification Areas."

The proposed building will contain bike parking and will be located within a 5 minute walk of regional and local transit which will encourage residents to take advantage of those modes of transportation to accomplish their daily tasks. This will contribute to the Region's modal split target.

Burlington City Council has recently adopted a new OP which is currently being reviewed for conformity by the Region but has yet to receive approval. The in-force Burlington OP has not been updated to fully implement the ROP. As discussed in greater detail in the OP policy review sections below, the designation of the Subject Lands as Residential – Low Density does not conform to the ROP policies for intensification areas. The Subject Lands are an underutilized greyfield site which is located approximately 200 m from the Aldershot GO Station or MTSA. It is recognized that the Subject Lands are located on the periphery of a neighbourhood which predominately contains single detached dwellings and thus careful building design and site planning are required with any redevelopment.

The proposed 6 storey mid-rise building is appropriate for this context and includes the following design elements which mitigate impacts on surrounding low density uses:

- **Locating the building up to the front lot line, as far from the rear lot line as possible.**
- **Adhering to a 45° angular plane.**
- **Minimizing surface parking.**
- **Locating the underground parking access at the side of the building.**
- **Providing fencing and landscaping along the rear and side lot lines.**

Summary / Conformity Statement

The proposal optimizes the use of an underutilized greyfield site within 200 m of the Aldershot GO Station or MTSA. The proposed mid-rise building increases residential density in the area which supports transit while maintaining appropriate built form transition to the abutting single detached dwellings. The proposal conforms to the ROP and the Region's Healthy Community Guidelines. Furthermore, the Residential – Low Density designation of the Subject Lands in the in-force and council-adopted Burlington OPs do not conform to the intensification policies and objectives of the ROP.

Furthermore, the ROP Policy 77(2.1), which implements a minimum 40% intensification target does not conform with Growth Plan Policies 2.2.2.2 and 2.2.2.1 which implements a minimum 50% intensification target by 2031 and a minimum 60% intensification target by 2041, respectively.

5.5 City of Burlington Official Plan, 1994 (October 2017 Office Consolidation)

The Official Plan for the Burlington Planning Area, The Official Plan (1994) (the 'OP'), was adopted by the Council of the Corporation of the City of Burlington on July 11, 1994. It was subsequently approved, with modifications, by the Region of Halton, on March 5, 1997. Certain parts of the Plan were referred by the Region to the Ontario Municipal Board for a decision, and certain parts were deferred for further consideration. The City's OP was approved by the Ontario Municipal Board on October 24, 2008. The Office Consolidation of the OP (October), incorporates all modifications, subsequent approvals, and amendments to the Plan up to and including October 2017. Section 2.0 notes that the planning horizon of the OP is to 2021.

The City recently completed its Official Plan Review and adopted a new Official Plan which is currently before the Region of Halton for approval. A discussion of the newly adopted OP is provided in Section 5.6.

The following is a summary of the relevant existing OP policies and an analysis of how the

proposed redevelopment conforms to the general direction and policies of the OP and how the proposed site specific OPA provides conformity to the Growth Plan and is consistent with the PPS.

The Subject Lands are identified as Residential Areas on Schedule A – Settlement Pattern (see Figure 7) and designated Residential – Low Density on Schedule B – Comprehensive Land Use Plan – Urban Planning Area (see Figure 8). The Residential – Low Density Designation does not allow the achievement of the type of compact, transit supportive development sought by the PPS, Growth Plan and ROP. As such, the existing designation is not consistent and does not form with these documents.

Figure 7: Settlement Pattern

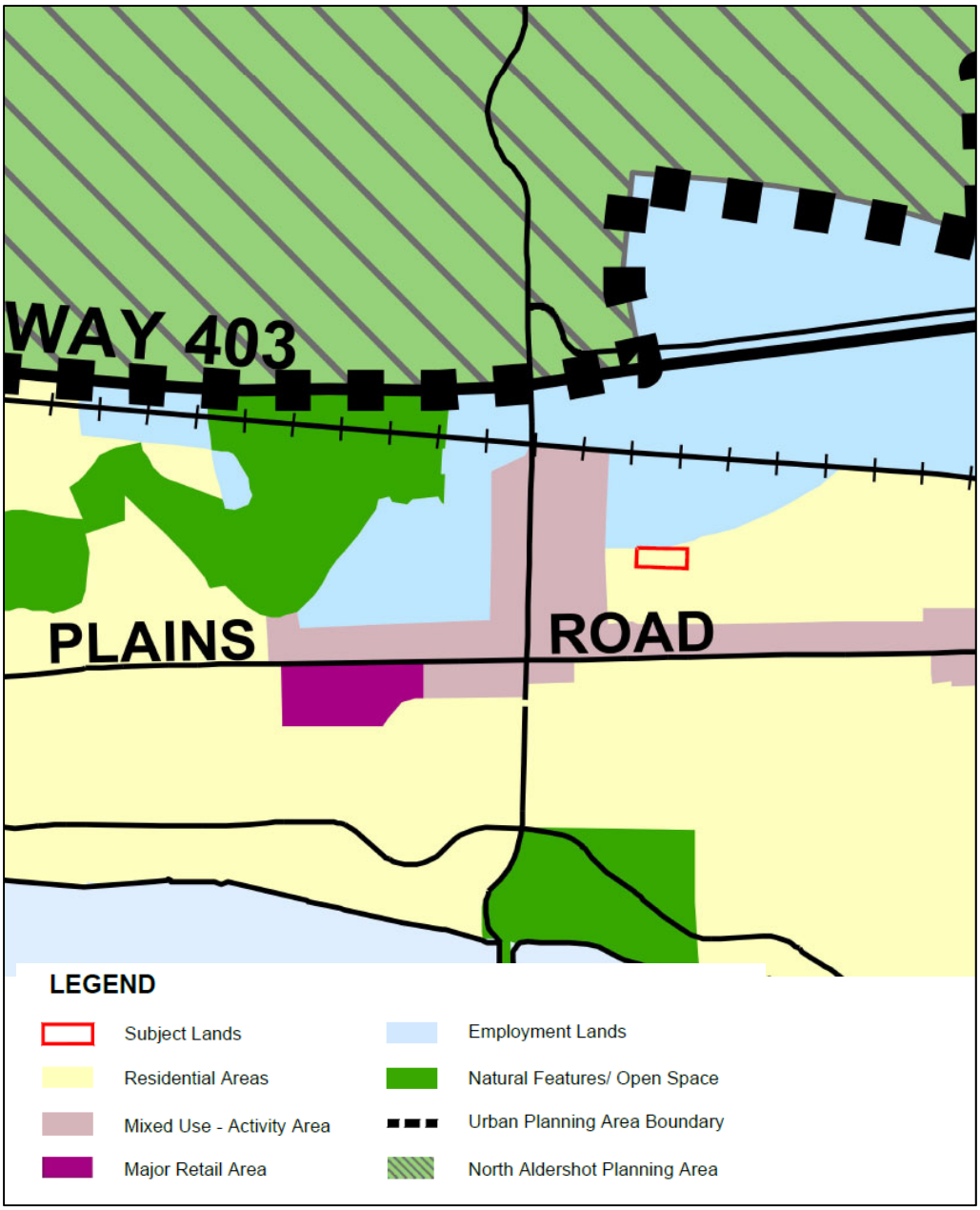
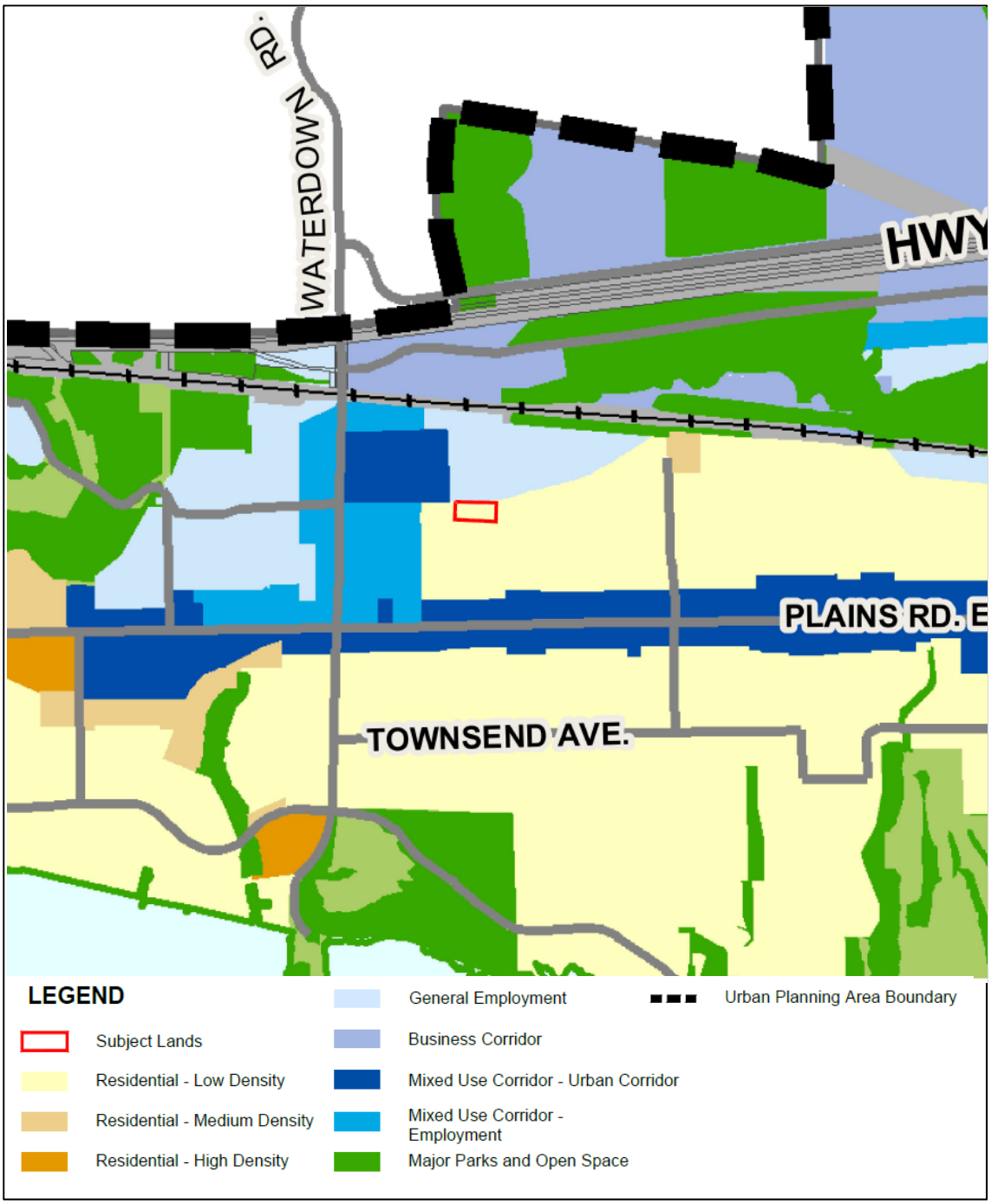


Figure 8: Comprehensive Land Use Plan



Policy Framework

The OP sets out Guiding Principles in Section 3.0 of Part I that are applicable to all development. While these policies are high level and apply to the City's Plan as a whole, they are an important consideration when evaluating intensification within MTSAs. Consistent with the Growth Plan

and ROP, the OP identifies MTSAs as areas within 500 m of a higher order transit station, which includes the Aldershot GO Station.

"3.0 GUIDING PRINCIPLES

The urban and rural environment that is desired for the City of Burlington is summarized as follows:

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

The proposal represents an efficient use of serviced land that will add new housing opportunities in the Aldershot neighbourhood. The increased density will support local businesses and public transit while future residents will be able to take advantage of a number of recreational and community facilities located in the area. The Aldershot MTSA is an appropriate location for intensification due the higher levels of existing and planned transit service. The 6 storey, mid-rise built form has been carefully designed to balance compatibility with the surrounding neighbourhood and respect for the existing character of the area while helping achieve intensification targets.

Land Use Vision

Part 1, Section 4.0 of the OP provides general policies related to the land use vision for the entire City. Sections 4.2 and 4.3 identify that the existing built form and environment in Burlington is going to change from the current suburban community to one which provides for future growth in the form of intensification and redevelopment in a new built forms.

*"4.2 The Present Built Form and Natural Environment *D53*

The existing City structure is a typical suburban community. Burlington is composed mainly of residential neighbourhoods containing detached dwellings, separated from employment and

shopping areas, and designed primarily around a transportation system based on automobile travel. Much of this development occurred in the 40 years following the end of the Second World War in a time of increasing average family size, increasing personal affluence and economic growth. This development reflected the belief that there were few limits to growth and reflected the abundant supply of developable land available at the time.

A major shift has occurred in values and attitudes, demographics, and land use planning approaches, as the City approaches a mature state. Burlington residents are now more aware of environmental concerns, and limited resources. This awareness was apparent when the City was declared a "sustainable community" in 1989, with greater emphasis placed on quality of life issues and less on unlimited growth. Changes in demographic trends show an increasing number of smaller households and an aging population. In view of these changes, a different vision for the City has emerged. This vision anticipates that some aspects of the City structure will stay the same, however there will be changes in other areas, which are designed to increase opportunities for Burlington's residents and enhance their quality of life. As Burlington approaches a mature state, a significant amount of its future growth will be in the form of intensification and re-development within the existing urban boundary. With fixed urban boundaries as confirmed by the Provincial Greenbelt Plan, the challenge will be to accommodate the various demands for land while maintaining stability and compatibility.

4.3 The Future Built Form and Natural Environment

Structural features that are expected to stay the same over time include: maintaining a variety of stable residential neighbourhoods; an historic central downtown focused on the waterfront; development of employment areas along the Queen Elizabeth Way, Highway 403 and Highway 407 corridors; a variety of shopping areas to meet local and visitor needs; and an abundance of green space.

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; ii) the development of a more self-contained city by encouraging a greater live-work relationship and supporting designation of lands for a wide variety of employment uses; iii) the focusing of more intense land uses into specified mixed use centres and along certain roads; iv) a move towards a more balanced transportation system; and v) a greater emphasis on the long term preservation and conservation of significant natural features with greater public access particularly to the waterfront and reasonable and responsible access to other areas. These changes, discussed in more detail below, will evolve gradually and will be designed to maintain the positive aspects of the City's neighbourhoods.

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.

…

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 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.

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 a sense of community identity that will continue to make Burlington a desirable place to live."

The proposal is consistent with the City's land use vision. It will provide for a modest amount of infill intensification on an underutilized site that is within 200 m of a GO Station and on the periphery of an existing low density neighbourhood. The proposed compact, mid-rise built form will diversify housing opportunities while maintaining the existing character of the area. It reflects the changing needs of smaller households and an aging population who are seeking smaller and more affordable housing options close to transit. Note that Policy 4.2 above has been deferred but has been included in this report for completeness of the review.

Part II of the OP contains a number of policies related to functional elements of growth and development including policies on servicing, sustainability and transportation. The proposed redevelopment is supported by the necessary functional servicing and transportation studies which illustrate conformity with these policies related to the provision of infrastructure, stormwater management and transportation capacity.

Sustainable Design and Compatibility

Section 2.7 of Part II of the OP provides applicable policies on Sustainable Design and Compatibility as follows:

"2.7.2 Objectives

a) To ensure through the site planning process that building layout and urban form is consistent with Sustainable Development principles so that new development is efficient, safe, accessible, affordable and energy efficient.

b) To encourage, wherever possible, development to be accessible by pedestrians, cyclists and public transit.

2.7.3 Policies

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.

k) Transportation Demand Management strategies will be used to encourage increased transit ridership, walking and bicycling in the City.

l) Where noise abatement is required along roads, design features such as the orientation of buildings, vegetative buffers and other innovative methods shall be preferred over the use of acoustical walls."

The Sustainable Development Principles and Objectives of the OP are assessed in Appendix 7 of this report. The proposal is within walking distance to local and regional public transit as well as a number of community and recreational facilities (see Table 1). Internal bike parking will also be provided which, in concert with reduced parking standards and proximity to public transit will assist in increasing pedestrian and cycling trip rates. The proposal represents and efficient use of serviced land located within the built boundary and in proximately to existing housing, commercial areas, employment opportunities and transportation networks. The accompanying Noise Study assesses the impacts of the environment on the proposed development and demonstrates that noise concerns can be controlled through selecting appropriate building materials, mechanical units and the use of warning clauses for future occupants.

Transportation

Section 3 of Part II contains the following relevant transportation objectives and policies:

"3.2.1 Objectives

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. Infrastructure

e) To maximize existing infrastructure to ensure that optimal benefit is obtained from the transportation system

3.4 Transit Services

3.4.1 Objectives

b) 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.

3.4.2 Policies Long-Term Transit Network

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.

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

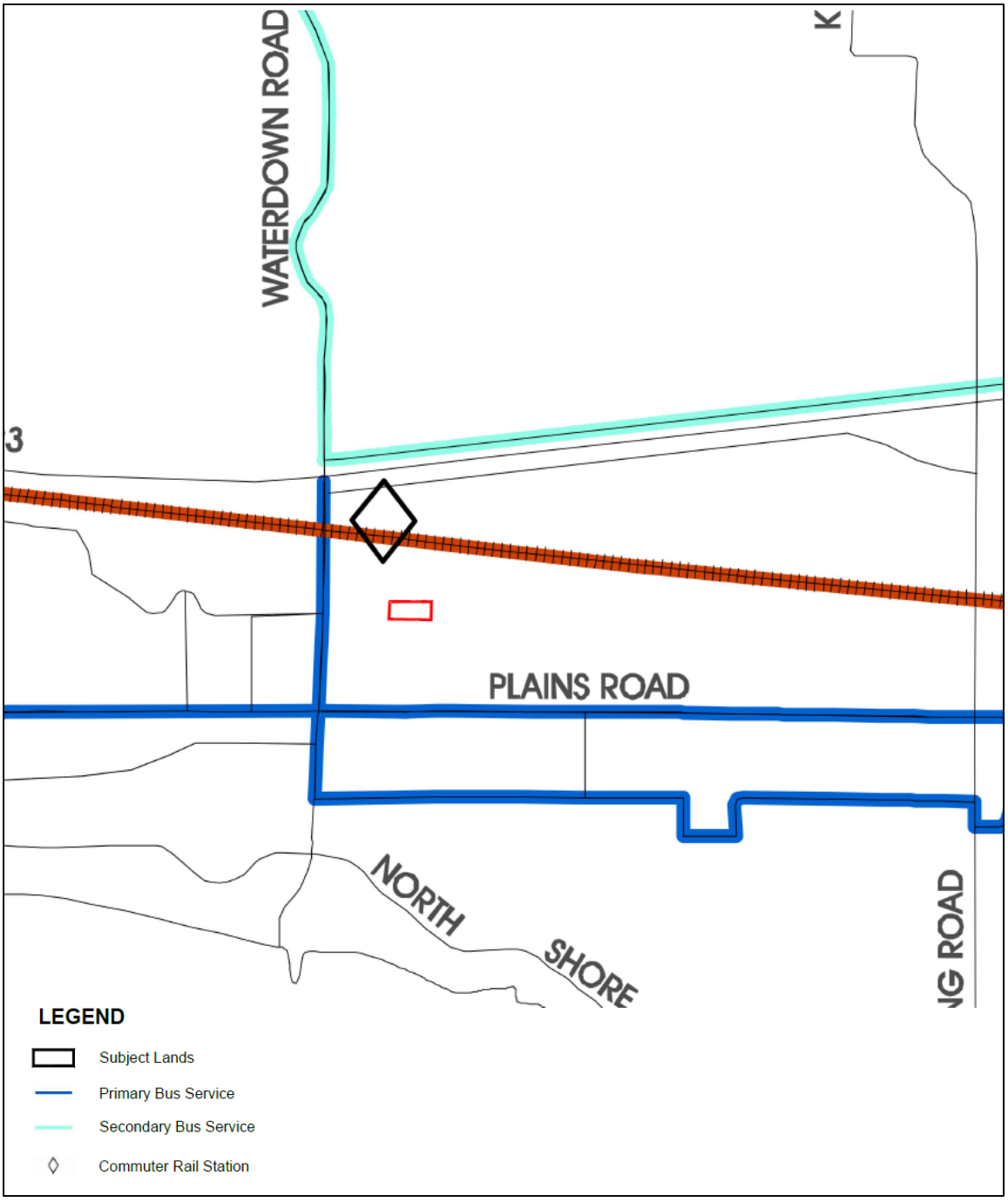
c) Council shall promote the development of cost-effective transit services through transit-supportive land use and transportation plans in areas of development including mixed use corridors and mixed use centres.

d) Development applications shall be reviewed to ensure that, where feasible, proposed land developments encourage the efficient and effective use of transit services."

The proposal is located within a 5 minute walk of the Aldershot GO Station. As shown in Appendix A, Schedule 1 – Long Term Transit Service Network of the OP (see Figure 9, the Subject Lands are also in proximity to two Primary Bus Service routes. As such, the proposal is intended to increase transit use and will contribute to enhancing the GO

station and the local transit routes and encourage the efficient and effective use of transit services. The proposed mid-rise building will contribute to establishing a more urban environment in the area as envisioned for Mobility Hubs.

Figure 9: Long Term Transit Service Network



Urban Design

General urban design policies are set out in Section 6 of Part II of the OP.

"6.1 Principle

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.

6.2 Objectives

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.

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."

The proposal provides for efficient, attractive and compact design that is integrated with the public realm. The proposal balances the need for higher density and more compact built forms with the need maintain compatibility with the surrounding neighbourhood character. The proposal includes a high quality of design by enclosing a portion of the street and providing ground level residential patios which will increase street-level activity and provide natural surveillance. The proposed 6 storey, mid-rise built form achieves this balance by efficiently utilizing the site through the incorporation of underground parking, landscape and buffer areas and minimizing the front yard setback. A 45˚ angular plane to the rear lot line is also maintained which allows for a smooth transition in built form.

6.5 Design Guidelines Policies

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.

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.

d) The creation of a continuous and harmonious streetscape environment shall be encouraged with emphasis on maintaining the continuity of grade-related activity areas, both inside and outside of buildings.

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.

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."

As mentioned above, the proposal achieves compatibility through its siting and design and through the provision of landscaping. This increased density is contained within the compact, mid-rise, pedestrian-scaled built form that provides a smooth transition in height to the surrounding neighbourhood. Material changes and façade articulation have been applied in the middle of the façade to break up the building length and massing. Landscaping and fencing around the perimeter of the property provide for an appropriate transition to the surrounding area. The proposal will enhance the public realm and streetscape by creating ground level residential patios which serve to provide street-level activity and natural surveillance. In addition, parking and drive aisles have been located at the rear and sides of the building so as to not detract from the public realm. Sustainable design considerations are addressed in the appropriate section above as well as Appendix 7.

The urban design features of the proposal are discussed in greater detail in the accompanying UDB which provides a detailed assessment of the proposal's design merits in relation to the physical context.

Part III of the OP provides land use policies for the City's urban areas. The Subject Lands are designated Residential – Low Density and require a redesignation to Residential – High Density to facilitate the proposal.

Section 2.2.1 contains the following general objectives for Residential Areas, relevant to the proposal:

"2.2.1 Objectives

a) To encourage new residential development and residential intensification within the Urban Planning Area in accordance with Provincial growth management objectives, while recognizing that the amount and form of intensification must be balanced with other planning considerations, such as infrastructure capacity, compatibility and integration with existing residential neighbourhoods.

c) *To provide housing opportunities that encourage usage of public transit, pedestrian and bicycle transportation networks and decrease dependence on the car.*

d) *To encourage a strong live/work relationship in the City by providing a variety of housing that reflects the existing and future socio-economic and demographic characteristics of local residents and job opportunities.*

e) *To provide, where compatible, housing opportunities in proximity to employment areas and residential support uses such as shopping and recreational areas to create opportunities to reduce travel times.*

f) *To encourage the integration of a wide range of housing types and tenure and discourage large concentrations of higher density residential blocks.*

g) *To require new residential development to be compatible with surrounding properties."*

The proposal is consistent with Provincial policy requiring intensification within the built up area. The accompanying FSR proposes a servicing scheme for the Subject Lands which does not require upgrades to existing municipal infrastructure and, subject to confirmation through a hydrant flow test, confirms that there is existing water and sewer capacity to accommodate the proposed development. The accompanying TIS demonstrates that the surrounding street network can accommodate the additional traffic generated by the proposal. The adjacency of the Subject Lands to local transit and the Aldershot GO station, as well as the provision of internal bike storage areas, will encourage residents to use public transit and active transportation and decrease their dependence on the car.

