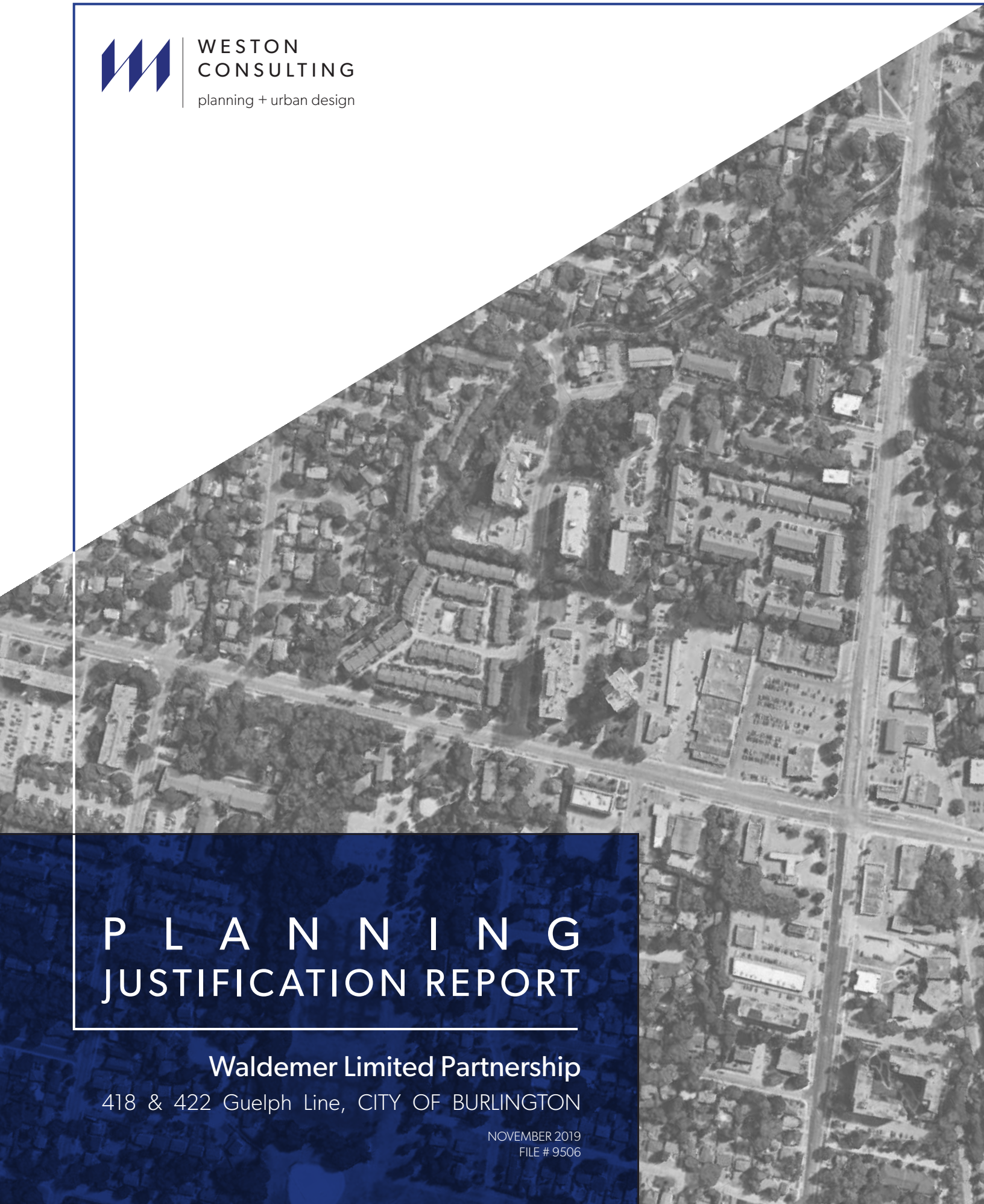
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PLANNING JUSTIFICATION REPORT

Waldemer Limited Partnership

418 & 422 Guelph Line, CITY OF BURLINGTON

NOVEMBER 2019
FILE # 9506

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1.INTRODUCTION

Weston Consulting is the planning consultant for Waldemer Limited Partnership, the legal owner of the lands municipally known as 418 and 422 Guelph Line in the City of Burlington (herein referred to as the "subject property").

This Planning Justification Report (the "Report") has been prepared in support of Official Plan and Zoning By-law Amendment applications to permit a 13-storey residential building containing 170 units.

This report provides the planning rationale in support of the proposed 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 ('Growth Plan'), 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 on November 21, 2018, 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 under separate cover.

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2.SITE DESCRIPTION AND CONTEXT

2.1 Description of the Subject Property

The subject property is located on the west side of Guelph Line, south of the intersection of New Street and Guelph Line. The Legal Description of the subject properties are as follows:

418 Guelph Line is legally described as: PT LT 16, CON 4 SOUTH OF DUNDAS STREET, AS IN 388093; BURLINGTON/NELSON TWP

422 Guelph Line is legally described as: PT LT 16, CON 4 NEL SDS, AS IN 442287 CITY OF BURLINGTON

The subject property is generally rectangular in shape and has a combined area of approximately 0.3818 hectares (0.94 acres). The subject property is currently occupied by two separate, vacant low-rise commercial/ retail buildings; 418 Guelph Line being a stand-alone, two storey commercial building and 422 Guelph Line being a one-storey commercial building with a parking lot on site. Access to the subject property is currently provided via two driveways from Guelph Line. The subject property has a relatively flat topography, is generally higher at the north portion, gradually slopes downward in a south direction. The subject property abuts a Municipally-owned at-grade parking lot directly to the south, which provides parking for the waterfront trail. The property that is adjacent to the subject property north, fronting onto New Street and forming an "L" shape around the subject property was attempted to be purchased to create a larger lot assembly; however, the owners did not wish to sell. Aside from the mature trees, there are no significant features on the 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. Guelph Line is a north-south, five-lane arterial road which tapers to three lanes, including a central turning lane just south of the subject property. New Street is an east-west, five-lane road. Guelph Line connects the subject property to New Street to the north and St. Clair Avenue to the south as shown in Figure 1.

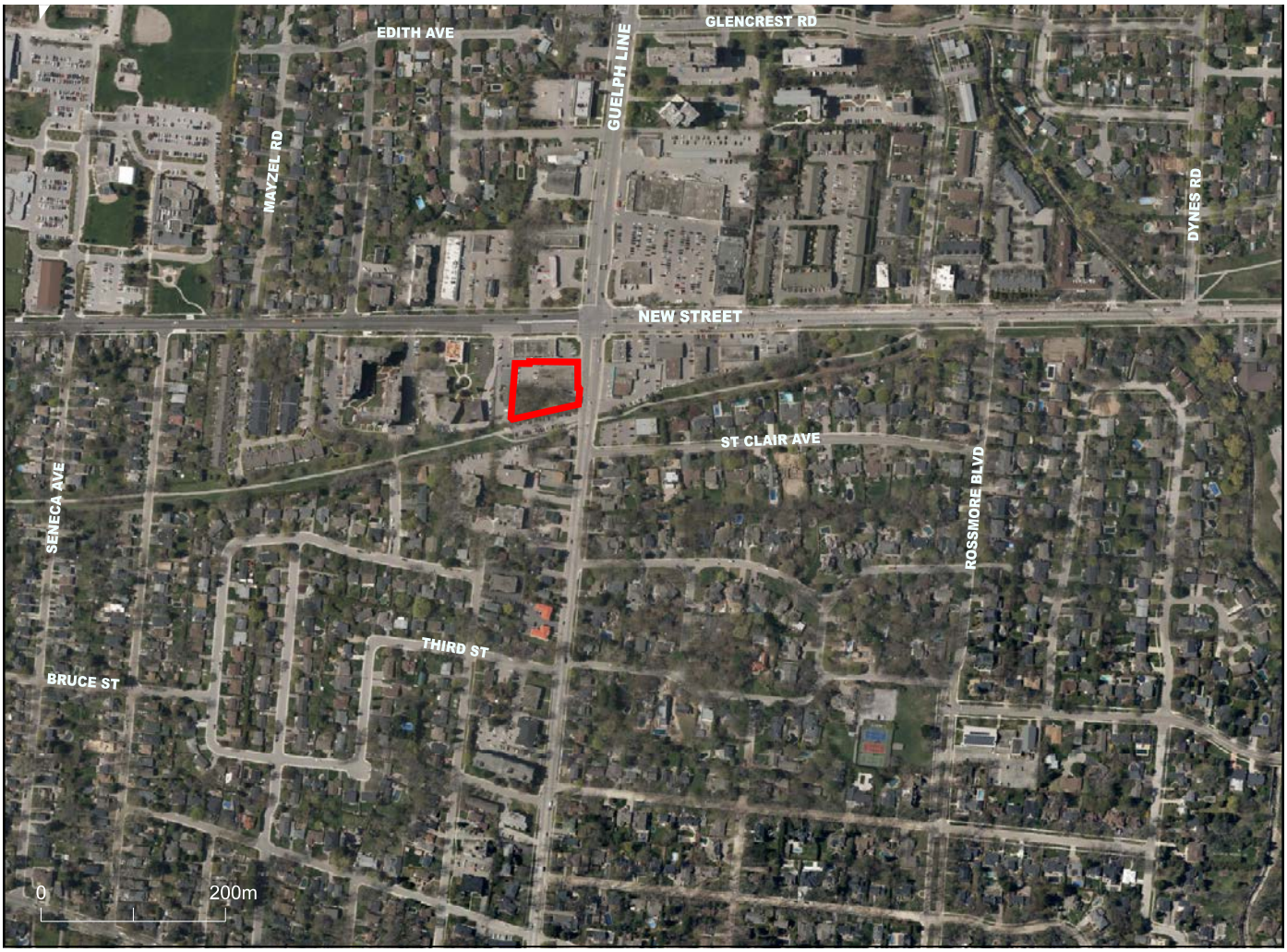


Figure 2: Context Photograph

2.3 Surrounding Land uses

The subject property is in close proximity to the intersection at Guelph Line and New Street. New Street runs from north-east to south-west and Guelph Line runs from south-east to north-west. For contextual purposes, the cardinal directions will be represented as New Street running east and west and Guelph Line running north and south.

Immediately to the north-east of the subject property is the Roseland Square Plaza, which offers a variety of retail stores that front onto New Street. Across New Street from the Roseland Square Plaza there is a gas station and more commercial buildings. Abutting the lands to the west of the development application, is a 6-storey residential apartment building. Further north of the gas station are more commercial uses that front on to Guelph Line, which include a bank, several retail stores, and a personal service shop. The northeast corner of Guelph Line and New Street is occupied by a large retail plaza with commercial uses including restaurants, personal services, and a pharmacy.

The subject property fronts onto Guelph Line facing east. Further east across Guelph Line there are a variety of retail and commercial uses on the north and south side of New Street. Larger multiple storey residential apartment buildings are further north. These include the Pine Terrace Apartments (14-storeys) and the Queensbury Court Apartments (17-storeys), which are approximately 325 metres further northeast of the subject property. Glencrest Terrace Apartments (13-storeys) are located approximately 470 metres further northeast of the subject property.

A Municipal parking lot abuts the property to the south. Behind this parking lot lies a section of the Waterfront Trail, which generally runs east and west along Lake Ontario, which connects to Spencer Smith park in downtown Burlington. South of the Waterfront Trail, along Guelph Line, is a row of commercial service uses located in a single-detached dwelling. Mixed into the commercial uses are the Stylewood Court Apartments (6 storeys), two (2) Welwyn Interests Inc. managed apartment buildings (5 & 6 storeys), and approximately 400 metres further south are the Burlington Apartment Investments managed apartment building (7-storeys).

Further south from the subject property are an additional three apartment buildings, ranging from 4-6 storeys. Further southwest of the subject property consists of single-detached dwellings, with many being west of the apartment buildings along Guelph Line. More single-detached dwellings are located in the Roseland neighbourhood, which is located further southeast of the subject property. Apartment buildings are evident in the south context, especially along Guelph Line, and are a large component the communities' character.

Immediately west of the subject property is an automobile tire retail store. West of the automobile tire retail store are four (4) 4-storey residential apartment complexes and further west are the Rosemount Apartments, which consist of two (2) 11-storey apartment buildings. Further west, there are a number of single detached residential dwellings and some townhomes. 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.

Community Facility		Address	Programs/Services/Amenities
A	Burlington Central Public Library	2331 New Street	• Recreational space for reading, studying, learning.
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
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
S	Waterfront Trail	NA	• Recreational trail

Table 1 - Community Facilities

2.5 Burlington Development Applications

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

A. 2421 and 2431 New Street (TRG (New- Guelph) Inc.) – Request for Official Plan Amendment and Zoning By-law Amendment Applications

Official Plan and Zoning By-law amendments to allow for the development of two (2), 11-storey residential buildings. Building One (west side of property) is proposed to be a 223-unit retirement residence. Building Two (east side of property) is proposed to be a 139-unit residential condominium and will include 548 sq. metres of Community Institutional space is proposed on the ground floor. A total of 360 parking spaces are proposed on site with 350 spaces in 3 levels of underground parking, and 10 spaces provided at grade.

B. 3225 and 3237 New Street (Royal Living Development Group Inc.) – Removal of Holding Symbol and Rezoning

An application for the removal of Holding symbol and rezoning has been submitted by Royal Living Group Inc. to permit the development of eleven (11), 3-storey townhouse units at 3225 and 3257 New Street. Council approved of the application on April 23rd, 2018. The Zoning By-law Amendment is in effect and there is an active Site Plan application.

C. 607 Dynes Road (DiCarlo Custom Homes) – Official Plan Amendment and Rezoning

Applications for an Official Plan Amendment and a Zoning By-law Amendment were submitted by DiCarlo Custom Homes. This application proposed the redevelopment of the east side of the site to allow 20 townhomes with access from Maplehill Drive, a private road and 10 visitor parking spaces. This development was approved as decided by Council on April 23rd, 2018 and subsequently appealed to the Local Planning Appeal Tribunal. The Tribunal approved the applications on April 26th, 2019.

D. 3290 New Street (Maranatha Homes) – Site Plan Approval Application

An application for site plan approval was submitted by Maranatha Homes to permit the Phase 2 development of a 6-storey multi-unit residential building. The total development proposal included a total of 134 residential units, 46 of which are a part of Phase 2. The proposal has two (2) storeys of underground parking, including 143 spaces for residents, 43 spaces for visitors, with 8 accessible spaces for residents and 3 accessible spaces for visitors. This site plan application was approved on March 8th, 2019.



