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Planning Justification Report



TRG (New-Guelph) Inc.
2421 and 2431 New Street
City of Burlington

December 2017
File 8537

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1. Introduction

Weston Consulting is the planning consultant for TRG (New-Guelph) Inc., the owner of the lands municipally known as 2421 and 2431 New Street in the City of Burlington (herein referred to as the "subject property").

This Planning Justification Report has been prepared in support of Official Plan Amendment and Zoning By-law Amendment applications to permit two joined 11 storey buildings comprised of a seniors' retirement home containing 223 units in Building 1 (west building) and a residential condominium containing 139 units in Building 2 (east building).

This report provides the planning rationale in support of the proposed Official Plan Amendment and Zoning By-law Amendment applications and provides justification for the proposal in accordance with good planning principles. The report outlines the nature of the proposed development and evaluates the proposal in the context of the policies of the Provincial Policy Statement ('PPS'), the Growth Plan for the Greater Golden Horseshoe ('GGH'), the Halton Region Official Plan ('HROP'), the City of Burlington Official Plan, City of Burlington Zoning By-law No. 2020 and other policies and regulations that apply to the subject property.

A formal pre-application consultation meeting was held on July 19, 2017 and the complete application requirements were outlined for the proposed applications. It is recognized that applications for Site Plan Approval and Draft Plan of Condominium will be required to fully implement the proposed development. These applications will be submitted at a later date.

2. Site Description and Context

2.1 Description of the Subject Property

The subject property is located on the north side of New Street between Guelph Line to the east and Beverly Drive to the west. The Legal Descriptions of the subject property are as follows:

2421 New Street is legally described as: PT LT 16, CON 3 SOUTH OF DUNDAS STREET, AS IN 643033; BURLINGTON/NELSON TWP

2431 New Street is legally described as: PT LT 16, CON 3 SOUTH OF DUNDAS STREET, PT 1, 20R15030; BURLINGTON

The subject property is generally rectangular in shape, has a combined area of approximately 0.7 hectares (1.74 acres) and has approximately 80 metres of frontage on New Street. The subject property is currently occupied by three separate low-rise commercial/ retail buildings, one being a stand-alone restaurant on the southeast corner of the lot. Access to the subject property is currently provided via three driveways off of New Street. The subject property has a relatively flat topography and are generally higher at the north-western portion and gradually slope downward in a south-eastern direction through the site to be at grade with abutting residential

dwellings located directly to the south and east. There are no significant features on site, physical or otherwise, that would prevent the proposed redevelopment of the subject property.



Figure 1: Aerial Photograph of the Subject Property

2.2 Neighbourhood Context

The subject property is located in the Central Burlington Neighbourhood area, northwest of the Roseland neighbourhood. The surrounding area is characterized by a mix of residential, commercial and institutional uses. New Street is an east – west, four lane road which connects the subject property to other north – south arterial roads such as Guelph Line and Brant Street. Guelph Line is less than 80 metres away from the subject property to the east and intersects with New Street.

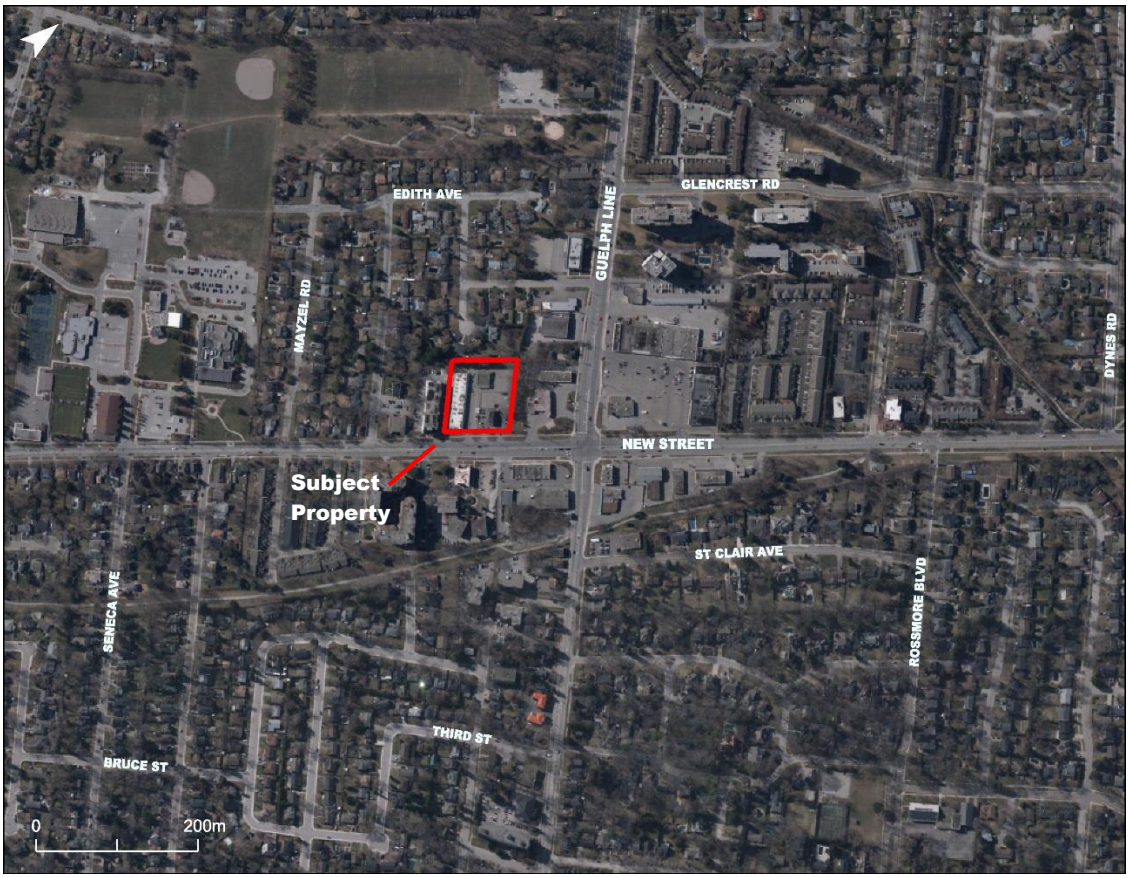


Figure 2: Context Photograph

2.3 Surrounding Land Uses

For contextual purposes, the cardinal directions will be represented as New Street being east/ west and Guelph Line being north/ south. Land uses and built form characteristics in the vicinity of the subject property include:

North: Immediately to the north of the subject property is a cul-de-sac of single detached dwellings that predominantly make up the northern quadrant of surrounding land uses in the vicinity. Central Park Labyrinth is a community park and trail area, which is located approximately 280 metres further north, beyond the single detached dwellings adjacent to the subject property. There are a number of commercial uses that front onto Guelph Line north of the property, which include a bank, several retail stores and a personal service shops.

East: A gas station abuts the subject property to the east. Roseland Plaza is located approximately 150 metres further east, on the other side of Guelph Line, which contains a large variety of commercial and retail uses. Adjacent to Roseland Plaza to the north are larger multiple storey residential apartment buildings, Pine Terrace Apartments (14-storeys) and Queensbury Court (17-storeys). Glencrest Terrace Apartments (13-storeys) are located approximately 430 metres further northeast of the subject property.

South: New Street abuts the subject property to the south. Further south, across New Street, are four, 4-storey residential apartment complexes. Behind these buildings lies a section of the Waterfront Trail, which generally runs east and west and in some sections along Lake Ontario. Southwest, across New Street are the Rosemount Apartments, which consist of two 11-storey apartment buildings. South from the subject property, across New Street, is Roseland Square Plaza at the southwest corner of New Street and Guelph Line. Roseland Square is a small mixed commercial and retail plaza that provides the community with goods and services on a day-to-day and weekly basis. On the southeast corner of Guelph Line and New Street there are additional commercial and recreational uses such as Jibs Actions Sports and The Follicle Spa. Roseland neighbourhood is located further southeast and generally consists of single detached dwellings.

West: Directly to the west of the subject property is a 6-storey residential condominium apartment and further west is a smaller 3-storey residential apartment building. Moving even further west, there are a number of single detached residential dwellings. At the intersection of New St. and Drury Lane is a cluster of civic uses including The Burlington Central Recreation Centre, which is made up of the Burlington Central Public Library, multiple Sports Fields, Rotary Youth Club, Central Park Labyrinth, Central Park Community Gardens and many other recreational uses. The Burlington Central Recreation Centre and other community facilities are further described in the following section.

2.4 Community Facilities

The subject property is situated in an area that is well served by community services, facilities and amenities. An overview of the nearby community services and facilities is provided in *Table 1* below. *Figure 3* provides an illustration of the distribution of the community services and facilities throughout the neighbourhood.

Table 1: Community Facilities

Community Facility		Address	Programs/Services/Amenities
A	Burlington Central Public Library	2331 New Street	• Recreational space for reading, studying, learning etc.
B	Burlington Music Centre	2311 New Street	• Music School • Theatre Burlington • Burlington Teen Tour Band
C	Burlington Curling Club	2295 New Street	• Curling Club
D	Burlington Senior's Centre	2285 New Street	• Recreation Centre
E	Central Recreation Centre	519 Drury Lane	• Arena • Baseball Diamonds • Soccer Fields
F	Central Park Community Garden	2299 New Street	• Community Garden Space

Community Facility		Address	Programs/Services/Amenities
G	Burlington Student Theatre	519 Drury Lane	• Cultural Center
H	Burlington Lawn Bowling Club	2275 New Street	• Lawn Bowls Club
I	Drury Lane Theatrical Productions	2269 New Street	• Performing Arts Theatre
J	Burlington Tennis Club	501 Drury Lane	• Tennis Courts
K	Central Park Labyrinth	2299 New Street	• Park • Recreational Trails
L	Rotary Youth Centre	560 Guelph Line	• Rotary Association
M	Roseland Park	3076 South Drive	• Park
N	Roseland Park Country Club	3079 Princess Boulevard	• Country Club
O	New Street Education Centre	3250 New Street	• Educational Consultant
P	Gary Allan High School	3250 New Street	• Middle School
Q	St. Paul Catholic Elementary School	530 Cumberland Avenue	• Primary School
R	Assumption Catholic Secondary School	3230 Woodward Avenue	• High School



Figure 3: Community Facilities Map

2.5 Nearby Development Activity

Within a greater area context, the subject property is surrounded by the following proposed and approved development applications:

A. <u>3225 and 3237 New Street (Royal Living Development Group Inc.) – Removal of Holding Symbol and Rezoning</u>

An application for the removal of Holding symbol and rezoning has been submitted by Royal Living Group Inc. to permit the development of eleven, 3-storey townhouse units at 3225 and 3257 New Street. It is our understanding that the application is currently under review.

B. <u>607 Dynes Road (DiCarlo Custom Homes) – Official Plan Amendment and Rezoning</u>

Applications for an Official Plan Amendment and Zoning By-law Amendment have been submitted by DiCarlo Custom Homes to permit the development of 23 townhouse units and one semi-detached home. The proposal also includes the development of a private road and proposes12 visitor parking spaces. It is our understanding that a Recommendation Report was

brought forward to the Planning and Development Committee in June 2017 and a Planning and Development Committee meeting date has yet to be determined.

C. <u>2085 Pine Street (Roman Home Builders) – Zoning By-law Amendment</u>

An application for a Zoning By-law Amendment has been submitted by Roman Home Builders to permit the development of a 5-storey residential apartment building comprised of 15 units at 2085 Pine Street. The existing one-and-a-half storey heritage building on site will be preserved. It is our understanding that the application is currently being reviewed and a Recommendation Report was scheduled for September 26, 2017. This recommendation report noted that Staff recommended modifying the approval of the amendment to the City's Planning and Development Committee of Council.

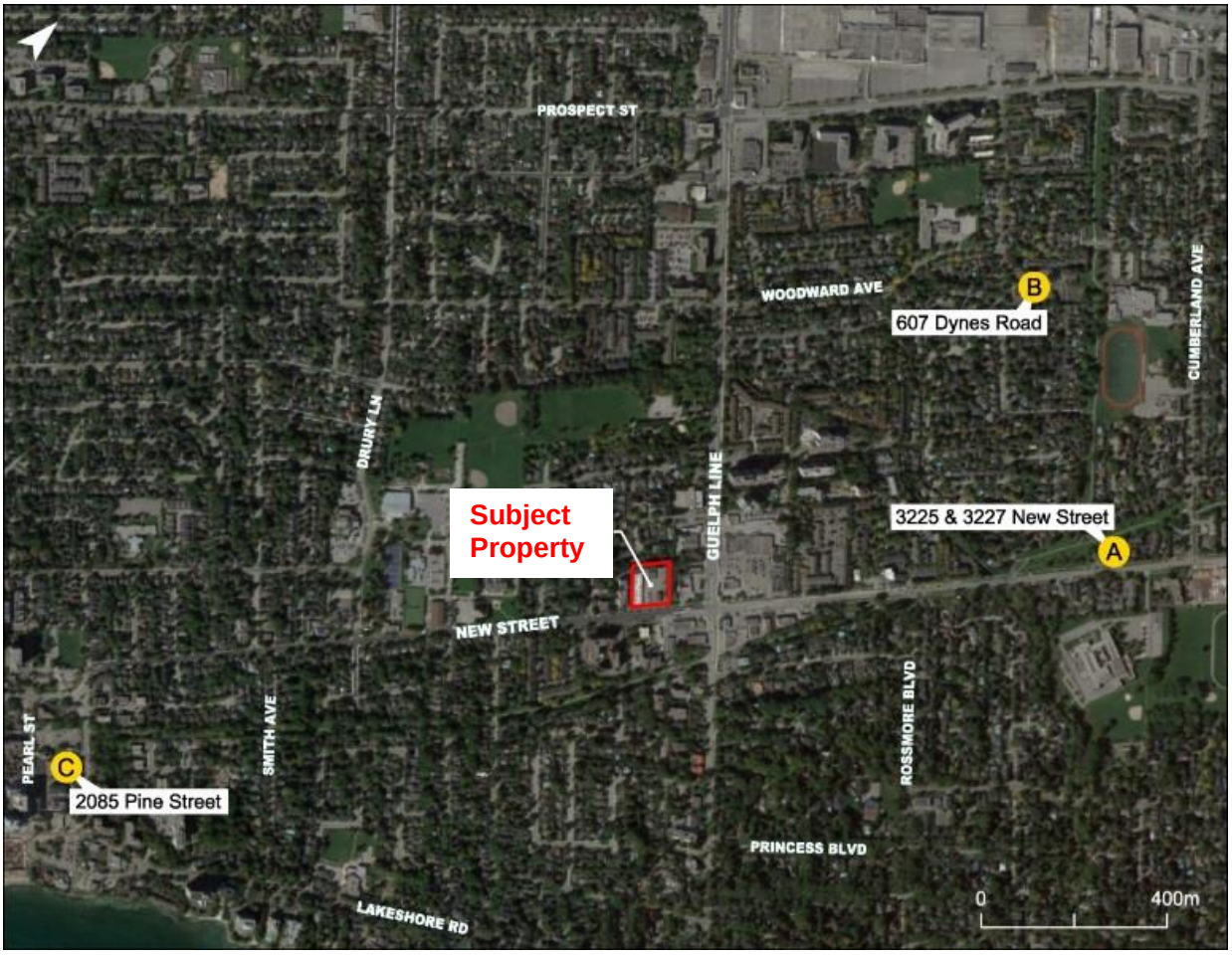


Figure 4: Nearby Development Applications

2.6 Transit and Transportation

The subject property fronts onto New Street which is classified as a *Regional Minor Arterial Road* on Schedule J – Classification of Transportation Facilities of the City of Burlington Official Plan. The subject property is also approximately 1.8 km south-east of the intersection of Guelph Line

and Harverster Road, which is where Guelph Line becomes a *Regional Major Arterial Road* according to Schedule J. Major Arterial Roads are intended to serve mainly inter-regional and regional travel demands, accommodate truck traffic, rapid transit services and high occupancy vehicle lanes. Furthermore, Major Arterials are to connect urban areas or nodes in neighboring municipalities and are designed so as to carry high volumes of traffic (Table 1 – Function and Classification of Transportation Facilities) from Section 7 of the current Burlington Official Plan.

In addition, New Street connects to Brant Street which provides access to the Burlington Downtown core and waterfront. Additionally, both Brant Street and Guelph Line provide connections to Highway 403 and Highway 407-Express Toll Route (407-ETR) allowing for inter-regional transportation. The Burlington GO Station, located north-west of the subject property (approximately 1.8 km away) serves as the major transit terminal for the general area and provides further connections to other municipalities and regions such as the City of Toronto and the City of Hamilton.



Figure 5: Burlington Transit Route Map Excerpt

The subject property is serviced by the Burlington Transit Bus routes 301, 10, and 50 along New Street. The existing Burlington Transit Bus routes provide Primary and Secondary bus service from the subject property via New Street and Guelph Line to the greater area of Burlington. Transit Routes 301 (Pinedale), 10 (New – Maple) and 50 (Burlington South – Late Night) currently operate along New Street. While 52 (Burlington Northwest – Late Night), 302 (Tansley Woods), 3 (Guelph – Downtown) and 25 (Walkers) operate along Guelph Line. Routes 301 (Pinedale) and 302 (Tansely Woods) are both Community Connection Routes. Passenger pick-up and drop-off stops are located at regular intervals along New Street, with bus stops at Beverly Drive, as well as located directly adjacent to the subject property at the corner of New Street and Guelph Line. These routes provide access to the Downtown Transit Station and to numerous retail and commercial centres that are located in close proximity to the site. In addition, the routes provide

access to a number of community facilities such as schools, parks, libraries, recreation trails and community centres.

