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Planning Justification Report

2107 Old Lakeshore Road and 2119 Lakeshore Road

Date:

December 18, 2019

Our File: 18140A

EXECUTIVE SUMMARY

This Planning Justification Report, and the accompanying technical reports, support the proposed amendments to the City of Burlington's Official Plan and Zoning By-law for the redevelopment of 2107 Old Lakeshore Road and 2119 Lakeshore Road (the Subject Lands) for a 27 storey mixed-use building.

In considering proposed redevelopment in any area, careful consideration must be given to the existing physical context of the area, the existing and evolving character of the area, the policy and regulatory framework that directs and guides development, as well as sound planning principles which encompass social, economic and environmental objectives.

The proposed redevelopment provides for a well-designed 27 storey building in a tower-podium form. The first storey provides street-related uses which include retail and commercial space fronting onto Lakeshore Road and Old Lakeshore Road. The redevelopment provides for a significant improvement to the Lakeshore Road streetscape. The podium of the building includes a second floor providing indoor and outdoor amenity areas associated with building's residential units, while the remaining floors in the podium and tower provide residential dwelling units of various sizes and types. The top floor of the building consists of a mechanical penthouse, as well as rooftop outdoor amenity space. In total, the development will add 150 new residential units and 598 square metres of retail/commercial space to the City's Downtown Urban Growth Centre. Access is provided through a north-south driveway connecting Lakeshore Road and Old Lakeshore Road, and parking is located on 5 levels beneath the building.

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

The planning policy and regulatory framework applicable to the application has been reviewed to assess Provincial, Regional, and local policies and regulations, including the City's current Official Plan. This report demonstrates that the City's in-force Official Plan does not conform with the Growth Plan (2019) and is not consistent with the Provincial Policy Statement (2014), which necessitates the requested amendment to ensure the Subject Lands are developed in conformity with Provincial policy. This report confirms that the proposal will provide for consistency and conformity with Provincial and Regional policy by providing a compatible and appropriate level of intensification within the Urban Growth Centre, achieving minimum intensification requirements and optimizing the use of land and infrastructure in the Downtown. The Subject Lands represent a highly appropriate location for intensification and redevelopment, and the proposal reflects a well-designed, integrated development without adverse impacts.

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1.0 INTRODUCTION

MacNaughton Hermsen Britton Clarkson Planning Limited ("MHBC") has been retained by Carriage Gate Homes to assist with planning applications to redevelop the property municipally known as 2107 Old Lakeshore Road and 2119 Lakeshore Road in the City of Burlington (the "Subject Lands").

This Planning Justification Report has been prepared in support of the proposed Official Plan and Zoning By-law Amendments which will facilitate the redevelopment and intensification of the Subject Lands to include a twenty-seven (27) storey building containing 150 residential dwelling units and 598 square metres of grade related retail space, with five levels of underground parking as well as rooftop amenity space.

This Planning Justification Report provides the following:

- A description of the Subject Lands, existing uses, surrounding uses, area developments, and existing physical conditions to provide an understanding of the locational context;
- An overview of the historical context of the Subject Lands;
- A description of the proposed development and its design elements;
- A summary of the technical reports and studies prepared to support the proposal;
- A description of the proposed amendments to the 2008 City of Burlington Official Plan and Zoning By-law (By-law 2020);
- A review of the existing and evolving policy and regulatory framework;
- An assessment of the proposed development's consistency and conformity with Provincial, Regional and City policies and regulations; and,
- A summary of key conclusions and recommendations related to the proposed development.

The required pre-consultation meeting to discuss the proposal was held on May 2, 2018. City of Burlington and Halton Region staff were in attendance, along with the applicant. A record of the pre-consultation minutes is attached to this report as **Appendix 1**. A second pre-consultation meeting was held on July 17, 2019 with City and Regional staff. A record of the pre-consultation minutes from the second pre-consultation meeting is attached to this report as **Appendix 2**.

The following reports and materials were identified as required for a 'complete application' and are included as part of this application submission:

1. Planning Justification Report;
2. Conceptual Site Plan Layout;
3. Site Survey;
4. Stormwater Management Report;
5. Functional Servicing Report (including water, wastewater and stormwater);
6. Tree Inventory and Protection Plan;
7. Landscape Concept Plan;
8. Traffic Impact Study including Parking Justification Report;
9. Noise and Vibration Feasibility Study;

10. Shadow Analysis;
11. Environmental Site Screening Checklist;
12. Phase I Environmental Site Assessment;
13. Preliminary Remediation Summary;
14. Record of Site Condition Report;
15. Height Survey of Adjacent Buildings;
16. Heritage Impact Statement;
17. Wind Impact Study;
18. Burlington Urban Design Advisory Panel Meeting Minutes;
19. Urban Design Brief;
20. Grading, Drainage and Servicing Plans;
21. Geotechnical Report;
22. Draft Official Plan Amendment;
23. Draft Zoning By-law Amendment;
24. Construction & Mobility Management Plan;
25. Pre-Application Consultation Meeting Minutes;
26. Waste Management Plan;
27. Reference Plan and PIN Report; and,
28. 3D Model of Proposed Building(s).

Many of these reports are referenced in the overall assessment of the redevelopment proposal provided herein.

2.0 SITE DESCRIPTION AND SURROUNDING USES

2.1 Site Description

The Subject Lands are situated north of Old Lakeshore Road, east of Pearl Street, south of Lakeshore Road and west of Torrance Street East. The development is proposed on an assembly of properties municipally addressed as 2107 Old Lakeshore Road and 2119 Lakeshore Road. The Subject Lands are legally described as Part of Lots 10, 11, and 12, Block Q, Compiled Plan 92, City of Burlington.

A location map which identifies the Subject Lands within the context of the City of Burlington is included in this report as **Figure 1**. The Subject Lands are located within Downtown Burlington, in what is referred to as the Old Lakeshore Road Mixed Use Precinct in the City's Official Plan.

The Subject Lands are approximately 0.20 hectares (0.50 acres) and are located on a triangular shaped parcel bound by Lakeshore Road and Old Lakeshore Road. Access to the site is currently provided via both Lakeshore Road and Old Lakeshore Road. A one storey condominium sales and presentation centre for the Berkley Condos by Carriage Gate Homes, and a one storey medical office are located on the Subject Lands.

The site is currently underutilized as it is not being used for its full and optimal potential based on the existing capacity to accommodate development on the site. The site is slightly east of the terminus of Martha Street and Lakeshore Road and does not impede any view terminus to the Lake from Martha Street.

It is the intent that the existing buildings and structures on the Subject Lands be demolished and the site be redeveloped with a twenty-seven (27) storey building, five levels of underground parking, 150 residential units, 598 square metres of retail space at-grade and rooftop outdoor amenity space.



Data Source: First Base Solutions Aerial Flown 2019

Figure 1

Location Map

LEGEND

Subject Lands

2107 Old Lakeshore Road &
2119 Lakeshore Road
Burlington, Ontario

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2.2 Surrounding Uses

An aerial photograph showing the Subject Lands and the surrounding land uses is included in this report as **Figure 2**. The general surrounding context is described further in this section. The surrounding uses are also described as follows:

NORTH: A number of mid- and high-rise residential apartment buildings are located to the north of the Subject Lands. The approved ADI development (The Nautique) will be located northwest of the Subject Lands at 374-380 Martha Street and, upon completion, will add a 26 storey residential building to the landscape. An additional development application was submitted to the City at 2069-2079 Lakeshore Road, which is also located northwest of the Subject Lands adjacent to the ADI development, and proposes to redevelop the site to include a 29 storey mixed-use building.

EAST: A row of two storey townhouses are located to the east of the Subject Lands, followed by a number of mid- and high-rise residential apartment buildings located along the shoreline of Lake Ontario.

SOUTH: A row of two storey townhouses are located to the east of the Subject Lands, followed by a number of mid- and high-rise residential apartment buildings located along the shoreline of Lake Ontario.

WEST: A variety of two storey commercial and residential buildings are located to the West of the Subject Lands, which are identified as listed properties on the City's Municipal Heritage Register. The site to the immediate west is subject to a recent development application which proposes to redevelop the site to include a 27 storey mixed-use building (2093, 2097, 2101 Old Lakeshore Road, 2096, 2100 Lakeshore Road).



Data Source: First Base Solutions Aerial Flown 2019

Figure 2

Surrounding Uses

LEGEND

Subject Lands

Other Parcel Boundary

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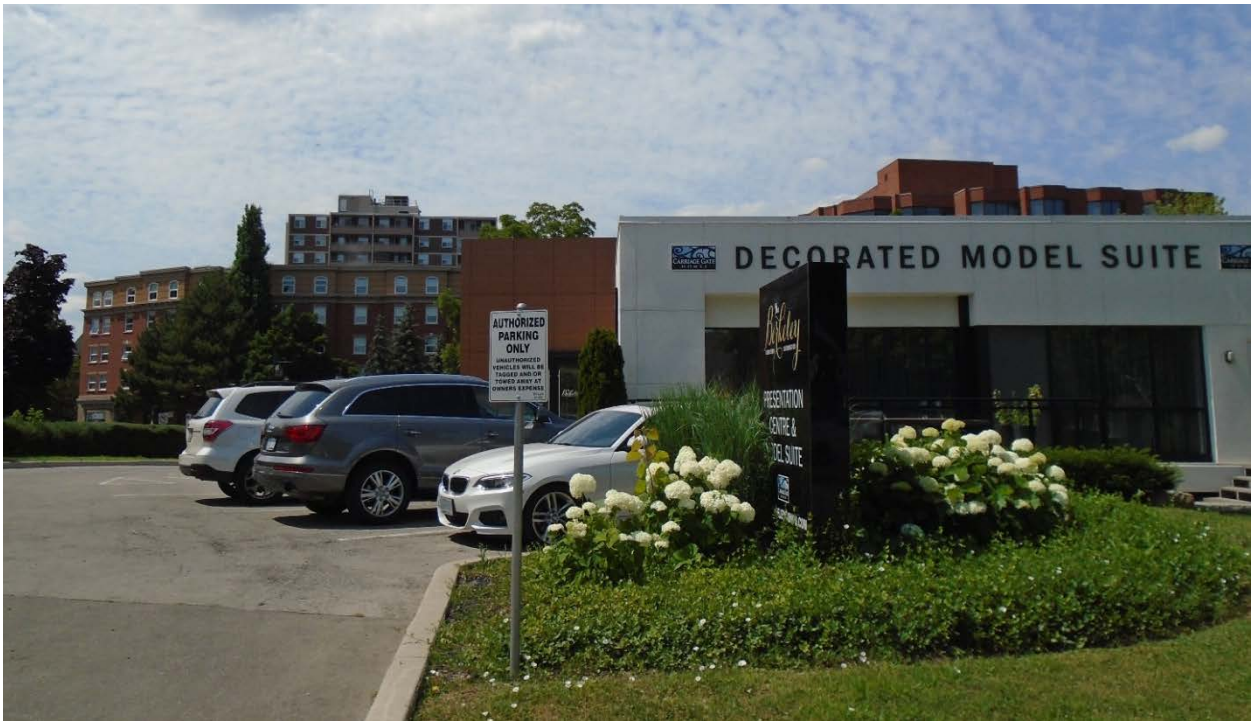
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2107 Old Lakeshore Road &
2119 Lakeshore Road
Burlington, Ontario

N:\18140\A - 2107 and 2119 Old Lakeshore Rd, Burlington\2018\PJR\Figures\CAD\18140A_Figure Mapping_July 2018.dwg

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Photographs 1-12 provide visual reference of the site and surrounding uses



Photograph 1: North view of Subject Lands from Old Lakeshore Road



Photo 2: South view of subject property from Lakeshore Road



Photo 3: West view of subject property from Old Lakeshore Road



Photo 4: View of 2122 and 2128 Old Lakeshore Road, south of subject property



Photo 5: View of 2136 Old Lakeshore Road, east of subject property


Photo 6: View of 2160 Lakeshore Road, east of subject property



Photo 7: View of 360 Torrance Street, northeast of subject property



Photo 8: View of 2121 Lakeshore Road, north of subject property



Photo 9: View of 2076 to 2084 Old Lakeshore Road, southwest of subject property


Photo 10: View of 2075 Old Lakeshore Road, west of the subject property



Photo 11: View of 2097 and 2101 Old Lakeshore Road, west of the subject property



Photo 12: View of 2054 Lakeshore Road (under construction) and future development site of the approved ADI development (The Nautique) – west of subject property

2.3 Neighbourhood Context

The Subject Lands are located within Downtown Burlington, in a predominantly mixed-use area that consists primarily of residential uses with retail commercial uses typically located within the podium (ground floor level) of buildings or in 1-2 storey standalone buildings. The Subject Lands are immediately surrounded by a mix of mid-rise and tall buildings situated along Lakeshore Road. Low-rise residential buildings and commercial/mixed use buildings are also situated in the surrounding area. Lake Ontario is located south of the Subject Lands, while residential apartments and single detached homes are located further to the north. It is important to note that the Subject Lands are located within an area of transition and change, which has resulted in an emerging built form consisting of taller buildings of higher densities. A building height survey of adjacent properties was undertaken and included with this application. **Table 1** provides a summary of adjacent building heights located within a 600m radius of the Subject Lands, while **Figure 3** includes a height survey drawing prepared by A.T. McLaren Limited. While there is a broad range of existing and approved building heights in the neighbourhood, the area is clearly evolving to accommodate much needed housing to meet growth needs. The immediate area is also clearly reflective of some of the tallest buildings in the Downtown.

Table 1: Summary of Adjacent Building Heights

Building Location	Height (storeys)	Area (hectares)
2121 Lakeshore Road	7	.40
2109 Lakeshore Road	5	.28
2069 Lakeshore Road	2 (Proposed 29 storey redevelopment)	.09
374 Martha Street	26	0.17
395 Martha Street	12	0.50
360 Torrance Street	15	1.23
2160 Lakeshore Road	18	0.84
2170 Lakeshore Road	8	0.24
2190 Lakeshore Road	13	0.59
2210 Lakeshore Road	9	0.53
2054 Lakeshore Road	8	0.21
2048 Lakeshore Road	7	0.18
2042 Lakeshore Road	22	0.29
2082-2090 James Street	18	0.23
2025 Maria Street	17	0.22
421-431 Brant street	23	0.20
401-413 Brant Street	24 requested by applicant, 18 approved by Council (LPAT Appeal)	0.20
2085 Pine Street	5	0.11
360 Pearl Street	17	0.23
390 Pearl Street	13	0.29
7 Elizabeth Street	12	0.44
478 Pearl Street	18	0.47
477 Elizabeth Street	15	0.46
2093, 2097, and 2101 Old Lakeshore Road, 2096 and 2100 Lakeshore Road	2 (Proposed 27 storey redevelopment)	0.33

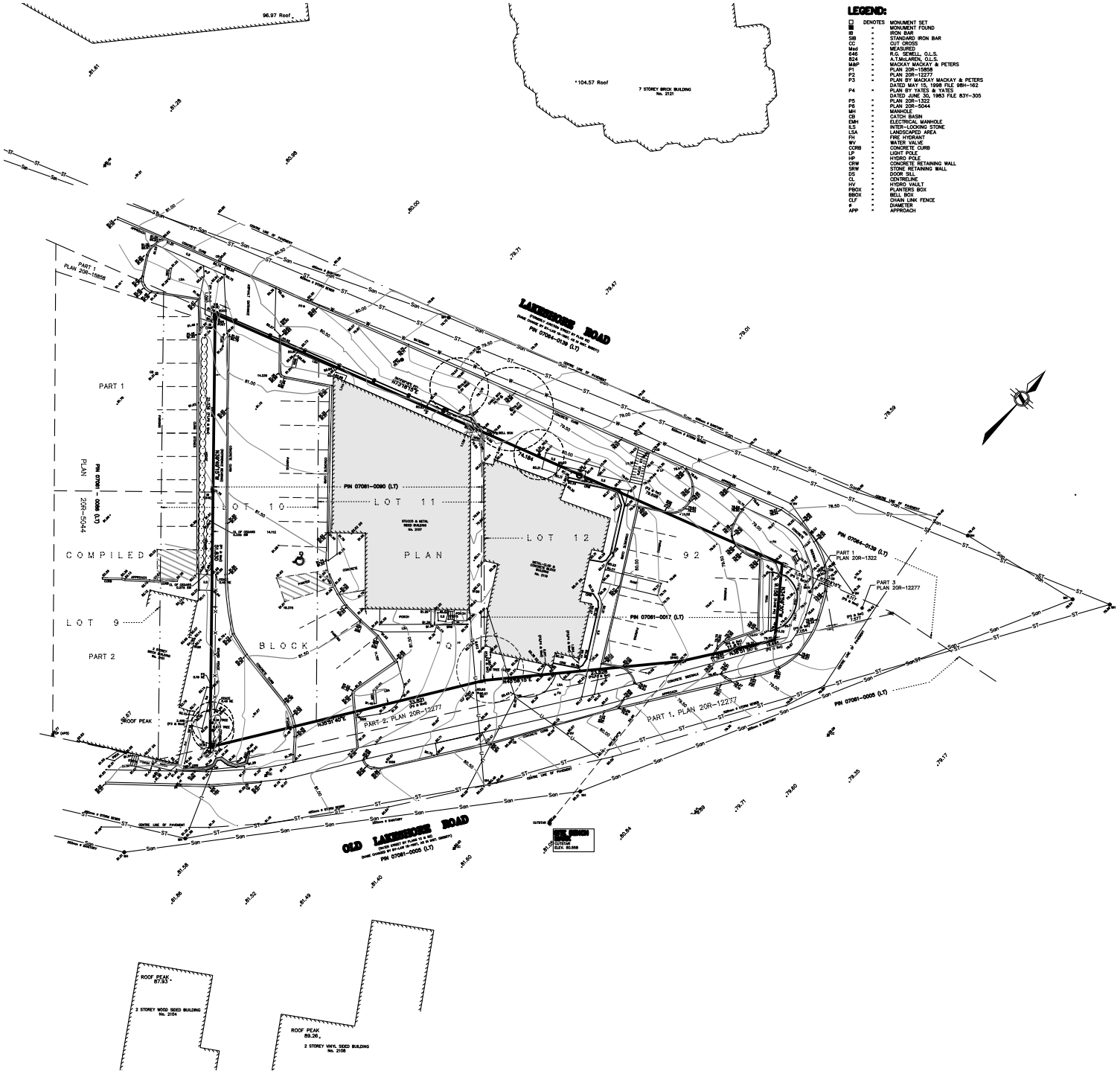


Figure 3

Height Survey of Adjacent Buildings

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The Subject Lands are located within a 5 minute walk from Lake Ontario, Spencer Smith Park, and the Waterfront Trail. The surrounding area amenities and services and their proximity to the Subject Lands are described in detail in **Table 2**, while **Figure 4** includes a neighbourhood context map for reference. The Subject Lands are clearly well located in relation to available services and facilities.

Table 2: Proximity to Nearby Destinations

Destination	Travel Distance (km)	Travel Time (minutes)		
		Walk	Cycle	Car
1. Village Square Shops	0.35	4	1	1
2. Spencer Smith Park	0.45	6	2	1
3. Brant Street Commercial District	0.45	6	2	1
4. Lions Park	0.5	7	3	2
5. Lakeshore Public School	0.5	6	1	1
6. Burlington Performing Arts Centre	0.65	8	2	2
7. Knox Presbyterian Church	0.65	8	3	2
8. Burlington Baptist Church	0.95	12	3	2
10. Joseph Brant Hospital	1.4	17	5	3
11. Burlington Central High School	1.5	19	5	4
12. Burlington Public Library	1.5	19	6	5

The Subject Lands are directly serviced by an existing bus route (Route 3). Route 3 has a current frequency of 30 minutes, and travels from Highway 407 GO terminal to Burlington GO Station and Downtown Burlington. Opportunities to transfer buses are provided at the Downtown Burlington Transit Terminal as well as at the Lakeshore Road and Maple Avenue. The Subject Lands are located 500 metres from the Downtown Burlington Transit Terminal, where 7 routes are operated by Burlington Transit, at various frequencies, which provide service to various parts of the City and connections to the broader regional transit network (e.g. Hamilton Street Railway and GO Transit). Hamilton Street Railway also operates Route 11 out of this terminal, which provides service to much of the eastern portion of Hamilton and operated on a frequency of 30 minutes.

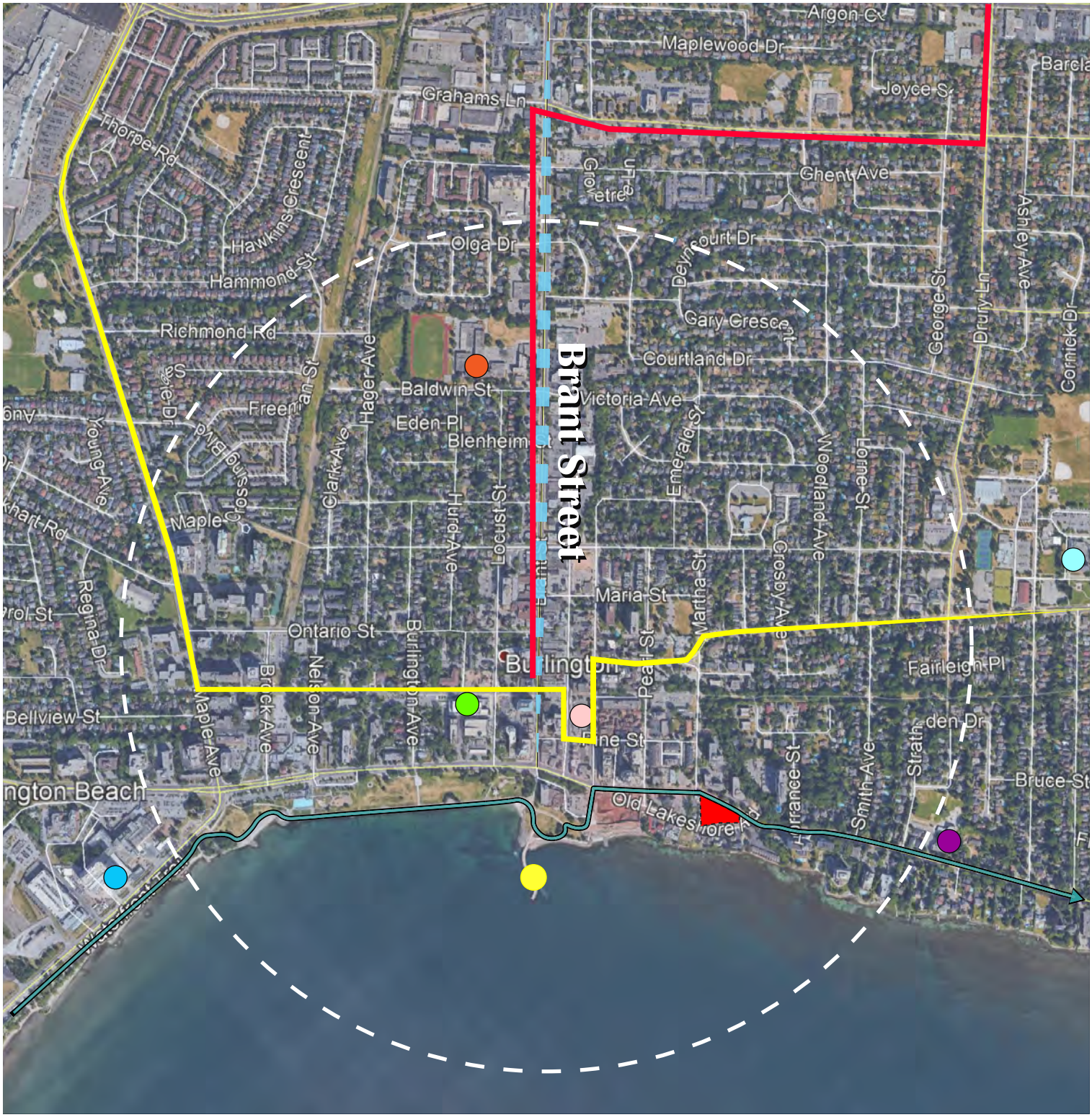


Figure 4

Neighbourhood Context Map

2107 Old Lakeshore Road &
2119 Lakeshore Road
Burlington, Ontario

LEGEND

- Subject Lands
- 2 Kilometers Walking Radius
- Joseph Brant Hosptial
- Brant Street
- Burlington Performing Arts
- Central High School
- Burlington Public Library
- Lakeshore Public School
- Burlington Pier in Spencer Smith Park
- Burlington Downtown Bus Terminal
- Waterfront Trail
- Bus Route 2
- Bus Route 10

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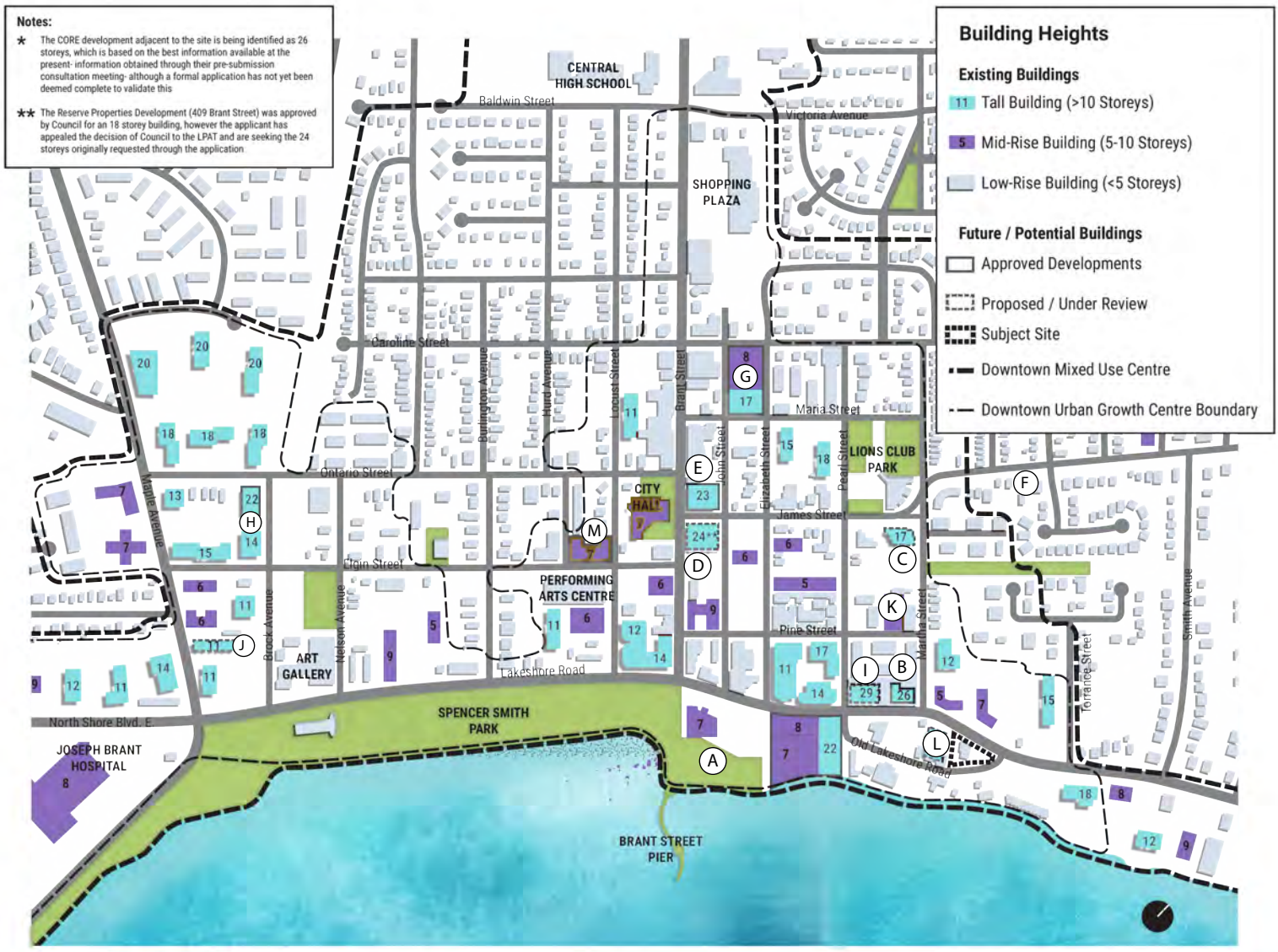
2.4 Nearby Developments

There are several active developments and development applications within close proximity to the Subject Lands that form part of the evolving built form context within the Downtown. **Figure 5** provides the location of the neighbouring developments on a map for reference. **Table 3** provides a detailed list of the development applications in and around the Subject Lands.

Table 3: Nearby Developments

Address	Description	Status
2042-2054 Lakeshore Road *New Horizon Development Group* *Bridgewater*	Two condo towers, 22 storeys (100 units) and 7 storeys (50 units) One hotel (8 storeys and 130 units with 855 square metres of ground floor commercial space)	Site plan application approved. Under construction. Final occupancy expected in November 2020.
374 Martha Street *ADI Development Group* *Nautique*	26 Storey condominium with 240 units and 423m^2 commercial	Official Plan and Zoning By-law Amendment approved by Ontario Municipal Board (OMB). Construction management meeting held Aug 14, 2019
2082, 2086 and 2090 James Street *Mattamy (Monarch) Ltd.*	18 Storey condominium apartment with 153 residential units	Official Plan Amendment and Zoning By-law Amendment. Currently under review.
401, 403, 405, 409, 411 and 413 Brant Street, 450 John Street, 2002 and 2012 James Street *Reserve Properties Ltd.*	24 Storey residential building with ground floor commercial and rooftop amenity	18 storeys recommended by state and approved by Council. Decision of council appealed by applicant to the Local Planning Appeal Tribunal (LPAT) for 24 storeys requested.
421, 425, 427, 429, 431 Brant Street *Carriage Gate Homes*	Revised application for a 23 storey mixed-use building with 169 residential units with office and commercial space (original proposal for 27 Storey mixed-use building with 183 residential units office and commercial space)	Revised applications approved by Council May 22, 2018. Currently under construction with completion expected for summer 2020.
452- 454 Locust Street and 1437-1445 Elgin Street *Saxony Developments Inc.*	7 Storey mixed-use residential building with 60 residential units and ground floor commercial	Site Plan Application Approved. Construction underway.
1157 -1171 North Shore Blvd. East *Amica*	17-storey, 12-storey, 6-storey and a 2-storey element to provide for a seniors' living campus	Appealed to LPAT for non-decision in October 2019.

Address	Description	Status
	consisting of 419 units.	
2025 Maria Street, 510 Elizabeth Street, 2030 Caroline Street *Carriage Gate Homes*	8 storey building (retail at grade and 7 storeys of office), 17 storey apartment, and 6 storey parking garage connected by shared podium	Draft site plan approved, clearing conditions. Construction complete.
490, 492 Brock Avenue and 1298 Ontario Street *The Molinaro Group*	22 storey building containing 162 residential units and 186 square metres of ground floor commercial	Official Plan Amendment and Zoning By-law Amendment approved by Council May 22, 2018. Construction underway.
401-417 Martha Street	11 storey, 132 unit residential building	Pre-submission, community meeting held Nov. 19, 2018.
441 Maple Avenue *Better Life Retirement*	11 storey residential building consisting of 153 units with two levels of underground parking	Official Plan and Zoning By-law Amendment applications under technical review by City staff.
2085 Pine Street *Pine Street Burlington Corporation*	11 storeys mixed use building consisting of 39 units with 3 levels of underground parking	Official Plan and Zoning By-law Amendment applications under technical review by City staff.
2093, 2097, 2101 Old Lakeshore Road, 2096, 2100 Lakeshore Road *Core Development*	27-storey building consisting of commercial units on the ground floor, and residential units above	Currently under technical review by City Staff.
2069- 2079 Lakeshore Road and 383-385 Pearl Street *Lakeshore (Burlington) Inc.- Carriage Gate Homes*	29-storey mixed-use building consisting of commercial units on the ground floor, and residential units above	Currently under technical review by City Staff.



(A) 2042-2053 Lakeshore Road 22 Storeys

(B) 374 Martha Street 26 Storeys

(C) 2082, 2086, and 2090 James Street 18 Storeys

(D) 401, 403, 405, 409, 411 and 413 Brant Street, 450 John Street, 2002 and 2012 James Street 24 Storeys

(E) 421, 425, 427, 429, 431, Brant Street 23 Storeys

(F) 2130 And 2136 New Street 17 Storeys

(G) 2025 Maria Street, 510 Elizabeth Street, 2030 Caroline Street 8 Storeys

(H) 490, 492 Brock Avenue and 1298 Ontario Street Street 22 Storeys

(I) 2069-2079 Lakeshore Road 29 Storeys

(J) 441 Maple Avenue 11 Storeys

(K) 2085 Pine Street 11 Storeys

(L) 2093, 2097 and 2101 Old Lakeshore Road 27 Storeys

(M) 452-454 Locust Street and 1437 - 1445 Elgin Street 7 Storeys

Data Source: Image adapted from Urban Design Brief

Figure 5

Nearby Development Map

LEGEND

Subject Lands

Green Spaces

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3.0 HISTORY AND BACKGROUND

3.1 Old Lakeshore Road Mixed Use Precinct

The Subject Lands are located in what is referred to in the City's planning documents as the Old Lakeshore Road Precinct of Downtown Burlington. This area has been extensively studied over the past 13 years. Current policies for the area were put in place in 2007, following a number of studies undertaken by the City of Burlington which began in 2005, prior to the introduction of the first Growth Plan for the Greater Golden Horseshoe, intensification policies and targets specific to the Urban Growth Centre defined in the Growth Plan as Downtown Burlington. The history of these studies and relevant outcomes are described in this section.