Figure 3: Community Facilities Context Photograph

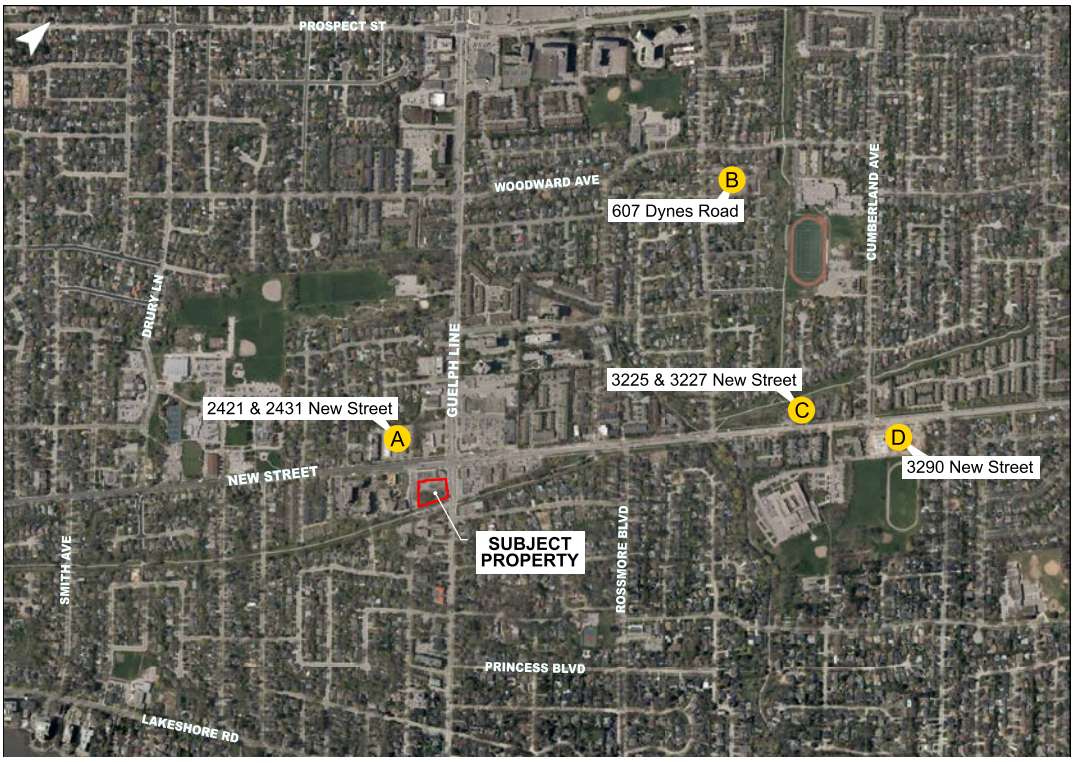


Figure 4: Nearby Development Applications

2.6 Transit and Transportation

The subject property fronts onto Guelph Line 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 Harvester Road, which is where Guelph Line becomes a R*egional Major Arterial Road according* to Schedule J. Regional 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 neighbouring 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, Guelph Line connects to New Street which connects to Brant Street thereby 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 1.8km away) serves as the major transit terminal for the general area and provides further connection to other municipalities and regions such as the City of Hamilton. City of Mississauga, and the City of Toronto.

The subject property is serviced by Burlington Transit Bus routes 3, 52, 302, and 25 along Guelph Line and 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 commercial and retail 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.



Figure 5: Burlington Transit Route Map Excerpt

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3. PROPOSED DEVELOPMENT

3.1 Description of the Proposed Development

The objectives of the development proposal are to redevelop the subject property with a 13-storey residential apartment building. The subject property is currently underutilized with vacant commercial and retail buildings located on a major arterial road and transit corridor in close proximity to significant community amenities. 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 south (Roseland Neighbourhood) in addition to providing appropriate setbacks to buildings adjacent to the subject property.

The proposed development consists of a 13-storey residential building comprised of 185 bedrooms within 170 apartment units and a 3-storey podium. Access to the building will be provided from Guelph Line leading to the 220 parking spaces in the parking garage, inclusive of 8 barrier-free parking spaces. The parking garage will provide parking spaces on the second floor, ground floor, and in the two underground levels of the building.

The development proposes a total gross floor area of 13,802.20 m². The proposed development results in a total of 170 units with an overall density of 446 units per hectare and a site-wide density of 3.6 Floor Area Ratio (FAR). The development also proposes indoor and outdoor amenity areas, with the total amenity space of the building being 3,609.73 m2. The amenity space includes 465.78 m² of indoor space on the first and third floors and 3,143.95 m² of outdoor amenity space on floors 3-13.

The development proposes enhanced landscape treatments that will provide a continuous streetscape treatment along Guelph Line and around the perimeter of the site to provide the residents an accessible area to walk to facilitate passive recreation; this includes a direct access to the Waterfront Trail at the south end of the subject lands. The landscape treatments around the perimeter will provide a buffer between the proposed development and the existing uses to the north, south, and west. The residential building's lobby will connect to the existing sidewalk abutting Guelph Line, promoting pedestrian activity that will support the local economy with the influx of future building tenants that are likely to shop at the nearby retail areas.

The proposed height of 13 storeys is in keeping with the existing context of varied apartment building heights (4 to 17 storeys) within the 500m of the site. The building is proposed to offer appropriate setbacks from the street frontage, the retail and commercial uses to the north and west, and from the Municipal parking lot and Waterfront Trail to the south. In addition, building step-backs will be provided from the 4rd to 11th floor, with a second step-back from the 11th to 13th floor.

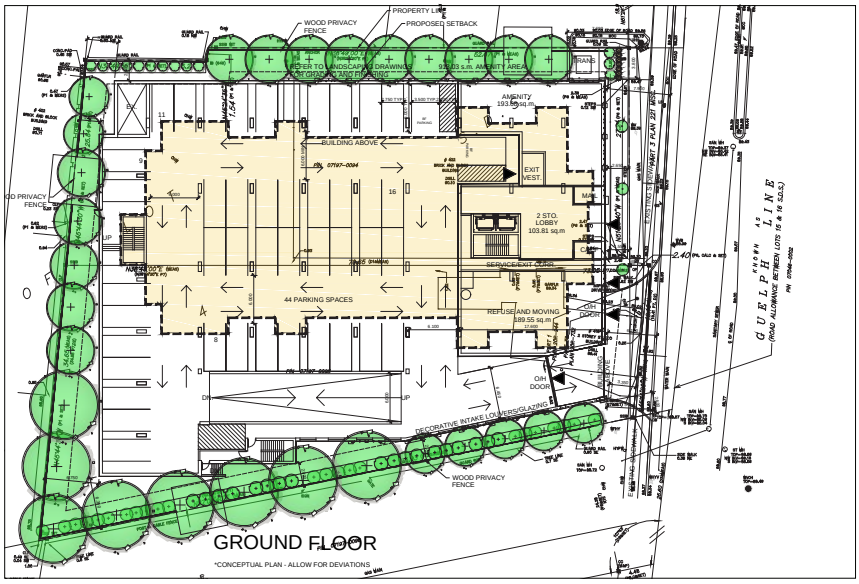


Figure 6: Development Concept Plan

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4.SUPPORTING MATERIALS

4.1 Functional Servicing and Storm Water Management Report

A Pre-Application Consultation (PAC) meeting was held on November 21, 2018 with the City of Burlington and Halton Region staff to determine the studies, plans and other supporting materials required in support of the proposed development applications. The PAC Application has since been extended by Planning Staff to October 31, 2019 to allow for submission of the proposed development past the PAC Application original expiry of October 1, 2019. In accordance with the PAC understanding, the following provides a brief summary of the submitted studies and reports.

MTE Consultants 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.

Storm Catchment Areas

Stormwater is to be captured through the proposed podium green roof and apartment roof to Guelph Line (controlled), herein referred to as Catchment 201. Stormwater run-off from this area will be collected by an internal storm piping system within the building that will convey flows from the existing 450mm diameter storm sewer on Guelph Line. In addition, the proposed asphalt driveway, concrete walks, and landscaped area to Guelph Line (uncontrolled) and the remaining perimeter landscaped areas to the Waterfront Trail (uncontrolled) will drain via overland sheet flow and proposed swales.

Water Quantity Controls

Runoff from Catchment 201 will be conveyed to the proposed underground storm tank coupled with an orifice control located within the underground level of the proposed building and provides sufficient storage volume. The stormwater runoff will be controlled by a 100mm diameter orifice pipe. A backwater valve is to be installed within the building for the proposed storm service to ensure flood protection.

Erosion and Sediment Controls

Erosion and sediment controls be installed and maintained in several ways. First, is the installation of silt control fencing at strategic locations around the perimeter of the site. Second, is the preventing silt or sediment laden water from entering inlets (catchbasins/ catchbasin manholes) by wrapping the inlet grades with filter fabric or installing silt sacks. Thirdly, maintaining sediment and erosion control structures in good repair until such time that the Engineer of City of Burlington approves of their removals.

Sanitary Sewer Servicing

The proposed building will be serviced by a 150mm diameter sanitary service that will connect to the existing 300 mm diameter sanitary sewer in the Guelph Line right-of-way.

Water Demand

Water servicing for the proposed development will be met using a dual 100mm diameter domestic and 150mm diameter fire service tapped off the existing 300m diameter watermain on Guelph Line.

Recommendations

It is concluded that the development can be constructed to meet the requirements of the City of Burlington. The report recommends that an underground stormwater tank be used in conjunction with an orifice control as described in S. 2.3 of the report, that erosion and sediment controls be installed as described in S. 2.4 of the report, that sanitary servicing for the development be installed as described in S. 3.3 of the report, that water servicing for the development be installed as described in S. 4.4 of the report, and that Drawings C2.1, C2.2, and C2.3 be accepted in support of the zoning change and site plan approval process.

4.2 Traffic Impact Study and Parking Justification Study

Paradigm Transportation Solutions Limited were retained 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.

Transportation Overview

Under existing conditions, all intersections in the study area are operating at acceptable levels of service and are well within capacity. The report recommends that the City of Burlington monitors the signal timing plan at the intersection of Guelph Line and New Street, however, no critical movements are noted. The proposed driveway connection to Guelph Line is forecast to operate with acceptable levels of service and well within capacity during both peak hours. Optimization of the signal timing and phasing plan at New Street and Guelph Line is forecasted to improve traffic operations to within capacity at the 2024 background and total traffic horizons. In addition, a northbound left-turn movement from the site can be accommodated within the existing two-way left-turn lane on Guelph Line north of St. Clair Avenue. Overall, the development of the subject site is anticipated to have a minimal impact on traffic operations within the study area.

Parking Overview

The City of Burlington Zoning By-law 2020 requires a parking supply of 266 parking spaces based on the proposed development, resulting in a 47-space deficiency from the proposed 220 parking spaces. Further, the City is undertaking a city-wide parking rate review. Revised rates are recommended through IBI's study. These revised rates would require 226 parking spaces. The parking analysis; however, confirms that the 220 parking spaces meet the actual needs of the area based on vehicle ownership characteristics. Vehicle ownership rates in the study area indicate that 0.79 parking spaces per unit is appropriate. On this basis, a total of 134 residential parking spaces would be required to service the residential parking requirements of the site, providing a surplus of 86 spaces to be shared among visitors and retail tenants. The City of Burlington Zoning By-law 2020 requires 67 spaces for visitor parking, which is met in surplus by the 86 parking spaces. Given the established sidewalk network through the neighbourhood and the available connectivity to the surrounding streets and transit services, the proposed parking supply will effectively accommodate the parking needs of the development.

Recommendations

In conclusion, the proposed development can be supported from both the transportation operations and safety perspective and the parking perspective. The report recommends that the City of Burlington monitor the signal timing plan at the intersection of Guelph Line and New Street. The report also recommends the City of Burlington to support the proposed parking supply of 220 parking spaces, recognizing the development's target market and the proximity to local and inter-regional transit services. Finally, the report recommends that the applicant implements the parking management initiatives. Please note that 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 Urban Design Brief and Burlington Urban Design Review Panel

KNYMH Architecture was 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 in addition to the design precedents detailed in the Tall Building Guidelines. A rationale is provided which justifies how the proposed development is conforms with the City's Official Plan Policies and Urban Design Guidelines. This analysis illustrates how the proposal represents good urban design practice and is appropriate within the existing site context. The proposal will not pose any adverse impacts to the existing surrounding developments and park land while keeping with the existing precedents in the community. The Urban Design Brief concludes that this proposal will improve the design within a built-up area through careful consideration of built form, massing, step-backs, and appropriately addressing the public realm.

The development proposal was presented to the Burlington Urban Design Review Panel on July 16, 2019 and minutes from the meeting were provided on July 29th, 2019. In response to the Panel's comments, the following changes were made. A detailed response is provided in Appendix 1 - Burlington Urban Design Matrix and Comment of the proposed Urban Design Brief.

Windows and additional landscaping added adjacent to trail:

- Retail removed
- Third storey added to podium
- Step backs adjusted
- Quality materials added to podium
- Simplified tower design

4.4 Wind Study

Gradient Wind Engineering Inc. was retained to undertake a qualitative pedestrian level wind assessment for the proposed development. The basis of the final wind assessment considers the statistical properties of the local wind climate, knowledge of wind flow behaviour in typical suburban environments, and an analysis of pedestrian comfort and safety guidelines. The introduction of the proposed development is expected be suitable for the anticipated uses without mitigation at all grade-level pedestrian sensitive locations. Nearby building entrances, sidewalks, laneways, parking areas, and other pedestrian-sensitive areas beyond the development site are expected to continue to experience acceptable wind conditions similar to those that presently exist; For the Level 3 elevated terrace that is to serve as an outdoor amenity area, mitigation may be desired as detailed in Section 3 of the report.

4.5 Shadow Impact Analysis

The shadow impact analysis was prepared by KNYMH Architects to analyze the shadow impact of the proposed development upon the adjacent properties, streets, and public spaces at the above noted location. The shadow analysis demonstrates during the test periods of March 21, June 21, and December 21 that the public sidewalks and Neighbourhood Park land will experience long periods of continuous sunlight with minimal sun shading impacting their use.