3. Proposed Development

3.1 Description of Proposed Development

The objectives of the development proposal are to redevelop the subject property with a residential condominium and a retirement residence, while improving the streetscape along New Street. The subject property is currently underutilized with a mix of commercial and retail uses on a primary arterial/ transit corridor in close proximity to significant community amenities. The proposed development provides an opportunity for intensification that is appropriate for the neighbourhood and assist the City as it choose to *Grow Bold*. The significant frontage along New Street will allow for development to be introduced while strengthening the street wall condition. The depth of the site and an angular plane is sufficient to allow for appropriate transition in heights toward the lower density area to the north in addition to providing appropriate setbacks to buildings adjacent to the subject property.

The proposed development consists of two towers and two levels of underground parking. Tower 1 will consist of 223 Retirement Living units, of which 32 units will be dedicated for Memory Care living space (Alzheimer's/Dementia Care units), while Tower 2 will contain 139 residential units resulting in a total of 362 units. It should be noted that the entire 7th floor of both towers will be dedicated to the memory care facility with no direct access to the proposed residential apartment. The development proposes a total gross floor area of 28,486 square metres resulting in a site-wide density of 4.05 times are the area of the lot.

The proposed residential apartment building contains a total gross floor area of 11,428 square metres, including 2,790 square metres of amenity space. The residential condominium is proposing a unit mix of 97 one-bedroom units and 42 two-bedroom units. There will be no units on the 7th floor of the residential condominium building as this space will be occupied by the Memory Care living space, part of the senior's retirement residence.

The proposed senior's retirement residence building contains a total gross floor area of 17,058 square metres, including 3,255 square metres of amenity space. The 7th floor of the development is proposed to be dedicated for Memory Care living space. The Memory Care floor will be comprised of 917 square metres of amenity space, 32 studio units and storage space totaling 2,374 square metres (25,554 sq. ft.) of floor area. There is an outdoor patio at the north end of the retirement living building on the ground floor, in addition to the 306 square metre rooftop terrace on the 6th floor.

Section 2.6.2(h) of the City of Burlington Official Plan notes that *special needs housing* units, such as Memory Care units, may be excluded from the density provisions of the plan. When this portion of the development is excluded, the overall density is 470 units per hectare with a FAR of 3.71:1. This is discussed in further on page 36 and 37 of this report.

Access is proposed via a full-moves driveway to New Street with a roundabout in the arrival courtyard between both towers. The driveway and roundabout provide further access to secondary entrances for both buildings, in addition to 11 surface parking spaces, lay-by parking, and the entrance to the underground parking levels. The development proposes a total of 320 parking spaces; 309 spaces to be located in two levels of underground parking and 11 spaces at grade. One loading space is proposed for the senior's residence. Each tower will have separate controlled entries and will be managed independently.

The development proposes enhanced landscape treatments that will provide a continuous streetscape treatment along New Street and around the perimeter of the site to provide the residents with a walking loop to facilitate passive exercise. Landscaping is also proposed within the interior of the property to achieve an open air courtyard. In addition, landscape treatments and fencing are proposed to the north to provide a buffer between the proposed development and the existing residential uses to the north. While there is no retail proposed along the street frontage, the ground floor of both towners will include private amenity areas. Secondary entries with pedestrian accesses will be provided along New Street and will connect to the existing sidewalk. The activity of these spaces will replicate the function of traditional 'retail at-grade' and animate the streetscape.

The proposed height of 11 storeys is in keeping with the existing context of varied apartment building heights (4 to 17 storeys) within the site's vicinity. The building is proposed to be setback 18.8 metres from the low-rise residences at the north and further setback from the 7th to 11th floors to be contained within an angular plane generating from the north property line.

The towers will connect at the 6th and 7th floors along the New Street frontage, resulting in a "U-shaped" building configuration (see *Figure 6* below). Both towers are proposed to be 11-storeys in height that will terrace down to 6-storeys at the north. These two floors are recessed from the lower and upper floors adding distinction to the aesthetics and functionality of the bridged massing component. This bridge connection ties the two individual building masses while creating a gateway vista into the subject property from the urban corridor of New Street. Further, this bridged connection provides a strong entrance and adds a gateway feel to the design.

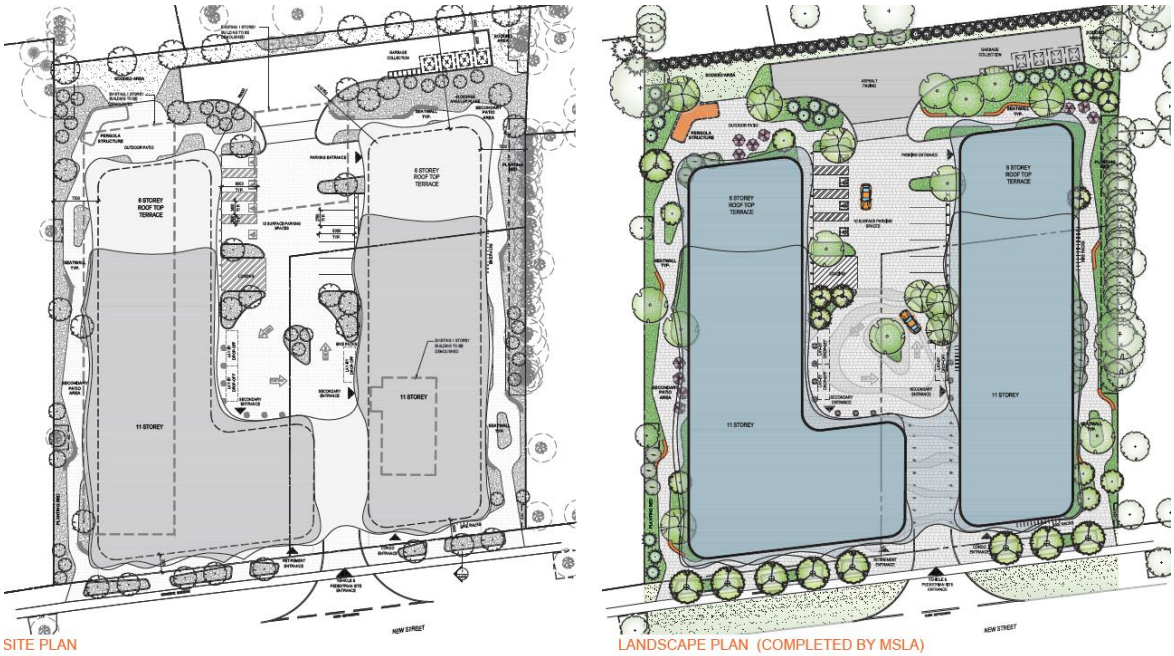


Figure 6: Development Concept Plan

4. Supporting Materials

A Pre-Application Consultation (PAC) meeting was held on July 19, 2017 with City of Burlington and Halton Region staff to determine the studies, plans and other supporting materials required in support of the proposed development applications. In accordance with the PAC understanding, the following provides a brief summary of the submitted studies and reports.

4.1 Functional Servicing and Storm Water Management Report

C.F. Crozier & Associates Inc. were retained to prepare a Functional Servicing and Stormwater Management Report to support the proposed Official Plan Amendment and Zoning By-law Amendment applications. The purpose of the report is to demonstrate that the proposed development is feasible from a servicing and stormwater management perspective.

With respect to sanitary servicing, the Report provides that sanitary flows from the proposed development will be conveyed using a private internal sanitary sewer network that connects to the existing 200 mm diameter sanitary sewer along New Street. Stormwater is to be captured by area drains, conveyed through the proposed internal storm sewer network and outlet to the existing 300 mm diameter storm sewer on New Street. The existing 250 mm diameter storm sewer connection to New Street is to be maintained. Water demand for the proposed development will be met using a 200 mm diameter PVC water service connection. This new water service will connect to the existing 300 mm municipal watermain along New Street.

4.2 Traffic Impact Study and Parking Justification Study

C.F. Crozier & Associates Inc. were retained by TRG (New-Guelph) Inc. to undertake a Traffic Impact Study to address the traffic impacts and determine the sufficiency of the parking proposed. The purpose of the study was to evaluate the transportation-related impacts of the proposed development on the surrounding road network and to recommend any required mitigation measures, if needed.

The development proposes a full-moves access to New Street. The boundary road network is currently at acceptable levels of service, with the eastbound left-turn and westbound through movements at New Street and Guelph Line operating a near capacity during the p.m. peak hour. At the time of this report's writing, New Street had a one-year dedicated bike lane pilot project. The City's Staff Report TS-11-17, recommended removing the pilot project and to convert New Street back to its original 4-lane configuration. It is our understanding that Committee of the Whole voted on November 27, 2017 to not continue the pilot and revert back to the original 4 lane configuration.

The City of Burlington Zoning By-law 2020 requires a parking supply of 385 spaces based on the proposed development, resulting in a 65-space deficiency from the proposed 320 spaces. The City of Burlington retained IBI Group to conduct a review of City-wide parking standards for various land uses. Per the recommended parking rates in the review, the proposed development is required to provide a parking supply of 354 spaces resulting in a parking deficiency of 34 spaces. The retirement housing visitor parking was, however, was significantly higher than observed during supporting parking surveys in the report and a reduction is recommended.

In conclusion, the proposed development can be supported from a transportation operations and safety perspective and a parking perspective. Any minor revisions to the Site Plan used to prepare the report are not expected to affect the conclusions contained with this report.

4.3 Environmental Noise Assessment

RWDI was retained to prepare an Environmental Noise Assessment Report. This report found that with the exception of a few high-rise buildings to the north and south of the subject property, the proposed development will be taller than its surroundings and will be exposed to winds from the prevailing directions. The development proposal includes several positive design features for wind control such as orientation of the development with respect to the prevailing winds so that the main entrances are sheltered in the summer; the stepped massing; and the rounded building corners.

Slightly higher-than desired wind conditions area expected at the main and retail entrances and the buildings corners along New Street in the winter, and at any seating areas on the 7th floor terraces during the summer. Wind mitigation has been recommended that will create acceptable conditions in these areas (landscaping, windscreens, and corner canopies). Wind tunnels tests can be conducted at a later design stage in support of the Site Plan Approval submission to quantify these wind conditions and refine wind control solutions.

4.4 Phase 1 and 2 Environmental Site Assessment

S2S Environmental Inc. (S2S) was retained by the owner of the subject lands to conduct a Phase 1 and supplementary Phase 2 Environmental Site Assessment (ESA). The Phase 1 report reported that there were site contaminants found on the site, which are above the Ontario Ministry of the Environment and Climate Change (MOECC) standards. The Phase 2 ESA consisted of further borehole drilling and installation of monitoring wells for investigation. Laboratory analysis found that there may be widespread contamination of VOCs at the subject property and that the source of this contamination may be from an offsite activity. It is recommended that the extent of contamination be determined and a remedial action plan be completed to address the subsurface contamination on the Subject Property.

It should be noted that given the City's request for a Record of Site Condition, the Phase 1 and 2 ESA reports are bring updated to O.Reg 153/04 adhere to Ministry of Environment and Climate Control standards. These updated reports will be provided to the City once complete in Jan. 2018.

4.5 Urban Design Brief

Weston Consulting and WZMH Architects were retained to prepare an Urban Design Brief to assess the compatibility of the proposed development with the surrounding neighbourhood. The Urban Design Brief addresses compatibility in light of the City's Official Plan policies for development in Neighbourhood Commercial Areas. Further, a rationale is provided which justifies how the proposed development is consistent with the City's definition of the term 'compatible' in its Official Plan Policies. This analysis illustrates how the proposal will not pose any adverse impacts on the surrounding context, or deviate from the areas existing character. The Urban Design Brief concludes that this proposal will seamlessly integrate into the surrounding residential subdivision to create an overall cohesive development.

4.6 Wind Study

RWDI was retained to complete a noise feasibility study to assess the potential for noise impact from sources that surround the proposed development. Only road traffic noise from nearby transportation corridors were identified as the source of sound that can affect the development. Sound levels are predicted to be below the daytime limits for representative receptors at the north and northwest 6th floor outdoor terrace. The sound level is predicted to exceed the limit at the northwest at grade outdoor terrace. Sound levels are expected to exceed the indoor sound level at the facades with open windows. Sound levels that exceed the limits by less than 10dB are acceptable, if provision for installation of central air conditioning units is provided. The mechanical equipment on the development will be designed in consultation with an acoustical engineer to meet the required sound level limits at the building itself and on the surrounding environment. Please refer to the full report for more details.

4.7 Waste Management

The following provides a summary on how waste is to be collected, stored and removed from the proposed development. The waste management design was prepared in accordance with the

Region of Halton's *Development Design Guidelines for Source Separation of Solid Waste* as public waste collection is proposed for the subject property

Garbage and recycling will be collected internally via garbage chutes and bins located near the elevator and stair cores on the P1 level of the underground parking garage. On collection day the bins will be manually moved to the waste collection area situated in the north-east corner of the subject property. The bins will be moved to the garbage collection area via the parking ramp. The bins will be temporarily stored until collection is completed.

The garbage collection area shown on the Conceptual Site Plan (A-101) will be screened with landscape treatments and other design elements that will screen the area from view. In addition, the visual impacts of the garbage collection area will be further reduced through the use of spandrel glass on the ground floor of the amenity spaces to the north, which face the garbage collection area at grade.

The garbage collection area is accessible via a hammerhead that has been designed to meet the Region's waste collection standards. Once the collection has been completed the bins will be returned by said trained employee to their spots at the bottom of the chutes on the P1 level of the underground parking area.

4.8 Shadow Analysis

The sun shadow study prepared by WZMH Architects as illustrated in the following pages, shows that the proposed built form will have very little impact on the neighbouring properties. Shadow studies have been prepared for June, March and December illustrating shadows resulting in Summer and Winter solstices and the Spring equinox. The shadow study for the month of June shows that there is no impact on the neighbouring apartment to the west and the residences to the north. The morning shadows extend up to the rear yards of the residences for a short period only. At noon, the shadows are contained within the subject site and then gradually shift towards the neighbouring gas station and are cast onto the landscape buffer area.

The morning shadows of March will be comparatively longer extending northwesterly overcasting 5-6 residences at the north for a short period only. However, by noon, the shadows become much smaller. In early afternoon hours, a section of the gas station to the east will be impacted by the shadow for a short period and in our opinion, this is a minor impact. Typically, shadows in the winter solstice will be longer. The shadow study prepared for December illustrates that neighbouring areas are already overcast by existing shadows and, new shadows from the proposed development will have minor impacts on the surrounding area.

5. Planning Policy Framework

The following sections outline the applicable planning policy regime and evaluation of the proposed development in the context of the planning framework. The following policies have been considered: Provincial Policy Statement (2014), the Growth Plan for the Greater Golden Horseshoe (2017), the Halton Region Official Plan, the City of Burlington Official Plan and the City of Burlington Zoning By-law 2020.

5.1 Provincial Policy Statement, 2014

The Provincial Policy Statement (PPS) came into effect on April 30, 2014, and provides policy direction on matters of provincial interest related to land use planning and development. The PPS aims to permit appropriate development while ensuring that resources of provincial interest, public health and safety, and the quality of the natural environment are protected. All planning decisions in Ontario must be consistent with the PPS.

Section 1.0 includes policy direction related to building strong communities and is applicable to the lands. It generally encourages a variety of land uses within communities and encourages initiatives that make efficient use of infrastructure. Redevelopment and intensification is also encouraged.

Section 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;*
- *c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- *d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
- *e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;*
- *f) improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society;*
- *g) ensuring that necessary infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities are or will be available to meet current and projected needs; and*
- *h) promoting development and land use patterns that conserve biodiversity and consider the impacts of a changing climate.*

The proposal supports a more efficient land use and will provide a greater range of residential uses by introducing retirement living options in addition to typical condominium space. The proposed development will create a more compact form of development that will facilitate

intensification within Burlington's built boundary. The increased residential density can be supported by the existing and proposed services and amenities in the area.

Section 1.1.2
Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 20 years. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a provincial plan, that time frame may be used for municipalities within the area.

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

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

- *a) Densities and a mix of land uses which:*
  1. *efficiently use land and resources;*
  2. *Are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
  3. *minimize negative impacts to air quality and climate change, and promote energy efficiency;*
  4. *support active transportation;*
  5. *are transit-supportive, where transit is planned, exists or may be developed; and,*
  6. *are freight-supportive; and,*
- *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.*

Section 1.1.3.4
Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

The subject property is located within the City of Burlington, which is a designated Settlement Area. The proposed development is an efficient use of land as it has access to existing infrastructure, public services and facilities. The proposed development has direct access to transit and active transportation routes as well as contributes to creating a range of housing through intensification and redevelopment on an underutilized site.

1.4 Housing

Section 1.4.1
To provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

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

The Region of Halton will assist the City in achieving residential growth range target number. Section 1.4 of the PPS encourages a range and mixture of housing types and densities in order to meet the current and projected needs of residents. The proposed development will increase the number of residential units in the area while improving efficiency and accessibility through incorporation of multiple living accommodations, which is serviced by regular public transit and existing servicing infrastructure. The proposal reduces demand for outward expansion of the built-up area for residential uses by locating development within in an existing community, which satisfies key development principles in the PPS.