In 2005, the City of Burlington retained Brook McIlroy to prepare Urban Design Guidelines for Downtown Burlington. At the time, Downtown Burlington was divided into three distinct districts: the Central Area, Wellington Square, and Old Lakeshore Road Mixed Use Precinct (OLRP). The stated purpose of these guidelines was to protect Downtown Burlington from loss of character, and provide detailed information on the desired urban form of development. These guidelines were intended to supplement the Official Plan and Zoning By-law, and be reviewed at regular intervals to ensure they remained relevant and effective.

Phase One of the Downtown Urban Design Guidelines recognized the OLRP as a special study area, and identified a number of key issues, including: area character and potential land uses; built form; building base design and pedestrian access; waterfront access and open space design; cultural heritage resources; transportation and parking; environmental matters; and servicing. The Downtown Urban Design Guidelines considered a number of options for the OLRP, including the potential for removal of existing heritage buildings, closing of Old Lakeshore Road, new signalized intersections, green spaces, and connections to the waterfront. Essentially, the study envisioned the redevelopment of the OLRP into a compact urban environment intended to provide a mixture of uses at higher densities.

A detailed land use study of the OLRP was then prepared by the City of Burlington in 2006, and adopted as an Official Plan Amendment in 2007. This amendment divided the Old Lakeshore Road Mixed Use Precinct into three sectors. The south sector contained all the lands south of Old Lakeshore Road, while the lands north of Old Lakeshore Road were divided in the middle into a west and east sector. These policies remain in effect today, and were put in place to facilitate redevelopment of the precinct to include mid-rise and tall residential mixed use buildings.

Phase Two of the Downtown Urban Design Guidelines was adopted by Council in 2009. As part of Phase Two, the City also commissioned a shoreline analysis which determined that due to erosion hazard, the buildings on the south side of Old Lakeshore Road were constrained and the existing buildings were at their highest development potential. The Phase Two Downtown Urban Design Guidelines presented two development options for the OLRP. Option 1 preserved the heritage properties within the precinct, and divided the north side of Old Lakeshore Road into two sectors. The east sector was envisioned to allow for redevelopment of buildings up to six storeys, and the west sector to allow for redevelopment of buildings up to 10 storeys. Option 2 allowed for the partial closure of Old Lakeshore Road, with property consolidation to support buildings ranging in height from 8 storeys in the east sector to 15 storeys in the west sector. Both options recognized the importance of a well-designed building base to maintain the character of the precinct, and contained specific requirements for design, materials, and height. The final amendment, in accordance with the approved Ontario Municipal Board decision, provided for a maximum 12 storey building on the site.

In 2012, Burlington Council instructed staff to further study the OLRP as part of the Official Plan review. An initial work plan was approved in September 2012 for the OLRP study. However, after a number of revisions to the OLRP study terms of reference it was ultimately removed from the Official Plan review work plan in December 2013.

Subsequent to the work in 2007 and 2009, and the consideration for further study in 2013, the area was again studied during the City's Official Plan review process which culminated in a new Official Plan (Grow Bold) that was adopted by Council in 2018. The Region of Halton referred the newly adopted plan back to the City for consideration of modifications in 2019. The City initiated another review of the Downtown as part of the Official Plan reconsideration and recently completed public engagement on two conceptual options for redevelopment of the Downtown in specific areas. These options are to be further considered in 2020. In addition to the further review of the Official Plan, and specifically parts of the Downtown, the City further passed an Interim Control By-law to undertake another study of the land uses in Downtown Burlington.

3.2 Official Plan Review and Newly Adopted Official Plan

On April 26, 2018, Burlington City Council adopted Grow Bold: Burlington Official Plan (Adopted Official Plan). The Council Adopted Official Plan was forwarded to the Region of Halton for approval in May 2018.

The Subject Lands are identified as part of the City's Urban Area under the newly Adopted Official Plan and within the Mixed Use Intensification Area – Urban Centre, Urban Growth Centre and Mobility Hub. The Urban Growth Centre is a Primary Intensification Area. The Subject Lands are also identified as part of the Old Lakeshore Road Precinct designation on Schedule D: Land Use – Downtown Urban Centre. The Subject Lands are subject to specific policies referred to as the ES or East Sector. These policies are essentially identical to the site specific policies in the current Official Plan. The new Official Plan policies note that the policies for the precinct will continue to be developed as part of the Downtown Area-Specific Plan and additional policies and/or objectives may be added subject to the outcome of the area-specific plan process.

The Adopted Official Plan also provided for updated urban design policies which are found in Section 7 of the Plan. These policies are also referenced as evolving policy in the Urban Design Brief.

While the Council Adopted Official Plan represented the City's evolving policy framework and direction, on December 18, 2018, the Region of Halton released a statement of opinion of non-conformity with the Regional Plan with respect to the City of Burlington's adopted Official Plan. The Region identified four areas of non-conformity: 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.

On February 7, 2019, Burlington City Council voted to re-examine the policies in the City's new Official Plan, which had been adopted in April 2018. This decision led to the current re-examination of the Adopted Official Plan in its entirety related to matters of height and density as well as conformity with Provincial density targets. We note that no specific conformity issues were identified in the adopted Official Plan with respect to heights and densities within the Downtown. We also note that the adopted Official Plan only has a planning horizon to 2031.

At the Committee of the Whole workshop held on March 18, 2019, City Staff and members of City Council discussed the scope of the work for a further study. While Council supports the majority of policies in the adopted Official Plan, through discussions at the workshop it was determined that the Downtown, which encompasses the Subject Lands, requires targeted reconsideration. City Staff presented Staff Report PB-47-19 Work Plan for the Scoped Re-examination of the adopted Official Plan. The report identified details of the work and timing that needs to take place in order to bring modified policies back to Burlington City Council for approval by March 2020. Report PB-47-19 was approved by Burlington City Council at its meeting on May 27, 2019.

The current Official Plan remains in force and effect and is the Official Plan under which the official plan and zoning amendment applications for the Subject Lands have been made.

3.3 Interim Control By-law

On March 5, 2019, Burlington City Council passed an Interim Control By-law 10-2019 (ICBL) affecting development applications within Downtown Burlington, including the Subject Lands and the Burlington GO Mobility Hub. The ICBL is in place to allow for a land use study to be completed to:

- Assess the role and function of the John Street Transit Terminal and the Burlington GO Station as Major Transit Station Areas;
- Examine the planning structure, land use mix and intensity for the lands identified in the Study Area; and,
- Update the Official Plan and Zoning By-law regulations as needed for the lands identified in the Study Area.

In Report PB-36-19, it was identified that the need for the ICBL arose from staff concerns over the perceived cumulative growth pressures emerging across the Downtown and Burlington GO Mobility Hub area which are requesting intensities higher than currently permitted in the in-force Official Plan.

4.0 DESCRIPTION OF THE PROPOSAL

4.1 The Proposal

The current development proposal is the result of careful planning and design work undertaken by the design team in collaboration with technical experts. In preparing the redevelopment proposal, consideration of Provincial and Regional policies for managing and directing growth was taken into account as well as the local land use policy context and the City's emerging Downtown built form and physical context, particularly within the eastern portion of the Downtown along Lakeshore Road.

As noted previously, the Subject Lands are an underutilized site located in Downtown Burlington, within the east sector of the Old Lakeshore Road Precinct. The lands are currently developed with a 1-storey presentation and sales centre for the Berkeley condos and a medical office with ample surface parking provided around the existing structures. It is the intent to demolish the existing buildings and structures on the site to facilitate the redevelopment of the site to include a 27 storey building, which will contain 150 residential units within 20,269 square metres of residential Gross Floor Area (GFA) and 598 square metres of commercial GFA. A copy of the concept plan for the development is shown on **Figure 6a** and **6b**.

The building will provide a one storey podium containing a mix of lobby and retail space, accessible from Lakeshore Road and Old Lakeshore Road. Vehicular access to the underground parking will be provided via a one-way driveway from Old Lakeshore Road along the west side of the property. The main entry to the building is located on the southern side of the building, fronting Old Lakeshore Road. A small driveway is also located in this area and is accessible from Old Lakeshore Road. There will be no parking provided at grade. Parking will be provided in five levels of underground parking accessible via a ramp on the western edge of the property. In total, 155 parking spaces are proposed.

The public realm surrounding the building including the existing streetscape is to be significantly enhanced through landscaping and design features that will connect the site in all directions to both existing and new developments as well as the eventual connection to the Lake. Street. The proposed development has been designed to integrate appropriately with existing and new developments within the precinct, including the proposed 27 storey building located adjacent to the Subject Lands. The redevelopment will provide for the creation of additional residential units and needed housing in a compact built form within an area appropriate for intensification. The proposed redevelopment implements the policies of the Growth Plan, Provincial Policy Statement and Halton Region Official Plan. Additionally, the building has been designed with regard for the City's tall building guidelines and urban design policies. Upon approval and completion, the development will provide a unique landmark building

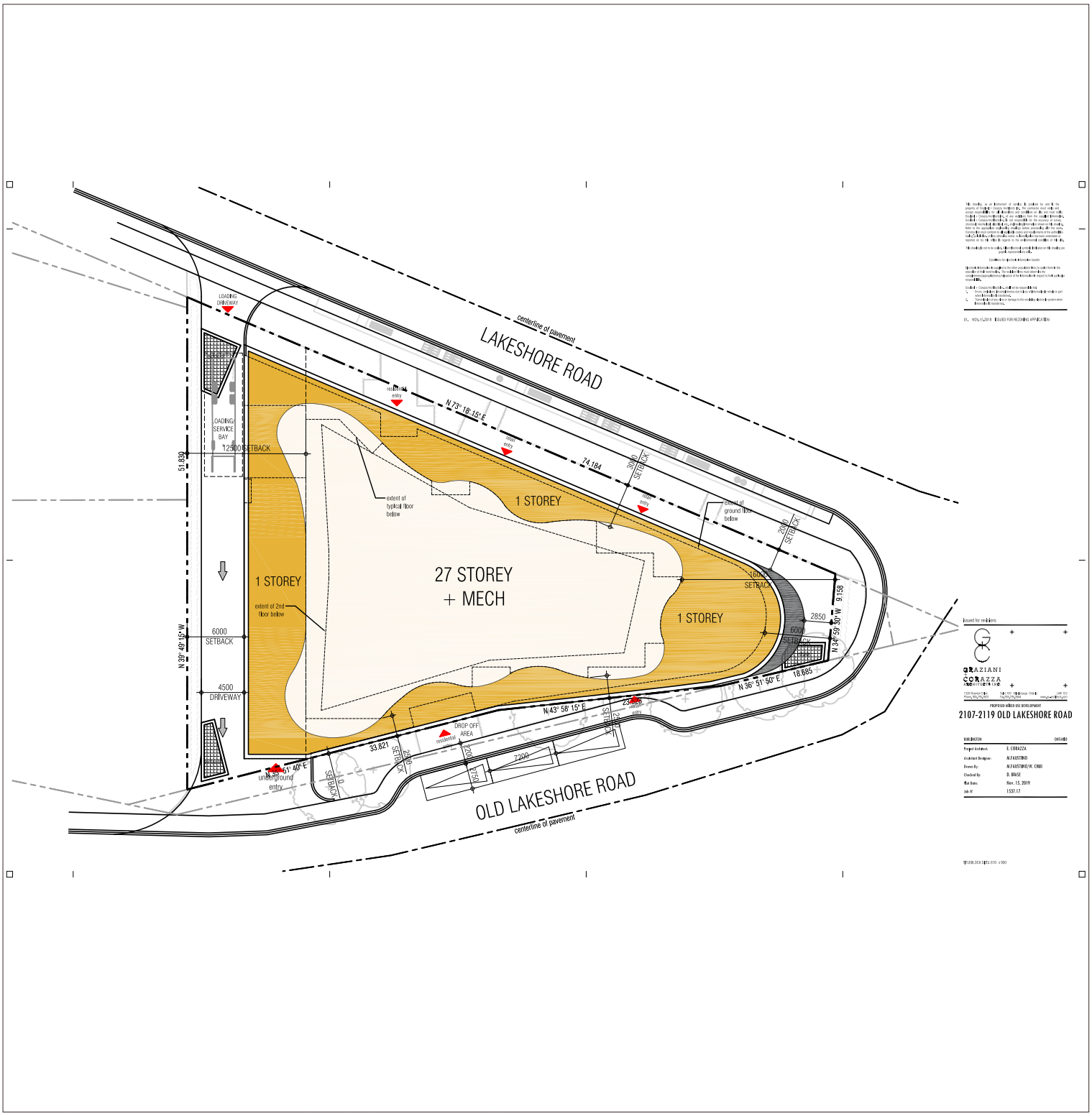


Figure 6-A

Proposed Site Plan

2107 Old Lakeshore Road &
2119 Lakeshore Road
Burlington, Ontario

DATE: December 2, 2019

SCALE N.T.S

north

MHBC PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE
442 BRANT STREET, BURLINTON ON, L7R 2G4
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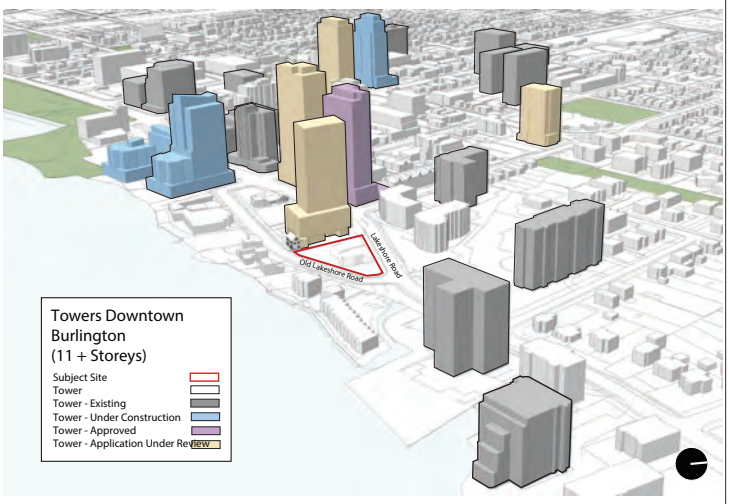


Figure 6-B

Proposed Site Plan

2107 Old Lakeshore Road &
2119 Lakeshore Road
Burlington, Ontario

DATE: December 2, 2019

SCALE N.T.S

north

MHBC PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE
442 BRANT STREET, BURLINTON ON, L7R 2G4
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to act as a permanent eastern gateway feature for the Downtown. The urban design brief prepared in support of this application describes the building's form, fit and function and provides further details on how the proposal achieves the various design objectives of the City. The proposed development integrates cohesively with the surrounding neighbourhood and will provide 150 new residential units, a majority of which are larger units able to accommodate larger households (66% 3-bedroom or 3-bedroom +den). This will provide an overall residential density of 750 units per site hectare and a Floor Area Ratio (FAR) of 10.5. **Table 4** and **Table 5** below express the proposed development in terms of dwelling types and density.

Table 4: Proposed Unit Breakdown

Description	**Units**
Residential – 1 Bedroom + Den	25
Residential – 2 Bedroom	25
Residential – 3 Bedroom	50
Residential – 3 Bedroom + Den	50
Total	**150 units**

Table 5: Proposed Site Statistics

Site Area	0.20ha
Total Residential GFA	20,867 square metres
Total Non-Residential GFA	598 square metres
FAR	10.5
Density	750 units per hectare
Parking	155 spaces
Amenity Space	Indoor- 449 square meres Outdoor- 4,128 square metres Total indoor + outdoor- 4,578 square metres

4.2 Summary of Technical Reports

A number of technical reports have been prepared which support the application on the Subject Lands. These reports are summarized as follows:

4.2.1 Stormwater Management and Functional Servicing Report

S. Llewellyn and Associates Limited prepared a stormwater management and functional servicing report in support of the proposed development. The report concludes that:

- The development be graded and serviced in accordance with the Preliminary Grading Plan and the Preliminary Servicing Plan prepared by S. Llewellyn & Associates Limited;
- Stormwater quantity control is not required as the subject lands are located approximately 60m upstream of Rambo Creek's watershed outlet to Lake Ontario;
- A Hydroguard HG4 oil/grit separator be installed as per the Preliminary Site Servicing Plan and this report to provided effective stormwater quality control;

- Erosion and sediment controls be installed as described in the report and to meet City of Burlington requirements;
- The proposed water and sanitary servicing systems be installed as described in the report to adequately service the proposed development; and,
- The report is used as the basis for servicing and stormwater management design.

4.2.2 Pedestrian Wind Study

Novus Environmental prepared a pedestrian wind study for the proposed development which also included nearby developments as part of the analysis (374 Martha, 2069 Lakeshore, 421 Brant, 2042 Lakeshore and 2100 Lakeshore). The study involved construction of a physical model of the development and the surrounding features that influence wind flow which is then tested in a wind tunnel. This data, combined with meteorological data, was also compared to relevant wind criteria and standards in order to determine how appropriate the wind conditions are for the intended pedestrian usage. The results of the study yielded the following conclusions and recommendations:

- The wind safety criterion was exceeded on the roof top terrace of the proposed development in the Proposed Configuration. In addition, the wind safety criterion was exceeded at the northwest corner of the adjacent 2100 Lakeshore development in both the Existing and Proposed Configuration;
- Wind conditions at the main entrances are suitable for the intended usage. Wind conditions on the outdoor amenity spaces are generally suitable for the intended usage. Recommendations for wind control measures are provided for the east corner of Level 2 as well as on the rooftop;
- Wind conditions on the walkways surrounding the proposed building are generally suitable for the intended usage. Recommendations for wind control measures are provided for the driveway along the west side of the property, as well as for the east corner of the building; and,
- Wind conditions on the surrounding sidewalks, including the transit stops are generally similar between the Existing and Proposed Configurations, including the uncomfortable wind conditions in the winter at the northwest corner of the adjacent development.

The report also notes that Novus will work with the design team prior to the site plan application to determine the efficacy, practicality and details of the recommendations provided in the report.

4.2.3 Arborist Report

An Arborist Report was prepared by Ferris and Associates Inc. to address the tree inventory and preservation on the Subject Lands. The report, along with the accompanying Landscape Plan confirms the condition of the existing trees, as well as those that will be removed for the proposed development. Additional trees and plantings will be provided as part of the landscape and enhanced streetscape plan.

4.2.4 Traffic Impact Study and Parking Justification Report

A Transportation Impact Study, Parking Study and TDM Options Report were prepared by Paradigm Transportation Solutions Limited (PTSL) in support of the proposed development. The report includes an analysis of existing traffic conditions, a description of the proposed development, traffic forecasts, parking demand analysis and outlines recommendations to improve future traffic conditions and strategies to reduce dependency on single occupancy vehicle travel. The findings of the study indicate that the

proposed development will generate approximately 50 new vehicle trips during the weekday AM peak hour and 59 new vehicle trips during the weekday PM peak hour. The traffic analysis conducted as part of the study indicates that development volumes will result in minor increases to the surrounding study area and intersection volumes under peak conditions. The study notes that a left-turn lane is not warranted to service traffic along Lakeshore Road at the location of the proposed driveway.

The report notes that, independent of the proposed development, capacity constraints exist at the Lakeshore Road and Brant Street intersection and are expected to continue with the anticipated growth in the Urban Growth Centre. The report recommends that a combination of measures be implemented to address the traffic, including measures to encourage alternative modes of transportation and optimization of intersection signal timings with an increased cycle length.

With respect to parking, the report notes that the actual parking demand for the proposed development is projected to be 149 vehicles, equating to a ratio of 0.99 spaces per unit (resident and visitor) whereas Zoning By-law requires the provision of 188 parking spaces (1.25 spaces per unit). Based on this analysis, the report concludes that a rate of 0.99 spaces per unit can be supported from this perspective and was concluded to be sufficient for the intended use.

Based on the findings of the study, the report recommends that:

- The City of Burlington recognize the conclusions drawn in the report;
- Site driveway operate with a single inbound and outbound travel lane with stop control provided for the minor approach;
- Optimizing select signals, if necessary, after build-out to better support the future traffic volumes and travel patterns; and,
- The applicant develops and implements a TDM plan with the measures identified in the report to support sustainable travel modes.

Ultimately, the report concludes that through the combination of mitigation measures proposed to address future deficiencies, the projected future traffic volumes can be accommodated within the study area.

4.2.5 Acoustical Feasibility Study

Novus Environmental was retained to conduct an environmental noise assessment as part of the development application for the Subject Lands. In keeping with the City of Burlington and Ministry of Environment, Conservation and Parks (MECP) Publication NPC-300 requirements, the report examines the potential for impacts of the proposed development on the surrounding environment. In assessing the potential impacts of the environment on the proposed development, the report assesses potential for transportation noise impacts from roadways; stationary noise impacts from surrounding commercial mechanical equipment; and, stationary noise impacts from the proposed development mechanical equipment on noise-sensitive receptors. Based on the results of the study, the report notes the following:

- Upgraded glazing is not required to meet the MECP Publication NPC-300 Indoor Sound Level Criteria;

- Noise impacts in the outdoor amenity spaces of the development meet the applicable guideline limits. No additional noise control measures are required;
- Forced air heating and the provision for air conditioning and a Type C Warning Clause are recommended for all units on the north, west, and east facades;
- Stationary noise impacts from the development on the surrounding area have been accessed and outlined in the report. The "Class 1" noise guideline limits are met, and stationary noise impacts are not anticipated; and,
- A Type E noise warning clause is recommended, due to the general noise from the surrounding commercial spaces.

With respect to an overall assessment, the report notes:

- Impacts of the environment on the proposed development can be adequately controlled through upgrades to the building construction;
- Impacts of the proposed development on the surroundings are expected to meet the applicable guideline limits, and can be adequately controlled by following the design guidance outlined in the report; and,
- As the mechanical systems for the proposed development have not been designed at the time of the assessment, the acoustical requirements should be confirmed by an acoustical consultant as part of the final building design.

4.2.6 Shadow Analysis

A Sun/Shadow study was prepared by R. Bouwmeester and Associates which describes the potential shadow impact of the proposed development. The report identifies that based on the review of March, June and December 21st shadows, and having due regard for shadow duration, seasonal variations, time of day, and the context of urban built form in downtown neighbourhoods, the incremental ground level shadowing resulting from the proposed development over and above the existing shadowing is limited and reasonable. The report also notes that, with respect to the City's Tall Building Guidelines, shadows from the proposed podium will not reach the north sidewalk of Lakeshore Road at any of the test times.

4.2.7 Phase One Environmental Assessment

Terraprobe Inc. completed a Phase One Environmental Site Assessment (ESA) of the Subject Lands to satisfy the intent of the requirements, methodology and practices for a Phase One ESA as described in Ontario Regulation 153/04 and involved the following:

- A review of records and reports regarding historical and current use and activities;
- Interviews with available individuals having knowledge of current and/or past site activities;
- An inspection of the property and observation of the study area; and,
- An evaluation of the information obtained and documents of the results of the review.

Sampling and analysis of soil, ground water, or other materials (e.g. construction materials, air) were not conducted as part of the Phase One ESA.

The Phase One ESA identified a number of potentially contaminating activities (PCAs) on the property and within the study area. Based on the review, the report concludes that prior to the preparation and submission of a Record of Site Condition (RSC), a Phase Two ESA is required to investigate the Areas of Potential Environmental Concern for the Contaminants of Concern that have been identified on the property.

4.2.8 Phase Two Environmental Assessment

Based on the findings and recommendations of the Phase 1 ESA, Terraprobe completed a Phase 2 ESA for the site to investigate the Areas of Potential Environmental Concern (APECs) for the Contaminants of Potential Concern (CoPCs) identified on the property during the Phase 1 ESA. The findings of the study indicate that exceedances of the applicable Site Condition Standards were noted in the earth fill, native soil and ground water on the property. The report notes that affected soils will be removed during the development of the underground parking structure on the property and verification sampling will be required once the excavation is complete in order to confirm that the remaining soil meets the applicable site condition standards. Following the removal of the impacted soil from the property, the ground water should be sampled to determine if ground water impacts remain on the property. If ground water on the property is impacted following the removal of the soil, a remedial plan should be developed to determine the most feasible program to obtain the Record of Site Condition (i.e. risk assessment or remediation).

4.2.9 Heritage Impact Assessment

A Heritage Impact Assessment was prepared by MHBC Planning to determine any potential impacts that the proposed development may have on the cultural heritage value on the adjacent heritage property located at 2100 and 2101 Old Lakeshore Road. The report concluded that the proposed development will have no negative impacts on the heritage attributes of both adjacent properties as the original buildings of cultural heritage significance will be retained and unaltered. The potential adverse impacts are limited to land disturbances as a result of construction.

4.2.10 Urban Design Brief

An Urban Design Brief was prepared by Bousfields Inc. which describes the urban design character of the proposed development to assess its fit within the downtown context and review conformity of the proposal with the City's urban design policy framework. The brief reviews the architectural design and landscape concepts prepared for the site, identifies the urban design vision and objectives for the redevelopment and addresses the City's urban design policies and Tall Building Guidelines. The brief concludes that the urban design form and pattern of the proposed development addresses the relevant municipal policy objectives and guideline recommendations with respect to intensification within built-up areas, is appropriate and desirable and represents good urban design practice. Ultimately, the report recommends that the requested Official Plan and Zoning By-law Amendments be approved.

4.2.11 Geotechnical Report

A Hydrogeological investigation report was prepared by Terraprobe to assess the ground water conditions and dewatering requirements for the proposed construction activities on the Subject Lands. The report

concluded that the Site is covered by a pavement structure underlain by earth fill, over a clayey silt till, overlying Queenston Formation bedrock which the proposed underground parking garage will extend into. Treatment of groundwater will be required prior to discharge into the storm or sanitary sewers due to total suspended solids, and discharge agreements will be required with the City and Region if water is to be discharged to the sewer systems. Furthermore, in the long term (post-construction) no PTTW will be required for the long-term water taking.

4.2.12 Altus Economic Analysis

Altus Group Economic Consulting prepared an economic analysis of the high density mixed use development proposed in Downtown Burlington and the implications for housing supply. The focus of the analysis was to assess the current growth requirements and minimum intensification and density targets to be achieved in the City's Urban Growth Centre based on the Growth Plan requirements and whether Burlington's planned growth and current development is meeting that target. The report concludes that the City is in fact not meeting its Provincially mandated requirements for growth to 2031 and supports the density proposed on the Subject Lands to optimize currently underutilized lands which will contribute to the meeting the growth targets.

4.3 Proposed Official Plan and Zoning By-law Amendments

4.3.1 Official Plan Amendment

The proposed Official Plan Amendment seeks to amend the existing site specific provisions that apply to the Subject Lands to permit redevelopment of the site to a maximum height of 27 storeys and 102.5 metres, inclusive of Mechanical Penthouse (MPH). The current maximum permitted height set out in Official Plan is 12 storeys and 37 metres, subject to criteria. The Official Plan Amendment does not require any mapping changes.

A copy of the proposed Official Plan Amendment is included in this report as **Appendix 3.**

As demonstrated in the following sections of this report, the proposed Official Plan Amendment is appropriate for the Subject Lands and is required to allow for the optimization of underutilized lands and a redevelopment which conforms with and implements the Growth Plan, Provincial Policy Statement, and Regional Official Plan.

4.3.2 Zoning By-law Amendment

The proposed Zoning By-law Amendment seeks to apply a site specific exception to the existing DL-A Zone, in order to address the following:

1. Height
2. Parking
3. Floor Area Ratio;

4. Below Grade Parking Setbacks; and,
5. Yard Abutting a Street (Lakeshore Road for floors 1-2; Old Lakeshore Road (east), and Old Lakeshore Road (south) for floors 1-2).

A copy of the proposed Zoning By-law Amendment is included in this report as **Appendix 4**.

4.4 Public Consultation Strategy

Effective July 1, 2016, changes to the *Planning Act* (O.Reg 544/06, amended by O.Reg 178/16) require that applicants submit a proposed strategy for consultation with the public with respect to the application as part of the 'complete' application requirements.

The public consultation process for the proposed OPA and ZBA will follow the *Planning Act* statutory requirements and in accordance with the City's requirements set out at the pre-consultation meeting.

As mentioned in an earlier section, two pre-consultation meetings were held with City staff to discuss the proposal on May 2, 2018 and July 17, 2019 respectively. In accordance with the requirements for a complete submission identified at the pre-consultation meeting, a presentation of the development concept was made to the City of Burlington Urban Design Advisory Panel (BUD) on July 17, 2018 and a community information meeting was held on September 26, 2019.

At the BUD meeting, staff sought panel advice on the podium, tower and role of the building as a gateway into the Downtown. As a result of comments received at BUD, the following revisions to the plan were made:

- Removal of car-oriented driveway at the east to allow for a more appropriate gateway treatment;
- Relocation of layby parking along Old Lakeshore Road;
- Redesign of east side of building to extend podium and remove second driveway;
- Relocation/swap of lobby and retail space; and,
- Relocation of amenity area to second floor.

Further discussion on the revisions related to the BUD panel comments is included in the Urban Design Brief. A copy of the minutes of the BUD meeting can be found at **Appendix 5**.

A community information meeting was held at the Burlington Central Arena on September 26, 2019 and provided residents an opportunity to ask questions and provide input on the proposal in advance of the formal application submission. In total, 32 people were in attendance.

At the meeting, several attendees identified concerns with the height and density of the proposal. Additionally, many participants also commented that the appearance and design of the building, generally, was of high quality and aesthetically pleasing. General comments and themes of the feedback pertained to height and density, traffic and parking. These themes have been considered in the development as follows:

<u>Height/ Density and General Site Intensification</u>

Many of those in attendance at the meeting expressed concerns with the height and density of the building, noting that the City is on track to achieve its growth targets for the Urban Growth Centre set out in the Growth Plan without the proposed development. In this regard, those in attendance made comment that a less dense and shorter building would be more palatable to the community as the City has already met its targets

Response

As noted throughout this report, the Subject Lands are located within a provincially designated Urban Growth Centre, where a minimum target of 200 people and jobs per hectare is to be achieved by 2031 or earlier. The Growth Plan further encourages municipalities to exceed this minimum target. The proposed level of intensification provided by the development is appropriate in the context of an Urban Growth Centre and is required to provide for consistency and conformity with Provincial and Regional policies.

Traffic

Those in attendance brought up concerns related to traffic and future congestion along Lakeshore Road, particularly when considered in conjunction with other surrounding approved and proposed developments.

Response

A Transportation Impact Study was prepared by Paradigm Transportation Solutions Limited in support of the proposed development which projects that approximately 50 new vehicle trips during the weekday AM peak hour and 59 new vehicle trips during the weekday PM peak hour will result from the proposed development. The traffic analysis also indicates that development volumes will result in minor increases to the surrounding study area and intersection volumes under peak conditions.

Parking

All those in attendance expressed concerns with a reduced parking rate and made comment that the proposal should maintain the 1.25 spaces per unit requirement and not reduce parking.

Response

Paradigm Transportation Solutions prepared a parking justification analysis as part of the TIS, which demonstrated that the actual parking demand for the proposal is projected to be 149 vehicles (.99 spaces per unit) and that the parking provided on the subject lands is, therefore, considered sufficient for the intended use.

A statutory public meeting held by the City will provide further opportunities for public input. MHBC and the consulting team will also be available to meet with area residents and stakeholders prior to the meeting. Throughout the process, we understand all application materials will be publicly available on the City's website and our contact information, as well as the staff contact information, will be available.

We will also summarize all public input received through the planning process and identify how public input has been addressed with any updates or changes to the planning and technical information in response to staff comments.

The consultation strategy described herein will ensure that members of the public are given an opportunity to review, understand, and comment on the development.

5.0 POLICY CONTEXT OVERVIEW

The following section of the Planning Justification Report provides a review and assessment of the land use policy and regulatory framework related to the Subject Lands and the proposed redevelopment. Each subsection describes the applicable policies and regulations and identifies how the proposed redevelopment and the requested Official Plan and Zoning By-law Amendments are consistent with and conform to Provincial and Regional policy.

5.1 Provincial Policy Statement (2014)

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

The PPS strongly encourages development that will provide long term prosperity, environmental health and social well-being. These directives depend on the efficient use of land and development patterns that support strong, livable and healthy communities that protect the environment and public health and facilitate economic growth. Land use planning decisions, including those made on applications for Official Plan Amendments and Zoning By-law Amendments, must "be consistent with" the PPS.

In assessing the redevelopment proposal and the proposed amendments for the Subject Lands, in addition to assessing consistency, the Subject Lands have been assessed in relation to how they implement the policies of the PPS.

Where Growth Should Occur

Section 1 of the PPS outlines policies intended to facilitate the development of strong, healthy communities. The PPS states that these communities are sustained by: promoting efficient land use patterns; accommodating a range and mix of residential, employment, recreation and other uses to meet the long-term needs of residents; promoting cost-effective development patterns and standards to minimize land consumption and servicing costs; improving accessibility for persons with disabilities and older persons; and, promoting development and land use patterns that conserve biodiversity and consider the impacts of a changing climate **(Policy 1.1.1 a) to h))**.

The Preamble of **Section 1.1.3** identifies that it is an interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure

effective use of infrastructure, and public service facilities, and minimize unnecessary public expenditures. The policies that follow provide direction on how this is to be achieved. In particular, to achieve this, the PPS directs that settlement areas on full municipal services be the focus of growth and development in municipalities and their vitality and regeneration shall be promoted (**Policy 1.1.3.1**).

Policy 1.1.3.2 a) directs that land use patterns within settlement areas shall be based on densities and a mix of land uses which: efficiently use land and resources; efficiently use infrastructure and public service facilities and avoid the need for unjustified expansion; minimize negative impacts to air quality and climate change; support active transportation; are transit supportive; and, are freight supportive. Additionally, **Policy 1.1.3.2 b)** states that a range of uses and opportunities for intensification is permitted, where it can be accommodated. **Policy 1.1.3.3** further clarifies how this is to be achieved, stating that "planning authorities shall identify and promote opportunities for intensification where this can be accommodated, taking into account existing building stock of areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected need."