The shadow impact on residential outdoor amenity spaces on March 21 and June 21 test periods show no indication of sun shading impact. The December 21 3:30pm test period indicates that the outdoor amenity space of five (5) properties will experience minor sun shading impacts in the form of an isolated narrow profile of the building form. However, the residential amenity spaces and neighboring parkland shown to be impacted during the December 21 3:30pm test periods are also impacted by mature plantings.

The shadows on March 21 and September 21 will impact over half of all nearby non-residential areas. The shadow will impact the public sidewalk, plazas, parks, school yards and other non-residential outdoor amenity areas. This impact meets the guideline requirements, as the most impacted area by the shadow will still experience more than 5 hours of continuous sunlight on March 21 and September 21.

Overall, the proposed development is considerate to the guidelines on nearby established neighbourhoods, that the building form and orientation ensures that sun shading impact is minimal upon the neighbouring residential properties and parkland, and concludes that the proposed design will not have a significant negative impact on the surrounding neighbourhood. Overall, the development is compatible with the area and the location is well situation and suited to the area being in close proximity to existing commercial development and providing buffering from the sensitive areas.

4.6 Geotechnical Study

SOLA Engineering was retained to complete a geotechnical study to assess the potential impacts on the proposed development. Considerations were made on the pavement, topsoil, fill soils, silty sand to silty clay till, shale bedrock, and groundwater in the subsurface conditions. Geotechnical issues, frost protection, conventional spread or strip foundations, earthquake considerations, engineered fill, basement floor slabs and permanent drainage, excavation and backfill, temporary shoring design considerations, service installation, pavements, and construction topics were all considered in the report. It is recommended that a qualified geotechnical firm is appointed to carry out field inspection and material testing during construction to ensure that the construction complies with the design recommendations. It is also recommended that Sola reviews the final set of drawings for the project to make amendments to recommendations that may be required, prior to starting construction. A letter of reliance has been provided for the City and Region.

4.7 Tree Inventory, Preservation Plan and Landscape Concept Plan

Adesso Design Inc. Landscape Architecture was retained to prepare a tree inventory of the site. A total of 56 existing trees were identified on site. All 56 trees are recommended to be removed due to either poor condition or due to grading problems within the root zone as a result of the proposed building and underground parking. Although many trees are proposed to be removed, a total of 34 trees and a coniferous hedge comprised of 10 plants are proposed to be planted around the perimeter of the property. Additionally, a 1.8-meter wood privacy fence will be constructed around the perimeter of the property and a garden of shrubs, plants, and perennial flowers and plants will be adjacent to the Guelph Line street frontage as per the Landscape Concept Plan dated Oct. 4th, 2019.

4.8 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 Section 1.5.1 of the Region of Halton's Development Design Guidelines for Source Separation of Solid Waste. Private residential collection will not be permitted unless approved by Council. If private residential collection is approved, the development cannot receive the Region's Waste collection service at any future date unless the site meets current guidelines or if it doesn't, it must receive Council approval.

Garbage and recycling will be collected through private service and not through Municipal Collection. A separate entrance for waste collection will be provided from Guelph Line via an internal loading area. Collection will be managed through garbage chutes and bins located near the elevator and stair cores on the ground level. On collection day the bins will be manually moved to the waste collection area situated on the east side of the subject property. The bins will be temporarily stored until collection is completed.

Once waste is collected, service vehicles will be back out to Guelph Line. A two-man system will be used as the second 'flag man' will ensure that safe reverse movements are possible. Included with the architectural package are cross-sections of the waste collection room to illustrate the space's vertical clearance.

4.9 Environmental Noise Assessment

dBA Acoustical Consulting Inc. was retained to prepare an Environmental Noise Impact Study for the proposed development. The Environmental Noise Impact Study assessed potential noise impacts from sources that surround the proposed development. Vibration is not considered as there are no heavy industry or railway lines within the required setback distances. Road noise from Guelph Line was identified as a source of sound that can affect the 3rd floor and 12th floor outdoor terrace amenity space. A 1.83 metre Guard Rail Safety Glass/ or Glass/Parapet Wall will be required to reduce the noise levels from Guelph Line and New Street for the 3rd floor and 13th floor to satisfy the outdoor noise level criterion. In addition, Central Air Conditioning for all residential units, specific door and wall construction measures, and a registered warning clause on title are also all recommended to satisfy the indoor noise level criterion. It is recommended that a qualified acoustical consultant certify that the required noise control measures have been incorporated into the builder's plans prior to issuance of a building permit and that the required control measures have been properly installed prior to an occupancy permit. This study detailed noise impact relative to the site plan and recommended noise control measures necessary (if applicable) to meet Ministry of the Environment (MOE) Publication NPC-300 entitled "Stationary & Transportation Sources-Approval & Planning guidelines while satisfying the planning requirements of the City of Burlington.

4.10 Phase 1 and Phase 2 Environmental Site Assessment

EXP Services Inc. was retained by the owner of the subject lands to conduct a Phase 1 Environmental Site Assessment (ESA). The Phase 1 Report identified contaminants of potential concern on the site including, Petroleum Hydrocarbons, OCs, Electrical Conductivity, Volatile Organic Compounds, and BTEX (Benzene, Toluene, Ethylbenzene, and Xylenes). Thirteen areas of potential environmental concern (APECs) impact the Phase One property.

Three of these APECs are identified on-site and include potentially contaminating activity (PAC) of gasoline in fixed tanks, pesticides manufacturing or storage, and de-icing salt. Ten of the APECs are identified off-site and include PACs of gasoline tanks, material used to repair vehicles and transportation systems, automotive operations, and commercial printing operations. These APECs could impact soil and groundwater conditions with a number of different contaminants of potential concern listed. Based on the results and findings of the Phase One ESA, a Phase Two ESA is required before a Record of Site Condition (RSC) may be submitted, if required.

EXP Service Inc. was retained by Waldemar LP to complete a Phase 2 ESA. The objective of the Phase 2 ESA was to assess the APECs identified on the Phase 1 ESA. The APECs were reviewed and evaluated in their geology, groundwater elevations and flow direction, soil texture, soil field screening, soil quality, groundwater quality, sediment quality, quality assurance, and quality control measure in order to prepare a Phase 2 CSM (Conceptual Site Model). The Phase 2 CSM organized the final results of the assessment and was completed in accordance with O. Reg. 153/04 as defined by the MECP and is presented in Appendix F of the Phase 2 ESA Report.

Based on the results of the Phase 2 ESA, there are concentrations of EC/SAR (Electrical Conductivity/ Sodium Absorption Ratio) in soil and VOCs (Volatile Organic Compounds) in soil and groundwater which are above the generic Table 2 SCS. A Risk Assessment is recommended, to develop Site-specific, risk-based criteria based on potential exposure pathways of the identified contaminants. Reliance letters for the City and Region have been provided.

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5. PLANNING POLICY FRAMEWORK

5.1 Provincial Policy Statement, 2014

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), A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019), the Halton Region Official Plan (2015), the City of Burlington Official Plan (2015), the City of Burlington Draft New Official Plan (April 2018), and the City of Burlington Zoning By-law 2020.

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 are 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 various apartment unit sizes providing a greater use of available land area. The proposed development also provides a 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 in the community 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 the 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 available in the area while improving efficiency and accessibility, 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, while assisting with focussing development in an area that is already serviced.

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.

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

The 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 Guelph Line and surrounding streets, including active transportation infrastructure, which is currently being debated. Current regular public transit service is provided along Guelph Line, New Street, and Brant Street. The subject lands are adjacent to the Waterfront Trail, which provides opportunity to integrate further active transportation and community benefits.

Summary

The proposed development is consistent with the policies of the Provincial Policy Statement in relation to development efficiency, housing provisions, retail/ commercial space, 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 residential units, which are compatible with the character of the medium and high-density residential buildings in the community. The 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. The unique location of the subject lands abutting the Waterfront Trail presents an opportunity to contribute to providing a land use pattern, density, and mix of uses to minimize the number of vehicle trips while supporting active transportation and a multimodal transportation system, as required in Section 1.6 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 A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)

The Growth Plan for the Greater Golden Horseshoe (GGH) (the "Growth Plan") 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 with complex land use issues and circumstances.

Section 2.2.1.2

Forecasted growth to the horizon of this Plan will be allocated based on the following:

a) the vast majority of growth will be directed to settlement areas that:

i. have a delineated built boundary

ii. have existing or planned municipal water and wastewater systems; and

iii. can support the achievement of complete communities;

c) within settlement areas, growth will be focused in:

i. delineated built-up areas;

ii. strategic growth areas;

iii. locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and

iv. area with existing or planned public service facilities;

The subject lands are located within the established settlement area and built boundary and are within existing and planned servicing infrastructure systems and the proposed development supports the achievement of a complete community. Furthermore, the subject lands are in proximity to multiple higher order transit areas by way of the Metrolinx Mobility Hubs as well as adjacent to the Waterfront Trail.

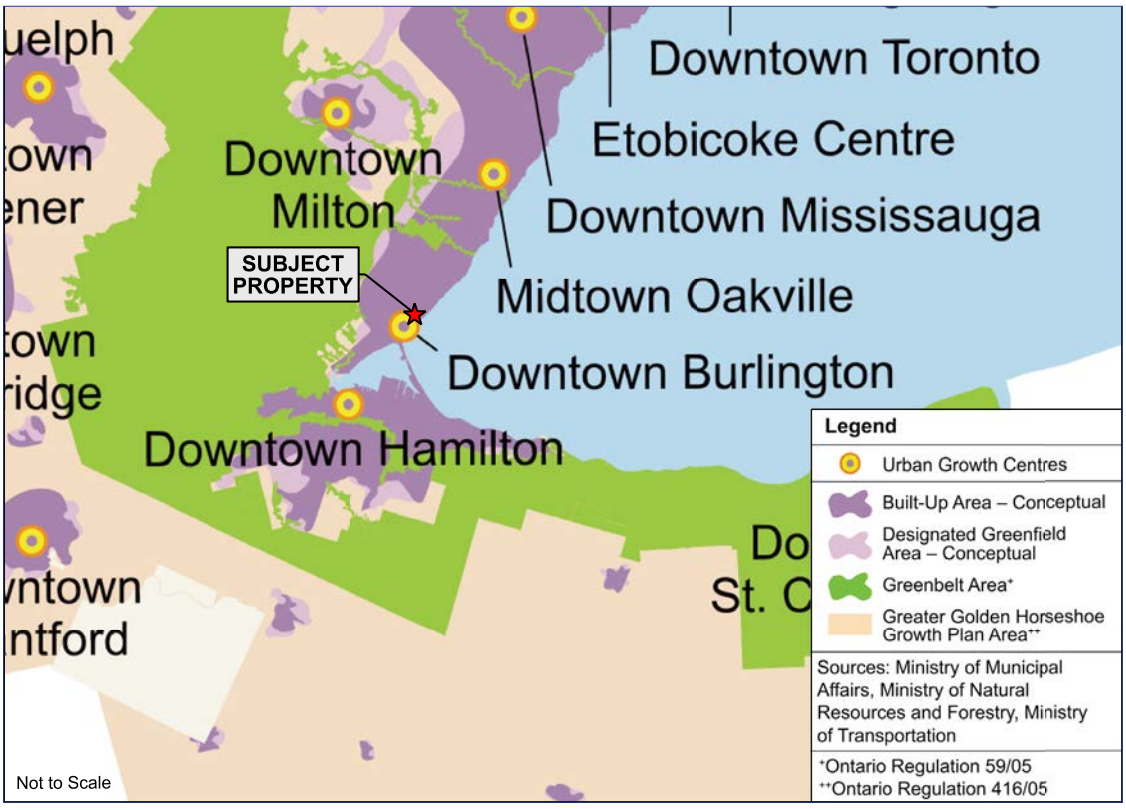


Figure 7: Growth Plan for the Greater Golden Horseshoe

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 provides a range and mix of housing types while ensuring access to transportation and community facilities. Most importantly, the proposed development has the potential to incorporate a design element to integrate the abutting Waterfront Trail.

Section 2.2.2.1

By the time the next municipal comprehensive review is approved and in effect, and for each year thereafter, the applicable minimum intensification target is as follows:

a) a minimum of 50 per cent of all residential development occurring annually within each of the Cities of Barrie, Brantford, Guelph, Hamilton, Orillia and Peterborough and the Regions of Durham, Halton, Niagara, Peel, Waterloo and York will be within the delineated built-up area; and

Section 2.2.2.2

Until the next municipal comprehensive review is approved and in effect, the annual minimum intensification target contained in the applicable upper- or single-tier official plan that is approved and in effect as of July 1, 2017 will continue to apply.

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 2.2.2.3

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

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

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

c) encourage intensification generally throughout the delineated built-up area;

d) ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities;
e) prioritize planning and investment in infrastructure and public service facilities that will support intensification; and
f) be implemented through official plan policies and designations, updated zoning and other supporting documents.

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 existing and emerging 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.

The proposed development contains a mix of unit sizes which range between 1-bedroom, 2-bedroom, and 3-bedroom units, which is consistent with the policies of the Growth Plan as it incorporates the currently existing residential housing sizes in the area and provides a further variety in available housing.

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, which integrates the adjacent into the concept.

The Growth Plan promotes redevelopment through intensification generally throughout built-up areas and specifically recognizes the need formore 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, within proximity 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 Halton Region Official Plan (ROP) contains policies to guide land use planning in the Regional Municipality 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 and retail space to the neighbourhood. The proposed development is also in support of the Region's Healthy Community Guidelines.

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 of the ROP.

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 of the ROP.

TABLE 2 INTENSIFICATION AND DENSITY TARGETS

Municipality	Minimum Number of New Housing Units To Be Added To the *Built-Up Area* Between 2015 and 2031	Minimum Overall *Development Density* in *Designated Greenfield Area* (Residents and Jobs Combined Per Gross Hectare)[1]
Burlington	8,300	45
Oakville	13,500	46
Milton	5,300	58
Halton Hills	5,100	39
Halton Region	32,200[2]	50

[1] *In the measurement of these densities, the area of the Regional Natural Heritage System is excluded.*

[2] *This number represents 40 per cent of the new housing units occurring within Halton Region between 2015 and 2031.*

Table 2 - 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. Table 2 "Intensification and Density Targets" from the ROP marks a minimum of 8,300 new housing units to be added to the built boundary by 2031.

The proposed development will add 170 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 9). 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.

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 (of the ROP) and the Regional phasing as shown in Table 2a (of the ROP).

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 within proximity of the subject property.

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

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 (of the ROP).