1.6 Infrastructure and Public Service Facilities

Section 1.6.1
Infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities shall be provided in a coordinated, efficient and cost-effective manner that considers impacts from climate change while accommodating projected needs.

Planning for infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities shall be coordinated and integrated with land use planning so that they are:
a) *financially viable over their life cycle, which may be demonstrated through asset management planning; and*
b) *available to meet current and projected needs.*

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

Planning for infrastructure and public service facilities shall be integrated with planning for growth so that infrastructure and facilities are available to meet current and projected needs as outlined in the policies above. Existing infrastructure and public service facilities are to be maximized, wherever possible, before developing new infrastructure and public service facilities. The proposed development will utilize existing and new municipal sewage services as well as municipal water services. As such, the proposed development can be accommodated through existing and proposed services.

Section 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.

Section 1.6.7.3
As part of a multimodal transportation system, connectivity within and among transportation systems and modes should be maintained and, where possible, improved including connections which cross jurisdictional boundaries.

The relationship between the provision of transportation infrastructure and growth management is a primary consideration throughout the PPS. The PPS encourages land use patterns that promote alternative modes of transportation. The proposed development is of a density which can support present and future transit along New Street, including active transportation infrastructure, which is currently being debated. Current regular public transit service is provided along New Street, Guelph Line and Brant Street.

Summary:
The proposed development is consistent with the policies of the Provincial Policy Statement in relation to development efficiency, housing provisions and intensification. The subject property is located within the urban and built-up area and the PPS supports development in such locations that have consideration for compatibility with surrounding land uses, support the efficient use of land, optimize municipal and transit infrastructure, and provide additional housing options within the community.

The development proposal contemplates apartment and retirement living residential units, which are compatible with the character of the medium and high-density residential buildings in the community. The unique combination of retirement living and condominium units will contribute to the provision of an increased range and mix of housing to meet future demand, as required in Section 1.4 of the PPS. Additionally, the proposal provides appropriate intensification to the already higher density developments in the community. Based on the foregoing, it is our opinion, that the proposed development and applications are consistent with the Provincial Policy Statement.

5.2 Growth Plan for the Greater Golden Horseshoe (2017)

The Growth Plan for the Greater Golden Horseshoe (GGH) works in conjunction with other various plans such as the Greenbelt Act, Niagara Escarpment Plan, and Oak Ridges Moraine Conservation Plan. The policies found in each of these Plans is derived from their conformity to the Provincial Policy Statement and they work together to layout essential land use planning framework for municipalities to use. The Growth Plan for the GGH acts as the over-arching policy document that the Regions and Municipalities look to for guidance for complex land use issues and circumstances.

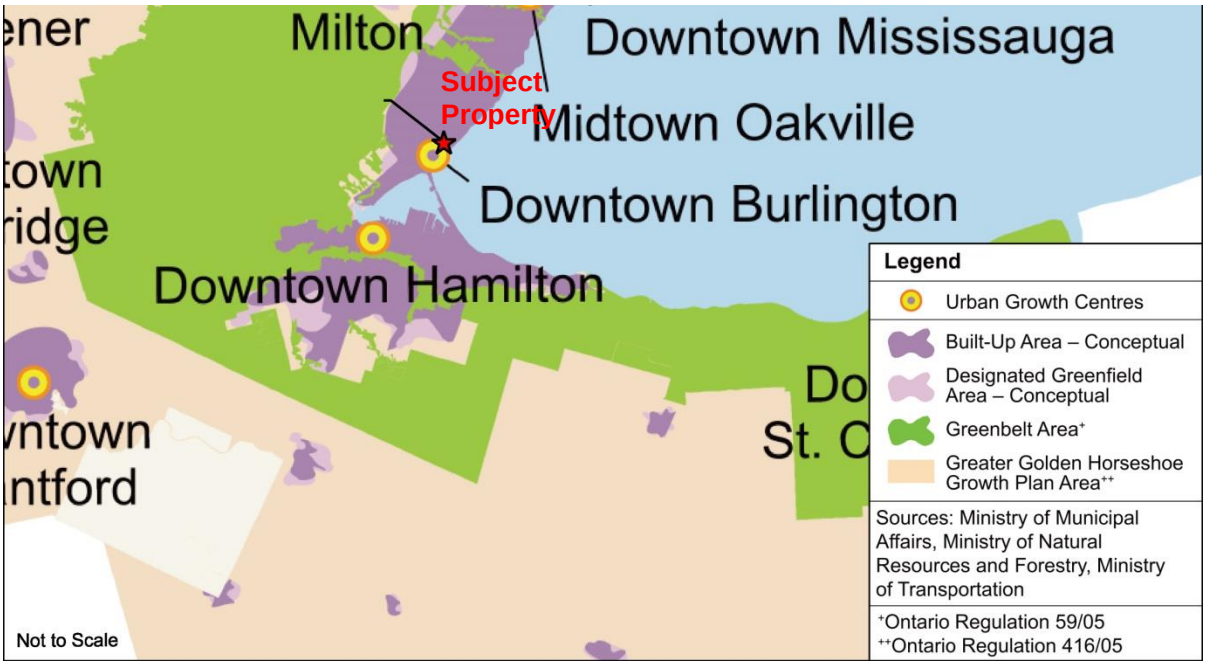


Figure 7: Growth Plan for the Greater Golden Horseshoe

Section 2.2.1.4

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

- *a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;*
- *b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;*
- *c) provide a diverse range and mix of housing options, including 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;*
  - *ii. public service facilities, co-located and integrated in community hubs;*
  - *iii. an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and*
  - *iv. healthy, local, and affordable food options, including through urban agriculture;*
- *e) 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;*
- *f) mitigate and adapt to climate change impacts, build resilience, reduce greenhouse gas emissions, and contribute towards the achievement of low-carbon communities; and*
- *g) integrate green infrastructure and low impact development.*

The proposed development will contribute to the creation of a complete community that provide a range and mix of housing types while ensuring access to transportation and community

facilities. Most importantly, the proposed development integrates living accommodations for people at all stages of life and allows the residents of Burlington to age in their neighborhood.

Section 2.2.21

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.

The subject property is located within the "Built-up Area", where intensification at a higher density is encouraged. The Growth Plan directly mandates that growth occur in the built-up area, which has the necessary resources available to accommodate growth. Schedule 3 of the Growth Plan outlines the distribution of population and employment for the Greater Golden Horseshoe to 2041. The Region of Halton is expected to grow to a population of 1,000,000 and to an employment base of 470,000 by the year 2041. The proposed development will assist the Region in meeting this growth target.

Section 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;
e) prioritize planning and investment in infrastructure and public service facilities that will support intensification; and
f) be implemented through official plan policies and designations, updated zoning and other supporting documents.

The proposed development is located within the built-up area in the City of Burlington and is of a compact residential form compatible with the context and character of the surrounding area. As such, the proposed development will contribute to the City meeting and maintaining intensification targets. The proposed development promotes appropriate intensification and efficient use of land which implements the goals and objectives of official plan policies.

Section 2.2.6.3

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

Summary

The proposed development contemplates intensification of existing serviced lands to contribute to the housing stock and provide a mix and range of housing forms, including living areas that promote and add to social equality.

The Growth Plan promotes redevelopment through intensification generally throughout built-up areas and specifically recognizes the need for more efficient utilization of lands, compact form and supports the principle of higher densities in appropriate areas, where infrastructure and transit exist and can be optimized. The proposed development provides an efficient and high-quality built form, adjacent to major transit systems that promotes walkability and access to transit all of which contribute to creating a complete community. Based on the above analysis, it is our opinion that the proposed development conforms to the policies of the Growth Plan.

5.3 Region of Halton Official Plan, 2010 (September 2015 Interim Office Consolidation)

The Regional Official Plan (ROP) contains policies to guide land use planning in the Region of Halton. The 2009 ROP (Regional Official Plan Amendment No. 38) was adopted by Council on December 16, 2009 and was modified by the Province in 2011. The plan was subsequently appealed at the Ontario Municipal Board. The Plan has been partially approved by the Ontario Municipal Board and, except for the policies that remain under appeal, the policies of the 2009 ROP are applicable. There are no site-specific appeals to the 2009 ROP that apply to the subject property. The subject property is designated *Urban Area* on Map 1 – Regional Structure. This designation permits appropriate intensification based on a lands further designation found within its respective Municipal Official Plan.

Part II Basic Position – Halton's Planning Vision

Section 31

In its vision of planning for Halton's future, Halton believes in building "healthy communities". A healthy community is one:

> *31(1) that fosters among the residents a state of physical, mental, social and economic well-being;*
> *31(2) where residents take part in, and have a sense of control over, decisions that affect them;*
> *31(3) that is physically so designed to minimize the stress of daily living and meet the life-long needs of its residents;*
> *31(4) where a full range of housing, employment, social, health, educational, recreational and cultural opportunities are accessible for all segments of the community;*
> *31(5) where mobility is provided primarily through an affordable, convenient, safe and efficient public transportation system and non-motorized travel modes; and*
> *31(6) where the principles of sustainability are embraced and practised by residents, businesses and governments.*

The proposed development supports Halton's Planning Vision by providing an appropriate form of high density development that introduces new forms of housing options to the neighbourhood.

The proposed development is also in support of the Region's Healthy Community Guidelines as discussed in Section 7.5 of this Report.

Halton's Regional Structure

Section 51
The Regional Structure consists of the following mutually exclusive land use designations:
51(1) *Urban Area, where urban services are provided to accommodate concentrations of existing and future development.*

Section 55
The Regional Structure is accompanied by a growth strategy for Halton based on the distribution of population and employment for the planning horizon year of 2031 as contained in Table 1, and in accordance with the Regional phasing outlined on Map 5, as well as by other infrastructure elements such as transportation systems and urban services and other policies of this Plan.

Section 55.1
The Regional Structure also sets out targets for intensifying development within the Built-Up Area, and development density in the Designated Greenfield Areas as contained in Table 2.

Section 55.2
The Regional Structure also sets out the Regional phasing to be achieved every five years from 2012 to 2031 between the Built-Up Areas and the Designated Greenfield Areas in Table 2a.

TABLE 1 POPULATION AND EMPLOYMENT DISTRIBUTION

	Population[1]		Employment	
Municipality	**2006**	**2031**	**2006**	**2031**
Burlington	171,000	193,000	88,000	106,000
Oakville	172,000	255,000	82,000	127,000
Milton	56,000	238,000	28,000	114,000
Halton Hills	58,000	94,000	20,000	43,000
Halton Region[2]	456,000	780,000	218,000	390,000

[1]Population numbers in this table are "total population" numbers including approximately 4% undercoverage from the official "Census population" numbers reported by Statistics Canada.
[2]Totals for the Region may not add up due to rounding.

Figure 8: Population and Employment Distribution

The proposed development is located within the built boundary within the *Urban Area* of the City of Burlington. The City of Burlington is to grow to a population of 193,000 by 2031. A minimum of 8,300 new housing units are to be added to the built boundary by 2031.

The proposed development will add 360 residential units which will contribute to the minimum 8,300 new housing units to be added to the built-up area between 2015 and 2031. As such, the proposed development represents appropriate intensification within the *Urban Area* and *Built Up Area* in the City of Burlington.

Urban Area

Section 72
The objectives of the Urban Area are:

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(4) To ensure that growth takes place commensurately both within and outside the built boundary;

The subject property is designated *Urban Area* on Map 1 – Regional Structure from the Region of Halton Official Plan (Figure 17). The objectives of the *Urban Area* are supportive of development that is compact, supportive of transit, and facilitates intensification and increased densities. The proposed development is a form of high-density intensification, which is appropriate for the character of the area and within the density maximums in the local Official Plan.

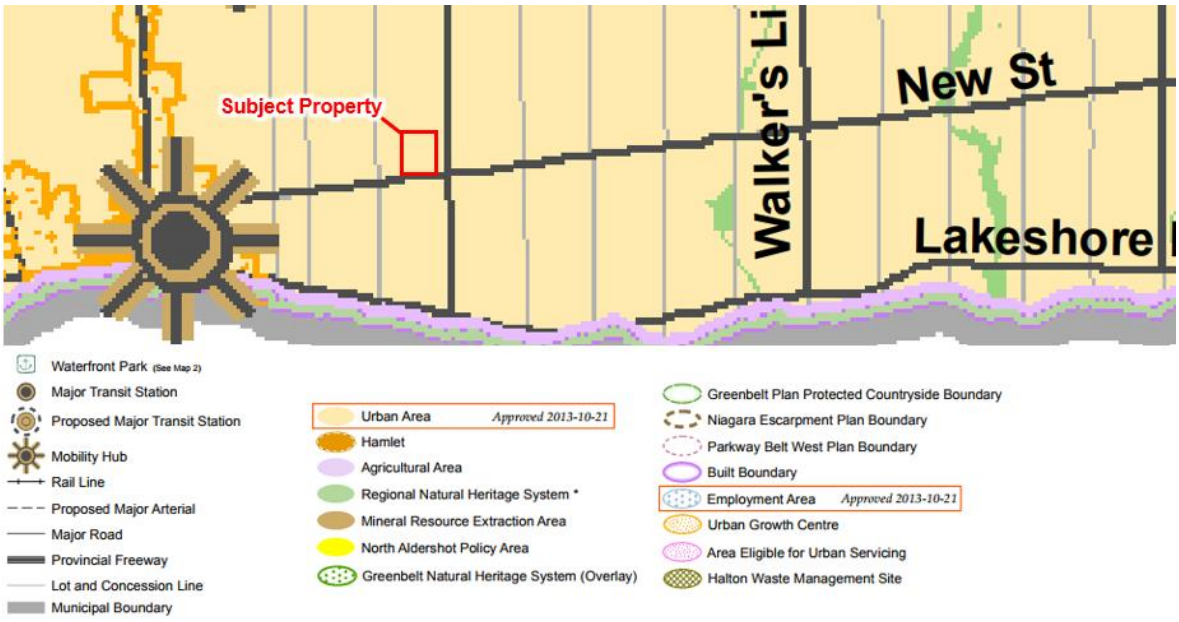


Figure 9: Region of Halton Official Plan, Map 1 – Regional Structure

Section 74

The Urban Area consists of areas so designated on Map 1 where urban services are or will be made available to accommodate existing and future urban development and amenities. Within the Urban Area, Employment Areas and Urban Growth Centres are identified on Map 1 as overlays on top of the Urban Area, for which specific policies apply.

Section 75

The Urban Area is planned to accommodate the distribution of population and employment for the Region and the four Local Municipalities as shown in Table 1 and the Regional phasing as shown in Table 2a.

Section 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.

Section 77(2.1)

Direct, through Table 2 and Table 2a, to the Built-Up Area a minimum of 40 per cent of new residential development occurring annually within Halton in 2015 and every year thereafter.

According to Table 2A of the Region of Halton Official Plan, 2,758 units are proposed within the City of Burlington's built boundary between 2017- 2021. The proposed development contributes to Region's housing target within the Built Boundary. This development contributes to the Region's objectives for the *Urban Area* as it adds residential supply to the area that is compatible and permitted under Regional and Local policy. The subject property and proposed development will be accessible to transit and is of a transit supportive density for future and planned transit

improvements. The proposed development also includes an employment component which satisfy the distribution of jobs throughout the Region.

Housing

Section 86(6)
Adopt the following housing targets:

a) *that at least 50 per cent of new housing units produced annually in Halton be in the form of townhomes or multi-storey buildings*
b) *that at least 30 per cent of new housing units produced annually in Halton be affordable or Assisted Housing.*

Section 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

Section 86(20)
Require the Local Municipalities, in developing phasing strategies, to ensure that a full range and mix of housing types can be provided in each development phase in accordance with Table 2a.

Section 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 projected demands reflecting socio-economic and demographic trends.

It is the policy of the Region for local Official Plans to provide an appropriate mix of housing by density type and affordability. The proposed development provides Provincial and Regional mandated intensification that will add to the range and mix of housing from its different residential units available. As such, the proposed development increases the mix of housing type and density by providing assisted housing options, which will benefit the community.

Transportation

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

Section 172(10)
To promote land use patterns and densities that foster strong live-work relationships and can easily and effectively served by public transit and active transportation.