The proposed development is located within a Settlement Area, as defined by the Provincial Policy Statement. It represents an efficient use of land and resources in the area, and will be developed on full municipal services. The redevelopment of the Subject Lands will provide for a level of intensification appropriate for the current land use context within the built up area and specifically in an area identified by the Province, Region, and City for accommodating a significant amount of the City's growth to 2031 and beyond (Urban Growth Centre, Major Transit Station Area). It will assist the City in meeting the long term and annual housing needs of residents. Furthermore, the proposed development will provide access to the existing public transportation network and is supportive of active transportation due to its proximity to existing bus routes, the Downtown Burlington Transit Terminal, parks, and open space.

Housing and Complete Communities

Section 1.4 of the PPS provides policy direction related to housing, with the intent of ensuring that municipalities provide for an appropriate range and mix of housing types and densities required to meet projected needs of current and future residents. To achieve this, planning authorities are to permit all forms of housing required to meet the social, health and well-being requirements of current and future residents and all forms of residential intensification. Planning authorities are also directed to ensure development of new housing is in locations where appropriate levels of infrastructure and public service facilities exist; and, promote densities for new housing which efficiently use land, resources, infrastructure and public service facilities and support the use of active transportation and transit in areas where it exists or is to be developed (**Policies 1.4.3 b), c) and d)**).

The proposed development represents a form of residential intensification in an area where appropriate levels of infrastructure and public services exist. It will efficiently utilize land and infrastructure by providing 150 dwelling units in a compact urban built form on a site which currently consists of a small medical office and condominium sales centre and is identified at the local level as appropriate for accommodating redevelopment in a mixed-use form.

The proposed development provides a variety of unit types (one, two and three bedrooms), including a significant proportion of three-bedroom units (approx. 66%), in order to ensure housing needs are met for a wide variety of occupants at various stages in their lifecycle, including families. The development will also assist with achieving a transit-supportive density within the area and support the use of active transportation due to the proximity to trails, parks, walking paths, and convenient access to public transit. The development has been designed to integrate with the surrounding community and will contribute to the range and mix of housing types in the neighbourhood to meet the current and future needs of residents.

Transportation and Servicing

Section 1.6 of the PPS provides direction for development as it relates to infrastructure and public service facilities. **Policy 1.6.6.2** states that municipal water and wastewater systems are the preferred form of servicing in settlement areas. Intensification and redevelopment within existing settlement areas on existing municipal sewage services and municipal water services should be promoted, wherever feasible. **Policy 1.6.7.5** states that transportation and land use considerations shall be integrated at all stages of the planning process and **Policy 1.6.7.4** states that 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 Functional Servicing Report and Stormwater Management Report prepared in support of the application confirm municipal servicing requirements are satisfied. The development will provide a level of intensity promoted by the Province, which will not require extension of services and can adequately be serviced by existing infrastructure. The proposed development has been designed to integrate with the surrounding community, and will support the reduction in length and number of vehicle trips by ensuring easy access to the existing alternative transit modes such as walking, cycling, and public transit (Burlington Transit, Hamilton Street Railway, and GO Transit). A Traffic Impact Study has been prepared in support of the proposed development which further describes how this proposal responds to and satisfies transportation requirements.

Cultural Heritage and Archaeology

Section 2.6 of the PPS provides policies related to cultural heritage planning and cultural heritage landscapes. In particular, the PPS states that cultural heritage landscapes shall be conserved (**Policy 2.6.1**) and that planning authorities shall not permit development and site alteration on adjacent lands to protected heritage properties, except where the proposed development or site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved (**Policy 2.6.3**).

The Subject Lands are located adjacent to identified heritage properties; however there are no significant built heritage resources on the Subject Lands. A Heritage Impact Assessment has been prepared as part of this application to determine any impacts that the proposed development will have on the cultural heritage value of the adjacent heritage properties located at 2100 Old Lakeshore Road and 2102 Old Lakeshore Road. The findings of the study conclude that these

properties will not be impacted by the redevelopment of the Subject Lands as proposed, other than potential vibrations emitted during construction which could impact 2101 Old Lakeshore Road.

Summary/Conformity Statement

For the reasons outlined above, the proposed development and related Official Plan and Zoning By-law Amendment are consistent with the policies of the Provincial Policy Statement, 2014.

5.2 Provincial Policy Statement Review (July 2019 Draft)

On July 22, 2019, the Province of Ontario released proposed revisions to the PPS. While these policies are not in effect, it is important to consider emerging Provincial policy in relation to the proposed redevelopment. The proposed changes to the PPS are intended to support a number of recently introduced policy documents including Bill 108, the More Homes, More Choice Act; More Homes, More Choice: Ontario's Housing Supply Action Plan; and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (the Growth Plan).

The proposed changes to the PPS are broadly categorized in to five themes as follows:

1. Housing supply and mix
2. Environment and public safety
3. Barriers and costs to development
4. Rural, northern and indigenous communities; and,
5. Employment and economic growth

The following section provides a summary of how the proposed redevelopment is in alignment with the emerging housing supply and mix policies of the proposed draft PPS.

Section 1.0 of the proposed Draft PPS sets out Provincial direction for the management and direction of land uses in order to build strong and healthy communities. Policy changes related to housing supply and mix generally increase flexibility with respect to housing supply and general development patterns and focus on responding to and meeting market demands.

Terminology relating to housing types within the PPS has been clarified under a new term "housing options". Housing options refers to a range of housing types, including but not limited to single detached, semi-detached, row houses, townhouses, stacked townhouses, multiplexes, additional residential units, tiny homes, multi-residential buildings and uses such as, but not limited to life lease housing, co-ownership housing, co-operative housing, community land trusts, affordable housing, housing for people with special needs, and housing related to employment, institutional, or educational uses. Land supply requirements specific to housing have also been increased. Specifically, **Policy 1.4.1** has been revised to increase the minimum number of years, from 10 to 12, that a municipality must maintain the ability to accommodate residential growth through intensification, redevelopment, and designated greenfield lands where necessary. The revised term is newly referenced in **Policy 1.1.3.3**, which requires planning authorities to identify locations to accommodate a significant supply of housing options, and **Policy 1.4.3**, which

requires planning authorities to provide for projected market-based housing needs by permitting all housing options. This policy is further revised by introducing a requirement for transit-supportive development and prioritizing intensification, including air rights development, in proximity to transit corridors and stations.

This policy shift toward market-based housing needs is further complemented by an emphasis, under **Policy 1.7.1**, on long term economic prosperity which is to be supported by encouraging residential uses to respond to dynamic market-based needs. Under the draft PPS, planning authorities are to provide the necessary housing supply and range of housing options for a diverse workforce. The shift towards providing for market-based housing is one of the most significant changes in the proposed PPS and one that may promote the development of a greater diversity of housing in terms of density and design as well as tenure.

With respect to the proposed redevelopment and associated Official Plan and Zoning By-law Amendments, the proposal is well positioned to provide for consistency with the Province's emerging policy framework, though not yet in-force. The redevelopment of the Subject Lands, as described throughout this report, will provide for increased residential density to assist the City and Region in the provision of sufficient housing supply within the timeframes set out in the draft document. Furthermore, the proposed development is located in close proximity to transit, and within a provincially recognised Urban Growth Centre, which continues to align with proposed Provincial Policy respecting transit-supportive development and intensification. Finally, the proposed development will provide a variety of residential unit types, ranging from one-bedroom to three-bedroom units, to respond to market-based needs and provide options for a diverse workforce.

Summary/Conformity Statement

For the reasons outlined above, the proposed development and related Zoning By-law and Official Plan Amendment is in alignment with the proposed policy changes to the Provincial Policy Statement contained within the Proposed Draft New PPS (July 2019).

5.3 A Place to Grow (2019)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (the "Growth Plan") provides a framework for implementing the Provincial government's vision for building stronger, prosperous communities by better managing growth in the Greater Golden Horseshoe. A Place to Grow was prepared and approved on under the Places to Grow Act, 2005, and was updated on May 16, 2019. The *Planning Act* requires that decisions affecting a planning matter conform with the policies of the Growth Plan.

The Growth Plan builds upon the policy foundation of the Provincial Policy Statement (2014), and previous plans (2006 and 2017 Growth Plans). It provides policies for where and how to grow, directing that population and employment growth should be accommodated within existing urban areas and rural settlement areas on full municipal services. The policies of the Growth Plan are about developing cities and towns as 'complete communities' by meeting people's needs for daily living, which is to be achieved by

directing growth to built-up areas. The Growth Plan also promotes transit-supportive densities, a diverse mix of land uses, a range and mix of employment and housing types, affordable housing, high quality public open space, and easy to access local stores and services. **The Subject Lands are considered a built up area of Burlington and are further recognized as an Urban Growth Centre in the Growth Plan.**

The following is a summary of the policies applicable to the proposed redevelopment and a discussion of how the proposal and Official Plan Amendment serves to implement these policies and provide for conformity with the Growth Plan, in the absence of any conforming policies at the local level:

Policy 2.2.1.2 sets out the growth management policies for the Greater Golden Horseshoe (GGH), and states that development will be directed to settlement areas with delineated built boundaries, existing or planned municipal services, and that can support the achievement of complete communities. Within settlement areas, the policies place a further priority on directing growth to strategic growth areas, including intensification areas along existing or planned transit corridors, Urban Growth Centres and locations with existing or planned transit, and areas with existing or planned public service facilities. **The Subject Lands are located within a delineated built boundary, and provincially recognized Urban Growth Centre, where growth is to be directed and achieved. Full municipal services are available, and intensification is to be promoted. The proposal provides for an appropriate level of intensification. Further, the Subject Lands are in close proximity to transit, are located along a bus route. The redevelopment of the Subject Lands contributes to the achievement of complete communities by providing new residential uses and retail with a mix of uses and unit types.**

Policy 2.2.1.4 a) – e) establishes that the policies of the plan should be applied to support the achievement of complete communities that:

- Feature a diverse mix of land uses with convenient access to local stores, services and public service facilities;
- Provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate the needs of all household sizes and incomes;
- Expand convenient access to a range of transportation options, public service facilities, and a supply of safe, publicly-accessible open spaces; and,
- Provide for a more compact built form and a vibrant public realm, including public open spaces.

The Subject Lands are within an area identified for intensification by the Province, Region of Halton and City of Burlington, where convenient access to amenities that provide for a complete community are available to residents. These amenities which are identified in Table 2 include local stores, places of worship, schools, public facilities, open space, and public transit (both municipal and inter-municipal). Retail/commercial space will be provided at-grade, which will contribute to a vibrant public realm and provide a mix of uses on the site for future residents and the broader community. The proposed development will contribute to the provision of a high quality built form by making efficient use of space through the provision of new residential units and retail/ commercial space in a compact high-density urban form. The proposal will also assist in providing

a diverse range of housing options, including one, two, and larger three bedroom units to accommodate the needs of a variety of household types and sizes including families.

Section 2.2.2 sets out the general intensification strategy for delineated built-up areas and states that by the time the next municipal comprehensive review is approved and in effect, and for each year thereafter, a minimum of 50% of all residential development occurring annually within Halton Region will be in the delineated built-up area (**Policy 2.2.2.1a**). **Policy 2.2.2.2** states that 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. All municipalities are to develop a strategy to achieve the minimum intensification target[1] and intensification throughout delineated built-up areas, which will identify strategic growth areas, encourage intensification, ensure lands are zoned to enable complete communities, and prioritize planning that will support intensification. **The proposed development provides required residential and retail/commercial uses for the area, all of which will contribute to the achievement of the growth targets for people and jobs as required by the Growth Plan. The development proposal represents an intensification opportunity that will assist the City and Region in achieving the intensification targets set out in the Official Plan and each year thereafter, and will ensure that the City and Region are well positioned to achieve the new targets set to 2041 which, as noted later in this report, have not yet been prepared. The proposal reflects a level of intensification appropriate within the City's policy and physical site context, and is consistent with the goals of the Growth Plan to encourage and support intensification within the built up area and, specifically, the Urban Growth Centre.**

Section 2.2.4 of the Growth Plan provides additional policy direction with respect to densities and intensification within Transit Corridors and Station Areas, stating that within all major transit station areas, development will be supported by:

- Planning for a diverse mix of uses, including second units and affordable housing, to support existing and planned transit service levels;
- Fostering collaboration between public and private sectors, such as joint development projects;
- Providing alternative development standards, such as reduced parking standards; and,
- Prohibiting land uses and built form that would adversely affect the achievement of transit-supportive densities (**2.2.4.9**).

[1] *The intensification target set out in the Growth Plan is a **minimum** target which municipalities are encouraged to exceed. The intent of this policy is to ensure that a supply of housing for all is maintained into the future to respond to population housing needs beyond 2031. In a circumstance where a municipality may be "well positioned to meet the provincial target", it is important to note that physical growth does not stop once a target is reached and this has been upheld by the LPAT in a recent decision which states "[intensification]… is a mandate within the planning framework to be alive to opportunities where land and infrastructure efficiency and fulfilment of community completion goals may be achieved" and "The Tribunal finds no necessary conclusion that the OP represents a rigid box that cannot accommodate workable opportunities to use land efficiently and assist in building out a complete community, even if those opportunities may not have been specifically envisaged at the time of OP adoption" [LPAT Case No. PL171222 GWL Realty Advisors Inc., paragraphs 36 and 95]*

The Growth Plan defines a major transit station area as "the area including and around any existing or planned higher order transit station or stop within a settlement area; or the **area including and around a major bus depot** in an urban core. Major transit station areas generally are defined as the area within an approximate 500 to 800 metre radius of a transit station, representing about a 10-minute walk."

Lands adjacent to or near existing and planned transit are to be planned as transit-supportive, and supportive of a range and mix of uses and activities (**2.2.4.10**). **The proposed development will assist the City in achieving the density and intensification targets for Station Areas as established in the Growth Plan by providing an intensification opportunity for high-density development which includes a variety of unit types and retail/commercial space. The Subject Lands are located adjacent to Lakeshore Road, which is directly served by one (1) bus route with connections to both inter and intra-municipal transit and higher order transit via the nearby bus terminal. The addition of 150 residential units and 598 square metres of retail space will support the viability of the Transit Network and provide a level of intensification appropriate for an Urban Growth Centre. Further, the proximity to existing transit connections to the City of Burlington, City of Hamilton, and Downtown Burlington Transit Terminal support the regional transit network and promote alternative methods of transportation.**

Policies respecting housing are contained within **Section 2.2.6** of the Growth Plan. In particular, **Policy 2.2.6.3** states that, 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. **A range of unit types will be provided in the development, with approximately 66% of the units being larger (3-bedroom/ 3 bedroom+ den) to accommodate a range of household sizes and incomes.**

Policies related to infrastructure and transportation are provided in **Section 3** of the Growth Plan. These policies direct the Province and municipalities to undertake an integrated and coordinated approach to land use planning, infrastructure investments and environmental objectives to achieve the outcomes of the Plan. These policies promote the transition from lower density development to a more compact built form. They place emphasis on transit as the first priority for planning or development, promoting a transit network that will support and facilitate improved linkages between strategic growth areas and other areas planned for a mix of uses and transit-supportive densities. These systems are to serve growth in a manner that supports the achievement of the minimum density and intensification targets of the Plan. **The proposed development assists the City, Region and Province in achieving the intent of the infrastructure and transportation policies of the Growth Plan by providing for a more compact built form on a site that is within close proximity to amenities, services, and public transit. The development promotes transit by ensuring a level of development on the site is provided to support transit use and explores TDM measures such as reduced parking and unbundled parking to promote transit ridership. The development will contribute to the prioritization of public transit and the achievement of transit supportive densities within the Downtown Burlington Urban Growth Centre through a reduced parking ratio. The introduction of residential and retail/commercial uses on the site will contribute to a vibrant street and support the economic**

viability of the Downtown and community infrastructure services, resulting in a more efficient and cost effective use of existing public resources.

Section 4 of the Growth Plan provides policies for protecting resources including water systems, the Natural Heritage System, key hydrologic features, public open space, the agricultural system, cultural heritage resources and mineral aggregate resources. Additionally, Section 4 provides policies intended to mitigate the impacts of climate change. **The Subject Lands are not directly adjacent to any natural features, aggregate operations or an agricultural system as they are in an urban context and are not located in proximity to any designated, agricultural or aggregate areas and are not within Conservation Halton's Regulated erosion hazard limit. The site is in proximity to the Lake Ontario shoreline and the development will be undertaken to ensure adequate protection measures for resiliency and water quality protection. The proposal responds to the Growth Plan's policies related to climate change adaptation and mitigation by enhancing a complete community through intensification and provides opportunities for reduced dependence on the automobile through TDM. A number of sustainable development measures will be considered for implementation on-site to assist with mitigating impacts of climate change, at the site plan stage.**

Cultural Heritage

Section 4.2.7 of the Plan provides policies related to cultural heritage. Cultural heritage resources, with policy 4.2.7.1 stating that cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas. As mentioned previously, although there are no cultural heritage resources located on the Subject Lands, both 2100 and 2101 Old Lakeshore Road are listed on the City's municipal heritage register. **An HIA has been prepared as part of this application which concluded that these properties will not be impacted by the redevelopment of the Subject Lands as proposed, other than potential vibrations emitted during construction which could impact 2101 Old Lakeshore Road.**

Summary/Conformity Statement

The Growth Plan guides development to achieve positive outcomes for the Region and City with respect to the economy, environment, and quality of life. It focuses on ensuring growth and development is directed to appropriate areas with an emphasis on intensification within Urban Growth Centres. The analysis above demonstrates how the proposed redevelopment conforms to and better achieves the Growth Plan objectives than the existing permissions by allowing for appropriate intensification that optimizes an underutilized site, and assists in the achievement of the targets set out in the Growth Plan. The proposal provides transit supportive development that utilizes existing municipal services, and contributes to complete communities. The development proposes a housing opportunities which are well-connected to existing community services, parks and local businesses. The development proposal and corresponding Official Plan Amendment and Zoning By-law Amendment are required to provide conformity with and implement the applicable policies of the Growth Plan.

5.4 Metrolinx 2041 Regional Transportation Plan

In March 2018, Metrolinx adopted an update to the 2008 Regional Transportation Plan (RTP), which applies a 2041 planning horizon. The RTP intends to build an integrated transportation system for the GTHA that is comprehensive, connected, accessible, sustainable, and focused on people. The RTP builds upon the framework of the 2017 Growth Plan and intends to provide detailed strategies and actions for addressing transportation challenges in the GTHA.

The 2041 RTP identifies a comprehensive transportation development plan for the region, consisting of 1800 kilometres of rapid transit, 1000 kilometres of cycling infrastructure, and 1000 lane kilometers of high occupancy vehicle and transit lanes. **Strategy 4** identifies the creation of a system of connected Mobility Hubs and Major Transit Station Areas at key points in the regional transportation network that provide travelers with access to the system, support high density developments, and integrate various modes of transportation with an intensive concentration of places to live, work, shop, and play.

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

Downtown Burlington is identified as both an Urban Growth Centre and Mobility Hub in the 2041 RTP, as are the Subject Lands. Accordingly, the supporting actions and policies developed to achieve **Strategy 4** are of relevance to the proposed development. Key policies to be considered include:

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

Summary/Conformity Statement

Based on the above, the proposed development is positioned to assist in the implementation of the policy objectives of the 2041 Regional Transportation Plan, including redevelopment that promotes a shift in travel behaviours through the provision of higher density development and implementation of TDM measures such as reduced parking and unbundled parking which will support alternate modes of transportation. The proposal represents optimization of a development opportunity that will support the continued vibrancy of Downtown Burlington, as well as the Burlington Urban Growth Centre. As such, it will assist in implementing the vision of the 2041 RTP.

5.5 Region of Halton Official Plan (June 2018 Consolidation)

The Region of Halton Regional Official Plan (ROP) serves as Halton's guiding document for land use planning and is intended to manage growth across the Region's four municipalities. It contains the goals, objectives, and policies that manage growth and direct physical change and its effects on the social, economic, and natural environment of Halton Region. Regional Official Plan Amendment 38 (ROPA 38) was adopted by Regional Council on December 16, 2009 and was approved by the Province with modification and appealed to the Ontario Municipal Board (OMB). The June 2018 Office Consolidation of the ROP used in this planning assessment includes ROPA 38 as approved by the OMB.

The ROP establishes a broad set of land use designations as part of the Regional Urban Structure, which are intended to guide growth and development while allowing individual municipalities flexibility to further define specific land uses within the broader designation. The ROP also provides general guidance for redevelopment, creation of complete communities, and intensification in **Part 3**.

The Regional Structure is accompanied by a growth strategy for Halton based on population and employment forecasts for the planning horizon year of 2031. Overall, the Region is expected to grow by 324,000 and reach a population of 780,000 by 2031[2]. Of the Regional total, it is intended that the City of Burlington will grow by 22,000 and reach a population of 193,000 by 2031 (**Halton ROP, Table 1**). To achieve provincial directions and accommodate the forecasted growth, the Region has adopted a regional intensification target of 40%. This growth is to occur via intensification. The Region has assigned growth to the local municipalities in order to achieve this target. To achieve the intensification objectives within the Region, it is expected that the **minimum** number of new housing units to be added to the Built-Up Area of Burlington between 2015 and 2031 is 8,300 (**Halton ROP, Table 2 and 2a**). The ROP also contains policies related to housing targets. Specifically, **Policy 86(6)(a)** states that at least 50% of new housing units produced annually in Halton be in the form of townhouses or multi-storey buildings.

The proposed redevelopment contributes to the Region's growth targets, and specifically provides new housing units in a multiple dwelling form while also providing for at-grade retail/commercial space. This form of development conforms to the policy direction of the Regional Official Plan related to housing supply. It is important to note that with respect to population growth and intensity targets, the Regional Official Plan has not yet been updated to conform with the 2019 Growth Plan, though this work is underway as part of their Municipal Comprehensive Review. The population forecasts for 2041 will require continued intensification in Downtown Burlington.

Urban Area

The Subject Lands are located within the Built Boundary and Urban Growth Centre and are designated an "Urban Area" in accordance with Map 1- Regional Structure of the ROP (**Figure 7**). It is the intent that lands within the Urban Area accommodate existing and future development within the Region.

[2] *The Region is currently undertaking work to arrive at the 2041 numbers through their Municipal Comprehensive Review process, which lower-tier municipalities will be required to implement at the local level through future conformity exercises.*

Map 1
Regional Structure

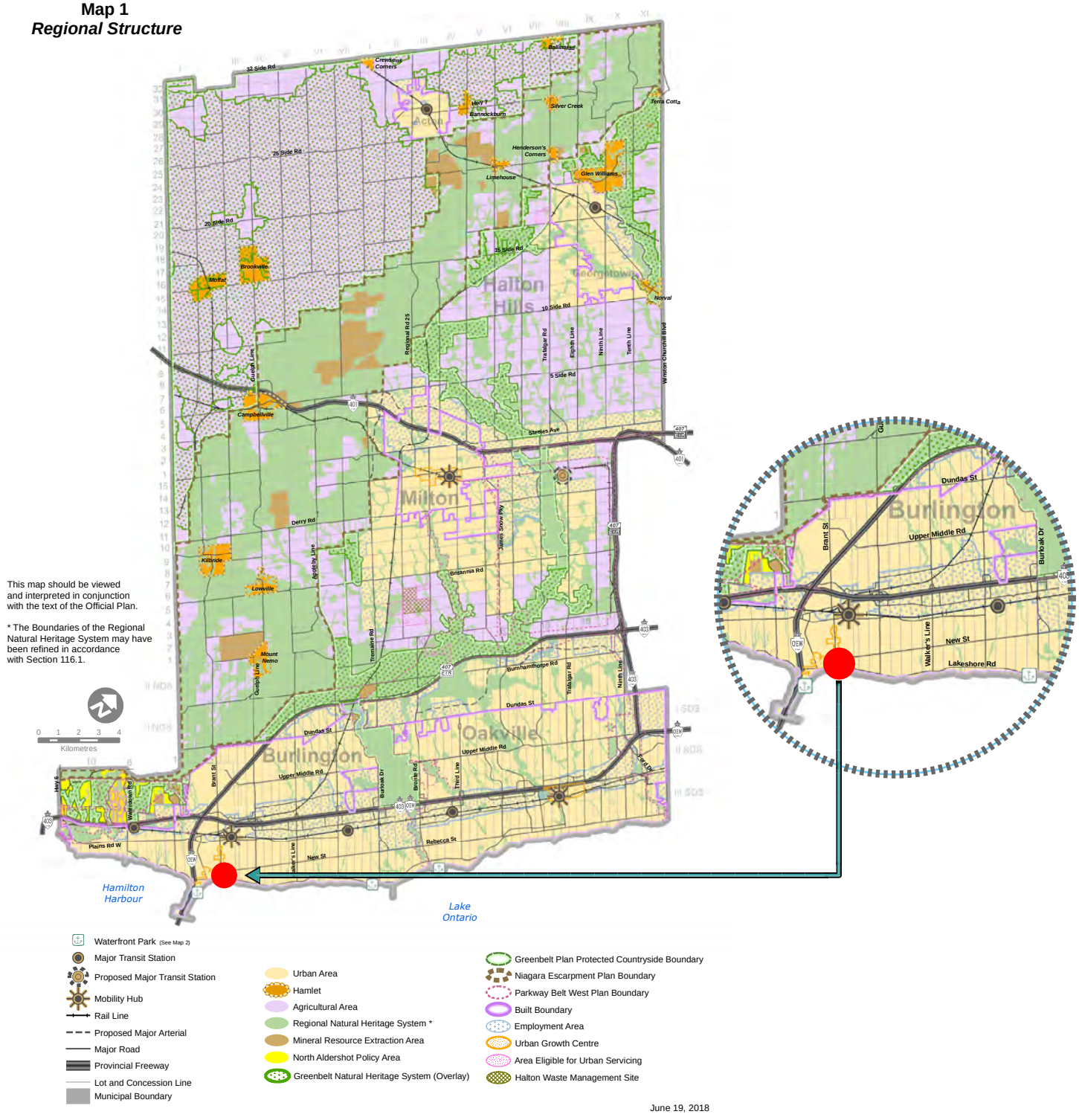


Figure 7

Halton Region Official Plan Map 1 Regional Structure

2107 Old Lakeshore Road &
2119 Lakeshore Road
Burlington, Ontario

LEGEND

Subject Land

DATE: December 2, 2019

SCALE N.T.S

north

MHBC PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE
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Section 72 of the ROP provides objectives for Urban Areas which are areas where urban services are or will be made available to accommodate existing and future urban development and associated 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(1), 74**). Growth that is compact and supportive of transit use 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 is supported (**72(2)**). Urban areas are 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(3)**).

It is the intent that these urban areas form part of an urban structure that supports the development of intensification areas where intensification and increased densities are supported in which a balance of jobs and housing are provided in communities to reduce the need for long distance commuting and to increase the modal share for transit and active transportation (**72(6), 72(7), 72(9)**).

It is generally the intent that growth within Urban Areas support compact, transit supportive development that allows for the creation of complete communities of various sizes, types, and character to provide maximum choices for residence, work, and leisure. While the ROP identifies that growth is intended to occur both within the Built Boundary and within Greenfield Areas, the ROP promotes intensification and increased densities within the Built Boundary in order to support sustainable cost-effective growth.

Intensification Areas

As discussed in greater detail below, the Subject Lands are identified as a Mixed Use Centre and Urban Growth Centre in the City of Burlington Official Plan. Within the context of the ROP, intensification areas are part of the Urban Area and consist of Urban Growth Centres, Major Transit Station Areas, Intensification Corridors and Mixed Use Nodes as identified in Local Official Plans (**80(1-4)**). Accordingly, the intensification policies of the ROP apply to the Subject Lands.

The ROP contains a series of objectives for intensification areas within **Section 78**, which are to cumulatively attract a significant portion of population and employment growth and generally achieve higher densities than surrounding areas (**78(6). 78(9)**).

Within intensification areas, transit and active transportation for everyday activities is supported (**78(8)**). Space is to be used more economically to promote live-work relationships, foster social interaction, enhance public safety and security, reduce automobile travel, and promote active transportation and sustainability (**78(1)**). A diverse and compatible mix of land uses to support neighbourhoods are to be provided, including residential and employment uses (**78(4)**).

An appropriate transition of built form from intensification areas to adjacent uses and existing developed areas should be achieved (**78(10)**). These areas are envisioned as vibrant, diverse, and pedestrian-oriented urban environments that provide high quality public open spaces with site design and urban design

standards that create attractive and vibrant places (**78(5), (78(7)**). In terms of design, opportunities for more cost-efficient urban design are to be provided in intensification areas (**78(2)**).

The proposed redevelopment is consistent with the policies of the ROP with respect to intensification areas and will assist in achieving the objectives of the Regional Official Plan for both the Urban Area and Intensification Areas. The proposed redevelopment represents a compact, mixed-use urban form which locates residential uses in close proximity to a variety of parks and other community facilities and situates retail/commercial space at grade (see Table 2). Increased density on the site, as well as reduced parking, will promote modal shift and support the existing and planned transit routes in the area as well as encourage the use of active transportation through the provision of a pedestrian friendly public realm which includes active uses at grade and connections to the Waterfront Trail and public parkland.

The accompanying technical studies, including the TIS and FSR, demonstrate that there is adequate capacity in the transportation network and the site can be adequately serviced. The proposed development has been carefully designed to take advantage of the triangular shape of the parcel and provide a unique landmark building which uses space efficiently and achieves compatibility with existing and future built form in the surrounding area. The development proposal's unique design provides an eastern gateway into the Downtown while respecting the existing and evolving character of the area. The podium-tower design contributes to an attractive and vibrant pedestrian realm, and maintains views to the lake (refer to Urban Design Brief).

The policy direction for Intensification Areas is contained within **Section 81**. In accordance with Section 81, it is the policy of the Region to direct development with higher densities and mixed uses to Intensification Areas (**81(1)**). Specific direction for how Local Municipalities are to identify and plan for Intensification Areas is also included within this section which are aimed at ensuring Local Official Plan policies meet intensification and mixed-use objectives for Intensification Areas, including minimum development densities that will support existing and planned transit services (**81(7) a) b)** and **d)**). Additionally, Official Plan and Zoning By-law amendments to reduce development densities within Intensification Areas are prohibited, unless they are part of a municipal comprehensive review of the Official Plan or a review of the Area-Specific Plan for the Intensification Area (**81(7) c)**).

The proposed development will introduce 150 new residential units and 598 square metres of retail/commercial space to the site which is consistent with the ROP's direction of higher densities in intensification areas. The proposed OPA and ZBA will allow for conformity through the optimization of the underutilized lands and contribute to population and employment growth within the Urban Growth Centre as directed by the Region and the Province. The increased density will contribute to transit-supportive objectives by contributing to the transit ridership potential of the area, including the existing bus route and nearby transit terminal which serve the site. Reduced parking is proposed, which has been justified in the TIS and is consistent with the ROP policies promoting active transportation and public transit use.

Urban Growth Centres

The ROP identifies Urban Growth Centres as parts of Intensification Areas, which in turn are parts of the Urban Area and, therefore, are subject to the objectives and policies for both Intensification Areas and the Urban Area (**81(2)**). Urban Growth Centres are to serve as focal areas for investment in institutional and region-wide public services, as well as commercial, recreational, cultural and entertainment uses (**81.1(1)**). They are to accommodate a significant share of population and employment growth and support major transit infrastructure (**81.1(2)**, **81.1(4)**). It is a policy of the Region to require Urban Growth Centres to achieve a minimum development density target of 200 residents and jobs combined per gross hectare by 2031 or earlier (**81.3(1)**).

The proposed development conforms to the objectives for achieving the minimum intensification target of 200 residents and jobs combined per hectare within the Urban Growth Centre. The proposal and associated increased density supports major transit infrastructure, such as the Downtown Burlington Transit Terminal, by providing for increased transit ridership potential of local and regional transit (Burlington Transit, HSR, and GO Transit). The proposed development and associated amendments conform with Regional policies relating to Urban Growth Centres.

Housing

The ROP also contains policies and objectives related to housing, with the goal of supplying people with an adequate mix and variety of housing to satisfy differing physical, social, and economic needs while maintaining the quality of the housing stock (**84, 85(9)**). As noted previously in this report, the ROP includes housing targets and requires that at least 50% of new housing units produced annually be in the form of townhouses or multi-storey buildings (**86(6)**). It is also an objective to meet housing needs through the provision of Assisted Housing, Affordable Housing, and Special Needs Housing in Halton (**85(5)**).

The ROP identifies making more efficient use of existing developed lands, housing stock, and available services to increase the supply of housing while maintaining the physical character of existing neighbourhoods as an objective (**85(4)**). In this regard, the ROP promotes residential intensification through the development or redevelopment of brownfield and greyfield sites (**85(13)**). The ROP also encourages Local Municipalities and the building and development industry to develop innovative housing designs that stress flexibility in use, mix of compatible land uses, good environmental practices, universal physical access, public safety and security needs, cost-efficiency, affordability, and energy and natural resource conservation while maintaining sound engineering and planning principles (**85(8)**).

The proposed development seeks to demolish the existing condominium sales centre and office building on the Subject Lands in order to allow for the development of a new high density residential building. The new development will provide 150 new residential units of varying sizes (one, two, three bedrooms) to accommodate a variety of housing options for future residents. The increased residential density and high rise built form will more efficiently use the lands and increase the overall supply of housing in the area while maintaining the physical character of the neighbourhood, which consists of buildings with a similar height and form (existing and

proposed), as noted in Table 2. The high quality design provides for a sustainable form of development built in accordance with sound engineering and planning principles.

Healthy Communities

Part IV of the ROP contains policies with respect to creating healthy communities. Overall, it is the goal to achieve a high-quality environment, for this and future generations that will sustain life, maintain health and improve the quality of living (**140**). In this regard, it is the policy of the Region to require all development proponents to have regard for the Healthy Communities Guidelines in considering and providing physical design features that promote safety and security (**156(1)**).