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 varying residential unit sizes available. As such, the proposed development increases the mix of housing type and density by providing more compact housing space than what is predominantly available in the City of Burlington.

Transportation

Section 172(2c)
To develop a balanced transportation system that: promotes active transportation

Section 172(6d)
To support seamless public transit services in Halton that: are complemented and supported by a network of active transportation facilities

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.

The subject property is located adjacent to the Waterfront Trail, which is a part of a larger active transportation network throughout municipalities along Lake Ontario. The proposed development has the potential to provide a community benefit through integrating the abutting Waterfront Trail. The proposed development will provide residential uses that promotes the use the of the existing active transportation network via the Waterfront Trail. The proposed development will contribute to the generation of a seamless public transit network by providing living space along the Waterfront Trail, allowing future tenants to utilize this active

transportation route to connect to higher order transit services such as the nearby Go Train stations.

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.

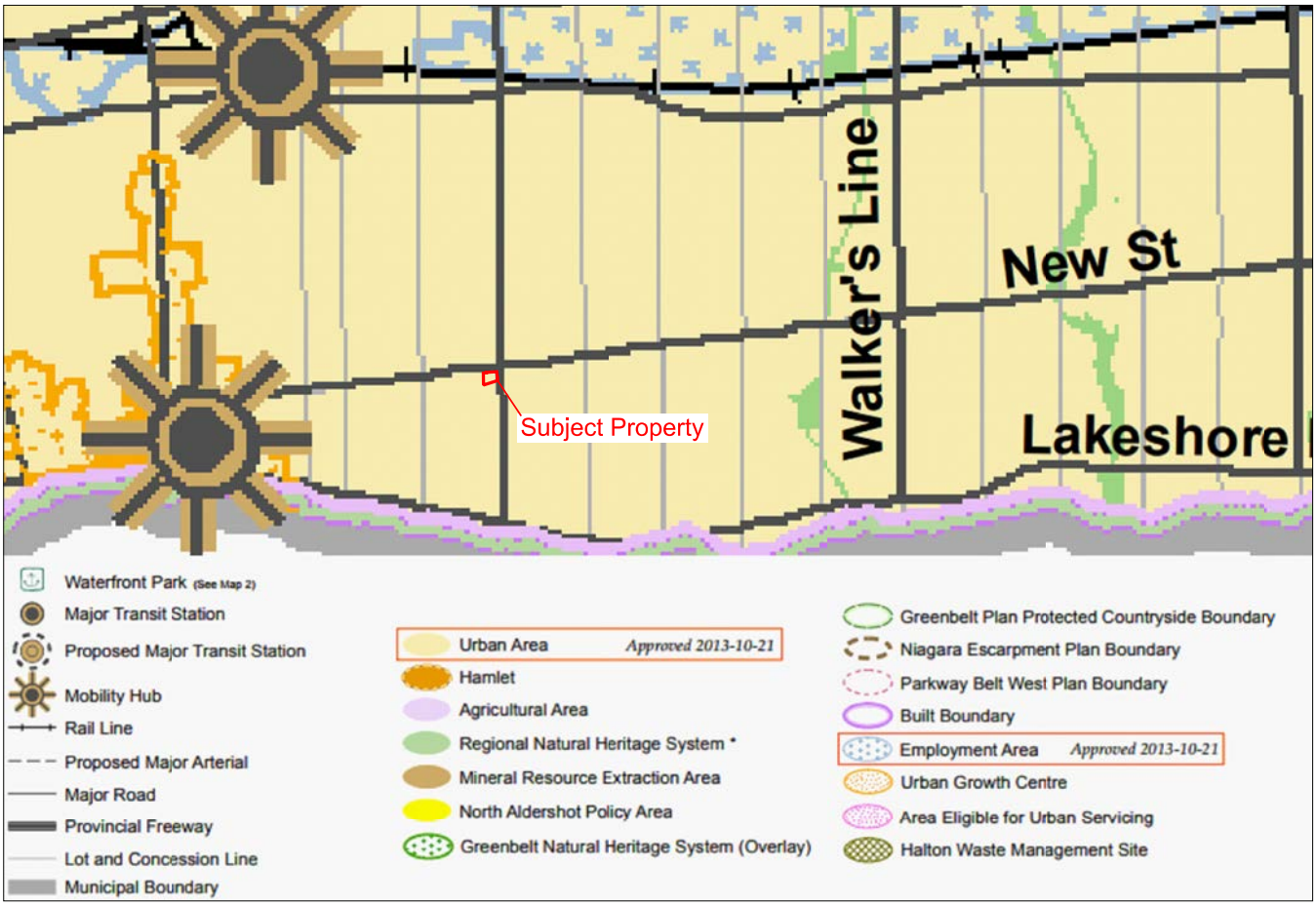


Figure 8: Region of Halton Official Plan, Map 1 – Regional Structure

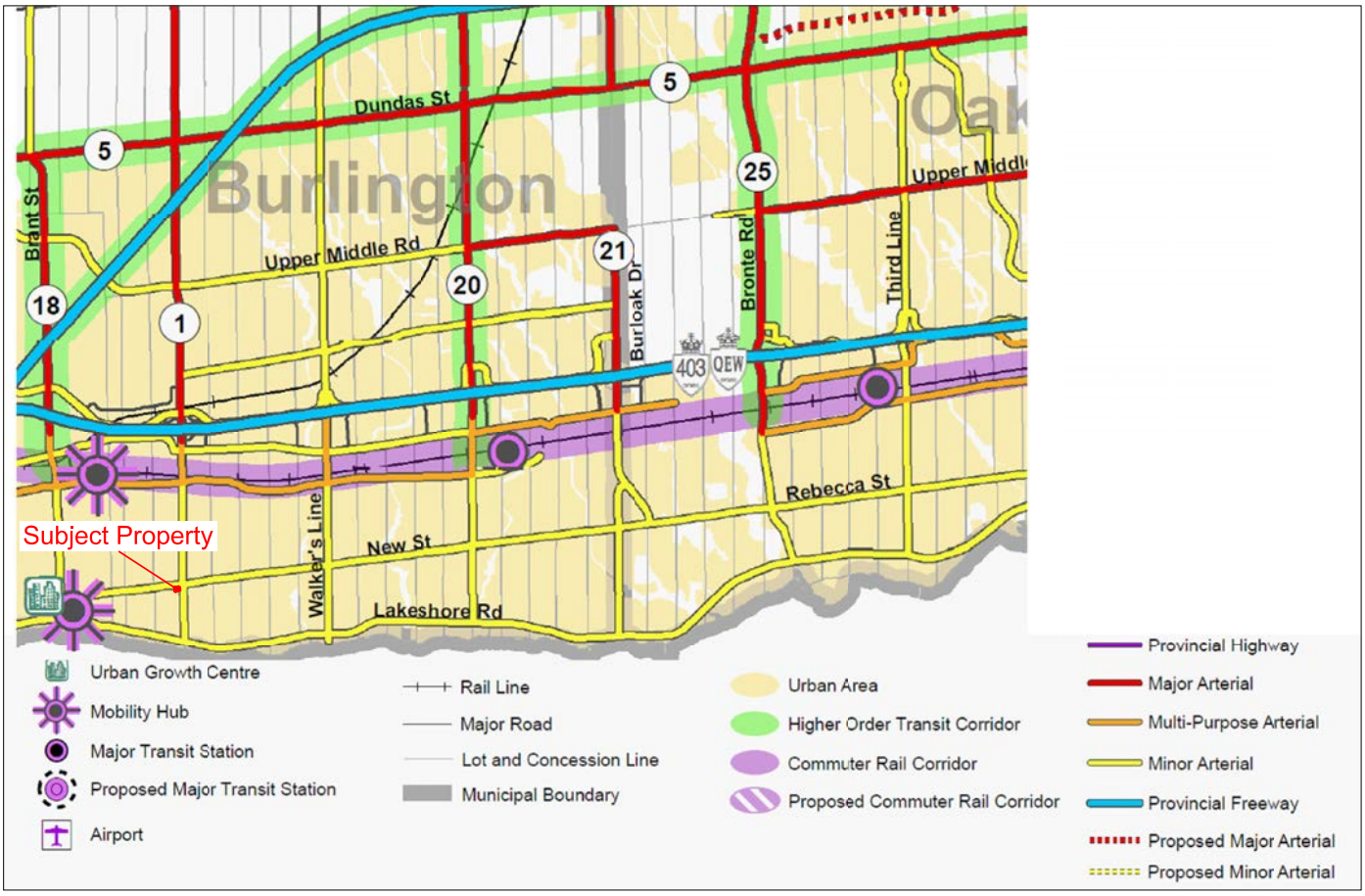


Figure 9: Region of Halton Official Plan, Map 3 – Functional Plan of Major Transportation Facilities

5.4 City of Burlington Official Plan (Office Consolidation 2017)

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 has produced a draft approved new Official Plan. The new Draft Official Plan policies will be discussed further in Section 5.5 of this report.

The policies of the City of Burlington Official Plan 1997 (2017 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 blend of residential and retail 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 proposed Official Plan Amendment seeks to redesignate 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.

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.

e) Create a community development pattern that supports the existing business community and promotes new business development opportunities, by protecting critical areas of economic enterprise and promoting a variety of locations for economic activity.

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 providing support existing and new business through the introduction of new residents thereby increasing patronage to businesses.

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.*

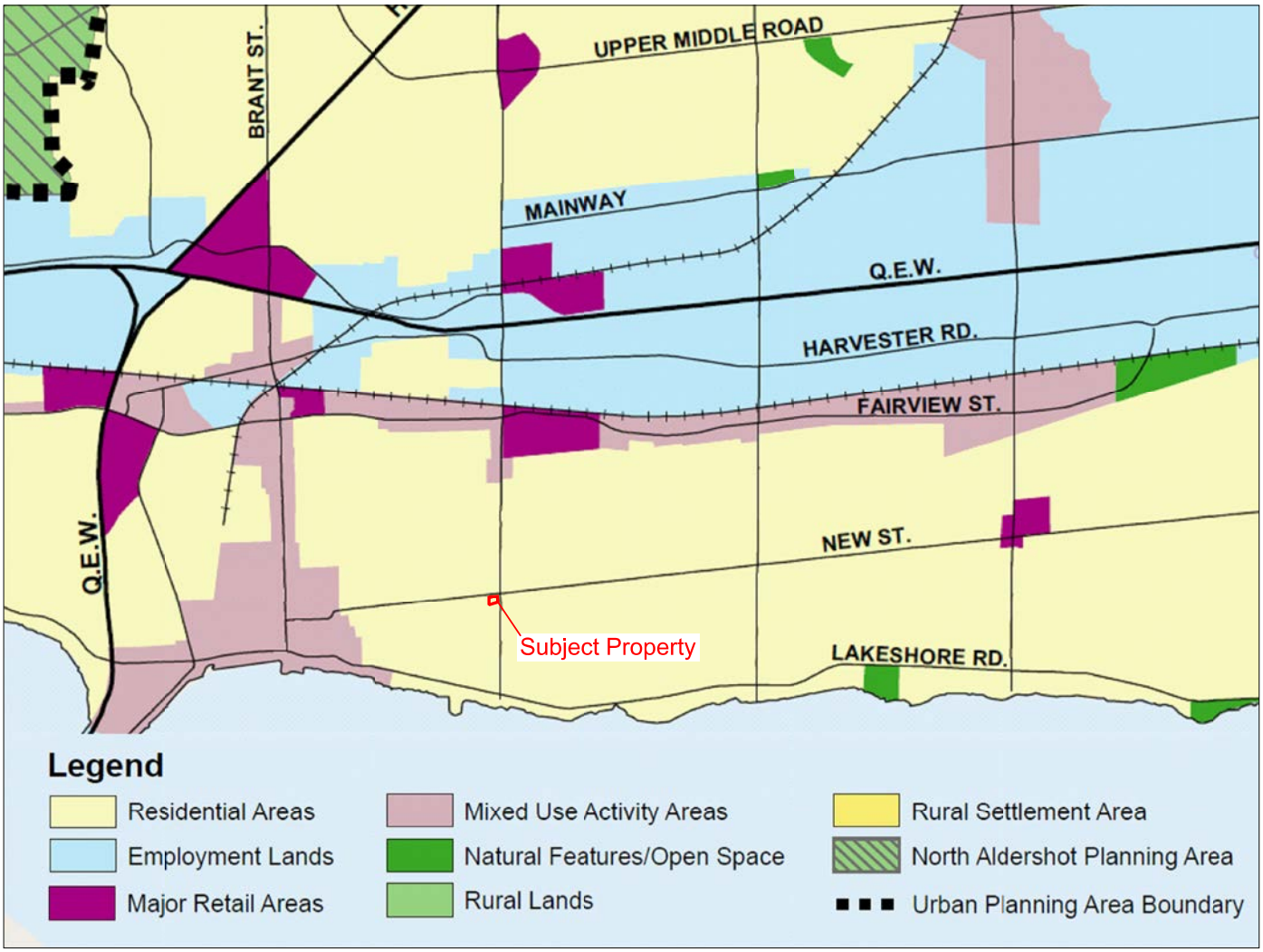


Figure 10: City of Burlington Official Plan, Schedule A – Settlement Pattern

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 Ministryof 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 Part 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 nearby the subject property to the north from the dry cleaner and 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 throughout the development process.

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 3.5.2

a) Municipal cycling facilities shall be provided in accordance with Schedule 2, Long-Term Cycling Master Plan, in Appendix A of the Plan. This Schedule identifies the long-term location of bike routes and bike paths and connections to nearby communities.

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 Guelph Line with an attractive architectural expression that will create a pedestrian friendly environment and enhanced streetscape along the Guelph Line frontage as well as contribute to creating community connections to the long-term multi use path that abuts the subject property. The buildings' massing is concentrated to the east providing separation from the existing residential neighbourhood to the west and overlooking the commercial uses that are across the street to the east as they may be the site of further redevelopment in the future. 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 13-storey building complex while being sympathetic and compatible to the existing low-rise Roseland residential neighbourhood to the south-east. The built form is contained within adequate buffering around the perimeter of the property, through the use of trees, that provides separation from the abutting Municipal parking lot to the south, the tire change facility to the west, and the retail plaza to the north of the site. The building is designed with setbacks and step-backs that allow the development to minimize the affects of shadowing and integrate into the neighbourhood as illustrated in the sun and shadow study and urban design brief.