A number of commercial and employment uses exist in close proximity to the Subject Lands. The proposal will provide additional housing opportunities for employees to live close to their jobs and reduce travel times. As discussed above, the proposal is compatible with surrounding properties through the use of high quality design and integration.

Section 2.2.2 identifies general policies for Residential Areas. The Subject Lands are currently designated Residential – Low Density.

"2.2.2 General Policies

c) *In Residential-Low Density areas, single-detached and semi-detached housing units with a density to a maximum of 25 units per net hectare shall be permitted. In addition, other forms of ground oriented housing units with a density to a maximum of 25 units per net hectare may be permitted, provided that these forms are compatible with the scale, urban design and community features of the neighbourhood.*

e) In Residential-High Density areas, either ground or non-ground-oriented housing units with a density ranging between 51 and 185 units per net hectare shall be permitted.

g) The following building forms for residential development shall be permitted:

(i) detached and semi-detached homes shall be permitted in Residential-Low Density areas. Other forms of ground oriented, attached housing may be permitted, provided that these forms meet the density as specified in Part III, Subsection 2.2.2 c) for these areas and provided that these forms are compatible with the scale, urban design and community features of the neighbourhood;

iii. subject to the density requirements of Part III, Subsection 2.2.2 e), street townhouses and stacked townhouses, back to back townhouses, attached housing and apartments shall be permitted in Residential-High Density areas."

The proposal requires a redesignation of the Subject Lands to Residential – High Density with a site specific exception to permit an apartment building with a density of 257 uph.

Section 2.5 contains policies related to housing intensification. It should be noted that these are general policies which apply to every residential property in the City of Burlington. While a review of section 2.5 has been completed, it is of note that the Subject Lands are located within a MTSA, which is an intensification area and thus cannot reasonably be considered in the same manner as other residential properties, within for example, the stable residential areas.

"2.5.1 Objectives

a) To encourage residential intensification as a means of increasing the amount of available housing stock including rooming, boarding and lodging houses, accessory dwelling units, infill, re-development and conversions within existing neighbourhoods, provided the additional housing is compatible with the scale, urban design and community features of the neighbourhood.

b) To encourage the re-development of under-utilized residential lands where appropriate at the periphery of existing residential neighbourhoods for non-ground-oriented housing purposes."

The proposal will increase the amount of housing stock through the redevelopment under-utilized lands on the periphery of an existing residential neighbourhood and achieve compatibility with surrounding uses through a number of design measures.

"2.5.2 General Policies

a) The following criteria shall be considered when evaluating proposals for housing intensification within established neighbourhoods:

i. *adequate municipal services to accommodate the increased demands are provided, including such services as water, wastewater and storm sewers, school accommodation and parkland;*

The accompanying FSR proposes a servicing scheme for the Subject Lands which does not require upgrades to existing municipal infrastructure and, subject to confirmation through a hydrant flow test, confirms that there is existing water and sewer capacity to accommodate the proposed development.The technical memo prepared for the Aldershot Mobility Hub as part of the Mobility Hubs study has not noted any capacity issues. School and parks existing in the vicinity and are listed on Table 1 and shown in Figure 2. School capacity will be evaluated by the school board through the circulation of the application.

ii. *off-street parking is adequate;*

A reduced off-street parking standard has been proposed which is consistent with the recommended parking ratios proposed by the Burlington City-Wide Parking Standards Review (2017).

iii. *the capacity of the municipal transportation system can accommodate any increased traffic flows, and the orientation of ingress and egress and potential increased traffic volumes to multi-purpose, minor and major arterial roads and collector streets rather than local residential streets;*

The accompanying TIS demonstrates that the surrounding street network can accommodate the traffic generated by the proposed development. Ingress and egress is oriented to a local road which is located on the periphery of the residential neighbourhood.

iv. *the proposal is in proximity to existing or future transit facilities;*

The proposal is within 200 m of the Aldershot GO Station which accommodates GO bus and rail service, VIA rail, Burlington Transit buses and a Hamilton Street Railway bus.

v. *compatibility is achieved with the existing neighbourhood character in terms of scale, massing, height, siting, setbacks, coverage, parking and amenity area so that a transition between existing and proposed buildings is provided;*

As discussed above, the proposal achieves compatibility through high quality design and integration with the neighbourhood. This proposal

consists of a compact, mid-rise built form which provides a smooth transition in height to the surrounding neighbourhood through a 45˚angular plane. The building is located as close as possible to the front lot line to provide the greatest separation distance possible to the existing residential uses at the rear lot line. The bulk of the building is broken up by using building recesses and material changes. Amenity areas consist of balconies, internal amenity rooms and outdoor areas immediately adjacent to the building.

vi. *effects on existing vegetation are minimized, and appropriate compensation is provided for significant loss of vegetation, if necessary to assist in maintaining neighbourhood character; OPA 55*

A shown on the accompanying Tree Inventory, Protection and Removals Plan, a total of 50 trees will require removal which includes trees on the Subject Lands and on the adjacent boulevard. Most of these trees are either in fair or poor condition. Removal of trees is intended to be compensated through street tree planting, on-site planting and financial compensation, if required.

vii. *significant sun-shadowing for extended periods on adjacent properties, particularly outdoor amenity areas, is at an acceptable level;*

The accompanying shadow study shows there will be minimal shadow impacts to surrounding properties. Properties on the far side of St. Matthews, at the end of the cul-de-sac will experience some late-afternoon shadowing on their front yards.

viii. *accessibility exists to community services and other neighbourhood conveniences such as community centres, neighbourhood shopping centres and health care;*

There are a number of shopping and employment uses existing on Plains Road East, Cooke Boulevard and Howard Road. The Subject Lands are also in proximity to a number of parks and community facilities which are listed in Table 1.

ix. *capability exists to provide adequate buffering and other measures to minimize any identified impacts;*

The surrounding residential uses will be buffered from the Subject Lands through a combination of landscaping, building setbacks and fencing.

x. *where intensification potential exists on more than one adjacent property, any re-development proposals on an individual property shall demonstrate that future re-development on adjacent properties will not be compromised, and this may require the submission of a tertiary plan, where appropriate;*

The Subject Lands initially consisted only of 1085 Clearview Avenue and 1082 St. Matthews. Through the first pre-consultation meeting with the City, staff recommended that additional lots be acquired to facilitate a more comprehensive redevelopment, subsequent to which the Owner acquired 1086 and 1090 St. Matthews which now form part of the Subject Lands.

xiii. *proposals for non-ground oriented housing intensification shall be permitted only at the periphery of existing residential neighbourhoods on properties abutting, and having direct vehicular access to, major arterial, minor arterial or multi-purpose arterial roads and only provided that the built form, scale and profile of development is well integrated with the existing neighbourhood so that a transition between existing and proposed residential buildings is provided.*

The proposal is located at the periphery of an existing residential neighbourhood but does not abut or have direct access to an arterial road. The proposal will have access to Masonry Court which is a local road. The accompanying TIS demonstrates the proposed accesses will be able to function properly and that the surrounding street network is able to accommodate the proposed traffic. Although Masonry Court is a local road, it is not fronted by low density residential uses. A modification is included in the proposed OPA to address this policy. Integration and compatibility are discussed in the analysis of point v) above.

<u>Summary / Conformity Statement</u>

The current designation of the Subject Lands as Residential – Low Density is not consistent with the PPS Policies 1.1.3.2, 1.1.3.3, 1.1.3.4 and 1.6.7.4, does not conform with Growth Plan Policies 2.2.1.2c), 2.2.2.4, 2.2.4.9, 2.2.4.10 or Policies 4.3 and 4.5 of the RTP and does not conform with ROP Objectives 72(2), 72(6), 72(9), 78(1), 78(9), 78(11)a) and ROP Policies 81(1), 81(7), 81(7.2), 81(9), 142(6), 172(8), 172(10). As discussed in Section 5.1, 5.2 and 5.3 of this report, these policies direct local municipalities to focus growth in intensification areas, achieve densities that support public transit, increase transit ridership and promote appropriate development standards.

To address this inconsistency / non-conformity, the proposed OPA redesigantes the Subject Lands to Residential – High Density which recognizes the fact the Subject Lands are located within an MTSA, 200 m from the Aldershot GO Station. However, this does not fully address the inconsistency / non-conformity as the Residential – High Density

designation limits the density to 185 uph and Policy 2.5.2a)xiii) prohibits vehicular access to be located off of a local road. These development standards are not appropriate for the Subject Lands as they do not allow the achievement of the level of intensification envisioned by the above-noted provincial and regional policies for a site within such proximity to existing and proposed public transit. Site-specific increases in density are also necessary to address the fact that there are limited lands available for redevelopment in the immediate vicinity of the Aldershot GO Station due natural heritage areas, transportation infrastructure and existing low density development. Furthermore, Masonry Court provides the primary access into the Aldershot MTSA and therefore development along Masonry Court cannot be treated the same as development along any other local road in the City that does not serve a MTSA.

The proposed OPA increases the permitted density on the site to 257 uph and permits access off of a local road which, combined with the redesignation of the Subject Lands to Residential – High Density, would bring the OP policies applicable to the Subject Lands into consistency and conformity with the provincial and regional planning documents.

Based on the review above, we are of the opinion that the proposal will conform to the in-force OP upon finalization of the proposed OPA and will implement the direction of the PPS, Growth Plan and the ROP as well as the objectives of the in-force OP. The proposal represents intensification at the periphery of the existing neighbourhood and is 200 m from the Aldershot GO Station, a MTSA. The proposed mid-rise building achieves compatibility with the existing neighbourhood through a number of design measures, including a 45° angular plane. The proposal, through the OPA, will provide for a level of intensification highly appropriate for the physical context.

5.6 Council-Adopted City of Burlington Official Plan (2018)

In April 2016, the City of Burlington approved a new Strategic Plan which established a 25-year blueprint for city-building and was intended to be the framework for critical decision-making over the lifespan of the strategy. An Official Plan Review was initiated to implement the city-building directions of the Strategic Plan.

A number of draft versions of the new OP were prepared over the past few years with the final version adopted by Council on April 26, 2018. The Council-adopted OP was forwarded to the Region of Halton for approval on May 11, 2018.

Under the new OP the Subject Lands are designated *Residential Area* and identified within the *Mobility Hub*. The new OP considers the Aldershot GO Mobility Hub as a Major Transit Station Area that is to be subject to further detailed area-specific planning. Until the area specific planning exercise is undertaken, the Subject Lands are also identified as part of the Residential Neighbourhood Area and within an Established Neighbourhood Area, which predominantly reflects existing residential areas. The Subject Lands are also shown as Low Density Residential. While all of these designations are provided for on the new OP schedules, the new OP provides additional transitional policies that are to apply to development applications that proceed in the area prior to the completion of the area specific planning exercise for the Aldershot GO Mobility

Hub. These policies recognize the importance of the intensification of the Mobility Hub. They also state that Provincial and Regional policies for mobility hubs and major transit station areas be regarded.

While the Council-adopted OP represents the City's evolving policy framework and direction, the Region of Halton recently issued a Statement of Opinion (see Appendix 8) which states that the new OP is not in conformity with the Regional Official Plan. This Statement of Opinion requires the City to work with the Region to bring the proposed OP into conformity. Given the lack of conformity, which is a requirement of any lower tier Official Plan, the City's proposed OP is not applicable to the Applications. The applicable policies upon which to assess the Applications for the Subject Lands are those contained within the in force Official Plan and the approved Provincial and Regional policies related to intensification and development within Major Transit Station Areas as outlined earlier in this report.

5.7 Aldershot GO Station Mobility Hub

The City of Burlington is currently in the process of preparing an area specific plan for the Aldershot GO Station Mobility. In May 2018 the City released a draft Precinct Plan that identified the Subject Lands as Mid-Rise Residential Precinct and Grove Park/ St. Matthews Neighbourhood Precinct (Figure 10).

The majority of the property is identified as Mid-Rise Residential Precinct which contemplates building heights of up to 11 storeys in a mid-rise built form and may serve as a transition to adjacent precincts or areas. The Grove Park / St. Matthews Neighbourhood Precinct applies to the 3 properties fronting on the St. Matthews Avenue. This precinct contemplates residential uses including single and semi-detached houses as well as street townhouses. Although the plan identifies that limited development opportunities exist in this precinct the intent is to maintain the low-rise residential and neighbourhood character of the area and provide an effective and compatible transition to established neighbourhoods outside of the mobility hub.

The proposal is consistent with the intent of the Mid-Rise Residential Precinct by, among other things, providing a 6 storey mid-rise built form and meeting angular plane requirements. The identification of the St. Matthews lands within the Grove Park / St. Matthews Neighbourhood Precinct appears to have been done to reflect existing site conditions as opposed to a reflection of the intent and objectives of Mobility Hubs to optimize the land use around major transit stations. With the intent of balancing the City's position and in response to the feedback received from the community and the Burlington Urban Design Review Panel, the easterly portion of the building has been redesigned to including three levels of building stepbacks above the second, fourth and fifth storeys.

Over the course of the Mobility Hubs project, MHBC has submitted a number of letters to the City on behalf of the Owner providing comments and expressing concerns with certain aspects of the project (See Appendix 2). Of particular concern was the split designation of the property in the May 2018 Draft Precinct Plan, as noted above. This is of particular concern as the Subject

Lands originally consisted only of 1085 Clearview Avenue and 1082 St. Matthews Avenue. It was only at the direction of staff that the Owner purchased the additional properties at 1086 and 1090 St. Matthews and incorporated them into the development proposal. It has been and remains our opinion that any designation through the area-specific plan should reflect the entirety of the land holdings and include them within the Mid-Rise Residential Precinct to allow for a comprehensive development as was requested by staff.

Figure 10: May 2018 Precinct Plan



5.8 City of Burlington Zoning By-law (By-law 2020)

The Subject Lands are zoned Residential – Low Density on Map 2 of Zoning By-law No 2020 (See Figure 11). As noted above, the proposed Zoning By-law Amendment will change the parent zone on the Subject from the Low Density (R2.1) Zone to Residential High Density (RH1) Zone. A special exception for a number of provisions, including building setbacks, density, landscaping and parking, among other things, is also included. Appendix 6 contains the zoning conformity table for the proposed RH1 zone.

Figure 11: Zoning By-law No. 2020



The proposed change in zoning to the RH1 zone implements the Residential – High Density land use designation of the in-force OP as justified in Section 5.4 above and recognizes the location of the Subject Lands within a MTSA and mobility Hub. Justification for the zoning modifications to the RH1 parent zone are provided below.

Table 6: Justification for Parent Zone Modifications

Modification	Justification
1) Reduction in front yard depth from 7.5 m to 2 m;	The reduced front yard recognizes the more urban condition intended for mobility hubs and contributes to enhancing the pedestrian environment along Masonry Court by helping enclose a portion of the streetscape.
2) Increase in density from 75 units per hectare to 257 units per hectare;	The increased density implements the provincial policy direction which requires higher densities in MTSAs and Mobility hubs.
3) Reduction in the cumulative required amenity area from 4,660 m^2 to 2,458 m^2;	Although reduced, each unit still contains a private amenity area while the building as a whole contains a common indoor and outdoor amenity areas. Reduced amenity areas recognize the more urban condition planned for the area through the mobility hubs study which envisions new parks, green streets and active transportation routes. In the interim there are a number of parks and recreational facilities located in proximity to the site.
4) Permit Landscape Areas and Buffers to include a transformer, exhaust shaft, hard and soft landscaping, other decorative features and a driveway hammerhead;	The proposal exhibits a compact built form and reduces the amount of surface parking. As a result, the above grade site layout has been designed to utilize space as efficiently as possible while a large parking garage has been provided below grade. As a result, to accommodate all required functional site features, a balance is required to be struck between the provision of site elements in an efficient manner while providing adequate Landscape Areas and Buffers. Screening measures which mitigate the visual impact of these elements can be implemented during the detailed planning process at the site plan stage when a detailed landscaping and hardscaping plan will be prepared.
5) Reduction in Landscape Area width from 4.5 m to: a. 1 m along Clearview Avenue; b. 0 m along Masonry Court; c. 1.5 m along St. Matthews;	
6) Reduction in Landscape Buffer abutting an R2 zone from 6 m to 1.5 m;	
7) Permit below grade parking structures to extend into a required landscape buffer and be permitted up to: a. 1.3 m from the Clearview Avenue street line; b. 1.3 m from the St. Matthews Avenue	

street line; c. 2.1 m from the rear lot line:	The 0 m reduction in Landscape Area along Masonry Court is required to provide the 0 m front yard setback discussed in point 1) above. There is also approximately 5 m of landscaped municipal boulevard between the existing street lines and the edges of the roadways which will be integrated with the onsite landscape areas which will be viewed as one large landscaped area. It is acknowledged the some of these widths may be reduced and enhanced with planting to accommodate improved street cross sections through the Mobility Hubs project.
8) Reduction in the setback from a window of a habitable unit to parking and driveway areas from 4 m to 2.5 m;	Although this is not an ideal scenario, the reduction (by 1.5 m for the unit opposite the loading space and by 0.5 m for the unit next to the garage ramp) is relatively minor and only affects two units. Potential purchasers will be aware of these conditions at the time of purchase and will bid on the units accordingly. Window covers and enhanced glazing can assist in mitigating noise and privacy impacts.
9) Permit patios to be in in a front yard and up to 0 m from the street line whereas patios are not permitted in a front yard and must by a minimum of 3 m from any street line;	Patios are being provided at street level (or slightly raised) to make a more active and visually interesting interface with the public realm. The patios will be designed to have a cohesive interface with the public realm.
10) Permit a second driveway on Masonry Court whereas the only one driveway is permitted per street frontage and where the second driveway can only be a maximum of 4 m in width;	A second driveway is proposed on Masonry Court to reduce the amount of paved area at the rear of the property which allows more areas of planting, open space and amenity area.
11) Permit a total parking space count of 202 spaces provided at a ratio of: f. 1 occupant space per unit; g. 0.25 visitor spaces per unit; b. 2 utility vehicle spaces whereas the by-law requires a total parking space count of 259 parking spaces provided at a ratio of: a. 11.25 occupant spaces per one	Reductions in parking standards are consistent with policies for MTSAs and Mobility Hubs which encourage public transit and active transportation so that residents in these areas are less reliant on cars. The proposed parking space standards have been taken from those recommended by Burlington City-Wide Parking Standards Review (2017) and will be used by the City to update the parking

bedroom unit b. 1.50 occupant spaces per two bedroom unit c. 0.35 visitor spaces per unit	standards of the current by-law.

Summary / Conformity Statement

The regulations of the parent RH1 zone do not represent appropriate development standards that can implement the type of intensification contemplated by provincial and regional planning documents. The regulations are outdated and do not consider the type of compact, urban environment required to facilitate the development of vibrant, transit oriented community which utilizes land in an efficient manner.

The proposed ZBA implements proposed, modified Residential – High Density designation of the in-force OP. The proposed zoning implements the policies of the PPS, Growth Plan and ROP and contributes to achieving the intensification goals and targets specified in those documents.

6.0 SUMMARY AND CONCLUSIONS

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

Based on the existing physical context and surrounding neighbourhood, the technical assessment of the proposal and our analysis of the proposal within the current and proposed policy and regulatory context:

1. The policies and regulation of the Official Plan and Zoning By-law currently applicable to the Subject Lands are not consistent with the PPS, do not conform to the Growth Plan and do not conform with the ROP;
2. The proposed OPA and ZBA bring the OP policies applicable to the Subject Lands into consistency and conformity with PPS, Growth Plan and ROP;
3. The proposed development is consistent and conforms with PPS, Growth Plan and ROP;
4. The proposed development conforms with the in-force City of Burlington Official Plan, except for those sections proposed to be amended which, once amended, provide consistency and conformity with provincial policies and plans;
5. The proposal can be adequately serviced and does not create any impacts to municipal servicing;
6. The proposal is well-served by existing community infrastructure including public transit, bike lanes, parks, schools, places of worship and an arena;
7. The proposal enhances the pedestrian environment within the site and along the exterior street frontages; and,
8. The proposal is compatible with the existing neighbourhood and does not create adverse impacts.

The proposed development 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 Official Plan and Zoning By-law Amendments be approved.

Respectfully submitted,

MHBC



Dana Anderson, MA, FCIP, RPP
Partner



Gerry Tchisler, MPL, MCIP, RPP
Planner

Appendix 1

Development Application Pre-Consultation Forms

CITY OF Burlington

DEVELOPMENT APPLICATION PRE-CONSULTATION FORM

Meeting Date: **January 11, 2017**	**Property Owner:** **Hamilton Area Meeting Rooms Association**
Site Address: **1085 Clearview Ave. & 1082 St. Matthews Ave.**	**Applicant / Address / Phone / Email** **Dana Anderson** **MHBC Planning Limited** **442 Brant St. Suite 204** **Burlington, ON, L7R 2G4** **905 639 8686 x 226** **danderson@mhbcplan.com**
Site Area: **0.52 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:**

   -six storey apartment with 120 units

   -one level of underground 88 spaces, and 27 surface 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. **Existing Official Plan Designation: Residential Low Density**

   Conformity with City Official Plan land use designation? YES _____ **NO x**

   If 'NO' what is the nature of the OP amendment needed? **Residential High Density**

4. **Existing Zoning: R2.1**

   Conformity with existing zoning? YES _____ NO **x**

   If 'NO' what is the nature of the zoning amendment needed? **RH-exception**

5. **Design Guidelines in effect?** YES ____ NO __x__

Name of Design Guidelines _____

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

YES _____ NO __x__

_____

7. **Fees Required at Time of Application**

APPLICATION	CITY	REGION	CONSERVATION HALTON	PROVINCE
Official Plan Amendment:	20,705.00	8,055.00	-	-
Rezoning - Base Fee: (70%) Rezoning - Variable Fee:	13,660.50 56,950.00	950.00	-	-
Subdivision - Base Fee: Subdivision - Variable Fee:	-	-	-	-
Parkway Belt Amendment:	-	-	-	-
TOTAL	$91,315.50	$9,005.00	-	-

Separate cheques are payable to City, Region, Conservation Halton and Province (Ministry of Finance.)

8. **Additional Agencies to be contacted:** **CNR, MTO, Metrolinx**

9. **Neighbourhood Meeting**

Is a neighbourhood meeting required? (e.g. residential intensification / infill, increased height and/or density, abutting residential zone, other neighbourhood/community impacts).

YES __x__ NO _____ TO BE DETERMINED ____

If "YES" a Neighbourhood Meeting **will be** required

- *The Neighbourhood meeting will be held after submission and public circulation of the application.*
- *Meeting logistics will be organized by the Planning and Building Department.*
- *The Ward Councillor, the applicant, City planner and other City staff as determined will attend the Neighbourhood Meeting. Presentations will be made by the City planner about the planning process and by the applicant about the development proposal.*
- *The meeting will be chaired by the City planner, or by the Ward Councillor.*

10. **Section 37 Agreement**

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

If "YES" a Section 37 Agreement **may be** required.

