DEVELOPMENT APPLICATION PRE-CONSULTATION FORM

Meeting Date: August 30, 2023	**Site Address:** 198-200 and 206 Plains Road East
Property Owner: 2805531 Ontario Ltd. c/o Fadi Aldarbi 2017 Seafare Drive Oakville ON L6L 15P	**Applicant / Address / Phone / Email** A.J. Lakatos Planning Consultant c/o Joe Lakatos 1006-160 Macdonell Street Guelph ON N1H 0A9
Site Area: 0.29 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:**
   Proposal for a six storey residential building with 64 units and 102 parking spaces within two levels of underground parking and surface parking (76 underground spaces and 25 surface parking spaces). The proposal will a density of 220 units per hectare with 10,590 sq. m. of gross floor area.

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. **1997 Official Plan Designation:** Residential – Medium Density

   Conformity with 1997 Official Plan land use designation? YES _____ NO X

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

4. **2020 Official Plan Designation:** Urban Corridor

   Conformity with 2020 Official Plan land use designation? YES _____ NO X

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

5 **Existing Zoning:** RM2-119 (198 and 200 Plains Road East) and RM1-346 (206 Plains Road East)

   Conformity with existing zoning? YES ____ NO X

If 'NO' what is the nature of the zoning amendment needed? Height, Density, FAR, Amenity Space, etc.

6. Design Guidelines in effect? YES X NO _____

Name of Design Guidelines Mid-Rise Building Guidelines, Shadow Study Guidelines and Terms of Reference, Pedestrian Level Wind Study Guidelines and Terms of Reference, Sustainable Building & Design Guidelines

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

YES _____ NO X

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

APPLICATION	CITY	REGION	CONSERVATION HALTON
Official Plan Amendment:	$ 88,522.50	$9,159.66	N/A
Rezoning - Base Fee: (70% if combined) Rezoning - Variable Fee:	$23,370.00 Units 0-25: $11,250 Units 26-64: $13,260	$1,220.89	N/A
TOTAL	$136,432.50	$10,380.55	N/A

Separate cheques are payable to City, Region and Conservation Halton

9. Additional Agencies to be contacted: Burlington Hydro and Union Gas

10. Pre-Application Public Consultation Meeting

Is a pre-application consultation meeting required?

YES x NO _____

The following steps must be completed if a Pre-Application Public Consultation Meeting 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 the required materials to the City at least one month prior to the meeting. Notice must be sent a minimum of 21 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, you must provide consultation meeting minutes which include a written summary of public input received at the meeting. As part of the Planning Justification Report, you must explain how this public input was considered and used to modify the development proposal.*

11. Community Benefits

Is this an application for a building of five (5) or more storeys and ten (10) or more residential units?

YES X NO ____

If "YES" Community Benefits **may be** required. Please consult City of Burlington By-law 66-2022, Community Benefits Charges.

12. Required Information for Complete Application

1)	Completed Application Form	Required
2)	Fees for the processing of planning application(s)	Required
Supporting Reports, Studies, Plans **In accordance with Policies contained within 11.1.2 of the City's Official Plan, all identified materials must be submitted in accessible PDF format consistent with the City's standards and the standards of <u>The Accessibility for Ontarians with Disabilities Act</u> before an application is deemed complete.**		**Required (Yes/No)**
i.	Planning Justification Report, including employment or residential needs analysis, where required	Yes
ii.	Land Assembly Documents	Yes
iii.	Survey and Severance Sketch, prepared by an Ontario Land Surveyor	Yes
iv.	Land Use Compatibility Study	Yes
v.	Retail and Service Commercial Needs Assessment	N
vi.	Financial Impact Study	N
vii.	Housing Impact Statement	N
viii.	Park Concept Plan	N
ix.	Agricultural Impact Assessment	N
x.	Social Impact Assessment	N
xi.	Archeological Report	N
xii.	Heritage Impact Study	N
xiii.	Cultural Heritage Landscape Impact Assessment	N
xiv.	Conceptual Site Plan Layout	Yes
xv.	Architectural Plans	Yes
xvi.	3-D Model of Proposed Buildings	Yes
xvii.	Burlington Urban Design Advisory Panel (BUD) Comments	Yes
xviii.	Height Survey of Adjacent Buildings	Yes
xix.	Angular Plane Study	Yes
xx.	Shadow Analysis Plan	Yes
xxi.	Wind Impact Study	Yes
xxii.	Arborist's Report	Yes
xxiii.	Tree Inventory and Preservation Plan	Yes

xxiv.	Landscape Plan	Yes
xxv.	Water & Wastewater Functional Servicing Report	Yes
xxvi.	Hydrogeology Study / Water Budget & Hydrology Study	N
xxvii.	Source Protection Disclosure Report	N
xxviii.	Noise Feasibility Study / Vibration Study	Yes
xxix.	Transportation Impact Study	Yes
xxx.	Transportation Demand Management Plan and Implementation Strategy	N
xxxi.	Parking Justification Report	N
xxxii.	Storm Water Management Report / Functional Drainage Report, Storm Services Plan and Flooding Hazard Delineation and/or Grading and Drainage Plans	Yes
xxxiii.	Environmental Impact Assessment	N
xxxiv.	Top-of-bank Demarcation / Slope Stability Assessment / Creek Erosion Assessment / Geomorphic Study	N
xxxv.	Shoreline Hazardous Land Studies	N
xxxvi.	Geotechnical Report	N
xxxvii.	Phase One Environmental Assessment	Yes
xxviii.	Phase Two Environmental Assessment / Record of Site Condition	Only if required by Phase One
xxxix.	Landfill Assessment	N
xl.	Sustainable Building and Development Guidelines Checklist	Yes
xli.	Phasing Strategy for Development of Retail and Service Commercial Uses	N
xlii.	Public Consultation Strategy	N
xliii.	Response to Comments Received at a Community Meeting Held in Advance of a Formal Development Application	Yes
xliv.	Comprehensive Block Plan	N
xlv.	Urban Design Brief	Yes
xlvi.	Tenant Relocation and Assistance Plan	Yes
xlvii.	**Other** Environmental Site Screening Checklist Draft Official Plan Amendment / Draft Zoning By-law Amendment Waste Management Report Letter of Reliance	 Yes Yes Yes Yes

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

NOTES:

1. **The applicant may request a Technical Preconsultation prior to submission of the application. This optional process involves electronic submission of the draft materials and a preliminary municipal review to determine whether there are technical issues which could be resolved prior to formal submission of the application.**

2. **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.**

3. **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.**

4. **This document expires 180 days from the date of signing or at the discretion of the Director of Community Planning. 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.**

5. **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.**

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

7. **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.**

8. **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 copying 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.**

9. **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.**

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

11. **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.**

12. **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.**

13. **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:

Planning Staff	Planning Staff (Signature)	Date
Site Engineering Staff	Site Engineering Staff (Signature)	Date
Site Engineering Staff	Site Engineering Staff (Signature)	Date
Capital Works Staff	Capital Works Staff (Signature)	Date
Transportation Staff	Transportation Staff (Signature)	Date
Regional Staff	Regional Staff (Signature)	Date
Regional Staff	Regional Staff (Signature)	Date
Conservation Halton Staff	Conservation Halton Staff (Signature)	Date

Proponent Signatures:

In signing this agreement, I acknowledge that the drawings, reports and other requirements indicated above must be completed in accordance with the direction in this Preconsultation Form, the attached notes and the attached Pre-Submission Checklist, 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.

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

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.

Conceptual Landscape Plan:

Required in accordance with Part II, Section 6.0 of the City's Official Plan. The Conceptual Landscape 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. These assessments will be reviewed by the Halton Ecological and Environmental Advisory Committee (EEAC).

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 Policy for Regional Roads," dated October 2000.

6.11 Shadow Study
May be required to demonstrate the potential shadow impacts of a proposed development on its surrounding context, in compliance with the City's Shadow Study Guidelines and Terms of Reference.

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
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 Community Planning 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 Pedestrian Level Wind Study
May be required to predict and assess the wind impacts of proposed buildings and site designs on surrounding public and private spaces in addition to on-site wind conditions, in compliance with the City's Pedestrian Level Wind Guidelines and Terms of Reference.