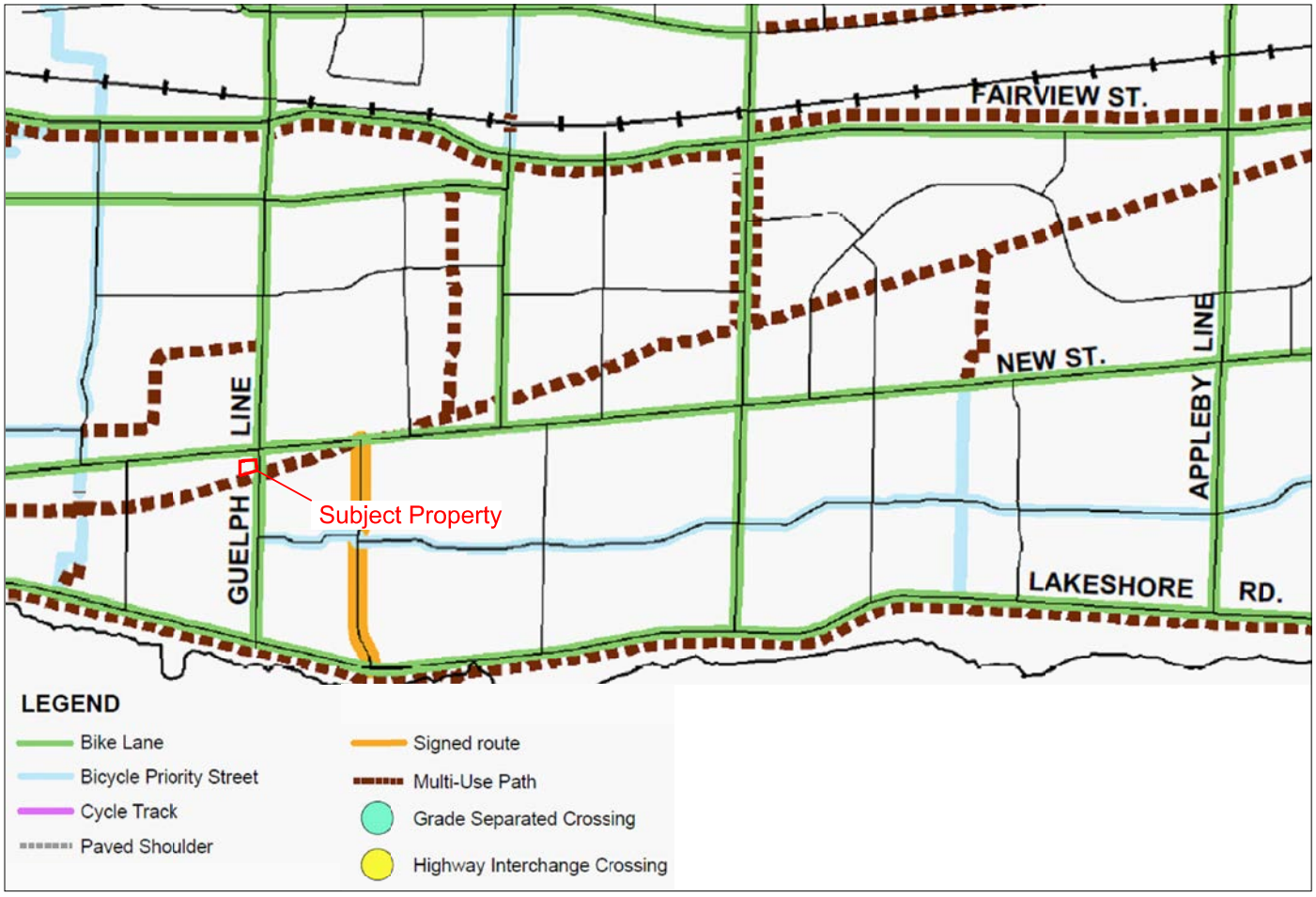


Figure 11: City of Burlington Official Plan, Schedule 2 - Long Term Bike Network

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 along Guelph Line, defining and providing a clear sense of enclosure to the public realm. The at-grade amenity space and abutting Waterfront Trail will animate the street frontages and contribute in creating a high-quality public realm development along an arterial corridor. The bulk and height of the building are concentrated away from surrounding low-rise neighbourhoods and the height is compatible with other nearby development proposals and existing mid-rise and high-rise buildings. The podium base of the proposed development will contain a perimeter landscaping around the edges of the site to provide a transition from adjacent sites.

The proposed development's main building façade is oriented along Guelph Line, a Minor Arterial, and enhances the streetscape through locating its entrances along this frontage as well. The proposed landscaping along the northern frontage of the proposed development is appropriate given the adjacent parcel to the north, which creates a buffer from New Street, thereby maintaining the intent of the policies to avoid the appearance of a blank street wall. 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 predominant built form in the area are low- and mid-rise developments, which don't provide the full suite of housing types available for the area, given the land use designation of Residential – High Rise that surrounds the subject property and permits high density development. The proposed development makes use of lands that are available to provide Burlington with a larger range of housing options as well as multiple unit sizes, in a high-rise built form.

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.

The proposed development will introduce 170 new residential condominium units. 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. The subject property is adjacent to the Waterfront Trail which is identified as a Multi-Use Path for active transportation such as recreation and commuting.

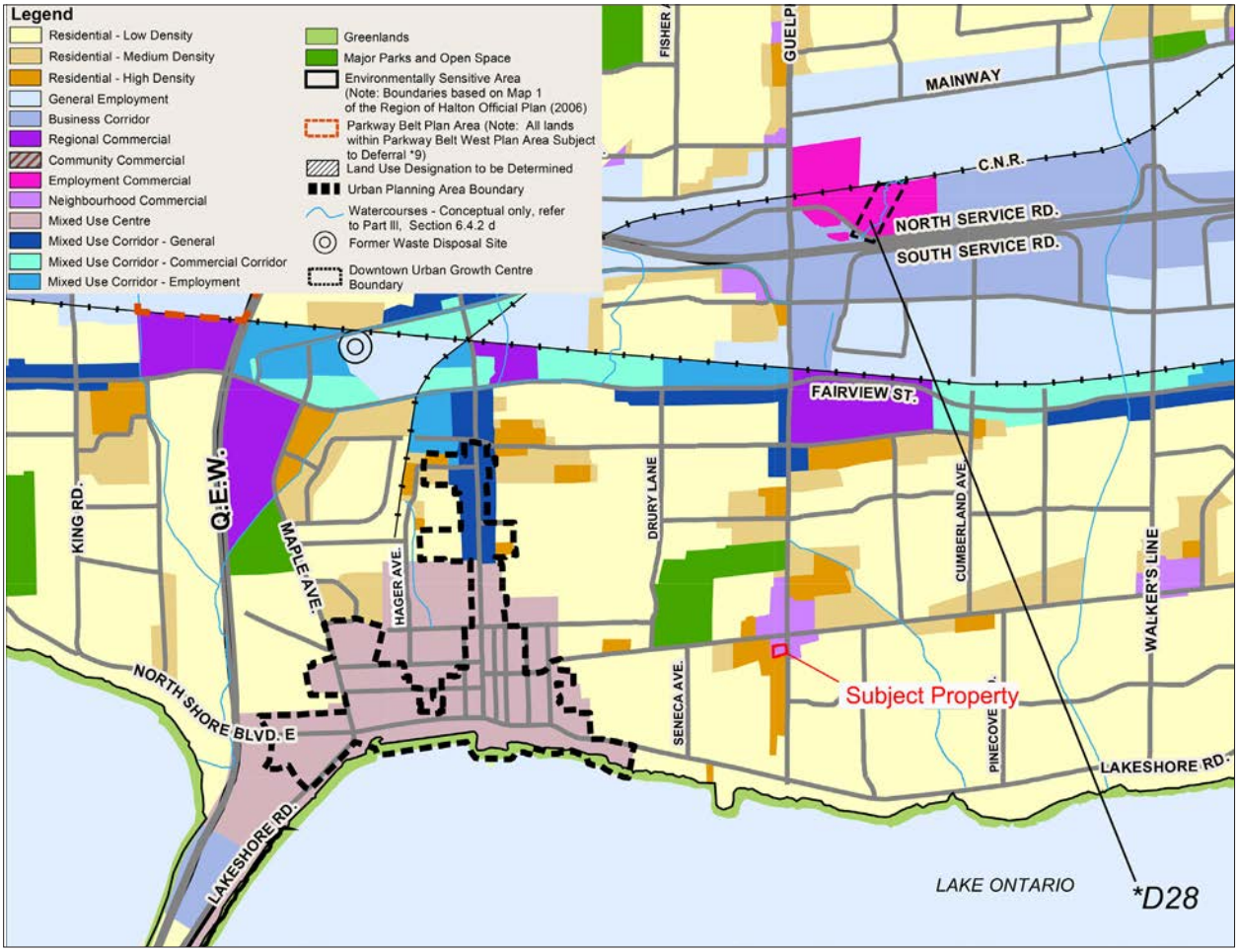


Figure 12: City of Burlington Official Plan, Schedule B – Land Use

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 change the designation of the subject lands from Neighbourhood Commercial to Residential – High Density areas. The proposal exceeds the permitted Residential- High Density designation's density of 185 units per net hectare. An Official Plan Amendment to increase the permitted density is needed to permit 446 units per hectare and a FAR (Floor Area Ratio) of 3.6.

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 neigh¬bourhood character. The proposed development will include a mix of residential condominium units that are primarily concentrated on floors 3-11, and amenity space in the podium (floors 1-3). 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 13 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 appropriately setback and designed to minimize impact from the low-rise Roseland neighbourhood area to the south-east.

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 N*eighbourhood Commercial* uses are outlined in Part III, Section 4.3.2, subsection g.).

The proposed development seeks to change the designation from *Neighbourhood Commercial to Residential - High Density*. The podium (first three storeys) of the development promotes the nature of the *Neighbourhood Commercial* designation while following the residential intensification policies to provide for greater housing options and density on the site while maintaining appropriate sun-shadowing design.

This development is located at the southwest intersection of two Minor Arterial Roads (Guelph Line and New Street) and will provide adequate parking with a total of 220 spaces between surface parking and the building's parking garage. 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.

In addition, the subject property is serviced by primary bus services and with 170 new condominium units, this will add to the usage of the transit system creating a higher demand for greater transit infrastructure in the future.

Summary

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

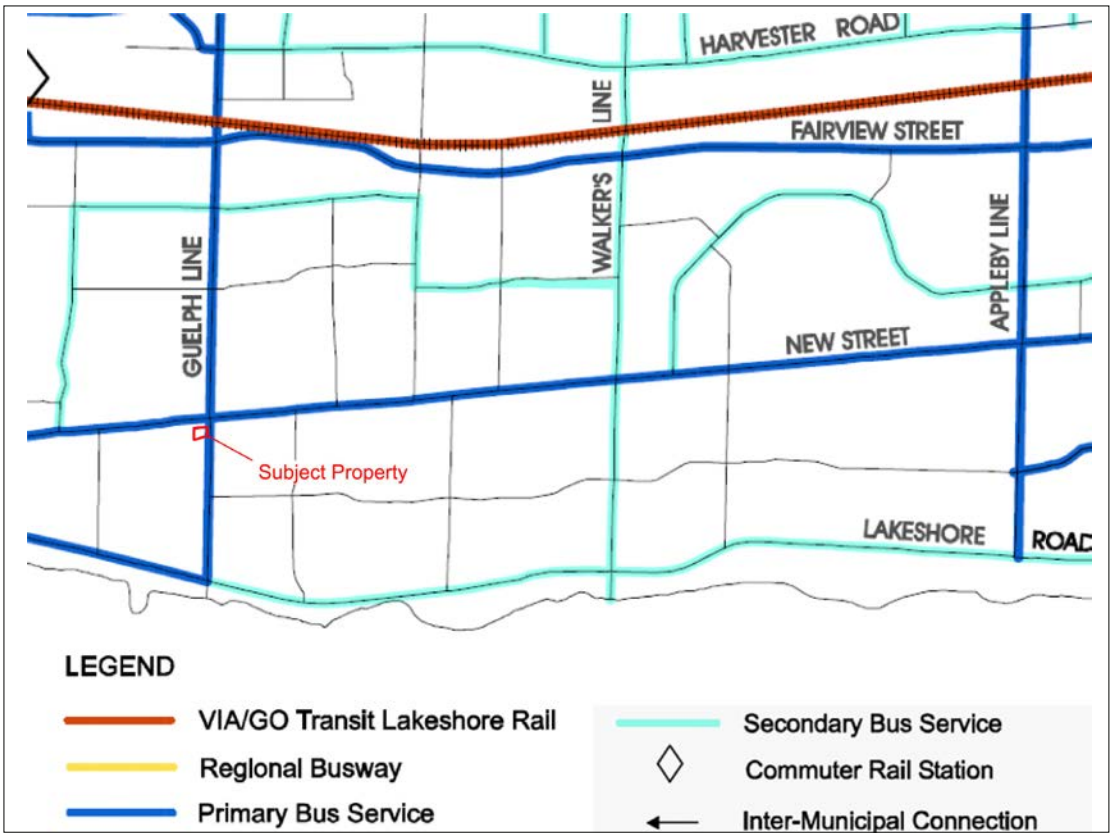


Figure 13: City of Burlington Official Plan, Schedule 1 - Long Term Transit Service Network

5.5 City of Burlington Draft New Official Plan (April 2018)

Burlington City Council adopted the new draft Official Plan in April 26, 2018 (Draft New OP). During Halton Region's review of the adopted OP they identified areas where it did not conform to the regional Official Plan, including:

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

As City Staff endeavour to address the issues raised by the Region, the City will be reviewing other components of the adopted Draft New OP. It is acknowledged that City Council passed a motion in February, 2019 that directs the Director of City Building that until such time as a revised OP is brought forward and adopted by Council and sent to the Region for approval, that the adopted Draft New OP policies will not be given weight in evaluating development applications that may be processed in the interim period, including the one proposal by Waldermer LP.

It is our understanding that Council's March 18, 2019 workshop regarding the direction of the Draft New OP review scoped Staff's work to the re-examination of the proposed Downtown Precinct Plan and clarification of the Neighbourhood Centres polices which the subject lands are designated. While it is understood that Staff cannot give weight to the polices of the Draft New OP, it is our opinion that there is merit in its review as they have been adopted by Council and Staff will only be clarifying the 2018 policies and not re-examining them during this interim period.