These policies are evaluated in the context of the Healthy Community Guidelines in **Table 6**. The Guidelines note that healthy communities encourage seven attributes which are presented as headings in **Table 6**.

Table 6: Evaluation of Healthy Community Guidelines

Built Environment	
Contribution to healthy community: • Compact mixed use development, walkable and connected communities; • A range of densities and housing opportunities, choices and accessibility for all income levels and needs; • Redevelopment/regeneration areas; • Welcoming pedestrian-scaled environments; • A range of densities that will support public transit and amenities; and, • Community infrastructure.	**Elements:** • Compact Development • Community Structure • Diversity of Uses • Walkable & Connected Communities • Diversity of Housing • Complete Streets • Schools • Redevelopment / Regeneration Areas • Mixed Use Opportunities • Urban Forest • Streetscapes and the Pedestrian Environment
Compliance of proposed development:	
The proposed development has a compact, high density built form consisting of a residential building with podium and 598 square metres of retail/commercial space at grade with approximately a 66% share of units comprising 3 bedroom/ 3 bedroom+ den units. A variety of unit types will be provided to accommodate households and individuals at different stages of their life cycle. The development will replace an under-utilized site containing a condominium sales centre and small medical clinic with a tall building that will be well connected to the Downtown, including parks, local community facilities, local serving commercial uses, and the existing and future planned transit system. The future residents will increase the potential ridership pool for the existing transit as noted in Section 2.3, and will be able to take advantage of the many community facilities (noted in Table 2) located in close proximity to the Subject Lands.	
Mobility	
Contribution to healthy community: • Encouraging physical activity; • Facilitating active transportation and public transit; • Providing access to services and	**Elements:** • Universal Accessibility • Street Network • Active Transportation • Transit Accessibility

amenities for vulnerable population groups including children, the elderly, persons with disabilities and low income individuals; • Providing safe, convenient and accessible environment for walking and cycling through Transportation Master Plans and Active Transportation Plans; • Reducing dependency on single occupant vehicles and improving access to transit; • Promoting integration within transit systems inter-regionally; and, • Providing connected street networks that are accessible to all modes of transportation.	• Transit-supportive Density • Major Transit Stations • Pedestrian & Cycling Routes • Parking

Compliance of proposed development:

The proposed development is within walking distance and cycling distance of a number of community facilities (refer to Table 2). Residents will be able to meet many of their day to day needs within the immediate neighbourhood without the need to use an automobile. The additional residential density will support the variety of commercial uses within walking distance, including the many commercial uses located within Downtown Burlington. The close proximity to existing transit routes and the bus terminal will be supported by the increased residential density and will provide residents with increased accessibility to destinations located within and outside the region. Further, the site is optimally located to provide excellent pedestrian connections to the surrounding area. Careful consideration has been given to the building design to ensure that it is safe and accessible to pedestrians and well connected to the public realm.

Natural Environment and Open Space	
Contribution to healthy community: • Preserving and enhancing the natural heritage system; • Supporting recreational and cultural opportunities; • Providing access to a range of open spaces, parks and recreational facilities, pathways and trails; and, • Providing interconnected green space and urban forests within the urban boundary.	**Elements:** • Natural Heritage System • Parks & Public Spaces • Pathways & Trails

Compliance of proposed development:

No elements of the natural heritage system are present on site. The proposed development will replace an underutilized parcel of land which contains a condominium sales centre with parking lot containing minimal landscaping and a medical office building which also contains surface parking and minimal landscaping. The proposed development will provide an improved pedestrian environment and will serve as an eastern gateway to Downtown Burlington. The Subject Lands are located within close proximity to trails, parks and the waterfront as well as cultural facilities,

providing future residents with opportunities to participate in local activities. Connections to the public sidewalk will also be provided.

Human Services	
Contribution to healthy community: • Integrating and co-locating providing social infrastructure to meet the current needs of all residents; • Providing social, cultural and recreational services such as Places of Worship, Community Centers, Libraries, social housing, youth centres, long term care homes and seniors centres; and, • Providing access to health care and ensuring public safety through design (CPTED);	**Elements:** • Co-location & Integration of Services • Social, Community, Cultural, and Recreational Services • Health & Public Safety • Education

Compliance of proposed development:

As noted in Table 2, the site is located in proximity to a number of community facilities including schools, places of worship, parks, trails, government buildings, and hospitals.

Sustainable Design	
Contribution to healthy community: • Designing new buildings, communities, and neighbourhoods to reduce water, waste, and energy use; • Promoting energy conservation and alternative energy sources; • Implementing Low Impact Design Standards in both new developments and established areas; • Improving air quality through addressing the impact of climate change; and, • Encouraging the design and construction of energy efficient green buildings.	**Elements:** • Energy • Water • Materials and Solid Waste • Air Quality • Green Buildings • Cool/Green Roof

Compliance of proposed development:

The proposed development contributes to sustainability as it replaces an underutilized and auto-oriented site with a compact, high-density residential development. This allows for efficient use of land within the existing urban boundary on existing municipal services. Availability of public transit, as well as the site's close proximity to community facilities and commercial land uses, increases the potential for a shift in mode share away from the single-occupant automobile. Additional sustainable design elements will be identified as the proposal proceeds to the detailed design stage.

Economy	
Contribution to healthy community: • Providing a balanced community between employment and residential	**Elements:** • Population and Jobs • Employment Lands

areas; • Promoting a diversity of employment opportunities and densities at appropriate locations where transit is available; and, • Promoting the efficient movement of goods.	• Retail / Commercial / Service • Mixed Use / Live Work Opportunities • Neighbourhood Jobs
Compliance of proposed development:	
The development proposal is located within an area designated for the intensification of residential uses and will contribute to the achievement of Regional and Provincial intensification targets by providing an additional 150 residential dwelling units. Additionally, the development is within close proximity to a variety of retail stores and community facilities, including the Joseph Brant Memorial Hospital, which will provide residents with easy access to goods and services without having to rely on the automobile.	
Community Food Supply	
Contribution to healthy community: • Encouraging accessibility to healthy food; and, • Promoting locally grown food and farmers markets.	**Elements:** • Encouraging accessibility to healthy food; and, • Promoting locally grown food and farmers markets.
Compliance of proposed development:	
The Subject Lands are located within close proximity to a food store and community gardens which will provide residents with access to healthy food.	

With respect to Cultural Heritage Resources, it is a goal of the Region that material, cultural and built heritage be protected for present and future generations (**165**). It is the policy of the region to require development proposal on adjacent lands to protected cultural heritage resources study and consider the preservation, relocation and/or adaptive re-use of historic buildings and structures based on both social and economic costs and benefits; incorporate in any reconstruction or alterations, design features that are in harmony with the area's character and existing buildings in mass, height, setback and architectural details; and express the Cultural Heritage Resources in some way, including: display of building fragments, marking the traces of former locations, exhibiting descriptions of former uses, and reflecting the former architecture and uses (**167.3 a)-c)**).

The Subject Lands are located adjacent to protected heritage properties; however there are no significant built heritage resources on the Subject Lands. A Heritage Impact Assessment has been prepared as part of this application to determine any impacts that the proposed development will have on the cultural heritage value of the adjacent heritage properties located at 2100 Old Lakeshore Road and 2102 Old Lakeshore Road. The findings of the study conclude that these properties will not be impacted by the redevelopment of the Subject Lands as proposed, other than potential vibrations emitted during construction which could impact 2101 Old Lakeshore Road.

<u>Summary / Conformity Statement</u>

Through the provision of additional height to provide for an appropriate mix of residential dwelling units to meet the needs of the current and future population within the Urban Growth Centre, the proposed development contributes to the achievement of the Regional objectives for Urban Areas, growth management, intensification, and housing. The development will provide a density and built form consistent and compatible with the surrounding area and evolving built form character of the Downtown Urban Growth Centre. The proposed redevelopment will give existing and future residents additional housing choice by providing a mix of one, two, and three bedroom units within a tall building. The proposal is also well aligned with the Region's Healthy Community Guidelines. The proposed development and associated Zoning By-law Amendment and Official Plan Amendment will contribute to the achievement of Regional objectives for Urban Areas, Intensification Areas, Urban Growth Centres, housing and healthy communities and is in conformity with the applicable policies of the Region of Halton Official Plan.

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

Burlington's Official Plan (OP), was adopted by the City on July 11, 1994. It was subsequently approved, with modifications, by the Region of Halton, on March 5, 1997. Certain parts of the plan were referred by the Region to the Ontario Municipal Board (OMB) for a decision, and certain parts were deferred for further consideration. The City's OP was approved by the OMB on October 24, 2008. The most recent Office Consolidation of the OP incorporates all modifications, subsequent approvals, and amendments to the Plan up to and including October 2017.

The OP has not yet been amended through a Municipal Comprehensive Review to bring it into full conformity with the PPS, 2014 or the Growth Plan, 2019.

The OP has a number of Parts which address the overall Policy Framework (Part I), Functional Policies (Part II) and Land Use Policies (Part III). There are some difficulties associated with providing an assessment of conformity of the proposal with the City's current Official Plan, as many of the City's policies pertaining to the Subject Lands do not comply with or implement higher order planning instruments, namely the PPS, Growth Plan and ROP. This position has also been confirmed by a recent Ontario Municipal Board Decision, which identified that "taller and more transit-supportive development is both preferable and better implements the transit-oriented and intensification policies of the PPS 2014 and the GGH 2017" (OMB File No.: PL150274, ADI Development Group).

The following is a summary of the OP policies relevant to the proposed development and an analysis of how the redevelopment meets the City's planning objectives of the OP and serves to achieve conformity/ consistency with these higher order planning instruments through the proposed Official Plan Amendment.

<u>Mapping and Land Use Designations</u>

In accordance with the in-force Official Plan, the following land use designations apply to the Subject Lands:

- Mixed Use Activity Areas, Schedule A: Settlement Pattern;

- Mixed Use Centre and Downtown Urban Growth Centre, Schedule B: Comprehensive Land Use Plan- Urban Planning Area;
- Old Lakeshore Road Mixed Use Precinct (Sector B), Schedule E: Downtown Mixed Use Centre Land Use Plan;
- Minor Arterial (Lakeshore Road), Schedule K: Classification of Transportation Facilities Downtown Area; and,
- Primary Bus Service (Lakeshore Road), Appendix A Schedule 1: Long Term Transit Service Network.

Figures 8 to **10** show the above noted Official Plan mapping as it relates to the Subject Lands.

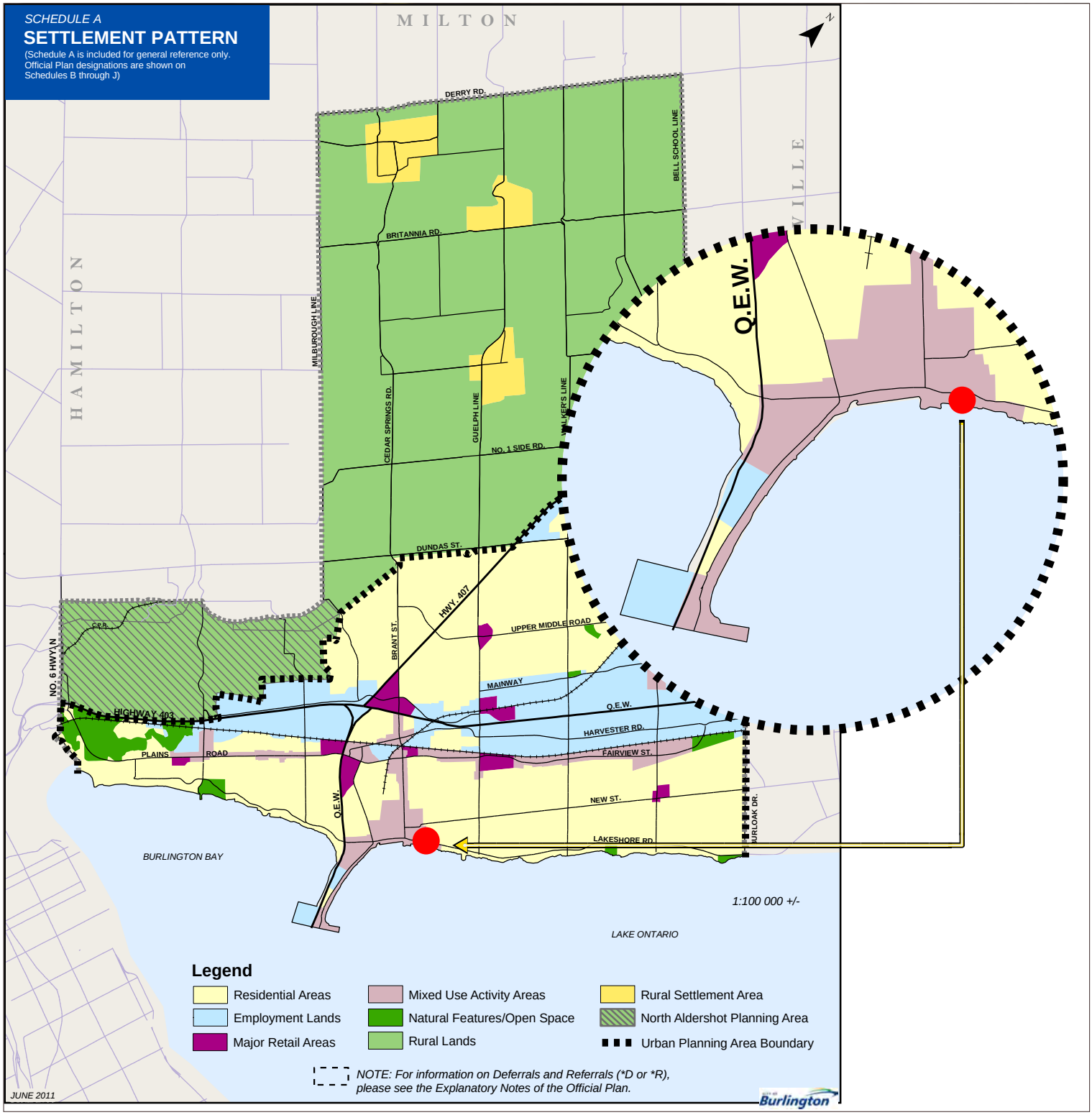


Figure 8

City fo Burlington Official Plan - Schedule A - Settlement Pattern

2107 Old Lakeshore Road &
2119 Lakeshore Road
Burlington, Ontario

LEGEND

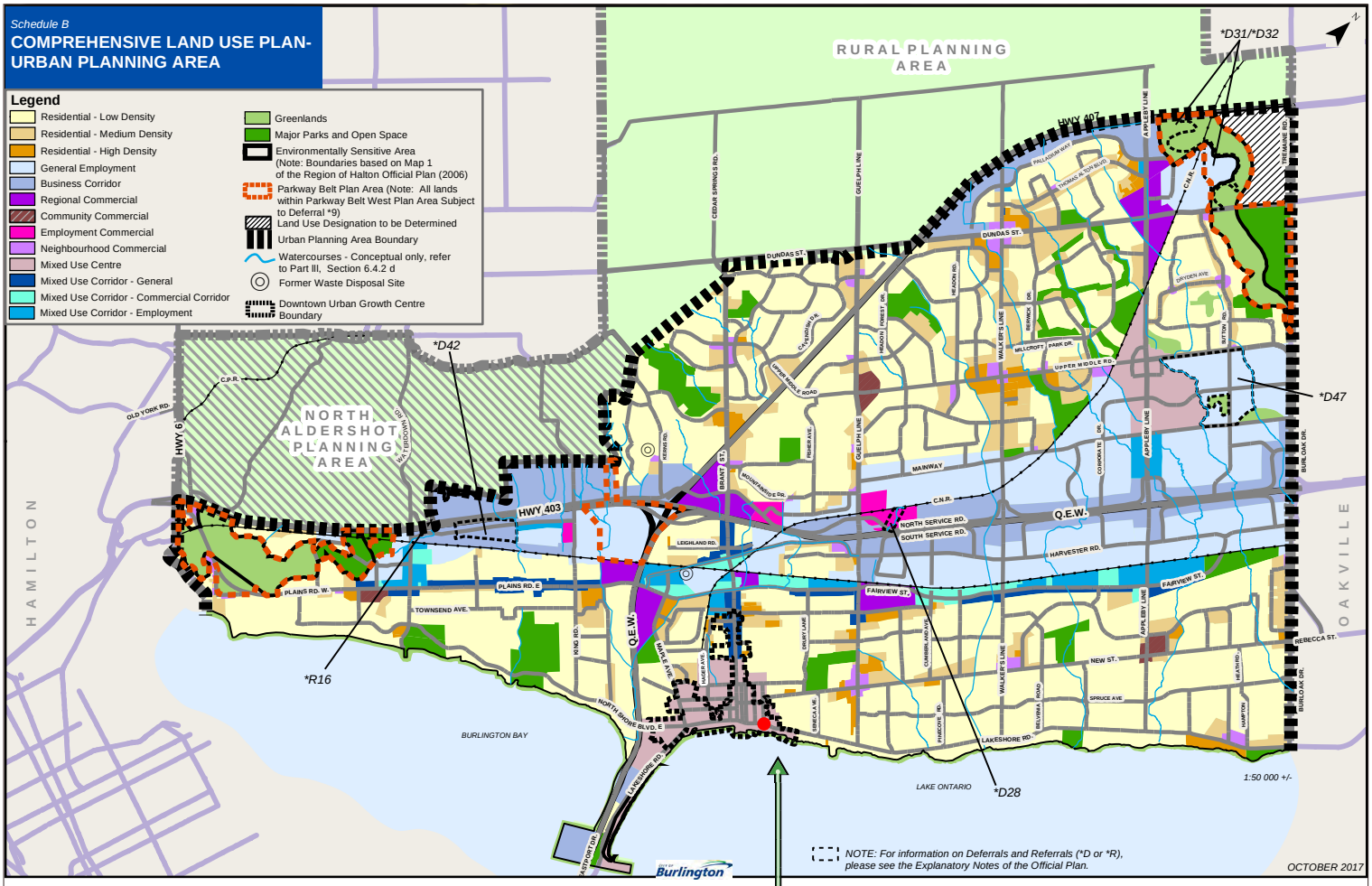
Subject Land

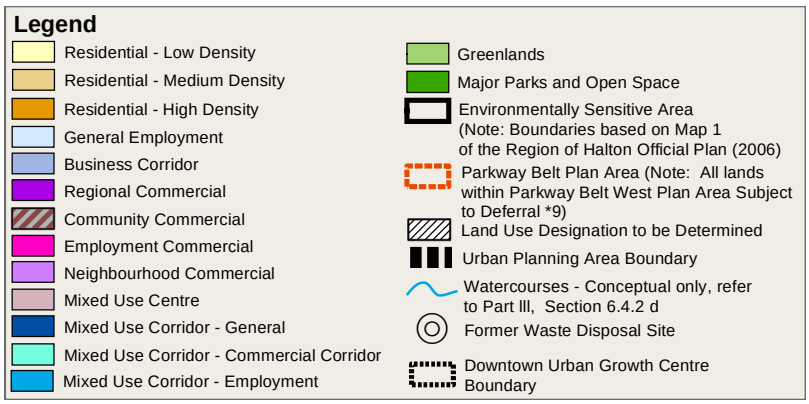
DATE: December 2, 2019

SCALE N.T.S

north

MHBC PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE
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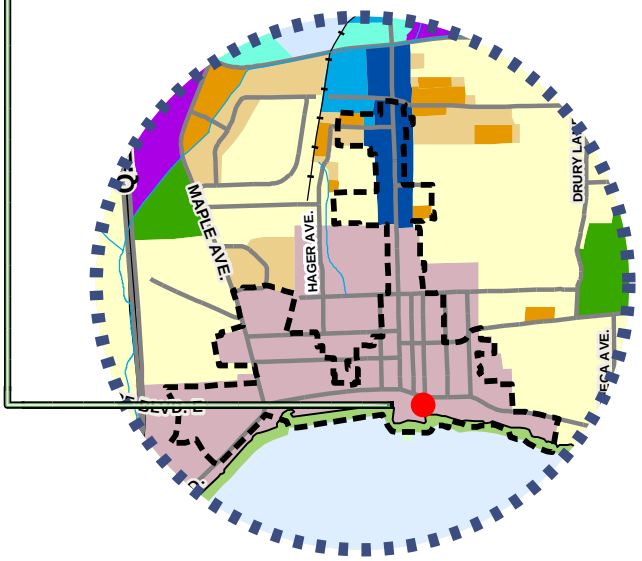


Figure 9

City of Burlington Official Plan - Schedule B - Comprehensive Land Use Plan - Urban Planning Area

2107 Old Lakeshore Road &
2119 Lakeshore Road
Burlington, Ontario

LEGEND

Subject Land

DATE: December 2, 2019

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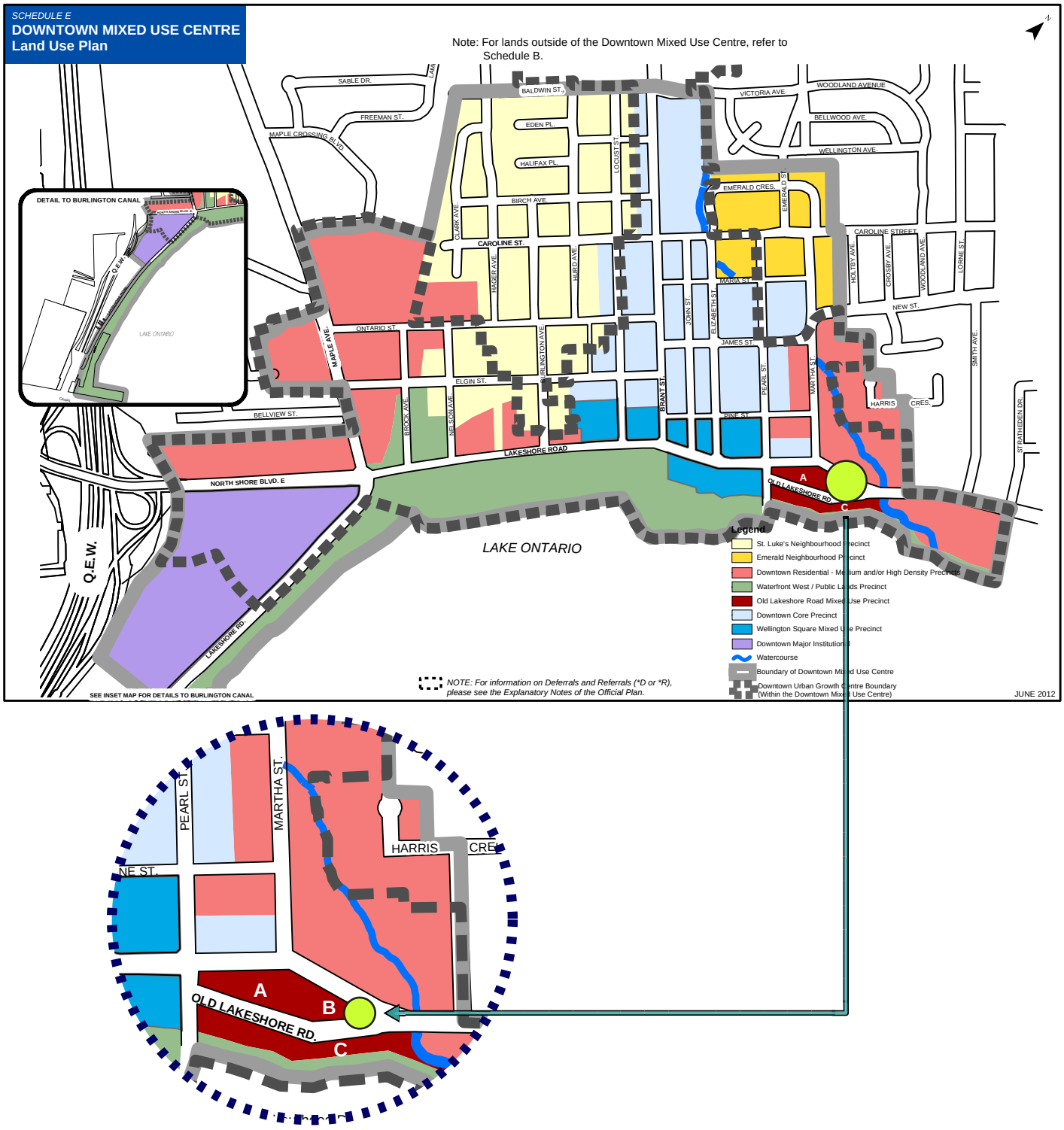


Figure 10

City of Burlington Official Plan - Schedule E - Downtown Mixed Use Centre

2107 Old Lakeshore Road &
2119 Lakeshore Road
Burlington, Ontario

LEGEND

- Subject Land
- Downtown Residential - Medium and/or
- Downtown Core Precinct
- Old Lakeshore Road Mixed Use Precinct
  - Sector A - West Sector
  - Sector B - East Sector
  - Sector C - South Sector
- Wellington Square Mixed Use Precinct

DATE: December 2, 2019

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Part I: Policy Framework

Part I of the OP sets out the City's context, with respect to the City's general location, Regional setting, demographics, and historical settlement patterns. It also outlines the mission statement and identifies the applicable planning horizon for the Official Plan. The broad mission of the Official Plan is to attain the highest standards of ecological health, economic growth, and community development through implementation of the principles of sustainable development.

Section 3 of Part I includes high-level Guiding Principles that apply to the City's Plan as a whole. These are important in consideration of development and redevelopment throughout the City. These guiding principles are as follows:

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

The proposal has carefully considered these guiding principles in its design. The development provides for intensification at an appropriate location in the City. It advances the Province's growth objectives while balancing other objectives of the OP. It will contribute to the achievement of an attractive and livable community providing access to housing within close proximity to parks, shopping, professional services, medical services, and community facilities.

Section 4 of Part I provides the land use vision for the City, which considers both the view of the physical landscape of the City in the future and how it will be experienced in terms of its quality of life. **Section 4.2** notes that the historical built form of the City reflected the belief that there were future limits to growth and reflected the abundant supply of developable land available at that time. This section acknowledges that a shift has occurred since this time and the vision has been modified to reflect this and, identifies that as the City approaches a mature state, a significant amount of its future growth will be in the form of intensification and redevelopment within the existing urban boundary. The Plan notes that, with fixed

urban boundaries, the challenge will be to accommodate the various demands for land while maintaining stability and compatibility.

Section 4.3 identifies key changes encouraged by the Plan, which are: the development of a greater diversity of housing types to meet the changing needs of the population; the development of a more self-contained City by encouraging a greater live-work relationship; focusing more intense land uses into specified mixed use centres; a move toward a more balanced transportation system; and, a greater emphasis on the long-term preservation and conservation of significant natural features with greater public access. With respect to population growth, the Plan directs it toward underutilized or vacant parcels in existing communities where new residential growth will be mainly in the form of more compact housing that is served by various modes of transportation and in closer proximity to jobs, shopping and leisure areas. While infill development is encouraged, the Plan provides that preservation and enhancement of the quality of life features of neighbourhoods must be considered in the review of any new and/or intensified development proposals. With respect to the Downtown, **Section 4.3** identifies that this area is to maintain its role as the City centre, encouraging residential development, redevelopment, and intensification in areas where appropriate.

Overall, the vision set out in Section 4 seeks to maintain a strong network of residential neighbourhoods, a diverse economic base, a sound infrastructure system, and a community that is fiscally stable and environmentally sensitive to ensure an attractive, healthy and liveable environment for future generations.

The proposed redevelopment conforms to the City's policy direction for land use by providing for an intensified form of development on an underutilized site within the Downtown. It is in alignment with the key changes identified in the Plan by providing an intensified land use within an identified mixed use centre which provides a mix of unit types. The height, form, and density of the development is consistent and compatible with other approved developments in the Downtown as noted in Table 3 of this report. The proposal clearly maintains the City's urban structure where the highest levels of intensification are to be directed to the Downtown, the City's Urban Growth Centre.

Additionally, the proposed redevelopment conforms to the City's vision for providing growth through intensification to ensure the continued growth needs of the City and Region can be met. The proposed design is compact in nature; compatible with existing and future development in the surrounding area; and, is well served by transit and in proximity to jobs, shopping and leisure areas. Overall, it meets the City's vision set out in Section 4.

<u>Part II: Functional Policies</u>

Part II of the OP provides principles, objectives, and policies that apply to all land use designations and are related to functional elements of growth and development. **Section 2.1** identifies a series of principles to ensure that the City can continue to be a prosperous, livable, and healthy community. Of relevance to the development proposal are **principles a)** and **e)**, which are provided below:

a) The City will endeavor to ensure that City operations and new development are consistent with the goals and objectives of sustainable development; and,
e) The City will support and participate in the worldwide movement for Healthy Communities.

Section 2.7 of Part II outlines the objective policies for sustainable design and compatibility. It is the objective that these policies ensure that building layout and urban form is consistent with sustainable development principles so that new development is efficient, safe, accessible, affordable and energy efficient; and, to encourage, wherever possible, development to be accessible by pedestrians, cyclists and public transit (**Objective 2.7.2 a) and b)**). Policies within this Section speak to achieving an efficient urban form in terms of energy, travel time, diversity and intensity; ensuring compatibility with the existing urban fabric and enhancing natural features; encouraging development that provides choices in housing, shopping, employment and transportation; encouraging energy conservation through community and site planning, design, and the use of energy-efficient materials and landscaping; and, encouraging Transportation Demand Management (TDM) strategies to increase transit ridership, walking and bicycling (**Policies 2.7.3 c, d, e, f,** and **k**).

The proposed development conforms to the sustainable development direction provided in Section 2.1 a) and e) and Section 2.7 of the OP. The proposed redevelopment and design is efficient safe, accessible and energy efficient. The enhanced public realm and streetscape will provide improved accessibility for pedestrians. The redevelopment is located within proximity to parks and trails and along a minor arterial road and primary bus service route (Lakeshore Road), making the area accessible to future residents by providing opportunities for active transportation, including walking, cycling and public transit.

The built form proposed is compatible with the surrounding urban fabric (existing and approved future developments), where buildings range in height from 3 to 26 storeys. The development proposal takes advantage of the triangular shape of the parcel to provide a unique design which includes a slender tower in a curvilinear form which both relates the building to the lake and provides an opportunity for a prominent landmark building to demarcate the eastern gateway to the Downtown. The podium element allows for an inviting pedestrian environment at street level and helps to frame the street. Further details on the building design can be found in the Urban Design Brief.

Sustainable building design measures will be considered during the detailed design stage. A TDM plan has been prepared to mitigate potential traffic and parking impacts and minimize trips to and from the proposed development. This plan is included as part of the TIS for the proposed development and outlines ways in which the applicant can provide a seamless level of service for residents and employees, while supporting the City's objectives.

Appendix E of the OP contains Sustainable Development Principles and Objectives. An assessment of these in relation to the proposed development can be found at **Appendix 6** of this report.

Objectives and policies pertaining to transportation are included within **Section 3** of Part II. The main intent of these policies is to provide an integrated, diverse transportation system for all residents and businesses that is safe, convenient, affordable, efficient, and energy-conserving while minimizing environmental impacts. Objectives are aimed at encouraging alternate travel by creating an urban environment that encourages walking, cycling and transit uses and increase opportunities to live close to work and satisfy day-to-day needs locally without relying on the automobile; maximizing existing infrastructure to ensure optimal benefit is obtained from the transportation system; and, maximizing the effectiveness of the City's transportation plan through coordination with Provincial and Regional initiatives (**Objectives 3.2.1 d), e)** and **g)**). Policies are aimed at encouraging opportunities for developing travel demand management (TDM) measures to reduce single occupancy automobile use; enhancing roadways, sidewalks and transit facilities to maximize mobility and access; and, reducing parking ratios and/or standards (**Policies 3.2.2 e), g) and j)**).

The development achieves the noted transportation objectives and conforms to the policies as it provides for an intensified use of the site which allows future residents to pursue alternate travel opportunities due to the application of TDM measures, reduced parking rates, as well as its location along an existing bus transit route, proximity to recreational trails for cyclists and pedestrians, and easy access to higher order transit (GO bus and train as well as connections to the Hamilton Street Railway) thereby maximizing effectiveness and coordination of local transit with Provincial and Regional initiatives. Improvements to the public realm (e.g. sidewalks) will occur through the redevelopment process to enhance accessibility and mobility for current and future residents.

Section 3.4 of Part II deals with transit services, and identifies that it is an objective of the Plan to promote the use of transit, and to reduce traffic and parking demands traffic congestion and air pollution, by providing increased levels of service, encouraging transit-supportive land use planning and introducing appropriate "transit priority" and Travel Demand Management (TDM) measures (**Objective 3.4.1 c)**). It is a policy of the Plan that Council promote the development of cost-effective transit services through transit-supportive land use and transportation plans in areas of development including Mixed Use Corridors and Mixed Use Centres (**Policy 3.4.2 d)**). With respect to development applications, the Plan states that they shall be reviewed to ensure that, where feasible, proposed land developments encourage the efficient and effective use of transit services (**Policy 3.4.2 e)**).

The reduced parking proposed for the site represents a TDM measure, as well as addressing issues related to climate change, that will encourage and promote the use of transit, which is accessible to future residents due to the site's location along a minor arterial road and primary bus service route, meeting both the transportation policies set out in Section 3.4 and providing TDM measures as set out in Policy 3.9.2 a). The site is directly serviced by one bus route and is located within walking distance to the Downtown bus terminal. The increased density at this location contributes to optimizing the use of the existing transit services and generates ridership for future planned upgrades to the system and supports Council's mandate of promoting the development of cost

effective transit uses through transit supportive land uses and transportation plans in areas of development.

The general design intentions for the City are provided in **Section 6** of Part II. The Preamble of this Section identifies that the City is committed to a high standard of design and architecture and will bring this to the approval process for all land uses as a challenge to its development partners and through its regulatory jurisdiction. In this regard, the City has prepared design guidelines as well as principles, objectives and policies to guide development and redevelopment throughout the City.