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 Community Planning Department. 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 "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
198, 200 and 206 Plains Road East – August 30, 2023

Attendees:

City of Burlington:	Elyse Meneray, Alicia West, Adam Scott, Smeeta Adiga, Junior Mohammad, Magda Rusin-Hynek, Kate Hill-Montague and Matt Wootton
Halton Region:	Amanda McNeish and John Kisneris
Proponents:	Joe Lakatos and Alaa Gaber

Description of Development Concept:

- Six storey residential building with 64 units and 102 parking spaces within two levels of underground parking and surface parking (76 underground spaces and 25 surface parking spaces);
- The proposal will a density of 220 units per hectare with 10,590 sq. m. of gross floor area.

Planning Comments:

Current Official Plan (1997, as amended)

- The lands are designated Residential – Medium Density in the City of Burlington Current Official Plan (1997, as amended).
- This designation permits ground and non-ground oriented dwelling units with a density between 26 and 50 units per net hectare.
- Permitted building forms include townhouses, attached housing and walk-up apartments.
- The proposal is subject to the Housing Intensification Policies of the Burlington Official Plan. Policy 2.5.2 outlines criteria to be considered when evaluating proposals for housing intensification within established neighbourhoods.

Council Adopted New Official Plan

New Official Plan (2020)

- On November 30, 2020, the Region of Halton issued a Notice of Decision approving the new Burlington Official Plan. Section 17(27) of the Planning Act (R.S.O. 1990, as amended) sets out that all parts of an approved official plan that are not the subject of an appeal will come into effect on the day after the last date for filing a notice of appeal - that date being December 22, 2020 for the new Burlington Official Plan. The appeal record submitted to the Ontario Land Tribunal (formerly Local Planning Appeal Tribunal (LPAT) by the Region of Halton indicates that a total of 48 appeals to various parts of the new Burlington Official Plan were received during the appeal period.
- Although the City is preparing a working version of the new Official Plan, it is the OLT that will issue Orders throughout the appeal process to establish and confirm which portions of the Plan remain subject to appeal, and which portions are in effect. The City anticipates that the first of these Orders will be issued by the OLT following the initial case

management conference in this matter, which has yet to be scheduled. At the appropriate time, City staff will also bring forward a repeal by-law(s) for the former Burlington Official Plan (1997, as amended).

- As the OLT process advances, the working version of the Burlington Official Plan, 2020 is subject to change. Users of the document must satisfy themselves as to the legal status and applicability of the polices. Interested parties are encouraged to monitor the City of Burlington's website for updates regarding the OLT process, the Burlington Official Plan, 2020 and the Burlington Official Plan, 1997:
- https://www.burlington.ca/en/services-for-you/Official-Plan-Review.asp
- The lands are located within a *Secondary Growth Area*, in accordance with Schedule B-1 - Growth Framework, of the New Official Plan (2020).
    - These areas shall be recognized as a distinct area within the City's Urban Area accommodating growth in accordance with the permissions and densities of the current land use designations of this Plan.
- The lands are further designated *Urban Corridor* in accordance with Schedule C – Land Use – Urban Area, of the New Official Plan (2020).
    - Development within these areas shall be designed to incorporate a compatible and intense mix of retail, office, employment and residential uses and are intended to provide for the day-to-day and goods and service needs of residents and employees within and in close proximity to the Corridor and may also serve a broader City-wide market.
    - A maximum FAR of 2.0:1 and a maximum building height of 6 storeys is permitted. The maximum six storey height may not be permitted on sites which are small in size, have insufficient depth, or are adjacent to areas designated Residential Low Density.

Housing Tenure (3.1.2(2))

a) The demolition of residential rental properties or the conversion to freehold or condominium ownership of a residential rental property containing six (6) or more units, in part, or in whole, shall not be permitted unless the following conditions are satisfied:
    (i) the rental vacancy rate by structure type for the City of Burlington as defined and reported yearly through the C.M.H.C. Rental Market Report has been at or above three (3) percent for the preceding two-year reporting period;
    (ii) the building for which conversion is proposed meets the requirements of the property standards by-law, the Ontario Building Code, and any other applicable law, or will be upgraded in accordance with these standards and requirements;
    (iii) that negative economic and other impacts upon tenants are minimized to an acceptable level; and
    (iv) the requirements of any applicable Provincial legislation or regulation, as amended, are met.

b) Notwithstanding 3.1.2 (2) a) (i), the demolition of residential rental units may be permitted in conjunction with a development application which at a minimum shall

provide the same number of rental units with the same number of bedrooms per unit, at a similar rental rate at the time of development application submission, as those units that are demolished.

c) A development application related to the demolition of residential rental properties or the conversion to condominium tenure or owner occupancy shall include, to the satisfaction of the City, proof of tenant notification of the demolition or conversion proposal and proof of notification of the rights of tenants under Provincial residential tenancy legislation, including a minimum of 1 (one) tenants' only meeting as a part of the development application process. The preparation of a tenant relocation and assistance plan, including right to return and alternative accommodations to lessen hardship, may also be required.

City of Burlington Housing Strategy

Subsection 3.1.1(2)(g) of the new Official Plan (2020) and the City's Strategic Plan, directed the City to develop a city-wide housing strategy to among other things, support the Region of Halton's Housing Strategy, describe the current range and mix of housing in the city, establish city-wide housing objectives, examine opportunities for partnerships to increase the supply of affordable housing, to develop minimum targets in support of achieving the region of Halton's housing mix and affordable unit targets as well as two and three bedroom unit minimum targets.

The Burlington Housing Strategy and the Annual Housing Targets (Appendix B to the Housing Strategy) were approved by City Council on June 21, 2022. The City's Housing Strategy provides a roadmap for addressing local housing needs and increasing housing options that meet the needs of current and future residents at all stages of life and at all income levels. The Housing Strategy identifies 12 Actions to move toward the vision for housing in Burlington. It provides a set of action-oriented housing objectives (Themes) and an associated implementation plan that also identifies a list of Prioritized Actions and Quick Wins.

One of the housing objectives (Theme 1) of the Housing Strategy is to support a healthy rental housing stock through protecting existing rental building and supporting the creation of new rental units. The Housing Strategy identified the need for more rental housing options in order to move closer to the City's vision for housing where all residents have access to housing that meets their needs of unit mixes, size and accessibility. Another critical housing objectives (Theme 2) of the Housing Strategy is to support a broad variety of housing types and forms to increase housing options to meet the needs of all current and future residents at all stages of life. This objective is to be measured through increased diversification of the housing stock, including units for smaller households and units for larger households in high-density dwelling types. Similarly, Action 4 of the Housing Strategy established minimum targets around housing that build upon the policies of the Official Plan (2020) and use the findings of the Housing Strategy Project. Minimum targets for apartment buildings under the Housing Strategy include requiring that 55 percent of the building is dedicated to one- and two-bedroom units and 25 percent dedicated to three- or more bedrooms.

Current Zoning

- The subject lands have two different zones:
    - 198 and 200 Plains Road East – Residential – Medium Density (RM2-119) Zone
    - 206 Plains Road East – Residential – Medium Density (RM1-346) Zone

Residential – Medium Density (RM2-119) Zone

- This zone permits one 6 unit residential building subject to the RM2 regulations for a fourplex.

Residential – Medium Density (RM1-346) Zone

- This zone prohibits townhouses and has site specific regulations for lot width, lot area, front yard, side yard, street side yard, landscape area and additional regulations for office uses.

Preliminary Planning Comments

- While the new Official Plan policies contemplate this part of Plains Road to be redeveloped with mixed-use buildings up to 6 storeys in height and a FAR of 2:1, the proposed development exceeds the height, density and intensity in the emerging vision. Justification for the increased height, density, intensity and reduced setback to the residential zones will be required.
- Development on the subject lands must be compatible with the existing neighbourhood character with respect to scale, massing, height, siting, setbacks, coverage, parking and amenity area so an appropriate transition is provided between existing and proposed buildings.
- The proposal is subject to the *Design Guidelines for Mixed-Use and Residential Mid- Rise Buildings.* Please include an analysis of whether these guidelines have been met as part of the subject proposal.
- The proposal is subject to the *Plains Road Corridor Urban Design Guidelines.* Please include an analysis of whether these guidelines have been met as part of the subject proposal.
- Surface parking spaces should be screened from public view and from the existing low-density residential uses to the north as per the Plains Road Urban Design Guidelines.
- There are concerns with the parking spaces visible from Plains Road East. Recommend relocating parking spaces underground or enhanced plantings and screening will be required.
- Please confirm the purpose of the parking space fronting Plains Road. It is located within the public realm and should be relocated to the rear of the building or to the underground parking structure.
- Please ensure that the ground level parking and loading area is designed for pedestrian safety and conforms to the City's accessible parking requirements
- The loading area should be screened from the adjacent residential area and public view along Plains Road East.
- Provide setbacks for underground parking area.
- A landscape buffer of 6 metres is required next to the residential zones.