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

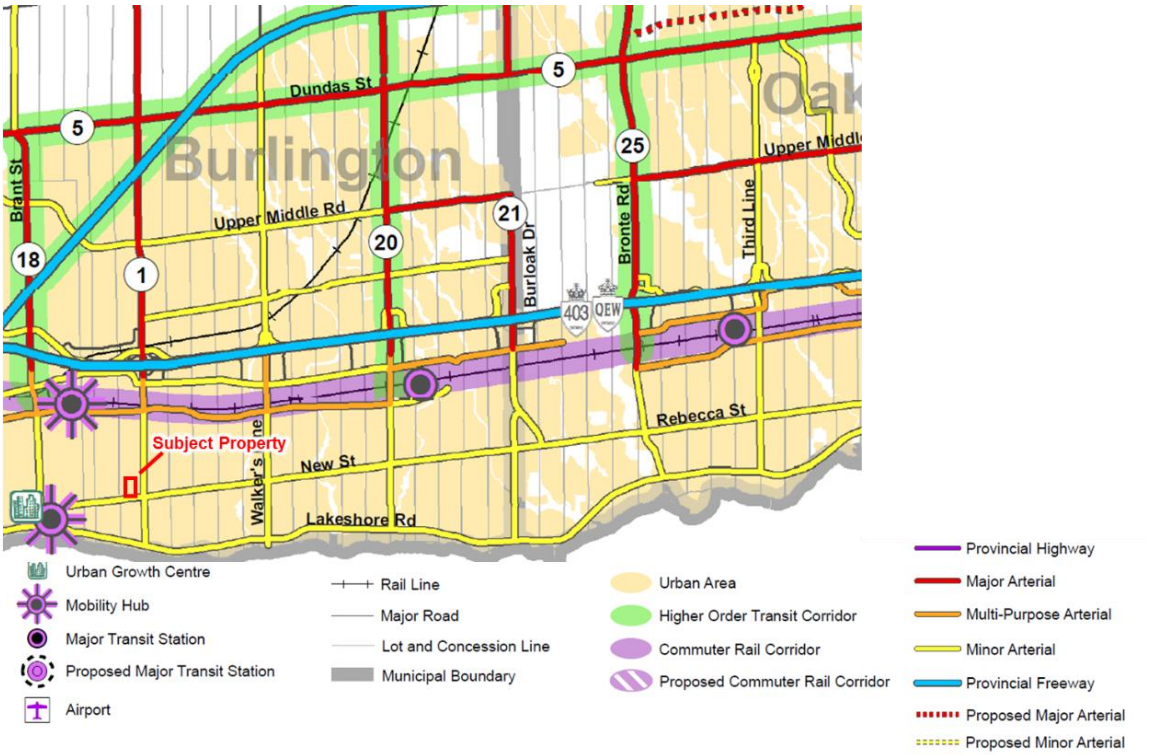


Figure 10: Region of Halton Official Plan, Map 3 – Functional Plan of Major Transportation Facilities

Summary:
The proposed development provides for densities similar to the surrounding area which is transit supportive and is located in close proximity to the Regionally identified Burlington GO and Downtown Mobility Hubs.

The proposed development conforms to the policies of the ROP. This development contributes to intensification of the area while also maintaining compatibility. The proposed development maximizes the efficiency of the subject property by adding a mixed residential development at an appropriate density, while utilizing available municipal services. The proposed development conforms to the policies of the ROP.

5.4 City of Burlington Official Plan (Office Consolidation 2015)

The City of Burlington's Official Plan (OP) was approved by the Ontario Municipal Board on October 24, 2008. The City is currently in the process of its 5-year Municipal Comprehensive Review and is nearing approval of a new Official Plan. The policies of the draft November 2017 OP will be discussed further in Section 5.5 of this report.

The policies of the City of Burlington Official Plan 1997 (2015 Official Consolidation) are presently in force and effect for the subject property. The subject property is designated *Residential Areas* on Schedule A – Settlement Pattern. The *Residential Areas* designation permits residential developments such as infill housing, low and mid-rise townhouses, condominiums and apartments. The objective of this designation is to create healthy communities with a diverse

range of housing options and amenity spaces within close proximity. The proposed development provides a unique blend of residential uses in a compact and dense format, which complies with the intent of the neighbourhood designation and policies.

The subject property is further designated *Neighbourhood Commercial* on Schedule B – Comprehensive Land Use Plan – Urban Planning Area. This designation is meant to provide opportunities for local shopping areas which meet residents' day-to-day and weekly goods and service needs. In addition, residential uses may be permitted in the second and/or third storey of retail/commercial buildings. The development proposal contemplates full residential development with an assisted living space component. The proposed Official Plan Amendment seeks to redesignates the subject property from *Neighbourhood Commercial* to *Residential – High Density* on Schedule B – Comprehensive Land Use Plan – Urban Planning Area. This new designation permits non-ground oriented housing units with a density ranging between 51 and 185 units per net hectare. The proposed development conforms to the to *Residential – High Density* designation, however an increase in density is requested as part of the submitted Official Plan Amendment which is detailed in Appendix 1 of this report.

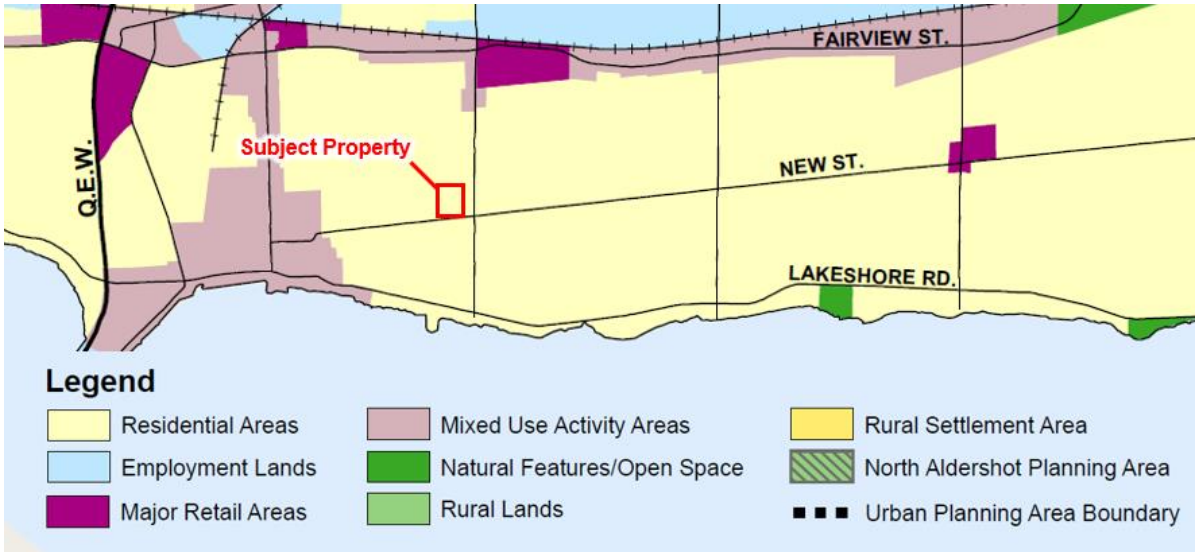


Figure 11: City of Burlington Official Plan, Schedule A – Settlement Pattern

Part 1 Policy Framework

Section 3.0

a) Provide a community plan and growth strategy aimed at creating an attractive, liveable community that offers a wide range of housing, employment, transportation and leisure opportunities for all its citizens.

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 development proposal aligns with the framework of the Official Plan as it intends to provide additional housing options within an appropriate level of intensification, while balancing the objectives of other planning considerations such as the type of housing options (i.e. institutional) that the Region requires.

Part 2 Functional Policies

Part 2, Section 2 of the Official Plan speaks to Sustainability and the Environment. For the proposed development relevant policies surrounding site contamination are as follows.

Section 2.8
Contaminated and Potentially Contaminated Sites

Section 2.8.2

a) *Provincial legislation shall be referred to in the review of development applications to address matters related to known and potential site contamination. Where Provincial legislation does not apply, the contaminated sites protocol shall be referred to in the review of development applications. The Contaminated Sites Protocol is listed in Appendix F of this Plan and may be amended from time to time without amendment to this Plan.*
b) *In order to screen for known or potential site contamination, applications shall be required to document, to the satisfaction of the city, Region, Province and other approval authorities' previous uses and environmental information of:*
    i. *Property or properties that are subject of a planning application; and/or*
    ii. *Properties that may be adversely impacting the property that is the subject of a planning application in order to assist in the determination of the potential for site contamination.*
c) *The City shall coordinate its efforts with those of other orders of government to exchange information related to environmental background studies such as Phase I Environment site assessments, Phase II Environmental Site Assessments, Risk Assessments and Records of Site conditions that have been submitted as part of development applications.*
d) *The City may require all applications for Official Plan amendment, zoning by-law amendment, plan of subdivision, site plan and consent, as specified in the contaminated Sites Protocol, to be supported by a Phase I Environmental site assessment to be undertaken in accordance with Provincial legislation by a Qualified Person.*
e) *The City shall require a Phase II Environmental site assessment to be undertaken in accordance with Provincial legislation to support applications for sites where the Phase I Environmental site assessment reveals that the site may be contaminated. The Phase II Environmental site assessment shall include conclusions as to whether or not contamination is migrating off site.*
f) *The City may require the applicant to provide a Record of Site Condition in accordance with Provincial legislation, to be completed to the satisfaction of the City and the Ministry of the Environment, confirming that the site has been made suitable for the proposed use.*
g) *The City may not consider a Record of Site Condition as acknowledged by the Province until a statement of third party reliance is provided and either:*

i. *It had been confirmed that the Record of Site Condition will not be audited by the Ministry of the Environment; or*
ii. *It has been confirmed that the Record of Site Condition has passed the Ministry of the Environment audit.*

h) *For all information requirements, as specified within Par II, Section 2.8 of the Plan such as Environmental Site Assessments and Records of Site Condition that are submitted as part of a development application, a Qualified Person may be required to extend third part reliance to the City.*

i) *If site remediation works are required, the satisfactory completion of site remediation working will be a condition of approval. For rezoning applications, a Holding symbol may be placed on the zoning. A condition of lifting the Holding symbol will be the satisfactory remediation of the contaminated site which is supported by a Record of Site Condition.*

j) *Where the City is deeded land for any purpose, the City may require, as a condition of transfer, a Record of Site Condition signed by a Qualified Person, or other information as required, to verify to the satisfaction of the City that the lands in question are suitable or have been made suitable for the proposed use.*

The provided Phase 1 and 2 Environmental Site Assessment (ESA) reports identify potential contamination given past land uses on the subject land (dry cleaner) and on adjacent lands (gas station). A Record of Site Condition was requested by City staff prior to final approval. Updated ESA reports are being prepared to O.Reg 153/04 in support of the RSC and will be filed accordingly. Further, full remediation will occur prior to any construction.

Section 3.4.2

e) *development applications shall be reviewed to ensure that, where feasible, proposed land developments encourage the efficient and effective use of transit services*

Section 3.6.2

c) *The development of streetscapes that are safe, convenient and attractive for pedestrians shall be encouraged through measures such as providing wide sidewalks, locating retailing and personal service uses at street level, encouraging building designs that provide shelter, and the providing of convenient and sheltered transit stops, street furniture, trees and other amenities.*

Section 6.1

a) *The tangible elements of the urban form, consisting of a combination of the built environment and open space that form the urban landscape, shall be designed in an efficient, attractive and compact manner to enhance the well-being of the residents of the community and to reflect the vision of this Plan.*

The proposed design aims to enhance the strategic location of the subject property with an attractive and appropriate built form while accommodating increased density in a compact urban form. The proposed development is intended to define the edge of New Street with an attractive architectural expression that will create a pedestrian friendly environment and enhanced streetscape along the New Street frontage. The buildings' massing is concentrated to the south

providing separation from the existing residential neighbourhood to the north. See the enclosed Urban Design Brief for further commentary.

Section 6.2

c) *To ensure that the design of the built environment strength 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.*
d) *To ensure that the design of the built environment in new communities integrates with the natural setting and provides a diverse social setting that is well serviced by public transit, and by attractive and well-developed pedestrian environments.*
e) *To achieve a high quality of design within the public realm.*
f) *To ensure consistency, compatibility and quality in the built environment while allowing for a diverse design expression.*
g) *To integrate urban design into the full range of decision-making activities to assist in achieving the design objectives of this Plan.*

As outlined in the Urban Design Brief, the context of existing high-rise and mid-rise residential apartment buildings within the vicinity of the subject site will be strengthened and enhanced with this 11 storey building complex while being sympathetic and compatible to the existing low-rise residential neighbourhoods to the north. The built form is contained within an angular plane measured from the north property line abutting the existing low-rise residences on Karen Drive and Eileen Drive. The first six floors of the building are setback 18.8 metres from this property line that allows sufficient separation from the single residences. Upwards from the 7th floor, the building is farther setback at 34 metres that allows the built form to be contained within the angular plane as illustrated in a building section on page 21 of the enclosed urban design brief.

Section 6.5

a) *The density form, bulk, height, setbacks, spacing and materials of development are to be compatible with its surrounding area.*
b) *The compatibility of adjacent residential and non-residential development shall be encouraged through site design and buffering measures, including landscape screening and fencing.*
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 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.*
e) *All developments shall be designed having regard for public transit accessibility in the Urban Planning Area, convenience and comfort, and access and parking for the physically challenged, and to ensure that the needs of persons with disabilities and other special needs groups are addressed.*
f) *City Council shall require that design plans promote public safety and security, with adequate visibility and lighting and the avoidance of secluded areas.*

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 island and screening in the design of large parking lots.*
h) *The streetscape appearance of major, multi-purpose and minor arterial roads and collector streets shall be enhanced by encouraging buildings to present their main building facades to these roads or to enhance their treatment to avoid the appearance of blank buildings at service entrances.*
i) *Reverse frontage lotting patterns and the use of acoustical walls next to major, multi-purpose and minor arterial and collector roads should be avoided. In addition, side and end elevations of buildings facing major, multi-purpose and minor arterial and collector roads should be designed with an upgraded level of architectural treatment for the purpose of avoiding the use of blank walls facing these roads. Building setbacks from the street are to minimized along pedestrian and transit-oriented streets.*
m) *All development shall be designed having regard for Sustainable Development considerations as set out in Part II, subsection 2.7.3 of this Plan.*

The proposed building is set adjacent to the street's edge, defining and providing a clear sense of enclosure to the public realm. The grade-related amenity uses along with glazed fenestration will animate the street frontages and contribute in creating a high quality public realm development along an arterial corridor. The Urban Design Brief enclosed provides further details on how the proposed development meets the above objectives.

Part 3 Land Use Policies – Urban Planning Area

Part 3, Section 2 of the Official Plan speaks to Residential Areas and more specifically, housing policies. The Housing policies relevant to the proposal are as follows.

Section 2

The lands identified as "Residential Areas" on Schedule A, Settlement Pattern provide for housing and other land uses that are part of a residential environment. Housing may take many forms ranging from detached homes to high-rise apartments structures. To provide opportunities for the broad range of residential uses that will satisfy the City's housing requirements, and provide for compatibility issues to be suitably addressed, three categories of residential land use have been identified on Schedule B, Comprehensive Land Use Plan – Urban Planning Area. These categories are based on the function, permitted uses, location, density and scale of development.

Section 2.1

c) *To the extent of which land is available in the Urban Planning Area, a broad, diverse range of housing types shall be provided including housing which is affordable and accessible for all residents.*

The proposed development makes use of lands that are available to provide Burlington with a larger range of housing options as well as multiple types of housing options.

Section 2.2.1

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.*

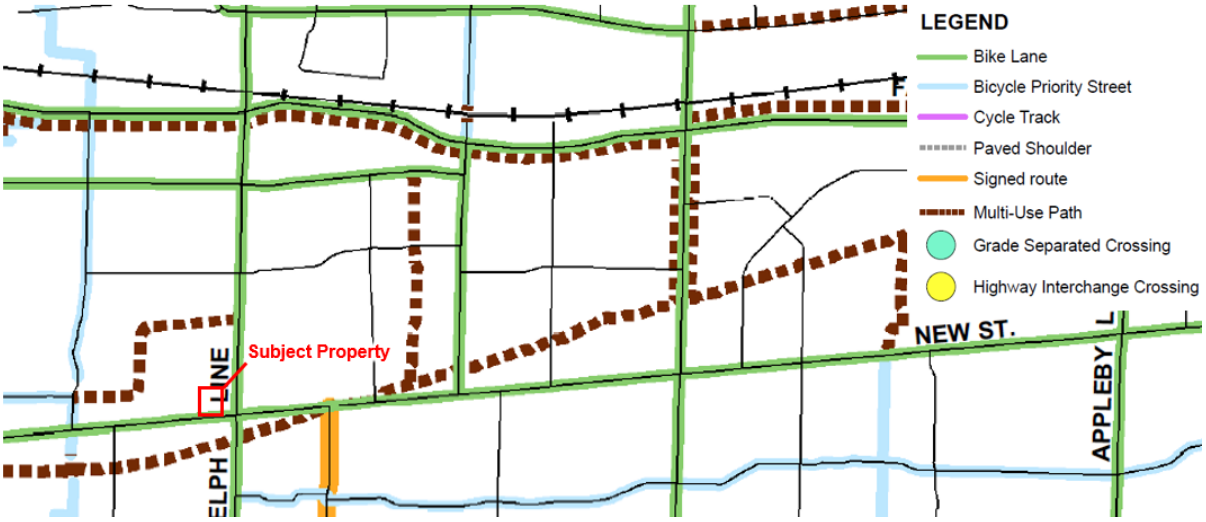


Figure 12: City of Burlington Official Plan, Schedule 2 - Long Term Bike Network

The proposed development will introduce 139 new residential condominium units and 223 seniors' retirement units. The proposed seniors' residence is designed to provide a mix of housing options to seniors with different needs. Overall, the proposed development will broaden the mix of housing options in Burlington and will support the provision of a minimum three year housing supply. The proposed development is compact in form and located in an area with existing transit and community services.

Section 2.2.2

b) *Land use in Residential Areas shall comply with the land use designations contained on Schedule B, Comprehensive Land Use Plan-Urban Planning Area.*

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:*
   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 proposed development seeks to redesignate the subject lands from *Neighbourhood Commercial* to *Residential- High Density areas. The proposal exceeds the permitted Residential-High Density* density of *185 units per net hectare.* An Official Plan Amendment to increase the permitted density is needed to 470 units per hectare/ FAR of 3.71:1.