The subject property is designated Neighbourhood Centre in the Draft New Official Plan. This permits residential developments. 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. The Draft New Official Plan identifies Guelph Line as a Candidate Frequent Transit Corridor and New Street as a Secondary Mobility Hub Connector. The subject lands are also identified 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 contains 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 subject property provides an opportunity for greater enhancements to the public realm, through the use of retail space near the intersection of Guelph Line and New Street, while encouraging population growth through the development of high-density residential dwelling units.

Growth Framework

Section 2.4.2(2)

Secondary Growth Areas:

ii. Shall be recognized as a distinct area within

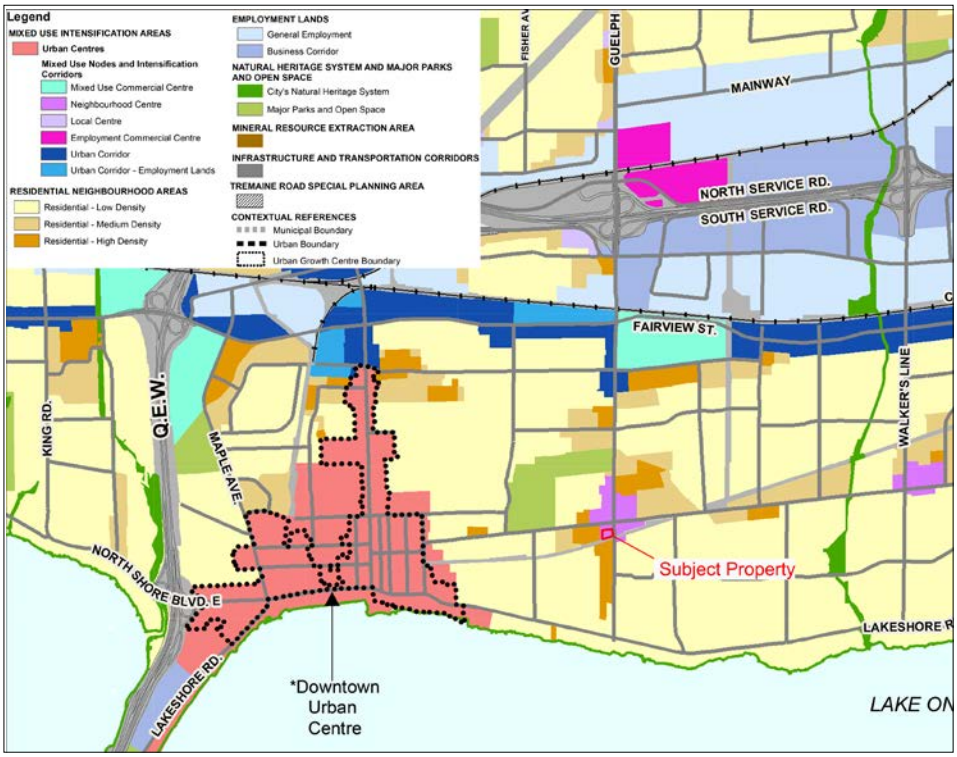


Figure 14: Draft New Official Plan Schedule C – Land Use

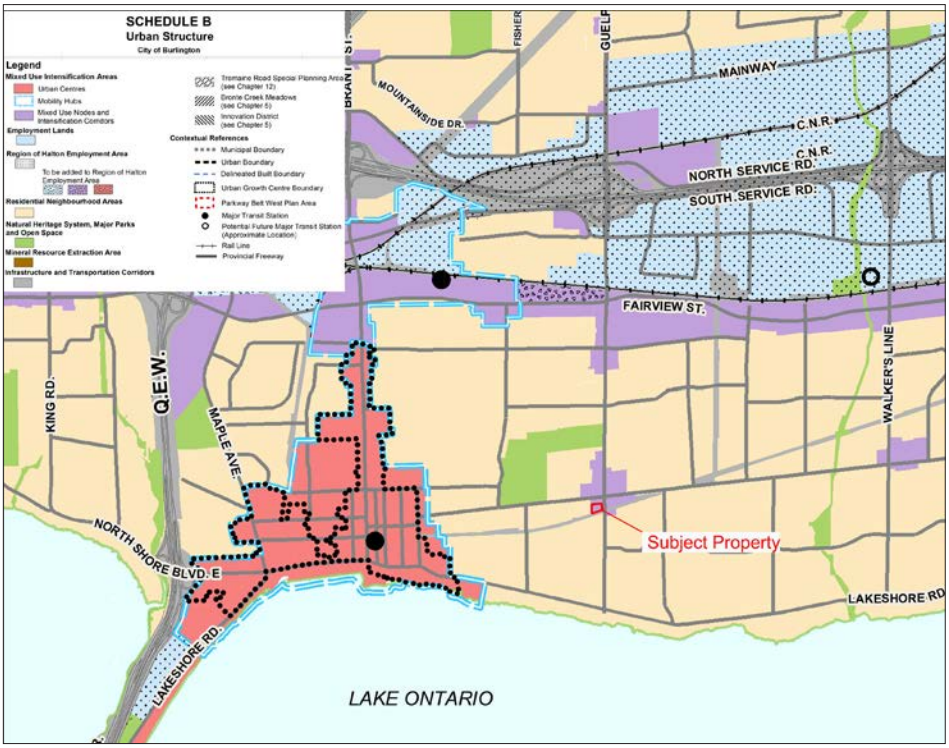


Figure 15: Draft New Official Plan Schedule B – Urban Structure

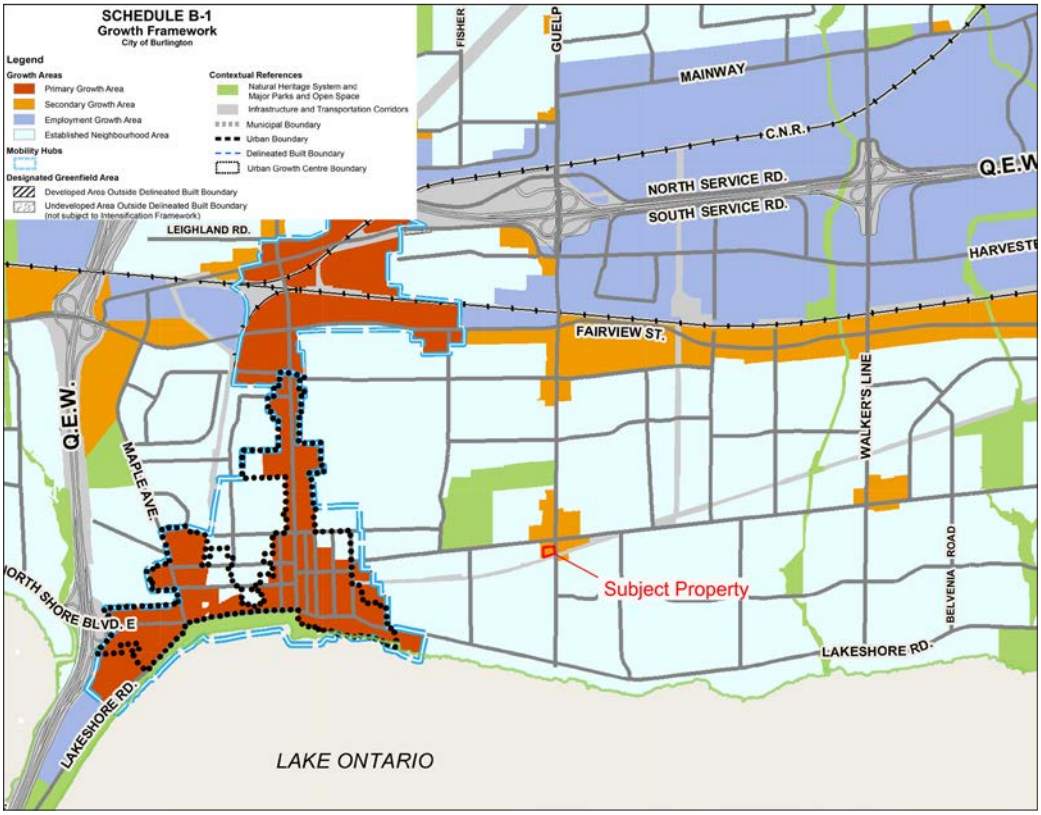


Figure 16: Draft New Official Plan Schedule B1 – Growth Framework

the city's Urban Area accommodating growth primarily within the permissions and densities of the current land use designations of this Plan;

Part 4 Environment and Sustainability

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 property and from the surrounding land uses. 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 risk assessment will be filed accordingly.

Part 6 Infrastructure, Transportation and Utilities

Multimodal Transportation

Section 6.2.4(1)

g) To require that new development provides adequate active transportation connections to a public right-of-way

Section 6.2.4(2)

h) The continued integration of cycling with transit modes shall be required through adequate and secure bicycle parking and related end-of-trip facilities.
j) Streets, sidewalks and walkways shall be designed to provide more direct active transportation access from the interior of blocks to transit locations and public rights of way. At the site plan application stage, proposed development shall be required to provide direct, safe, convenient and attractive interior pedestrian access through the site.

The proposed development has the potential to act as an end-of-trip area, where people who are commuting using the Waterfront Trail can store their bicycles and return home. The proposed development provides for an access point along its Guelph Line frontage to the Waterfront Trail; however, does not provide an internal direct access as there is a City owned parking area between the subject property and the Waterfront Trail.

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 is approximately 50-metre setback from. 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

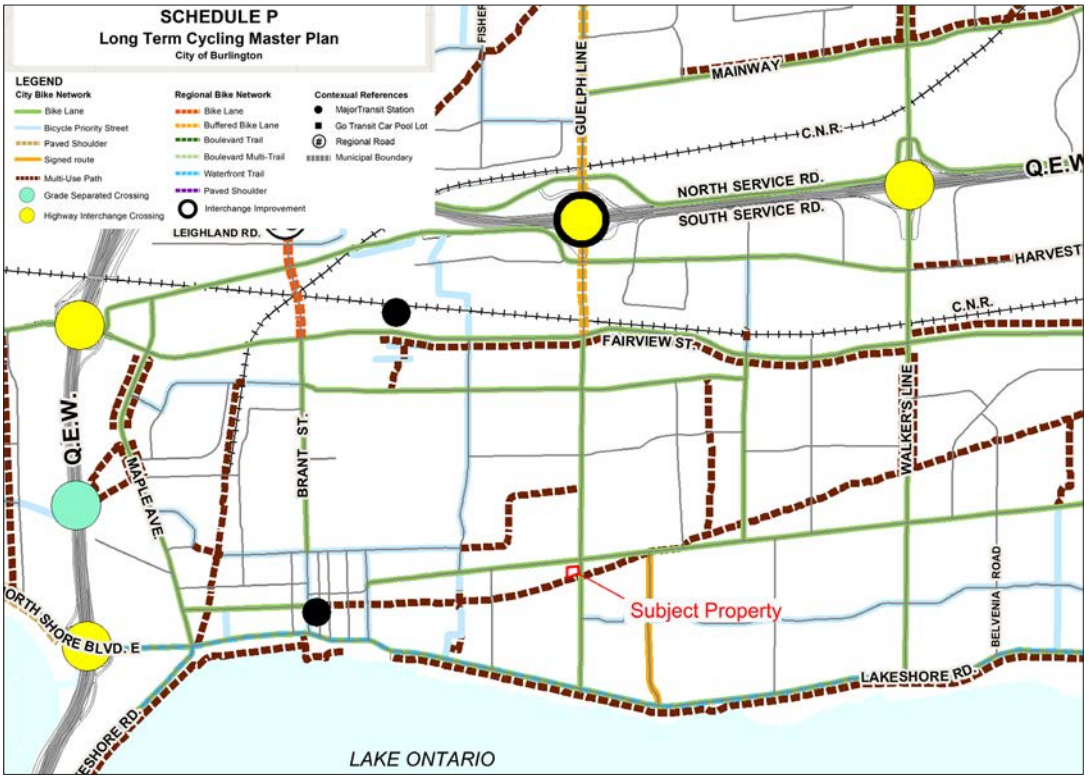


Figure 17: Draft New Official Plan Schedule P - Long Term Cycling Master Plan

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 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 enhances the mix of uses within the neighbourhood 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.

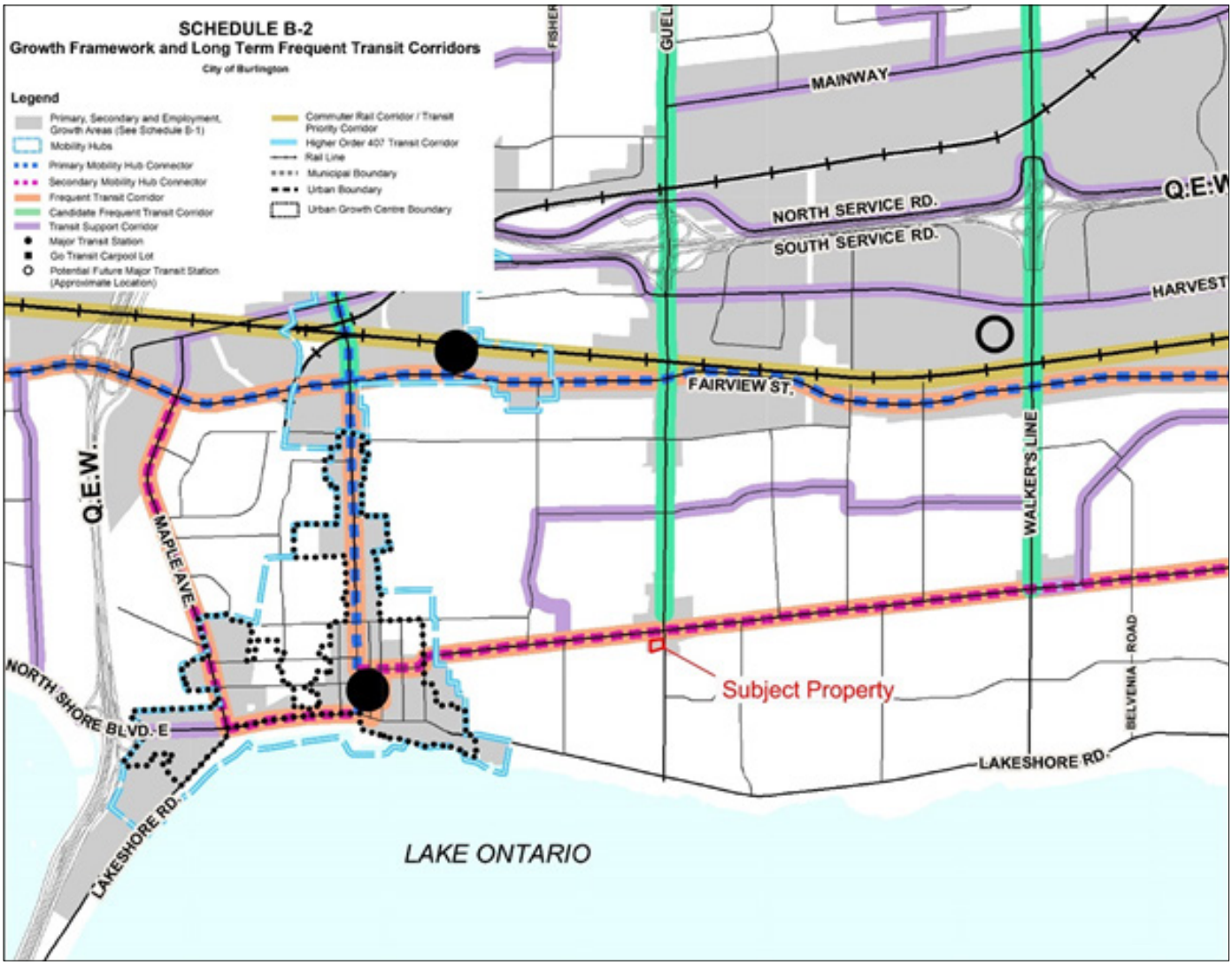


Figure 18: Draft New Official Plan Schedule B-2 - Growth Framework and Long Term Frequent Transit Corridors

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 diverse range of household sizes and various living requirements. In addition, the design contemplates a compact form and density with a built form that historically encourages tenants to 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 designated as Neighbourhood Centre which permits an array of uses such as residential and employment uses. Tenants of the building will be making use of the transportation services and other land uses available in the surrounding area, which allows for an efficient use of the transit network and community services and facilities, which are accessible

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.

of design, while mitigating potential impacts on adjacent uses, open spaces, and public spaces.