11. Required Information for Complete Application

	Reports, Studies, Plans * *(See Appendix for additional details)* **All identified reports must be submitted in Accessible PDF form before an application is deemed complete.**	Number of Paper Copies (plus one in PDF form) If Study is Required	Required Study (Yes/No)
6.1	Planning Justification Report	8	Yes
6.2	Conceptual Site Plan Layout	15	Yes
6.3	Draft Plan of Subdivision	15	No
6.4	Storm Water Management Report	8	FSR
6.5	Functional Servicing Report (Including Stormwater, Water & Wastewater)	9	Yes
6.6	Tree Inventory and Preservation Study	9	Yes
6.7	Traffic/Transportation Impact Study Parking Justification Report	7	Yes Yes
6.8	Top-of-Bank Demarcation	6	No
6.9	Environmental Evaluation Report	7	No
6.10	Noise Feasibility Study	7	Yes
6.11	Shadow Analysis	3	Yes
6.12	Environmental Site Screening Checklist	5	Yes
6.13	Phase I or II Environmental Site Assessment/ Record of Site Condition Report	5	RSC
6.14	Land Assembly Documents	2	No
6.15	Height Survey of adjacent buildings	2	Yes
6.16	Heritage Impact Statement	3	No
6.17	Archaeological Report	3	No
6.18	Wind Impact Study	3	No
6.19	Sensitive Land Use (Risk Assessment) Report	6	No
6.20	Air Quality Assessment	6	Yes
6.21	Hydrogeology Study	7	No
6.23	Other (specify) Urban Design Brief Grading, Drainage & Servicing Plans Geotechnical Report Draft Zoning By-law 3D Model of Proposed Building(s)	 5 12 4 2 1	 Yes Yes Yes Yes No

12. **ADDITIONAL COMMENTS:** See attached notes

NOTES:

1. 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. Further fees, such as variable fees may be required at a later date as per the fee schedule by-law.

2. 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.

3. This document expires 120 days from the date of signing or at the discretion of the Director of Planning and Building. 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.

4. The City may require the peer review of a technical report 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.

5. In the event this Pre-consultation Document expires prior to the application being accepted by the City, another document may be required.

6. An application submitted without the information identified in this Pre-consultation Document may be recommended for refusal based on insufficient information to properly evaluate the application.

7. Acknowledgement of Public Information:
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 photocopying 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.

8. 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.

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

10. 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.

11. All digital 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".

12. Digital plans submitted in Autocad and/or GIS Shapefile format 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).

Staff and Agency Signatures:

Rosalind Minaji		Jan 11, 2017. Jan 11, 2017
Planning Staff	Planning Staff (Signature)	Date
	UMAR MALIK	Jan 11/2017.
Site Engineering Staff	Site Engineering Staff (Signature)	Date
Annette Simpson		Jan 11/16
Site Engineering Staff	Site Engineering Staff (Signature)	Date
Capital Works Staff	Capital Works Staff (Signature)	Date
John Zelazny		Jan 11/17
Transportation Staff	Transportation Staff (Signature)	Date
Adam Huycke		Jan 11/17
Regional Staff	Regional Staff (Signature)	Date
John Kisneris		Jan. 11, 2017
Regional Staff	Regional Staff (Signature)	Date
Conservation Halton Staff	Conservation Halton Staff (Signature)	Date

Proponent Signatures:

In signing this agreement, I acknowledge that the drawings, reports and other requirements indicated above must be submitted, along with a completed application form, any information or materials required by statute, the required application fees and a copy of this agreement in order for the planning application to be considered complete. In addition, I have read and agreed to the Notes listed above.

ANDREW MUSSEN		JAN 11, 2017
Property Owner	Property Owner (Signature)	Date
Oz Kemal		Jan 11/17
Agent	Agent (Signature)	Date

(I have authority to bind the owner)

APPENDIX—REQUIREMENTS FOR REPORTS/STUDIES AND PLANS

6.1 Planning Justification Report
A qualified planner (Registered Professional Planner) must submit a report providing planning justification for the proposed amendment in light of the principles, 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: describe the site context; address applicable provincial and regional policy; describe the proposal in detail including preliminary site plan details if applicable; address applicable local Official Plan policies (e.g. policies relating to compatibility, intensification, redesignation criteria and conversion policies); describe how the proposal meets Council approved Design Guidelines, discuss findings of the technical studies in the context of the Part II Functional Policies of the Official Plan; and other Council policy.

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

6.3 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.

6.4 Storm Water Management Report
Required in accordance with Part II, Section 2.11.3 subsections a) & d) of the Official Plan.

6.5 Functional Service Report
Required in accordance with Part II, Section 2.11.3 subsection e) of the Burlington Official Plan. 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 Region of Halton.

6.6 Tree Inventory and Preservation Study
Required when a property under application contains woodlots, tree stands or hedgerows, in accordance with Part II, Section 6.0 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 of those trees to be retained.

6.7 Traffic/Transportation Impact Study
Required for applications as set out in Part II, Subsection 3.2.2 d) of the City's Official Plan and Part IV, Sections 171-173 of the Regional Official Plan. Contact City Transportation Planning staff (City roads) or Regional Public Works staff (Regional roads) for background information and to discuss TIS assumptions. For Regional roads, applicants are referred to the "Guidelines for the Preparation of Traffic Impact Studies". MTO must be contacted for lands near provincial highways

6.8 Top-of-Bank Demarcation
Required for applications on any property containing, or abutting a creek or valley feature, Lake Ontario or Burlington Bay shoreline, in accordance with Part II, Section 9.2.2 subsection b) and Part III, Section 6.4.2, subsections d) and e) of the City's Official Plan. Applicant's surveyor must meet on-site with representatives of the City Engineering Department and Conservation Halton to survey the top of bank and/or floodline, and this surveyed line shall be incorporated into the applicant's subdivision or site plan. A geotechnical report may be required to identify stable top-of-bank.

6.9 Environmental Evaluation Report
Required for applications as set out in Part II, Section 2.5 of the City's Official Plan, the Regional Official Plan and the Region's Environmental Impact Assessment guidelines. These assessments will be reviewed by the Halton Ecological and Environmental Advisory Committee (EEAC).

6.10 Noise and Vibration Study
Required for applications as set out in Part II, Section 3.3.2, subsections r), s) and t), and Part II, Section 3.7.2, subsections d), e) and f) of the City's 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 the Region's "Noise Attenuation Policy for Regional Roads," dated October 2000.

6.11 Shadow Analysis
Required for all applications where, in the opinion of the Planning and Building Department, the proposal may result in impacts on adjacent properties from sun shadowing, in accordance with Part III, Section 2.5.2, subsection (vii) of the City's Official Plan. Guidelines for this analysis are contained in the City's Site Plan Application Guidelines.

6.12 Environmental Site Screening Checklist
Required for all applications as set out in the "Protocol for Reviewing Development Applications with respect to Contaminated Sites," dated March 2003. Applicants should contact the Region of Halton for historical data and any environmental records.

6.13 Phase I or II Environmental Site Assessment/Record of Site Condition Report
Required when the Phase I site assessment identifies the possibility of site contamination and in accordance with Part II, Section 2.4, subsections i) and j) of the City's Official Plan and the protocol for contaminated sites. All requirements of the protocol must be met for Phase II studies and required Records of Site Condition (RSCs).

6.14 Land Assembly Documents
Required for applications where, in the opinion of the Planning and Building 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.

6.15 Height Survey of adjacent buildings
Required for all residential infill and intensification rezoning applications, in accordance with City Council policy. 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.

6.16 Heritage Impact Statement
Required as determined by Planning staff for any property designated pursuant to the Ontario Heritage Act, identified on the City's Inventory of Heritage Resources, or for any property located adjacent to a designated or otherwise inventoried property.

6.17 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 and the Regional Archaeological Master Plan.

6.18 Wind Impact Study
May be required, as determined by Planning staff, for any building over 6 storeys in height. The report will provide information related to wind comfort conditions for pedestrians both on and around the development.

6.19 Sensitive Land Use (Risk Assessment) Report
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 Part II, Section 2.7.3 subsections n) & o) and Part II, Section 4.3 subsection d) of the City's Official Plan, Part IV, Sections 146-147 of the Regional Official Plan, and the Ministry of the Environment D-6 series guidelines.

6.20 Agricultural Impact Assessment Report
Required for applications as set out in Part II, Subsection 13.3 e) of the City's Official Plan and for certain proposals in certain designations in the Regional Official Plan. Guidelines for these assessments are available from the Region of Halton, and these assessments will be reviewed by the Halton Agricultural Advisory Committee (HAAC).

6.21 Hydrogeology Study
Required for all applications in areas subject to private water and septic services, as set out in Part IV, Subsection 2.1.3 b) and Part IV, Subsection 3.3 d) of the City's Official Plan, the Regional Official Plan and the Region's "Guidelines for Hydrogeological Studies and Standards for Private Services, revised June 2000. Applicants should contact the Halton Health Department for more details regarding site-specific studies, which must be approved by the Region following a peer review.

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

Preconsultation Meeting Notes

1085 Clearview Ave. & 1082 St. Matthews Ave. - January 11, 2017

Attendees:
Rosalind Minaji, Annette Simpson, John Załoznik, Umar Malik, Phil Caldwell - City of Burlington
Adam Huycke, John Kisneris -Region of Halton
Marc Begin, Przemyslaw Myszkowski - KNYMH Architecture
Oz Kemel, Amanda Wyszynski – MHBC Planning
Andrew Mulder, Dominic Damar, Janelle Day – LIV Communities

Description of Development Concept:

- Six storey condominium apartment with 120 units
- 0.5ha site – mix of 1 and 2BR units
- 27 surface spaces and 88 underground spaces - parking reduction proposed due to proximity to GO Station
- Access to Masonry Court via direct driveway
- One level of underground parking
- LIV Communities (formerly Landmark Homes) – they build a premium product
- Drawings will be revised – these are very preliminary
- 1082 St. Matthews will likely be developed as single detached lot and sold

Planning Comments:

- The property is designated Residential Low Density and zoned R2.1. An Official Plan Amendment and rezoning will be required in order to consider the proposed apartment building.
- This property is located within the Aldershot Mobility Hub study area and is considered to be within the primary mobility hub zone for the Aldershot GO Transit station. Area Specific Plans for Mobility Hubs are being developed over the next three years, and it is expected that a draft concept for the Aldershot Mobility Hub would be endorsed by Council early in 2018.
- Greater heights and densities will be contemplated in the Mobility Hub, but these are to be considered in the context of servicing, transportation, urban design, community compatibility and other factors. Some of the unknown issues which would impact this property include: traffic access points to Masonry Court, disposition of the noise wall elsewhere along Masonry Court, height, density and planned function of the area, and future land use on north side of Masonry Court. These issues should be settled before a site specific application is considered.
- It is recommended therefore, that the landowner work closely with the Planning Department during the development of the Mobility Hub plan for Aldershot. Any site specific application should be delayed until these important contextual issues are resolved.

- Should the landowner choose to proceed in the near future, 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 from low density to high density residential use is desirable and represents good planning;
    - to discuss how the results of required technical studies have been used to refine the redevelopment proposal; and
    - to explain how the proposed development is compatible with surrounding land uses.
- The landowner should consider land assembly with lots on St. Matthews Avenue, as well as to the south to facilitate a more comprehensive redevelopment plan.

- The proposed layout will create adverse impacts on the side yards and rear yards of abutting single detached development. The final design should incorporate terracing, setbacks and heavy screening landscaping to offset these impacts. Surface parking should be eliminated or relocated away from existing low density development.
- A shadow study and height survey of adjacent buildings is required. Compatibility with adjacent development will be a key consideration when reviewing the applications.
- Greater use of landscape buffers and amenity space will be required. Amenity space is required at a rate of $25m^2$ per unit – this can be indoor or outdoor space.
- If a reduced parking rate is being proposed, a Parking Justification Study will be required.

Region of Halton Planning Comments:

- The subject lands are located within the Urban Area (2009 ROP).
- The range of permitted uses and creation of lots within in the Urban Area is to be in accordance with local official plans and zoning bylaws.
- Located within the Built Boundary
- The subject lands are located in close proximity Major Transit Station (Intensification Areas). Intensification Areas are a Regional focus for growth and are to accommodate increased densities and mixed uses.
- 2009 ROP Policy 89(3) requires all development within the Urban Area to be on full municipal services.
- The applicant will be required to provide a Regional Environmental Site Screening Questionnaire for the proposal and subject lands.
- The submission of a completed Regional Environmental Site Screening Questionnaire and any completed ESA's (along with letter of reliance extending third party reliance to the Region of Halton) is requested.
- It is recommended that a Phase 1 ESA should be submitted at the time of initial application.
- A MOECC acknowledged Record of Site Condition may be required to permit the residential redevelopment of 1085 Clearview Ave.
- ROP policy (Section 143(9)) requires development proposals within 300 metres of a railway right-of-way to undertake noise studies in accordance with Provincial policies and standards, and to implement the study recommendations, as approved, including restrictions on new residential and other sensitive uses.
- S.156(1) require proponents of development applications to have regard for Healthy Community Guidelines.
- Waste Management: The Owner should prepare a Waste Management Plan, in accordance with the Region's Guidelines at the time of initial application.
- Required Plans/Studies:
    - Complete Application(s)
    - Regional Review Fee(s)
    - Planning Justification
    - Development Concept Plan
    - Functional Servicing Report & Site Servicing Plan
    - Noise Study
    - Phase 1 ESA and Regional Site Screening Questionnaire at time of initial application. Additional ESA's, including an RSC may be required pending the review of the Phase 1 ESA.
    - Waste Management Plan

Region of Halton Servicing Comments:

- Halton Region watermains exist within Clearview Ave, St. Matthews Ave and Masonry Court adjacent to the proposed development. A wastewater main exists within Clearview Ave adjacent to the property. A trunk wastewater main exists within St. Matthews Ave adjacent to the property. Any proposed trunk wastewater main connection requires special review and Regional permission to connect into, and it should be noted that permission is not always guaranteed.

- The developer should undertake to locate the size and location of the water services and wastewater (sanitary) services to the buildings on the properties and place them on an Existing Site Servicing Plan drawing. Public and private utility companies can be utilized for this purpose.
- A Functional Servicing Report is required to be prepared by the developer's consultant (watermains, water services, fire hydrants, sanitary sewer mains, sanitary sewer services, 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.
- The FSR 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. This information will help to assist in informing the watermain design and any watermain modelling analysis that is being undertaken by the proponent's consultants.
- 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.
- New development must be on the basis of full municipal services. Any existing wells and septic system within the development property must be decommissioned by the owner/developer. A copy of the specific decommissioning records must be provided to the Region, and retained by the owner/developer.
- Regional policies state that water and sanitary services cannot cross lot lines, unless some form of common element condominium is incorporated. Therefore of interest is the type of ownership whether freehold or some form of condominium.
- Any major servicing works, etc, 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.
- Watermain and sanitary servicing capacity is not guaranteed at the LOPA or ReZoning stage. The owner can pre-consult about servicing capacity with the Region at any time. There are no known issues at this time. This will be reviewed upon application. Servicing capacity is deemed to be in hand at the issuance of a Regional Services Permit, which is reviewed and obtained toward the end of the City's Site Plan approval process.
- As always, acquiring land for development purposes and hiring consultants, at this time, is at the risk of the developer.
- Any watermain or 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 and wastewater design.
- The Region would like to receive confirmation that any required formal land assembly has taken place at the site plan stage.
- The developer should prepare a Solid Waste Management Plan to the satisfaction of the Region. The Plan shall have regard for the Region's Solid Waste Management Guidelines. The Solid Waste Management Guidelines are available on-line at http://www.halton.ca , Regional Official Plan (ROP) Guidelines, Development Design Guidelines for Source Separation of Solid Waste.

Capital Works Stormwater Management Comments:

- Stormwater Controls
- Quality Control - Enhanced quality Control achieving 80% Total Suspended Solids Removal with a preferred treatment train approach to remove suspended solids

- Quantity - 100 year Post Development Flows controlled to 5 year Pre development flow levels by providing on-site storage for all storm events up to and including 100 year.
- Erosion Control - Not Applicable
- Drainage Issues / Concerns
- Conservation Authority - not regulated
- External Flows - Engineer to confirm any external flows entering the site under the existing conditions. All identified external flows must be routed safely under the developed conditions without causing any flooding or ponding.
- Existing Infrastructure - A 450 mm diameter storm sewer runs along masonry Court with a manhole structure opposite the proposed development site
- Drainage Patterns - Existing drainage directions and patterns should be maintained.
- Studies Required:
    - Functional Servicing Report
    - Grading and Servicing Plans
    - Major and Minor Flows
    - Internal stormwater servicing details
    - Control Structures and their location with cross sectional details
    - Storage Details and Locations
- Other Recommendations
    - Best Stormwater Management Practices
    - Apply Low Impact Development techniques and features where feasible
    - All construction to be completed in an environmentally friendly manner

Site Engineering Comments:

- Clearview Avenue, St. Matthews Avenue and Masonry court are all City of Burlington owned roads, all have a deemed Right of Way of 20m, and actual widths are 20m, no widenings would be required, We defer to Transportation to comment on the placement of the proposed entrances off of Masonry Court and changes being considered for the area roads
- No CH or floodplain, according to our GIS mapping
- There are no Capital Works projects scheduled in this area in the 2016 – 2025 Capital Budget & Forecast
- Trees: There are several City Trees along Masonry Court as well as City trees on Clearview and St. Matthews. Any proposed City Tree removal will require Council Approval. Removal of City trees should be avoided wherever possible. City trees proposed for removal will require an arborist's assessment of health and structural condition prior to the request being accepted for consideration.
- Please refer to the City of Burlington Tree Preservation and Protection Specification SS12A for further tree protection details.
- There are a few mature trees on/adjacent to the property, we will require a tree inventory study for all trees greater than 100mm dbh, and a tree protection and removal plan for the OPA/Rezoning application.
- The applicant is advised that trees within 3.0m of the property line are protected under the Provincial Forestry Act (RSO 1990) Section 10. The adjacent property owner(s) shall be consulted and made aware of the proposed development and potential effects to the boundary trees and requested to submit in writing that there are no concerns with proposed treatment of the existing tree(s) or a certified arborist (as defined in the City of Burlington's Tree protection and preservation specifications SS12A) shall be retained to address the potential impacts on the existing boundary trees and provide a letter or report confirming in their opinion that the boundary trees will survive the construction. The arborist letter or report shall also include the preservation methods, including pruning and fertilizing, that can be implemented by the owner in order to ensure boundary tree saving along mutual lot lines both within and adjacent lots.
- It may be required to have an Certified Arborist (as defined in the City of Burlington's Tree protection and Preservation specifications (SS12A) to be retained to address potential impact on the existing boundary

trees and on site during excavation operations to ensure no damage to the protected trees or their root systems, to be determined at the Site Plan stage.

- Is the back at-grade parking for visitors? If so, how do they enter the building? Could a rear entrance be incorporated in the design?
- There are a few ground floor units on the east side of the building at the rear, we ask that the applicant look at deeper landscaping to separate the units from the parking, there will also need to be some sort of headlight mitigation (fence/landscaping/combination) for the units to protect from cars/parking
- A double board solid wood fence and enhanced landscaping will be required along the south and east property lines to mitigate headlight nuisance onto existing residential.
- There may be a conflict with an existing hydrant and the proposed entrance off of Masonry Court
- The proposed 45' wide entrance to the at-grade and underground wider than we typically like to see, can this be broken up with low landscaping? Entrances will need to be clearly signed to direct visitors to above ground and residents to underground.
- Have they considered an electric car charging station for the underground parking garage?
- Would like to see bike racks incorporated at the street level for visitor and in parking garage for residents
- The Applicant is advised that at the Site Plan stage we will require a precondition survey prior to start of excavation and vibration monitoring for the duration of construction.
- The applicant is advised that at the site plan stage we may require a municipal sidewalk to be constructed along the frontage of the property as part of the Site Plan, this would be determined at the Site Plan Stage, however we wanted to advise for project budgeting purposes.
- Is it one property? Both addresses have the same PIN
- What is planned for 1082 St. Matthews? Will it remain a single family home?
- Phase One RSC – depending on results further environmental investigation may be required, i.e. Phase Two, RSC.
- Stormwater Management Report – quality control will be advanced and we encourage the use of LID's. There is an existing 450mm & 525mm storm sewer on Masonry Court that currently outlet to private lands on the north side of Masonry Court, this private outlet will be redirected to Cooke Ave as part of a separate development application.
- Geotechnical Report required – needs to address if there any concerns with groundwater that will need permanent dewatering due to the underground parking? Also in support of any LID techniques that may be implemented, i.e. infiltration
- Detailed Grading and servicing plans, also including: Bordering city trees to be shown on drawing and boundary trees over 100mm in diameter within 3m of the property line), indicate which trees are proposed to be removed.
- Concept landscape plan (separate plan),
- Snow storage (prefer on a soft surface)
- Garbage pick up (private?) area – inside? If outside needs to be screened
- Need to include grades on adjacent properties enough to determine existing drainage patterns. Need to show on the grading plan how drainage will be contained in the development, and not cut off surrounding properties drainage.
- Noise Feasibility Study – as per NPC-300, Applicant is advised that the railway shunting yard to the north of the site is considered a Stationary Source, and that Planning will confirm whether this site will be considered a Class 3 or Class 4 site for NPC-300. Applicant's consultant to also consider the building as a stationary source and detail any mitigation measures required to prevent noise nuisance on adjacent residential, including underground parking vents/fans/grates/etc.
- Summary for RZ/OPA:
    - Stormwater Management Report
    - Detailed Servicing, Grading & Drainage drawings
    - Noise Feasibility Study
    - Geotechnical Report

    - Phase One ESA
    - Tree inventory report, including preservation (and removal) plan
- At the Site plan stage will also need:
    - Erosion control plan
    - Construction Management Plan
    - Lighting and photometric plan (as per City of Burlington Accessibility Standards and Outdoor Lighting Guidelines).
    - Utility coordination plan
    - Landscape plans
    - Preconstruction survey & vibration monitoring during construction

Transportation Services Comments:

- Traffic Impact study will be required –speak to Transportation Services Staff about Terms of Reference before proceeding
- Parking Justification Report
- Travel Demand Management Plan
- Pedestrian access should be shown between Clearview Avenue and Masonry Court
- Sidewalk extension from St. Matthews through to Clearview Avenue

CITY OF Burlington

DEVELOPMENT APPLICATION PRE-CONSULTATION FORM

Meeting Date: May 16, 2018	**Property Owner:** **Hamilton Meeting Rooms Association**
Site Address: 1085 Clearview Avenue & 1082, 1086 and 1090 St. Matthews Avenue	**Applicant / Address / Phone / Email** MacNaughton Hermsen Britton Clarkson Planning Limited ("MHBC") c/o Dana Anderson 442 Brant Street, Suite 204 Burlington, ON L7R 2G4
Site Area: 0.6314 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:**
This application seeks to develop a six storey 169 unit residential apartment building. The proposal will include approximately 51 surface parking spaces and approximately 163 underground parking stalls. Access is to be provided from Masonry Court via two entrances.

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. **Existing Official Plan Designation:** **Residential – Low Density**

Conformity with City Official Plan land use designation? YES ____ NO __X__

If 'NO' what is the nature of the OP amendment needed? Residential –High Density

4. **Existing Zoning:** **R2.1**

Conformity with existing zoning? YES _____ NO _x_____

If 'NO' what is the nature of the zoning amendment needed? **RH1-site specific**

5. **Design Guidelines in effect?** YES ____ NO ___x___

Name of Design Guidelines: **Midrise Guidelines (TBD)**

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

YES _____ NO __X_____

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7. **Fees Required at Time of Application**

APPLICATION	CITY	REGION	CONSERVATION HALTON	PROVINCE
Official Plan Amendment:	21,119	8215.64		-
Rezoning - Base Fee: (70%) Rezoning - Variable Fee:	7129.50 73,529	969.08		-
Subdivision - Base Fee: Subdivision - Variable Fee:				-
Parkway Belt Amendment:				-
TOTAL	101,777.50	9184.72		-

Separate cheques are payable to City, Region, Conservation Halton and Province (Ministry of Finance.)