- The Mid Rise Guidelines require a minimum 3 metres stepback above the streetwall to maintain a human-scale and minimize shadowing.
- Please identify the location and dimensions of accessible parking spaces; location for snow storage and bicycle parking.

Application Requirements

- An Official Plan and Zoning By-law Amendment is required to facilitate the proposed use.
- Prior to submitting the application, a Pre-Submission Neighbourhood Meeting is required. Please refer to the provided Applicant's Guide to Pre-Submission Neighbourhood Meetings.
    - The neighbourhood 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 own letterhead for distribution. Notice must be sent a minimum of 20 days in advance of the meeting.
    - Please notify the Ward Councilor and the Coordinator of Development Review of the date, time and location of the meeting. Meetings are currently being held virtually.
    - During the meeting, provide a detailed overview of the development proposal and allow time for questions and comments from the public. Take notes of the discussion.
    - As part of a complete application, the applicant must provide neighbourhood 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) will be required.
    - An Urban Design Brief will be required to explain how the City's Urban Design Guidelines have been addressed and how the comments of BUD have been taken into account.
    - A copy of the BUD meeting minutes must be submitted with the application. BUD Terms of Reference provided.
- A Planning Justification Report is required:
    - to discuss the impact of Provincial, Regional and local planning policy (both the existing and adopted Official Plan) on the proposed development;
    - to explain why the requested change to higher intensity residential use is desirable and represents good planning;
    - to discuss whether the requested amount of non-residential floor area is appropriate to support the planned commercial function of the Mixed Use Corridor;
    - to discuss how the results of required technical studies have been used to refine the redevelopment proposal;
    - to explain how the proposed development is compatible with surrounding residential, industrial and railway land uses including height, setbacks, massing, design and community features.

- A digital 3D model of the proposed building is required with the submission to assist with public engagement. Model specifications provided.
- A Shadow Study will be required to show how the proposed buildings and site design will impact the public realm, proposed outdoor amenity areas, and surrounding private outdoor amenity areas. Please refer to the City's Shadow Study Guidelines and Terms of Reference when preparing the Shadow Study. The study should show how height, setbacks, terracing, and massing have been considered to reduce impact on the low-rise houses to the east and south. A height survey of adjacent buildings should also be provided.
- A qualitative pedestrian level wind impact study (i.e. using wind tunnel testing) will be required to show how the proposed buildings and site designs will impact pedestrian comfort on the street and surrounding public and private open space areas, as the building height-to-separation ratio is less than 1:1 from the low-rise area to the south. Please refer to the City's Pedestrian Level Wind Study Guidelines and Terms of Reference.
- Tenant Relocation and Assistance Plan in accordance with Subsection 3.1.2 (2) and 12.1.2 (1.2) of the Official Plan.
- 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.

Staff contact: Elyse Meneray, Planner, Elyse.Meneray@burlington.ca

Region of Halton Planning Comments:

REGIONAL OFFICIAL PLAN, 2009

The subject lands are designated Urban Area (Map 1) per the Region's Official Plan (ROP), 2009 as amended by Regional Official Plan Amendment (ROPA) 48 and 49, and located within the Built Boundary. The subject lands are further located within an identified Regional Intensification Corridor and Commuter Rail Corridor, which is considered to be components of the Strategic Growth Area in the ROP.

Regional Official Plan Amendment No. 48

Regional Official Plan Amendment (ROPA) 48 was adopted by Regional Council on July 7, 2021 and approved by the Province on November 10, 2021. This amendment is the first amendment to be advanced as part of the Regional Official Plan Review under Section 26 of the Planning Act. The amendment defines specific elements of a Regional Urban Structure including strategic growth areas and the delineation of Urban Growth Centres and Major Transit Station Areas. ROPA 48 also includes a limited number of Employment Area conversions, establishes targets for strategic growth areas and updates the population and employment allocations assigned to Halton Region to 2051 by the Growth Plan, 2019.

Regional Official Plan Amendment No. 49

Regional Official Plan Amendment (ROPA) 49 was adopted by Regional Council on June 15, 2022 and is the second amendment to be advanced as part of the Regional Official Plan Review under Section 26 of the Planning Act. The amendment is to implement the results of

the Region's Integrated Growth Management Strategy (IGMS), which considered how to accommodate growth in Halton to the 2051 planning horizon as part of the municipal comprehensive review process. The amendment also includes changes that support planning for growth in Halton and achieve conformity with the Provincial Growth Plan for the Greater Golden Horseshoe.

The Ministry of Municipal Affairs and Housing is the approval authority of ROPA 49 and issued a decision on November 4th 2022. The Minister's decision is final and not appealable. The proposed development has been reviewed against the in-force Regional Official Plan with regard to the policies of ROPA 49, as adopted by the Province.

- Per Section 76 of the ROP, the range of permitted uses and the creation of new lots within the Urban Area will be in accordance with Local Official Plans and Zoning By-laws. All development, however, shall be subject to all other relevant policies of the ROP.
- Section 78 identifies a Regional Urban Structure that directs growth to *Strategic Growth Areas*. The Regional Urban Structure as shown on Map 1H implements Halton's planning vision and growth management strategy and sets out a hierarchy in which to direct population and employment growth to ensure efficient use of land and infrastructure while supporting transit, and the long-term protection of lands for employment uses. A focus is placed on directing a significant portion of population and certain types of employment growth within Strategic Growth Area through mixed use intesnficiation supportive of the local role and function and reflective of its place in the hierarchy of Strategic Growth Areas identified in the ROP.
- Staff note that the Subject Lands are located along a 'Regional Intensification Corridor' and 'Commuter Rail Corridor' which form part of the a defined Strategic Growth Areas as identified on Map 1H and Map 3 of the ROP. These corridors serve an existing or planned higher order transit function. Further, they are to achieve increased residential and employment densities to ensure the viability of existing and planned transit infrastructure and service. Direction on the appropriate form of development is to be in accordance with the City's Official Plan and Zoning By-law.
- The ROP identifies and supports the comprehensive planning for these areas in accordance with policy 77(5) of the ROP. Specifically, the Region's Official Plan (Section 48, 77 (5) and Section 79.3(3)) provides that *Area Specific Plans* are required for the development or redevelopment of new or existing major growth areas. An approved *Area Specific Plan* would provide for the comprehensive development of such an area. Any application received in advance of the approval of approval of an *Area Specific Plan* for this area may be considered premature. Careful consideration of the proposed intensification of use for the subject lands needs to be given within the context of the Region's growth management strategy.
    - Matters to be addressed should an application be submitted in advance of the completion of the Regional Comprehensive Review and City of Burlington Area Specific Plan for these areas include:
        - How the proposal addresses the Regional Urban Structure and growth management policies of the ROP as amended by ROPA 48;
        - Consideration and evaluation of Section 77(5) of the ROP;

        - Comprehensive evaluation of the municipal services within the area consistent with the Region's Area Servicing Plan requirements;
        - Comprehensive evaluation of traffic impacts for the area and the proposed development (also subject to City of Burlington input);
        - Comprehensive analysis of flooding, floodplains and Regional Natural Heritage System impacts in conjunction with Conservation Halton (as applicable).
- Development/redevelopment proposed outside of identified major Strategic Growth Areas should also be carefully considered and evaluated to ensure that the comprehensive planning provided within the Regional Urban Structure and Strategic Growth Areas hierarchy is not negatively impacted as a result of development, and in turn, does not negatively impact the City's ability to plan for and achieve the growth management objectives in the long-term. Development proposals that would result in significant intensification of uses outside Strategic Growth Areas may not be supported.
- Section 84 states that it is a goal for housing to supply the people of Halton with an adequate mix and variety of housing to satisfy differing physical, social and economic needs.
- Additional housing polices in the ROP speak to making efficient use of serviced lands to increase the supply of housing, and encouraging Local Municipalities and the development industry to be innovative in housing designs.
- The ROP also contains a number of policies that support the development of a diverse housing mix to satisfy differing physical, social and economic needs, as well as the provision of assisted and affordable housing, especially within areas where public transit, retail and other facilities are readily available. Increased opportunities for the development of Affordable Housing, particularly within Strategic Growth Areas is encouraged.
- Information and resources on assisted and affordable rental housing programs for private sector developers in Halton Region has been attached to these notes for the proponent's information.
- Regional Staff question whether the proposed redevelopment would result in the demolition of purpose built rental housing (i.e., 4 residential units at 198 Plains Road East and 3 residential units at 206 Plains Road East).
    - The ROP requires Local Municipalities to use a 3 per cent vacancy rate to permit the conversion or demolition of rental housing. It is further noted that the current vacancy rate for Burlington is well below 3 per cent. Further information and justification should be clearly provided in the Planning Justification Report to address this matter.
    - Should the proposal result in the demolition of purpose built rental units, it is **not** permitted by ROP policy.
    - A robust housing analysis, including a tenant relocation plan will be required as part of the complete application, should removal of rental housing be proposed. The replacement and permanent protection of all existing rental units will be required as part of any redevelopment plan.