The proposed height of 13 storeys and density of 3.6:1 exceeds the planned maximum of 11 storeys and 2.5:1, respectively; however, the proposed density is representative of the demand for high density residential units and in response to the Provincially mandated growth policies discussed above.

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 a 13-storey building with a three-storey podium. An Urban Design Brief prepared by KNYMH Architecture has been submitted with this application and is meant to be read in conjunction with this Planning Justification Report. The Urban Design Brief submitted demonstrates how the proposal achieves excellence in architecture and quality of design, while mitigating potential impacts on adjacent uses, open spaces, and public spaces.

The proposed height of 13 storeys and density of 3.6 exceeds the planned maximum of 11 storeys and 2.5:1, respectively; however, the proposed density is representative of the demand for high density residential units and in response to the Provincially mandated growth policies discussed above.

Part 11 Public Participation and Engagement

Public and Agency Participation

Section 11.2.1

General Policies

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.
The proposed development's public consultation strategy will be further discussed in Section 8 and will follow the policies outlined in the Draft New Official Plan, noted above.

Summary

The proposed development is a form of appropriate, planned intensification that is described in the current Official Plan. The development proposal will provide the area with a mix of housing options and retail space while promoting intensification accordingly to the area. Further, the neighbourhood's current building form, density and scale are maintained as the proposed condominium and retail space is compatible with the existing built environment. The policies of the Draft New Official Plan are not currently in-force for the subject property; however, these policies have been adopted by council and will become in effect and therefore, we must address them.

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. The proposed development seeks to rezone the subject lands to the RH4 – Residential High-Density zone. The RH4 zone permits residential apartment buildings. Site specific amendments are required to accommodate the proposed development.

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 for additional commentary on proposed zoning amendments.

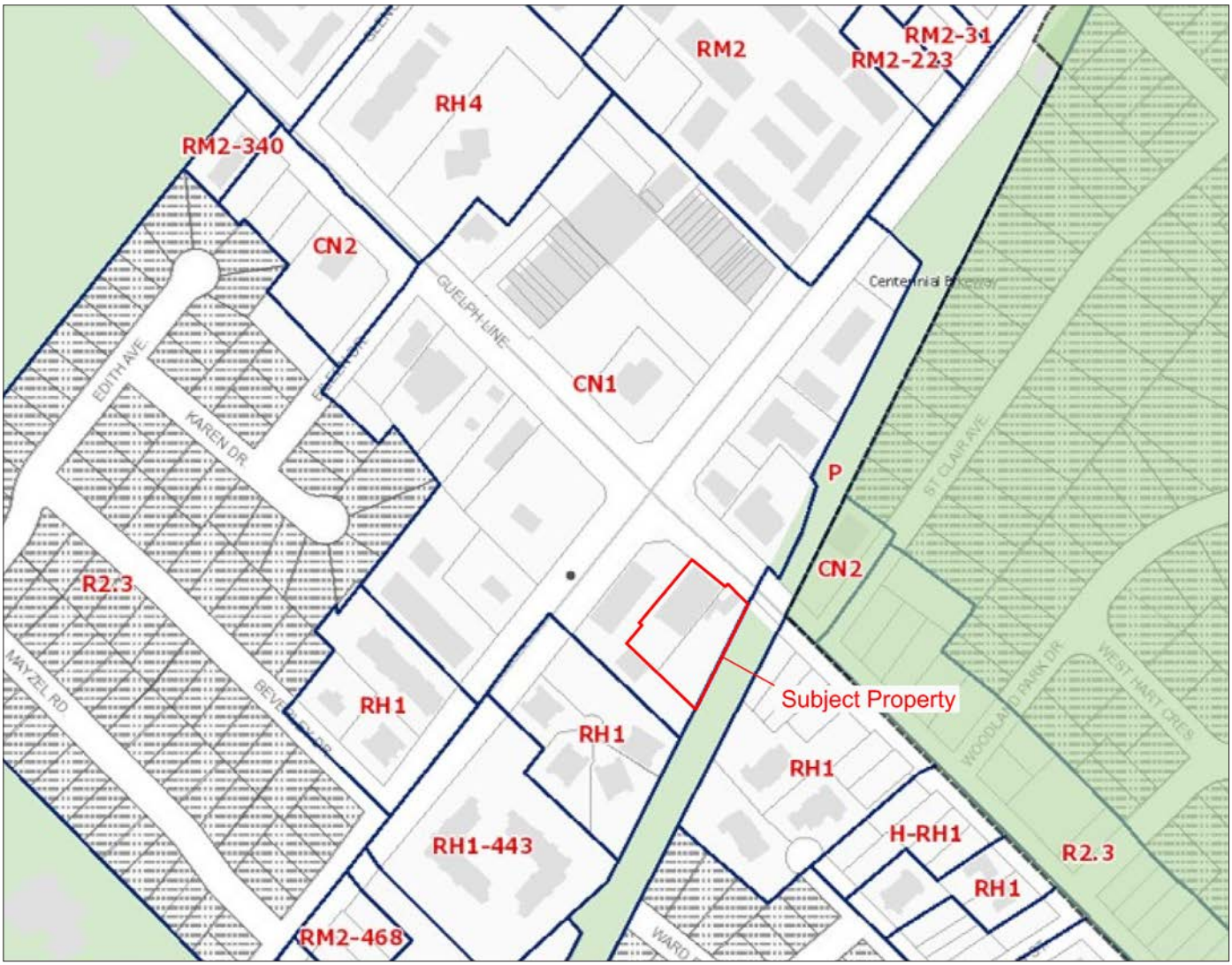


Figure 19: By-law 2020 Zoning Map (Extract)

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6. NON-STATUTORY DOCUMENTS

6.1 Burlington Tall Building Design Guidelines (May 2017)

The City of Burlington in collaboration with Brook McIlroy, prepared the Tall Building Guidelines as a resource for developers and architects designing tall buildings in the City of Burlington. In spring 2017, Burlington City Council approved the Tall Building Guidelines. Through its performance standards, the guideline document also promotes urban design excellence and supports vibrant streets. The guidelines are applicable across the entire City and provide design direction for the components of tall buildings: Building Base (Podium); Building Middle (Tower); Building Top. The Tall Building Guidelines apply to buildings with heights greater than 11 storeys and as such, are applicable to the proposed development. Considering the proposed building height is marginally greater than the eleven (11) storey threshold some exceptions have been made as it relates to massing and design. The provided Urban Design Brief prepared by KNYMH Architects provides discussion on how the proposed development satisfies these guidelines.

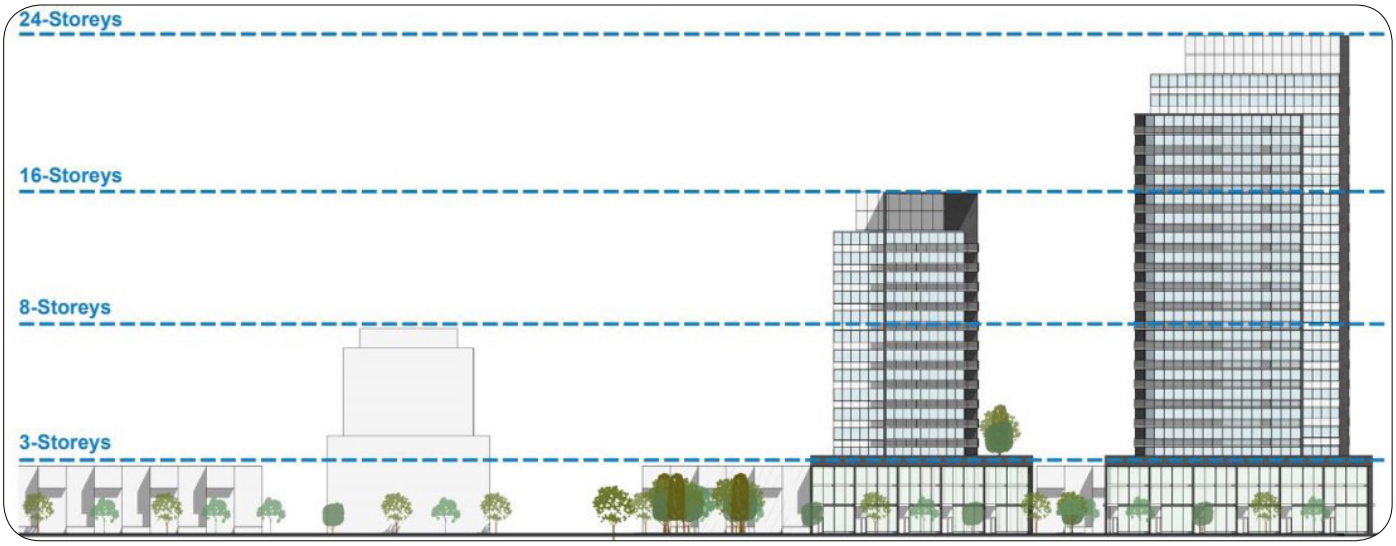


Figure 20: Burlington Tall Building Guidelines – Tower Height and Massing

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7. DESCRIPTION OF PLANNING APPLICATIONS

7.1 Proposed Official Plan Amendment

The purpose of the amendment is to permit the development of a 13-storey tower with a 3-storey podium with above ground parking containing 170 units and appropriate stepbacks to meet the angular plane design as discussed in the Urban Design Brief prepared by KNYMH Architects.

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 446 units per net hectare, a combined Floor Area Ratio of 3.6, and a maximum building height of 13 storeys.

7.2 Proposed Zoning By-law Amendment Guidelines (May 2017)

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 3 below.

	By-law Section	Regarding	Required (*RH4*)	Provided
Part I - General Provisions	Part 2.3.3	Balcony projection:	In RH4 zones a canopy may project into a required front or street side yard up to half the distance of the required yard. Front Yard Setback Floor 1-3 = 2.4m Front Yard Setback Floor 4-12 = 4.4m Front Yard Setback Floor 13 = 7.9m **Required Canopy Projection Floor 1-3 = 1.2m** **Required Canopy Projection Floor 4-12 = 2.2m** **Required Canopy Projection Floor 13 = 3.95m**	**Provided: 2.2m** for all balconies **Provided: 2m** for canopies, cornices, door swings, steps/stairs, roof overhangs and other architectural features
	Table 1.2.6	Parking Standards for Apartment Building	1.25 spaces per one-bedroom unit * 103 units = 163.75 1.50 spaces per two-bedroom unit * 33 units = 52.5 1.75 spaces per three or more bedroom * 4 units = 7 0.35 visitor spaces per unit *162 units = 59.5 **Total Required = 282.75 spaces**	IBI Group Study Requirements 1.00 spaces per one-bedroom unit *131 units = 103 1.25 spaces per two-bedroom unit * 35 units = 41.25 1.50 spaces per three or more bedroom unit * 4 units = 6 Total of 150.25 Resident Spaces 0.20 visitor spaces per unit * 170 units = 34 **Total Required (IBI) = 184.25 spaces** **Total Provided = 220 spaces**
Part II - RH4 Zoning Provisions	Table 2.14.1	Minimum Front Yard	7.5m plus 1 m for each storey above 6 storeys to a maximum of 15m. **Required:** Floor 1 - 6 Requirement: 7.5m Floor 7 Requirement: 8.5m Floor 8 Requirement: 9.5m Floor 9 Requirement: 10.5m Floor 10 Requirement: 11.5m Floor 11 Requirement: 12.5m Floor 12 Requirement: 13.5m Floor 13 Requirement: 14.5m = (7.5m + 7m)	**Provided Minimum Front Yard:** Floor 1 - 3 = **2.4m*** Floor 4 - 12 = **4.4m*** Floor 13 = **7.9m*** *excluding permitted projections
	Table 2.14.1	Minimum Side Yard & Minimum Rear Yard	Buildings Over 6 Storeys: ½ the height of the building plus 1 m for each 5 m wall length exceeds 30m Building Height: 46m/2 = 23m **Required Side & Rear Yard: 7.35m**	**Provided:** Rear Yard = **2.6m** Side Yard = **2.6m**
	Table 2.14.1	Maximum Density	**Required Minimum Density: 50 units per hectare** **Required Maximum Density: 100 units per hectare**	Site Area = 0.381816 ha Units = 170 **Provided Density: 446 units per hectare**
	Table 2.14.1	Minimum Amenity Area	25 m^2 per bedroom; 15 m^2 per efficiency unit 25m^2 x 181 = 4,525m^2 15m^2 x 30 = 450m^2 Required Amenity Area: 4975m^2	**Provided Amenity Area: 3609.73m²**
	Table 2.14.1	Building Height	**Required: 12 Storeys**	**Provided: 13 storeys**
	14.2	Landscape Area and Buffer	4.5 m abutting a street having a deemed width up to 26 m **Required: 4.5m along Guelph Line**	**Provided: 0m**

Table 3 - Zoning Comparison

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8. PUBLIC CONSULTATION STRATEGY

The Planning Act amendments are implemented through the Smart Growth of Our Communities Act (Bill 73). The Act requires that any submitted development application is to outline its public consultation strategy. The public consultation strategy that has been implemented and continued to be utilized is outlined below. The in-force Burlington Official Plan does not include specific policies regarding this; however, Section 11 of the Draft New Official Plan does outline Public Participation and Engagement Policies as noted in section 5.5 and summarized below as it relates to the proposed development:

- 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 following submission of the development applications;
- 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
- 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;
- A pre-submission neighbourhood open house was held on April 29th, 2019 to gather feedback from the public prior to the submission of the official plan and by-law amendment applications; the development was revised from 16 to 13
- 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.