Section 2.3.1

a) *To ensure that a sufficient supply of suitably designated and serviced residential land is maintained to meet existing and future housing needs.*
b) *To encourage the retention of existing rental housing and the construction of new rental housing.*

Section 2.4.1

a) *To ensure that a range of housing and tenure types are available to meet the various lifestyle and income group needs of the existing and future population.*

Section 2.4.2

d) *City Council shall give processing priority to development applications which will provide the type, size and tenure of housing required to meet the social and economic needs of the City's residents.*

Sections 2.5.1

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.*

Section 2.5.2

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;*
   ii. *Off-street parking is adequate;*

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;*
iv. *The proposal is in proximity to existing or future transit facilities;*
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;*
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;*
vii. *Significant sun-shadowing for extended periods on adjacent properties, particularly outdoor amenity areas, is at an acceptable level;*
viii. *Accessibility exists to community services and other neighbourhood conveniences such as community centres, neighbourhood shopping centres and health care;*
ix. *Capability exists to provide adequate buffering and other measures to minimize any identified impacts;*
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.*

Section 2.5.4

b) *New infill development shall be compatible with the surrounding development in terms of height, scale, massing, siting, setbacks, coverage and amount of open space; and in the case of individual applications for consent, the additional policies of Part VI, Subsection 4.4 of this Plan apply.*
c) *The creation of new housing that is compatible with existing neighbourhoods, shall be encouraged.*

The intent of the proposal is to provide a building design that will be compatible with the surrounding existing neighbourhood character, while establishing a distinct identity. The proposed development will include a mix of residential units including condominium units and seniors housing, which will includes units that are specifically designed for seniors requiring memory care housing and facilities. The proposed development will add value to an underutilized parcel of land within the City of Burlington that is planned to support growth and development.

The proposed building design and massing is sensitive to and compatible with the existing neighbourhood context. The proposed height of 11 storeys is in keeping with the existing context of varied apartment building heights (4 to 17 storeys) within the site's vicinity. The building is proposed to be setback 18.8 metres from the low-rise residences at the north and farther setback from the 7th to 11th floors to be contained within an angular plane generating from the north property line.

Section 2.6.2

d) *Community Benefits provisions may be implemented to encourage the creation of assisted or special needs housing. Such community benefits provisions shall be subject to Part VI, Section 2.3 and will include but will not be limited to, an awareness and regard for the cumulative impact of any increased height and/or density on the City's ability to provide servicing and a requirement that any increased height and/or density be compatible with the scale of the surrounding area.*
    i. *The supply and integration of seniors' housing shall be encouraged throughout the City.*
    ii. *Notwithstanding the other provisions of this Plan, assisted and special needs housing containing dwelling units without full culinary and sanitary facilities may be excluded from the density provisions of the Plan.*

g) *The supply and integration of seniors' housing shall be encouraged throughout the City.*

h) *Notwithstanding the other provisions of this Plan, assisted and special needs housing containing dwelling units without the full culinary and sanitary facilities may be excluded from the density provisions of the Plan.*

Based on policy 2.6.2(h) of the Official Plan, *special needs housing* units may be excluded from the density provisions of the plan. Special needs housing is defined in the Official Plan as:

> *"Any housing, including dedicated facilities, in whole or in part, that is designed to accommodate individuals with specific needs beyond economic needs, and includes, but is not limited to, needs such as mobility requirements or support functions required for daily living. Examples may include, but are not limited to, housing for persons with disabilities such as physical, sensory or mental health disabilities, housing for the elderly, group homes, emergency shelters, housing for the homeless, and independent permanent living arrangements, where support services such as meal preparation, grocery shopping, laundry, housekeeping, respite care and attendant services are provided. It does not include households that receive community-based support services in their own home".* (underlining added for emphasis)

The proposed development includes 32 units for memory care (Alzheimer's/Dementia Care units). The property owner has been in contact with a service care provider and the development has been designed to meet their specifications. Support services will be provided to these units at a minimum, but additional supports could be expanded to benefit all of the residents of the seniors' retirement residence.

The subject property is designated *Neighbourhood Commercial* on Schedule B of the Official Plan. Part 3, Section 4 of the Official Plan speaks to policies regarding Major Retail Areas, more specifically within the *Neighbourhood Commercial* designation. The following policy is provided for contextual analysis only as the proposed development is seeking to redesignate away from *Neighbourhood Commercial.*

Section 4.6.2

b) *Residential uses may be permitted in the second and/or third storey of retail/commercial buildings.*
c) *The following criteria shall be considered when evaluating applications for new or expanded neighbourhood commercial sites:*
    i. *There is a demonstrated need for the development in terms of existing and future market conditions;*
    ii. *The impacts of the proposal on adjacent residential development are acceptable with respect to noise, dust, vibration, lighting, odours, security, sun-shadowing, removal of vegetation and privacy, or the proposed development has the capability to mitigate any impacts to acceptable levels;*
    iii. *The proposal is compatible to the surrounding neighbourhood in terms of height, massing, setbacks, and landscape and buffer areas;*
    iv. *Small-scale neighbourhood commercial uses are located on a collector street, minor arterial road, multi-purpose arterial road or major arterial road;*
    v. *Large-scale neighbourhood commercial uses are located at the intersection of minor arterial, multi-purpose arterial or major arterial roads;*
    vi. *The effects of the proposal on the capacity of the transportation system and existing traffic levels are acceptable; and*
    vii. *On-site parking is adequate to accommodate the level of commercial development proposed.*
d) *The design and development of Neighbourhood Commercial areas shall promote compatibility between the Neighbourhood Commercial area and adjacent land uses. The factors to be considered in reviewing proposals for new and/or expanding Neighbourhood Commercial uses are outlined in Part III, Section 4.3.2, subsection g.).*

Although the proposed development seeks to redesignate from *Neighbourhood Commercial* to *Residential- High Density*, the majority of the development is non-residential. The retirement residence/ senior's care portion forms is 60% of the overall development. The proposed development contemplates a memory care assisted living floor, retirement living and individuals and families' units at varying sizes for all.

This unique design is located at the intersection of two Minor Arterial Roads (New Street and Guelph Line) and will provide adequate parking with a total of 320 spaces. The proposed development promotes compatibility with adjacent uses as there are numerous public facilities located within walking distance from the subject property, which will not adversely affect the capacity of the transportation system and traffic levels as described in the Traffic Impact Study completed by Crozier. In addition, the subject property is serviced by primary bus services, and with 191 different sized retirement living units this will add to the usage of the transit system creating a higher demand for greater transit infrastructure in the future.

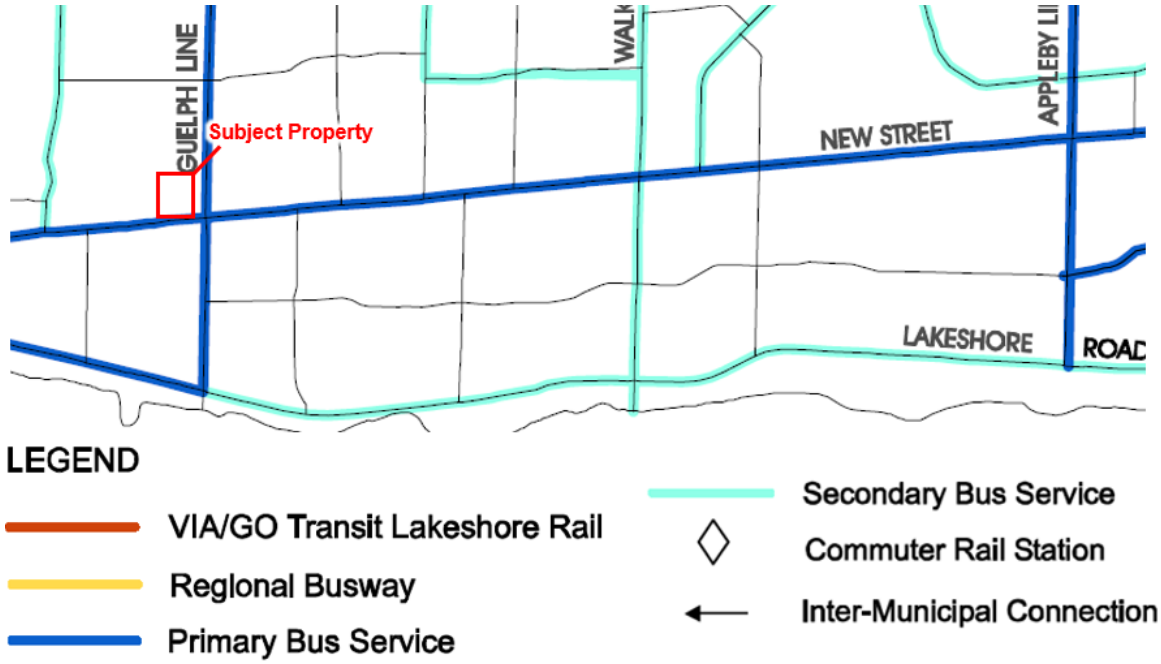


Figure 13: City of Burlington Official Plan, Schedule 1 - Long Term Transit Service Network

Summary

While an Official Plan Amendment to change the land use designation of the subject lands would be required, it is our opinion that the proposed development is in keeping with the intent of the of the City of Burlington Official Plan and will help advance its objectives.

5.5 City of Burlington Draft New Official Plan (November 2017)

The subject property is designated *Neighbourhood Centre*. This permits residential developments such as retail and service commercial uses, office uses, residential uses, entertainment uses and recreational uses. The objectives of this designation are to provide locations in the City that will serve as areas of concentration for mixed use development in a compact built form. The proposed development provides a unique blend of residential uses in a compact and dense format, which complies with the intent of the *Neighbourhood Centre* designation and policies. In 2012, the City of Burlington initiated its 5-year Municipal Comprehensive Review of its Official Plan. During the initial stages of this process, it was recognized that while many areas in the existing Official Plan had been functioning well, there were issues which needed to be addressed as part of this review. A primary focus of the City's review is to identify the areas and corridors where new growth and intensification are to be directed. The new draft Official Plan (Nov. 2017) identifies New Street as a *Secondary Mobility Hub Connector* and Guelph Line as a *Candidate Frequent Transit Corridor*. Ruther, the subject lands are proposed to be designated as a *Secondary Growth Area*.

Part 2 Sustainable Growth

The Urban Structure

Section 2.3.1

o) Mixed Use Nodes and Intensification Corridors will be a focus of re- urbanization. These areas vary widely and will be guided by the underlying land use designations of this Plan. Some areas will be planned to evolve with higher residential intensities and a full mix of uses, while others may permit a more limited range of employment-oriented permitted uses, both designed to achieve their planned function. These areas will support the frequent transit corridors and provide focal points of activity and a vibrant pedestrian environment and facilitate active transportation through careful attention to urban design, enhancing the opportunities for the location of public service facilities and institutional uses.

The proposed development has a unique set of residential uses that will increase the demand for frequent transit services and help promote the intersection of Guelph Line and New Street as a focal point of activity. The development concept for the project is highly unique with a careful attention to historic detail and provides an opportunity for greater enhancements for public service facilities and more institutional uses.

Growth Framework

Section 2.4.2(2)

Secondary Growth Areas:

ii. *Shall be recognized as a distinct area within the city's Urban Area accommodating growth primarily within the permissions and densities of the current land use designations of this Plan;*

Part 3 Complete Communities

Housing

Section 3.1.1(1)

c) To make more efficient use of existing developed lands, housing stock and available services to increase the supply of housing, while maintaining compatibility with the character of existing neighbourhoods.

The proposed development is in a form of appropriate density for the surrounding area as it makes more efficient use of lands in the settlement area than what is currently there. In addition, the proposed development is cohesive with the character of the existing neighbourhood and will bring a desired space for assisted and retirement living units to the area.

Public Service Facilities and Institutional Uses

Section 3.2
Public Service Facilities and Institutional Uses
This section is intended to ensure that a broad range of public service facilities, such as police/fire services, libraries, schools, parks, community centres, hospitals, and long-term care facilities, are planned for at a neighbourhood and city-wide scale in order to serve the current and future needs of residents. These services are provided by many levels of government and public authorities. The City makes decisions for some of these facilities, such as libraries, parks and community centres.

An institutional use includes a broad category of uses that provide a service to the public but that service is provided by other partners in the community. An institutional use may be a day care facility, a trade school, a private school, a medical office, a place of worship and many other uses. These are important uses that are critical to a complete community.

The development proposed provides a critical component to creating a complete community through its provision of long-term care facilities on the 7th storey to accommodate the aging population. The immediate surrounding area has quite a number of other public service facilities, however, it is lacking in assisted living spaces. The development concept will positively benefit the community through the addition of units, whose tenants will make use the surrounding other public service facilities.

Part 4 Environment and Sustainability

Contaminated Sites

Section 4.7
Contaminated Sites

Some land may be contaminated as a result of past or present land uses or migration of off-site contaminants. Potentially contaminated sites are sites where the environmental condition of the property (soil and/or groundwater) may have potential for adverse effects on human or ecological health. In order to determine no adverse effects prior to permitting development on these sites, confirmation regarding the level of contamination is required to ensure that they are suitable or have been made suitable for the proposed use in accordance with government legislation, regulations, standards, objectives and guidelines.
Provincial legislation and related regulations identify many activities that may potentially cause contamination. Some examples of current or past activities that may be causing or may have caused environmental contamination include:

i. *Activities involved with the elimination of waste and other residues, including but not limited to, waste disposal sites and recycling facilities;*
ii. *Activities associated with potentially hazardous materials such as fuels, oils, detergents, chemicals, paints or solvents;*

iii. *Activities associated with refining and smelting of metals, or storage of batteries or other products containing lead, acid or other potentially hazardous substances; and*
iv. *Activities associated with transportation corridors.*

d. *The City shall require a Phase II Environmental site assessment to be undertaken in accordance with Provincial legislation to support development applications for sites where the Phase I Environmental site assessment reveals that the site may be contaminated. The Phase II Environmental site assessment shall include conclusions as to whether or not contamination is migrating off site.*
e. *The City may require the applicant to provide a Record of Site Condition in accordance with Provincial legislation, to be completed to the satisfaction of the City and the Province, confirming that the site has been made suitable for the proposed use.*

The provided Phase 1 and 2 Environmental Site Assessment (ESA) reports identify potential contamination given past land uses on the subject land (dry cleaner) and on adjacent lands (gas station). A Record of Site Condition was requested by City staff prior to final approval. Updated ESA reports are being prepared to O.Reg 153/04 in support of the RSC and will be filed accordingly. Further, full remediation will occur prior to any construction.

Part 5 Economic Activity

Strategic Employment Areas

Section 5.4.5
Existing and Emerging Mixed Use Intensification Areas

a) *This district includes a broad range of areas, including the Downtown Urban Centre, the Uptown Urban Centre, and the city's identified Mobility Hubs centered around Major Transit Station Areas.*
b) *Over the long-term, these areas will contribute significantly to accommodating employment and meeting the City's economic objectives.*
c) *These areas have had Secondary Planning or are currently being considered through an area-specific planning process, that will consider the importance of accommodating employment over the long term in areas targeted for intensification.*

There is no Secondary Plan in place, however, the proposed development will provide employment through an entire floor dedicated to Memory Care assisted living space in addition to the operation of the overall senior's residence.

Part 6 Infrastructure, Transportation and Utilities

Multimodal Transportation

Section 6.2.9
Mobility Hub Connectors

Mobility Hub Connectors are streets and other supporting active transportation corridors that link each of the mobility hubs both to one another and to key surrounding areas. These connectors have the potential to provide direct and convenient connections for all users, including pedestrians, cyclists, transit users and drivers.

Mobility Hub connectors shall be developed over time to reflect their role according to policies within Subsection 8.1.2, Mobility Hubs, of this Plan, as well as with those applicable policies within the City's Transportation Master Plan.

Mobility Hub connectors consist of mobility Hub primary connectors, secondary connectors and tertiary connectors. Mobility Hub primary and secondary connectors are shown on Schedule B-2: Growth Framework and Frequent Transit Corridors, of this Plan.

Section 6.2.9(2)

a) *Mobility Hub primary and secondary connectors shall be complete streets and take into consideration the policies contained in Subsection 6.2.7, Public Right-of-Way Allowances, and the relevant land use policies, of this Plan.*
b) *Enhanced levels of transit service and facilities such as frequent transit corridors shall be provided on mobility hub primary and secondary connectors.*
c) *The area-specific plan for Mobility Hubs shall evaluate the role of Mobility Hub connectors and provide recommendations on any works required along connectors to support individual hub objectives and to achieve transit supportive land uses and improved design standards on Mobility Hub primary and secondary connectors.*

New Street has been identified as Mobility Hub Secondary connector, which the subject property fronts onto. As stated in the above policies these connecting streets have potential to provide direct and convenient connections for all users, including pedestrians, cyclists, transit users and drivers. Further, the policies state that enhanced levels of transit service and facilities shall be provided along both primary and secondary connectors. The proposed development contemplates providing the immediate area with an increase in people to use and benefit from the secondary connector along New Street. The proposed development goes beyond conforming to the policies describe in Part 6 by both promoting the connectors usage and providing a variation of users (pedestrians, cyclists, transit and drivers).