Land Use Compatibility with Sensitive Use

- Section 143(9) of the ROP requires proposed development adjacent or in proximity to railway lines or railway yards to undertake the following studies and to implement the study recommendations, including the restriction of new residential and other sensitive land uses:
    a) noise study, if the development is within 300m of a railway right-of-way;
    b) vibration study, if the development is within 75m of a railway right-of-way;
    c) air quality study, if the development contains sensitive land uses and is within 1000m of a railway yard.
- Section 143(12) of the ROP requires the proponent of sensitive land uses in proximity to industrial, transportation and utility sources of noise, vibration, odour and air pollutants to complete appropriate studies and undertake necessary mitigating actions, in accordance with the Region's Land Use Compatibility Guidelines, Air Quality Impact Assessment Guidelines, and any applicable Ministry of the Environment guidelines.
- Section 173 (1.1 & 1.2) speaks to the importance of ensuring development does not predetermine or preclude the planning or implementation of transportation facilities.
- The subject lands fall within 1000m of the Aldershot GO Train layover yard (to the north), and further appear to be within the Potential Area of Influence of major facilities such as King Paving & Construction and St. Marys Cement.
- As such, a Land Use Compatibility Assessment (including Air Quality Assessment and Noise Assessment) is required to be submitted and to support the proposed development.
    - In accordance with ROP policy, impacts from the adjacent major facilities (including the adjacent railway facilities) needs to be assessed, and appropriate recommendations/mitigation measures be implemented to address potential impacts on the proposed sensitive use needs to be addressed as part of a development application submission.
- Land Use Compatibility with the proposed sensitive use (i.e., residential) should also be discussed and addressed within the Planning Justification Report.

Potential for Site Contamination

- In accordance with S.147(17) of the Region's Official Plan states that a property is to be free of contamination prior to any development/change of use taking place.
    - Submission of a Regional Environmental Site Screening Questionnaire is required in addition to a Phase 1 Environmental Site Assessment (ESA), completed to O. Reg 153/04 standards and accompanied by a Letter of Reliance granting the Region third party reliance. Please follow the Region's letter template in this respect.
    - A Phase 2 ESA may be required depending upon the recommendation(s) of the Phase 1 ESA.
    - Please be advised that if a change to a more sensitive use is proposed, a mandatory Record of Site Condition (RSC) will be required.

Municipal Servicing:

- Section 89 of the Regional Official Plan requires 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.
- Existing Services:
    - There is a Halton Region local watermain within the south side of Plains Road East adjacent to the property.
    - There is a Halton Region local watermain within the north side of Plains Road East adjacent to the property.
    - There is a trunk/transmission watermain located within the centre of Plains Road East adjacent to the property. No trunk/transmission watermain service connection laterals will be permitted.
    - There are Halton Region local wastewater mains within Plains Road East adjacent to the proposed development; one of them is located immediately adjacent to the northerly property lines of the proposed development and building.
- The developer should undertake to locate the size and location of all watermains, water services, water meters, wastewater mains (sanitary sewers), wastewater (sanitary) services, property line wastewater (sanitary) inspection manholes, stormwater mains and stormwater services that exist within the road right-of-ways, to the property and within the property, and place them on an Existing Site Servicing Plan drawings within their reports. Public and private utility companies can be utilized for this purpose.
- A Functional Servicing Report (FSR) is required to be prepared by the developer's civil engineering consultant and include information on:
    - Watermains, water services, fire hydrants, sanitary sewer mains, sanitary sewer services, property line sanitary sewer inspection manholes, 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 as well for the local sewers and the drainage area down to the nearest trunk sewer.
    - Details about other development properties in the drainage area should be included in the analysis of the local sewers (if any).
    - 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.
    - Details about potential external main upsizing or main extensions to accommodate the development, etc.
    - Future forecast Regional capital works projects. The FSR must align with any Area Servicing Plan/Master Servicing Plan that is required for the area, City and Region.
    - The proposed development (FSR) will have to align with any Area Servicing Plan and Master Servicing Plan that is required for the area, City and Region.

    - Fire Flow Rate Testing should be incorporated. 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 FSR a copy of the fireflow rate testing results, and the Fire Underwriters Survey (FUS) requirements for the development. This will help to assist in informing the watermain design and watermain hydraulic modelling analysis that is being undertaken by the proponent's consultants. 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.
    - Information related to all the other Utilities infrastructure in the area and potential conflicts.
    - Show existing site services and note how they are proposed to be decommissioned to make way for the development.
- The developer must physically locate the watermain and wastewater main (sanitary sewer) that are located immediately north of the property within Plains Road East. The developer's Professional Engineer preparing the FSR must consult with the Region regarding the proximity of the proposed development to the watermain and wastewater main (sanitary sewer), and the Region's approved set-back of the development from the watermain and wastewater main.
    - There shall be no impact from the development on the Region's watermain and wastewater main.
    - The Engineer shall prepare a number of cross-section engineering drawings along the north portion of the property and the City's road boulevard, for discussion with the Region.
    - Proposed footings, foundation walls, overhangs, excavation, shoring, tie-backs, municipal mains and utilities will require to be detailed for review by the Region.
- Please note that this development may require additional municipal watermain isolation, and possibly a full size water chamber (including three/four valves) for the proposed development's water service connection, to the Region's water distribution system. The developer's civil engineering consultant must undertake a design exercise within the FSR in order to demonstrate that a full size water chamber, if required, can fit within the road/boulevard, while giving adequate separation distances from the other utilities in the area. The Engineer shall prepare a number of detail drawings, for discussion with the Region early in the process.
- At any future Site Plan application stage, the proposed street tree planting and proposed street furniture will have to be reviewed closely in order to avoid tree planting/street furniture conflicts with the Region's watermain and wastewater main (sanitary sewer) located within the Plains Road East southerly boulevard, to the satisfaction of the City and the Region.
- 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 must 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 trenches, road cuts, and 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 ZBA stage. Servicing of development in the Burlington area of Halton Region is currently 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. 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 appears to be located within close proximity to the Aldershot GO Major Transit Station Area of the City of Burlington. The City of Burlington is undertaking an Area Specific Plan process (including the Area Servicing Plans) for the Burlington Major Transit Station Areas. Halton Region has initiated an Integrated Water, Wastewater and Transportation Master Plan review exercise for the Region, together with, and in time, background studies and formal programs.
- 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(s) that will not be utilized for any reason will be required to be disconnected right at the respective main by the developer.
- The developer's site servicing consultant can preconsult with the Region at any time regarding their proposed draft site servicing water 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 ZBA stage in order to confirm if servicing will conform with Regional Policies, and that water and wastewater services do not and will not cross lot lines for different property owners.

Waste Management:

Residential waste (recycling, organics and garbage) may be eligible for Region waste collection, providing the requirements be met as outline in Development Design Guidelines for Source Separation of Solid Waste.

- A Supplementary Waste Plan must demonstrate how waste will be managed, stored and collected in a manner that is safe, functional and accessible, to the satisfaction of Halton Region.
- The Waste Management Plan and associated representative scaled drawings should be designed per the Region's Development Design Guidelines for Source Separation of Solid Waste and provide information on the following:
    - Number of residential units/ types of units.
    - Number of floors.
    - The number of Recycling and Organic Material Receptacles required.
    - The size and number of Front End garbage collection bins required.
    - Truck turning plan/auto turn plans showing turning radius from center line (labelled) throughout the site/collection path from the municipal road to the collection point and back to the municipal road.
    - Show/label with dimensions, the available length of the head-on approach and the length the truck will be required to reverse.
    - Show/label with dimensions the vertical clearance of the loading area. This should be clearly shown on an elevation.
    - Show/label where the waste collection point will be within the loading area. Please indicate length and width of the space available.
    - Please submit a scaled drawing indicating how the bins will be configured (staging area) including dimensions, grade, waste receptacle placement, compacting and sorting equipment in the internal waste handling rooms, and proposed doors per Section 1.3.7.
    - Description of the flow of waste receptacles from the waste storage room to the outdoor Waste collection loading area.
    - Show external enclosures required, including the configuration of the required number of Waste receptacles.
    - Indicate the location of the bulk waste storage room, including dimensions.