8. **Additional Agencies to be contacted: Mobility Hubs, Burlington Hydro, Regional Planning Staff to provide additional written comments , Metrolix/GO**

9. **Neighbourhood Meeting**

Is a neighbourhood meeting required? (e.g. residential intensification / infill, increased height and/or density, abutting residential zone, other neighbourhood/community impacts).

YES ___X____ NO _____ TO BE DETERMINED ____

If "YES" a Neighbourhood Meeting **will be** required

- *The Neighbourhood meeting will be held after submission and public circulation of the application.*
- *Meeting logistics will be organized by the City Building Department.*
- *The Ward Councillor, the applicant, City planner and other City staff as determined will attend the Neighbourhood Meeting. Presentations will be made by the City planner about the planning process and by the applicant about the development proposal.*
- *The meeting will be chaired by the City planner, or by the Ward Councillor.*

10. **Section 37 Agreement**

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

If "YES" a Section 37 Agreement **may be** required.

11. **Required Information for Complete Application**

Reports, Studies, Plans * *(See Appendix for additional details)* **All identified reports must be submitted in Accessible PDF form before an application is deemed complete.**		Number of Paper Copies (plus two in accessible electronic PDF form) If Study is Required	Required Study (Yes/No)
6.1	Planning Justification Report	8	Yes
6.2	Conceptual Site Plan Layout & Site Survey	15	Yes
6.3	Draft Plan of Subdivision	15	No
6.4	Storm Water Management Report (In FSR OK)	8	Yes
6.5	Functional Servicing Report (Including Water & Wastewater)	9	Yes
6.6	Tree Inventory and Protection Plan	9	Yes
6.7	Traffic/Transportation Impact Study Parking Justification Report	7	Yes
6.8	Top-of-Bank Demarcation	6	No
6.9	Environmental Evaluation Report	7	No
6.10	Noise Feasibility and/or Vibration Study (contact staff for requirements)	7	Yes
6.11	Shadow Analysis	3	Yes
6.12	Environmental Site Screening Checklist	5	Yes
6.13	Phase One or Two Environmental Site Assessment/ Record of Site Condition Report (during process)	5	Yes
6.14	Land Assembly Documents	2	No
6.15	Height Survey of adjacent buildings	2	Yes
6.16	Heritage Impact Statement	3	No
6.17	Archaeological Report	3	No
6.18	Wind Impact Study	3	No
6.19	Sensitive Land Use (Risk Assessment) Report	6	No
6.20	Urban Design Advisory Panel Meeting Minutes	4	Yes
6.21	Hydrogeology Study	7	No
6.22	Other (specify) Landscape Concept Plan		Yes
	Urban Design Brief	5	Yes
	Grading, Drainage & Servicing Plans	12	Yes
	Geotechnical Report	4	Yes
	Draft Zoning By-law	2	Yes
	3D Model of Proposed Building(s)	1	No

12. **ADDITIONAL COMMENTS:** See attached notes

NOTES:

1. 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. Further fees, such as variable fees may be required at a later date as per the fee schedule by-law.

2. 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.

3. This document expires 120 days from the date of signing or at the discretion of the Director of City Building. 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.

4. The City may require the peer review of a technical report 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.

5. In the event this Pre-consultation Document expires prior to the application being accepted by the City, another document may be required.

6. An application submitted without the information identified in this Pre-consultation Document may be recommended for refusal based on insufficient information to properly evaluate the application.

7. Acknowledgement of Public Information:
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 photocopying 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.

8. 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.

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

10. 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.

11. 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".

12. 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).

13. 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. Questions about this collection can be directed to the Manager of Development Planning, City of Burlington, 426 Brant Street, Burlington, Ontario, L7R 3Z6, 905-335-7600, ex 7638.

14. 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:

Kyle Plas

Planning Staff	Planning Staff (Signature)	May 16, 2018 Date
Annette Simpson		May 16/18.
Site Engineering Staff	Site Engineering Staff (Signature)	Date
Site Engineering Staff	Site Engineering Staff (Signature)	Date
Capital Works Staff	Capital Works Staff (Signature)	Date
Steve Lucas		May 16, 2018
Transportation Staff	Transportation Staff (Signature)	Date
Brian Hudson		May 16, 2018
Regional Staff	Regional Staff (Signature)	Date
John Cisneris		May 16, 2018
Regional Staff	Regional Staff (Signature)	Date
Conservation Halton Staff	Conservation Halton Staff (Signature)	Date

Proponent Signatures:

In signing this agreement, I acknowledge that the drawings, reports and other requirements indicated above must be submitted, along with a completed application form, any information or materials required by statute, the required application fees and a copy of this agreement in order for the planning application to be considered complete. In addition, I have read and agreed to the Notes listed above.

LIV COMMUNITIES	A. MW-DER	MAY 16, 2018.
Property Owner	Property Owner (Signature)	Date
Dana Anderson MHBC		May 16/18
Agent	Agent (Signature)	Date

(I have authority to bind the owner)

APPENDIX—REQUIREMENTS FOR REPORTS/STUDIES AND PLANS

6.1 Planning Justification Report
A qualified planner (Registered Professional Planner) must submit a report providing planning justification for the proposed amendment in light of the principles, 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: describe the site context; address applicable provincial and regional policy; describe the proposal in detail including preliminary site plan details if applicable; address applicable local Official Plan policies (e.g. policies relating to compatibility, intensification, redesignation criteria and conversion policies); describe how the proposal meets Council approved Design Guidelines, discuss findings of the technical studies in the context of the Part II Functional Policies of the Official Plan; and other Council policy.

6.2 Conceptual Site Plan Layout & Site Survey
General plan required showing proposed building envelopes, driveways, parking and landscape areas. Survey of site showing PINs, easements, property boundaries etc.

6.3 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.

6.4 Storm Water Management Report
Required in accordance with Part II, Section 2.11.3 subsections a) & d) of the Official Plan.

6.5 Functional Service Report
Required in accordance with Part II, Section 2.11.3 subsection e) of the Burlington Official Plan. 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 Region of Halton.

6.6 Tree Inventory and Protection Plan
Required when a property under application contains woodlots, tree stands or hedgerows, in accordance with Part II, Section 6.0 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.

6.7 Traffic/Transportation Impact Study
Required for applications as set out in Part II, Subsection 3.2.2 d) of the City's Official Plan and Part IV, Sections 171-173 of the Regional Official Plan. Contact City Transportation Planning staff (City roads) or Regional Public Works staff (Regional roads) for background information and to discuss TIS assumptions. For Regional roads, applicants are referred to the "Guidelines for the Preparation of Traffic Impact Studies". MTO must be contacted for lands near provincial highways

6.8 Top-of-Bank Demarcation
Required for applications on any property containing, or abutting a creek or valley feature, Lake Ontario or Burlington Bay shoreline, in accordance with Part II, Section 9.2.2 subsection b) and Part III, Section 6.4.2, subsections d) and e) of the City's Official Plan. Applicant's surveyor must meet on-site with representatives of the City Capital Works Department and Conservation Halton to survey the top of bank and/or floodline, and this surveyed line shall be incorporated into the applicant's subdivision or site plan. A geotechnical report may be required to identify stable top-of-bank.

6.9 Environmental Evaluation Report
Required for applications as set out in Part II, Section 2.5 of the City's Official Plan, the Regional Official Plan and the Region's Environmental Impact Assessment guidelines. These assessments will be reviewed by the Halton Ecological and Environmental Advisory Committee (EEAC).

6.10 Noise Feasibility and Vibration Study
Required for applications as set out in Part II, Section 3.3.2, subsections r), s) and t), and Part II, Section 3.7.2, subsections d), e) and f) of the City's 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 the Region's "Noise Attenuation Policy for Regional Roads," dated October 2000.

6.11 Shadow Analysis
Required for all applications where, in the opinion of the City Building Department, the proposal may result in impacts on adjacent properties from sun shadowing, in accordance with Part III, Section 2.5.2, subsection (vii) of the City's Official Plan. Guidelines for this analysis are contained in the City's Site Plan Application Guidelines.

6.12 Environmental Site Screening Checklist
Required for all applications as set out in the "Protocol for Reviewing Development Applications with respect to Contaminated Sites," dated March 2003. Applicants should contact the Region of Halton for historical data and any environmental records.

6.13 Phase One or Two Environmental Site Assessment/Record of Site Condition Report (prepared in accordance with O.Reg. 153/04)
Required to assess site contamination in accordance with Part II, Section 2.4, subsections i) and j) of the City's Official Plan. 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.

6.14 Land Assembly Documents
Required for applications where, in the opinion of the City Building 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.

6.15 Height Survey of adjacent buildings
Required for all residential infill and intensification rezoning applications, in accordance with City Council policy. 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.

6.16 Heritage Impact Statement
Required as determined by Planning staff for any property designated pursuant to the Ontario Heritage Act, identified on the City's Inventory of Heritage Resources, or for any property located adjacent to a designated or otherwise inventoried property.

6.17 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 and the Regional Archaeological Master Plan.

6.18 Wind Impact Study
May be required, as determined by Planning staff, for any building over 6 storeys in height. The report will provide information related to wind comfort conditions for pedestrians both on and around the development.

6.19 Sensitive Land Use (Risk Assessment) Report
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 Part II, Section 2.7.3 subsections n) & o) and Part II, Section 4.3 subsection d) of the City's Official Plan, Part IV, Sections 146-147 of the Regional Official Plan, and the Ministry of the Environment D-6 series guidelines.

6.20 Agricultural Impact Assessment Report
Required for applications as set out in Part II, Subsection 13.3 e) of the City's Official Plan and for certain proposals in certain designations in the Regional Official Plan. Guidelines for these assessments are available from the Region of Halton, and these assessments will be reviewed by the Halton Agricultural Advisory Committee (HAAC).

6.20 Burlington Urban Design Advisory Panel Meeting Minutes
The Burlington Urban Design Advisory Panel (BUD) is an independent advisory body comprised of design professionals that provides urban design advice to the City Building Department on all tall and mid rise buildings (5 storeys or greater) and all public development projects. 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 minutesmust be submitted with the application along with a Design Brief explaining how their advice has been incorporated into the development proposal.

6.21 Hydrogeology Study
Required for all applications in areas subject to private water and septic services, as set out in Part IV, Subsection 2.1.3 b) and Part IV, Subsection 3.3 d) of the City's Official Plan, the Regional Official Plan and the Region's "Guidelines for Hydrogeological Studies and Standards for Private Services, revised June 2000. Applicants should contact the Halton Health Department for more details regarding site-specific studies, which must be approved by the Region following a peer review.

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

Preconsultation Meeting Notes

1085 Clearview Avenue & 1082, 1086 and 1090 St. Matthews Avenue - **May 16, 2018**

Attendees:
City of Burlington:
Lisa Stern
Annette Simpson
Danijel Ozimkovic
Steve Lucas
Kyle Plas

Halton:
Brian Hudson
John Kisneris

Applicant
Andrew Mulder (LIV)
Aaron Roque (LIV)
Dorian Grah (LIV)
Dana Anderson (MHBC)
Gerry Tchisler (MHBC)
Clifford Korman (Kirkor)

Description of Development Concept:
This application seeks to develop a six storey 169 unit residential apartment building. The proposal will include approximately 51 surface parking spaces and approximately 163 underground parking stalls. Access is to be provided from Masonry Court via two entrances.

Planning Comments:
Official Plan: Residential Low Density
Grow Bold: Residential Low Density, Primary Intensification Area, Aldershot Mobility Hub.

- The City of Burlington is developing four area specific plans, one for each of Burlington's Mobility hubs that will support the future redevelopment and intensification of these areas while also achieving the city's goal to "Grow Bold" by creating transit-oriented, pedestrian-friendly and sustainable neighbourhoods where people can live, work, shop and play.

- Draft Precinct Plan for the Aldershot Mobility Hub was released this month (May 2018) for consultation. Council Workshop will occur on July 12, 2018. Final delivery of the Area-Specific Plans is scheduled for early 2019.

- These properties are located within the Aldershot Mobility Hub study area boundaries.
  - 1085 Clearview Ave – within the 'Mid-Rise Residential Precinct'
    - development will be in the form of low and/or mid-rise building forms consisting of 11 storeys or less and may serve as a transition to adjacent precincts and/or areas.
    - permit opportunities for commercial activities at street level on strategic streets.
    - require the provision of transportation demand Management (TDM) and traffic mitigation measures within developments, such as carshare, transit passes, shared parking facilities, etc.
  - 1082 – 1090 St. Matthews Ave – within the 'Grove Park / St. Matthews Neighbourhood Precinct'

- the Grove Park/ St. Matthew's Neighbourhood Precinct will maintain the low-rise residential and neighbourhood character of the area and provide an effective and compatible transition to established neighbourhoods outside of the mobility hub
- development will be in the form of low-rise residential, including single and semi-detached houses as well as street-oriented townhouses which will be compatible with the existing neighbourhood.
- provide for street-oriented townhouses with the exception of stacked and back-to-back forms of townhouses.
- achievement of complete streets
- require built form and design measures to achieve effective transitions and a high degree of compatibility with adjacent neighbourhoods/ areas

- City Building staff are developing the Area Specific Plans for the Mobility Hubs. The work will include the development of detailed policies which are not otherwise developed at an Official Plan level of detail. As such, there may be policies which could impact development of sites within the Hubs relating to, but not limited to:
  - Site-specific constraints;
  - Detailed heritage analysis;
  - Phasing of development;
  - Infrastructure capacity;
  - Stormwater management including floodplains;
  - Feasibility of future transportation connections;
  - Additional sustainability measures;
  - Area-focused community engagement;
  - Implementation and incentive tools; and,
  - Further area-specific design requirements.

- It is recommended that the landowner work closely with the City Building Department during the development of the Mobility Hub plan for AldershotGreater heights and densities are contemplated in the Mobility Hub but in the context of servicing, transportation, urban design, compatibility and other factors. Some of the unknown issues include: access points to Masonry Court, roadway/public realm design, disposition of the noisewall elsewhere along Masonry Court, height/density/planned function of the area and future land use on the north side of Masonry Court. These issues should be settled before a site specific application is considered. Itis recommended that the landowner with with the Mobility Hub team during the creation of the Area Specific Plan.

Applications that proceed in advance should have regard for the Mobility Hubs Opportunities and Constraints Study (2014)

Should this proposal proceed in advance:

- Planning justification report:
  - address provinicial, municipal and regional policies.
  - Explain why the requested change from low density to high density residential use is desireable and represents good planning
  - Discuss how the technical studies have refined the redevelopment proposal
  - Explain how the proposed redevelopment is compatible with existing and planned surrounding land uses and provides an enhanced public realm.
- Urban Design, Shadow study, & height survey required to address compatibility with existing and planned uses as well as address the Mobility Hubs objectives
- Application is to be presented to the Burlington Urban Design Advisory Panel (BUD) to ensure appropriate transitions to surrounding development, high level of design on the site and in the public realm.
- Greater use of landscape buffers and amenity space required.

- Tree preservation and protection plan required.
- Min 3m landscaped area required between parking/driveway and ground floor windows

Region of Halton Planning Comments:
OPA + Rezoning

Proposal:

- 6 storey, 169 unit residential apartment building
- 51 surface parking spaces and 163 underground parking stalls
- Access via Masonry Court

Site Details/Background:

- Current use: 1085 Clearview was operated by the Hamilton Meeting Room Association for the purpose of religious activities. 1082, 1086 and 1090 St. Matthews are currently occupied by single detached dwellings
- Area: 0.6 ha
- Frontage on local roads (Clearview Ave., St. Matthews Ave and Masonry Court)
- OP: Residential Low Density
  - Grow Bold: Aldershot Mobility Hub
- Zoning: Low Density Residential (R2.1)

ROP 2009:

DESIGNATION

- ☒ **Urban Area**
- ☐ **Hamlets**
- ☐ **Mineral Resorces Extraction Area**
- ☐ **Regional Waterfront Parks**
- ☐ **Agricutlrual Area**
- ☐ **Regional Natural Heritage System**
- ☐ **North Aldershot Policy Area**

CONSTRAINTS

- ☐ **Greenbelt NHS (Map 1)**
- ☐ **Future Strategic Employment Area (Under Appeal)**
- ☐ **Municipal Wellhead Protection Area (Map 1D)**
- ☐ **Identified Mineral Resources Area (Map 1E)**
- ☐ **Parkway Belt West Plan (Map 1B)**
- ☐ **Prime Agricultural Area (Map 1E)**
- ☐ **Key Features (Map 1G)**

- The subject lands are located within the Urban Area as per Map 1 the 2009 ROP
  - S. 76 of the ROP directs that the range of permitted uses and creation of lots within in the Urban Area is to be in accordance with local official plans and zoning bylaws
    - All development within the Urban Area to be on full municipal services, as per Section 89(3)

- The subject lands are located in close proximity to a Major Transit Station (Intensification Area) as per the ROP
- Located within the Aldershot Mobility Hub Study Area
    - Intensification Areas are a Regional focus for growth and are to accommodate increased densities and mixed uses

- S.156(1) of the ROP requires proponents of development applications to have regard for the Region's Healthy Community Guidelines. A review the Healthy Community Guidelines should be included as part of the Planning Justification Report.

- In accordance with In accordance with S.147(17) of the Region's Official Plan, a property is to be free of contamination prior to any development taking place

- Regional Environmental Site Screening Questionnaire to be submitted with the application
- Phase 1 ESA prepared to O.Reg 153/04 standards and with a Letter of Reliance extending third party reliance required with application. Future environmental work may be required depending on the results of the Phase 1 ESA
- MOECC-acknowledged RSC is required for 1085 Clearview Ave.

- Section 143(9) of the ROP required development proposals within 300 m of a railway right-of-way to undertake noise studies in accordance with Provincial policies and standards, and to implement the study recommendations, as approved, including restrictions on new residential and other sensitive uses

- It is recommended a Waste Management Plan be submitted with the application, as site specific zoning may be affected
  - Please refer to the Region's Development Design Guidelines for Source Separation of Solid Waste
  - As a note, Regional waste collection trucks require 6.5 minimum overhead clearance and 13m turning radius

Required Plans/Studies:

- All submitted materials on a USB stick/CD
- Regional Review Fees
- Planning Justification Report (to include analysis of Region's Healthy Community Guidelines)
- Functional Servicing Report, Site Servicing Plan (part of FSR)
- Environmental Site Screening Questionnaire, Phase 1 ESA, RSC may be required
- Waste Management Plan recommended

Region of Halton Servicing Comments:

- Regions Commetns are forthcoming. Will be attached as an addendum

Capital Works Stormwater Management Comments:

- Control 100 year post development flow to 5 year existing flow level by providing onsite storage.
- 80% TSS removal with an OGS just credited at 50%.
- Any external flows must be safely routed through the proposed development
- The SWM report can be combined with the Sanitary and Water Servicing report

Site Engineering Comments:

- Clearview Avenue, St. Matthews Avenue and Masonry court are all City of Burlington owned roads, all have a deemed Right of Way of 20m, and actual widths are 20m, no widenings would be required, HOWEVER, dedication of the "cul-de-sac" right of ways on St. Matthew's & Clearview (to bring to 16m radius as per S-113) may be required, we defer to Transportation to confirm and to comment on the placement of the proposed entrances off of Masonry Court
- Existing pedestrian connections from Clearview & St. Matthews to be maintained, improvements/restoration may be required depending on extent of disturbance to ROW due to proposed development
- No CH or floodplain, according to our GIS mapping
- There are no Capital Works projects scheduled in this area in the 2018 – 2027 Capital Budget & Forecast
- We ask that the applicant pre-consult with Burlington Hydro regarding servicing requirements, our GIS mapping indicates the property as part of a Mobility Hub study area, and as such there is a City Hydro Servicing Policy (Appendix C to the E-01-14 Report, adopted by council on February 18, 2014) which states future hydro

services and other utilities for properties located within the Mobility Hub and downtown are to buried at the owner's expense.

- Please consider pedestrian movements in the underground parking, i.e. safe/delineated areas at exits to stairwells and elevators, please ensure strategic placement of barrier free parking so that there is clear access aisles to the elevators. Consider a walkway from the south side of the parking to the elevator area rather than have to walk all the way around or between cars. Consider setting the walls of the elevator vestibule in a bit so that people don't have to open a door into the traveled lane and have a safe spot to stand before crossing over to their vehicles and so that cars can see pedestrians entering and exiting the elevator vestibule.

- There may be a conflict with an existing hydrant and the proposed west entrance to Masonry Court
- Please consider electric vehicle charging stations in the underground parking garage, or ductwork for future installation
- Please consider incorporating bike racks at the street level for visitor and in parking garage for residents
- A municipal sidewalk shall be constructed along the frontage of the property connected to the existing sidewalk just east of St. Matthew's Ave. and the sidewalk at Clearview.
- The limits of the underground parking will need to be looked at with the Landscape architect, to ensure there is enough soil volume provided to allow for trees to be planted and mature to provide a buffer between the development and surrounding low density residential.
- A double board solid wood fence and enhanced landscaping (dense coniferous) will be required along the south and west property to mitigate headlight trespass from parking stalls, and enhanced landscaping and possibly wood fence panels strategically placed along the east property lines to mitigate headlight nuisance onto existing residential. A deeper landscape strip may be required to support trees.
- We ask that the architect and noise consultant discuss whether or not operable windows are appropriate at the south wall of the 2 bed + den at the SE corner adjacent to the loading space on the first and second floors. Also similar concern for the 2 bed + den at NW and NE comers adjacent to the laneways.
- The sidewalk will need to extend across the underground parking garage entrance
- Privacy fencing, enhanced landscaping adjacent to the patio areas of the main floor units adjacent to the laneways will need to be looked at.
- Record of Site Condition – RSC required as it would be a change of use from Community (church) to Residential. As per Part IV clause 14, subsection 9 of O. Reg. 153/04. To make the application complete a Phase One Environmental Site Assessment completed in accordance with O. Reg. 153/04 is required, including a letter of reliance confirming the City of Burlington (and Region of Halton) may rely on the information provided in the report. Please be advised that if the Phase One ESA is not in accordance with O. Reg. 153/04 the application will be deemed incomplete.

- Stormwater Management Report (can be part of FSR) – There is an existing 450mm & 525mm storm sewer on Masonry Court that currently outlet to private lands on the north side of Masonry Court, this private outlet will be redirected to Cooke Ave as part of a separate development application.

Umar Malik has provided the following SWM criteria:

- Enhanced Quality Control achieving 80% Total Suspended Solids Removal. We ask that a treatment train approach be utilized that incorporates Low Impact Development techniques. OGS will only be credited at 50%.
- Quantity Control -100 year post development flow to 5 year existing flow level by providing onsite storage.
- Provide storage details and location
- Report to include full size stamped/signed servicing & grading plan (can be labeled preliminary)
- For landscape areas over top of underground parking a runoff coefficient of 0.9 is to be used
- Sewer pipes cannot be located under buildings.
- Confirm if there is permanent dewatering required for underground parking – and incorporate into design

o Please note that there should be no surface ponding in accessible parking spaces, and no surface ponding in a 5 year storm.
o Please clearly show the overland flow route for this address and neighbouring properties to ensure existing drainage patterns are maintained.
o Quantity controls must use an orifice tube (not plates).
o Need to confirm capacity of receiving system
o Need to confirm condition of receiving system (i.e. video inspection)
o Rooftop storage will not count towards the stormwater storage requirements (although allowed for other purposes, i.e. grey water for flushing toilets, irrigation for landscaping, etc.)
o Control structures and their location with cross sectional details
o It's important to determine storage requirements as we need to ensure any tanks in the underground parking are sized correctly at the RZ/OPA stage to avoid having to use up parking spaces later on for an increase in tank size.
o If you have any questions regarding SWM criteria please contact us, we are happy to proconsul with the Civil Engineer if they have any questions, (umar.malik@burlington.ca or annette.simpson@burlington.ca)
o We encourage Low Impact Development Stormwater Management techniques, such as rainwater harvesting for irrigation, use of treatment train approach of quality control by using bio and infiltration swales, etc., currently we look to the CVC/TRCA LID guidelines and/or in the future MOECC guidelines.