Part 7 Design Excellence

Urban Design and Built Form

Section 7.3.2(1)
Primary and Secondary Growth Areas

a) *In Primary and Secondary Growth Areas**,** as shown on Schedule B-1: Growth Framework, of this Plan, urban and architectural design will have a significant contribution on how the next generation of buildings helps to create a distinct identity in the city. Development will be conceived not only in terms of how the site, building, façades and other architectural attributes fit within the existing or planned context and relate to the public realm, but also how they promote and contribute towards achieving urban design and architectural excellence.*

The subject property is identified as a *Secondary Growth Area* and New Street is designated as a *Frequent Transit Corridor* and *Secondary Mobility Hub Connector*. These designations are important for the provision of direct and convenient access for all users to greater transit systems within the City. The proposed development compliments these designations by providing the human factor that will benefit from the existing and planned connections for the area and this intersection of New Street and Guelph Line. In addition, the proposed development positively contributes towards architectural excellence through its unique building facades and contemporary urban design, discussed further in the submitted Urban Design Brief.

Part 8 Land Use Policies – Urban Area

Mixed Use Intensification Areas

Section 8.1
In general, the term "mixed use" refers to the existence of a variety of different land uses or destinations within the same location – whether that is a building, site, precinct or area. The aim of mixing land uses is to create vibrant, complete communities, provide convenience for individuals to undertake multiple activities in one trip, to shorten trip lengths and to encourage non-motorized trips through a diverse urban environment.

Lands identified as Mixed Use Intensification Areas on Schedule B: Urban Structure, of this Plan, will achieve a multitude of planning objectives by combining a broad range and intensity of employment, shopping, public service facilities, residential and complementary uses such as open space, institutional, and cultural uses. People will be able to live, work, and shop in the same area, giving them an opportunity to depend less on their automobiles, and create distinguishable places along transit routes that are animated, attractive and safe.

The Mixed Use Intensification Areas are comprised of Urban Centres, Mobility Hubs, and Mixed Use Nodes and Intensification Corridors, which will accommodate a wide, or in some cases, a limited range of uses at different levels of intensity, a form-based understanding of development.

The subject property is designated *Mixed Use Area*, which permits uses such as employment, residential and institutional. The proposed development provides a mixed of uses within the joined towers and provides intensification to the area as it is designated on Schedule B: Urban Structure as *"Mixed Use Nodes and Intensification Corridors".*

Section 8.1.3

The lands identified as Mixed Use Nodes and Intensification Corridors, on Schedule C: Land Use – Urban Area, of this Plan, will provide locations where mixed commercial, residential and employment uses will be developed and integrated in a compact built form and at greater development intensities, encouraging the efficient use of physical resources and municipal infrastructure. The Mixed Use Nodes and Intensification Corridors vary permitted uses, ranging from the broadest, most diverse range to more focused and employment-oriented in nature. Mixed Use Nodes and Intensification Corridors will be pedestrian-oriented and highly accessible by public transit and will foster community interaction by providing opportunities for public service facilities and open spaces.

Mixed Use Nodes and Intensification Corridors will be organized into six land use designations: Mixed Use Commercial Centre, Neighbourhood Centre, Local Centre, Employment Commercial Centre, Urban Corridor and Urban Corridor- Employment Lands; based on spatial distribution, the planned function, the mix of uses, the scale and intensity of the development allowed, the design standards that will apply and the potential unacceptable adverse impacts of these uses on adjacent uses.

The City will ensure that the development of Mixed Use Nodes and Intensification Corridors lands is compatible with adjacent uses, mainly residential. The design and development of these lands will create and maintain a special community identity and a focal point for a variety of city-wide, community and neighbourhood functions, generally within mid-rise and tall building forms, as described by the applicable land use designations.

Section 8.1.3(2)

e) Multi-unit residential developments in Mixed Use Nodes and Intensification Corridors should incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.

The proposed development is located within the *Neighbourhood Centre* subcategory of *Mixed Use Nodes and Intensification Corridors* and incorporates a mix of unit types and sizes to accommodate a diverse range of household sizes and various living requirements. The design of the proposed development provides appropriate setbacks and an angular plane to adjacent land uses. In addition, the design contemplates a compact form and density with a tenant make up that historically make more use of the pedestrian level facilities and infrastructure within the surrounding area.

Section 8.1.3(4.1)

c) To create vibrant and attractive places with increased day and night activity through the introduction of residential development and the integration of uses and open spaces.

f) *To ensure that development results in filling of surface parking lots and the intensification of under-utilized lands and buildings.*

g) *To support the transformation of large sites into areas where a mix of commercial, cultural, institutional uses and a diversity of housing are provided, balancing the adequate intensity of development and their integration within the surrounding context.*

The subject property falls within the *Mixed Use Intensification Areas* on Schedule C: Land Use – Urban Area. The subject property is further sub-designated as *Neighbourhood Centre*, which permits an array of uses such as residential and employment uses. The proposed development, will also include employment for the Memory Care Facility located on the 7th floor. These employees and other tenants will be utilizing the building during traditional business hours as well as after hours and weekends, creating a demand for more nightly activity, while promoting a vibrant community. These employees along with other tenants of the condominium portion of the building will be making use of the transportation services and other land uses in the surrounding area, which allows for an efficient use of the transit network and especially the walkable civic/ community uses. Further, the proposed development adds to the community identity as new focal point for the neighbourhood with its unique design and architecture.

Section 8.1.3(4.2)

a) *Lands designated Neighbourhood Centre are intended to provide for the day- to-day and weekly goods and service needs of residents within the Neighbourhood Centre and the surrounding neighbourhoods.*

b) *The following uses may be permitted on lands designated Neighbourhood Centre:*
   i. *retail and service commercial uses;*
   ii. *automotive commercial uses, excluding large and small-scale motor vehicle dealerships;*
   iii. *residential uses with the exception of single-detached and semi- detached dwellings;*
   iv. *office uses;*
   v. *entertainment uses; and*
   vi. *recreation uses.*

c) *Neighbourhood Centre areas are smaller activity centres in size and function to a Mixed Use Commercial Centre, generally ranging from four (4) to twelve (12) ha. in size and comprising lands in more than one quadrant of an intersection.*

d) *A maximum floor area ratio of development of 2.5:1 is regarded as appropriate built form in Neighbourhood Centre lands. An increase to this floor area ratio may occur through a site-specific Zoning By-law amendment or minor variance application, without the need for an amendment to this Plan.*

e) *The City will encourage a minimum building height of two (2) storeys and the maximum building height shall not exceed six (6) storeys. Where required to ensure compatibility and a sense of pedestrian scale, buildings may be required to be terraced back from adjacent residential areas, and/or the street.*

f) *Notwithstanding Subsection 8.1.3.(4.2) e) of this Plan, taller buildings up to a maximum height of eleven (11) storeys may be permitted for a proposed development through a site-specific Zoning By-law amendment, subject to the fulfillment of the following criteria:*

i. *a significant reduction of parking at grade; and*
ii. *the proponent submits and implements, to the satisfaction of the City, an urban design brief that demonstrates how the proposal's design achieves high quality of design and helps to mitigate the adverse impacts of the increase in height on public sidewalks, public open spaces and adjacent uses.*

i) *Any proposed development of sites designated Neighbourhood Centre should retain the existing retail and service commercial floor area on site. Any proposed reduction of floor area shall not compromise the planned function of the designation as described in Subsections 8.1.3(4.1) a) and b) of this Plan, and shall be supported by a retail and service commercial needs assessment prepared by a qualified person, to the satisfaction of the City.*

k) *The ground floor frontage of buildings fronting a Major Arterial Street or Urban Avenue, as identified on Schedule O-1: Classification of Transportation Facilities-Urban Area, of this Plan, or fronting a public open space, shall consist of retail and service commercial uses.*

l) *Residential and office uses will be encouraged in the upper storeys of commercial buildings and may be permitted in buildings exclusively used for residential or office use provided that:*
i. *the building does not adversely impact the capacity of the Neighbourhood Centre node to provide for the retail and service needs of on-site residents and surrounding neighbourhoods;*
ii. *the building is located to the rear of street-related retail and service commercial uses; and*
iii. *the building is part of an overall development of mixed residential/commercial building forms.*

The development concept proposes an 11-storey building and a Urban Design Brief prepared by Weston Consulting and the project architect has also been submitted with this application and is meant to be read in conjunction with this report. The Urban Design Brief submitted demonstrates how the proposal achieves excellence in architecture and a high quality of design, while mitigating potential impacts on adjacent uses, open spaces and public spaces. Although, the proposed development does not include ground floor commercial or retail space, it makes up for this with the 7th floor dedicated to a Memory Care Facility, which will house assisted living residents and employ an equal or greater number of Caregivers. Further, ground floor amenity space is provided within both towers to active the New Street streetscape. Direct pedestrian access will be provided for each tower to New Street providing connects to the community and the transit system.

The proposed density of 3.71:1 exceeds the planned density maximum 2.5:1, however the proposed density is representative of the larger number of one bedroom retirement units that are indicative of senior's care facilities. Last, the majority of parking is provided below grade. The at-grade parking is to accommodate short term deliveries, visitors and guests.

Part 11 Public Participation and Engagement

Public and Agency Participation

Section 11.2.1

a) *The City will provide opportunities for public, agency and stakeholder input during:*
   i. *the review of this Plan, and the development of new policies;*
   ii. *monitoring of the effectiveness of the policies of this Plan;*
   iii. *the review of by-laws and the development of new regulations;*
   iv. *development application review processes, where applicable;*
   v. *the preparation and/or review of Area-Specific Planning studies, Community Improvement Project Plans and other planning studies; and*
   vi. *any other planning or development situation where the City desires public involvement.*

b) *Opportunities for public, agency and stakeholder participation shall be in accordance with this Plan, The Planning Act, The Environmental Assessment Act, The Accessibility for Ontarians with Disabilities Act and other relevant legislation, policy and regulations.*

Section 11.3.1

Procedures

a) The procedure to inform and obtain public and agency input regarding a development application, where applicable, shall include the following steps:

i. *for a site-specific amendment to the Official Plan or Zoning By-law, a plan of subdivision or a consent, a sign shall be placed on the subject property by the applicant, indicating the basic details of the application. A site-specific amendment may involve a map designation change and/or policy change which applies to a block of land. The wording, design and placement of the sign is to be approved by the City;*

ii. *the City's webpage shall contain details of the application, technical supporting materials, and meeting details. This page will be updated throughout the process;*

iii. *a preliminary notification of the application for amendment(s) to the Official Plan or Zoning By-law and/or a plan of subdivision, including basic details, may be given at least thirty (30) days prior to the Council meeting to consider approval of the proposed amendment(s) and/or subdivision. For site specific amendments and subdivisions, the preliminary notification shall be sent by prepaid first class mail or personal service or email to every owner of land within one hundred and twenty (120) m of the subject area within the Urban Area as outlined on Schedule C: Land Use - Urban Area, of this Plan, within three hundred (300) m of the subject area within the Rural Area as outlined on Schedule I: Land Use – Rural Area, of this Plan, and within three hundred (300) m of the subject area within North Aldershot as outlined on Schedule K: Land Use– North Aldershot, of this Plan, and may be sent to every tenant. For amendments that generally apply to the city, a notice shall be placed in a local newspaper approved by the City Clerk, that has a general circulation in the area;*

iv. *the details of the development application shall be circulated for comments to all boards, commissions, agencies, advisory committees and associations that are considered to have an interest in the matter and a reasonable period given for comments;*

v. *a neighbourhood information meeting may be held to inform the community about the development application and answer questions about the technical supporting materials provided by the applicant;*

vi. *a statutory public meeting shall be held by the appropriate committee of City Council established to conduct public meetings. Notice of the statutory public meeting to inform and obtain comments from the public shall be given at least fourteen (14) days prior to the date of the meeting, when a preliminary public notification has been given. When this preliminary public notification has not been given, notice of the public meeting shall be given at least thirty (30) days prior to the date of the meeting. For an Official Plan or Zoning By-law amendment that applies generally to the City, notice of the public meeting shall be placed in the local newspaper;*

vii. *for a site specific amendment or a plan of subdivision, notice of the statutory public meeting shall be placed in a local newspaper and/or sent by mail or personal service to every owner of land within one hundred and twenty (120) m of the subject area within the area outlined on Schedule C: Land Use – Urban Area, of this Plan, within three hundred (300) m of the subject area within the area outlined on Schedule I: Land Use – Rural Area, of this Plan, and within three hundred (300) m of the subject area within the area outlined on Schedule K: Land Use – North Aldershot, of this Plan**,** and may be sent to every tenant and to any parties who have requested notification of any meetings on this particular matter, provided the request is received before notices are issued;*

viii. *notice of a public meeting shall include, where applicable, information regarding the power of the Ontario Municipal Board and/or the Local Planning Appeal Tribunal to dismiss an appeal if an appellant has not provided Council with oral submissions at a public meeting or written submissions before a plan is adopted or a by-law is passed;*

ix. *in the case of an Official Plan amendment, adequate time should be allowed after the statutory public meeting for staff to analyze all public comments before the staff report and the proposed amendment is dealt with by Council, except in the case of a housekeeping amendment or an amendment for which there is no public interest. In the case of a Zoning By-law amendment and/or plan of subdivision, or where it is determined that adequate time has been provided for analysis of the comments on an Official Plan Amendment, a decision and recommendation to Council on the approval of the application may be made by the Committee at the meeting, if appropriate;*

x. *notification of the Council decision regarding the proposed amendment and/or the plan of subdivision shall be given to the applicant and persons who expressed an interest in the matter, by the City Clerk;*

xi. where a development application is deemed to have a potentially significant impact, the City may require an expanded public consultation process, including additional neighbourhood meetings; and

xii. when development applications for amendments to both the City and Regional Official Plans are made to permit development on the same property, City Council may hold a joint public meeting with the Region of Halton to consider both applications concurrently, in order to eliminate duplication of processing and to streamline and simplify public consultation.

The propose development's public consultation strategy will be further discussed in Section 10 and will follow the policies outlined in the Draft Official Plan.

Summary:

The proposed development is a form of appropriate, planned intensification that is described in the current Official Plan. The condominium and retirement living development proposal will be created to provide the area with a variety of living areas, as well as generate employment uses while promoting intensification accordingly to the area. Further, the neighbourhood's current building form, density and scale are maintained as the proposed condominium and retirement living units are compatible with the existing built environment.

5.6 City of Burlington Comprehensive Zoning By-law 2020

The City of Burlington Zoning By-law No. 2020 zones the subject property *CN1 – Neighbourhood Commercial*. The '*CN1'* zone permits various uses including Retail, Service Commercial, Office, Community, Hospitality, Automotive, Entertainment & Recreation, Residential and Industrial uses. The proposed development seeks to rezone the subject lands to the *RH4 - Residential High Density* zone. The RH4 zone permits an apartment building as well as retirement home. Site specific amendments are required to accommodate the proposed development design.

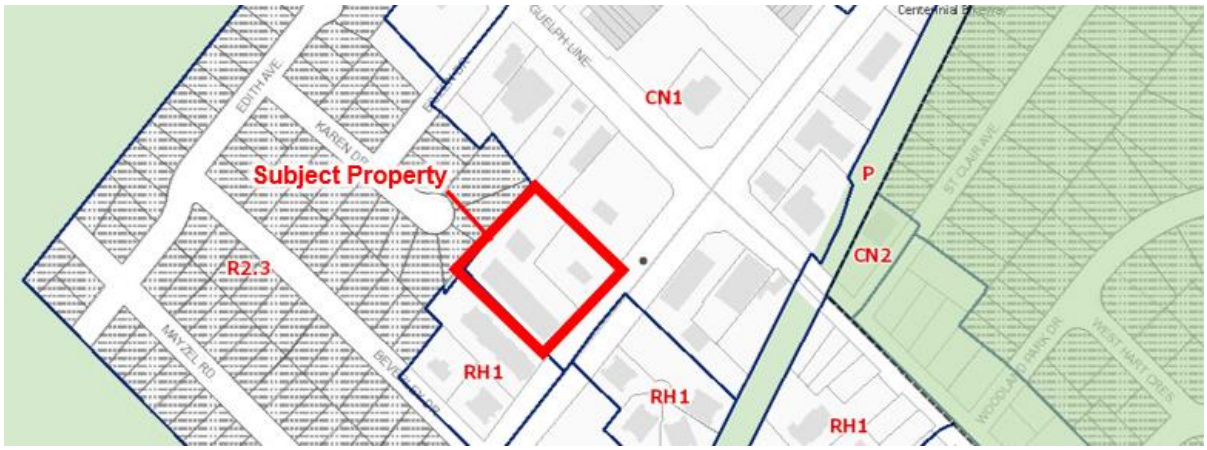


Figure 14: By-law 2020 Zoning Map Extract

Summary

The proposed development includes uses that are permitted by the Zoning By-law. A site-specific Zoning By-law Amendment is required to permit certain development standards proposed, including relief to the required minimum setbacks, the proposed parking count, width of the landscape buffers and other development provisions. See Table 3 of Section 7.2 below.

6. Non-Statutory Documents

6.1 Urban Design Guidelines

There is no specific Urban Design Guidelines for the subject property or neighbourhood. The enclosed Urban Design Brief provides an analysis of urban design related polices from the Official Plan a well as standard urban design practices.

6.2 Sustainable Building and Development Guidelines (Draft, November 2017)

The City of Burlington released a draft copy of their Sustainable Building and Development Guidelines for consultation in November 2017. These guidelines aim to promote sustainable design approaches that help to reduce environmental impacts, greenhouse gas emissions, long term building operating costs and contributes to the City's goal of being a sustainable, prosperous and healthy community. Although these guidelines are not in force at the time of preparing this report, the development proposal has reviewed against these guidelines as a matter of keeping with up the City of Burlington's foundational goals.