The Urban Design Brief prepared in support of this application has assessed the proposed redevelopment in accordance with these design objectives and policies and concludes that the proposal meets these policies and achieves design excellence.

Section 8 of Part II sets out a series of principles, objectives, and policies pertaining to the conservation of cultural heritage resources, generally stating that cultural heritage resources of significant value shall be identified and conserved. **Objective 8.2 b)** and **c)** provide direction related to development and redevelopment within areas containing cultural heritage resources, noting that issues should be identified early and development should not detract from the overall heritage character of the area.

As noted previously, while the Subject Lands are not identified as having heritage value, the properties located at 2100 and 2101 Old Lakeshore Road are identified on the City's Heritage Register. A Heritage Impact Assessment has been prepared in support of the development proposal which demonstrates that the development proposal does not negatively impact the identified heritage attributes and significant views of either 2100 or 2101 Old Lakeshore Road.

Part III: Land Use Policies - Urban Planning Area

Part III of the Plan presents the principles for objectives and policies for the land use designations identified on the Plan's mapping schedules for the Urban Planning Area. As noted above, the Subject Lands are identified as Mixed Use Activity Areas, Downtown Mixed Use Centre and Downtown Urban Growth Centre and Old Lakeshore Road Mixed Use Precinct (Sector B) on Schedule A, B and E, respectively, with the general policies for Mixed Use Activity Areas and Mixed Use Centres contained within **Section 5.0** and **5.4**; and, policies related to the Downtown Urban Growth Centre, including the specific precinct policies, contained in **Section 5.5** of Part III of the Plan.

Generally, the planned function of Mixed Use Activity Areas is to provide alternatives to low density suburban development and encourage the efficient use of physical resources and municipal resources (**Principle 5.1 a)**). They are to address the demand for higher intensity employment, shopping and residential areas within the City (**Principle 5.1 c)**). It is an objective of the Plan to ensure Mixed Use Activity Areas are developed in a compact urban form, are pedestrian oriented and highly accessible by public transit and foster community interaction (**Objective 5.2.1 b)**).

The development proposal maintains the planned function of Mixed Use Activity Areas as it provides an alternative to low density development that makes efficient use of land and existing

resources. It directly responds to and addresses the demand for higher intensity residential uses within the City in an area so identified as appropriate for such a use. The compact mixed-use urban form meets the objectives for Mixed Use Activity Areas and will contribute to the provision of an accessible public realm and enhanced streetscape to foster community interaction through the provision of retail uses at grade along Lakeshore Road and Old Lakeshore Road.

In accordance with **Section 5.4**, Mixed Use Centres are to encourage higher intensity, transit supportive and pedestrian oriented development while maintaining compatibility with nearby land uses (**5.4.1 b)**). Within Mixed Use Centres, a wide range of retail, service commercial and office uses are permitted, in addition to medium and high density residential uses (**Policy 5.4.2 b)**). In terms of development permissions, the policies allow for a range of heights and intensities (**Policy 5.4.2 c)** and **d)**). Retail, service commercial and other pedestrian oriented uses shall be required at the street level in the Old Lakeshore Road Mixed Use Precinct (**Policy 5.4.2 j)**). Design and development of Mixed Use Centres is to ensure compatibility between Mixed Use Centres and adjacent uses and encourage the use of public transit, pedestrian and bicycle travel as an alternative to the car and maximize personal safety (**Policy 5.4.2 g)** and **h)**). With respect to intensification, **Policy 5.4.2 k)** states that proposals for residential intensification shall be evaluated on the basis of the objectives and policies of Part III, Subsection 2.5.

The development proposal meets the policies and objectives for Mixed Use Centres by providing a higher intensity mixed-use development that is compatible with existing and planned future land uses in the surrounding area. The built form proposed (residential tower with retail at grade and grade-related residential units) is permitted in accordance with the general policies for Mixed Use Centres. The proposed height is appropriate and compatibility with the surrounding area. The density proposed will provide additional residents to support the existing and planned future transit network. The increased height required to facilitate the proposed development is appropriate in consideration of the policies of the PPS, Growth Plan, ROP and the evolving neighbourhood context which provides heights and densities to achieve the density targets as stated in the Official Plan and meets the applicable criteria of Part III, Subsection 2.5 which is further described in detail below.

Subsection 2.5 provides policies for housing intensification within the City[3], with the objective of encouraging residential intensification as a means of increasing the amount of available housing stock within existing neighbourhoods, subject to compatibility (**2.5.1 a)**). The plan also encourages redevelopment of underutilized residential lands where appropriate at the periphery of existing residential neighbourhoods for non-ground-oriented housing purposes (**2.5.1 b)**). **The proposal meets both of**

*[3] The Official Plan provides clear direction that these criteria apply to **Established Neighbourhood Areas** and does not reference applicability to the Downtown Mixed Use Centre, generally, or the Old Lakeshore Road Mixed Use Precinct specifically. These are both areas where non-ground oriented development is permitted as-of-right in accordance with the Official Plan and Zoning By-law. The closest "established" neighbourhood is currently surrounded by existing medium and high density uses. It is inappropriate to evaluate proposals within the Urban Growth Centre against these criteria and that they should not apply. This assessment has been completed at the request of the City in accordance with the requirements set out in the pre-consultation document. The results of the analysis show that the proposal meets all of these criteria.*

these objectives as it provides an opportunity to increase the amount of available housing stock within a recognized Intensification Area and Urban Growth Centre through the redevelopment and optimization of an underutilized site.

Policy 2.5.2 a) (i) - (xiii) sets out the criteria to be considered when evaluating proposals for housing intensification within established neighbourhoods. An evaluation of the proposed development, within the context of these criteria, is provided below.

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

Supporting technical studies have been prepared which demonstrate how grading, drainage and location of service areas will be designed to mitigate any impacts on adjacent properties. These studies also demonstrate that the site can be adequately serviced by existing municipal infrastructure. Existing utilities are adequate to service the proposed development. The site is located within close proximity to public schools and parks.

(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;

A transportation impact analysis, which includes a parking justification report, has been prepared in support of this application which confirms that the off-street parking provided is adequate and that there is sufficient capacity in the existing road system to accommodate the proposed development.

(iv) The proposal is in proximity to existing or future transit facilities;

The Subject Lands are serviced by existing transit routes with frequent service provided. Further, they are within close proximity to the Downtown Bus Terminal, a provincially identified Major Transit Station Area.

(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;

The Subject Lands are located within an area identified by the City for high density redevelopment. The proposed development achieves compatibility in terms of height and scale with surrounding buildings, which range between 3 to 26 storeys. The Urban Design Brief submitted in support of this application provides further justification and rationale as to how the proposal achieves

compatibility in terms of scale and massing, among other things, to ensure an appropriate transition is achieved. The amenity area proposed in the development exceeds the required amount of amenity space set out in the Zoning By-law and the parking ratio proposed is justified. The setbacks proposed will provide for a positive pedestrian experience of the public realm. The proposed base building is scaled and massed to appear as a two storey podium, reflective of the heights of the adjacent low-rise buildings and providing for an integrated streetscape with the proposed development to the west

(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;

The existing conditions of the site provide very little vegetation. A tree inventory and protection plan has been prepared in support of the proposed development, which identifies the conditions of existing vegetation on site and notes those trees to be removed as part of the development. Additionally, a landscape plan has been prepared in support of the development which demonstrates the proposed development will incorporate landscaping along both street frontages, including native and drought tolerant street trees, grasses and wildflowers that will contribute to a vibrant public realm.

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

A sun-shadow analysis has been prepared in support of this application which demonstrates that sun-shadowing is at an acceptable level. The podium allows for 5 hours of continuous sunlight, as demonstrated in the shadow analysis prepared by R. Bouwmeester and Associates.

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

The Subject Lands are located within close proximity to a variety of community facilities, grocery stores, and the hospital. The surrounding area amenities and services and their proximity to the Subject Lands are described in detail in Table 2 of Section 2.3 of this report.

(ix) capability exists to provide adequate buffering and other measures to minimize any identified impacts

The development proposal provides adequate setbacks and buffering from adjacent properties and respects the City's Tall Building Guidelines. The Urban Design Brief submitted as part of this application provides further detail as to how these guidelines are met and impacts mitigated.

(x) where intensification potential exists on more than one adjacent property, any re-development proposals on an individual property shall demonstrate that future re-development on adjacent

properties will not be compromised, and this may require the submission of a tertiary plan, where appropriate;

The development proposal considers adjacent properties and its siting provides adequate separation distances and setbacks which would allow for future redevelopment of adjacent properties. In fact the redevelopment is to be coordinated and integrated through the public realm with the adjacent development.

(xi) natural and cultural heritage features and areas of natural hazard are protected;

As noted throughout this report, the Subject Lands are not identified as having cultural heritage value; however, they are adjacent to listed properties. An HIA has been prepared in support of this application which demonstrates that the propose development will not negatively impact adjacent heritage properties and the development proposal is compatible with the surrounding context. There are no natural features located on the Subject Lands.

(xii) Where applicable, there is consideration of the policies of Part II, Subsection 2.11.3 g) and m)

Subsection 2.11.3 g) pertains to development limits within floodplain areas and does not apply to the Subject Lands. Conservation Halton representatives have confirmed that the Subject Lands are outside of the regulated limit.

Subsection 2.11.3 m) pertains to redevelopment and intensification within the South Aldershot Planning Area and does not apply to the Subject Lands.

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

The Subject Lands are located within the Downtown Urban Growth Centre, along a minor arterial road. Adjacent land use designations include Downtown Medium and/or High Density Residential and Downtown Core. The built form and scale of the development is consistent with surrounding uses. The proposed development will provide a podium that will frame the block and contribute to street presence. The triangular nature of the profile results in a slender looking tower which is further enhanced by the curvature created by tower mass and balconies. The podium's low-rise frontage creates a high quality and contemporary façade on Lakeshore Road and Old Lakeshore Road. The proposal, overall, is reflective of the objectives of the Official Plan's urban design policies.

Assessing the application in accordance with Part III, Subsection 2.5 of the Plan poses difficulties, which was acknowledged by staff in July of 2016, as the criteria for assessing compatibility are not reflective of a current definition of 'intensification' and are oriented to low-rise development

proposals (e.g. ground oriented multiple dwellings) and not mid-rise or tall buildings. However, the evaluation provided above demonstrates that the proposal meets the criteria of Subsection 2.5.

As noted previously, **Section 5.5** provides more detailed policy direction for the Downtown Urban Growth Centre (UGC) and the various 'precincts' which form part of the UGC. **Principle 5.5.1 a)** recognizes the Downtown Mixed Use Centre as the Growth Centre for the City, as defined in the Growth Plan (2006). As the Urban Growth Centre, this area shall accommodate a significant share of population and employment growth in the City; and, shall accommodate high density employment (**Principle 5.5.1 a) (i) and (ii)**). Additional principles identify that the Downtown shall be redeveloped through infilling of existing surface parking lots, the rehabilitation of existing buildings, and the intensification of under-utilized lands and buildings in keeping with its role as Provincial Growth Centre; and, new development shall be of high quality design (**Principle 5.5.1 g) and h)**).

The proposed redevelopment addresses these principles by providing an intensified land use through the redevelopment of an underutilized site within the Urban Growth Centre which is of high quality design. The additional 150 residential units and 598 square metres of retail/commercial space will assist the City in meeting Provincial objectives for Urban Growth Centres.

Section 5.5.2 provides the objectives for the Downtown Mixed Use Centre, many of which are applicable to the development, including creating a compact city core with a mix of residential, commercial and other uses which serve the general needs of Downtown residents and broader community; increasing the resident population mainly at medium and high densities to strengthen the live/work relationship and ensure the downtown is used after business hours; providing design excellence to encourage long-term investment; providing a variety of housing types; and, ensuring density, form, bulk, height and spacing of development is compatible with the surrounding area (**Objectives 5.5.2 a), e), g), h), l) and o)**).

The proposed development meets these objectives by providing a high density residential tower with 150 units consisting of varying unit types and sizes. The redevelopment will have active uses at grade to serve the general needs of residents of the Downtown and broader community. The development is compact in nature, compatible with surrounding developments in its design, form and function; will provide a well-designed eastern gateway landmark building; and, will contribute to an increased resident population; and, will accommodate the City's continued growth needs to 2031 and beyond.

General policies for development within the Downtown are set out in **Section 5.5.3**. All of these policies are high-level in nature, providing guidance on items such as the use of Holding zones, land banking, and the integration of uses and inclusiveness, with more specific policies for various precincts of the Downtown provided in subsequent sections. Of relevance to the proposal are **Policy 5.5.3 g)**, which states The Downtown's cultural heritage resources shall be preserved and integrated into new development, where possible, and any development close to cultural heritage resources shall be sensitive to the historic context of the street and not just of the immediately adjacent buildings, to maintain the character of

established areas; and, **Policy 5.5.3 h)**, which states Retail stores, offices, hotels, institutional and entertainment uses shall be integrated with residential uses, community facilities and open space.

As noted previously, an HIA has been completed in support of this development application and the findings of the HIA demonstrate that the proposal is appropriate for the area and will not negatively impact the surrounding listed properties at 2100 and 2101 Old Lakeshore Road. Further, retail uses are integrated within the development and are provided at grade.

With respect to density, **Policy 5.5.3 b)** states that, within the Urban Growth Centre, the target minimum gross density of 200 residents and jobs per hectare is to be achieved, in accordance with the "Places to Grow" Growth Plan for the Greater Golden Horseshoe, 2006 and **Policy 5.5.3 c)** states that higher densities and intensities will be encouraged within certain precincts of the Downtown Mixed Use Centre.

The proposed development introduces a 27 storey mixed use building with 150 residential units and 598 square metres of retail/ commercial space at grade on a .20 hectare site. Both the additional residential density and retail/commercial space provided in the development proposal will assist the City in achieving the minimum intensification target established for the Urban Growth Centre.

As noted above, the Subject Lands are located within the Old Lakeshore Road Mixed Use Precinct (East Sector/ Area B). Objectives and policies for this Precinct are contained within **Section 5.5.7** of Part III. The objective of this Precinct is to provide an area in the Downtown for well designed, high intensity, mixed use development that: consists primarily of residential uses in conjunction with specialty retail and service commercial uses and entertainment uses; is pedestrian-oriented and transit supportive; is compatible with existing development; reflects the history and character of the precinct; helps meet Provincial Growth objectives; and, and provides for a transition from the highest density mixed use area to the more residential areas to the east (**5.5.7.1 a)**, **b)** and **c)**).

Within this Precinct, high-density apartment residential uses, including the residential use of upper storeys of commercial buildings; commercial activities including local service and retail uses, office and administration uses; cultural uses of all types; leisure, recreation and hospitality uses; entertainment uses; and community facilities are permitted (**Policy 5.5.7.2 a) (i)-(vi)**). Within the East Sector, a minimum residential density of 51 units per net hectare is required. The minimum height of buildings is two (2) storeys. Additional height, of up to 12 storeys and 37 metres, is permitted on the Subject Lands, subject to criteria, in accordance with **Policy 5.5.7.2 k)** which is provided below, in its entirety, for reference.

Notwithstanding Part III, Subsection 5.5.7.2 b) and d) of this Plan, for the lands described as 2107-2119 Old Lakeshore Road, and 2114 Lakeshore Road, the maximum height of buildings shall be 10 storeys and 31.5 metres. Taller buildings may be permitted, up to a maximum height of 12 storeys and 37 metres, where they provide compatibility with surrounding land uses and a sense of pedestrian scale by use of building design incorporating a ground level, street-oriented podium, and subject to the community benefits provisions of Part VI, Subsection 2.3 of this Plan and the following details to the satisfaction of City Council;

(i) Old Lakeshore Road is retained in the East Sector and realigned to form an intersection at Martha Street and Lakeshore Road;
(ii) Preservation or relocation of significant cultural heritage resources within the precinct;
(iii) Submission of an angular plane study, identifying visual, sun shadowing and wind impacts and demonstrating how such impacts can be mitigated to acceptable levels."

Additionally, retail or service commercial uses are required continuously at grade along public streets in residential or office buildings, in accordance with **Policy 5.5.7.2 f)**; and, buildings are to be constructed close to the street line with no surface parking permitted, except for loading and emergency vehicles, in accordance with Policy **5.5.7.2 g)**. Finally, **Policy 5.5.7.2 h)** states that significant cultural heritage resources should be preserved and integrated into new development.

The development proposal provides minimal setbacks along the street line, no surface parking is provided and there are no cultural heritage resources located on the Subject Lands. The proposed development will introduce a 27 storey building with 150 residential units and 598 square metres of retail/commercial space on a 0.2 hectare site. This equates to a density of 750 units per hectare. As the policies of the Plan do not impose a maximum net residential density for the site, and only a minimum density of 51 units per hectare, the density of development proposed meets the minimum density established, is compatible with surrounding densities and is appropriate and required in order to achieve the planned function of this Precinct which, as noted above, is to provide for well-designed, high-intensity development to assist in meeting Provincial growth objectives.

With respect to height, it is important to note that the Old Lakeshore Road Mixed Use Precinct is a designated redevelopment area, where the heights for the Subject Lands contained within the Official Plan were approved more than a decade ago, in 2007, with the intent to attract redevelopment activity in this Precinct. As provided in the height summary for the area, the proposed height is compatible with surrounding heights and reflective of the heights within the Downtown that have been approved to implement the requirements for the Urban Growth Centre.

The development proposal, while in excess of the maximum height established for the East Sector of the Precinct, will provide redevelopment and intensification of an underutilized site within the Urban Growth Centre in a form that is both supported and encouraged by the PPS, Growth Plan and ROP. Further, the height and density proposed for this development reflects recently approved developments. As a result of the current height limitation, an Official Plan Amendment is required to modify policy 5.5.7.2 k) to permit a maximum height of 27 storeys and 102.5 metres, inclusive of rooftop amenity and mechanical penthouse, for the Subject Lands. All other criteria set out in Policy 5.5.7 k) are met by the application as the Subject Lands are not located at the terminus of Lakeshore Road and Martha Street; there are no cultural heritage resources on the site and an HIA has demonstrated the development proposal will not negatively impact adjacent listed properties; and, an angular plane study has been submitted as part of the development application package and discussed within the Urban Design Brief, which concludes that the proposal fits well below an angular plane taken from the edge of the Downtown Mixed Use Centre,

representing the nearest stable residential area. Accordingly, when taking these factors into consideration, the increased height sought through the Official Plan Amendment is appropriate and required in order to provide for development that conforms to Regional and Provincial Policies.

A copy of the Draft Official Plan Amendment is included in this report and can be found at **Appendix 3**.

Summary

The Subject Lands are designated Old Lakeshore Road Mixed Use Precinct (Sector B) and are located within the Urban Growth Centre in an area that is characteristically composed of mid-rise and tall buildings. Tall buildings currently exist in the surrounding area, approvals have been obtained for a 26 storey building at 374 Martha Street, which is located within close proximity to the Subject Lands; and, applications for a 29 storey building at 2069 Lakeshore Road, adjacent to 374 Martha Street, and a 27 storey building at 2093, 2097, and 2101 Old Lakeshore road and 2096 and 2100 Lakeshore Road, adjacent to the Subject Lands, have been submitted to the City and are under review. The current and evolving urban fabric of this area is reflective of the approved City urban structure where growth and development is directed to the Downtown. The proposed development meets the assessment criteria for intensification, is compatible with the neighbouring area and does not create any adverse impacts. A site specific exception to increase the height from 12 storeys to 27 storeys to accommodate the proposed development, and achieve conformity with the Regional Official Plan and Growth Plan, is appropriate, meets the intent of the policy, implements higher order planning instruments and represents good planning.

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

The Subject Lands are currently zoned Downtown Old Lakeshore Road A (DL-A) (**Figure 11**). The DL-A zone permits a variety of uses, including retail, service commercial, community, office, hospitality, entertainment, and recreation. Dwelling units are also permitted, but the ground floor of any building within 15 metres of a public street is required to provide only retail or service commercial uses. The Maximum Permitted Height for the DL-A zone is 10 storeys and up to 31.5 metres. As noted in previous sections of this report, a Zoning By-law Amendment is required to implement the direction of the PPS, Growth Plan and ROP to ensure efficient, compact and transit-supportive development on the Subject Lands.

As noted in **Section 4.3.2** of this report, the proposed Zoning by-law Amendment will allow for site specific exceptions to the DL-A Zone for a number of provisions, including height, parking, setbacks, balcony projections and Floor Area Ratio. A Draft Zoning By-law Amendment can be found at **Appendix 4**.

With respect to height, Floor Area Ratio and parking, the amendments are required to achieve consistency and conformity with Provincial and Regional planning documents which require increased density within the Urban Growth Centre and the application of reduced parking standards to promote transit ridership.

The alternate setbacks and balcony projections proposed generally represent minor deviations from the setbacks established in the Zoning By-law and are required to implement the site design as a result of the unique shape of both the parcel and the proposed building..

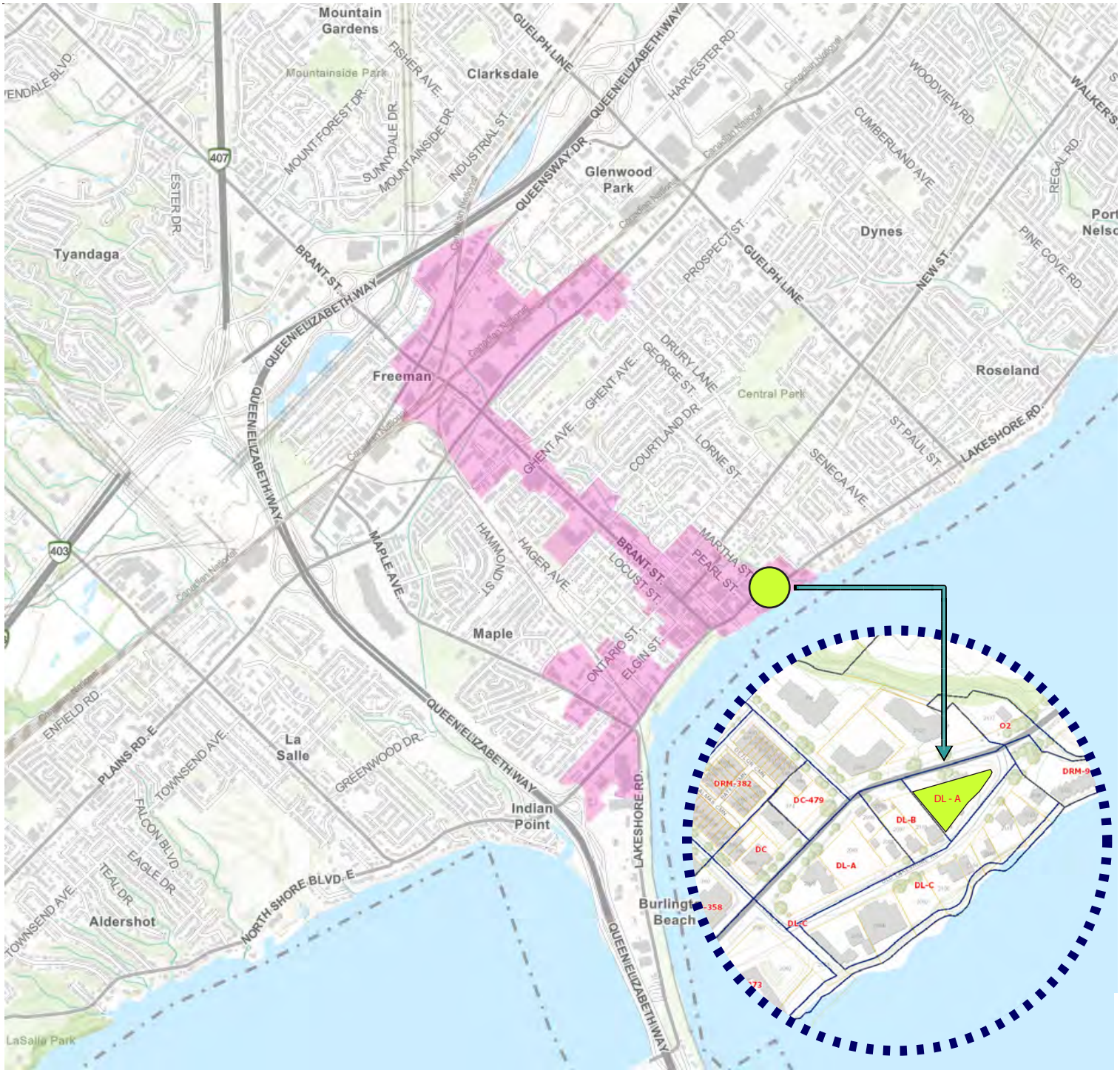


Figure 11

City of Burlington Zoning By-law 2020

LEGEND

- Subject Land
- Downtown Area

DATE: December 2, 2019

SCALE N.T.S

north

2107 Old Lakeshore Road &
2119 Lakeshore Road
Burlington, Ontario

MHBC PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE
442 BRANT STREET, BURLINTON ON, L7R 2G4
P: 905 639 8686 F: 905 761 5589 | WWW.MHBCPLAN.COM

6.0 SUMMARY AND CONCLUSIONS

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

The proposal will introduce a mixed use building on the site, replacing the existing buildings with 150 residential units and 598 square metres of retail/commercial space within an Intensification Area and provincially designated Urban Growth Centre and will solidify the Subject Lands' role as a growth area and focal point of the community. It will increase the range of residential units in the downtown by providing a mixture of one, two and three bedroom units. The additional residential density will assist in supporting the existing and proposed public transportation network and make use of existing municipal servicing and infrastructure. The proposed grade related retail/commercial space will assist with animating the street at the pedestrian level.

The design of the building carefully considers the surrounding built form and takes advantage of the unique triangular shape of the parcel, providing a 27 storey tall building within an area of similar heights and densities. The building has been designed to optimize and maintain views to the lake through the slender curvilinear tower, which also provides for a prominent landmark gateway feature to the Downtown. The tower is appropriately stepped back from the street to allow for a human-scaled environment at street level. The impacts of the development are minimized, with no adverse impacts from wind, sun, shadows, noise, and servicing. Further, the adjacent heritage properties will not be negatively impacted and the HIA demonstrates that the proposed development is compatible with the surrounding area.

Based on the existing physical context and surrounding neighbourhood, the technical assessment of the proposal and an analysis of the proposal within the applicable policy and regulatory context, the following conclusions are provided

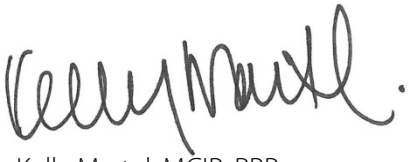
1. The proposal is consistent with the Provincial Policy Statement, 2014;
2. The proposal aligns with the direction set out in the updated July 2019 Draft Provincial Policy Statement;
3. The proposal conforms to the Growth Plan, 2019;
4. The proposal conforms to the Halton Region Official Plan;
5. The proposal conforms to the City of Burlington Official Plan, except those sections proposed to be amended in order to achieve consistency and conformity with the ROP, PPS and Growth Plan;
6. The proposal can be adequately serviced and does not create any adverse impacts to the existing site and surrounding area;

7. The proposal optimizes an underutilized site and is well-served by existing community infrastructure including public transit, bike lanes, parks, schools, and places of worship;
8. The proposal provides a unique gateway signature building, greatly enhances the pedestrian environment within the site and streetscape along the exterior frontages;
9. The proposal provides a compatible development that is well connected and integrated within the surrounding community;
10. The proposal preserves and upholds the overall urban structure as set out in the Official Plan; and,
11. The proposal represents good planning and is in the public interest.

The proposed development is appropriate for the Subject Lands and represents good planning. It is recommended that the proposed Official Plan and Zoning By-law Amendments be approved.

Respectfully Submitted,





Dana Anderson, FCIP, RPP
Partner

Kelly Martel, MCIP, RPP
Associate

Appendix **1**

May 2, 2018 Pre-Consultation Meeting Minutes

CITY OF Burlington

DEVELOPMENT APPLICATION PRE-CONSULTATION FORM

Meeting Date: **May 2, 2018**	**Property Owner:** **Old Lakeshore Burlington Inc.**
Site Address: 2107 and 2119 Old Lakeshore Rd	**Applicant / Address / Phone / Email** **Mark Bales c/o** **Old Lakeshore Burlington Inc.** **421 Brant Street, Suite 201** **Burlinton L7R 2G3** **905-637-8888** **mark@carriagegatehomes.com**
Site Area: **0.2 ha**	

APPLICATION TYPE (check applicable applications):

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

1. **Brief description of proposed development:**

   24 storey (85m) residential development

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

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

3. **Existing Official Plan Designation:**

OP: Old Lakeshore Road Mixed Use Precinct (B)

Grow Bold: Old Lakeshore Road Precinct (East Sector)

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

   If 'NO' what is the nature of the OP amendment needed? Height and density

4. **Existing Zoning:** **DL-A**

   Conformity with existing zoning? YES _____ NO _x_____

   If 'NO' what is the nature of the zoning amendment needed? height, density, setbacks

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

Staff and Agency Signatures:

LISA STERN		May 2, 2018
Planning Staff	Planning Staff (Signature)	Date
Site Engineering Staff	Site Engineering Staff (Signature)	Date
Annette Simpson		May 2/18.
Site Engineering Staff	Site Engineering Staff (Signature)	Date
Capital Works Staff	Capital Works Staff (Signature)	Date
Steve Lucas		2-05-2018
Transportation Staff	Transportation Staff (Signature)	Date
Brian Hudson	Brian Heedon MCIP, RPP	May 2, 2018
Regional Staff	Regional Staff (Signature)	Date
Thomas Dayka	TZ	May 2, 2018
~~Regional Staff~~ Planning staff (Heritage)	~~Regional Staff~~ (Signature)	Date
Conservation Halton Staff	Conservation Halton Staff (Signature)	Date

Proponent Signatures:

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

N. C. McCarnicell		MAY 2/18
Property Owner	Property Owner (Signature)	Date
MARK BALES		MAY 2/18
Agent	Agent (Signature)	Date

(I have authority to bind the owner)

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

6.13 Phase One or Two Environmental Site Assessment/Record of Site Condition Report (prepared in accordance with O.Reg. 153/04)
Required to assess site contamination in accordance with Part II, Section 2.4, subsections i) and j) of the City's Official Plan. All requirements of O. Reg. 153/04 must be met for Phase One and Two studies and required Records of Site Condition (RSCs). A letter of reliance from the Environmental Consultant/Qualified Person, confirming the City of Burlington and the Region of Halton can rely on the information contained in the report(s) is required. All reports must be signed by a Qualified Person as defined under O.Reg. 153/04.

6.14 Land Assembly Documents
Required for applications where, in the opinion of the City Building Department, the assembly of additional lands is required to facilitate orderly development of the area. Applicants are required to submit documentation demonstrating that a reasonable, bona fide offer has been made to acquire such lands.

6.15 Height Survey of adjacent buildings
Required for all residential infill and intensification rezoning applications, in accordance with City Council policy. A surveyor's report must identify the highest points of the existing adjoining roofs measured from the existing average grade of the shared property line.

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

6.17 Archaeological Report
Required for all applications in or near areas of archaeological potential, as determined by the Region of Halton. Reports must be completed in accordance with Provincial requirements and the Regional Archaeological Master Plan.

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

6.19 Sensitive Land Use (Risk Assessment) Report
Required for applications proposing sensitive land uses in proximity to existing industrial uses, or proposing industrial uses in proximity to existing sensitive uses, in accordance with Part II, Section 2.7.3 subsections n) & o) and Part II, Section 4.3 subsection d) of the City's Official Plan, Part IV, Sections 146-147 of the Regional Official Plan, and the Ministry of the Environment D-6 series guidelines.

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

6.20 Burlington Urban Design Advisory Panel Meeting Minutes
The Burlington Urban Design Advisory Panel (BUD) is an independent advisory body comprised of design professionals that provides urban design advice to the City Building Department on all tall and mid rise buildings (5 storeys or greater) and all public development projects. Advice from BUD will be integrated early in the review process to reinforce the City's expectation for a high standard of design excellence resulting in a more efficient and effective municipal development review. A copy of BUD meeting minutesmust be submitted with the application along with a Design Brief explaining how their advice has been incorporated into the development proposal.

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

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

Preconsultation Meeting Notes

2107 Old Lakeshore - May 2, 2018

Attendees:
City of Burlington:
Lisa Stern
Rosa Bustamante
Thomas Douglas
Annette Simpson
Steve Lucas
Dan Ozimkovic

Halton Region:
Brian Hudson

Applicant:
Mark Bales
Nick Carnicelli

Description of Development Concept:

- 24 Storey (85.1m) Residential Condo

Planning Comments:

- Represents a significant departure from both existing OP and Grow Bold .A planning justification report is required to examine adherance to provincial growth policy, city official plan policy, compatibility with existing character and surrounding precincts.
- Height survey.
- Wind, Shadow, Views, Urban Design Brief: Examination of building design and impacts on public realm and compatibility with established and planned uses.
- Impacts on significant views to the Lake required
- Application required to present at Burlington Urban Design Committee prior to submission.
- Area Specific Plan required to evaulate development potential of precinct – please discuss with Planning Staff and Mobility Hubs staff to determine requirements.

Official Plan Designation: Old Lakeshore Road Mixed Use Precinct Area B

- East Sector (Area 'B', Schedule E)Development will be subject to the following criteria:
    - The minimum height of buildings shall be two storeys and the maximum height of buildings shall be 6 storeys and 19.5 m.
    - Taller buildings may be permitted in the East Sector, up to a maximum height of 10 storeys and 29 m, where they provide compatibility with surrounding land uses and a sense of pedestrian scale by the use of building design incorporating ground level, street-oriented podium, and subject to the community benefits provisions of Part VI, Subsection 2.3 of this Plan and the following details to the satisfaction of City Council:
        - Old Lakeshore Road is retained in the East Sector and realigned to form an intersection at Martha Street and Lakeshore Road;
        - preservation or relocation of significant cultural heritage resources within the precinct;
        - submission of an angular plane study, identifying visual, sun shadowing and wind impacts, and demonstrating how such impacts can be mitigated to acceptable levels.