Please ensure the following general design considerations/technical requirements are accounted for:

- Sufficient space for a rear packer collection vehicle and side loader collection vehicle is available to operate safely. Occupants of the vehicle must be able to open both doors and exit the vehicle, and be able to walk the perimeter of the vehicle unhindered. Please ensure there is sufficient space to accommodate the length of the truck with the forks extended to carry out waste collection of all waste receptacles.
- A minimum turning radius of 13 m from centre line is required for waste collection vehicles.
- Vertical clearance required for loading Regional collection vehicles is 7.5 m.
- Loading area required width is 6.0 m.
  NOTE: The vertical clearance within the loading area is currently shown as 6.1 m. This needs to be revised to 7.5m for Regional collection vehicles to collect waste materials. The overhead garage door height can be 5.0 min in height.
- Collection point level (+/- 2%).
- For two-way traffic, a 6 m road width is required. For one-way traffic, a 4.5 m road width is required.

- Continuous forward collection of Waste collection vehicles is required without reversing. A cul-de-sac or T-turnaround may be acceptable.
- 18 m minimum head-on approach is required.
- 18 m maximum back-up distance is required.
- The collection area is the minimum area required for waste receptacles.
- Door width for waste rooms and any door where a waste receptacle must go through is required to be a minimum of 2.2 m.
- Ensure internal storage requirements are designed per Section 1.9 of the Guidelines.
- Ensure sufficient storage for all waste receptacles (and compactors if required) is provided.
- Please ensure relevant turning radii, and height/width clearances are clearly labelled on the site plan.
- Design requirements should be reviewed at the Zoning By-law Amendment stage as site-specific provisions may be affected.
- The Region's Development Design Guidelines for Source Separation of Solid Waste and can be accessed online at: https://www.halton.ca/Repository/Development-Design-Guidelines-for-Source-Separatio

Should the waste management vehicle be required to drive over top any underground structures (e.g., parking garage), a professional engineer must provide a letter certifying the underground parking structure can withstand the weight of a fully loaded truck (capacity 35 tonnes).

Should the development be deemed eligible for Regional waste collection, a completed Drive Through Agreement will be required to be submitted and approved by the Region prior to the commencement of collection. For a 6 storey, 64 unit residential building, the following is recommended:

- Recycling – 9 carts
- Organics carts (360 L) – 3 carts
- Twenty-one carts divided by 2 = 10 garbage carts on twice a week collection

Submission Requirements:

- All submission materials (digitally)
- Applicable Regional Fee(s)
- Complete Application forms
- Planning Justification Report (including support and justification of Urban Structure and Growth Management, Housing Analysis and rental relocation plan (as required), and Land Use Compatibility)
- Comprehensive Development Plans / Site Plan
- Functional Servicing Report (Comprehensive analysis)
- Environmental Site Screening Questionnaire, Phase 1 and if necessary a Phase 2 Environmental Site Assessment (ESA) to O.Reg. 153/04 standards and with a Letter of Reliance. It is noted where a change to a more sensitive use is proposed, a Record of Site Condition (RSC) will ultimately be required.
- Waste Management Plan

- Staff contacts:
    - Adam Huycke, Senior Planner, Adam.Huycke@Halton.ca
    - John Kisneris, Development Project Manager, John.Kisneris@Halton.ca

Development Engineering Comments:

GENERAL COMMENTS

1. All plans to use the same base layer.
2. Identify existing and/or proposed property lines on all plans.
3. Identify existing and/or proposed easements on all plans.
4. Identify limits of existing and/or proposed underground parking on all plans.
5. Identify existing reserves across property frontage.
6. Identify all applicable external agency setbacks on all plans.
7. All private utilities must be constructed within the subject property limits.
8. As per the City's Hydro Services Policy for development sites within a designated MTSA and/or the downtown, any new 27.6 kV hydro service or other utility which is required for the multi-story development shall be buried. Additionally, any existing overhead 4 kV hydro service along the frontage of the subject property shall be buried. The costs associated with the hydro service works shall be borne by the Developer.
9. City Plan and Profile drawings may be downloaded from the Open Data Portal.

RIGHT OF WAY

1. A Municipal Consent Permit is required for any works on public lands, including but not limited to temporary staging, grading, servicing, construction or disturbance of vegetation.

FUNCTIONAL SERVICING & STORMWATER MANAGEMENT REPORT

1. All documents to be prepared in accordance with the Council approved Stormwater Management Design Guidelines (COB SWM), as amended.
2. To be stamped and certified by a Professional Engineer.
3. External agency may review the report. If differing requirements exist between them and the City than the most stringent criteria shall apply.
4. The City's Stormwater Engineer has provided the following criteria:
    a. **Quality Control (COB SWM 6.1.4.1 and 6.1.4.2):**
        - Enhanced 80.0% TSS removal achieved with a treatment train approach. An OGS will only be credited with 50.0% TSS removal.
        - OGS CA-ETV certified units only.
        - OGS to be sized to capture and treat a min. 90.0% of the runoff volume.
        - Rooftop areas may be considered clean if the flows are separated from non-roof areas as per COB SWM 3.6 and 6.1.4.1.
    b. **Quantity Control (COB SWM 6.1.1.1):**
        - Discharge to a storm sewer control either the 100-year post development or Regional Storm, whichever is greater to the 5-year pre-development.
        - A max. pre-development imperviousness of 36.0% (C = 0.50) for re-development is to be used for the pre-development calculations.

c. **Erosion Control (COB SWM 3.4 and 6.1.2)**:
   - na
d. **Water Budget (COB SWM 3.5 and 6.1.3):**
   - Strongly recommend the first 5mm of rainfall be retained and infiltrated or reused onsite.
e. **Groundwater:**
   - If there is a foundation drainage collection system, flows must be accommodated in the quantity control for the site, and discharge must meet the Storm Sewer Discharge Bylaw 59-2022 Table 1 criteria, as amended.
f. **External Flows**:
   - Identify all external flows and safely accommodate them under the developed conditions to avoid upstream flooding or ponding.
g. **Overland Flow Route (COB SWM 5.3.2 and 6.1.1.3):**
   - Provide the emergency overland flow route on the plans and direct it towards Plains Road East. Include the neighbouring properties to ensure existing drainage patterns are being maintained.

5. Provide full sized scalable, signed, and stamped plans for the following:
   a. pre-development storm drainage area
   b. post-development storm drainage area
   c. grading
   d. servicing
   e. any additional applicable plans
6. Include a Letter of Reliance that allows the City to rely upon the documents.

NOISE AND VIBRATION FEASIBILITY STUDY

1. All documents to be prepared in accordance with the MECP's Environmental Noise Guideline Publication NPC-300, as amended.
2. To be stamped and certified by a Professional Engineer.
3. External agency may review the report. If differing requirements exist between them and the City than the most stringent criteria shall apply.
4. The study to include but not limited to the following:
   a. Considered a Class 1 property.
   b. Identify offsite stationary noise sources that may require mitigation for existing and/or proposed development and provide the mitigation requirements. If offsite mitigation is required, then confirmation of a legal agreement between the development and offsite sources is required. Please note, adjacent property owners are not obligated to mitigate their onsite stationary noise sources, as it relates to stationary noise impacts on the subject development. The applicant is responsible for mitigating the exceedances within the limits of the subject development, which may require a site redesign.
   c. Provide all model calculations for both onsite and offsite.
   d. Provide any onsite noise measurements.
   e. Use reflective surfaces for model calculations where applicable.
   f. Provide capacity volumes received from the City's Transportation Services for roads using model calculations. Include the correspondence within the appendix.

g. Provide any correspondence from external agencies to confirm traffic and/or train counts within the appendix.
h. Provide all mitigating measure calculations including but not limited to window glazing, façade requirements, noise walls, etc.
i. Provide a key plan identifying points of reception.
j. Provide a key plan identifying sources of noise for both stationary and linear and including distances from subject property.
k. NPC-300 exceedances and/or max. points of reception required for every floor and side of the building.
l. Points of reception required for every neighbouring property.
m. Provide a table for the points of reception and include the allowable noise level under NPC-300, estimated noise level, and the mitigated noise level.
n. Provide warning clause recommendations where applicable.
o. Provide a summary and drawing of any required mitigation measures.