• Geotechnical Report required – needs to address if there any concerns with groundwater that will need permanent dewatering due to the underground parking? Also in support of any LID techniques that may be implemented, i.e. infiltration
• Detailed Grading and servicing plans, also including:
o city trees to be shown on drawing and boundary trees over 100mm in diameter within 3m of the property line), indicate which trees are proposed to be removed.
o Need to include grades on adjacent properties enough to determine existing drainage patterns,
o 100 year storm elevation
o Catch basins in landscape areas to be sumpless
o We would strongly encourage the Applicant's Civil Engineer to daylight the area of the proposed service connections to accurately locate the existing infrastructure (sewers, water, bell, hydro, cable, etc.) and determine inverts before completing detailed design work. This will be a requirement before Site Plan approval (if application proceeds)
o Although a site plan issue, we need to ensure there is room for snow storage. Our strong preference is to have snow stored on a landscaped (grass) area and then intercepted by catchbasins, this would allow for pretreatment of salty/sandy snow prior to entering the storm system.
o Another site plan issue, however we ask that the architect and other consultants consider placement of utility meters/piping/vaults/etc. please ensure they do not block walkways or be placed near the main entrances or in the way of barrier free routes, to ensure there is enough room at the design stage of the building. Utility furniture (meters, pedestals, boxes, etc.) for private developments cannot be located within the municipal right of way.
o Details of underground parking limits – all elements of the underground parking structure (i.e. walls, foundation drains, shoring, etc.) are required to be within the limits of the subject property

• Noise Feasibility Study (must be prepared by P. Eng.):
o For the development itself and need to see if there are any negative impacts on existing surrounding residential (due to rooftop mechanical, underground parking fans/vents/etc.).
o Please also consider nearby existing and proposed buildings as potential stationary sources of noise.
o Please have the noise engineer consult with the architect and structural engineer as to the optimal placement of vents and fans for the underground parking
o Please advise the noise consultant that reflective surface should be used in Stamson calculations
o Please also advise the noise consultant that although NPC-300 tables indicate 60dBA in the OLA with warning clauses, it is not acceptable to the City, we request that all possible measures be taken to control the noise in the OLA to 55dBA or less, if not feasible, then we request calculations to confirm what levels could be achieved, i.e. 60dBA would require a 3m noise barrier, 59 a 3.5m, 58dBA a 4.0m, etc. all the way to 55dBA.

- o All STAMSON calculations should be included in the report
- o Copies of correspondence from the City of Burlington/MTO/Metrolinx/CNR confirming traffic counts/rail traffic must be included in the brief.
- o Site plan to be included in the report
- o Key plan showing points of reception to be included & a chart referencing the key plan, detailing the estimated noise levels, allowable levels, and mitigated noise levels
- o Area context plan to be included showing potential sources of noise
- o Applicant is advised that the railway shunting yard to the north of the site is considered a Stationary Source, and NPC-300 Class, to be confirmed by Planning.

- Trees:
- o There are several City Trees along Masonry Court as well as City trees on Clearview and St. Matthews.
- o Any proposed City Tree removal will require Council Approval. Removal of City trees should be avoided wherever possible. City trees proposed for removal will require an arborist's assessment of health and structural condition prior to the request being accepted for consideration.
- o Please refer to the City of Burlington Tree Preservation and Protection Specification SS12A for further tree protection details.
- o There are a few mature trees on/adjacent to the property, we will require a tree inventory study for all trees greater than 100mm dbh, and a tree protection and removal plan for the OPA/Rezoning application.
- o The applicant is advised that trees within 3.0m of the property line are protected under the Provincial Forestry Act (RSO 1990) Section 10. The adjacent property owner(s) shall be consulted and made aware of the proposed development and potential effects to the boundary trees and requested to submit in writing that there are no concerns with proposed treatment of the existing tree(s) or a certified arborist (as defined in the City of Burlington's Tree protection and preservation specifications SS12A) shall be retained to address the potential impacts on the existing boundary trees and provide a letter or report confirming in their opinion that the boundary trees will survive the construction. The arborist letter or report shall also include the preservation methods, including pruning and fertilizing, that can be implemented by the owner in order to ensure boundary tree saving along mutual lot lines both within and adjacent lots.
- o It may be required to have an Certified Arborist (as defined in the City of Burlington's Tree protection and Preservation specifications (SS12A) to be retained to address potential impact on the existing boundary trees and on site during excavation operations to ensure no damage to the protected trees or their root systems, to be determined at the Site Plan stage.

- Summary for RZ/OPA:
- o Stormwater Management Report
- o Detailed Servicing, Grading & Drainage drawings
- o Noise Feasibility Study
- o Geotechnical Report
- o Record of Site Condition - Phase One ESA in accordance with O. Reg. 153/04 to start.
- o Letter of Reliance for ESA
- o Tree inventory report, including preservation (and removal) plan

- At the Site plan stage will also need:
- o Erosion control plan
- o Construction Management Plan –show trades parking, truck staging, sanitary facilities, site trailer, material storage, crane location, hoarding, etc. No trade's parking will be allowed on City streets. No Truck Staging will be allowed on City streets, unless permission/permit is obtained from Transportation. After hours emergency number to be posted on front gate.
- o Utility coordination plan, please no meters/valves/piping/vaults at the front of the building or near main entrances or blocking/encroaching into walkways or accessible routes.
- o Landscape plans – street-scaping may be required.
- o Clearly show pedestrian connections
- o Lighting/Photometrics details/drawing, as per City of Burlington Accessibility Design Standards and City of Burlington Outdoor Lighting Guidelines, available on our website

o Snow storage – preferred on a soft surface, i.e. grass, as a pretreatment for quality control.
o Precondition survey of surrounding properties as well as vibration monitoring during construction will be required.
o Mechanical Engineer will need to confirm that they have reviewed the SWM and have designed the internal pipes accordingly.
o Applicant is advised that a new Standard is in effect as of July 12, 2017, S-114-B, requiring any disturbance to the municipally owned ROW asphalt to be restored curb to curb for the entire frontage(s) of the property, it may also mean that a City contractor will complete the works, and the costs borne by the Applicant

Transportation Services Comments:

- Staff will require a traffic impact study for this proposed development. Traffic consultant will need to contact Transportation Planning staff in regards to scope of work.
- When it comes to parking, staff will require parking rates from the updated parking standards study along with transportation demand management program being integrated into overall site design. Any deviatation due to provision of TDM measures will require justifcation in the TIS. Please work with Transportation and the Miobility Hubs team to confirm future parking rates for the Mobility Hub.
- Transportation Planning staff is asking the applicant to look at the possibility of active transportation connection between Clearview Avenue and Masonry Court

Preconsultation Meeting Notes Addendum

1085 Clearview Avenue and 1082, 1086 and 1090 St. Matthews Avenue -May 16, 2018

Region of Halton Servicing Comments:

- Halton Region watermains exist within Clearview Ave, St. Matthews Ave and Masonry Court adjacent to the proposed development. A wastewater main exists within Clearview Ave adjacent to the property. A trunk wastewater main exists within St. Matthews Ave adjacent to the property. Any proposed trunk wastewater main connection requires special review and Regional permission to connect into, and it should be noted that permission is not always guaranteed.
- The developer should undertake to locate the size and location of all watermains, water services, water meters, wastewater mains (sanitary sewers), wastewater (sanitary) services, stormwater mains 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, 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..
- 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.
- New development must be on the basis of full municipal services.
- The developer should be aware of the Region's Multi-Unit Servicing Policy with respect to the number and location of water meters.
- Regional policies state that water and sanitary services cannot cross lot lines, the owner will ensure this throughout the process. Each lot must be independently serviced if it is proposed to be a separate lot.
- Any major servicing works required for this project would fall under the Regional Servicing Agreement process, including securities, Agreement registration, developer's liability insurance and the payment of Agreement fees.
- Servicing of a standard nature is required to go through the Regional Services Permit process.

- The size and scope of, utility trench and road cut, road restoration shall be to the satisfaction of the City of Burlington for local roads.
- Watermain and wastewater main (sanitary) servicing capacity is not guaranteed at the LOPA and ReZoning stage. Servicing of development in the Burlington area of Halton Region is 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 Region has initiated a Burlington Water Servicing Strategy Review and it is forecast to be completed this year. Please feel free to contact the Region at any time regarding the status of the review.
- The property is located within an area of the City of Burlington that is a known as one of the Mobility Hubs within the city. The Region is involved in the review of mobility hubs, and the review of the forthcoming studies and reports that will be undertaken with respect to Mobility Hubs. Servicing, and servicing requirements, are one of the reports that will be undertaken. It will be determined if other background studies will be undertaken.
- 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 that will not be utilized for any reason will be required to be disconnected right at the respective main by the developer.
- The developer's site servicing consultant can preconsult with the Region at any time regarding their proposed draft site servicing water design, wastewater design and identified utility conflicts (including storm).
- The Region would like to receive confirmation in writing when any required formal land assembly has taken place at the LOPA and ReZoning stage in order for servicing to conform with Regional Policies, that water and wastewater services do not and will not cross lot lines for different property owners.
- The developer should prepare a Solid Waste Management Plan to the satisfaction of the Region. The Plan shall have regard for the Region's Solid Waste Management Guidelines. The Solid Waste Management Guidelines are available on-line at http://www.halton.ca , Regional Official Plan (ROP) Guidelines, Development Design Guidelines for Source Separation of Solid Waste.
- The developer will inform the City, and the Region, whether they will be submitting a Site Plan application at the same time as the LOPA and ReZoning applications for timing purposes and issues identification and resolution purposes.

Thanks.

John Kisneris
Development Project Manager
Planning Services
Legislative & Planning Services
Halton Region
905-825-6000, ext. 7742 | 1-866-442-5866

Appendix 2

Comment Letters Regarding Official Plan,Mobility Hubs and Mid-Rise Design Guidelines

MHBC
PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE

KITCHENER
WOODBRIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

September 14, 2018

Todd Evershed
Urban Designer
City of Burlington
426 Brant Street
PO Box 5013
Burlington, Ontario
L7R 3Z6

via email: todd.evershed@burlington.ca

Dear Mr. Evershed:

RE: MID RISE DESIGN GUIDELINES
1085 CLEARVIEW AVENUE, 1082, 1086 & 1090 ST. MATTHEWS AVENUE
OUR FILE: 15226D

We have been retained by LIV Communities (the "Owner") in relation to their properties located at 1085 Clearview Avenue and 1082, 1086 and 1090 St. Matthews Avenue (the "subject lands"). We have been actively involved in the Official Plan Review and the Aldershot Mobility Hub Study.

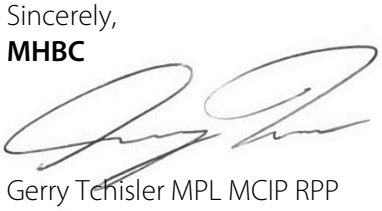
On August 30th, 2018 we attended the open house for the Mid-Rise Building Design Guidelines where 11 information panels were presented. While we understand these panels are intended to be informative and are based on industry standards, we are concerned with how these guidelines will be applied to lands located within mobility hubs.

The map on Panel 11 – Determining Height, identifies areas of the City which are suitable for midrise development. We note that the subject lands are not identified as suitable despite being designated as part of the Mid-Rise Residential Precinct in the May 2018 Aldershot Mobility Hub Precinct Plan. This panel also suggests that the maximum building height for mid-rise buildings will be no taller than the width of the street. There is a notation indicating that exceptions may apply to mobility hubs, among other areas, "where there may be a need for additional context sensitive design and massing guidelines". We agree that context sensitive design is important to achieve good development. In the case of mobility hubs, it should also be clearly acknowledged that there needs to be design flexibility in order achieve the intensification objectives for these areas. The guidelines should provide a clear distinction in this regard.

We understand City Staff is moving forward with the guidelines as it was a directive from City Council. We feel that this process should not be rushed and tangible guidelines should be presented to the public and stakeholders to allow for a comprehensive review and understanding of the City's intended direction. We encourage City Staff to consider another opportunity for the public and stakeholders to review and provide comments on a more detailed version of the guidelines, prior to preparing the final version.

Please add us to your contact list and keep us informed of any updates on the Mid-Rise Building Design Guidelines project. Should you have any question, do not hesitate to contact us.

Sincerely,
MHBC



Gerry Tchisler MPL MCIP RPP
Planner

cc: *Andrew Mulder, LIV Communities*
Katherine Rauscher, LIV Communities

MHBC
PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE

KITCHENER
WOODBRIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

July 16, 2018

Mayor Goldring and Members of Council
City of Burlington
426 Brant Street
PO Box 5013
Burlington, Ontario
L7R 3Z6

Via email: debbie.hordyk@burlington.ca

Dear Mayor and Councilors:

RE: COMMITTEE OF THE WHOLE WORKSHOP – JULY 12, 2018
Aldershot Mobility Hub (PB-65-18)

As you know, MHBC been retained by LIV Communities ("LIV") in relation to the properties located at 1085 Clearview Avenue and 1082, 1086 and 1090 St. Matthews Avenue, in the City of Burlington (the "subject lands"). Over the past two years our project team has been working to finalize plans and technical studies for the redevelopment of the subject lands.

Prior to commencing any formal redevelopment plans, we met with yourself and staff to discuss the status of the City's Official Plan Review and the Aldershot Mobility Hub study and timelines. At that time, LIV's plans included the properties at 1085 Clearview Avenue (currently the location of a single storey warehouse type building used as a place of worship) and 1082 St. Matthews Avenue (an existing single detached dwelling and access driveway extending into the church site). At that initial meeting, there was a discussion about the desire to consolidate the site to include the neighbouring two northerly properties on St. Matthews Avenue.

On January 11, 2017, we attended a formal pre-consultation meeting with City staff and presented a development concept for the property (1085 Clearview Avenue and 1082 St. Matthews Avenue). Staff recommended the acquisition of the two additional properties on St. Matthews Gate (1086 and 1090) to provide for a consolidated site. Staff specifically noted in the pre-consultation minutes that "the landowner should consider land assembly with lots on St. Matthews Avenue, as well as to the south, to facilitate a more comprehensive redevelopment plan" (see minutes attached). Over the last year and a half, LIV worked diligently to acquire the additional lots on St. Mathews Avenue, at a premium cost, knowing that the City's direction was to provide for a comprehensive redevelopment site.

We participated in the City's new Official Plan process and the Mobility Hub Study process and provided comments on a number of occasions (see letters attached) to ensure we understood and could work

within the evolving policy context. Two of our letters specifically outlined our concern with the proposed split land use designation on the subject lands in the preferred concepts given our consistent presentation to staff of a comprehensive redevelopment for all of the lands for a 6 storey building. We recently met with the Mobility Hub staff on June 20th to discuss the evolving Aldershot Mobility Hub plan and policies and reiterated our concern with the split designation on the subject lands. Staff agreed to review the designation and policies to ensure there would be a consolidation of the designation with appropriate design and transition policies. We agreed to even look at a design option to integrate a townhome unit façade into the easterly podium of the proposed building. This, however, would still require a single land use designation for the entire subject lands to facilitate a comprehensive redevelopment.

The staff report provided ahead of the upcoming Council workshop (PB-65-18) provides updated draft plans and policy directions for the Aldershot GO Mobility Hub. There is also a summary of comments received to date on the draft plans and policies. We were surprised that our previous written comments are not mentioned in the comment summary. We were also surprised to see that the subject lands remain in a split land use designation (Mid-Rise Residential and Grove Park/St. Matthews Neighbourhood). The draft precinct plan indicates that the Clearview property is located within the Mid-Rise Residential Precinct which permits buildings of up to 11 storeys in height. The St. Matthews properties are located in the Grove Park / St. Matthews Neighbourhood Precinct which permits only single and semi-detached housing and street-oriented townhouses. We are also concerned that there is now added emphasis on the limitation of development opportunities within the Grove Park/St. Mathews Neighbourhood.

We continue to have significant concerns with the split designation of the subject lands given that LIV acquired the additional properties on St. Matthews Avenue in good faith, as per staffs' recommendation, to facilitate a more comprehensive redevelopment plan. The designation of the St. Matthews properties as Grove Park / St. Matthews Neighbourhood Precinct is inconsistent with the previous direction provided by staff and we have repeatedly requested a single designation for all of the subject lands as noted in the attached letters.

We understand that Council reviewed the Aldershot Mobility Hub plan as part of a workshop on July 12, 2018 and are providing further direction to staff. We strongly request that the City align the designations with the property ownership as requested to staff.

We look forward to continuing to work with you and staff on this project moving forward. It will be a positive redevelopment in the community which will be comprehensively designed across the entire site to accommodate a transition in height and the mitigation of any impacts. Please do not hesitate to contact us should you require any additional information.

Sincerely,
MHBC



Dana Anderson, MA, MCIP, RPP
Partner

cc: Andrew Mulder, LIV Communities

Attachments

CITY OF Burlington

DEVELOPMENT APPLICATION PRE-CONSULTATION FORM

Meeting Date: **January 11, 2017**	**Property Owner:** **Hamilton Area Meeting Rooms Association**
Site Address: **1085 Clearview Ave. & 1082 St. Matthews Ave.**	**Applicant / Address / Phone / Email** **Dana Anderson** **MHBC Planning Limited** **442 Brant St. Suite 204** **Burlington, ON, L7R 2G4** **905 639 8686 x 226** **danderson@mhbcplan.com**
Site Area: **0.52 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:**
   -six storey apartment with 120 units
   -one level of underground 88 spaces, and 27 surface 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. **Existing Official Plan Designation: Residential Low Density**

   Conformity with City Official Plan land use designation? YES _____ **NO x**

   If 'NO' what is the nature of the OP amendment needed? **Residential High Density**

4. **Existing Zoning: R2.1**

   Conformity with existing zoning? YES _____ NO **x**

   If 'NO' what is the nature of the zoning amendment needed? **RH-exception**

5. **Design Guidelines in effect?** YES ____ NO __x__

Name of Design Guidelines _____

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

YES _____ NO __x__

_____

7. **Fees Required at Time of Application**

APPLICATION	CITY	REGION	CONSERVATION HALTON	PROVINCE
Official Plan Amendment:	20,705.00	8,055.00	-	-
Rezoning - Base Fee: (70%) Rezoning - Variable Fee:	13,660.50 56,950.00	950.00	-	-
Subdivision - Base Fee: Subdivision - Variable Fee:	-	-	-	-
Parkway Belt Amendment:	-	-	-	-
TOTAL	$91,315.50	$9,005.00	-	-

Separate cheques are payable to City, Region, Conservation Halton and Province (Ministry of Finance.)

8. **Additional Agencies to be contacted:** **CNR, MTO, Metrolinx**

9. **Neighbourhood Meeting**

Is a neighbourhood meeting required? (e.g. residential intensification / infill, increased height and/or density, abutting residential zone, other neighbourhood/community impacts).

YES __x__ NO _____ TO BE DETERMINED ____

If "YES" a Neighbourhood Meeting **will be** required

- *The Neighbourhood meeting will be held after submission and public circulation of the application.*
- *Meeting logistics will be organized by the Planning and Building Department.*
- *The Ward Councillor, the applicant, City planner and other City staff as determined will attend the Neighbourhood Meeting. Presentations will be made by the City planner about the planning process and by the applicant about the development proposal.*
- *The meeting will be chaired by the City planner, or by the Ward Councillor.*

10. **Section 37 Agreement**

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

If "YES" a Section 37 Agreement **may be** required.

11. Required Information for Complete Application

	Reports, Studies, Plans * *(See Appendix for additional details)* **All identified reports must be submitted in Accessible PDF form before an application is deemed complete.**	Number of Paper Copies (plus one in PDF form) If Study is Required	Required Study (Yes/No)
6.1	Planning Justification Report	8	Yes
6.2	Conceptual Site Plan Layout	15	Yes
6.3	Draft Plan of Subdivision	15	No
6.4	Storm Water Management Report	8	FSR
6.5	Functional Servicing Report (Including Stormwater, Water & Wastewater)	9	Yes
6.6	Tree Inventory and Preservation Study	9	Yes
6.7	Traffic/Transportation Impact Study Parking Justification Report	7	Yes Yes
6.8	Top-of-Bank Demarcation	6	No
6.9	Environmental Evaluation Report	7	No
6.10	Noise Feasibility Study	7	Yes
6.11	Shadow Analysis	3	Yes
6.12	Environmental Site Screening Checklist	5	Yes
6.13	Phase I or II Environmental Site Assessment/ Record of Site Condition Report	5	RSC
6.14	Land Assembly Documents	2	No
6.15	Height Survey of adjacent buildings	2	Yes
6.16	Heritage Impact Statement	3	No
6.17	Archaeological Report	3	No
6.18	Wind Impact Study	3	No
6.19	Sensitive Land Use (Risk Assessment) Report	6	No
6.20	Air Quality Assessment	6	Yes
6.21	Hydrogeology Study	7	No
6.23	Other (specify) Urban Design Brief Grading, Drainage & Servicing Plans Geotechnical Report Draft Zoning By-law 3D Model of Proposed Building(s)	 5 12 4 2 1	 Yes Yes Yes Yes No

12. **ADDITIONAL COMMENTS:** See attached notes

NOTES:

1. 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. Further fees, such as variable fees may be required at a later date as per the fee schedule by-law.

2. 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.

3. This document expires 120 days from the date of signing or at the discretion of the Director of Planning and Building. 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.

4. The City may require the peer review of a technical report 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.

5. In the event this Pre-consultation Document expires prior to the application being accepted by the City, another document may be required.

6. An application submitted without the information identified in this Pre-consultation Document may be recommended for refusal based on insufficient information to properly evaluate the application.

7. Acknowledgement of Public Information:
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 photocopying 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.

8. 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.

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

10. 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.

11. All digital 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".

12. Digital plans submitted in Autocad and/or GIS Shapefile format 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).

Staff and Agency Signatures:

Rosalind Minaji		Jan 11, 2017.
Planning Staff	Planning Staff (Signature)	Date
	UMAR MALIK	Jan 11/2017.
Site Engineering Staff	Site Engineering Staff (Signature)	Date
Annette Simpson		Jan 11/16
Site Engineering Staff	Site Engineering Staff (Signature)	Date
Capital Works Staff	Capital Works Staff (Signature)	Date
John Zelazny		Jan 11/17
Transportation Staff	Transportation Staff (Signature)	Date
Adam Huycke		Jan 11/17
Regional Staff	Regional Staff (Signature)	Date
John Kisneris		Jan. 11, 2017
Regional Staff	Regional Staff (Signature)	Date
Conservation Halton Staff	Conservation Halton Staff (Signature)	Date

Proponent Signatures:

In signing this agreement, I acknowledge that the drawings, reports and other requirements indicated above must be submitted, along with a completed application form, any information or materials required by statute, the required application fees and a copy of this agreement in order for the planning application to be considered complete. In addition, I have read and agreed to the Notes listed above.

ANDREW MUSSEN		JAN 11, 2017
Property Owner	Property Owner (Signature)	Date
Oz Kemal		Jan 11/17
Agent	Agent (Signature)	Date

(I have authority to bind the owner)

APPENDIX—REQUIREMENTS FOR REPORTS/STUDIES AND PLANS

6.1 Planning Justification Report
A qualified planner (Registered Professional Planner) must submit a report providing planning justification for the proposed amendment in light of the principles, 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: describe the site context; address applicable provincial and regional policy; describe the proposal in detail including preliminary site plan details if applicable; address applicable local Official Plan policies (e.g. policies relating to compatibility, intensification, redesignation criteria and conversion policies); describe how the proposal meets Council approved Design Guidelines, discuss findings of the technical studies in the context of the Part II Functional Policies of the Official Plan; and other Council policy.

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

6.3 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.

6.4 Storm Water Management Report
Required in accordance with Part II, Section 2.11.3 subsections a) & d) of the Official Plan.

6.5 Functional Service Report
Required in accordance with Part II, Section 2.11.3 subsection e) of the Burlington Official Plan. 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 Region of Halton.