- The PPS (2014), Growth Plan for the Greater Golden Horseshoe (2017), Halton Region Official Plan, City of Burlington Official Plan (current), and City of Burlington Official Plan (new/Council-approved) contain policies requiring the development to be sensitive to adjacent cultural heritage resources.
- **Submission of a Heritage Impact Study will be required.** Contact the heritage planner to establish terms of reference for this required study.
- Note downtown-specific and site-specific policies in the current and Council-approved new Official Plan.
- Heritage Burlington is our citizen advisory committee for heritage matters and will be consulted on applications for this development site.
- Heritage planner: Thomas Douglas, heritage@burlington.ca, (905) 335-7600 ext. 7929.

Region of Halton Planning Comments:
OPA + Rezoning

Proposal:
- 24 storey residential condo, 143 units
- 5 levels of underground parking

Site Details/Background:
- Current use: temporary sales centre, small commercial building, surface parking
- Area: 0.2 ha
- Frontage on local road
- OP: Old Lakeshore Mixed Use Precinct (B)
- Zoning: DL-A

ROP 2009:

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

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

- The subject lands are located within the Urban Area with an 'Urban Growth Centre' overlay as per Map 1 the 2009 ROP
  - S. 76 of the ROP directs that the range of permitted uses and creation of lots within in the Urban Area is to be in accordance with local official plans and zoning bylaws
  - S.81(1) of the ROP directs development with higher densities and mixed uses to Intensification Areas

developments properties in the drainage area in their analysis of the local sewers (if any). The report should speak to the number/type of units proposed and the phasing of the development with respect to the impacts on the Region's water distribution system and wastewater collection system. Phasing, timing of the development, and required/available capacity shall be detailed in the report. The consultant will include details about potential external main upsizing or main extensions to accommodate the development, etc..

- The FSR report should incorporate Fire Flow Rate Testing. The proponent should undertake fireflow rate testing of representative Regional fire hydrants in the area, with the proponent's fireflow contractor and Region forces present. Include within the Report a copy of the fireflow rate testing results, and the Fire Underwriters Survey (FUS) requirements for the development. This information will help to assist in informing the watermain design and watermain hydraulic modelling analysis that is being undertaken by the proponent's consultants.
- Further to the formal hydraulic analysis requirement, the developer's consultant can utilize the Region's current water and wastewater models (if required). The developer's civil consulting engineering firm will be required to enter into a Data License Agreement prior to obtaining any digital information from the Region.
- The FSR should include information related to all the other Utilities infrastructure in the area and potential conflicts.
- The FSR should show the existing site services and note how they are proposed to be decommissioned to make way for the development.
- New development must be on the basis of full municipal services.
- The developer should be aware of the Region's Multi-Unit Servicing Policy with respect to the number and location of water meters.
- Regional policies state that water and sanitary services cannot cross lot lines, the owner will ensure this throughout the process. Each lot must be independently serviced if it is proposed to be a separate lot.
- Any major servicing works required for this project would fall under the Regional Servicing Agreement process, including securities, Agreement registration, developer's liability insurance and the payment of Agreement fees.
- Servicing of a standard nature is required to go through the Regional Services Permit process.
- The size and scope of, utility trench and road cut, road restoration shall be to the satisfaction of the City of Burlington for local roads.
- Watermain and wastewater main (sanitary) servicing capacity is not guaranteed at the LOPA and ReZoning stage. Servicing of development in the Burlington area of Halton Region is on a first-come-first-serve basis. The owner can pre-consult about servicing capacity with the Region at any time in the future going forward. This current development proposal capacity will be reviewed closely and commented upon at the time of Planning application receipt. Should a servicing capacity issue be identified at that time then it will have to be dealt with, working through it with the Region. Servicing capacity is deemed to be in hand at the issuance of a Regional Servicing Agreement, Special Financial Agreement, and Regional Services Permit, which is reviewed and obtained toward the end of the City's Site Plan approval process, or Regional Servicing Agreement.
- The Region has initiated a Burlington Water Servicing Strategy Review and it is forecast to be completed this year. Please feel free to contact the Region at any time regarding the status of the review.
- The property is located within an area of the City of Burlington that is a known as one of the Mobility Hubs within the city. The Region is involved in the review of mobility hubs, and the review of the forthcoming studies and reports that will be undertaken with respect to Mobility Hubs. Servicing, and servicing requirements, are one of the reports that will be undertaken. It will be determined if other background studies will be undertaken.
- As always, acquiring land for development purposes and hiring consultants, at this time, is at the risk of the developer.
- Any water services and sanitary services that currently exist to the property that will not be utilized for any reason will be required to be disconnected right at the respective main by the developer.

- Please consider electric car charging stations in the underground parking, and consider ductwork for future electric car charging stations at individual parking spaces, if residents want to install in the future.

- Please consider mitigating for bird impacts in the design of the buildings, Conservation Halton may speak to this

Trees:

- There are City Trees fronting the properties, removal of healthy City trees for development of private property may not be supported and there may be additional setbacks to underground parking in order to protect healthy City Trees that are designated to remain.
- A Tree Inventory and Preservation Plan is required, and must be prepared by an ISA Certified Arborist. Identify and assess all trees over 10cm DBH on site, and all trees on City property adjacent to the site, regardless of DBH.
- Trees over 10cm DBH within 3-6m of a property line on adjacent properties should be evaluated for anticipated impacts from the development.
- The Forestry Act of Ontario R.S.O. 1990, Section 10, protects trees whose trunks are growing directly on a property line – these trees are considered shared, and no damage or removal may occur without the co-owner's informed consent.
- No trees are to be removed from the site or otherwise until such times as the application has been approved, and/or council approved been granted for the removal of public trees.
- A conceptual landscape plan to be provided. This plan should address any compensatory planting required for city tree or on-site tree removals.

- **Record of Site Condition** is required as it is a change of use to a more sensitive use (commercial to residential), in order for the application to be complete a Phase One Environmental Site Assessment is required –please ensure the **Phase ONE ESA is completed in accordance with O. Reg. 153/04,** including a letter of reliance stating the City (and Region) may rely on the information provided. Please note that depending on the results of the Phase One ESA, further environmental investigation may be required, up to and possibly including a Record of Site Condition. Please be advised that if the Phase One ESA is not in accordance with O. Reg. 153/04 the application will be deemed incomplete.

- **Stormwater Management Report:**
    - Umar Malik has provided the following SWM criteria:
        - Enhanced Quality Control achieving 80% Total Suspended Solids Removal. We ask that a treatment train approach be utilized that incorporates Low Impact Development techniques.
        - Quantity Control – 100 year post development flows to be controlled to the 2 year predevelopment flows
    - Provide storage details and location
    - Report to include servicing & grading plan
    - For landscape areas over top of underground parking a runoff coefficient of 0.9 is to be used
    - Sewer pipes cannot be located under buildings.
    - Confirm if there is permanent dewatering required for underground parking – and incorporate into design
    - Please note that there should be no surface ponding in accessible parking spaces, and no surface ponding in a 5 year storm.
    - Please clearly show the overland flow route for this address and neighbouring properties to ensure existing drainage patterns are maintained.
    - Quantity controls must use an orifice tube (not plates).

- Please also consider nearby existing and proposed buildings as potential stationary sources of noise.
- Please have the noise engineer consult with the architect and structural engineer as to the optimal placement of vents and fans for the underground parking
- Please advise the noise consultant that reflective surface should be used in Stamson calculations
- Please also advise the noise consultant that although NPC-300 tables indicate 60dBA in the OLA with warning clauses, it is not acceptable to the City, we request that all possible measures be taken to control the noise in the OLA to 55dBA or less, if not feasible, then we request calculations to confirm what levels could be achieved, i.e. 60dBA would require a 3m noise barrier, 59 a 3.5m, 58dBA a 4.0m, etc. all the way to 55dBA.
- All STAMSON calculations should be included in the report
- Copies of correspondence from the City of Burlington confirming traffic counts (for Lakeshore Road/Burlington Ave.) must be included in the brief.
- Site plan to be included in the report
- Key plan showing points of reception to be included & a chart referencing the key plan, detailing the estimated noise levels, allowable levels, and mitigated noise levels
- Area context plan to be included showing potential sources of noise

- **Summary for RZ/OPA:**
  - **Stormwater Management Report (Can be a section in the FSR)**
  - **Detailed Servicing, Grading & Drainage drawings**
  - **Noise Feasibility Study**
  - **Geotechnical Report (for underground parking, groundwater & if LID proposed)**
  - **Record of Site condition is required- Phase One ESA (in accordance with O. Reg. 153/04 & letter of reliance) to make application complete**
  - **Tree preservation (and removal) plan**
  - **Draft survey to confirm widening dedication**

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

Appendix **2**

July 17, 2019 Pre-Consultation Meeting Minutes

CITY OF Burlington

DEVELOPMENT APPLICATION PRE-CONSULTATION FORM

Meeting Date: July 17, 2019	**Site Address:** 2107 Old Lakeshore Rd. & 2119 Lakeshore Rd.
Property Owner: Old Lakeshore Road Burlington Inc.	**Applicant / Address / Phone / Email** Mark Bales Old Lakeshore Burlington Inc. 421 Brant Street, Suite 201 Burlington, ON, L7R 2G3 905-637-8888 x 214 mark@carriagegatehomes.com
Site Area: 0.2 ha	

APPLICATION TYPE (check applicable applications):

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

1. **Brief description of proposed development:**

-24 storey condominium apartment with 143 units (85m including mechanical penthouse)
-5 levels underground parking with access from Old Lakeshore Rd.
-loading access (one way) between Lakeshore and Old Lakeshore
-FAR 9.6:1

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

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

3. **Existing Official Plan Designation:** Old Lakeshore Road Mixed Use Precinct (Area A – East Sector) with site specific policy Part III, Section 5.5.7.2 k)

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

If 'NO' what is the nature of the OP amendment needed? -increased height, density & FAR

4. **Existing Zoning:** DL-A

Conformity with existing zoning? YES _____ NO x

If 'NO' what is the nature of the zoning amendment needed? -site specific, height, parking, density etc.

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

Name of Design Guidelines: Tall Building Design Guidelines, Downtown Urban Design Guidelines (also see the new Downtown Streetscape Design Guidelines)

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

YES ___x___ (2105 & 2100 Old Lakeshore Rd., 2137 Lakeshore Rd. – all on municipal register)

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

APPLICATION	CITY	REGION	CONSERVATION HALTON
Official Plan Amendment:	21,540.00	8,379.96	
Rezoning - Base Fee: (70%) Rezoning - Variable Fee:	14,213.50 66,635.00	988.46	
Subdivision - Base Fee: Subdivision - Variable Fee:	-	-	-
TOTAL	$102,388.50	$9,368.42	TBD

Separate cheques are payable to City, Region and Conservation Halton

8. **Additional Agencies to be contacted:** Union Gas, Burlington Hydro

9. **Pre-Application Consultation Meeting**

Is a pre-application consultation meeting required?

YES ___x___ NO _____

The following steps must be completed if a Pre-Application ConsultationMeeting is required:

- *The consultation meeting is to be organized by the applicant and must be held before the application is submitted.*
- *Circulation of the meeting invitation to residents and tenants within 120 metres of the development site will be completed by the City for a fee. Provide a PDF of the meeting invitation on the applicant's letterhead for distribution. Notice must be sent a minimum of 20 days in advance of the meeting.*
- *Please notify the Ward Councillor, Mayor, and the Coordinator of Development Review of the date, time & location of the meeting. Be sure your meeting location is accessible and close to the development site.*
- *During the meeting, provide a detailed overview of the development proposal and allow time for questions and comments from the public. Planning staff will provide an overview of the development application review process. Take notes of the discussion.*
- *As part of a complete application, the applicant must provide consultation meeting minutes which include a written summary of public input received at the meeting. As part of the Planning Justification Report, the applicant must explain how this public input was used to modify the development proposal.*

10. **Community Benefits Charge**

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

If "YES" a Community Benefits Charge **may be** required.

11. Required Information for Complete Application

Reports, Studies, Plans All identified reports must be submitted in Accessible PDF format with contents as outlined in the Appendix and attached notes before an application is deemed complete.		Number of Paper Copies (plus two in accessible electronic PDF form) If Study is Required	Required Study (Yes/No)
6.1	Planning Justification Report	8	Yes
6.2	Conceptual Site Plan Layout & Site Survey	15	Yes
6.3	Draft Plan of Subdivision	15	No
6.4	Stormwater Management Report	8	Yes
6.5	Functional Servicing Report (Including Water & Wastewater)	9	Yes
6.6	Tree Inventory and Preservation Plan Landscape Concept Plan	9 9	Yes Yes
6.7	Traffic Impact Study	7	Yes
6.8	Top-of-Bank Demarcation	6	No
6.9	Environmental Evaluation Report	7	No
6.10	Noise and/or Vibration Feasibility Study	7	Yes
6.11	Shadow Analysis	3	Yes
6.12	Environmental Site Screening Checklist	5	Yes
6.13	Phase One & Two Environmental Site Assessment Preliminary Remediation Summary (RSC mandatory)	5	Yes Yes
6.14	Land Assembly Documents	2	No
6.15	Height Survey of adjacent buildings	2	Yes
6.16	Heritage Impact Statement	3	Yes
6.17	Archaeological Report	3	No
6.18	Wind Impact Study	3	Yes
6.19	Sensitive Land Use (Risk Assessment) Report	6	No
6.20	Urban Design Advisory Panel Meeting Minutes	4	Yes
6.21	Hydrogeological Assessment	7	TBD
6.22	Other (specify) Urban Design Brief Grading & Servicing Plans Geotechnical Study (groundwater) Draft Zoning By-law 3D Model of Proposed Building(s)	 5 12 4 2 1	 Yes Yes Yes Yes Yes

	Construction & Mobility Management Plan	5	Yes
	Pre-Application Consultation Meeting Minutes	5	Yes
	Waste Management Plan	3	Yes
	Reference Plan and PIN Report	3	Yes

12. ADDITIONAL REQUIREMENTS: See attached meeting notes & application checklist

NOTES:

1. Notwithstanding the fees noted above, all fees are payable based on the rate in the fee schedule by-law in effect on the date the payment is made. Further fees, such as variable fees may be required at a later date as per the fee schedule by-law.

2. The purpose of this document is to identify the information required to commence processing a complete application as set out in the Planning Act. Pre-consultation does not imply or suggest any decision whatsoever on behalf of City staff or the Corporation of the City of Burlington to either support or refuse the application.

3. This document expires 180 days from the date of signing or at the discretion of the Director of City Building. Please note that development application fees may change during this period and it is the applicant's responsibility to ensure that the correct fees are paid at time of application.

4. The City may require the peer review of a technical report submitted by the applicant. If this is required, the applicant will be advised and will be charged a fee equal to the cost of the peer review.

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

6. Application materials submitted without the information identified in this Pre-consultation Document, or without the supporting technical studies prepared in accordance with the direction provided in Appendix 1, the meeting notes, and the Pre-submission checklist attached to this Document, will be returned to the applicant based on insufficient information to properly evaluate the application.

7. Acknowledgement of Public Information:
The applicant acknowledges that the City considers the application forms and all supporting materials, including studies and drawings, filed with any application to be public information and to form part of the public record. With the filing of an application, the applicant consents to the City photocopying and releasing the application and any supporting materials either for its own use in processing the application or at the request of a third party, without further notification to or permission from the applicant. The applicant also hereby states that it has authority to bind its consultants to the terms of this acknowledgement.

8. It may be determined during the review of the application that additional studies or information will be required as a result of issues arising during the processing of the application.

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

10. There may also be financial requirements arising from the application, including, but not limited to, park dedication, development charges, payment of outstanding property taxes, deferred local improvement charges, costs for lifting 0.3-metre reserves, and reimbursement for road widening acquisition or road improvements.

11. Personal information contained in this form is collected under the authority of the Planning Act, R.S.O. 1990, cP.13, as amended. The information will be used for the purpose of administering the City of Burlington's pre-consultation process on development applications. Questions about this collection can be directed to the Manager of Development Planning, City of Burlington, 426 Brant Street, Burlington, Ontario, L7R 3Z6, 905-335-7600, ex 7638.

12. The applicant requests that the information submitted on this pre-consultation form and associated documents be kept confidential. It is understood; however, that an access request may be filed under the Municipal Freedom of Information and Protection of Privacy Act, and information may be subject to release, notwithstanding the request to keep information confidential.

Staff and Agency Signatures:

Rosalind Minaji	R Minaji	July 17, 19
Planning Staff	Planning Staff (Signature)	Date
Tania Dowhaniuk		July 17, 19
Site Engineering Staff	Site Engineering Staff (Signature)	Date
Annette Simpson		July 17/19
Site Engineering Staff	Site Engineering Staff (Signature)	Date
ROB PEACHEY	RPeachey	July 17/19
Capital Works Staff	Capital Works Staff (Signature)	Date
STEVE LUCAS		July 17, 19
Transportation Staff	Transportation Staff (Signature)	Date
Adam Hoyoke		July 17/19.
Regional Staff	Regional Staff (Signature)	Date
Danika Guppy	Danika Guppy	July 17/19
~~Regional Staff~~ Heritage Planning Staff	~~Regional Staff (Signature)~~	Date
Conservation Halton Staff	Conservation Halton Staff (Signature)	Date

Proponent Signatures:

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

MARK BALES	Mark Bales	JULY 17/19
Property Owner	Property Owner (Signature)	Date
Agent	Agent (Signature)	Date
	(I have authority to bind the owner)	

APPENDIX ONE: REQUIREMENTS FOR REPORTS/STUDIES AND PLANS (Also see attached Pre-Submission Checklist)

6.1 Planning Justification Report

A qualified planner (Registered Professional Planner) must submit a signed report providing planning justification for the proposed amendment in light of the principles, objectives and policies of the City's Official Plan and the technical studies accompanying the application. The goal of the report is to document how the proposed departure from the local policies and regulations represents good planning and is in the public interest. The report must: describe the site context; address applicable provincial and regional policy; describe the proposal in detail including preliminary site plan details if applicable; address applicable local Official Plan policies (e.g. policies relating to compatibility, intensification, redesignation criteria and conversion policies); describe how the proposal meets Council approved Design Guidelines, discuss findings of the technical studies in the context of the Part II Functional Policies of the Official Plan; and other Council policy.

6.2 Conceptual Site Plan Layout & Site Survey

General plan required showing proposed building envelopes, driveways, parking and landscape areas. Survey of site showing PINs, easements, property boundaries etc.

6.3 Draft Plan of Subdivision

The plan of subdivision map is to contain information required under Section 51(17) of the Planning Act, as well as: legend, map scale, boundary of property to be subdivided, north marker, address, registered plan number, lot and concession, date plan prepared and date of any revisions, name of person or firm who prepared the plan, all landowners names, signatures and date, and the Ontario land surveyor's name, signature and date.

6.4 Stormwater Management Report

Required in accordance with Part II, Section 2.11.3 subsections a) & d) of the Official Plan.

6.5 Functional Servicing Report

Required in accordance with Part II, Section 2.11.3 subsection e) of the Burlington Official Plan. Required for all applications in urban areas in accordance with Part III, Sections 87-89 of the Regional Official Plan. Municipal (Urban) Servicing Guidelines are available from the Region of Halton.

6.6 Tree Inventory and Protection Plan

Required when a property under application contains woodlots, tree stands or hedgerows, in accordance with Part II, Section 6.0 of the City's Official Plan and Part IV, Sections 146-147 of the Regional Official Plan. A tree survey must be prepared by a qualified professional, identifying all existing trees, their type, size and condition, those trees proposed to be removed and retained, and the methods to be used to ensure preservation and protection of those trees to be retained.

Landscape Concept Plan:

Required in accordance with Part II, Section 6.0 of the City's Official Plan. The Landscape Concept Plan must be prepared by a qualified professional (certified member of the Ontario Association of Landscape Architects), identifying the location and general design intent of the proposed plantings. Minimum required soil volumes must be identified for proposed planting areas."

6.7 Traffic Impact Study

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

6.8 Top-of-Bank Demarcation

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

6.9 Environmental Evaluation Report

Required for applications as set out in Part II, Section 2.5 of the City's Official Plan, the Regional Official Plan and the Region's Environmental Impact Assessment guidelines. This assessments will be based upon an approved Terms of Reference and will be reviewed by the City, the Region of Halton, and Conservation Halton.

6.10 Noise and/or Vibration Feasibility Study

Required for applications as set out in Part II, Section 3.3.2, subsections r), s) and t), and Part II, Section 3.7.2, subsections d), e) and f) of the City's Official Plan, Part IV, Sections 142-143 of the Regional Official Plan, and for all properties abutting arterial roads. In the case of Regional roads, applicants shall refer to the Region's "Noise Attenuation Guideline," (Regional Official Plan, 2009 Guideline) and "Noise Attenuation Policy" as adopted by Regional Council.

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

6.12 Environmental Site Screening Checklist
Required for all applications as set out in the "Protocol for Reviewing Development Applications with respect to Contaminated Sites," (Regional Official Plan, 2009 Guideline). Applicants should contact the Region of Halton for historical data and any environmental records.

6.13 Phase One or Two Environmental Site Assessment/Record of Site Condition Report
Required to assess site contamination in accordance with Part II, Section 2.4, subsections i) and j) of the City's Official Plan. All requirements of O. Reg. 153/04 must be met for Phase One and Two studies and required Records of Site Condition (RSCs). A letter of reliance from the Environmental Consultant/Qualified Person, confirming the City of Burlington and the Region of Halton can rely on the information contained in the report(s) is required. All reports must be signed by a Qualified Person as defined under O.Reg. 153/04.

6.14 Land Assembly Documents
Required for applications where, in the opinion of the City Building Department, the assembly of additional lands is required to facilitate orderly development of the area. Applicants are required to submit documentation demonstrating that a reasonable, bona fide offer has been made to acquire such lands.

6.15 Height Survey of adjacent buildings
Required for all residential infill and intensification rezoning applications, in accordance with City Council policy. A surveyor's report must identify the highest points of the existing adjoining roofs measured from the existing average grade of the shared property line.

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

6.17 Archaeological Report
Required for all applications in or near areas of archaeological potential, as determined by the Region of Halton. Reports must be completed in accordance with Provincial requirements and the Regional Archaeological Master Plan.

6.18 Wind Impact Study
May be required, as determined by Planning staff, for any building over 5 storeys in height. The report will provide two season wind tunnel modelling and information related to wind comfort conditions for pedestrians both on and around the development, as well as for amenity spaces on and around the building. Site specific mitigation measures are to be included.

6.19 Sensitive Land Use (Risk Assessment) Report
Required for applications proposing sensitive land uses in proximity to existing industrial uses, or proposing industrial uses in proximity to existing sensitive uses, in accordance with Part II, Section 2.7.3 subsections n) & o) and Part II, Section 4.3 subsection d) of the City's Official Plan, Part IV, Sections 146-147 of the Regional Official Plan, and the Ministry of the Environment D-6 series guidelines.

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

6.20 Burlington Urban Design Advisory Panel Meeting Minutes
The Burlington Urban Design Advisory Panel (BUD) is an independent advisory body comprised of design professionals that provides urban design advice to the City Building Department on all tall and mid rise buildings (5 storeys or greater) and all public development projects. Advice from BUD will be integrated early in the review process to reinforce the City's expectation for a high standard of design excellence resulting in a more efficient and effective municipal development review. A copy of BUD meeting minutes must be submitted with the application along with a Design Brief explaining how their advice has been incorporated into the development proposal.

6.21 Hydrogeological Assessment
Required for all applications in areas subject to private water and septic services, as set out in Part IV, Subsection 2.1.3 b) and Part IV, Subsection 3.3 d) of the City's Official Plan, the Regional Official Plan and the Region's "Hydrogeological Studies & Best Management Practices for Groundwater Protection Guidelines" (Regional Official Plan, 2009 Guideline). Applicants should contact the Halton Region for more details regarding site-specific studies, which must be approved by the Region following a peer review.

Preconsultation Meeting Notes

2107 Old Lakeshore Rd. & 2119 Lakeshore Rd. - July 17, 2019

Attendees:
Rosalind Minaji, Annette Simpson, Danika Guppy, Steve Lucas, Rob Peachey, Tania Dowhaniuk -City of Burlington
Adam Huycke, Matthew Vartanian – Region of Halton
Mark Bales – Old Lakeshore Burlington Inc.

Description of Development Concept:

- 24 storey condominium apartment with 143 units
- Height 85m including mechanical penthouse
- FAR 9.6:1
- Five levels of underground parking with access from Old Lakeshore Road
- Loading access (one way) between Lakeshore and Old Lakeshore Road

Planning Comments:

Current Official Plan:

- The property is designated Downtown Mixed Use Centre, Old Lakeshore Road Mixed Use Precinct –East Sector with a site specific policy (Part III, Section 5.5.7.2 k) which states:
    - "Notwithstanding Part III, Subsection 5.5.7.2b) and d) of this Plan, for the lands described as 2107-2119 Old Lakeshore Road and 2114 Lakeshore Road, the maximum height of buildings shall be 10 storeys and 31.5 metres. Taller buildings may be permitted, up to a maximum height of 12 storeys and 37 metres, where they provide compatibility with surrounding land uses and a sense of pedestrian scale by use of building design incorporating a ground level, street-oriented podium, and subject to the community benefits provisions of Part VI, Subsection 2.3 of this Plan and the following details to the satisfaction of City Council;
        i) Old Lakeshore Road is retained in the East Sector and realigned to form an intersection at Martha Street and Lakeshore Road;
        ii) Preservation or relocation of significant cultural heritage resources within the precinct;
        iii) Submission of an angular plane study, identifying visual, sunshadowing and wind impacts, and demonstrating how such impacts can be mitigated to acceptable levels. "
- Permitted densities range between 56 and 185 units per net hectare.
- Retail or service commercial uses are required continuously at grade along public streets in residential or office buildings. No surface parking is permitted other than for loading or emergency vehicles.
- Preservation of significant cultural heritage resources is encouraged.

Council Adopted New Official Plan:

- The proposed New Official Plan was adopted by Council on April 27, 2018 and has been developed to reflect the opportunities and challenges facing the City as it continues to evolve.
- Halton Region has identified areas of non-conformity, and as such, the adopted Official Plan will be subject to additional review and revision prior to its approval.
- Further, City Council has directed a new staff review and public engagement process to consider potential modifications, including a review of height and density provisions for the downtown.
- As a result, no weight is placed on the policies of the adopted Official Plan in the review of this application at this time.

Current Zoning:

- The site is currently zoned DL-A.
- This zone permits a variety of retail and service commercial uses, office, hospitality, entertainment and recreation uses, as well as apartment buildings and retirement home.

- The ground floor of any building within 15m of a public street shall be used only for retail or service commercial uses.
- Maximum height of 10 storeys and 31.5m
- Maximum FAR of 4.5:1
- The first floor elevation of any building facing the street shall have a minimum of 60% glazing.
- Amenity space – 20m^2 per unit
- Parking 1.25 spaces per unit including 0.25 spaces per unit for visitors.

Interim Control By-law:

- On March 5th, 2019, Council enacted Interim Control By-law (ICBL) 10-2019 to temporarily limit development within the City's Urban Growth Centre and the Burlington GO mobility hub area in order to complete a land use study assessing the role and function of these Major Transit Station Areas.
- The ICBL is in place for a period of one year which can be extended for a second year.
- During the period that the ICBL is in effect, the City will complete a land-use study to:
    - Assess the role and function of the downtown bus terminal and the Burlington GO station on Fairview Street as Major Transit Station Areas;
    - Examine the planning structure, land use mix and intensity for the lands identified in the study area; and
    - Update the Official Plan and Zoning Bylaw regulations as needed for the lands identified in the study area.
- This property is located on land within the ICBL.
- Please note that while the City must accept development applications that are accompanied by the required fees and supporting materials, any applications within the ICBL cannot be resolved until the By-law is lifted and will be considered to be premature. Following the statutory public meeting, applications will be held in abeyance until the ICBL is no longer in effect.

Preliminary Review of Redevelopment Concept:

- The Official Plan directs taller, high density development within the Downtown to the Wellington Square Mixed Use Precinct rather than the Old Lakeshore Road Precinct.
- The proposed building massing and height are extremely high and should be reduced to a scale that is more in keeping with the Official Plan policies for the area.
- Generally design of tall buildings should include the following:
    - avoidance of heavy massing and floor plates along street frontages –instead provision of articulated base buildings with a plenty of pedestrian interest and wide sidewalks;
    - provision of slender towers with approximately 750m^2 floor plates which are separated from other towers by at least 25m;
    - consideration of scale of the podium in relation to the tower;
    - orientation of buildings to consider impacts on surrounding mid and low rise development by providing appropriate setbacks, transitions in scale, terracing, and height limits to retain their access to sunlight and privacy
    - creation of a building focal point and prominence of the building entrances.
- As noted above, planning policy for downtown Burlington is in flux. Height and density permissions may be subject to change as a result of ongoing planning studies.
- Retail or service commercial uses are required continuously at grade. Office uses or uses accessory to residential should be included as an intermediary use between the floors containing retail / service commercial uses and residential uses to minimize the potential adverse effects of noise and vibration that may be generated by the retail / service commercial uses.
- This proposal was considered by the Burlington Urban Design Review Panel at their July 2018 meeting. BUD comments included:
    - taking advantage of the triangular shape of the development parcel with a unique architectural design;
    - reducing the car-oriented nature of the east corner of the site and enhancing the gateway location;
    - revising the grade oriented uses to create a more pedestrian friendly streetscape;

- importance of reducing wind impacts and incorporating bird friendly design.

- The property owners to the west of this site have also expressed interest in redevelopment. Please contact these adjacent landowners to ensure that all development is designed in a comprehensive fashion. Issues such as tower separation, wind and sun shadow impacts, driveway location conflicts, and potential noise impacts should be considered.
- An Official Plan Amendment and rezoning are required to facilitate the proposed redevelopment.

Application Requirements:

- Should you wish to proceed with an application for Official Plan Amendment and rezoning, the following supporting studies will be required in addition to those listed by other agencies and department.
- Prior to submitting the application, a Pre-Application Consultation Meeting is required. (A copy of the Pre-Application Consultation Meeting Guidelines was provided.)
    - The consultation meeting is to be organized by the applicant and must be held before the application is submitted. Please try to avoid holding meetings in summer and in December.
    - Circulation of the meeting invitation to residents and tenants within 120 metres of the development site will be completed by the City for a fee. Provide a PDF of the meeting invitation on the applicant's letterhead for distribution. Notice must be sent a minimum of 20 days in advance of the meeting.
    - Please notify the Ward Councillor, Mayor and the Coordinator of Development Review of the date, time and location of the meeting. Be sure your meeting location is accessible and close to the development site. The Ward Councillor may wish to introduce the meeting and moderate the question and answer session.
    - During the meeting, provide a detailed overview of the development proposal and allow time for questions and comments from the public. Planning staff will attend and provide an overview of the development application review process. Take notes of the discussion and questions raised.
    - As part of a complete application, the applicant must provide consultation meeting minutes which include a written summary of public input received at the meeting. As part of the Planning Justification Report, the applicant must explain how this public input was used to modify the development proposal.
- Prior to submitting the application, consultation with the Burlington Urban Design Panel (BUD) is required. This design was reviewed by BUD at their July 2018 meeting. A copy of the BUD meeting minutes must be submitted with the application. An Urban Design Brief will be required to explain how the comments of BUD have been taken into account. (BUD Terms of Reference provided.)
- A Planning Justification Report is required:
    - to discuss the impact of Provincial, Regional and local planning policy on the proposed development;
    - to explain why the requested changes to higher intensity and taller residential use is desirable and represent good planning;
    - to discuss how the results of required technical studies have been used to refine the redevelopment proposal;
    - to explain how land use, traffic access, servicing, development intensity, parkland and heritage aspects of the proposed development work within the context of the Old Lakeshore Road Precinct;
    - to explain how input received from the Burlington Urban Design Review Panel has been considered and used to refine the proposal:
    - to explain how input received at the pre-application consultation meeting has been considered and used to refine the proposal; and
    - to explain how the proposed development is compatible with surrounding and proposed uses including height, setbacks, massing, wind, shadow, design and community features.
- Sun shadow impact study and a height survey of adjacent buildings will be required. An angular plane study should show how terracing will address pedestrian comfort and transition to abutting land uses.
- A Wind Impact Study is required which includes a quantitative pedestrian comfort evaluation using a wind tunnel test and provides specific mitigation measures for any uncomfortable wind conditions.

- A 3D model of the proposed building is required to assist with public engagement. (Model specifications were provided.)
- Please consider sustainable building design in your proposed development, using the City's Sustainable Building and Development Guidelines. (An introductory letter from the Burlington Sustainable Development Committee is provided, along with supporting materials.)
- Community Benefits may be required.
- Inclusionary zoning may be considered for lands in proximity to a major transit station area.
- Consult with Burlington Hydro about electrical supply and requirements.