5. Include a Letter of Reliance that allows the City to rely upon the documents.

Staff contact: Adam Scott, Senior Development Engineering Technologist
adam.scott@burlington.ca

Urban Forestry & Landscape Comments

Please be advised that the Urban Forestry and Landscaping review of this application is considered preliminary at this time. Urban Forestry and Landscaping may provide additional comments, raise additional concerns, or request additional information upon receiving the outstanding or revised information, and upon further comprehensive review of its contents

1. A Landscape Plan will be required showing the general layout and intent of what is proposed for landscaped areas, including landscape buffer planting, outdoor amenity areas, fence location and types and pedestrian circulation. See the Pre-Submission Checklist for requirements.
2. The Landscape Plan must show and dimension pedestrian walkways and connections to the city sidewalk (1500mm minimum width, 1800mm recommended). Consider the width of the pedestrian walkways minus the doors that open out to ensure pedestrians don't need to walk on vehicular driveways.
3. The Landscape Plan must show conceptually the proposed layout and use of any outdoor amenity areas.
4. The Landscape Plan must show all regulated limits/hazard lines, including those which apply to Conservation Halton, on the landscape concept plan.
5. Please note that the property of 198-200 Plains Road East is adjacent to a Heritage site. Please ensure you are consulting with the City of Burlington's Heritage reviewer throughout all stages of the application.
6. The Landscape Plan must show the location of air vents/shafts and coordinate with landscape concept (i.e., do not locate vents in walkways and coordinate with proposed planting locations).
7. The Landscape Plan must show bicycle parking and snow storage locations.
8. The Landscape Plan must show proposed tree plantings that follow the ESA's guide *Planting Under or Around Powerlines & Electrical Equipment:* trees and/or shrubs with a

max. mature height and spread of 4.5m in the Low Zone (to 4.5m from the power lines), trees with a max. mature height and spread of 7.6m in the Medium Zone (7.6m from the power line), and trees of any size beyond 7.6m from the power line. See the ESA Guidelines for Planting Under or Around Powerlines & Electrical Equipment.

9. Where trees are proposed, ensure the minimum required soil volumes are provided and documented on the landscape plans using good quality soil. The minimum requirements are as follows: $30m^3$ of soil per tree in a single tree pit, $20m^3$ per tree in a shared planting environment. Excavation for each planting environment should be 0.75m to 1.2m depth and should not exceed 1.5m depth and be tailored to stock size used. Smaller rooting volume (minimum 15-$20m^3$) may be proposed for smaller trees.
10. Where trees, shrubs and herbaceous material is proposed, ensure material is suitable for the existing and proposed conditions to ensure success (i.e., salt tolerant, and suitable for existing and proposed soil and other environmental conditions).
11. Any recommendations or issues of compatibility (i.e., noise, light, uncomfortable wind conditions) noted in the Planning Justification Report, Noise Report and Wind Study should be addressed and reflected on the Landscape Plan, for example with buffer planting, screens and fencing, trellises or awnings for outdoor areas including pedestrian walkways and amenity areas.
12. This property backs onto residential lands. Landscape buffers should included to provide separation and be designed to partially obstruct the views to adjacent properties along shared property lines. The landscape buffers should be a dense landscape screen consisting of evergreen trees or a combination of solid screen fencing with evergreen and deciduous trees and understory shrubs.
13. Screen parking spaces from road frontages.
14. Please review and apply the Sustainable Building and Development Guidelines.
15. Once the number of parking spaces is finalized, confirm the required number of Type “A” and Type “B” barrier free parking spaces required. Type “A” shall be 3400 mm in width and signed to indicate Van Accessible Parking. 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.
16. Locate the barrier free parking spaces closest to the main entrances and not crossing vehicular traffic.
17. Contact the city’s Accessibility Coordinator if you have any questions concerning **Accessibility:** Judi Lytle, 905-335-7600, ext. 7865, judi.lytle@burlington.ca.
18. An Arborist Report, Tree Inventory and Tree Protection Plan is required to document all existing trees greater than 10cm DBH on site and on adjacent properties within 6m of the property lines, and all trees of any size on city property. See the City of Burlington: Pre-Submission Checklist for further requirements. Ensure your tree inventory table is provided as an excel file in addition to the word file. Note, the inventory data for this file provided with the Arborist Report will require an update to existing conditions and a revised tree protection plan should evaluate the proposed development related impacts against all civil drawings (i.e., grading, servicing etc.).
19. Any existing private trees on the subject site should be considered for preservation. The removal of trees shall be considered as a last resort. Trees that are to be removed will require a plan for replacement. Private trees that are 15cm in DBH will be counted toward replacement requirements using the City’s aggregate caliper method. Tree replacements

will be based on 50mm caliper replacement sizes. Proposals for replacement shall consider planting on the existing subject property as a priority. Where there is no room for replacement trees, cash-in-lieu of replacement will be required.

20. Removal to trees on neighboring properties, or that are located on a shared property line (boundary trees) will require consent from the adjoining and/or adjacent owner(s).

    Where impacts are proposed (i.e., encroachment / injury) to neighbouring and/or boundary trees the adjoining and/or adjacent owner(s) shall be consulted and made aware of the proposed development and potential impacts to their trees and/or boundary trees and the applicant shall submit a document in writing from adjoining and/or adjacent owner(s) that there are no concerns with the proposal for those trees, or the applicant's qualified tree professional (as defined in Pre-Submission Checklist) shall address the potential impacts to the neighbor's trees and/or boundary trees and provide an attestation in the Arborist Report that the impacts proposed will not be a detriment to the trees, and they will remain in healthy condition. Information in the report shall also include the preservation methods, including pruning and fertilizing, that can be implemented by the owner to ensure the health of trees on neighboring properties.

21. Private trees that are regulated and require removal or injury to facilitate project works may require a private tree permit depending on the timing of removal and/or injury relative to planning application(s). Please consult with the City at all stages of your project (i.e., demolition) to ensure compliance. Additional documentation may be required.

22. There are public trees located within the ROW adjacent to this proposal's site. The City's Public tree by-law is applicable to the proposed development. The removal of public trees shall be considered as a last resort. Where City of Burlington public trees are proposed for removal, council approval is required prior to tree permit issuance. The number of replacements will be evaluated using the City's aggregate caliper method. Similarly, work shall be modified to avoid working inside the minimum tree protection zone of all public trees. Where impact is proposed for public trees, a public tree permit will be required and securities provided.

23. Trees and corresponding tree protection hoarding (vertical and/or horizontal) shall be illustrated and considered on all civil drawings and factored into all Construction Management and Mobility Plans.

24. Please provide a comment matrix that identifies the above comments and how they were addressed with the site plan submission.

Staff contact: Zelaikha Shareqi, Intermediate Technician – Landscaping Engineering Services Department, zelaikha.shareqi@burlington.ca

Parks & Open Space Comments:

- Collect cash in lieu of parkland, with CILP charged at the rate in effect at the time of building permit issuance.

Staff contact: Kyle Poole, Landscape Architect, Kyle.Poole@burlington.ca

Transportation Planning Comments:

Site Context

1. The proposed development site is on the south side of Plains Road East and opposite the intersection of Plains Road East and White Oak Drive:
    a. is in Mixed-Use Nodes and Intensification Corridors, per Schedule B, Urban Structure,
    b. is in a Secondary Growth Area, per Schedule B-1, Growth Framework
    c. is on a Frequent Transit Corridor, per Schedule B-2, Growth Framework, and Long-Term Frequent Transit Corridors.
    d. Plains Road East is a MTSA Primary Connector, as per Schedule G, Aldershot GO MTSA Special Planning Area.
    e. is in an Urban Corridor, per Schedule C, Land Use-Urban Area

2. Plains Road East is a Multi-Purpose Arterial, per Schedule O-1, Classification of Transportation Facilities-Urban Area, and has a four-lane basic cross-section with a two-way left-turn lane (center turn lane) as well as proposed protected on-street bicycle lanes on both sides of the road. Its intersection with White Oak Drive has a center left-turn lane. It has a posted speed limit of 60 km/h.

Deemed Right-of-Way Widths

3. The deemed right-of-way width per the Official Plan and Zoning By-Law for Plains Road East is 36 meters. The existing right-of-way adjacent to the subject site is approximately 36 metres and no additional lands are required.

Transportation Impact Study/Mobility Impact Assessment

4. A Transportation Impact Study (TIS), also known as a Mobility Impact Assessment (MIA) is required for this application. The TIS/MIA shall be completed by a qualified/recognized traffic/transportation engineering consultant. It shall be submitted to the satisfaction and approval of the Director of Transportation Services or designate.

