



Planning and Development Committee Meeting Agenda

Date: July 9, 2019
Time: 1:00 p.m. and reconvening at 6:30 p.m.
Location: Council Chambers Level 2, City Hall

Pages

1. Declarations of Interest:

2. Statutory Public Meetings:

Statutory public meetings are held to present planning applications in a public forum as required by the Planning Act.

2.1	Recommendation report for a zoning by-law amendment to extend the temporary use to permit entertainment/recreational uses on downtown patios (PB-35-19)	1 - 12
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2.2	Information report for a plan of subdivision and zoning by-law amendment for 143 Blue Water Place and 105 Avondale Court (PB-53-19)	13 - 79
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Note: this item will be discussed at 6:30 p.m.

3. Delegation(s):

In order to speak at a Planning and Development Committee meeting, individuals must register no later than noon on the day before the meeting. To register, complete the online application at www.burlington.ca/delegations, email cityclerks@burlington.ca or phone 905-335-7600, ext. 7481.

4. Consent Items:

Reports of a routine nature, which are not expected to require discussion and/or debate. Staff may not be in attendance to respond to queries on items contained in the Consent Agenda.

4.1	Corrections to 441 Maple Avenue official plan amendment and rezoning applications (PB-56-19)	80 - 95
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4.2	State of the Business Improvement Areas (BIAs) 2019 (PB-03-19)	96 - 116
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4.3	Maple Avenue cycling facilities (PD-05-19)	117 - 118
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5. Regular Items:

- 5.1 Downtown Streetscape Guidelines (PB-50-19) 119 - 179

Note: Appendix A can be accessed at www.burlington.ca/calendar

Note: delegations will not be registered for this item. Delegations can register for this item at the September 10, 2019 Planning and Development Committee meeting.

- 5.2 Red Tape Red Carpet Task Force recommendations (MO-06-19) 180 - 184

Note: delegations will not be registered for this item. Delegations can register to this item at the September 10, 2019 Planning and Development Committee meeting.

- 5.3 Endress & Hauser Canada Limited (PD-04-19) 185 - 185

- 5.4 Recommendation report for official plan and zoning by-law amendments for 1085 Clearview Ave., 1082, 1086 and 1090 St. Matthew's Ave. (PB-31-19) 186 - 299

Note: this item will be discussed at 6:30 p.m.

6. Confidential Items:

Confidential reports may require a closed meeting in accordance with the Municipal Act, 2001. Meeting attendees may be required to leave during the discussion.

7. Procedural Motions:

8. Information Items:

9. Staff Remarks:

10. Committee Remarks:

11. Adjournment:



SUBJECT: Amendment to Zoning By-law 2020 to extend the temporary use to permit entertainment/recreational uses on outdoor patios in the downtown

TO: Planning and Development Committee

FROM: Department of City Building - Planning Building and Culture

Report Number: PB-35-19

Wards Affected: 2

File Numbers: 520-05/19

Date to Committee: July 9, 2019

Date to Council: July 15, 2019

Recommendation:

Approve an amendment to Zoning By-Law 2020 to extend the Temporary Use to permit entertainment / recreational uses on outdoor patios in the Downtown, with a time frame not to exceed three years, as recommended by staff in Appendix B to department of city building report PB-35-19.

Purpose:

The purpose of this report is to provide an update on the Temporary Use By-Law to permit entertainment / recreational uses on patios Downtown, approved in 2016. In August 2019, the three years of the Temporary Use By-Law will expire. This report provides an assessment of the past three years and recommends an extension of three years to the Temporary Use By-Law.

Additionally, the purpose of this report is to address goals in the City's Strategic Plan and Core Commitment: Downtown Vision and Action Plan:

A City that Grows

- Promoting Economic Growth

An Engaging City

- Community Building through Arts and Culture via Community Activities

Core Commitment is Burlington Downtown's vision document. The purpose of Core Commitment is to create "an active waterfront downtown destination that showcases the cultural heart of Burlington". This vision was re-established in 2013 and was the product of significant public consultation with over 1,800 submissions from residents and business owners from the downtown and across the city.

Core Commitment contains a set of guiding principles to assist in decision making related to Downtown. Among the guiding principles is the idea that "a healthy and vibrant downtown means that there is energy and activity; a "buzz", and that "people can expect that they will find something going on when they come downtown." Additionally, part of the vision of Core Commitment includes the Downtown offering a range of choices of things to do.

Background and Discussion:

In August 2016, Council adopted By-Law 34-2016, a By-Law to amend Zoning By-Law 2020, to permit entertainment and recreational uses on outdoor patios in the Downtown (PB-66-16). The adoption of the By-Law was initiated when staff became aware that the already established practice of live entertainers on patios was not permitted through the Zoning By-Law's definition of "Patio: Outdoor":

An outdoor area associated with a permitted restaurant use, located on the same lot as the restaurant, is used on a seasonal basis only and which shall provide tables and seating for patrons to be served meals and/or refreshments for consumption on the premises. Patio seating shall not exceed 50% of the capacity of the restaurant. An outdoor patio shall be used exclusively for dining and **shall not include any recreational or entertainment use or activity.**

It is worth noting that pop-up patios, those located within the city's right of way, do not meet the definition of an Outdoor Patio and as such, are not being considered through this Temporary Use By-Law.

Prior to August 2016, and based on the definition of outdoor patio in Zoning By-Law 2020, as amended, a restaurant was not permitted to have a live entertainer or the like, perform on an outdoor patio, but could perform inside the establishment. Additionally, a restaurant would be permitted to locate portable speakers on an outdoor patio for the purposes of playing pre-recorded music, or to play the music of an entertainer performing inside the establishment.