Heritage Planning Comments:

- The following comments pertain to matters related to building built resources and cultural heritage landscapes. The Region of Halton is the approval authority for all archaeological matters.
- While there are no cultural heritage resources located on the development site, there are properties with cultural heritage status located adjacently, including:
    - The adjacent property at 2101 Old Lakeshore Road, which is a non-designated property listed on the Municipal Register;
    - The property located across the street to the south at 2100 Old Lakeshore Road, which is a non-designated property listed on the Municipal Register; and,
    - The property located across the street to the north at 2137 Lakeshore Road (Junction Street Water Pumping Station), which is a Region-owned property that is listed on the Municipal Register (non-designated).
- The Provincial Policy Statement (2014), Growth Plan for the Greater Golden Horseshoe (2019), Halton Region Official Plan, City of Burlington Official Plan (both the current plan that is in force and effect, and the new plan under review) contains policies requiring that development be sensitive to adjacent cultural heritage resources.
- The submission of a Heritage Impact Study will be required. Contact the heritage planner to establish terms of reference for this required study (contact information below).
- Heritage Burlington is the City's citizen advisory committee for matters pertaining to heritage, and will be consulted on applications for this development site.
- Heritage Planner: Danika Guppy, heritage@burlington.ca, 905-335-7600 ext. 7929

Region of Halton Planning Comments:

Regional Official Plan:

Designation: Urban Area (Built Boundary)

- The Urban Area (Section 77) policies support increased densities and intensification of uses within these areas subject to Local Official Plan policy and direction.
- Section 89 of the Regional Official Plan require that approvals for all new development within the Urban Area be on the basis of connection to Halton's municipal water and wastewater systems, unless otherwise exempt by other policies of this Plan.

Intensification Area Policies:

- The objective of 78(9) for the intensification area is to generally achieve higher densities than the surrounding areas.
- Section 81.1 of the Regional Official Plan aims to direct development with higher densities and mixed uses to intensification areas. The subject lands are located within a Regionally identified Intensification Area and are subject to the Region's Intensification Area policies.

Urban Growth Centre Policies:

- The subject lands are within the Urban Growth Centre for the City of Burlington in the 2009 Regional Official Plan.
- The objective of the Urban Growth Centre is to accommodate a significant share of population and employment growth.

Archaeological Resources:

- The subject lands are identified as having archaeological potential and are located within the Region's Historical Towns Settlement Area.
- Although an archaeological assessment is not required by Halton Region, the proponent is cautioned that during development activities, should archaeological materials be found on the property, the Ontario Ministry of Tourism, Culture and Sport should be notified immediately (416-212-8886 or archaeology@ontario.ca). In the event that human remains are encountered during construction, the proponent should immediately contact the appropriate authorities (police or coroner) and all soil disturbance must stop to allow the authorities to investigate and the Registrar of Cemeteries be consulted.

Regional Road:

- Lands are not located adjacent to Regional Road.
    - Regional Traffic Impact Study (TIS): NOT required
    - Regional Noise Study: NOT required
    - Regional Land Dedication: NOT required

Regional Natural Heritage System:

- Lands are not located within or adjacent to lands which form part of the Regional Natural Heritage System.

Potential for Site Contamination:

- Environmental Site Screening Questionnaire is required. In addition, a Phase 1 Environmental Site Assessment (to O.Reg 153/04 standards and with a Letter of Reliance) at the time of initial application.
- A Phase 2 shall be required as part of the complete application should the Phase 1 Environmental Site Assessment conclude that a Phase 2 Environmental Site Assessment is required.
- Please note that the proposed development would result in a change in land use to a more sensitive land use which will require a Record of Site Condition in accordance with MOECC requirements.

Waste Management:

- A Waste Management Plan is required to address waste collection for the proposed development
    - Please reference the Region's Development Design Guidelines for Source Separation of Solid Waste for site design requirements/dimensions.

Submission Requirements:

- All submission materials on a USB/CD
- Applicable Regional Fee(s)
- Complete Application forms
- Planning Justification Report
- Concept Plans
- Functional Servicing Report
- Environmental Site Screening Questionnaire & Phase 1 Environmental Site Assessment (ESA) in addition to any recommended ESA (O.Reg 153/04 standards and with a Letter of Reliance)
- Waste Management Plan

Region of Halton Servicing Comments:

- There are Halton Region local watermains within Lakeshore Road and Old Lakeshore Road adjacent to the proposed development.
- There is a Halton Region local wastewater main within Old Lakeshore Road adjacent to the proposed development. There is a Halton Region trunk wastewater main (sanitary sewer) within Lakeshore Road adjacent to the proposed development. Any proposed trunk wastewater main connection requires special review and Regional permission to connect into, and it should be noted that permission is not always guaranteed.
- Halton Region's Lakeshore Road/Junction Street Wastewater Pumping Station services this area of the City, and is located downstream of the proposed development. The station has a defined rated capacity

that cannot be exceeded. A recent Municipal Class Environmental Assessment Study for this station, and associated wastewater forcemain, was completed in 2018.

- The developer should undertake to locate the size and location of all watermains, water services, water meters, wastewater mains (sanitary sewers), wastewater (sanitary) services, stormwater mains and stormwater services that exist within the road right-of-way, to the property and within the property and place them on an Existing Site Servicing Plan drawings within their reports. Public and private utility companies can be utilized for this purpose.
- A Functional Servicing Report is required to be prepared by the developer's civil engineering consultant (watermains, water services, fire hydrants, sanitary sewer mains, sanitary sewer services, stormwater mains and stormwater services) to show options for how the property is proposed to be serviced according to City of Burlington and Halton Region standards. Local watermain and wastewater main (sanitary sewer) hydraulic analysis should be completed by the developer's consultant as well for the local sewers and the drainage area down the to the nearest trunk sewer. The consultant should include details about other developments properties in the drainage area in their analysis of the local sewers (if any). The report should speak to the number/type of units proposed and the phasing of the development with respect to the impacts on the Region's water distribution system and wastewater collection system. Phasing, timing of the development and required/available capacity shall be detailed in the report. The consultant will include details about potential external main upsizing or main extensions to accommodate the development, etc...
- The FSR report should incorporate Fire Flow Rate Testing. The proponent should undertake fireflow rate testing of representative Regional fire hydrants in the area, with the proponent's fireflow contractor and Region forces present. Include within the Report a copy of the fireflow rate testing results, and the Fire Underwriters Survey (FUS) requirements for the development. This information will help to assist in informing the watermain design and watermain hydraulic modelling analysis that is being undertaken by the proponent's consultants.
- Further to the formal hydraulic analysis requirement, the developer's consultant can utilize the Region's current water and wastewater models (if required). The developer's civil consulting engineering firm will be required to enter into a Data License Agreement prior to obtaining any digital information from the Region.
- The FSR should include information related to all the other Utilities infrastructure in the area and potential conflicts.
- The FSR should show the existing site services and note how they are proposed to be decommissioned to make way for the development.
- New development must be on the basis of full municipal services.
- The developer should be aware of the Region's Multi-Unit Servicing Policy with respect to the number and location of water meters.
- Regional policies state that water and sanitary services cannot cross lot lines, the owner will ensure this throughout the process. Each lot must be independently serviced if it is proposed to be a separate lot.
- Any major servicing works required for this project would fall under the Regional Servicing Agreement process, including securities, Agreement registration, developer's liability insurance and the payment of Agreement fees.
- Servicing of a standard nature is required to go through the Regional Services Permit process.
- The size and scope of, utility trench and road cut, road restoration shall be to the satisfaction of the City of Burlington for local roads.
- Watermain and wastewater main (sanitary) servicing capacity is not guaranteed at the LOPA and ReZoning stage. Servicing of development in the Burlington area of Halton Region is on a first-come-first-serve basis. The owner can pre-consult about servicing capacity with the Region at any time in the future going forward. This current development proposal capacity will be reviewed closely and commented upon at the time of Planning application receipt. Should a servicing capacity issue be identified at that time then it will have to be dealt with, working through it with the Region. Servicing capacity is deemed to be in hand at the issuance of a Regional Servicing Agreement, Special Financial Agreement, and Regional Services Permit, which is reviewed and obtained toward the end of the City's Site Plan approval process, or Regional Servicing Agreement.

- The property is located within an area of the City of Burlington that is a known as one of the Mobility Hubs within the city (under review). The Region is involved in the review of mobility hubs, and the review of the forthcoming studies and reports that will be undertaken with respect to Mobility Hubs. Servicing, and servicing requirements, are one of the reports that will be undertaken. It will be determined if other background studies will be undertaken. The City of Burlington currently has an ICBL (Interim Control By-Law) in place for the ICBL Study Area.
- As always, acquiring land for development purposes and hiring consultants, at this time, is at the risk of the developer.
- Any water services and sanitary services that currently exist to the property that will not be utilized for any reason will be required to be disconnected right at the respective main by the developer.
- The developer's site servicing consultant can preconsult with the Region at any time regarding their proposed draft site servicing water design, wastewater design and identified utility conflicts (including storm).
- The Region would like to receive confirmation in writing when any required formal land assembly has taken place at the LOPA and ReZoning, or Site Plan stage, in order for servicing to conform with Regional Policies, that water and wastewater services do not and will not cross lot lines for different property owners.
- The developer should prepare a Solid Waste Management Plan to the satisfaction of the Region. The Plan shall have regard for the Region's Solid Waste Management Guidelines. The Solid Waste Management Guidelines are available on-line at http://www.halton.ca , Regional Official Plan (ROP) Guidelines, Development Design Guidelines for Source Separation of Solid Waste.
- The developer will inform the City, and the Region, whether they will be submitting a Site Plan application at the same time as the LOPA and ReZoning applications for timing purposes and issues identification and resolution purposes.

Conservation Halton Comments:

Ontario Regulation 162/06

- Currently Conservation Halton (CH) Approximate Regulation Limit (ARL) mapping shows that the subject properties at 2107 Old Lakeshore and 2119 Lakeshore Road are regulated by CH due to their proximity to the shoreline erosion hazard.
- It is recognized the CH mapping is generally conservative in nature, however in order to confirm that the proposed development will be outside of CH's regulated area, a borehole analysis of soils is required to confirm the regulated limit. The applicant can contact me for details on what is needed in that regard.
- It must be shown that all development (structures, fill, grading, paving, etc.) is outside of CH's regulated area. The regulated area should be zoned appropriately for protection and dedicated to the City if possible.

MOU

- CH will defer review of stormwater management to the City, provided no new outlets or other works in the regulated area are proposed.

Circulation

- Please circulate CH on the upcoming application. Intermediate OPA/ZBA combined application fees would apply, however we recommend the applicant contact CH prior to submission to confirm fees.
- If the applicant wishes to submit the borehole analysis in advance of the application to confirm the regulated limit and confirm whether CH requires circulation of the OPA/ZBA, the applicant can contact me to confirm fees for review of that study. Emma DeFields

Site Engineering Comments:

General

- The deemed Right of Way (ROW) of Old Lakeshore Road is 20m, and is a City of Burlington owned road, the actual width is equal to the deemed, no widening necessary.

- Lakeshore Road is a City of Burlington owned road, the deemed right of way is 30m, the actual width is +/- 20.21m, in order to meet the deemed width a +/-5.0m widening would be required, however, we have been advised by Transportation Staff that a lesser widening may be acceptable, i.e. +/-2.0m.
- We ask that the applicant confirm in writing with Transportation Staff the widening requirements for the frontage of the proposed development. Please also be advised that only an Ontario Land Surveyor would be able to determine the actual dimensions and prepare a drawing showing the widening. The footprint of the building, both above and underground will need to be modified to accommodate the widening
- From our GIS mapping the property is partially within Conservation Halton regulated area, however, we would defer to Conservation to confirm, as there may be setback/floodline/spill implications.
- There is a Union Gas pipeline along Old Lakeshore Road, please contact Union Gas to determine any requirements they may have when constructing in close proximity to their utility.
- We ask that the applicant pre-consult with Burlington Hydro regarding servicing requirements, as there is a City Hydro Servicing Policy (Appendix C to the E-01-14 Report, adopted by council on February 18, 2014) which states future hydro services and other utilities for properties located within the downtown are to buried at the owner's expense.
- The Capital Works Roadways Capital Projects 2018-2027 Forecast indicates John Street (James Street to Caroline Street) scheduled for road reconstruction and streetscaping in 2023, just an advisory as this project is also in the downtown area.
- Please consider a few at-grade parking spaces, for short term deliveries/drop offs, and/or accessible spaces, rather than have to have all guests and deliveries go to underground parking, as this can be a logistics issue if people have to be "buzzed" into the u/g parking.
- Please consider provision of at-grade and underground bicycle parking for residents and guests
- Great to see a large a terrace/rooftop /patio area for residents on the 2nd floor, is there opportunity for at-grade landscaped areas for residents?
- Streetscaping will be required on both Lakeshore & Old Lakeshore frontages, our streetscaping design guidelines will be available in the near future, please check with the Planning Department for details.
- Please consider pedestrian movements in the underground parking, i.e. safe/delineated areas at exits to stairwells and elevators, please ensure strategic placement of barrier free parking so that there is clear access aisles to the elevators. The parking spaces in the triangle near the elevator/lobby would be good for barrier free parking spaces. Show the barrier free parking spaces and dimensions on the drawings; please also provide grades for the barrier free spaces, max. 1.5m running slope and max. 1% cross slope.
- Please consider pedestrian movements at the west exit doors – are the two doors emergency exit (alarmed) doors or would residents expect to use the doors at anytime? If the latter there should be a safe pedestrian connection to Lakeshore & Old Lakeshore, avoiding pedestrian conflicts with the staging area and loading service bays
- Show pedestrian connections at east side to both Old Lakeshore and Lakeshore, there will also be a municipal sidewalk required around the property within the ROW, limits (i.e. boulevard, streetscaping, etc. to be confirmed)
- How will the ground floor units facing Lakeshore deal with privacy? Lakeshore is a busy road and loud, the private outdoor patios should be usable for the residents.
- There is a wide hard surface for the driveway and underground parking entrance on Old Lakeshore – is it possible to break this up with a spot for a safe pedestrian landing between the driveways, a landscape strip? Or maybe a space to put a 1.5m walkway from the west exit doors to Old Lakeshore.
- Please incorporate electric car charging stations in the underground parking (as per OBC requirements), and consider ductwork for future electric car charging stations at individual parking spaces, if residents want to install in the future.
- Please consider mitigating for bird impacts in the design of the buildings, BUD and Conservation Halton may speak to this
- Precondition survey of area buildings prior to start of excavation and vibration monitoring for the duration of construction, will be required, limits of study area to be determined. (at site plan stage – advising for budgeting purposes)

Construction and Mobility Management Plan

- required to make the application complete, please refer to the attached check list and the City of Burlington Construction and Mobility Management Plan By-Law for details on requirements to be included on the plan, and consider the following:
    - Lakeshore Road sidewalk will be required to remain open for the duration of construction
    - Old Lakeshore Road sidewalk may be required to remain open for the duration of construction
    - No lane closures on Lakeshore Road or Old Lakeshore Road will be permitted for construction
    - Protect the public realm of municipal streets
    - Minimize impact to local businesses
    - Truck haulage routes will need to be approved by the City
    - All elements of the underground parking structure (i.e. walls, foundation drains, shoring, etc.) are required to be within the limits of the subject property, we will require detailed sections with the application to demonstrate it is possible.

Record of Site Condition

- change of use from commercial to residential, we will require copies of all reports supporting the RSC (Phase One & Phase Two ESA, etc.).
- To make the application complete we will require a Phase One ESA AND a Phase Two ESA, both completed in accordance with O. Reg. 153/04 including a letter of Reliance confirming the City (and Region) may rely on the information provided in the reports.
- If the Phase Two ESA indicates remedial works are required to the site, the remediation plan is required to be submitted with the application to make the application complete.
- Please ensure that test results of the groundwater is included in the report and shared with the civil engineer.
- Please be advised that if the reports are not in accordance with O. Reg. 153/04 the application will be deemed incomplete. Please refer to the accompanying check list for further details. If there are any existing (old) monitoring wells on site, please include any data that has been collected since installation.

Stormwater Management Report :

- Umar Malik has provided the following SWM criteria, please note that Conservation Halton may also comment/review the SWM report, in case of discrepancy in requirements, the most stringent shall apply:
    - Enhanced Quality Control achieving 80% Total Suspended Solids Removal. We ask that a treatment train approach be considered, to incorporate Low Impact Development techniques. OGS may only be credited at 50%. Please note that roof water is considered clean so if there is no surface parking then quality control measures may not be required if all underground parking area drains are outlet to the sanitary system (as is typical).
    - Quantity Control -100 year Post development flows to meet 2 year Pre development flows by providing onsite storage for all storms up to and including 100 year storm. Please note that any permanent dewatering of the underground parking structure will need to be accommodated in the storm system, and quantified (estimated) in the SWM report, including chemical analysis of the groundwater to confirm it meets municipal discharge criteria, if it has to be discharged to the sanitary sewer the Region would need to approve.
    - Erosion control – defer to Conservation Halton
    - External Flows – engineer to confirm any external flows entering the site under the existing conditions. All identified external flows must be routed safely under the developed conditions without causing any flooding or ponding
    - Groundwater – any permanent dewatering must be identified and incorporated into the stormwater management of the site. We will require preliminary estimates of groundwater to be managed in the report with the application. Please include in the appendix any other consultant's reports (i.e. geotechnical). There are several monitoring wells on site – have any been monitored for groundwater elevations?

- Existing infrastructure – there is an 750mm/825mm existing municipal storm sewers in the Lakeshore Road right of way and a 450mm existing municipal storm sewer in the Old Lakeshore Road right of way., which eventually outlets to the Rambo Creek east of the site.
- Drainage Patterns – existing drainage directions and patterns should be maintained. There appears to be split drainage, some properties drain to Lakeshore and others to Old Lakeshore.

- Identify (any) existing storm system on site; indicate if anything is to be reused, or if it is to be removed. If re-used, a video inspection of the storm lines will be required and written confirmation from the Engineer that it is in good working condition.
- Provide storage details and location
- Report to include full size stamped/signed pre development drainage area, post development drainage area , servicing & grading plans (can be labeled preliminary)
- Storm sewer pipes cannot be located under buildings (internal parking garage drainage is allowed).
- Please note that there should be no surface ponding in (surface) accessible parking spaces, and no surface ponding in a 5 year storm, if there is any surface parking proposed
- Please clearly show the overland flow route for this address and neighbouring properties to ensure existing drainage patterns are maintained.
- Quantity controls must use an orifice tube (not plates).
- Need to confirm capacity of receiving system
- Need to confirm condition of receiving system (i.e. video inspection)
- Rooftop storage will not count towards the stormwater storage requirements (although allowed for other purposes, i.e. grey water for flushing toilets, irrigation for landscaping, etc.)
- Control structures and their location with cross sectional details
- Landscape areas over underground parking structures are considered impervious, and a runoff coefficient of 0.9 is to be utilized.
- It's important to determine storage requirements as we need to ensure any tanks in the underground parking are sized correctly at the RZ/OPA stage to avoid having to use up parking spaces later on for an increase in tank size.
- If you have any questions regarding SWM criteria please contact us, we are happy to pre-consult with the Civil Engineer if they have any questions, (umar.malik@burlington.ca or annette.simpson@burlington.ca)
- We encourage Low Impact Development Stormwater Management techniques, such as rainwater harvesting for irrigation, use of treatment train approach of quality control by using bio and infiltration swales, etc., currently we look to the CVC/TRCA LID guidelines and/or in the future MOECC guidelines.
- Please refer to accompanying check list for further details.

Geotechnical Report

- required – needs to address if there any concerns with groundwater that will need permanent dewatering due to the underground parking, if so preliminary estimates of flows need to be provided to the Civil Engineer so that they can incorporate into their stormwater management plan. Also in support of any LID techniques that may be implemented, i.e. infiltration.
- Please also ensure the geotechnical engineer consults with the environmental engineer to see if there are any concerns with outletting intercepted groundwater into the municipal storm system. I.e. does the groundwater meet the municipal storm sewer discharge criteria? If there is any contamination in the groundwater it may need to be outlet to a sanitary sewer (with Region's permission) or filtered prior to outlet to storm sewer. Confirm if it is anticipated that a permit to take water required or not?

Detailed Grading and servicing plans

- Show & dimension the widening of Lakeshore Road and the deemed width of Lakeshore Road
- Show all Conservation regulated hazard lines and setback lines
- Bordering city trees to be shown on drawing and boundary trees over 100mm in diameter within 3m of the property line), indicate which trees are proposed to be removed.
- Need to include grades on adjacent properties enough to determine existing drainage patterns. The plan will clearly need to show how drainage will be contained in the development, and not cut off surrounding properties drainage.

- 100 year storm elevation
- We would strongly encourage the Applicant's Civil Engineer to daylight the area of the proposed service connections to accurately locate the existing infrastructure (sewers, water, bell, hydro, cable, etc.) and determine inverts before completing detailed design work. This will be a requirement before Site Plan approval (if application proceeds)
- Although a site plan issue, we need to ensure there is room for snow storage. Our strong preference is to have snow stored on a landscaped (grass) area and then intercepted by catchbasins, this would allow for pretreatment of salty/sandy snow prior to entering the storm system.
- Another site plan issue, however we ask that the architect and other consultants consider placement of utility meters/piping/vaults/etc. please ensure they do not block walkways or be placed near the main entrances or in the way of barrier free routes or in landscape buffers, to ensure there is enough room at the design stage of the building.
- Utility furniture (meters, pedestals, boxes, etc.) for private developments cannot be located within the municipal right of way.
- Details of underground parking limits – all elements of the underground parking structure (i.e. walls, foundation drains, shoring, etc.) are required to be within the limits of the subject property
- Please refer to accompanying check list for further details.

Noise & Vibration Feasibility Study

- prepared by a P. Eng
- as per NPC-300
- Applicant's consultant to use capacity volume of Lakeshore Road (and other surrounding roads) for STAMSON (or other model) calculations; contact the City Traffic Department for volumes.
- Applicant's consultant to also consider the building as a stationary source and detail any mitigation measures required to prevent noise nuisance on adjacent residential. For the development itself and need to see if there are any negative impacts on existing surrounding residential (due to rooftop mechanical, underground parking fans/vents/etc.).
- Please also consider nearby existing and proposed buildings as potential stationary sources of noise.
- Please have the acoustical engineer consult with the architect and structural engineer as to the optimal placement of vents and fans for the underground parking
- Please advise the noise consultant that reflective surface should be used in Stamson calculations
- Please also advise the noise consultant that although NPC-300 tables indicate 60dBA in the OLA (both at ground and upper levels) with warning clauses, it is not acceptable to the City, we request that all possible measures be taken to control the noise in the OLA to 55dBA or less, if not feasible, then we request calculations to confirm what levels could be achieved, i.e. 60dBA would require a 3m noise barrier, 59 a 3.5m, 58dBA a 4.0m, etc. all the way to 55dBA. Please have the architect consult with the noise consultant as to the optimal placement of outdoor living areas (including upper level OLA's) for residents, shielded from sources of noise.
- All STAMSON (or other model) calculations to be included in the report
- Actual noise measurements to be included in the report
- Copies of correspondence from the City of Burlington confirming traffic capacity must be included in the brief.
- Site plan to be included in the report
- Key plan showing points of reception to be included & a chart referencing the key plan, detailing the estimated noise levels, allowable levels, and mitigated noise levels
- Area context plan to be included showing potential sources of noise
- Please refer to accompanying check list for further details.
- Applicant to provide a reference plan showing all existing property lines/blocks/easements/etc., and future widening of Lakeshore Road, the dimension across the full width (30m) Lakeshore, as well as the dimension from the centerline of Lakeshore and the widening dimensions need to be provided on the drawing
- Applicant to provide Title Search/PIN reports for all properties, to verify any agreements on title, as well as copies of agreements on title for the properties.

Summary for RZ/OPA:

- Stormwater Management Report (Can be a section in the FSR)
- Detailed Servicing, Grading & Drainage drawings
- Construction Management and Mobility Plan
- Noise Feasibility Study
- Geotechnical Report (for underground parking, groundwater & if LID proposed)
- Record of Site condition is required- Phase One ESA and Phase Two ESA (both in accordance with O. Reg. 153/04 & letter of reliance) to make application complete
- Tree preservation (and removal) plan
- Draft survey to confirm widening dedication
- Reference Plan, PIN report for all properties and copies of all agreements on title

At the Site Plan Stage:

- Erosion control plan
- Construction Management Plan – more detail than the plan submitted with the RZ/OPA application - show trades parking, truck staging, sanitary facilities, site trailer, material storage, crane location, hoarding, etc. No trade's parking will be allowed on City streets. No Truck Staging will be allowed on City streets, unless permission/permit is obtained from Transportation. After hours emergency number to be posted on front gate.
- Utility coordination plan, please no meters/valves/piping/vaults at the front of the building or near main entrances or blocking/encroaching into walkways or accessible routes.
- Landscape plans – street-scaping will be required.
- Clearly show pedestrian connections
- Lighting/Photometrics details/drawing, as per City of Burlington Accessibility Design Standards and City of Burlington Outdoor Lighting Guidelines, available on our website
- Snow storage – preferred on a soft surface, i.e. grass, as a pretreatment for quality control.
- Precondition survey of surrounding properties as well as vibration monitoring during construction will be required.
- Mechanical Engineer will need to confirm that they have reviewed the SWM and have designed the internal pipes accordingly.
- Applicant is advised that a new Standard is in effect as of July 12, 2017, S-114-B, requiring any disturbance to the municipally owned ROW asphalt to be restored curb to curb for the entire frontage(s) of the property, it may also mean that a City contractor will complete the works, and the costs borne by the Applicant
- The above is not a comprehensive list, upon a comprehensive review of materials at the site plan stage (if the RZ/OPA application is successful) additional comments/requirements may be possible.

Urban Forestry Comments:

Existing Trees

- A Tree Inventory and Preservation Plan is required for all existing trees greater than 10cm DBH on site and on adjacent properties within 3m of the property lines for the Rezoning application. See the City of Burlington: Pre-Submission Checklist for requirements.
- Existing trees on the subject properties should be evaluated for retention. The city does not have a set requirement for replanting on private property, but the Official Plan, Strategic Plan, Urban Forest Management Plan, Site Plan Application Guidelines, Public Tree Bylaw, and our Corporate Public Tree Management Policy serve to inform best practices regarding tree replacement on private sites. These documents refer to a 1:1 caliper replacement, meaning that each caliper removed should be replaced, as determined by the 'aggregate caliper ratio'. Consider the number of replacement trees based on the number of trees proposed to be removed in the Tree Inventory and Replacement Plan.
- There are city trees in the right-of-way along Lakeshore Rd. Removal of city trees will require council approval and compensation, to be determined by the Manager of Urban Forestry or delegate. Removal of

city trees should be avoided where possible, and proposal for removal will require an arborist's assessment of health and structural condition prior to the request being accepted.

- A Tree Permit is required for any and all works around city trees, in accordance with Public Tree Bylaw 68-2013, including the payment of the Tree Permit fee and securities for trees to be retained and compensation for trees to be removed.
- All public and private trees to be retained require tree protection fencing. Please see the City of Burlington Tree Preservation and Protection Specification SS12A for further tree protection details.
- Please do not remove any trees from the site until after the Rezoning application has been approved.

Landscape

- A Landscape Concept Plan will be required, showing general layout and intent of what is proposed for landscaped areas, including landscape buffer planting, enhanced streetscaping, amenity areas, and pedestrian access. See the Pre-Submission Checklist for requirements.
- Proposed plantings should be coordinated with the building elevations and site design.
- The private patios along Lakeshore Rd should be screened with plantings on private property.
- Remove the bicycle path shown along Lakeshore Rd on private property that does not connect to other bicycle paths.
- A city sidewalk connection across the Lakeshore Rd frontage should be provided that connects to the existing city sidewalk west and east of the subject properties.
- Clarify entrance and exit locations and use (e.g. two exit doors on the west side of the property adjacent to the Staging Area) and show safe and accessible pedestrian connections to city sidewalks along Lakeshore Rd and Old Lakeshore Rd.
- An entry feature (and enhanced landscape treatment) should be provided to indicate the main entrance.
- A detailed plant list won't be required until Site Plan Application, but please note that the south portion of the property along Old Lakeshore Rd is Conservation Halton regulated. Ensure any proposed plantings are native and non-invasive, and conform to the Conservation Halton Landscaping and Trees Preservation Guidelines.
- Clearly show the limits of the underground parking on the Landscape Concept Plan and ensure there is sufficient soil volume for full sized large canopy trees.
- The required minimum soil volume is 30m3 per tree for a single planting environment and 15m3 of soil per tree in shared planting environments. The excavation of each planting environment should not exceed a depth of 1.5m. Smaller, trees may require a smaller rooting volume; however, only in extenuating circumstances will inability to provide soil volume be considered a constraint to planting an appropriately sized tree. If the required soil volumes cannot be achieved within a planting area, alternative methods of achieving soil volumes will be required and approved by City staff.
- Enhanced streetscaping should be provided along the Lakeshore Rd and Old Lakeshore Rd frontages. Proposed street tree planting in the city right-of-way should be coordinated with the Roads, Parks, and Forestry Department. Proposed streetscape treatment should conform to the Downtown Streetscape Guidelines at the time of construction.
- Please confirm the proposed use and show the general layout of the Outdoor Amenity area on the second floor.
- Provide bicycle parking locations on the ground floor.
- For the 168 proposed parking spots shown, 7 barrier free parking are required. 3 spaces shall be "Type A" being 3400 mm in width and signed to indicate Van Accessible Parking. 4 spaces "Type B" shall be 2750 mm as per city zoning by-law. As per city zoning by-law, the access aisle shall be 2000 mm. The access aisle is to be clearly identified and can be shared by both spaces. Please see GAATES Figure 2.6.4.1 (page 127) for Van Accessible Signage detail.
- Confirm the required number of visitor parking spaces and the required number of barrier free visitor parking spaces. Contact the city's Accessibility Coordinator if you have any questions: Judi Lytle, 905-335-7600, ext. 7865 judi.lytle@burlington.ca.
- Barrier free parking spaces should be located closest to the elevator lobby (the parking bays west of the elevator lobby and lockers on the P1 Underground Plan and Typical Underground Plan).

Parks & Open Space Comments:

- Cash in lieu of parkland will be required (based on legislation in effect at the time).
- The 0m setbacks along Old Lakeshore Road do not provide adequate space to create a pedestrian scaled, comfortable public realm

Transportation Services Comments:

- A full TIS is required for this development application. Please have your traffic consultant contact us to determine the scope of work for this project.
- A road widening of approximately 2m is required for the Lakeshore Road frontage – to be determined based on measuring 12m from the original centre line of Lakeshore Road. Confirm with Transportation Services before submission.
- Consider removing eastern driveway and making principle drop off area on Old Lakeshore Road.
- Please refer to the *City of Burlington Site Plan Application Guidelines* for applicable details on underground parking requirements (ramps, column spacing, drive isles etc..)
- Please refer to our *Burlington City Wide Parking Standards Review* for applicable details for the provision of parking. www.burlington.ca/parkingreview

City of Burlington: Pre-Submission Checklist
2107 Old Lakeshore Rd. & 2119 Lakeshore Rd.
July 17, 2019

NOTE: This checklist will be used to ensure that the materials and technical studies submitted in support of a redevelopment application meet minimum standards. If these standards are not met, the materials will be returned and a redevelopment file will not be opened.

1) **General Requirements**

- ☐ Correct application fees (based on most current fee schedule)
- ☐ Correct number of application forms and copies of reports
- ☐ Application form fully completed and commissioned
- ☐ Landowner's authorization and consent to enter property signed
- ☐ Three CDs or flash drives containing electronic copies of all materials
- ☐ Consistency within technical reports in terms of the development concept evaluated, and supporting appendices and drawings.
- ☐ Consultants have coordinated data and conclusions so that reports are consistent between disciplines
- ☐ Clear and legible drawings
- ☐ All electronic file submissions must be named using the following naming protocol: "Address_StudyName_MM-DD-YYYY". If a document is revised and resubmitted the file name should indicate that it is a revised submission and the date of the revision should be noted: "Address_StudyName_Revised_MM-DD-YYYY".
- ☐ Two digital copies of all plans are required along with paper copies. Digital plans must be submitted in Autocad and/or GIS Shapefile format that must be geospatially positioned to match the City of Burlington's Geographic and Projected Coordinate Systems (Geographic Coordinate System: GCS_North_American_1983; Projected Coordinate System: NAD83_UTM_ZONE 17N).
- ☐ Pre-Application Consultation Meeting Notes
- ☐ BUD Meeting Minutes

2) **Conceptual Site Plan**

- ☐ Legible, metric scale drawing on 24x36 inch paper
- ☐ Clearly identifies all development constraints including easements, MTO setbacks, floodlines & hazard lands, natural heritage buffers etc.

3) Planning Justification Report

- ☐ Signed by a Registered Professional Planner
- ☐ Contains a written acknowledgement by the RPP that they have reviewed all supporting technical studies in consideration of their planning opinion.
- ☐ Contains a review of the applicable policies of the Provincial Policy Statement.
- ☐ Contains a review of the applicable policies of A Place to Grow, Growth Plan
- ☐ Contains a review of Ontario Regulation 162/06.
- ☐ Contains a review of all other relevant Provincial legislation.
- ☐ Contains a review of the applicable policies of the Region of Halton Official Plan.
- ☐ Contains a detailed explanation of how the proposed development is consistent and/or conforms to all relevant Provincial Plans and policies.
- ☐ Contains a review and analysis of the applicable policies of the City of Burlington Official Plan (2008).
- ☐ Contains an analysis of the Intensification Criteria in the Burlington Official Plan.
- ☐ Contains a fulsome discussion of the results of the required technical studies and how they have been used to refine the redevelopment proposal.
- ☐ Contains a discussion of how input received at the Pre-application consultation meeting has been used to refine the redevelopment proposal.
- ☐ Contains a discussion of how input received from the Burlington Urban Design Panel has been used to refine the proposal.
- ☐ Contains an explanation of how the proposed development is compatible with surrounding land uses including height, setbacks, massing and design.
- ☐ Contains a comprehensive justification for any rental conversion or demolition of rental units which includes reference to the Region's State of Housing Report and a plan for relocation of existing tenants.
- ☐ Draft Zoning By-law
- ☐ Contains a robust justification of any removal or conversion of employment lands.
- ☐ Contains an explanation of why the requested change represents good planning and adheres to Provincial and municipal plans and policies.
- ☐ If land division is required, contains an explanation of the proposed process (condominium type, subdivision, consent), timing and next steps.