Table 2: Sustainable Building and Development Guidelines

Sustainable Building and Development Guidelines					
#	Required or Voluntary	Guideline	Rationale, Incentives and Resources	Implementation	Project Conformity
1.1	Required	**Augment Topsoil:** Maintain a minimum 15 cm/6" quality topsoil.	Appropriate topsoil levels absorb runoff and helps to ensure plants survive and thrive.	Site Plan	N/A
1.2	Required	**Snow Management:** For sites with surface parking, identify a designated snow storage area in an area that will reduce salt and contaminant impacts to vegetation, groundwater and surface water. Appropriate on-site	Road salt poses risks to plants, animals, birds, fish, lake and stream ecosystems and groundwater. Appropriate snow storage area can help manage and mitigate the risks associated with road salt. **Resources:** City of Burlington Site Plan Guidelines	Site Plan	Snow storage is not identified on conceptual site plan. Snow storage areas will be determined at the site pan stage.

Sustainable Building and Development Guidelines					
#	Required or Voluntary	Guideline	Rationale, Incentives and Resources	Implementation	Project Conformity
		snow storage is preferable to off-site snow removal.	Guidelines for Snow Disposal and DE-icing Operations in Ontario		
2.1	Required	**Site Connections:** Provide pedestrian and cycling connections from on-site buildings to off-site public sidewalks, pedestrian paths, trails, open space, active transportation pathways, transit stops and adjacent buildings and sites in accordance with Official Plan policies.	Encourages active transportation use to reduce dependence on the automobile.	OPA/ZBLA and Site Plan	Project provides pedestrian connections from on-site buildings to off-site public sidewalks.
2.2	Required	**Accessibility:** Design on-site sidewalks crosswalks and walkways to be continuous, universally accessible, barrier-free and clearly delineated in accordance with Official Plan Policies, Accessibility for Ontarians with Disabilities Act & City of Burlington Accessibility Design Standards.	Promotes walking by all age groups and abilities and provides access for those with limited mobility. **Resources:** The City of Burlington Accessibility Design Standards The Illustrated Technical Guide to Accessibility Standard for the Design of Public Spaces.	Site Plan	Development proposal provides on-site sidewalks and walkways that are in accordance with these policies.
2.3	Required	**Bicycle Storage:** Provide bicycle parking spaces in accordance with the Zoning By-law and Official Plan Policies.	Cycling reduces greenhouse gas emissions, reduces traffic congestions and improves health. Convenient bicycle parking encourages the use of active transportation. **Resources:** The City's Zoning By-law contains minimum bicycles parking space requirements for various zones.	OPA/ZBLA and Site Plan	The proposed development provides 17 above ground bicycle parking spaces.
3.1	Required	**Light Pollution:** Minimization of light pollution in accordance with the	Reducing light pollution reduces night sky glow which is beneficial for wildlife and improves nighttime visibility. All exterior lights must	Site Plan	N/A

Sustainable Building and Development Guidelines					
#	Required or Voluntary	Guideline	Rationale, Incentives and Resources	Implementation	Project Conformity
		city's Guidelines for Outdoor Lighting and Official Plan Policies.	include cut-off shields in accordance with the City's guidelines. **Resource:** Council Approved Guidelines for Outdoor Lighting.		
3.2	Required	**Native Species (NHS):** Per Official Plan policy, use native, non-invasive species within the Natural Heritage System and related buffers, use non-invasive species in all other areas.	Planting native and non-invasive species protects and enhances the Natural Heritage System and biodiversity, and are resilient to the local climate. **Resource:** For a List of native species, please refer to Conservation Halton's Landscaping and tree Preservation Guidelines.	Site Plan	The final landscaping plan will confirm the species to be planted.

7. Description of Planning Applications

Official Plan and Zoning By-law Amendment applications are required to permit the proposed building height and site-specific development standards. Site Plan and Draft Plan of Condominium applications will also be required and will be submitted at a later date. The details of proposed amendments are described below and can be found on Appendix A and B.

7.1 Proposed Official Plan Amendment

The purpose of the amendment is to permit a development consisting of two 11-storey towers containing a residential condominium (139 units) and a seniors' retirement residence (223 units, including 32 units for memory care).

The proposed Official Plan Amendment is intended to redesignate the subject property from *Neighbourhood Commercial* to *Residential – High Density* and to permit a maximum density of 470 units per net hectare, a combined Floor Space Index of 3.71, and a maximum building height of 11 storeys.

The seniors' retirement portion of the development includes 32 memory care (Alzheimer's/Dementia Care) units. Section 2.6 of the City of Burlington Official Plan speaks to assisted and special needs housing. Based on policy 2.6.2(h) of the Official Plan, special needs housing units may be excluded from the density provisions of the plan.

7.2 Proposed Zoning By-law Amendment

The proposed Zoning By-law Amendment application seeks to rezone the subject lands to the *RH4 - Residential High Density* zone with site-specific development standards as detained in Table 2 below.

Table 3: Zoning Comparison Table

	By-law Section	Regarding	Required	Provided
General Provisions	2.3.3	Balcony encroachments	1 m	3 m projection
	Table 1.2.6	Parking Standards for Apartment Building	1.25 occupant spaces per one bedroom unit 1.50 occupant spaces per two bedroom unit 1.75 occupant spaces per three or more bedroom 0.35 visitor spaces per unit Total Required = 233	The proposed development provides a total of 319 parking spaces
	Table 1.2.6	Parking Standards for Retirement Home	0.85 spaces per employee, plus 0.50 occupant spaces per unit, plus 0.25 visitor spaces per unit Total Required = 152	
RH4 Zoning Provisions	Table 2.14.1	Minimum Front Yard	7.5 m plus 1 m for each storey above 6 storeys to a maximum of 15 m = 12.5 m (7.5 m + 5 storeys)	3.0 m
	Table 2.14.1	Minimum Side Yard	½ the height of the building plus 1 m for each 5 m wall length exceeds 30 m = 6 storey = 11.34m ((19.6m/2)+(37.7-30/5)) 11 Storey =21.3m ((35/2)+(49-30/5))	7.5 m
	Table 2.14.1	Minimum Yard Abutting the R2 Zone	15 m plus 1 m for each storey over 6 plus 1 m for each 5m wall length exceeds 30 m = 21.54m ((15m+5storeys)+(37.7m-30/5))	18.718 m
	Table 2.14.1	Maximum Density (excluding retirement)	Minimum: 50 units per hectare Maximum: 100 units per hectare plus an additional 10 units per hectare for each 3% increase in enclosed parking to 150 units per hectare	197.66 u/ha
	Table 2.14.1	Floor Area Ratio (Retirement Home)	1.25:1 maximum	2.42 FAR
	Table 2.14.1	Minimum Amenity Area	25 m2 per bedroom; 15 m2 per efficiency	5,991 m²
RH Zoning Provisions	14.2	Landscape Buffer Abutting Street more than 30 m in width	6 m	3 m
	14.2	Landscape Buffer Abutting R2 Zone	6 m	3 m
	14.3	Parking	See Above	See Above

	By-law Section	Regarding	Required	Provided
	14.4	Outside Storage	Shall be enclosed and attached to principal building	Not attached to the principal building

8. Public Consultation Strategy

The Planning Act amendments implements through the Smart Growth of Our Communities Act (Bill 73) included the required for development application to outline public consultation strategies. The in-forced Burlington Official Plan does not includes such policies, however Section 11 of the new draft Official Plan outlines Public Participation and Engagement Policies. These policies are provided in Section 5.5 of this report and summarized below:

- A sign shall be placed on the subject property by the applicant, indicating the basic details of the application.;
- The City's webpage *shall* contain details of the application, technical supporting materials, and meeting details. This page will be updated throughout the process;
- A preliminary notification of the application for amendment(s) to the Official Plan or Zoning By-law and/or a plan of subdivision, including basic details, *may* be given at least thirty (30) days prior to the Council meeting to consider approval of the proposed amendment(s) and/or subdivision.
- The details of the *development application shall* be circulated for comments to all boards, commissions, agencies, advisory committees and associations that are considered to have an interest in the matter and a reasonable period given for comments;
- A neighbourhood information meeting *may* be held to inform the community about the *development application* and answer questions about the technical supporting materials provided by the applicant;
- A statutory public meeting *shall* be held by the appropriate committee of *City* Council established to conduct public meetings. Notice of the statutory public meeting to inform and obtain comments from the public *shall* be given at least fourteen (14) days prior to the date of the meeting, when a preliminary public notification has been given;
- For a site specific amendment or a plan of subdivision, notice of the statutory public meeting *shall* be placed in a local newspaper and/or sent by mail or personal service to every owner of land within one hundred and twenty (120) m of the subject area within the area outlined on Schedule C: Land Use – Urban Area, of this Plan;



Figure 15: 120 metre Radius from Subject Property

- Notice of a public meeting *shall* include, where applicable, information regarding the power of the Ontario Municipal Board and/or the Local Planning Appeal Tribunal to dismiss an appeal if an appellant has not provided Council with oral submissions at a public meeting or written submissions before a plan is adopted or a by-law is passed;
- In the case of an Official Plan amendment, adequate time *should* be allowed after the statutory public meeting for staff to analyze all public comments before the staff report and the proposed amendment is dealt with by Council, except in the case of a housekeeping amendment or an amendment for which there is no public interest. In the case of a Zoning By-law amendment and/or plan of subdivision, or where it is determined that adequate time has been provided for analysis of the comments on an Official Plan Amendment, a decision and recommendation to Council on the approval of the application *may* be made by the Committee at the meeting, if appropriate;
- Notification of the Council decision regarding the proposed amendment and/or the plan of subdivision *shall* be given to the applicant and persons who expressed an interest in the matter, by the *City* Clerk; and
- Where a *development application* is deemed to have a potentially significant impact, the *City may* require an expanded public consultation process, including additional neighbourhood meetings.

The items above will act as the checklist throughout the application process and will be addressed as they come up. Below is a list of all of the items that have been and will be provided as necessary throughout the engagement process:

- Post Signs on subject property that are visible and informative, when necessary;
- Application details provided for the City's website;
- Pre-application Consultation meeting with Staff to provide initial design concepts;
- The details of the application will be circulated in the complete submission package;
- Should the local ward Councillor request an resident's open house, the application will participate to gather initial public feedback on the proposed development;
- A Statutory Public Meeting will be held with the appropriate committee of City Council;
- Residents within 120 metres of the subject property will be notified via mail;
- Notice for public meetings will include, where applicable, information regarding the Ontario Municipal Board or the Local Planning Appeal Tribunal and the process to dismiss an appeal if an appellant has not provided Council with oral submissions at a public meeting or written submissions before a plan is adopted or a by-law is passed; and
- After the statutory public meeting, appropriate time will be provided for Staff to prepare their staff report and to review public comments.

We trust that the forgoing Public Consultation Strategy is satisfactory and in compliance with provincial legislation and implements Official Plan policy. Weston Consulting remains committed to facilitating public engagement and will assist in engaging the public throughout this process.

9. Planning Analysis and Justification

Based on the information above pertaining to the proposed Official Plan Amendment and Zoning By-law Amendment applications, the proposed development is consistent with the applicable policy regime. It applies sound planning principles, implements the PPS, Growth Plan, and Region of Halton Official Plan, and represents an opportunity to provide appropriate intensification development within an existing urban area in the City of Burlington.

The proposed development supports a complete community objective.

The proposed development will provide the surrounding community with greater diversity in residential options as well as bring appropriate density to the area. This portion of New Street is designated in the draft Official Plan *Mixed Use Nodes and Intensification Corridor* from Schedule B – Urban Structure. This designation is shared at each corner of the intersection of New Street and Guelph Line. With the future direction of the City's Official Plan policies, the proposed development is not seeking approval for a development that exceeds the planned growth for this community. Rather, the development proposal will act as benchmark for appropriate height and density for the remaining corners of New Street and Guelph Line.

With the addition of the proposed development, the community will gain a residential living spaces which not only provide units for different sized families, it will provide units for different levels of assisted senior's living. Having a residential building designed for families, retirement living and assisted living occupants, will support a complete community objective.

The proposed development is compatible with the surrounding land uses.

It is our opinion, that keeping with the designation from Schedule C – Land Use-Urban Area, of *Neighbourhood Centre*, that the proposed development will integrate and compliment the surrounding land uses such as community facilities.

The proposed development is compatible with the surrounding land uses and does not cause any adverse impacts to the adjacent residential subdivision. The proposed development will help bring more people and jobs to the area, which will support more infrastructure and more community development programs. In this way, the proposal will integrate into the community and help boost the surrounding land uses foot traffic.

The proposed development is consistent with surrounding land uses and provides a form of high density development that the area has not yet experienced. This development will act as an anchor for other future development proposals to strive for as it provides more than just condominium units.

The existing neighbourhood contains a variety of older, single and two-storey, detached, semi-detached and townhome dwelling types which vary in architectural style and treatments. In addition to this, the immediate surrounding area contains higher density residential developments, which are similar in function of the proposed development. The design concept of the proposed development, however, is quite unique to the area; however, it will not conflict with the overall nature and history of the neighbourhood.

The proposed developments physical design is intended to mimic the look of water waves along a pier from the pedestrian perspective. The waving balconies between the connection points of the 6th and 7th floor represent the water, while the connected floors mimic the design of the pier. The design proposal also provides a 45°-degree angular plain along the northern portion of the subject property which abuts single detached dwellings. In addition, the shadow cast onto the adjacent single detached dwellings will only be significantly impacted during March and December mornings.

The proposed development's retirement units will make up more than half of the total units and this will generate an increased use of existing transit corridors. Further, the nearby civic and community facilities that are in close walking proximity will see an increase in use that will increase overall demand for greater use and maintenance of these places.

For the reasons stated above, we are of the opinion that the proposed development is compatible with the adjacent neighbourhood and compliments the surrounding land uses. Further, the form

and function of the development proposal will have a positive benefit to the aesthetic of the neighbourhood.

The proposed development represents an opportunity for supporting mixed use and intensification within the City of Burlington.

The proposed development is located on a Minor Arterial Road (New Street) and is designated in the draft Official Plan as an area of *Secondary Intensification* from Schedule B-1: Growth Framework. The proposed development is a prime location for redevelopment in that it supports the objectives for intensification directed by the current Provincial, Regional and local policy regime. The development allows for an efficient use of land through creating appropriate intensification, which provides a greater range and mix of housing at the lowest end of the "high density development" spectrum. The proposal fulfills the PPS's policy direction of focusing growth and development in Settlement Areas, and the GGH's objective of prioritizing growth and intensification in the City of Burlington's Built-up Area. Further, this form of residential development will help the City reach its intensification targets mandated by the GGH, and allows for an increase in the available retirement and assisted living units available to families within the City of Burlington.

The current Official Plan encourages housing intensification and recognizes that due to the municipality's fixed urban boundary, the majority of future growth will be directed to areas identified for this form of intensification and redevelopment. It is also important to recognize that this redevelopment is consistent with the intent of the draft Official Plan policies, which is the intended direction for growth and planning for the next 10 years.

The proposed development can be serviced by the existing and planned transit system.

The proposed development is located on a Regional Minor Arterial Road, New Street, and is bound by two roads (Guelph Line and Brant Street) which change from Minor Arterial to Major Arterial roads as they channel vehicles in and out of the local areas to Regional and Provincial Transportation connections. In addition, Walkers Line to the northeast, provides another alternative connection to further transit connections such as the Appleby GO Station. Although Appleby Go Station is approximately 5 km away, this shows that the subject property is well serviced by the existing transit system, with three arterial options that lead to multiple other connections.

The existing Burlington Transit bus routes provide Primary and Secondary bus service to the subject property via New Street and Guelph Line and to the greater area of Burlington. There are several transit routes that provide connections to the downtown area and other destinations cross the City. Passenger pick-up and drop-off stops are located at regular intervals along New Street with bus stops at Beverly Drive, as well as located directly adjacent to the subject property at the corner of New Street and Guelph Line. The routes provide further connections and access to the Burlington GO Station as well as Highway 407, Highway 403 and GO Carpool lot located at Guelph Line and the QEW. GO Transit train service at the Burlington GO Station provides connections westward to Hamilton and eastward to Downtown Toronto.

The proposed development is well supported by community services and facilities.

An inventory of existing community services and facilities in the area indicates that the proposed development is supported by a range of community services and facilities, which, in our opinion will adequately serve the future residents of the proposed development.

Within the area surrounding the subject property, services and facilities such as schools, parks, community centres, libraries and other recreational facilities are available, all of which are within walking distance from the subject property. As such, the proposed development will have greater access to a variety of community services and facilities, while not resulting in any adverse impacts from increased vehicle parking demand on these facilities and their ability to properly service the community at large. These walkable facilities are especially important for the future senior's that will occupy the proposed development. Having nearby civic programming will support the independent and assisted living residents.

The proposed density is representative of the proposed retirement uses.

The proposed development consists of 139 residential units and 223 retirement units, for a total of 362 units. As permitted by Section 2.6.2 (h) of the Official Plan, *special needs housing* is permitted to be deduced from the density calculation. This results in a removal of 32 memory care units and an overall density of 470 UPH. The criteria for this permitted deduction is the provision of support services such as meal preparation, grocery shopping, laundry, housekeeping, respite care and attendant services are to be provided for units that do not have full culinary and sanitary facilities. It is important to note that all units within the retirement component will have access to the support services identified in the Official Plan, however at this time only the memory care units will lack culinary and sanitary facilities. It is our opinion that all of the retirement units should not count towards the calculated density, despite the inclusion of kitchens in some units.