5. The TIS/MIA would follow the Region of Halton's Transportation Impact Study Guidelines (https://www.halton.ca/Repository/Transportation-Impact-Study-Guidelines). The transportation consultant is to provide and confirm their Terms of Reference, including proxy-site locations with Transportation Planning staff prior to initiation of work.

Auto and Bicycle Parking Supply

6. The subject land use and proposal shall meet the parking supply requirements of the Zoning By-Law Table 1.2.6: Off-Street Parking Standards. The proposal has 102 parking spaces which is more than the Burlington parking supply requirements. A Parking Supply Justification Study is not required.

Use	Units	Required Parking	Auto Spaces Required	Auto Spaces Provided
Residential	34 units: one bedroom	1.25 spaces/unit inclusive of visitors parking	43	102
	30 units: two bedrooms	1.25 spaces/unit +0.25 visitor's space/unit	45	

Total	**88**	**102**

7. The bicycle parking supply shall meet the requirements recommended in the Burlington City-Wide Parking Standards Review. The proposal did not mention bicycle parking whereas a minimum of 36 long-term plus short-term parking is required. The short-term parking area shall be close to the main pedestrian entrance. Long-term bicycle parking shall be in a weather-protected, limited access and secure location at ground-level or in a parking garage.

Use	Unit/Area	Long term Bicycle parking	Short term Bicycle parking	Bicycle Spaces Required	Bicycle Spaces Provided
Residential Apartments	64	0.5 spaces/unit	0.05 spaces/unit	32+4	Not mentioned
Total				**36**	

Access

8. The proposed access shall centreline to centreline with White Oak Drive, to promote safety, efficient traffic flow and visibility for all road users.

9. The driveway access radius cannot encroach onto the adjacent property or affect the development potential of that lot. The site plan shall depict all existing and proposed driveways on the subject property as well as adjacent and opposing properties.

General Comments

10. The underground parking stalls, including accessible parking and parking aisle dimensions shall be as per the City of Burlington Site Plan Guidelines. Structural columns are to be set back 0.5m on both sides of the driving aisle to provide for 7.0m clear (face of column to face of column). All dimensions are to be provided for structured parking (drive aisles, parking stalls, column spacing, parking ramps, etc.).

11. The underground ramp detail and dimensions shall comply with the City of Burlington Site Plan Guidelines.

Future Site Plan Comments

12. The developer is responsible for the construction of a 2.5 m minimum width sidewalk along the Plains Road East frontage since the area is marked as an enhanced pedestrian realm. Enhanced pedestrian realms need to accommodate sidewalks as wide as possible, and decorative paved boulevards and could include a variety of street furniture (benches, large planters, trash, and recycling cans) with decorative street lighting.

13. The developer is responsible to remove the existing two driveways opposite to White Oak Drive which needs to be closed and reinstate the boulevard, sidewalk, curbs, etc. as per City of Burlington standard, and as such providing a note on the site plan.

14. The applicant shall submit a Construction Mobility Management Plan (CMMP) as a part of this application which shall be to the satisfaction and approval of the Director of Transportation Services or designate. During construction, staff will not support the closure of vehicle lanes, bike lanes, boulevards, sidewalks, etc.

15. At the vehicle entrances to the site, the sidewalk shall be continuous through the driveway. The driveway grade will be compatible with the existing sidewalk and a vehicle curb depression will be provided at the entrance. Site access must adhere to the standards of the City of Burlington.

16. Convex mirror and stop sign may be required at the top of the ramps to increase visibility.

17 Any internal traffic signage such as “stop”, “no parking”, “fire route”, accessible parking, and pavement markings shall be clearly indicated and depicted on the site plan.

Staff contact: Smeeta Adiga, Transportation Planning Technologist, Smeeta.adiga@burlington.ca

Zoning Comments:

ZONE:

198 Plains Rd E is currently zoned RM2-119 – permits only one 6 unit residential building (as per special site Exception 119)
206 Plains Rd E is zoned RM1-346 – permits Semi-Detached, Duplex and Triplex Dwelling but explicitly prohibits townhouses (as per special site Exception 346).

Proposal to rezone lots to MXG, or General Mixed-Use, under applicable Zoning Bylaw 2020

GENERAL COMMENTS:

1. OLS stamped and up-to-date survey

2. Submit complete floor plans, elevations and sections

3. Elevations show eight storey building (not six as noted)

4. Please use standard drafting conventions and ensure drawings are clear and legible. For example, “concrete” hatch on site plan/landscape drawing should be removed. Similarly, it is not necessary to show existing structures, grades, notes, etc on proposed drawings.

5. Show setbacks/yard measurements on all floor plans, including underground parking garage

6. Illustrate and clearly note existing front lot line and confirmed deemed lot line. Reference correct lot lines/lot areas on all documents, drawings and calculations

7. Existing lots should be consolidated into one

8. Development is subject to City, Region and School Bboard Development Charges and Park Dedication fees. Applicant to submit the appropriate application forms;
   -Applicant to provide a letter from a land surveyor confirming the total floor area of the existing/demolished building(s) for determining any applicable DC credits
   -Provide all dimensions and areas for dens, lofts, studies or other similar uses (not including kitchen, bathrooms, living rooms, family rooms or dining rooms) on the floor plans, as well the information should be provided in a spreadsheet indicating the floor and unit number as well as the dimensions and areas.
   -Development Charges may be subject to interest, as per each Agency's by-law
   -Community Benefits Charge (CBC) required

9. Zoning staff will review and comment on Draft Bylaw vetted by City Planner once complete.

ZONING REVIEW:

Part 1 General Provisions:

Regulation	Proposed	Complies
2.13.1(b) Encroachment into Yards In a MXG Zone, a canopy or awning may project into a required front yard or street side yard to the street line and 1m maximum into any other yard	Illustrate and dimension proposed entrance canopy(ies) and setbacks to demonstrate compliance	tbd
2.13.1(c) Encroachment into Yards A balcony may project 50cm maximum into a required side yard and 1.6m maximum into any other required yard, provided that: (i)The sum of the length of these projections does not exceed one third of the permitted length of a building wall, (ii)The length of any one projection does not exceed 3 m.	Illustrate and dimension proposed balconies and setbacks to demonstrate compliance	tbd
2.13.1(f) A parking structure below grade and less than 1.6m above grade may encroach into a required yard but shall not encroach into a required landscape buffer, provided that a minimum 3m setback shall be maintained from a street line or property		tbd

line.		
2.27 Deemed street width. All property calculations and setbacks should reflect the deemed street width as opposed to the property line.		To be confirmed by Site Engineering staff

Part 1 Off-Street Parking and Loading Requirements:

Regulation	Proposed	Complies
Table 1.2.6 Off-Street Parking Standards Apartment Building (within a Secondary Growth Area – to be confirmed by Planning staff) 1.25 spaces per unit inclusive of visitor parking 64units x 1.25 = 80min	1.25 per 1 bdrm unit= 42.50 1.50 per 2 bdrm unit=45.00 Total: 88 req'd Proposed 102	Appears ok but please show all parking levels and number each parking space
2.26(1)Parking Space Size & Accessibility (a)Each parking space shall have a minimum width of 2.75m and a minimum are of 16.5m2 and be readily accessible without obstructions at all times for parking and removal of a motor vehicle without the necessity of moving any other vehicle or obstruction.		Tbd – include appropriate dimensions
2.26(5)Parking Structures i) Any part of an enclosed parking structure that projects 1.6 m or more above grade shall be subject to the yard requirements of the zone designation. ii) Entrance and exit ramps to below-grade and above-grade parking structures or buildings shall be set back 7.5 m from a street line. iii) Below-grade parking structures shall not extend into a required landscape buffer and shall be set back 3 m from all other property lines and street lines.		tbd
2.26(9) Designated Accessible Parking Spaces	None shown	No

Designated accessible parking spaces shall be included in the calculation of required parking in accordance with Table 1.2.7 Where required parking is over 90 spaces, 3% of required parking shall be designated accessible parking spaces		
2.26(9)(b)Each designated accessible parking space shall meet the minimum width and area requirements of subsection (1)(a) above and shall be located adjacent to a delineated "accessible parking pathway" with a minimum width of 2.0 metres	None shown	No
Part 2, Section 1(j) An enclosed parking structure below and above grade shall not encroach into a required landscape buffer abutting a residential zone		Tbd – show all setbacks between parking structure and lot lines

Part 5 Mixed-Use Corridor Zones (proposed):