4) Urban Design Brief:

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

5) Wind Impact Study

- ☐ Includes a quantitative pedestrian comfort evaluation using a wind tunnel test
- ☐ Sensor locations include major building entrances, sidewalks adjacent to the proposed building, parking lots adjacent to the proposed building, public amenity spaces (e.g. parks, plazas, trails, sidewalk patios, etc.), and private amenity spaces (e.g. balconies, roof top patios, private pools).
- ☐ Presents wind impacts on a two season basis as follows: summer (hourly winds occurring during the period of May through October) and winter (hourly winds occurring during the period of November through April).
- ☐ Models the proposed development, as well as all existing buildings, significant topographic features, and developments under construction within a 200m radius of the subject site
- ☐ Includes specific mitigation measures for any uncomfortable wind conditions

6) Environmental Site Assessment Report

- ☐ Completed in accordance with Ontario Regulation 153/04 as amended
- ☐ Regional Environmental Site Screen Questionnaire included
- ☐ Prepared, signed and stamped by a Qualified Person
- ☐ Letter of Reliance for City and Regional staff

- ☐ If the Phase One Study recommends a Phase Two Study, then the Phase Two is included with the submission
- ☐ If the Phase Two Study recommends site remediation, then the remediation plan is included to ensure that remediation feasibility has been considered.

7) Stormwater Management Report

- ☐ Refers to the Ministry of the Environment "Stormwater Management Planning and Design Manual" and the TRCA/CVC Low Impact Development Stormwater Management Planning and Design Guide.
- ☐ Is prepared, signed and stamped by a Professional Engineer
- ☐ Includes pre and post development drainage area plans that are legible, plotted to an acceptable metric scale, plotted on 24" by 36" paper and plotted on a consistent base map layer
- ☐ Includes site grading and servicing plans that are legible, plotted to a metric scale of 1:200, 1:250, 1:300 or 1:500, plotted on 24" by 36" paper and plotted on a consistent base map layer
- ☐ Includes digital copies of modeling, modelling program acceptability to be confirmed with City Staff prior to use and prior to submission of report.
- ☐ Includes a list of all past reports and current technical documents that have been consulted.
- ☐ Includes all calculations, modelling, and parameters (as per City Standard Drawings S-IDF, S-2D, S-3D, etc., as amended)
- ☐ Includes clearly defined stormwater criteria for the site (including source) and demonstrates in report how these criteria will be satisfied.
- ☐ Addresses all interim conditions as well as the ultimate condition
- ☐ Contains engineering details and cross-sections showing existing utility locations if any temporary and/or permanent encroachments are proposed.
- ☐ Provide chemical analysis of groundwater to determine if it satisfies the City's storm sewer discharge criteria for water quality. (including documentation from the Geotechnical or Environmental Engineer in the appendix)
- ☐ If groundwater cannot be directly outletted to the municipal storm system, detail where it will outlet, i.e. treated then outlet to storm or outlet to the sanitary system.
- ☐ Provide an estimate of groundwater flow to be permanently managed in the site storm system (including documentation from the Geotechnical Engineer or Hydro-geologist in the appendix)

- ☐ Provide comment on whether or not it is anticipated a permit to take water would be necessary either temporarily during construction or permanently.

8) Functional Servicing Report

- ☐ Is prepared, signed and stamped by a Professional Engineer.
- ☐ Contains legible drawings , including all dimensions, plotted to a metric scale of 1:200, 1:250, 1:300 or 1:500 on 24x36 inch paper, and on a consistent base map layer .
- ☐ Follows the terms of reference agreed upon by the Regional and City staff in advance of study commencement. Includes a copy of this approved Terms of Reference as an Appendix.
- ☐ Includes digital copies of models.
- ☐ Includes all dimensions in metric, to scale, and on a consistent base map layer.

9) Grading and Servicing Plans

- ☐ Must be separate Plans
- ☐ Are stamped and signed by a Professional Engineer
- ☐ Contains legible drawings, plotted to a metric scale of 1:200, 1:250, 1:300 or 1:500, on 24" by 36" paper and plotted on a consistent base map layer
- ☐ Identifies property lines, dedications, easements, regulated areas, impermeable surfaces (including curbs, roads, driveways, sidewalks, etc.), buildings and entrances, and other information as needed
- ☐ Identifies the location of all underground, at grade and overhead utilities
- ☐ Identifies the location of all storm water management infrastructure, including swales, sub-drains, catch basins, pipes, and other quality and quantity controls as required
- ☐ Identifies Municipal Benchmark and Horizontal Control

10) Noise & Vibration Feasibility Study

- ☐ Is prepared, signed and stamped by a Professional Engineer.
- ☐ Includes determination of project feasibility
- ☐ Includes assessment of existing and proposed transportation sources of noise and stationary sources of noise and vibration.
- ☐ Includes traffic/train counts confirmed by relevant agencies and includes correspondence from those agencies in an appendix.

- ☐ Includes assessment of outdoor and indoor acoustical environments, including those onsite and on neighbouring noise sensitive land uses
- ☐ Includes clearly defined environmental sound levels for transportation sources of noise and stationary sources of noise as per City's requirements and the MOECC publication NPC-216 and NPC-300 as amended
- ☐ Includes investigation of feasible means of noise impact mitigation, including a chart outlining noise control measures required to achieve sound levels of 55dBA (or as close as possible) for each outdoor living area
- ☐ Includes all calculations and modeling (i.e. STAMSON output)
- ☐ Includes technical details, and clarifies the responsibility for the implementation and maintenance of the required noise control measures.
- ☐ Includes recommendations for warning clauses.

11) Geotechnical Study (groundwater)

- ☐ Is prepared, signed and stamped by a Professional Engineer.
- ☐ Contains legible drawings
- ☐ Includes digital copies of models
- ☐ Includes all dimensions in metric, to scale, and on a consistent base map layer.
- ☐ Includes groundwater information (for example: dewatering during construction vs. permanent dewatering to be accommodated in a stormpond). Includes estimated volumes of groundwater to be permanently managed.
- ☐ Indicates if a Permit to Take Water would be required either during construction or permanently.
- ☐ Includes testing of groundwater to ensure it meets municipal stormwater discharge criteria. (City and Regional staff have been contacted if groundwater does not meet discharge criteria.)
- ☐ Contains sufficient quantity and distribution of boreholes to map soil and groundwater conditions for the soil type.
- ☐ Provides sufficient monitoring data to address groundwater level seasonality.
- ☐ Contains results of any geotechnical test completed.
- ☐ Discusses infiltration capabilities if Low Impact Development is proposed.
- ☐ Contains shoring and excavation details (for example: tiebacks, caissons, foundations, forming, piles) if underground parking or encroachments are proposed.
- ☐ Includes cross-sections, and dimensions from property lines and details of over-digging.

- ☐ Includes a stable slope assessment if required at the preconsultation stage. This study refers to the Ministry of Natural Resources and Forestry Technical Guidelines "Natural Hazards Manual Technical Guide – River and Stream Systems: Erosion Hazard Limit" and final topographical survey drawings with stable top of bank delineation signed and stamped by a Professional Engineer.
- ☐ Contains confirmation of the need for pre-construction surveys of surrounding buildings, to an extent determined by a Professional Engineer specializing in vibration, OR confirmation that pre-construction surveys are not warranted.

12) Traffic Impact Study

- ☐ Confirmation of Scope of Work by Burlington Transportation Services staff
- ☐ Signed by CET or signed and stamped by a Professional Engineer
- ☐ Follows Regional TIS Guidelines for Regional roads
- ☐ Follows MTO Guidelines for sites within MTO permit control area
- ☐ Includes correspondence about traffic projections from City, Region and MTO in an Appendix.
- ☐ Includes SYNCHRO files as an electronic attachment
- ☐ Traffic counts are not completed during school holiday times, and are completed during the mid-week period (Tuesday through Thursday).
- ☐ Traffic counts are no older than one year.
- ☐ Electronic copy of all signal warrant calculation files
- ☐ Includes all traffic counts and modelling data in an Appendix and electronically
- ☐ Includes a multi-modal approach to transportation analysis
- ☐ Incorporates Travel Demand Measurement measures

13) Hydrogeological Assessment

- ☐ Is prepared, signed and stamped by a qualified person (Professional Geoscientist or Professional Engineer)
- ☐ Follows the requirements for Completion of Hydrogeological Studies to Facilitate Conservation Halton's reviews (www.conservationhalton.ca/policies-and-guideline)
- ☐ Follows the terms of reference agreed upon by Conservation Halton, Regional and City staff in advance of study commencement. Includes a copy of this approved Terms of Reference as an Appendix.
- ☐ Contains legible drawings
- ☐ Includes digital copies of models

☐ Includes all dimensions in metric, to scale, and on a consistent base map layer.

14) Sun Shadow Study:

☐ Contains legible drawings on 24x36 or 11x17 inch paper

☐ Models March 21, June 21 and September 21

☐ Models the following times for each date: 9:30am, 12:30pm, 3:30pm, 5:30pm and includes 7:30pm for June 21

☐ Provides the drawings on separate pages for each date

15) Tree Inventory and Preservation Plan

☐ Is prepared by a qualified professional (e.g. Arborist certified by the International Society of Arboriculture (ISA), including ISA number; qualified by Ministry of Training, Colleges and Universities (MTCU) or Ontario Training and Apprentice Board (OTAB); registered professional Forester in Ontario, etc.)

☐ Contains legible drawings on 24x36 or 11x17 inch paper

☐ Includes all dimensions in metric, to scale, and on a consistent base map layer

☐ Identifies all existing trees (over 10cm diameter at breast height (DBH) measured at 1.4m above the ground) on site and within 3m of the property lines, their common and botanical name, size (DBH and height), structural and physiological condition, ownership, comments and notes, recommendations, and photos

☐ Identifies trees proposed to be removed and retained, and the methods to be used to ensure preservation and protection of trees to be retained, including location and detail of tree protection fencing in accordance with the City of Burlington's Tree Protection and Preservation Specification SS12A: www.burlington.ca/en/services-for-you/resources/Forestry%20Operations/Tree_Protection_and_Preservation/Tree_protection_and_preservtion.pdf

☐ Tree Preservation reports should describe the scope and methodology of proposed construction works

☐ Abbreviations should be defined and industry standard terminology used

16) Landscaping and Restoration Plan/Landscape Concept Plan

☐ For sites within Conservation Halton regulated area: incorporates Conservation Halton's Landscape and Tree Preservation Guidelines, April 2010 (www.conservationhalton.ca/policies-and-guidelines)

☐ Is stamped and signed by a qualified member of the Ontario Association of Landscape Architects

- ☐ Contains legible drawings on 24x36 inch paper
- ☐ Includes all dimensions in metric, to scale, and on a consistent base map layer
- ☐ Identifies the location and general design intent of the proposed plantings, identifying minimum required soil volumes, and location of any structural soil cell installation areas to achieve minimum soil volumes.
- ☐ Identifies property lines, easements, regulated areas, impermeable surfaces (including curbs, roads, driveways, sidewalks, etc.), buildings and entrances, landscaped beds, lawns or other permeable surface areas, other information as needed
- ☐ Identifies the location of all underground, at grade and overhead utilities
- ☐ Identifies the location of any storm water management infrastructure, including swales, sub-drains, catch basins, pipes, and other quality and quantity controls as required

17) Waste Management Report

- ☐ Contains a loading plan showing turning radii for trucks
- ☐ Contains building elevations illustrating vertical clearance for truck access
- ☐ Contains details of layout for waste storage areas
- ☐ If no public waste collection is proposed, includes a letter confirming private pick-up.

18) Site Survey

- ☐ Prepared and signed by an OLS Surveyor
- ☐ Shows any required right-of-way widenings, daylight triangles and any easements, etc.

19) Construction Management and Mobility Plan:

- ☐ Legible, metric scale drawing on 24" x 36" paper
- ☐ Clearly identify property lines, easements, floodlines & hazard lands, natural heritage buffers, existing trees and vegetation to be retained, etc.
- ☐ Clearly identify limits of above ground development, including buildings, parking, sidewalks, curbs, etc.
- ☐ Clearly identify limits of underground parking structure, including dimensioning distance from property lines
- ☐ Clearly identify limits of all elements of the underground parking structure including foundation drainage system/shoring/tiebacks/etc.
- ☐ Clearly identify limits of temporary perimeter/security fencing, covered sidewalk protection (if proposed) and tree protection fencing

- ☐ Clearly identify proposed temporary (trailers/material storage/fencing/etc.) and/or permanent encroachments (tiebacks/shoring/etc.) into the Right of Way and identify approximate time line of closure
- ☐ Clearly identify any proposed temporary sidewalk and/or lane closures and identify approximate time line of closure.
- ☐ Identify haul route, i.e. what roads are to be used for material deliveries
- ☐ Identify crane location and swing radius – please note that further detail/additional requirements will be provided at the site plan stage
- ☐ Drawing must clearly note that no trades parking or truck staging will be allowed on the Municipal Right of Way
- ☐ The applicant is advised that if the Official Plan Amendment/Re-Zoning application is approved, at the Site Plan stage additional construction management details may be required, including requirement of Road Occupancy and Municipal Consent permits if applicable.

Appendix **3**

Proposed Official Plan Amendment

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

CONSTITUTIONAL STATEMENT

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

PART A – PREAMBLE

1. PURPOSE OF THIS AMENDMENT

   The purpose of this Amendment introduce a site specific provision that permit the redevelopment of the Subject Lands to include a twenty-seven (27) storey residential mixed use building containing 150 dwelling units and grade related retail/commercial units.

2. SITE AND LOCATION

   The Subject Lands municipally addressed as 2107- 2119 Old Lakeshore Road and 2114 Lakeshore and are 0.2 hectares in area.

3. BASIS FOR THE AMENDMENT

   a) The proposed Amendment is consistent with the Provincial Policy Statement (PPS) and the Growth Plan for the Greater Golden Horseshoe (Growth Plan).
   b) The proposed Amendment better implements the direction of the PPS and Growth Plan than the existing Official Plan policies.
   c) The proposal conforms to the Halton Region Official Plan and the Official Plan for the Burlington Planning Area;
   d) The proposal can be adequately serviced and does not create any impacts to the existing site and surrounding area;
   e) The proposal is well-served by existing community infrastructure including public transit, bike lanes, parks, schools, places of worship and an art gallery; and,
   f) The proposal is in keeping with the character of the neighbourhood and provides an opportunity for intensification within the Downtown Urban Growth Centre.

PART B – THE AMENDMENT

1. DETAILS OF THE AMENDMENT

   The text of the Official Plan of the Burlington Planning Area is amended by replacing Policy 5.5.7.2 k) in its entirety with the following:

   "k) Notwithstanding Part III, Subsection 5.5.7.2 b) and d) of this Plan, for the lands described as 2107-2119 Old Lakeshore Road and 2114 Lakeshore Road, the maximum height of buildings shall be 27 storeys and 96 metres, exclusive of mechanical penthouse. "

2. INTERPRETATION

DRAFT

The Official Plan Amendment shall be interpreted in accordance with the "Interpretation" policies of Part VI Implementation, Section 3.0 Interpretation, of the Official Plan of the Burlington Planning Area.

3. IMPLEMENTATION

The Official Plan Amendment will be implemented in accordance with the "Implementation" policies of Part VI of the Official Plan of the Burlington Planning Area.

DRAFT

Appendix **4**

Proposed Zoning By-law Amendment

DRAFT ZONING BY-LAW

DRAFT BY-LAW NUMBER 2020.XXX, SCHEDULE 'A' AND EXPLANATORY NOTE

THE CORPORATION OF THE CITY OF BURLINGTON
BY-LAW NUMBER 2020.XXX

Being a By-law to amend By-law 2020, as amended; for 2107 and 2119 Old Lakeshore Road, to facilitate the development of a 27 storey residential building.

File No.: XXX

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

WHEREAS the Council of the Corporation of the City of Burlington approved recommendation PB-XX-XX on XXX, 2019, to amend the City's existing Zoning By-law 2020, as amended, to permit the redevelopment of the lands located at 2107 and 2119 Old Lakeshore Road which would include a 27 storey residential building.

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

1. Zoning Map Number 13 of PART 15 to By-law 2020, as amended, is hereby amended as shown on Schedule "A" attached to this By-law.

2. The lands designated as "A" on Schedule "A" attached hereto are hereby rezoned from DL-A (Downtown Old Lakeshore Road) zone to the DL-A-XXX (Downtown Old Lakeshore Road) zone with site specific regulations.

3. PART 14 of By-law 2020, as amended, Exceptions to Zone Classifications, is amended by adding a new Exception XXX with the following:

Exception	Zone	Map	Amendment	Enacted
XXX	**DL-A**	**9**	**2020.XXX**	**XXX**
1. Notwithstanding the regulations of the DL-A Zone and other general provisions to the contrary, the following provisions apply: a) Yard Abutting a Street: Maximum 2.5m (Lakeshore Road, Floors 1-2) Minimum 0.0m (Old Lakeshore Road, Floors 1-2) Maximum 7.0m (Old Lakeshore Road, Floors 1-2)				

Minimum 2.0m (Old Lakeshore Road, Floors 3-8)

b) Maximum Building Height: 27 Storeys and 96.0 metres, exclusive of mechanical penthouse

c) The floor area of the second, third and fourth storeys of a building containing more than one storey must be at least 40% of the floor area of the first storey.

d) Floor Area Ratio: 10.5:1

d) Parking: 0.99 spaces per unit, inclusive of visitor parking

e) Bicycle Parking: each vertical bicycle parking stall shall be 0.6m x 1.2m in size and each stacked bicycle parking stall shall be 0.45m and 1.85m in size

f) Below grade parking structures shall be permitted to extend into the lot line and into the required landscape areas, landscape buffers, and all other property lines and street lines.

g) Entrance and exit ramps to below grade and above grade parking structures or buildings shall be setback 7.0 m from a street line.

h) Balcony projections may extend beyond 3.0 metres

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

4. When no notice of appeal is filed pursuant to the provisions of the Planning Act, R.S.O. 1990, c. P. 13, as amended, this By-law shall be deemed to have come into force on the day it was passed.

5. If one or more appeals are filed pursuant to the provisions of the Planning Act, R.S.O. 1990, c. P. 13, as amended, this By-law does not come into force until all appeals have been finally disposed of, and except for such parts as are repealed or amended in accordance with an order of the Local Planning Appeals Tribunal this By-law shall be deemed to have come into force on the day it was passed.

ENACTED AND PASSED this _____ day of _____, 2018

_____ MAYOR

_____ CITY CLERK



SCHEDULE "A" TO BY-LAW 2020.XXX AMENDING MAP NO. 9A BY-LAW 2020 AS AMENDED.

SCHEDULE A

City of Burlington
Zoning By-law 2020

LEGEND

Area A

2107 Old Lakeshore Road &
2119 Lakeshore Road
Burlington, Ontario

DATE: December 2, 2019

SCALE N.T.S

north

MHBC PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE
442 BRANT STREET, BURLINTON ON, L7R 2G4
P: 905 639 8686 F: 905 761 5589 | WWW.MHBCPLAN.COM

Appendix **5**

BUD Minutes

Department of City Building
Burlington Urban Design Advisory Panel (BUD)

MINUTES

July 17, 2018, 2:50pm
414 Locust Street, 2nd floor boardroom.

Members of BUD

	present	absent / regrets
Ken Coit (Chair)	✓	
Jana Kelemen (Vice Chair)	✓	
Naama Blonder	✓	
Wai Ying Di Giorgio	✓	
Jessica Hawes	✓	
Matt Reid	✓	
Nigel Tai	✓	
Alexandru Taranu	✓	

Item #2: 2107 Old Lakeshore Road

Design Review: First Review
Application: Official Plan Amendment & Rezoning

Presentations:
City Staff: Jamie Tellier
Applicant: Carriage Gate Homes



Disclosure of conflict-of-interest

None

City Staff Overview

City staff outlined the project details, site context and planning framework.

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

1. **Podium:** Please comment on the overall podium design including: its architectural expression, height, and ground floor units. Does the podium have an appropriate interface with Lakeshore and Old Lakeshore Roads? Similarly, how should the western driveway be designed so that it does not appear as a service alley?

2. **Tower:** Please comment on the overall tower design including: how balconies integrate with unique tower shape, top of building, proportions with podium, and overhang above 2nd floor amenity area. Given the building's modern design and its proximity to the lake, what bird friendly design elements should be considered?

3. **Gateway:** Please comment on the role of the building as an eastern gateway into downtown and how it responds to this context. Is a car oriented driveway an appropriate ground level design feature for the east side of building?

Applicant / Design Consultant Presentation

The architect provided an overview of the proposed development as a flat iron type of building including the design intent to relate to the lake through the use of curvilinear form and the integration of balconies within the tower. The architect walked the Panel through recent revisions to the renderings, particularly changes to the podium design including the introduction of masonry into the podium and frames above the first floor level intended to improve its presence from the street level. The architect discussed how the existing laneway would be used and that there was potential for the laneway to be shared with future development to the west.

Panel Questions:
The panel asked questions of clarification on the following topics:

- Height of the apartment building to the east.
- Whether the proposal includes advice from a traffic consultant regarding operational traffic controls.
- Exploration of a design option with no driveway on east side.
- Clarification questions respecting the programming of amenity uses at grade and if other uses were considered on the ground floor.
- Sustainable building design measures, particularly as it relates to water.
  Rationale for the proposed height.
- Shadow impacts on the second floor amenity area as a result of added framing atop the first floor podium.

Panel Advice:

Question #1: **Podium:** Please comment on the overall podium design including: its architectural expression, height, and ground floor units. Does the podium have an appropriate interface with Lakeshore and Old Lakeshore Roads? Similarly, how should the western driveway be designed so that it does not appear as a service alley?

In general, the Panel was struggling with the proposed angular podium at the base of a curvilinear tower. The composition may not align in a cohesive way.

The Panel commented that the eastern entrance is very car oriented. As a result, it is not very pedestrian friendly. This type of design is contrary to the objective of making downtown a more walkable environment. Triangular sites are rare and provide spectacular design opportunities; having the driveway on east side is a missed

opportunity. The design of east side of building requires more exploration. The Panel would like to see the consolidation of driveways on the west side. The use of paving materials and furniture in the streetscape were recommended to reduce the appearance of the ramp and underground access on west side. Lay-by parking on Old Lakeshore Road would allow for quick drop-offs along the street frontage in proximity to main entrance to the building.

The Panel commented on the location of the at-grade uses, suggesting that the residential component would be better served if it were flipped to Old Lakeshore Road and the more public amenity spaces located along Lakeshore Road, which acts as a more robust street. Flipping it creates a better relationship to the street. It was also suggested that the design consider flipping the amenity uses with the lobby. The panel suggested utilizing the corner to create an enhanced amenity area that could be used day and night. The panel emphasized their preference of relocating the easterly car drop off to allow for enhanced east corner amenity area that would be in keeping with the gateway location of the building. Consideration should be given for a drop off or lay-by on Old Lakeshore Road to service the building.

Question #2: **Tower:** Please comment on the overall tower design including: how balconies integrate with unique tower shape, top of building, proportions with podium, and overhang above 2nd floor amenity area. Given the building's modern design and its proximity to the lake, what bird friendly design elements should be considered?

The Panel emphasized the importance of getting the eastern corner of the building right and acknowledge the uniqueness of the site. The Panel commented that the design should take as much advantage as possible of the unique site and location at the eastern edge of the downtown, which acts as a gateway. These characteristics help to form an argument for increased height; otherwise the Panel suggested that there may not be a design argument for the proposed height. Views from Lakeshore should inform the proposed height. Further, the height of the tower should frame the buildings behind it as one arrives from the east.

The Panel commented that the building does not have a strong frontage on any one side. The juxtaposition of the angular podium lines and the curvilinear tower lines are competing with each other. It was suggested that the curves in the tower be lengthened and reduced to make building sleeker as well as pushing back the tower from the edge of the podium, including the balconies to not overlap the podium as much. The updated rendering of the podium is more successful in grounding the building, however, the building still feels top heavy. The Panel observed that the building facades appear much larger because of the triangular shape of the building even though the building floor plate is 750 square metres. It was suggested that the balconies be stacked differently by shifting them around to visually lighten the top of the building while also using lighter materials at the top to achieve the same goal. The Panel recommended that wind impacts are considered in the design and suggested that the applicant look to projects from the architect Jeanne Gang with respect to wind lift features.

With regard to bird friendly design, the use of fritted glass is commonly used in modern architectural expressions. The City of Toronto bird friendly guidelines are typically referenced by the design community.

Question #3: **Gateway:** Please comment on the role of the building as an eastern gateway into downtown and how it responds to this context. Is a car oriented driveway an appropriate ground level design feature for the east side of building?

The Panel agreed the site is important, its triangular shape makes the site special and lends itself as an eastern gateway into the downtown. As such, this is a tremendous opportunity for a unique architectural design. The Panel would like to see a rendering taken from further back to show how the building works in its context and as a gateway building. This will help inform a design rationale for the proposed building height and ensure it frames the buildings behind it and the transition to the low rise areas to the east.

The Panel agreed that the car oriented driveway is not an appropriate gateway treatment for the east corner of the podium. See comments above for further advice. The Panel also suggested that a single curve on the east edge of tower would be preferred to the current design that includes a double curve and encourage being bolder with this side of building.

End...Item #2

Appendix **6**

Assessment of Sustainable Design Principles

APPENDIX 6: ASSESSMENT OF SUSTAINABLE DEVELOPMENT PRINCIPLES AND OBJECTIVES

Note: The Sustainable Development Principles and Objectives do no form part of the OP and reviewed here for reference purposes.

Principles	
Principle	**Compliance Statement**
Principle 1: Recognize the interdependence of humans and the rest of nature in a common ecosystem; seek to prevent and reverse degradation of the earth, air, water, plants and animals by human activity.	The proposal does not displace elements of the Natural Heritage System.
Principle 2: Recognize the urgency of climate change and take measures to reduce greenhouse gas emissions and to adapt.	The proposal will contribute to reducing greenhouse gas emissions by supporting active and public transportation and encourage modal shift through a reduction in parking requirements in conjunction with TDM measures. The proposal also represents a more efficient use of the site and forms part of a complete community, where commercial and retail uses, parks, schools, hospitals and other community facilities are located in close proximity to one another which further encourages active transportation modes.
Principle 3: Promote conservation, stewardship and responsible use of resources. Discourage processes and practices that result in natural resources being consumed at a rate faster than they can be replenished.	The proposal represents a compact and land-efficient built form which utilizes existing, serviced land in a responsible manner.
Principle 4: Discourage the production and use of persistent and harmful substances. Reinforce proper disposal practices for such substances.	Not applicable.
Principle 5: Affirm and promote practices that provide a safe and healthy environment and build resilience, and engage our community in not only meeting the economic and social needs of all citizens but enhancing quality of life.	The proposal provides a tall residential building which forms part of a complete community. It is proximate to complementary land uses and provides easy access for future residents to local parks, trails, shops and community and government facilities. The proposal also provides accessible connections to the public realm to create a comfortable pedestrian environment.
Objectives	
Objectives	**Compliance Statement**
1. Leadership: Take a leadership position on sustainability issues both within and outside of the City of Burlington. Recognize that our local actions can have global implications.	The proposal will provide a more efficient, intensified use on a site within the Urban Growth Centre and Downtown Mobility Hub that represents good example of context-sensitive redevelopment

	throughout the region.
2. Protection and Enhancement of Natural Features: Protect and enhance Burlington's natural features to ensure that shorelines, natural water courses, wetlands, flood plains, woodlands and forestry tracts, as well as notable landmarks such as the Niagara Escarpment, are preserved for future generations. Improve the connectivity of natural features to enhance the natural heritage system. Preserve habitat to maintain and increase biodiversity and protect species at risk.	The Subject Lands are currently fully built out and have minimal landscaping. The proposal will remove the existing at-grade parking.
3. Protection of Natural Resources: Sustainably manage and protect natural resources such as water, minerals and fertile lands. Reverse degradation of natural resources when feasible.	The proposal is not located abutting any Natural Resources.
4. Responsible Use of Natural Resources: Reduce the consumption of natural resources and ensure users are responsible for the full local costs of services such as water, electricity and sanitary sewers. Provide educational programs to encourage conservation of natural resources and increase awareness of the full costs of services.	The proposal represents a compact and land efficient built form that will make more efficient use of the subject lands and existing services in the area.
5. Waste Reduction: Reduce waste generation and increase resource recovery. Minimize waste in designing, building, operating, renovating, demolishing and re-purposing buildings.	Not Applicable.
6. Greening of the City: Promote the preservation, management and planting of trees and other vegetation on private and public property within the City. Encourage the use of native, non-invasive and diverse species.	The proposed development will incorporate low-maintenance, native and drought tolerant plantings, grasses and wildflowers.
7. Natural Features and Green Space: Ensure natural features and greenspace are fundamental components of the City including new developments and redevelopments.	A larger plaza/ spill out spaces has been provided at the eastern end of the site, which terminates views from Lakeshore Road. Additional attention to public realm enhancements including high quality pavers and a gateway landscaped feature have been incorporated into the design. The proposed development also incorporates landscaping along both street frontages.
8. Superior Neighbourhood Design: Make land-use decisions considering the natural features, site characteristics and location relative to employment, transportation and amenities. Apply an ecosystem approach to assess the impacts of development and to ensure environmental integrity, diversity and resiliency. Create vibrant, equitable communities that are healthy, walkable and transit supportive.	The proposal will replace a temporary condominium sales centre and a small medical office building on an underutilized parcel of land within the downtown with a tall residential building with at-grade retail/commercial uses which will form part of a complete community. The proposal will utilize existing services and make use of and support the existing transit routes serving the area.

	The proposal will result in increased residential density in the area which will contribute to the achievement of intensification objectives, consistent with the direction of the Growth Plan and appropriate for a provincially designated Urban Growth Centre. The building has been designed to take advantage of views to the Lake and maintain those views by providing a slender curvilinear tower. It is within close proximity to parks and trails, providing residents with a pedestrian-friendly and vibrant space.
9. Sense of Community: Create sustainable and appropriate forms of development that reflect the human scale, promote a sense of community, and connect and integrate urban development and natural surroundings.	The proposal is in the form of a tall building, which provides a one-storey podium which will frame the street and includes grade-related residenital units fronting Lakeshore Road and retail along Lakeshore Road and Old Lakeshore Road to allow for a human scale environment at grade.
10. Neighbourhood Connectivity: Promote community development where residents can easily access necessities and amenities, such as housing, employment, locally produced food, retail, green spaces, education, recreation, and arts and culture through active transportation or transit.	As noted above, the proposal is located in close proximity to a number of parks, community facilities, food stores, retail and commercial outlets and professional services which will serve the daily and weekly needs of the future residents and existing community. It is also served by transit, as noted in Section 2.3 of the Planning Justification Report.
11. Sustainable Transportation System: Prioritize walking, cycling and transit and make the best use of the existing road system for the safe movement of goods and people. Support multi-modal connectivity within the City and with neighbouring municipalities.	The proposal supports active and public transportation and encourages modal shift through a reduction in parking requirements in conjunction with TDM measures. It is located in close proximity to a major transit station and mobility hub connector which provides connections to the city of Hamilton, thereby supporting multi-modal connectivity with nearby municipalities.
12. Efficient Urban Design: Increase the efficiency of land use in the urban community with the goal of reducing greenhouse gas and other air emissions and provide efficient, well connected routes for active transportation and transit. Promote urban intensification and development policies, rather than suburban policies that generate sprawl.	The proposal will provide for an optimized use of the land by replacing two low-density structures with a more intensified tall building consistent with the broader policy objectives for growth and development as part of a compact complete community. The proposal will utilize existing services and make use of and support the existing transit routes which serve the area. The proposal represents an appropriate urban intensification project that makes efficient use of existing urban land and services.
13. Natural Storm Water Management: Protect water courses in their natural state and encourage the restoration of water courses that have been degraded. Encourage low impact development design and use of best practices to improve storm water quality and reduce the	Stormwater quality will be treated as per the applicable municipal standards and as noted in the SWM report.

quantity of storm water sent to traditional storm water infrastructure.	
14. Energy Conservation, Efficiency and Generation: Promote net zero carbon energy generation and usage. Increase energy conservation through efficient land use planning and building design. Encourage sustainable local thermal and electrical energy generation and the supporting distribution network. Adopt low emission forms of transportation. Take all opportunities to switch from fossil fuel to renewable and electricity-based technologies.	Sustainable and energy efficient building methods and materials will be considered during the detailed design stage of the project.
15. Agriculture and Food: Promote policies that improve long-term food security with sustainable local agriculture in urban and rural communities. Increase the supply of local, accessible, affordable, culturally diverse and nutritious food. Protect agricultural land from loss and fragmentation.	The Subject Lands are located within close proximity to a food store, providing residents with access to food (refer to Table 2 of Section 2.3 of the report).
16. Healthy Lifestyles: Promote and support healthy and active lifestyles through the development of complete neighbourhoods, active transportation infrastructure, recreational facilities and parks.	The Subject Lands are located within close proximity to Spencer Smith Park and the Waterfront Trail, both of which are easily accessible via pedestrian connections provided from the site to the public sidewalk and provide opportunities for healthy activities (refer to Table 2 of Section 2.3 of the report)..
17. Community Engagement: Seek and encourage public participation and education, and consider public input in City decision-making. The economic, environmental and social aspects of proposed developments should be considered. Decisions should address all aspects and build consensus among stakeholders.	A pre-application community meeting was held in order to receive preliminary community feedback on the proposal. Additional community engagement will occur as the application progresses through the approvals process.
18. Evaluation of Development: Continuously monitor and evaluate community development to assess its sustainability in relation to social, environmental or economic impacts.	Not Applicable.
19. Sustainability Assessment: To assess progress towards sustainability, the City of Burlington should prepare a performance review of the entire municipality at regular intervals and develop and implement an action plan based on the findings.	Not Applicable.