6.6 Tree Inventory and Preservation Study
Required when a property under application contains woodlots, tree stands or hedgerows, in accordance with Part II, Section 6.0 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 of those trees to be retained.

6.7 Traffic/Transportation Impact Study
Required for applications as set out in Part II, Subsection 3.2.2 d) of the City's Official Plan and Part IV, Sections 171-173 of the Regional Official Plan. Contact City Transportation Planning staff (City roads) or Regional Public Works staff (Regional roads) for background information and to discuss TIS assumptions. For Regional roads, applicants are referred to the "Guidelines for the Preparation of Traffic Impact Studies". MTO must be contacted for lands near provincial highways

6.8 Top-of-Bank Demarcation
Required for applications on any property containing, or abutting a creek or valley feature, Lake Ontario or Burlington Bay shoreline, in accordance with Part II, Section 9.2.2 subsection b) and Part III, Section 6.4.2, subsections d) and e) of the City's Official Plan. Applicant's surveyor must meet on-site with representatives of the City Engineering Department and Conservation Halton to survey the top of bank and/or floodline, and this surveyed line shall be incorporated into the applicant's subdivision or site plan. A geotechnical report may be required to identify stable top-of-bank.

6.9 Environmental Evaluation Report
Required for applications as set out in Part II, Section 2.5 of the City's Official Plan, the Regional Official Plan and the Region's Environmental Impact Assessment guidelines. These assessments will be reviewed by the Halton Ecological and Environmental Advisory Committee (EEAC).

6.10 Noise and Vibration Study
Required for applications as set out in Part II, Section 3.3.2, subsections r), s) and t), and Part II, Section 3.7.2, subsections d), e) and f) of the City's 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 the Region's "Noise Attenuation Policy for Regional Roads," dated October 2000.

6.11 Shadow Analysis
Required for all applications where, in the opinion of the Planning and Building Department, the proposal may result in impacts on adjacent properties from sun shadowing, in accordance with Part III, Section 2.5.2, subsection (vii) of the City's Official Plan. Guidelines for this analysis are contained in the City's Site Plan Application Guidelines.

6.12 Environmental Site Screening Checklist
Required for all applications as set out in the "Protocol for Reviewing Development Applications with respect to Contaminated Sites," dated March 2003. Applicants should contact the Region of Halton for historical data and any environmental records.

6.13 Phase I or II Environmental Site Assessment/Record of Site Condition Report
Required when the Phase I site assessment identifies the possibility of site contamination and in accordance with Part II, Section 2.4, subsections i) and j) of the City's Official Plan and the protocol for contaminated sites. All requirements of the protocol must be met for Phase II studies and required Records of Site Condition (RSCs).

6.14 Land Assembly Documents
Required for applications where, in the opinion of the Planning and Building 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.

6.15 Height Survey of adjacent buildings
Required for all residential infill and intensification rezoning applications, in accordance with City Council policy. 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.

6.16 Heritage Impact Statement
Required as determined by Planning staff for any property designated pursuant to the Ontario Heritage Act, identified on the City's Inventory of Heritage Resources, or for any property located adjacent to a designated or otherwise inventoried property.

6.17 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 and the Regional Archaeological Master Plan.

6.18 Wind Impact Study
May be required, as determined by Planning staff, for any building over 6 storeys in height. The report will provide information related to wind comfort conditions for pedestrians both on and around the development.

6.19 Sensitive Land Use (Risk Assessment) Report
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 Part II, Section 2.7.3 subsections n) & o) and Part II, Section 4.3 subsection d) of the City's Official Plan, Part IV, Sections 146-147 of the Regional Official Plan, and the Ministry of the Environment D-6 series guidelines.

6.20 Agricultural Impact Assessment Report
Required for applications as set out in Part II, Subsection 13.3 e) of the City's Official Plan and for certain proposals in certain designations in the Regional Official Plan. Guidelines for these assessments are available from the Region of Halton, and these assessments will be reviewed by the Halton Agricultural Advisory Committee (HAAC).

6.21 Hydrogeology Study
Required for all applications in areas subject to private water and septic services, as set out in Part IV, Subsection 2.1.3 b) and Part IV, Subsection 3.3 d) of the City's Official Plan, the Regional Official Plan and the Region's "Guidelines for Hydrogeological Studies and Standards for Private Services, revised June 2000. Applicants should contact the Halton Health Department for more details regarding site-specific studies, which must be approved by the Region following a peer review.

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

Preconsultation Meeting Notes

1085 Clearview Ave. & 1082 St. Matthews Ave. - January 11, 2017

Attendees:
Rosalind Minaji, Annette Simpson, John Załoznik, Umar Malik, Phil Caldwell - City of Burlington
Adam Huycke, John Kisneris -Region of Halton
Marc Begin, Przemyslaw Myszkowski - KNYMH Architecture
Oz Kemel, Amanda Wyszynski – MHBC Planning
Andrew Mulder, Dominic Damar, Janelle Day – LIV Communities

Description of Development Concept:

- Six storey condominium apartment with 120 units
- 0.5ha site – mix of 1 and 2BR units
- 27 surface spaces and 88 underground spaces - parking reduction proposed due to proximity to GO Station
- Access to Masonry Court via direct driveway
- One level of underground parking
- LIV Communities (formerly Landmark Homes) – they build a premium product
- Drawings will be revised – these are very preliminary
- 1082 St. Matthews will likely be developed as single detached lot and sold

Planning Comments:

- The property is designated Residential Low Density and zoned R2.1. An Official Plan Amendment and rezoning will be required in order to consider the proposed apartment building.
- This property is located within the Aldershot Mobility Hub study area and is considered to be within the primary mobility hub zone for the Aldershot GO Transit station. Area Specific Plans for Mobility Hubs are being developed over the next three years, and it is expected that a draft concept for the Aldershot Mobility Hub would be endorsed by Council early in 2018.
- Greater heights and densities will be contemplated in the Mobility Hub, but these are to be considered in the context of servicing, transportation, urban design, community compatibility and other factors. Some of the unknown issues which would impact this property include: traffic access points to Masonry Court, disposition of the noise wall elsewhere along Masonry Court, height, density and planned function of the area, and future land use on north side of Masonry Court. These issues should be settled before a site specific application is considered.
- It is recommended therefore, that the landowner work closely with the Planning Department during the development of the Mobility Hub plan for Aldershot. Any site specific application should be delayed until these important contextual issues are resolved.

- Should the landowner choose to proceed in the near future, 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 from low density to high density residential use is desirable and represents good planning;
    - to discuss how the results of required technical studies have been used to refine the redevelopment proposal; and
    - to explain how the proposed development is compatible with surrounding land uses.
- The landowner should consider land assembly with lots on St. Matthews Avenue, as well as to the south to facilitate a more comprehensive redevelopment plan.

- The proposed layout will create adverse impacts on the side yards and rear yards of abutting single detached development. The final design should incorporate terracing, setbacks and heavy screening landscaping to offset these impacts. Surface parking should be eliminated or relocated away from existing low density development.
- A shadow study and height survey of adjacent buildings is required. Compatibility with adjacent development will be a key consideration when reviewing the applications.
- Greater use of landscape buffers and amenity space will be required. Amenity space is required at a rate of $25m^2$ per unit – this can be indoor or outdoor space.
- If a reduced parking rate is being proposed, a Parking Justification Study will be required.

Region of Halton Planning Comments:

- The subject lands are located within the Urban Area (2009 ROP).
- The range of permitted uses and creation of lots within in the Urban Area is to be in accordance with local official plans and zoning bylaws.
- Located within the Built Boundary
- The subject lands are located in close proximity Major Transit Station (Intensification Areas). Intensification Areas are a Regional focus for growth and are to accommodate increased densities and mixed uses.
- 2009 ROP Policy 89(3) requires all development within the Urban Area to be on full municipal services.
- The applicant will be required to provide a Regional Environmental Site Screening Questionnaire for the proposal and subject lands.
- The submission of a completed Regional Environmental Site Screening Questionnaire and any completed ESA's (along with letter of reliance extending third party reliance to the Region of Halton) is requested.
- It is recommended that a Phase 1 ESA should be submitted at the time of initial application.
- A MOECC acknowledged Record of Site Condition may be required to permit the residential redevelopment of 1085 Clearview Ave.
- ROP policy (Section 143(9)) requires development proposals within 300 metres of a railway right-of-way to undertake noise studies in accordance with Provincial policies and standards, and to implement the study recommendations, as approved, including restrictions on new residential and other sensitive uses.
- S.156(1) require proponents of development applications to have regard for Healthy Community Guidelines.
- Waste Management: The Owner should prepare a Waste Management Plan, in accordance with the Region's Guidelines at the time of initial application.
- Required Plans/Studies:
    - Complete Application(s)
    - Regional Review Fee(s)
    - Planning Justification
    - Development Concept Plan
    - Functional Servicing Report & Site Servicing Plan
    - Noise Study
    - Phase 1 ESA and Regional Site Screening Questionnaire at time of initial application. Additional ESA's, including an RSC may be required pending the review of the Phase 1 ESA.
    - Waste Management Plan

Region of Halton Servicing Comments:

- Halton Region watermains exist within Clearview Ave, St. Matthews Ave and Masonry Court adjacent to the proposed development. A wastewater main exists within Clearview Ave adjacent to the property. A trunk wastewater main exists within St. Matthews Ave adjacent to the property. Any proposed trunk wastewater main connection requires special review and Regional permission to connect into, and it should be noted that permission is not always guaranteed.

- The developer should undertake to locate the size and location of the water services and wastewater (sanitary) services to the buildings on the properties and place them on an Existing Site Servicing Plan drawing. Public and private utility companies can be utilized for this purpose.
- A Functional Servicing Report is required to be prepared by the developer's consultant (watermains, water services, fire hydrants, sanitary sewer mains, sanitary sewer services, 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.
- The FSR 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. This information will help to assist in informing the watermain design and any watermain modelling analysis that is being undertaken by the proponent's consultants.
- 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.
- New development must be on the basis of full municipal services. Any existing wells and septic system within the development property must be decommissioned by the owner/developer. A copy of the specific decommissioning records must be provided to the Region, and retained by the owner/developer.
- Regional policies state that water and sanitary services cannot cross lot lines, unless some form of common element condominium is incorporated. Therefore of interest is the type of ownership whether freehold or some form of condominium.
- Any major servicing works, etc, 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.
- Watermain and sanitary servicing capacity is not guaranteed at the LOPA or ReZoning stage. The owner can pre-consult about servicing capacity with the Region at any time. There are no known issues at this time. This will be reviewed upon application. Servicing capacity is deemed to be in hand at the issuance of a Regional Services Permit, which is reviewed and obtained toward the end of the City's Site Plan approval process.
- As always, acquiring land for development purposes and hiring consultants, at this time, is at the risk of the developer.
- Any watermain or 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 and wastewater design.
- The Region would like to receive confirmation that any required formal land assembly has taken place at the site plan stage.
- The developer should prepare a Solid Waste Management Plan to the satisfaction of the Region. The Plan shall have regard for the Region's Solid Waste Management Guidelines. The Solid Waste Management Guidelines are available on-line at http://www.halton.ca , Regional Official Plan (ROP) Guidelines, Development Design Guidelines for Source Separation of Solid Waste.

Capital Works Stormwater Management Comments:

- Stormwater Controls
- Quality Control - Enhanced quality Control achieving 80% Total Suspended Solids Removal with a preferred treatment train approach to remove suspended solids

- Quantity - 100 year Post Development Flows controlled to 5 year Pre development flow levels by providing on-site storage for all storm events up to and including 100 year.
- Erosion Control - Not Applicable
- Drainage Issues / Concerns
- Conservation Authority - not regulated
- External Flows - Engineer to confirm any external flows entering the site under the existing conditions. All identified external flows must be routed safely under the developed conditions without causing any flooding or ponding.
- Existing Infrastructure - A 450 mm diameter storm sewer runs along masonry Court with a manhole structure opposite the proposed development site
- Drainage Patterns - Existing drainage directions and patterns should be maintained.
- Studies Required:
    - Functional Servicing Report
    - Grading and Servicing Plans
    - Major and Minor Flows
    - Internal stormwater servicing details
    - Control Structures and their location with cross sectional details
    - Storage Details and Locations
- Other Recommendations
    - Best Stormwater Management Practices
    - Apply Low Impact Development techniques and features where feasible
    - All construction to be completed in an environmentally friendly manner

Site Engineering Comments:

- Clearview Avenue, St. Matthews Avenue and Masonry court are all City of Burlington owned roads, all have a deemed Right of Way of 20m, and actual widths are 20m, no widenings would be required, We defer to Transportation to comment on the placement of the proposed entrances off of Masonry Court and changes being considered for the area roads
- No CH or floodplain, according to our GIS mapping
- There are no Capital Works projects scheduled in this area in the 2016 – 2025 Capital Budget & Forecast
- Trees: There are several City Trees along Masonry Court as well as City trees on Clearview and St. Matthews. Any proposed City Tree removal will require Council Approval. Removal of City trees should be avoided wherever possible. City trees proposed for removal will require an arborist's assessment of health and structural condition prior to the request being accepted for consideration.
- Please refer to the City of Burlington Tree Preservation and Protection Specification SS12A for further tree protection details.
- There are a few mature trees on/adjacent to the property, we will require a tree inventory study for all trees greater than 100mm dbh, and a tree protection and removal plan for the OPA/Rezoning application.
- The applicant is advised that trees within 3.0m of the property line are protected under the Provincial Forestry Act (RSO 1990) Section 10. The adjacent property owner(s) shall be consulted and made aware of the proposed development and potential effects to the boundary trees and requested to submit in writing that there are no concerns with proposed treatment of the existing tree(s) or a certified arborist (as defined in the City of Burlington's Tree protection and preservation specifications SS12A) shall be retained to address the potential impacts on the existing boundary trees and provide a letter or report confirming in their opinion that the boundary trees will survive the construction. The arborist letter or report shall also include the preservation methods, including pruning and fertilizing, that can be implemented by the owner in order to ensure boundary tree saving along mutual lot lines both within and adjacent lots.
- It may be required to have an Certified Arborist (as defined in the City of Burlington's Tree protection and Preservation specifications (SS12A) to be retained to address potential impact on the existing boundary

trees and on site during excavation operations to ensure no damage to the protected trees or their root systems, to be determined at the Site Plan stage.

- Is the back at-grade parking for visitors? If so, how do they enter the building? Could a rear entrance be incorporated in the design?
- There are a few ground floor units on the east side of the building at the rear, we ask that the applicant look at deeper landscaping to separate the units from the parking, there will also need to be some sort of headlight mitigation (fence/landscaping/combination) for the units to protect from cars/parking
- A double board solid wood fence and enhanced landscaping will be required along the south and east property lines to mitigate headlight nuisance onto existing residential.
- There may be a conflict with an existing hydrant and the proposed entrance off of Masonry Court
- The proposed 45' wide entrance to the at-grade and underground wider than we typically like to see, can this be broken up with low landscaping? Entrances will need to be clearly signed to direct visitors to above ground and residents to underground.
- Have they considered an electric car charging station for the underground parking garage?
- Would like to see bike racks incorporated at the street level for visitor and in parking garage for residents
- The Applicant is advised that at the Site Plan stage we will require a precondition survey prior to start of excavation and vibration monitoring for the duration of construction.
- The applicant is advised that at the site plan stage we may require a municipal sidewalk to be constructed along the frontage of the property as part of the Site Plan, this would be determined at the Site Plan Stage, however we wanted to advise for project budgeting purposes.
- Is it one property? Both addresses have the same PIN
- What is planned for 1082 St. Matthews? Will it remain a single family home?
- Phase One RSC – depending on results further environmental investigation may be required, i.e. Phase Two, RSC.
- Stormwater Management Report – quality control will be advanced and we encourage the use of LID's. There is an existing 450mm & 525mm storm sewer on Masonry Court that currently outlet to private lands on the north side of Masonry Court, this private outlet will be redirected to Cooke Ave as part of a separate development application.
- Geotechnical Report required – needs to address if there any concerns with groundwater that will need permanent dewatering due to the underground parking? Also in support of any LID techniques that may be implemented, i.e. infiltration
- Detailed Grading and servicing plans, also including: Bordering city trees to be shown on drawing and boundary trees over 100mm in diameter within 3m of the property line), indicate which trees are proposed to be removed.
- Concept landscape plan (separate plan),
- Snow storage (prefer on a soft surface)
- Garbage pick up (private?) area – inside? If outside needs to be screened
- Need to include grades on adjacent properties enough to determine existing drainage patterns. Need to show on the grading plan how drainage will be contained in the development, and not cut off surrounding properties drainage.
- Noise Feasibility Study – as per NPC-300, Applicant is advised that the railway shunting yard to the north of the site is considered a Stationary Source, and that Planning will confirm whether this site will be considered a Class 3 or Class 4 site for NPC-300. Applicant's consultant to also consider the building as a stationary source and detail any mitigation measures required to prevent noise nuisance on adjacent residential, including underground parking vents/fans/grates/etc.
- Summary for RZ/OPA:
    - Stormwater Management Report
    - Detailed Servicing, Grading & Drainage drawings
    - Noise Feasibility Study
    - Geotechnical Report

    - Phase One ESA
    - Tree inventory report, including preservation (and removal) plan
- At the Site plan stage will also need:
    - Erosion control plan
    - Construction Management Plan
    - Lighting and photometric plan (as per City of Burlington Accessibility Standards and Outdoor Lighting Guidelines).
    - Utility coordination plan
    - Landscape plans
    - Preconstruction survey & vibration monitoring during construction

Transportation Services Comments:

- Traffic Impact study will be required –speak to Transportation Services Staff about Terms of Reference before proceeding
- Parking Justification Report
- Travel Demand Management Plan
- Pedestrian access should be shown between Clearview Avenue and Masonry Court
- Sidewalk extension from St. Matthews through to Clearview Avenue

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March 10, 2017

Phil Caldwell
Senior Planner – Mobility Hubs
City of Burlington – Planning and Building
426 Brant Street
Burlington, ON
L7R 3Z6

Mr. Caldwell,

RE: CITY OF BURLINGTON MOBILITY HUB STUDY
1085 CLEARVIEW AVENUE, BURLINGTON (L!V COMMUNITIES)
OUR FILE: 15226D

As you know, we are currently retained by L!V Communities who are the owners of the property located at 1085 Clearview Avenue (the "subject lands") in the City of Burlington. We recently attended a formal Pre-Consultation meeting on January 11, 2017, with the City to present and discuss plans to redevelop the subject lands with a new residential apartment building.

The subject lands are located approximately 340m south of the Aldershot GO Station and are located within the Primary Zone Boundary as provided in the City of Burlington Official Plan Review Mobility Hubs Opportunities and Constrains mapping. As noted at the Pre-Consultation meeting, due to the proximity of the subject lands to the Aldershot GO Station, the redevelopment of the lands and the alignment with the Mobility Hub Study work is important. As a stakeholder in the area, please keep us informed of any opportunities for further participation in your team's work. Please add us to any mailing list or contact list so that we may be notified of all future study steps and can be fully engaged in the study .

We look forward to working with your team on this project.

Sincerely,
MHBC



Dana Anderson, MA, MCIP, RPP
Partner

cc: Andrew Mulder, L!V Communities

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June 30, 2017

Mary Lou Tanner, MCIP RPP
Director of Planning and Building
City of Burlington
426 Brant Street, Box 5013
Burlington, ON
L7R 3Z6

Dear Ms. Tanner:

RE: City of Burlington Draft New Official Plan
1085 Clearview Avenue and 1082 St. Matthews Avenue, Burlington
OUR FILE: 15226D

MHBC is retained by L!V Communities Inc. in relation to their property located at 1085 Clearview Avenue and 1082 St. Matthews Avenue, in the City of Burlington ("the Subject Lands").

The Subject Lands are generally located south of Masonry Court between Clearview Avenue and St. Matthews Avenue, with a site area of approximately 0.53 ha and are currently occupied by a one storey building used for religious activities. We have been working with L!V and their project team on a redevelopment proposal for the Subject Lands. A pre-consultation meeting was held in January 2017 with City and Regional staff to discuss the proposed redevelopment of the site with a six storey residential apartment building. Additional meetings have subsequently been held with City staff and the Aldershot Mobility Hub staff team.

Current Official Plan Framework
The Subject Lands are **currently designated Residential Area** (Schedule A) and **Residential – Low Density** (Schedule B) in the in-force City of Burlington Official Plan.

Proposed Official Plan (March 2017)
The Subject Lands are located within the **Aldershot Mobility Hub Boundary**, as identified on Schedule H of the Official Plan. These lands are also identified as a **Residential Neighbourhood Area, Mobility Hub** (Schedule B), **Establishment Neighbourhood Area** (Schedule B-1) and **Residential Low Density** (Schedule C).

The Residential Low Density policies and any associated site-specific policies are deferred and are currently under review through the Mobility Hub Area-Specific Planning exercise. We understand that the Aldershot Mobility Hub Team hope to have a report to Council in September with a direction on the height and density designations for the area and a preferred scenario with more detail presented to council in December. The final draft Official Plan Amendment is proposed to be completed by June of 2018.

Comments on Draft Official Plan (March 2017)
At this stage we recognize that the draft policies related to the Aldershot Mobility Hub are not available for comment. We will continue to monitor and participate in the Mobility Hub process and look forward to working with the City to advance the potential redevelopment for the Subject Lands in conformity with the City's objectives for the Aldershot Mobility Hub.

Please provide us with notice of all future opportunities for involvement in the Aldershot Mobility Hub study and do not hesitate to contact us should you have any questions.

Yours truly,
MHBC



Dana Anderson, MCIP, RPP
Partner

Cc: Andrew Mulder, L!V Communities

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November 29, 2017

Amber LaPointe
Committee Clerk
Planning and Development Committee
City of Burlington
426 Brant Street, Box 5013
Burlington, ON
L7R 3Z6

Dear Ms. LaPointe:

RE: CITY OF BURLINGTON NEW DRAFT OFFICIAL PLAN
1085 CLEARVIEW AVENUE, BURLINGTON
OUR FILE: 15226D

We are writing on behalf of our clients, LIV Communities, in relation to their property located at 1085 Clearview Avenue ("the subject lands"), in the City of Burlington. Our client has been actively involved in the public consultation by providing comments on the draft Official Plan and attending the Aldershot Mobility Hub Open Houses. Further to our previous commenting letter dated June 30, 2017, our clients recognize that the draft policies related to the Aldershot Mobility Hub are not available for comment.

The subject lands are approximately 0.53ha in area and are currently occupied by a one storey building used for religious activities. We have been working with LIV and their project team on a redevelopment proposal for the Subject Lands. A pre-consultation meeting was held in January 2017 with City and Regional staff to discuss the proposed redevelopment of the site with a six storey residential apartment building. Additional meetings have subsequently been held with City staff and the Aldershot Mobility Hub staff team.

Under the Current Official Plan, the subject lands are currently designated as **Residential Area** and **Residential – Low Density** in Schedules A and B in the in-force City of Burlington Official Plan.

The first draft of the New Official Plan (April 2017) identified the subject lands as being located within the **Aldershot Mobility Hub Boundary**, **Residential Neighbourhood Area**, **Established Neighbourhood Area** and **Residential Low Density**. It is our understanding that until any Area Specific Policies have been approved, the underlying policies prevail for lands included in Mobility Hub Areas.

The second draft of the New Official Plan (November 2017) did not change any of the proposed designations for the subject lands, and have not yet incorporated policies for the Aldershot Mobility Hub. It our understanding that the preferred land use and height concepts for the Aldershot Mobility Hub will be presented to the Planning and Development Committee on December 4th, which we will be providing comments on in a separate letter.

We appreciate the opportunity to comment on the Proposed New Official Plan as it applies to our client's lands. We will continue to monitor both the Official Plan and Downtown Mobility Hub planning process and are available to discuss our comments with staff. We look forward to working with the City moving forward to facilitate the future redevelopment of this site. Please do not hesitate to contact me with any questions or comments on this matter.