Further, the retirement portion of the development has a higher unit count as a result of the number of one-bedroom units proposed. The proportion of one-bedroom units is a result of its use as a retirement facility; such facilities tend to offer a greater number of studios and one-bedroom units to accommodate the elderly who tend to live alone or with a spouse. There is typically no need for family sized units within a retirement facility, which results in a higher number of smaller units. While there is often one occupant in a one bedroom unit in a retirement residence, there is often one or more persons in a traditional residential one bedroom unit.

10. Conclusion

The proposed development represents an opportunity for appropriate higher density development on a site with great surrounding land uses and various infrastructure in an established residential neighbourhood within the City of Burlington. The proposed development provides for greater intensification which is suitable given the planned context of the area and will be serviced by existing infrastructure. The proposed development is located along a major

arterial road with existing transit. Additionally, the subject property is located in the general vicinity of the Queen Elizabeth Expressway, Highway 403 and the 407 Express Toll Route as well as the Burlington GO Station.

The subject property's current condition shows potential and opportunity. These lands offer the opportunity to provide land uses that are more community driven, with greater attention to varying residential living spaces. The development proposal contemplates a large residential living space for a range of family and individual needs. This unique development proposal provides the community with more options for retirement living spaces and assisted living, which meets objectives from the Halton Region and the City of Burlington Official Plans.

In addition, the proposed development contemplates an appropriate level of height and density for areas with similar designations throughout the City, laying the framework for what future development could look like within *Secondary Intensification Areas*. The proposed development is consistent with good planning principles, which ensure that new development contributes to efficient land use, complete communities and priority development sites within urban areas that are serviced by planned or existing transit infrastructure. The proposed development will positively contribute to the built environment of the community and enhance the overall diversity of the neighbourhood.

It is our opinion that the TRG (New-Guelph) Inc. proposal represents good planning as it conforms and is aligned with to the policies of the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, and Halton Region Official Plan. Further, it supports the City of Burlington's intensification targets while staying consistent with the required maximum density.

There remains a strong demand for more assisted and retirement living dwelling forms, as well as varying unit sizes to accommodate individuals and families within the City of Burlington. The shortage of retirement and assisted living units within the City has resulted in a higher demand for these types of speciality living options. The proposed development addresses these demands through the provision of a greater range of living spaces that have increased density and mesh with the current neighbourhood character, all while being serviced from existing municipal infrastructure, transportation networks, and local amenities and facilities.

We find there to be merits in the proposed development and request that the submitted Official Plan Amendment and Rezoning Applications be approved by Burlington City Council.

Appendix 1
Draft Official Plan Amendment and Schedules

OFFICIAL PLAN AMENDMENT XX
AMENDMENT NO. XX TO THE OFFICIAL PLAN
OF THE BURLINGTON URBAN PLANNING AREA

CONSTITUTIONAL STATEMENT

The details of the Amendment as contained in Part B of this text constitute Amendment

No. XX to the Official Plan of the Burlington Planning Area, as amended.

PART A – PREAMBLE

1. PURPOSE OF THE AMENDMENT

The purpose of the amendment is to permit a development consisting of two (2) 11-storey towers containing a residential condominium (139 units) and a seniors retirement residence (223 units, including 32 units for memory care), accommodating a total of 362 units with an overall density of 470 units per hectare and a FAR of 3.71:1.

2. SITE AND LOCATION

The subject property is municipally known as 2421 and 2431 New Street and is located on the north side of New Street, east of the intersection of New Street and Guelph Line. The subject property is generally rectangular in shape, has a total combined area of approximately 0.7 hectares (1.74 acres) and has approximately 80 metres of frontage on New Street. See lands denoted as Area 'A' on Schedule A1 attached hereto.

3. BASIS FOR THE AMENDMENT

a) The subject applications propose intensification that is consistent with the Provincial Policy Statement (PPS), 2014. The PPS promotes a range and mix of densities and housing that efficiently uses land, resources, infrastructure and public service facilities and is supportive of public transit.

b) Intensification of land within built-up, serviced areas of the City makes more efficient use of existing developed lands and meets the intent of the Growth Plan and the Region of Halton Official Plan.

c) The subject property is designated *Residential Areas* on Schedule A and further designated as *Neighbourhood Commercial* on Schedule B of the City of Burlington Official Plan. The *Neighbourhood Commercial* designation limits residential uses to the second and third storey of commercial buildings as dictated in Section 4.6.2 (b) of the City of Burlington Official Plan. The proposed development is not permitted within *Neighbourhood Commercial* areas.

d) The subject property is identified as *Mixed Use Nodes and Intensification Corridors* on Schedule B; *Secondary Growth Area* on Schedule B-1; and *Neighbourhood Centre* on Schedule C of the proposed City of Burlington Official Plan.

e) Based on the City of Burlington's new draft Official Plan, the subject property is proposed to be designated as *Neighbourhood Centre*, which permits apartment buildings up to eleven storeys. The proposed development is consistent with the proposed policies of the City's new Official Plan; however this document is not yet in force.

DRAFT

f) This Official Plan Amendment is intended to redesignate the subject property from *Neighbourhood Commercial* to *Residential – High Density* as shown on Schedule B1 attached hereto. The *Residential-High Density* designation permits apartment buildings with a density between 51 and 185 units per net hectare.

g) The proposed development consists of a residential condominium and seniors retirement residence with a density of 470 units per net hectare.

h) The seniors retirement portion of the development includes 32 memory care (Alzheimer's/Dementia Care) units. Section 2.6 of the City of Burlington Official Plan speaks to assisted and special needs housing. Based on policy 2.6.2(h) of the Official Plan, *special needs housing* units may be excluded from the density provisions of the plan.

i) The subject property is in close proximity to two neighbourhood commercial plazas, various community services and facilities and is directly serviced by Burlington Transit.

PART B – THE AMENDMENT

1. DETAILS OF THE AMENDMENT

Map Change: "Comprehensive Land Use Plan – Urban Planning Area", being Schedule B of the Official Plan of the Burlington Planning Area, as amended, is modified by the attached Schedule B1.

Schedule B1 indicates the lands to be redesignated from *Neighbourhood Commercial* to *Residential – High Density*.

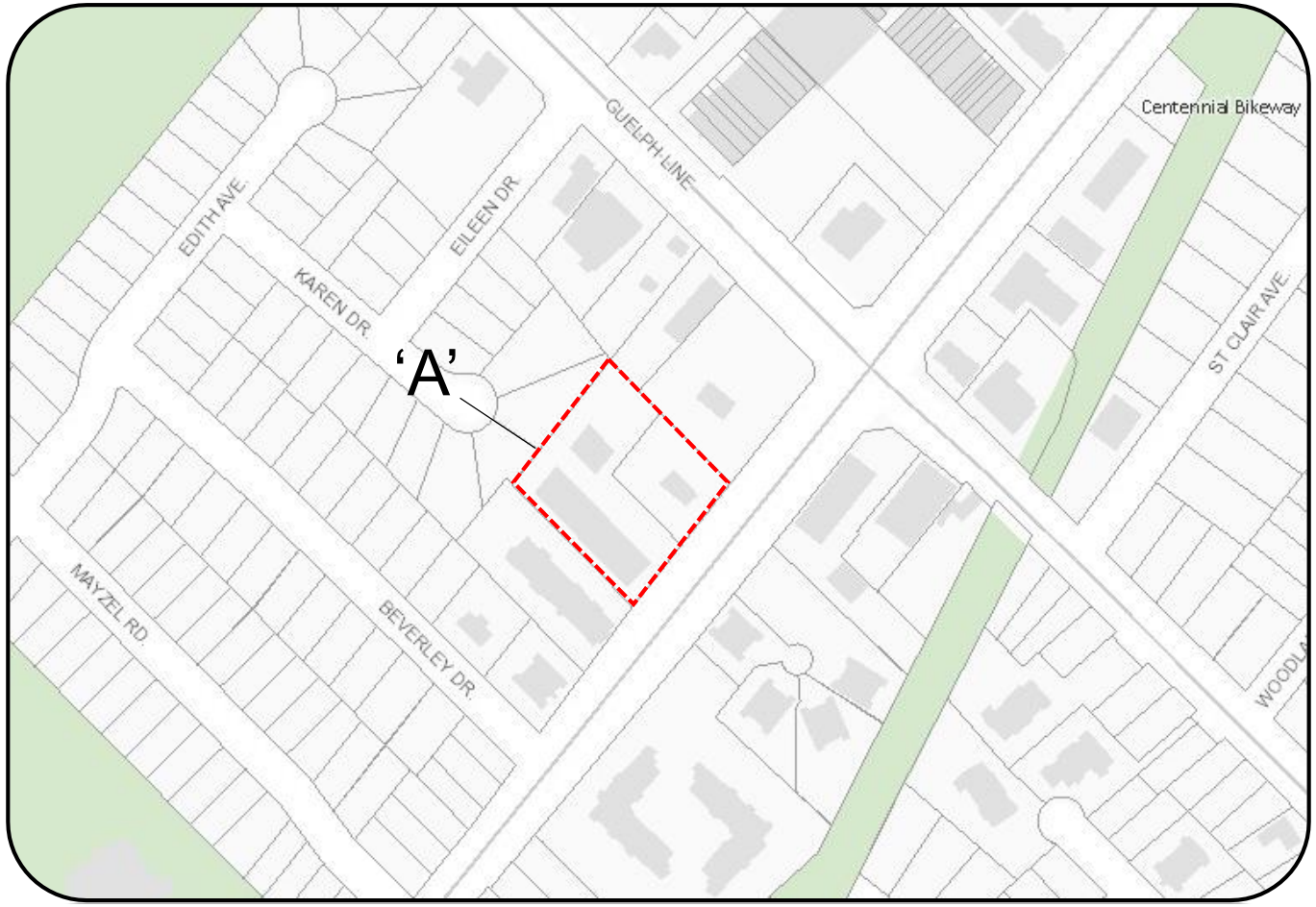
Text Change:

The text of the Official Plan of the Burlington Urban Planning Area, as amended, is hereby amended as follows:

By adding the following policy Part III, Subsection 2.2.2 within the *Residential – High Density* designation as follows:

"2421 and 2431 New Street	Notwithstanding Part III, Subsection 2.2.2 e), within the *Residential – High Density* designation at 2421 and 2431 New Street, a residential condominium and seniors retirement residence having a combined maximum density of 470 units per net hectare and a combined floor area of 3.71 FAR is permitted. The maximum building height shall be 11 storeys".

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

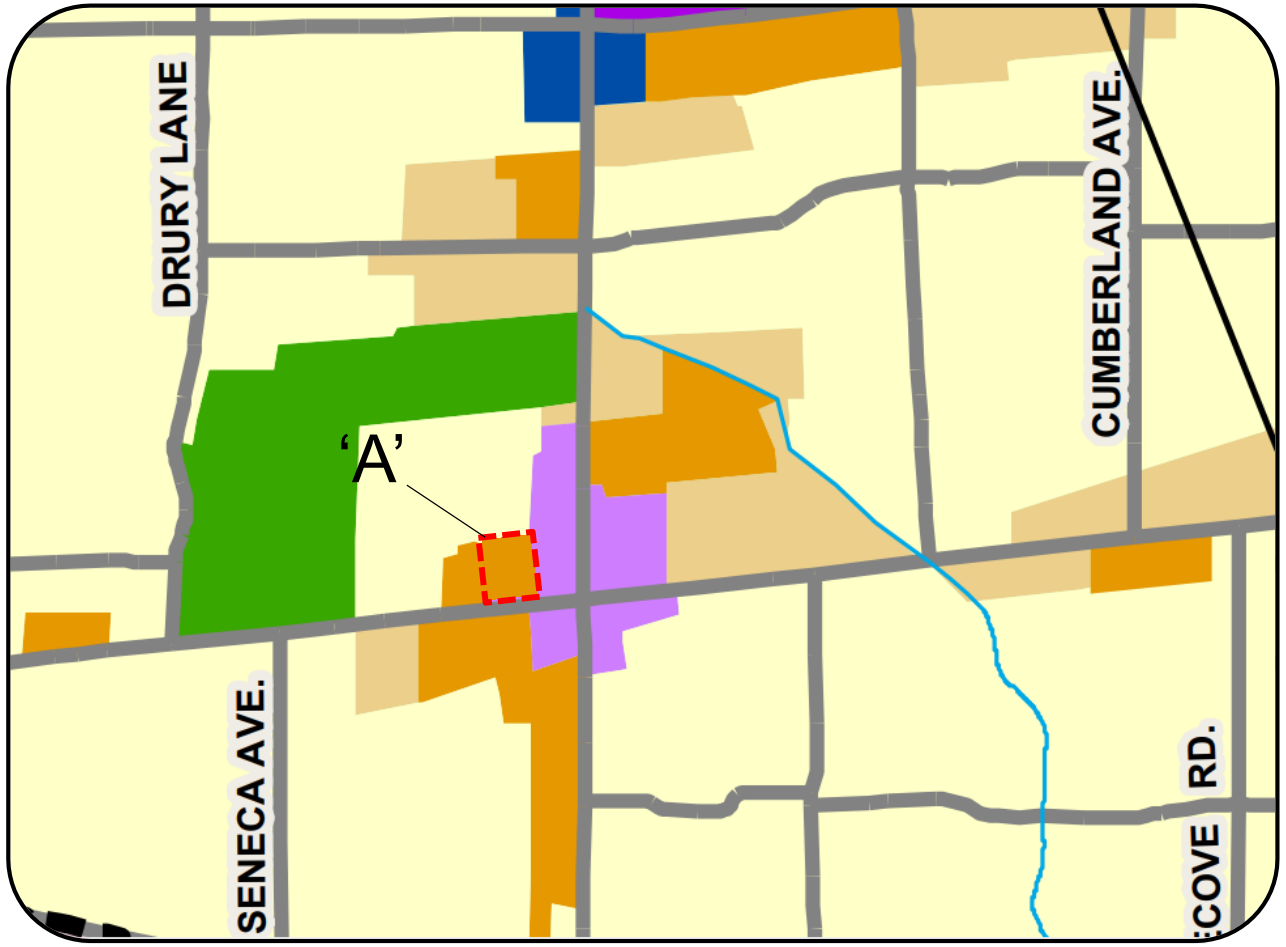
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SCHEDULE A1
LOCATION OF THE SUBJECT PROPERTY

LEGEND

Area 'A' Lands - Subject Property

Date: December 13, 2017



Area 'A' to be redesignated from from *Neighbourhood Commercial* to *Residential – High Density*.

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

File No. XX-XX

SCHEDULE B1
COMPREHENSIVE LAND USE PLAN –
URBAN PLANNING AREA

LEGEND

- Residential - Low Density
- Residential - Medium Density
- Residential - High Density
- General Employment
- Business Corridor
- Regional Commercial
- Community Commercial
- Employment Commercial
- Neighbourhood Commercial
- Mixed Use Centre
- Mixed Use Corridor - General
- Mixed Use Corridor - Commercial Corridor
- Mixed Use Corridor - Employment

Appendix 2
Zoning By-law Comparison Table

Zoning Comparison Table

The subject property is proposed to be rezoned from the *Neighbourhood Commercial (CN1)* zone to the *Residential High Density (RH4)* zone. The table below identifies the sections of the City of Burlington Zoning By-law 2020 where relief is required to permit the proposed development.

	By-law Section	Regarding	Required	Provided
General Provisions	2.3.3	Balcony encroachments	1 m	3 m projection
	Table 1.2.6	Parking Standards for Apartment Building	1.25 occupant spaces per one bedroom unit 1.50 occupant spaces per two bedroom unit 1.75 occupant spaces per three or more bedroom 0.35 visitor spaces per unit Total Required = 233	The proposed development provides a total of 319 parking spaces
	Table 1.2.6	Parking Standards for Retirement Home	0.85 spaces per employee, plus 0.50 occupant spaces per unit, plus 0.25 visitor spaces per unit Total Required = 152	
RH4 Zoning Provisions	Table 2.14.1	Minimum Front Yard	7.5 m plus 1 m for each storey above 6 storeys to a maximum of 15 m = 12.5 m (7.5 m + 5 storeys)	3.0 m
	Table 2.14.1	Minimum Side Yard	½ the height of the building plus 1 m for each 5 m wall length exceeds 30 m = 6 storey = 11.34m ((19.6m/2)+(37.7-30/5)) 11 Storey =21.3m ((35/2)+(49-30/5))	7.5 m
	Table 2.14.1	Minimum Yard Abutting the R2 Zone	15 m plus 1 m for each storey over 6 plus 1 m for each 5m wall length exceeds 30 m = 21.54m ((15m+5storeys)+(37.7m-30/5))	18.718 m
	Table 2.14.1	Maximum Density (excluding retirement)	Minimum: 50 units per hectare Maximum: 100 units per hectare plus an additional 10 units per hectare for each 3% increase in enclosed parking to 150 units per hectare	197.66 u/ha
	Table 2.14.1	Floor Area Ratio (Retirement Home)	1.25:1 maximum	2.42 FAR
	Table 2.14.1	Minimum Amenity Area	25 m2 per bedroom; 15 m2 per efficiency	5,991 m²
RH Zoning Provisions	14.2	Landscape Buffer Abutting Street more than 30 m in width	6 m	3 m
	14.2	Landscape Buffer Abutting R2 Zone	6 m	3 m
	14.3	Parking	See Above	See Above
	14.4	Outside Storage	Shall be enclosed and attached to principal building	Not attached to the principal building