Regulation	**Proposed**	**Complies**
Table 5.4.1 Lot Width shall be 25m		
Lot Area shall be 1000m2	2,893.10m2	
Yard abutting any other street shall be 3m minimum; 4.5m maximum	3m	Appears ok but confirm deemed street width and show clear dimension
No minimum side yard		ok
Yard abutting a residential zone; Floors 1 to 3: 12 m Floors 4 and 5: 15 m	Floors 1-3 – 16.18m Floors 4-5 – 16.18m	ok
Table 5.4.2 Maximum Floor Area Ratio for Other buildings 1.5:1 Note: Floor Area Ratio is based on *gross **building** floor area* and the lot area Gross Building Area is defined as; *the total area of the floor measured to the outside of all outside walls, including a basement or cellar but excluding area used for parking*	Not shown on site stats	tbd

of motor vehicles or areas above an atrium		
Minimum Density in a Residential Building shall be 30 units/ha		
4.4 Landscape Area abutting a street shall be 3m Landscape Area is defined as; *An area of land within a lot dedicated to the planting of trees, shrubs, flower beds, or a combination thereof and which may include other decorative landscape features. A Landscape Area may be crossed by a driveway or walkway provided it is substantially perpendicular to the Landscape Area. A ground sign may be located within a Landscape Area. A Landscape Buffer may be included in the calculation of Landscape Area. Snow storage and transformers are not permitted in a required landscape area.*		Appears ok but confirm – lots of walkways
Landscape Buffer abutting a residential zone shall be 6m Landscape Buffer is defined as*; The area of a lot which serves to provide separation and to partially obstruct the view of adjacent land uses by means of a dense landscape screen consisting of evergreen trees or a combination of solid screen fencing and evergreen or deciduous trees. Snow storage and transformers are not permitted in a required landscape buffer*	Appears to be approximately 2-3m	no
4.5 Building Height shall be 2 storeys minimum and 6 storeys maximum The floor area of the second, third and fourth storeys of a building containing more than one storey must be at least 50% of the floor area of the first storey.	8 storey	no

4.7 Outside Storage c)Non-perishable waste stored outside on lands abutting a residential zone shall be kept within a solid screen enclosure subject to Part 1, Subsection 2.2.3		tbd
4.9 Fencing On lands abutting a residential zone fencing shall be installed along the common boundary with the residential zone and shall have a minimum height of 1.8 m, which may be a solid screen fence or a combination of chain-link fence and landscape planting to form a dense year-round screen.		tbd
4.12 Loading and Unloading a) Loading/unloading shall not take place within 7.5 m of a residential zone. b) Loading/unloading docks shall be screened from view from a street or adjoining residential zone.		
4.13 Amenity Area • 15 m2 per efficiency dwelling unit • 20 m2 per one-bedroom dwelling unit • 35 m2 per two or more bedroom dwelling unit • Back-to-back townhouse: 25 m2 per dwelling unit Amenity Area is defined as; *The area situated within the boundaries of a project and intended for recreational purposes, which may include open spaces, patios, balconies, communal play areas, lounges, sundecks, and roofdecks, but shall not include the area occupied at grade by the buildings, service areas, parking, and driveways.*	1 bdrm (30 units) – 600m2 2 bdrm (34 units) – 1,190m2 Total required: 1,790m2 Proposed: 1,272.19m2	No

Staff contact: Magda Rusin-Hynek, Zoning Examiner, magda.rusinhynek@burlington.ca

City of Burlington: Pre-Submission Document Terms of Reference
198-200 and 206 Plains Road East
August 30, 2023

NOTE: These general Terms of Reference (below) will be used to assess the materials and technical studies submitted in support of a *Planning Act* application(s) and are to be reviewed upon the submission of and prior to the deeming of 'complete' of the application(s). The following Terms of Reference are intended as a guide to assist proponents in the preparation of materials and technical studies due upon submission (see: Section 12 of Development Application Pre-Consultation Form) and to provide recommendations as to the information content of those materials that would assist City of Burlington, Region of Halton, Conservation Halton and external agency partners in their review, once circulated. In circumstances where these Terms of Reference are generally not adhered to, submission materials may be returned to the proponent/applicant and/or a file not initiated.

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 Community Meeting Notes
- BUD Meeting Minutes

2) 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 the applicable policies of the Provincial Greenbelt Plan.
- Contains a review of the applicable policies of the Niagara Escarpment Plan.
- Contains a review of the applicable policies of the Parkway Belt West 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) and 'New Official Plan' (2020).
- 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 a discussion of how the requested change addresses the objectives of Burlington's Housing Strategy.
- 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 Official Plan Amendment and/or Amending 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.

3) Survey and Severance Sketch / Conceptual Site Plan

- Legible, metric scale drawing on 24x36 inch paper (or digital)
- Prepared and signed by an OLS Surveyor
- Clearly identifies all development constraints including easements, MTO setbacks, floodlines & hazard lands, natural heritage buffers, required right-of-way widenings, daylight triangles, etc.
- Survey / Reference Plan of site showing PINs, easements and property boundaries, etc.

4) Land Assembly Documents

- Documentation which demonstrates that a reasonable, bona fide offer has been made to acquire lands to facilitate the orderly development of an area.

5) Pedestrian Level Wind Study

- Completed in accordance with the City's Pedestrian Level Wind Study Guidelines and Terms of Reference.

6) Shadow Study:

- Completed in accordance with the City's Shadow Study Guidelines and Terms of Reference.

7) Arborist Report and Tree Preservation Plan (*only required if existing trees will be impacted, including by construction access and stockpiling of material and can be scoped to the trees that will be impacted)

- 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
- Includes all dimensions in metric, to scale, and on a consistent base map layer
- Includes bar scale
- Shows the proposed development (including property lines, easements, regulated areas, paved areas, buildings and entrances, landscaped areas, regulated limits, etc.) and is coordinated with the Site Plan, Grading and Servicing drawings
- Arborist Report should describe the scope and methodology of proposed construction works and the tree preservation measures

- 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, and trees of any size on city property, their common and botanical name, size (DBH and height), structural and physiological condition, ownership, comments and notes, recommendations, and photos (particularly those requested for removal)
- 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: https://www.burlington.ca/en/services-for-you/resources/Forestry%20Operations/Tree_Protection_and_Preservation/City-of-Burlington-Standard-Specification-for-Tree-Protection-and-Preservation.pdf
- Minimum Tree Protection Zones and Critical Root Zones clearly shown and labeled in addition to tree protection fencing
- Percentage of injury should be clearly shown on the plan and noted in the Arborist Report, and impacts and damage mitigation methods outlined
- Clearly show the excavation limits on the plan (e.g. foundations or footings, trenching, etc.) and discuss damage mitigation measures (e.g. root pruning) in the Arborist Report
- Alternate layouts and construction measures should be considered and discussed in the Arborist Report to ensure any proposed removals are necessary and justified (i.e. there are no alternatives to the removal)
- Abbreviations should be defined and industry standard terminology used
- If removal or damage to trees on neighboring properties or boundary trees is required, provide either: 1) letter of consent from adjacent property owners that they are aware of the proposed development and potential impact to their trees or boundary trees and have no objections, OR 2) the Arborist Report should include preservation methods that can be implemented to mitigate damage to neighboring or boundary trees
- Arborist Report should describe compensatory tree planting if trees are proposed to be removed (layout to be shown on the Landscape Concept Plan)

8) Landscape Concept Plan

- 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
- Includes bar scale
- Identifies the location and general design intent of the proposed landscaped areas and buffers, and outdoor amenity areas

- Identifies minimum required soil volumes, and location of any structural soil cell installation areas to achieve minimum soil volumes ($30m^3$ of soil per tree in a single tree pit, $15m^3$ per tree in a shared planting environment. Excavation for each planting environment should be 0.75m to 1.2m depth and should not exceed 1.5m depth)
- Identifies the location, type and height of proposed fencing
- 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

9) 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.

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) 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 (not a PDF)
- 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 (not a PDF)
- 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

12) Stormwater Management Report

- Please refer to the City of Burlington Stormwater Management Design Guidelines, approved by City Council on June 22, 2020, please be advised of new IDF curves for the City of Burlington: https://www.burlington.ca/en/services-for-you/Stormwater.asp
- 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.

13) 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

14) Urban Design Brief:

- Contains a itemized and detailed analysis 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.

15) 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.

16) Risk Assessments (MIACC & D6)

- Is signed by qualified professional
- Illustrates how the proposal satisfies Provincial D6 Guidelines criteria