Yours truly,

MHBC





Dana Anderson, MA, MCIP, RPP
Partner

Amanda Wyszynski, MES (Pl)
Planner

cc: *A. Mulder, LIV Communities*
Cynthia Zahoruk, CZ Architects
Mary Lou Tanner, City of Burlington
Andrea Smith, City of Burlington

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December 4, 2017

Planning and Development Committee
City of Burlington
426 Brant Street, Box 5013
Burlington, ON
L7R 3Z6

Attention: Amber LaPointe, Committee Clerk

RE: ALDERSHOT MOBILITY HUB STUDY (PB-76-17): COMMENTS ON PREFERRED CONCEPT
1085 CLEARVIEW AVENUE, BURLINGTON
OUR FILE: 15226D

We are writing on behalf of our clients, LIV Communities, in relation to their property located at 1085 Clearview Avenue ("the Subject Lands"), in the City of Burlington. Our client has been actively involved in the public consultation by providing comments on the draft Official Plan and attending the Aldershot Mobility Hub Open Houses. Further to our draft Official Plan commenting letters dated June 30, 2017 and November 29, 2017, our clients recognize that the draft policies related to the Aldershot Mobility Hub are not completed for review. However, we do note that a preferred concept is now available and is being brought forward to the Planning and Development Committee for information through Staff Report PB-76-17.

Site Description:

The Subject Lands are approximately 0.53ha in area and are currently occupied by a one storey building used for religious activities. We have been working with LIV and their project team on a redevelopment proposal for the Subject Lands. A Pre-Consultation Meeting was held in January 2017 with City and Regional staff to discuss the proposed redevelopment of the site with a six storey residential apartment building. Additional meetings have subsequently been held with City staff and the Aldershot Mobility Hub staff team.

Aldershot Mobility Hub Preferred Concept:

We have reviewed the proposed preferred concept for the Aldershot Mobility Hub, as it relates to the Subject Lands. Based on our review of the concept mapping contained in Appendix A1, it appears that multiple designations have been applied to the Subject Lands as follows (see attached map):

- The portion southeast of the Clearview Avenue and Masonry Court intersection is proposed to be designated as **Mixed Use 2 (High Scale Intensity)**;
- The portion southeast of the Clearview Avenue and Masonry Court intersection is identified as **Tall** with height permissions between **12 and 19 storeys**;
- The remaining portion of the subject lands proposed to be designated **Mixed Use 1 (Low-Mid Scale Intensity)**;
- This portion has been identified as **Mid Rise** with height permissions between **7 and 11 storeys**; and,
- Masonry Court has been identified as a **Green Street** with a **potential active transportation connection**.

It should be noted that included in the assessment parcel for 1085 Clearview Avenue is the single detached house municipally known as 1082 St. Matthews Avenue, which has been identified as **Low Rise** with height permissions between **1 and 3 storeys**.

Comments on the Preferred Concept:

Based on our initial review of the proposed land use and height concepts, we are concerned that the mapping does not accurately represent the current lotting pattern for the Subject Lands and the immediate neighbourhood.

We note that the portion identified as **Mixed Use 2** and **Tall** severs our clients lands in half and includes two lots immediately to the south which contain two single detached homes. Furthermore, the proposed heights on the Subject Lands are of concern as we have consistently presented a six storey apartment to City Staff, including the Mobility Hub Team, and the minimum proposed height on a portion of the Subject Lands is seven storeys. While we appreciate the proposed heights and density for the Subject Lands, we are seeking clarification on the methodology used to determine what lands will be tall or mid-rise. This split designation is of concern, as it may have the impact of limiting the development potential of the Subject Lands. We look forward to having future discussions with City Staff to ensure alignment with our proposed development concept and the Mobility Hub Plan and policies.

We appreciate the opportunity to comment on the proposed Aldershot Mobility Hub Preferred Concept, as it applies to our client's lands. We will continue to monitor both the Official Plan and Aldershot Mobility Hub planning processes and are available to discuss our comments with staff. We look forward to working with the City moving forward to facilitate the future redevelopment of this site. Please do not hesitate to contact me with any questions or comments on this matter.

Yours truly,

MHBC

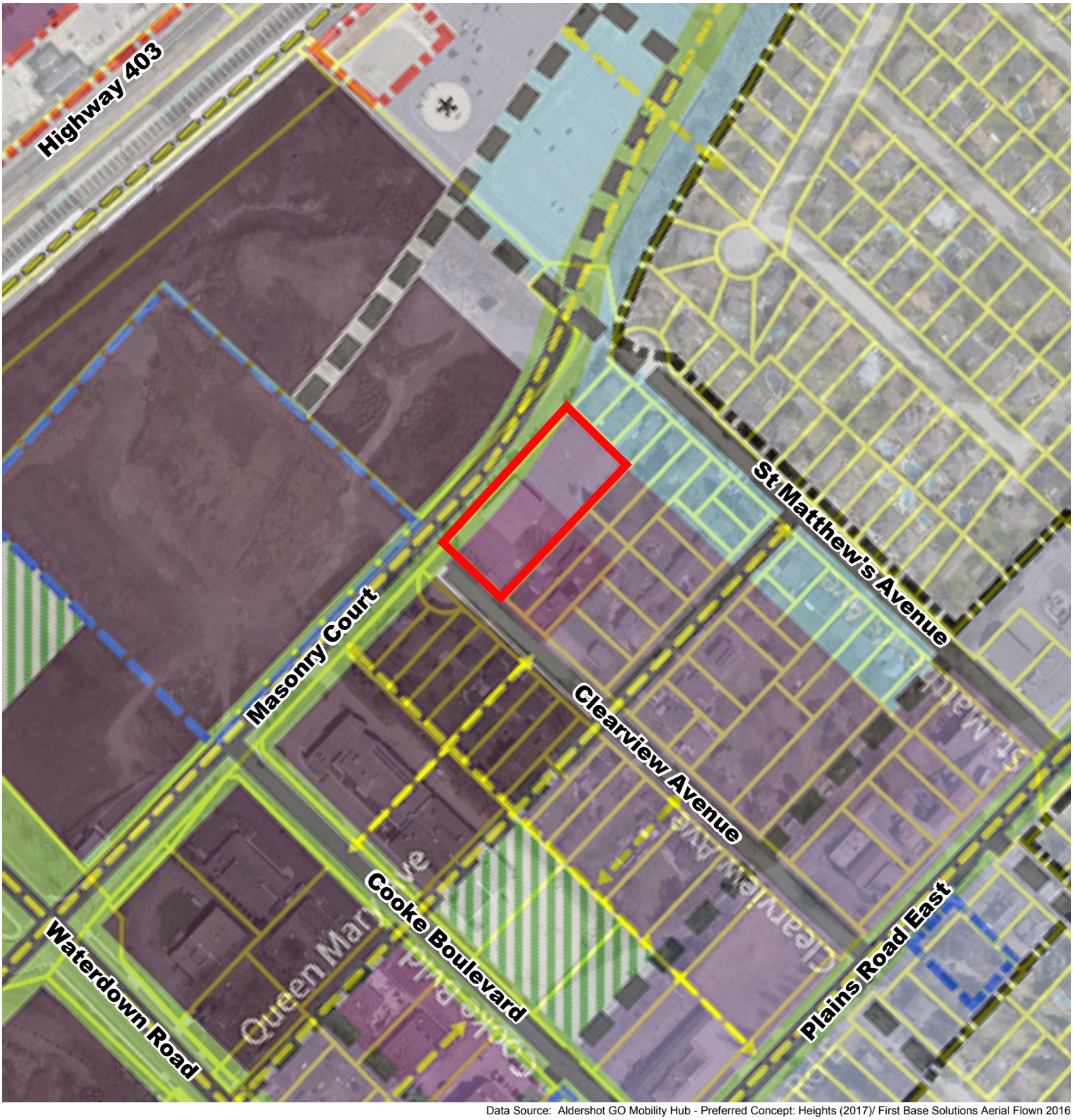


Dana Anderson, MA, MCIP, RPP
Partner



Amanda Wyszynski, MES (Pl)
Planner

cc: *A. Mulder, LIV Communities*
Mary Lou Tanner, City of Burlington
Rosa Bustamante, City of Burlington



Data Source: Aldershot GO Mobility Hub - Preferred Concept: Heights (2017)/ First Base Solutions Aerial Flown 2016

Figure 1

Aldershot GO Mobility Hub
Preferred Concept: Heights

1085 Clearview Avenue, Burlington, Ontario

LEGEND

- Subject Lands
- Low Rise (1-3 Storeys)
- Mid Rise (4-6 Storeys)
- Mid Rise (7-11 Storeys)
- Tall (12-19 Storeys)
- Tallest (20+ Storeys)
- Green Street
- Potential Location for Transit Plaza
- Study Area Boundary
- Development Application
- Proposed Parks/ Open Space/ Natural Heritage
- Transit Station Area
- Potential Active Transportation Connection
- Proposed Street

DATE: November 30, 2017

SCALE 1:3000

north

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May 25, 2018

Kyle Plas
City of Burlington
426 Brant Street
PO Box 5013
Burlington, Ontario
L7R 3Z6

via email: kyle.plas@burlington.ca

Dear Mr. Plas:

RE: Aldershot Mobility Hub, City of Burlington

We have been retained by LIV Communities (the "Owner") in relation to their properties located at 1085 Clearview Avenue and 1082, 1086 and 1090 St. Matthews Avenue (the "subject lands"). We presented a development concept for a 6 storey, 120-unit apartment building on 1085 Clearview Avenue and 1082 St. Matthews Avenue at a pre-consultation meeting on January 11, 2017. Among the pre-consultation comments, staff recommended that the owner consider acquiring additional lands on St. Matthews Avenue to facilitate a more comprehensive redevelopment plan. The Owner has since acquired the lands as per the staff recommendation and is in the process of finishing the real estate transaction.

We attended a project open house for the Aldershot Mobility Hub Study on May 7, 2018 and have reviewed the presentation boards for the draft precinct plan. The draft precinct plan indicates that the Clearview property is located within the Mid-Rise Residential Precinct which permits buildings of up to 11 storeys in height. The St. Matthews properties are located in the Grove Park / St. Matthews Neighbourhood Precinct which permits only single and semi-detached housing and street-oriented townhouses.

We have concerns with the split designation of the subject lands given that the Owner has acquired additional properties on St. Matthews Avenue in good faith, as per staff recommendation, to facilitate a more comprehensive redevelopment plan. As discussed at the recent pre-consultation meeting held on May 16, 2018, at which we presented a revised version of the development concept that includes the additional properties, the designation of the St. Matthews properties as Grove Park / St. Matthews Neighbourhood Precinct is inconsistent with the previous direction provided by staff.

We would like to request a meeting with staff to discuss this matter in greater detail. Please provide us with your availability for a meeting in June 2018. Please also add us to your contact list and keep us informed of any updates on the Mobility Hubs project. Should you have any question, do not hesitate to contact us.

Sincerely,
MHBC



Gerry Tchisler, MPL, MCIP, RPP
Planner

cc: Andrew Mulder, LIV Communities

Photo Record



Photo Record Key Map

Appendix 3

Photo Record



Photo 1 – View looking north, towards Aldershot GO parking lot, from sidewalk connecting St. Matthew's Avenue to Masonry Court



Photo 2 – View looking northwest, towards vacant lands on the north side of Masonry Court, from Masonry Court

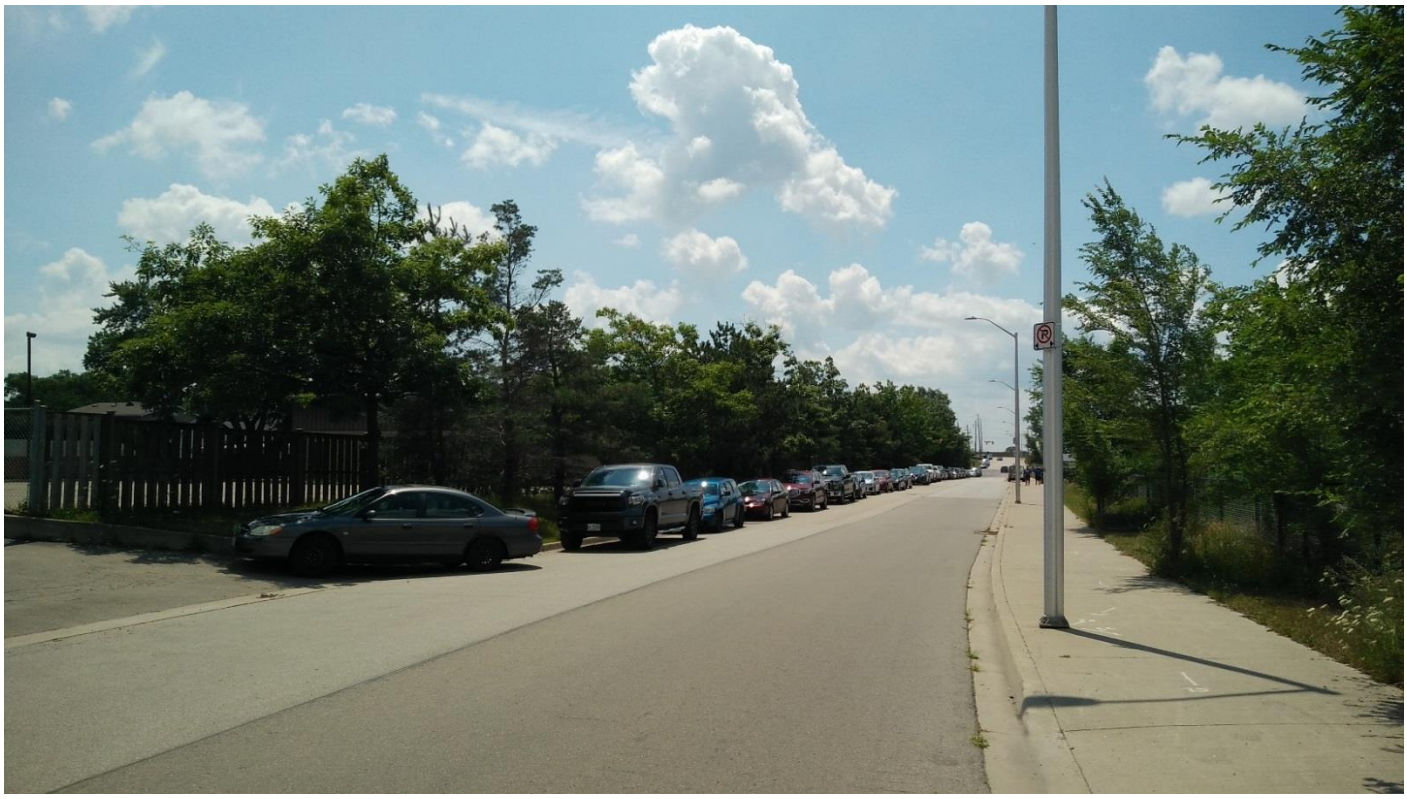


Photo 3 – View looking west, down Masonry Court, from north side of Masonry Court



Photo 4 – View looking northwest, towards vacant lands on the north side of Masonry Court, from Masonry Court



Photo 5 – View looking east, down Masonry Court, from north side of Masonry Court



Photo 6 – View looking east, towards 1085 Clearview Avenue (subject lands) from the terminating cul de sac of Clearview Avenue



Photo 7 – View looking east, along the southern property line of 1085 Clearview Avenue (subject lands)



Photo 8 – View of east side of existing building and parking area at 1085 Clearview Avenue (subject lands)



Photo 9 – View of surface parking area located to the east of the existing building at 1085 Clearview Avenue (subject lands)



Photo 10 – View looking south, down Clearview Avenue, from the terminating cul de sac of the street



Photo 11 – View looking north, up Clearview Avenue, from just north of Queen Mary Avenue



Photo 12 – View looking east, down Queen Mary Avenue, from its intersection with Clearview Avenue



Photo 13 – View looking west, down Queen Mary Avenue, from its intersection with St. Matthew's Avenue



Photo 14 – View looking south, down St. Matthew's Avenue, from its intersection with Queen Mary Avenue



Photo 15 – View looking south, down St. Matthew's Avenue, from the terminating cul de sac of the street



Photo 16 – View of walkway connecting St. Matthew's Avenue to Masonry Court, from the terminating cul de sac of the street



Photo 17 – View of driveway connecting St. Matthew's Avenue to 1085 Clearview Avenue (subject lands), through 1082 St. Matthew's Avenue (subject lands)



Photo 18 – View looking west, from the mid-point of the driveway connecting St. Matthew's Avenue to 1085 Clearview Avenue (subject lands)



Photo 19 – View looking west, from the end of the driveway connecting St. Matthew's Avenue to 1085 Clearview Avenue (subject lands)

Appendix 4

Draft Official Plan Amendment for In-Effect Official Plan

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

CONSTITUTIONAL STATEMENT

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

PART A – PREAMBLE

1. PURPOSE OF THIS AMENDMENT

   The purpose of this Amendment is to change the land use designation on Subject Lands from Residential – Low Density to Residential – High Density and introduce site specific provisions to permit a maximum density of 257 units per hectare and to permit direct access off of a local road. The Amendment facilitates the development of a 6-storey, mid-rise building containing 160 dwelling units across from the Aldershot GO Station.

2. SITE AND LOCATION

   The Subject Lands consist of a group of properties municipally addressed as 1085 Clearview Avenue and 1082, 1086 and 1090 St. Matthews Avenue. The Subject Lands have a combined total area of 0.627 hectares.

3. BASIS FOR THE AMENDMENT

   a) The proposed Amendment is consistent with the Provincial Policy Statement (PPS) and the Growth Plan for the Greater Golden Horseshoe (Growth Plan).
   b) The proposed Amendment better implements the direction of the PPS and Growth Plan than the existing Official Plan policies.
   c) The proposal conforms to the Halton Region Official Plan and the Official Plan for the Burlington Planning Area, upon finalization of this Amendment;
   d) The proposal can be adequately serviced and does not create any impacts to the existing site and surrounding area;
   e) The proposal is well-served by existing community infrastructure including public transit, parks, schools, and recreation facilities;
   f) The proposal enhances the pedestrian environment along Masonry Court;
   g) The proposal represents a modest amount of intensification at the periphery of an existing neighbourhood and 200 m from a GO Station; and,
   h) The proposed mid-rise building achieves compatibility with the existing neighbourhood through a number of design measures, including a 45˚ angular plane.

PART B – THE AMENDMENT

1. DETAILS OF THE AMENDMENT

DRAFT

The mapping of the Official Plan for the Burlington Planning Area is amended by changing the designation on the Subject Lands from Residential – Low Density to Residential – High Density on Schedule B: Land Use as shown on the attached Schedule 1.

The text of the Official Plan of the Burlington Planning Area is amended by adding the following clause to Part III, Section 2.0 Residential Areas, Subsection 2.2.3 Site Specific Policies, which reads as follows:

"p) For lands located at 1085 Clearview Avenue and 1082, 1086 & 1090 St. Matthews Avenue:

i. Notwithstanding Policy 2.2.2e), a maximum residential density of 257 units per hectare shall be permitted.
ii. Notwithstanding Policy 2.5.2a)xiii) direct access shall be permitted from a local road."

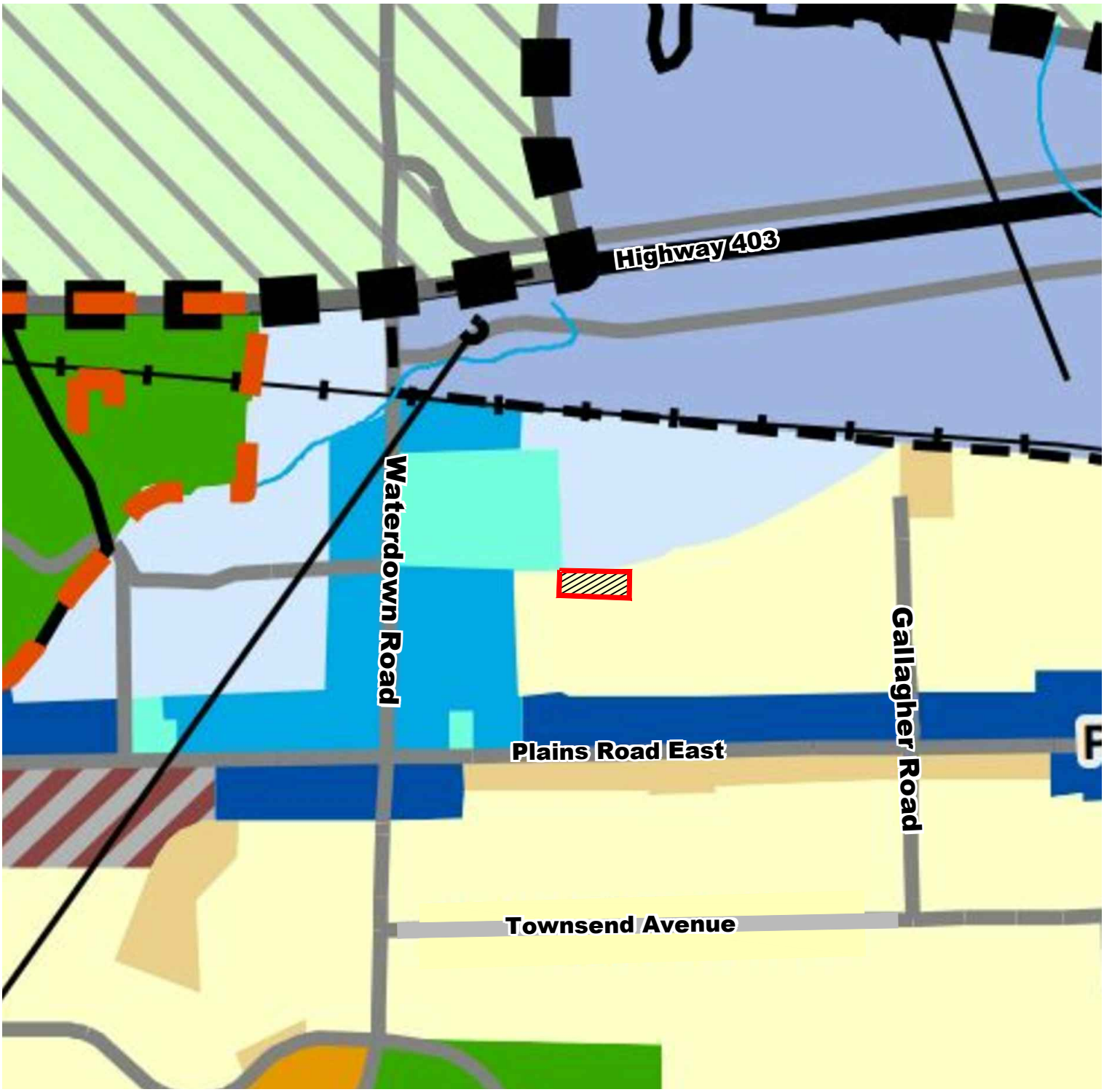
2. INTERPRETATION

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.

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Data Source: City of Burlington Official Plan: Schedule B (2017)

Schedule 1- Official Plan Amendment

City of Burlington In-Effect Official Plan

1085 Clearview Avenue, 1082, 1086, and 1090 St Matthews Avenue Burlington, Ontario

LEGEND

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

DATE: October 24, 2018

SCALE N.T.S

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north

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Appendix 5

Draft Zoning By-law Amendment

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

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

A By-law to amend By-law 2020, as amended; 1085 Clearview Avenue and 1082, 1086 & 1090 St. Matthews Avenue
File No.: XXX

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

WHEREAS the Council of the Corporation of the City of Burlington approved Recommendation PB-XX-XX on DATE, to amend the City's existing Zoning By-law 2020, as amended, to permit the redevelopment of the lands located at 1085 Clearview Avenue and 1082, 1086 & 1090 St. Matthews Avenue which will include a six storey residential building.

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

1. Zoning Map Number 3 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 designated on Schedule "A" attached hereto are hereby rezoned from R2.1(Low Density) zone to the RH1 (High Density) zone with site specific regulations.