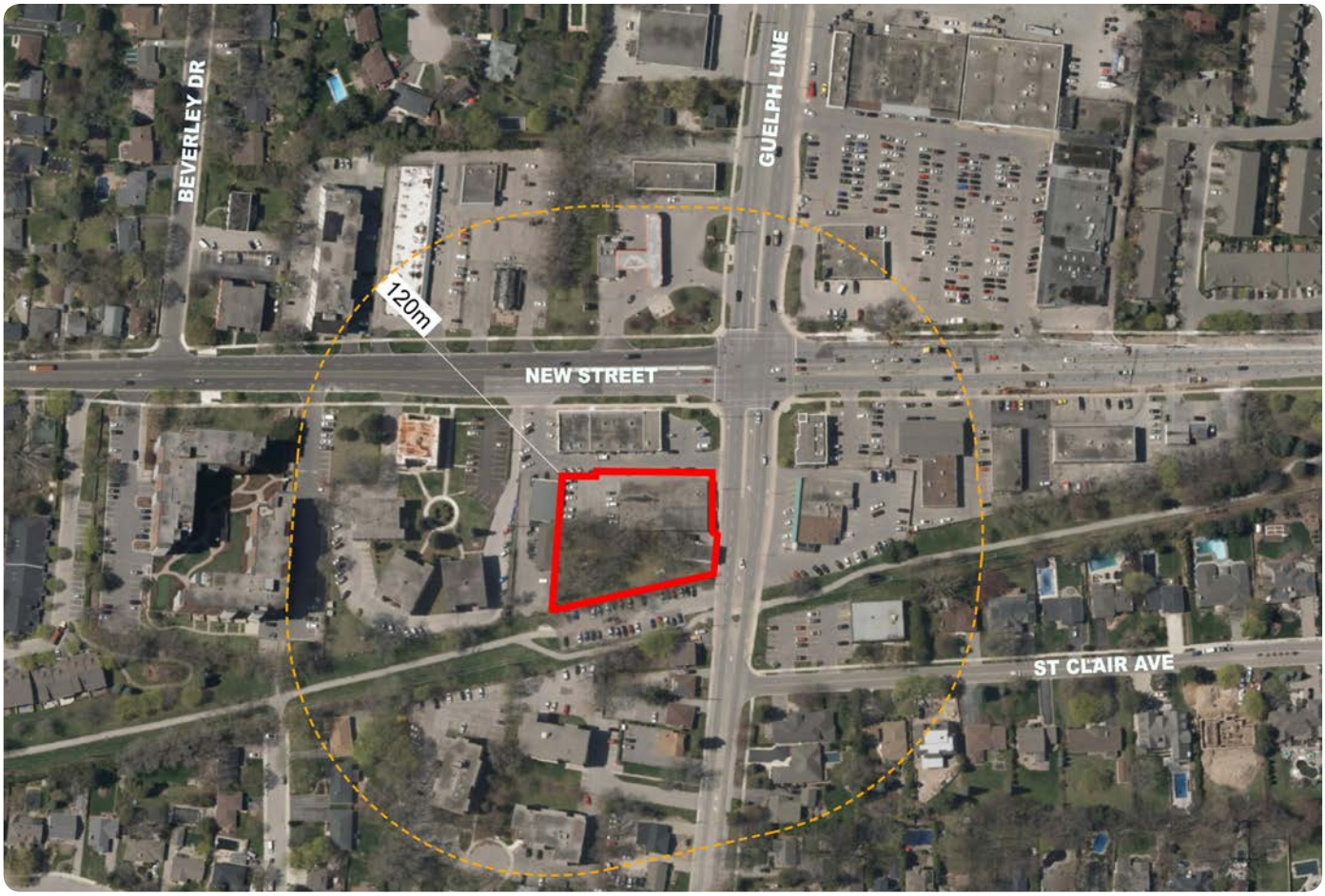


Figure 21: 120 metre Radius from Subject Property

Neighbourhood Open House

In accordance with Valour Capital's Public Consultation Strategy, a Neighbourhood Open House was held at the Burlington Senior's Centre at 2285 New Street in Burlington on Monday, April 26th, 2019 from 6:30 pm- 8:30 pm. A total of nine (9) stakeholder representatives were in attendance including, the City of Burlington Mayor, two City Councilors, City Planning Staff, KYNMH Architects, Millington & Associates, and Valour Capital. Approximately 15 members of the public were in attendance to participate and learn at the Open House. The Open House representatives set up the auditorium with presentation boards showing the project materials. Members of the public took advantage of the opportunity to engage with the Mayor, City Councilors, City Staff, Applicant, and the consultants to learn more about the project.

The Public Presentation began with introductory remarks from the Ward 2 City Councilor, Lisa Kearns. Following the introduction, City Planning Staff representative, Rosalind Minaji, explained to the public the planning process, the applicable planning policy in relation to the subject site, and the circumstances of the Official Plan Amendment and Zoning By-Law Amendment. Next, the Architect, Owner, and Consultants presented a project overview to the public. Przemyslaw Myszkowski from KYNMH Architect's presented information which included the neighbourhood context, accesses to the site, relationship with adjacent uses, architectural design and features, site statistics, internal programming of the building, and the shadow study. Tony Millington from Millington & Associates provided a background of the development work done so far while Kyle Bittman of Valour Capital provided a recap of how the architectural features, urban design features, the Official Plan Amendment, and the Zoning By-Law Amendment are appropriate in a site and neighbourhood context.

Following the Public Presentation, the Question and Answer Period was held over the course of an hour. Local residents had the opportunity to ask questions and have their concerns addressed by the nine stakeholder representatives. Discussions around the topics of traffic movement, bike parking, site contamination, on-site trees, and densities consumed the entirety of the Question and Answer Period. To conclude the meeting, Councilor Kearns reiterated how further public comments could be made and how the public can stay informed as the project moves forward. The execution of the Neighbourhood Open House effectively fulfilled one of the objectives of Valour Capital's Public Consultation Strategy and demonstrates their commitment to facilitating public engagement throughout the planning process.

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

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9. PLANNING JUSTIFICATION AND ANALYSIS

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 that is compatible and consistent with existing and proposed high density development. 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 follow benchmarks for appropriate height and density already existing in the New Street and Guelph Line area.

The proposed development is compatible with the surrounding land uses.

The proposed development is compatible with the surrounding land uses and does not create any adverse impacts to the low-rise residential dwellings to the south as the proposed development implements a 45 degree angular plane to limit shadow and overlook impacts.

The existing neighbourhood contains a variety of older, single and two-storey, detached, semi-detached and townhome dwelling types, as well several mid- rise apartment buildings, 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 will not conflict with the overall nature and history of the neighbourhood.

The proposed development's ground floor is made up of a 3-storey podium which will contain space for resident, tenant, and visitor parking, as well as amenity space. Further, the nearby civic and community facilities that are in close walking proximity will see an increase in patronage which will boost the overall demand and use of these places.

The proposed development will also embrace the Waterfront Trail by activating the southern façade. The treatments on the south podium wall will complement the pedestrian and recreational activity that is generated from the trail. By including a pedestrian access from the subject lands to the Trail, it will support its use and alternative modes of transportation.

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 neighbourhood and its future occupants.

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

The proposed development is in a suitable location for redevelopment as 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 low 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 Growth Plan's objective of prioritizing growth and intensification in the City of Burlington's Built-up Area. Furthermore, this form of residential development will help the City reach its intensification targets mandated by the Growth Plan, and has the potential to generate a greater utilization of the active transportation network that the City of Burlington is developing.

Although the proposed development does not include retail or commercials uses that are typically found within emerging transit- supportive developments, the subject land are in close proximity to existing commercial plazas. There are several commercial, office, retail, and service uses east of Guelph Line that will support, and will benefit from, the proposed development.

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 proposed development 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 Guelph Line, which is a Minor Arterial and changes to a Major Arterial north of Harvester Road. The subject property is bound by two roads (New Street and Lakeshore Road) which are also Minor Arterial roads as they channel vehicles in and out of the local areas to Regional and Provincial Transportation connections. In addition, Walkers Line and Brant Street northeast and northwest, respectively, provide another alternative connection to further transit connections, such as the Appleby GO Station and Burlington GO station. Burlington GO Station is approximately 2 km northwest of the subject property and Appleby GO Station is approximately 5 km away, which shows that the subject property is well serviced by the existing transit system, with multiple 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 Guelph Line and New Street and to the greater area of Burlington. There are several transit routes that provide connections to the downtown area and other destinations across the City such as the Waterfront Trail, which is south of the subject property. Passenger pick-up and drop-off stops are located at regular intervals along Guelph Line with a bus stop immediately in front of the subject property, as well as located north of 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 lots located at Guelph Line and the QEW. GO Transit train service at the Burlington GO Station provides connections west to the City of Hamilton and east to the City of 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 well supported by a range of community services and facilities, which, in our opinion will adequately serve the future residents of the proposed development (Figure 3).

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. Having these services within walking distance will contribute to the promotion of an active lifestyle.

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10. CONCLUSION

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

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.

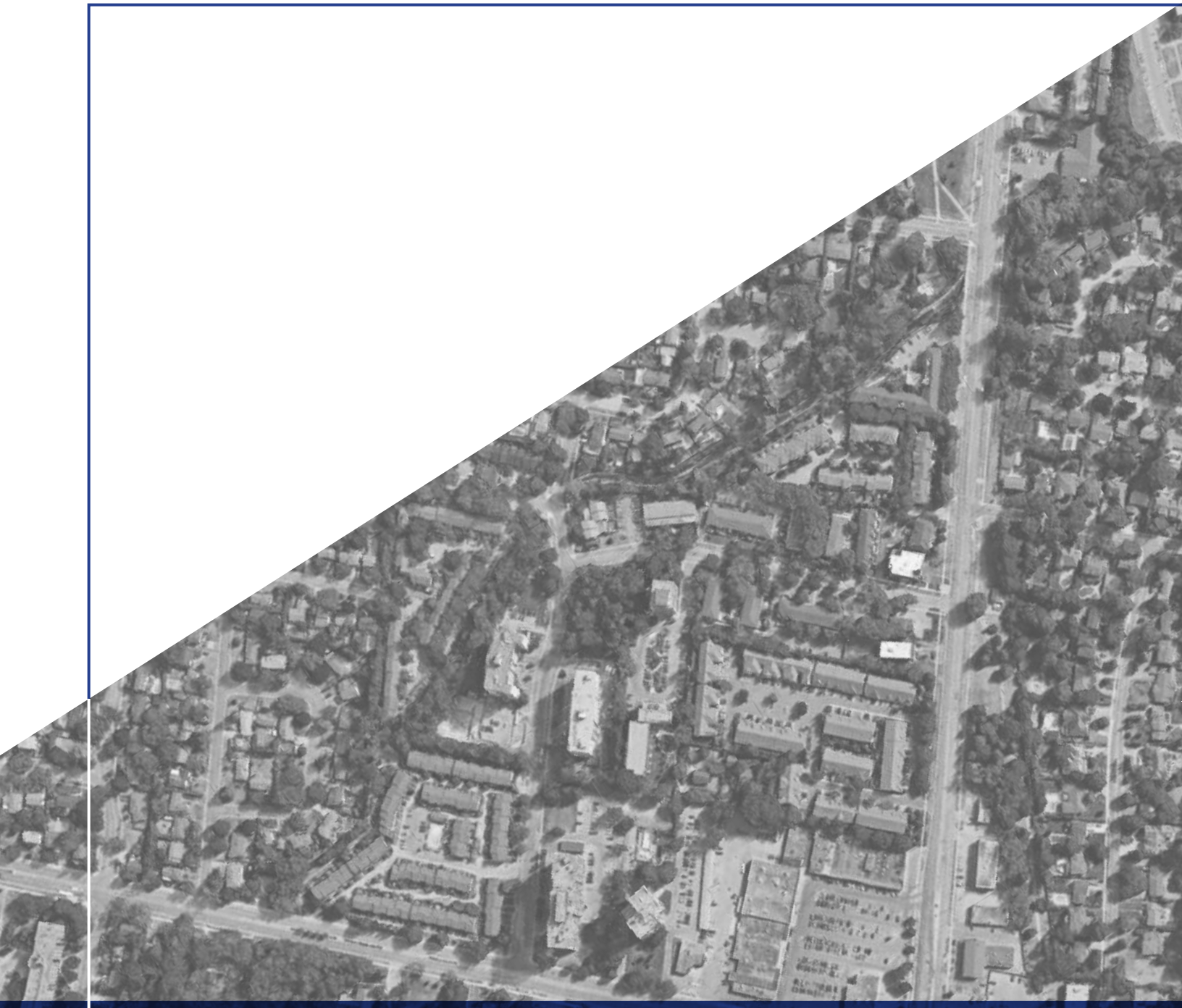
It is our opinion that the Waldemer Limited Partnership proposal represents good planning as it conforms and is aligned with to the policies of the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, and Halton Region Official Plan. Further, the proposal supports the City of Burlington's intensification targets found in both the current and new Draft Official Plan, while staying consistent with the required maximum density.

There remains a strong demand for varying residential unit sizes to accommodate individuals and families within the City of Burlington. The shortage of smaller and more affordable living options has created a demand for these type of living accommodations in the area. 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 Zoning By-law Amendment applications be approved by Burlington City Council.

Martin Quarcoopome, MCIP, RPP
Associate





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