3. PART 14 of By-law 2020, as amended, Exceptions to Zone Classifications, is amended by adding Exception XXX as follows:

Exception XXX	Zone RH1	Map 3	Amendment 2020.XXX	Enacted XXX
1. For the purposes of this by-law, Masonry Court shall be deemed the front lot line. 2. Regulation for Apartment Building a) Minimum front yard: 3 metres b) Maximum density: 257 units per hectare c) Total amenity area: 15 sq. m. per unit d) Landscape Areas and Buffers may include a transformer, exhaust shaft, hard and soft landscaping, other decorative features and a driveway				

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hammerhead.

e) Landscape Area:

   a. 1 m abutting Clearview Avenue
   b. 0 m abutting Masonry Court
   c. 1.5 m abutting St. Matthews Avenue

f) Landscape Buffer abutting R2 zone: 1.5 m

g) Parking spaces and driveways shall be setback 2.5 m from a window of a habitable room in a ground floor dwelling unit.

h) Patios shall be permitted within the front yard and up to 0 m from the Street Line.

i) Two driveways with a width of up to 6 m shall be permitted on Masonry Court.

j) Parking:

   a. 1 occupant space per unit, plus;

   b. 0.25 visitor spaces per unit.

   c. Designated accessible parking spaces: 2.97% of required parking

k) Below grade parking structures shall be permitted to extend into a required landscape buffer and be permitted up to:

   a. 1.3 m from the Clearview Avenue street line;

   b. 1.3 m from the St. Matthews Avenue street line;

   c. 2.1 m from the rear lot line:

Except as amended herein, all other provisions of the By-law and the RH1 zone, shall apply.

4 a) 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;

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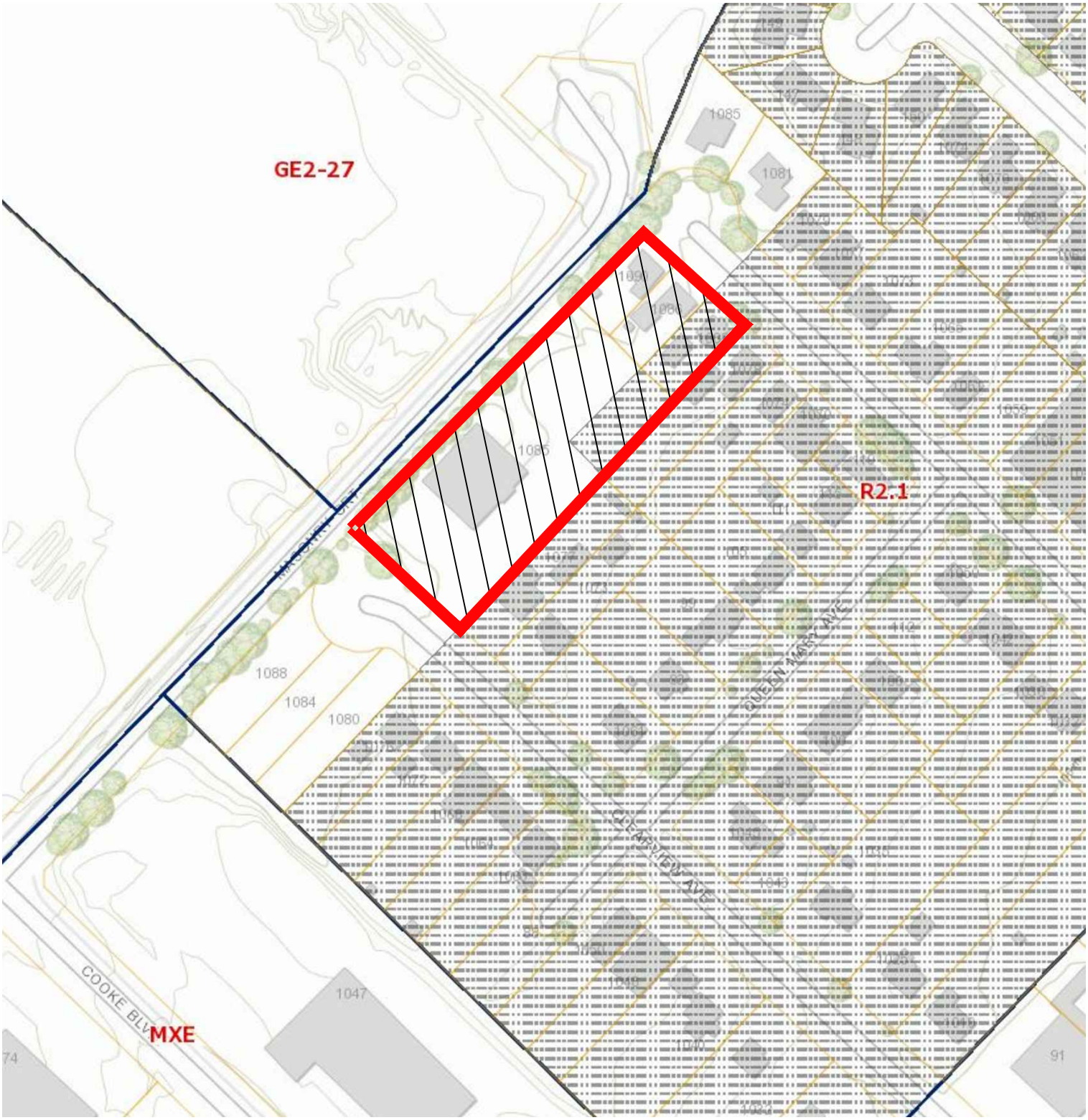
4 b) If one or more appeals are filed pursuant to the provisions of the Planning Act, as amended, this By-law does not come into force until all appeals have been finally disposed of, and except for such parts as are repealed or amended in accordance with an order of the Local Planning Appeals Tribunal this By-law shall be deemed to have come into force on the day it was passed.

ENACTED AND PASSED this ……..day of …… 2019.

_____MAYOR

_____CITY CLERK

DRAFT



Data Source: City of Burlington Zoning By-law 2020 (2017)

Schedule A- Zoning By- Law Amendment

City of Burlington Zoning By-law 2020

1085 Clearview Avenue, 1082, 1086, and 1090 St Matthews Avenue Burlington, Ontario

LEGEND

- Subject Lands
- Change zoning from R2.1 (Low Density) to RH.1-XX (High Density)
- Designated area for lot coverage

DATE: October 24, 2018

SCALE N.T.S

north

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Appendix 6

Zoning Compliance Table

Appendix 6: Zoning Compliance Table – Assume Masonry as Front Lot Line

Regulation (Table 2.14.1)	**RH1**	**Provided**	**Compliance**
Lot Width	30m	136m	Yes
Lot Area	0.2ha	0.627ha	Yes
Front Yard	7.5m	3 m	**No – Modification Requested**
Street Side Yard	7.5m	Clearview – 16.5 m St. Matthews – 12.5 m	Yes
Rear Yard	9m	20m	Yes
Side Yard	4.5m	N/A – Street side yards only	N/A
Yard abutting R1, R2, R3 Zone	15m	Rear Yard - 20.1m Side Yard (Clearview) - 16.5 m + 10 m = 26.5 Side Yard (St. Matthews) – 12.5 m + 9 m = 21.5 m *Note: As a standard practice, when streets coincide with zoning boundaries, the centreline of the street is deemed to be the zoning boundary. The centreline of Clearview Avenue and St. Matthews Avenue have been estimated by dividing the approximate width of the right-of-way by two.*	Yes
Density	Minimum: 50 units per hectare	255.2	**No – Modification Requested**

	Maximum: 50 units per hectare plus 1 additional dwelling unit for each 4 enclosed parking spaces to 75 units per hectare		
Floor Area Ratio	1.25:1 maximum	1.94	Yes
Building Height	6 storeys maximum	6 storeys	Yes
Amenity Area	25 sq.m per bedroom, 15 sq.m per efficiency 1 Bedroom – 95 units = 2,375 sq.m 2 Bedroom – 36 units = 1,800 sq.m Efficiency – 29 units = 435 sq.m Total Required = 4,610 sq.m	2,552 sq.m / 160 = 15 sq. m. per unit	**No – Modification Requested**
Landscape Area	Landscape Area • 4.5 m abutting a street having a deemed width up to 26 m	Clearview – 1 m St. Matthews – 1.5m Masonry – 0 m	**No – Modification Requested**
Landscape Buffer	Landscape Buffer Abutting R1, R2, R3 zones: 6 m	1.5 m	**No – Modification Requested**
Enclosed Occupant Parking	b) Enclosed Occupant Parking RH1 Zone: none required	153 provided underground	N/A
Outside Storage	Waste stored outside shall be kept within a solid screen enclosure	Garbage will be store internally	Yes

Regulation	General Provisions	Provided	Compliance
Habitable Unit to Parking Space	(iii) Notwithstanding Part 2, Subsection 1(i), where the apartment building is 4 storeys or greater in height parking spaces and driveways shall be setback 4 m from a window of a habitable room in a basement or ground floor dwelling unit.	2.5 m	**No – Modification Requested**

2.3 Patios and Deck - Residential	*Patios* Permitted in a Front Yard……no Permitted in a Rear Yard……...yes Permitted in a Side Yard……..yes Setback from a Street Line…....3 m Setback from a Rear Lot Line.....1.8 m Setback from a Side Lot Line in a Rear Yard……1.2 m *Balconies* A bay window, balcony, vestibule, fire escape or open stairway may project 50 cm maximum into a required side yard and 1.6 m maximum into any other required yard, provided that: (i) The sum of the length of these projections does not exceed one third of the permitted length of a building wall, (ii) The length of any one projection does not exceed 3 m. (iii) A bay window that projects into a required yard may not have a foundation and must have at least 30% of the surface area of the projection as window.	• Patios located in front yard 0 m from street line • No encroachments into required side or rear yards • 0.735 m into required front yard.	**No – modification requested** Yes
2.4.1 Fencing and Privacy Screens	Fences and walls are permitted in all zones subject to the following regulations: b) For all residential uses the following regulations apply: (i) Maximum Fence Height: 2.0 m (ii) Within a front yard, maximum fence height shall be 1.2 m within 3 m of the street line except that where a front yard adjoins the rear yard of a corner lot the maximum fence height along the common property boundary within 3 m of a street line shall be 2.0 m; (iii) Fence height shall be measured vertically from grade, exclusive of any artificial embankment, to the highest point of each 3 m section of fence, excluding decorative post caps; (iv) Where the grade elevations along the fence vary, maximum	A maximum 2 m high fence will be located along the rear lot line.	Yes

	fence height may increase to 2.3 m provided that the lowest height of the same 3 m fence section does not exceed 2.0 m in height;		
2.13.1 Encroachment Into Yards	a) The following obstructions may project 50 cm maximum into a side yard and 1 m maximum into any other yard from the wall of the building: • Chimney • Overhang • Cornice • Pilaster • Sill • Ornamental Projection • Belt Course Eave or Gutter • Lintel b) In **RH1**, RH2, RH3, RH4 zones a canopy may project into a required front or street side yard up to half the distance of the required yard. d) The following obstructions may project 65 cm maximum into a required yard: • A roofed-over or screened but otherwise unenclosed 1 storey porch • A terrace or unroofed porch • A carport	Encroachments will comply to by-law	Yes
2.24 Driveway Widths and Landscape Open Space Area	2) a) A maximum of one driveway shall be permitted for each residential property, except in the case of a corner lot where a maximum of one driveway per street frontage may be permitted if the second driveway location is approved by the city. b) The maximum width of the 2nd driveway is of 4 metres inclusive of walkways. 3) Unless otherwise specified in this by-law, driveways shall be a minimum of 6 m in length	• 2 driveways from Masonry • Both 6m wide • Driveway network is longer than longer than 6m	**No – modification requested** Yes

2.25.3 Minimum Loading Space Requirements	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.	1 – 13m x 4m loading space provided	Yes
2.25.4 Minimum Parking Spaces Requirements	1.25 occupant spaces per one bedroom unit 1.50 occupant spaces per two bedroom unit 0.35 visitor spaces per unit 1.25 x 124 = 155 1.5 x 36 = 54 0.35 x 160 = 56 Total = 265	160 occupant parking spaces (1/unit) 40 visitor parking spaces (0.25/unit) 3 additional parking spaces Total parking provided: 203	**No – modification requested**
Parking stall size	Each parking space shall have a minimum width of 2.75 m and a minimum area of 16.5 m2	2.75 m x 6 m = 16.5 sq. m.	Yes
Accessible Parking	Over 90 spaces: 3% of required parking = 203 x 3% = 6.09 spaces Must be dimension to minimum standard and adjacent to a 2m wide delineated accessible parking walkway	6 spaces (2.96%)	**No – modification requested**
Parking Structures	5. (iii) Below grade parking structures shall not extend into a required landscape buffer and shall be setback 3 m from all other property lines and street lines.	*Setbacks* Clearview: 1.3 m Masonry: 3 m St. Matthews: 1.3 m Rear lot line: 2.1 m	**No – Modification requested**

Appendix 7
Assessment of Sustainable Development Principles and Objectives

APPENDIX 7: ASSESSMENT OF SUSTAINABLE DEVELOPMENT PRINCIPLES AND OBJECTIVES

Note: The Sustainable Development Principles and Objectives do not form part of the OP and reviewed here for reference purposes only.

Principles	
Principle	**Compliance Statement**
Principle 1: Recognize the interdependence of humans and the rest of nature in a common ecosystem; seek to prevent and reverse degradation of the earth, air, water, plants and animals by human activity.	The proposal does not displace elements of the Natural Heritage System and will include tree replacement and other plantings through a comprehensive landscaping scheme which will contribute to the tree canopy and urban vegetative cover.
Principle 2: Recognize the urgency of climate change and take measures to reduce greenhouse gas emissions and to adapt.	The proposal will contribute to reducing greenhouse gas emissions by supporting active and public transportation and encourage modal shift through a reduction in parking requirements in conjunction. The proposal also contributes to a complete community environment wherein commercial areas, parks, schools and other community facilities are located in close proximity to one another which further encourages active transportation modes.
Principle 3: Promote conservation, stewardship and responsible use of resources. Discourage processes and practices that result in natural resources being consumed at a rate faster than they can be replenished.	The proposal represents a compact and land-efficient built form which utilizes existing, serviced land in a responsible manner.
Principle 4: Discourage the production and use of persistent and harmful substances. Reinforce proper disposal practices for such substances.	Not applicable.
Principle 5: Affirm and promote practices that provide a safe and healthy environment and build resilience, and engage our community in not only meeting the economic and social needs of all citizens but enhancing quality of life.	The proposal contributes to a complete community environment where amenities and complementary land uses are located close to residences.
Objectives	
Objectives	**Compliance Statement**
1. Leadership: Take a leadership position on sustainability issues both within and outside of the City of Burlington. Recognize that our local actions can have global implications.	The proposal provides a good example of the reasonable redevelopment potential of underutilized sites which are both on the periphery of low density residential areas as well as within MTSAs. Such proposal can move the City forward as a leader in balanced intensification projects.
2. Protection and Enhancement of Natural Features: Protect and enhance Burlington's natural features to ensure that shorelines, natural	The Subject Lands are located within the built up are of the City and not adjacent to any natural features.

water courses, wetlands, flood plains, woodlands and forestry tracts, as well as notable landmarks such as the Niagara Escarpment, are preserved for future generations. Improve the connectivity of natural features to enhance the natural heritage system. Preserve habitat to maintain and increase biodiversity and protect species at risk.	
3. Protection of Natural Resources: Sustainably manage and protect natural resources such as water, minerals and fertile lands. Reverse degradation of natural resources when feasible.	The proposal is not located abutting any Natural Resources.
4. Responsible Use of Natural Resources: Reduce the consumption of natural resources and ensure users are responsible for the full local costs of services such as water, electricity and sanitary sewers. Provide educational programs to encourage conservation of natural resources and increase awareness of the full costs of services.	The proposal represents a compact and land efficient built form that will make more efficient use of existing services in the area.
5. Waste Reduction: Reduce waste generation and increase resource recovery. Minimize waste in designing, building, operating, renovating, demolishing and re-purposing buildings.	Not applicable at this time.
6. Greening of the City: Promote the preservation, management and planting of trees and other vegetation on private and public property within the City. Encourage the use of native, non-invasive and diverse species.	As noted in the body of this PJR, a total of 50 trees will be removed, including both on site trees and municipal boulevard trees. Most of the trees are either in fair or poor condition. The proposal will include a comprehensive landscape scheme for the Subject Lands and municipal boulevard which will provide replacement tree planting among other plantings.
7. Natural Features and Green Space: Ensure natural features and greenspace are fundamental components of the City including new developments and redevelopments.	As noted above, a comprehensive landscape plan will provide greenery around the perimeter of the site which will contribute to the public realm.
8. Superior Neighbourhood Design: Make land-use decisions considering the natural features, site characteristics and location relative to employment, transportation and amenities. Apply an ecosystem approach to assess the impacts of development and to ensure environmental integrity, diversity and resiliency. Create vibrant, equitable communities that are healthy, walkable and transit supportive.	The proposal will replace an underutilized parcel of land with a residential development consisting of a compact, 6 storey mid-rise built form. The proposal will utilize existing services and make use of and support the existing public transit operating from the Aldershot GO Station. Shopping and employment uses are located within walking distance on Plains Road East, Cooke Boulevard and Howard Road. A number of schools, parks and other community facilities are also located in proximity to the site and are listed in Table 2 in the body of this report.
9. Sense of Community: Create sustainable and appropriate forms of development that reflect the human scale, promote a sense of	The proposal consists of a compact, 6 storey mid-rise built form which will frame the street and contribute to a more human scale

community, and connect and integrate urban development and natural surroundings.	environment at grade. Ground level patios will provide activity and natural surveillance along the street.
10. Neighbourhood Connectivity: Promote community development where residents can easily access necessities and amenities, such as housing, employment, locally produced food, retail, green spaces, education, recreation, and arts and culture through active transportation or transit.	As noted above, the proposal is located in proximity to a number of schools, parks, community facilities, commercial and employment areas.
11. Sustainable Transportation System: Prioritize walking, cycling and transit and make the best use of the existing road system for the safe movement of goods and people. Support multi-modal connectivity within the City and with neighbouring municipalities.	The proposal supports active and public transportation and encourages modal shift through a reduction in parking requirements and provision of internal bike parking.
12. Efficient Urban Design: Increase the efficiency of land use in the urban community with the goal of reducing greenhouse gas and other air emissions and provide efficient, well connected routes for active transportation and transit. Promote urban intensification and development policies, rather than suburban policies that generate sprawl.	The proposal will replace an underutilized parcel of land with a residential development consisting of a compact, 6 storey mid-rise built form. It will utilize existing services and local and regional public transit. Overall, the proposal represents an appropriate urban intensification project that makes efficient use of existing urban land and services.
13. Natural Storm Water Management: Protect water courses in their natural state and encourage the restoration of water courses that have been degraded. Encourage low impact development design and use of best practices to improve storm water quality and reduce the quantity of storm water sent to traditional storm water infrastructure.	Stormwater management will be designed to the applicable municipal standards.
14. Energy Conservation, Efficiency and Generation: Promote net zero carbon energy generation and usage. Increase energy conservation through efficient land use planning and building design. Encourage sustainable local thermal and electrical energy generation and the supporting distribution network. Adopt low emission forms of transportation. Take all opportunities to switch from fossil fuel to renewable and electricity-based technologies.	Sustainable and energy efficient building methods and materials will be considered during the detailed design stage of the project.
15. Agriculture and Food: Promote policies that improve long-term food security with sustainable local agriculture in urban and rural communities. Increase the supply of local, accessible, affordable, culturally diverse and nutritious food. Protect agricultural land from loss and fragmentation.	The proposal is for an intensification project within the built up area of the City which allows for the optimization of existing underutilized urban lots in lieu of developing on agricultural lands outside of the built boundary.
16. Healthy Lifestyles: Promote and support healthy and active lifestyles through the development of complete neighbourhoods, active	Proposal is for an intensification project located in proximity to commercial and employment uses as well as a number of parks and

transportation infrastructure, recreational facilities and parks.	community facilities, all of which are either in walking or cycling distance of the Subject Lands. The Aldershot GO Station is also 300 m from the site from which a number of local and regional transit routes operate.
17. Community Engagement: Seek and encourage public participation and education, and consider public input in City decision-making. The economic, environmental and social aspects of proposed developments should be considered. Decisions should address all aspects and build consensus among stakeholders.	An open house was hosted by the project team ahead of the formal application submission to present the development concept to the public and garner feedback.
18. Evaluation of Development: Continuously monitor and evaluate community development to assess its sustainability in relation to social, environmental or economic impacts.	Not Applicable.
19. Sustainability Assessment: To assess progress towards sustainability, the City of Burlington should prepare a performance review of the entire municipality at regular intervals and develop and implement an action plan based on the findings.	Not Applicable.

Appendix 8

A Region's Notice of Subsection 17 (40.2) Opinion

Legislative & Planning Services
Department
Planning Services
1151 Bronte Road
Oakville ON L6M 3L1

December 4, 2018

To All Prescribed Agencies and All Persons who have requested
Notice of the Region's Decision of the
City of Burlington Official Plan:

RE: Statement of Opinion of Non-conformity with the Regional Official Plan under Subsection 17(40.2) of the *Planning Act*

On April 26, 2018, Burlington City Council adopted its new Official Plan (the "Plan"). On May 11, 2018, the record pursuant to subsection 17(31) of the *Planning Act* was received by the Region of Halton as the approval authority to make a decision on the Plan.

Over the last number of months, Halton Region staff have been working closely with City of Burlington staff in the review of the newly adopted Plan to address conformity to the Region of Halton Official Plan. Through this review, Regional staff have identified a number of matters with respect to the Plan's conformity to the Halton Region Official Plan that need to be resolved prior to making a decision on the Plan. The attached Notice provides additional information related to these matters in accordance with s. 17(40.2) of the *Planning Act*.

Halton Region staff will continue to work with City of Burlington staff to resolve matters of non-conformity with the Halton Region Official Plan in an expeditious manner.

Sincerely,

Curt Benson MCIP, RPP
Director, Planning Services and Chief Planning Official

cc: Heather MacDonald, Director of City Building, City of Burlington

Date of Notice:	December 4, 2018
Municipality:	City of Burlington
Subject Lands:	All Lands within the City of Burlington

NOTICE OF STATEMENT OF OPINION OF NON-CONFORMITY WITH THE REGIONAL OFFICIAL PLAN UNDER SUBSECTION 17(40.2) OF THE *PLANNING ACT*
With respect to the City of Burlington Council adopted new Official Plan

On April 26, 2018, Burlington City Council adopted its new Official Plan (the "Plan"). On May 11, 2018, the record pursuant to subsection 17(31) of the *Planning Act* was received by the Region of Halton as the approval authority to make a decision on the Plan.

Under subsection 17(40) of the *Planning Act*, if the approval authority fails to give notice of a decision in respect of all or part of a plan within 210 days after the day the plan is received by the approval authority, any person or public body may appeal to the Tribunal all or any part of the plan. An exception to this provision applies if the approval authority states that the plan or any part of it does not, in the approval authority's opinion, conform with the upper-tier municipality's official plan.

The purpose of this Notice is to inform you that the Region of Halton, through its delegated authority to the Chief Planning Official, is of the opinion that the Plan does not conform to the Region of Halton Official Plan (2009) ("ROP"). The Plan does not conform to the ROP with respect to policies and mapping related to, among other matters:

- proposed employment land conversions and permitted uses within the employment areas and lands;
- the identification of and permitted uses within agricultural lands;
- the identification of and permitted uses within the Natural Heritage System; and
- transportation matters, including road classifications.

Pursuant to subsection 17(40.4) of the *Planning Act*, the 210-day period does not begin to run until the Region of Halton confirms that the non-conformity with the ROP is resolved. As such no appeals under subsection 17(40) of the *Planning Act* may be filed at this time.