Given the City's goals of achieving a vibrant and lively downtown, Downtown was identified as a pilot area to test permitting live music (entertainment / recreation) uses

on patios. For the purposes of the pilot, Downtown was defined by the Downtown Mixed-Use Centre (Zones DC, DW, DL-A, DL-B, DL-C, DRH, DRM) and included the commercial, mixed-use zones in the Downtown (not residential areas).

The program was enacted under Section 39 of the *Planning Act* using a Temporary Use By-Law for a three-year period. The permissions of the By-Law were subject to the following conditions:

- Prohibiting the operation of any electronic device intended to amplify sound
- Permitting the outdoor entertainment / recreational uses between the hours of 12:00pm until 10:00pm
- Prohibiting the outdoor entertainment / recreational uses after 6:00pm on Sundays and Holidays
- Limiting the outdoor entertainers to one entity at a time (i.e. only one band or one group or one musical act can perform on a patio at any given time)
- The outdoor entertainment/recreational uses remain subject to all other City By-Laws in effect, including the City's Nuisance and Noise By-Law.

Currently, the permissions and conditions noted above are included in Footnote (j) to Table 6.2.1 in Part 6 and Footnote (f) to Table 6.2.2. of Zoning By-law 2020, as amended. These permissions and conditions will expire on August 17, 2019. The extension to the Temporary Use By-Law will allow this use to be permitted (subject to the same conditions) until August 2022. This extension will allow such uses to be permitted in the downtown with expansion city wide to be considered with the Comprehensive Zoning By-Law Review.

Review of the Pilot Program

Through a joint effort with the Burlington Downtown Business Association (BDDBA), 30 Downtown restaurant establishments were consulted regarding their experiences with entertainment uses on patios since the adoption of the Temporary Use By-Law.

The following questions were asked of Downtown restaurant owners with a patio:

1. Did you provide an entertainment or recreational use, such as a live music performer on your patio in the last 3 years?
2. Did you hear any feedback from patrons or neighbours (positive or negative) regarding your providing an entertainer or recreational use on your patio?
3. Do you think entertainment-type uses should continue to be permitted on Downtown patios?

Ten responses were jointly received by the City and BDDBA. The responses received were positive and all respondents indicated that they felt entertainment and recreational

uses should be permitted on downtown patios, even if they themselves had not taken advantage of the permissions.

Notably, many respondents also indicated the importance of being courteous neighbours and citizens of the downtown and felt that limitations in line with those provided in the By-Law were appropriate. Appendix C provides a summary of all feedback received.

Additionally, staff consulted with the City Building Department's By-Law Enforcement team to better understand the number and nature of complaints related to entertainment and recreational uses on patios in the downtown over the three years of the pilot program. It was indicated that there have not been any formal or informal complaints with respect to entertainment or recreational uses specifically, on patios in the Downtown.

Based on the results indicated above, staff is of the opinion that the program has been successfully implemented in the Downtown. Staff recommends that similar permissions be explored throughout the rest of the City through a detailed analysis of the potential areas where this permission could be implemented as well as their surrounding contexts and existing conflict areas. This review could be completed through the Comprehensive Zoning By-law review.

Connection to other City Initiatives

Staff is proposing that the temporary permission for entertainment uses on patios in the Downtown should be extended for an additional 3-year period. It is anticipated that within the three years of this extension to the Temporary Use By-Law, the City Building Department will initiate the Comprehensive Zoning By-Law review process, upon completion of the review of the new Official Plan. At this time, the city can explore the extension of this permission to areas beyond the Downtown more comprehensively.

Options considered

Staff would like to provide a few options below for Council's consideration:

Staff has considered the option of permitting entertainment / recreational uses on patios city-wide as a pilot project to allow the use to be tested without making permanent changes. Should Council wish to enable a city-wide pilot program, a public notice process could be enabled and the program quickly established.

Staff considered making permanent modifications to Zoning By-Law 2020 to permit entertainment / recreational uses through the City. Staff is of the opinion that the Comprehensive Zoning By-Law review would be a more appropriate opportunity for a

thorough exploration of the implications of permitting entertainment / recreation uses on patios city-wide, taking into account the various unique contexts.

Another option would be to allow the current Temporary Use By-Law to lapse and revert to the former situation where entertainment / recreational uses would not be permitted on outdoor patios, city wide. Staff believes this option would run counter to the city's strategic initiatives and the Downtown strategic plan and vision. Further, staff believes the pilot program has been largely successful and given the lack of complaints related to the use of Downtown patios for entertainment-type use, staff don't recommend this option.

Financial Matters:

Not Applicable

Connections:

Staff have connected with the Burlington Downtown Business Association (BDBA) to understand the impact of the pilot program and appetite to continue to permit entertainment / recreational uses on Downtown outdoor patios. Through the initiative of the BDBA, staff heard from 10 restaurant establishments about their experiences. Staff will continue to work with the BDBA and Burlington Restaurant Association to assist in implementing this program and communicating Council's decision.

Public Engagement Matters:

Like other Zoning By-Law amendment processes, the *Planning Act* requires the City to provide at least 30 days notice of the statutory public meeting for the By-Law and, if the Temporary Use By-Law is approved, a 20-day appeal period will follow.

A public notice was placed in City Update in the Burlington Post on Thursday, May 23rd. As a result of the notice, staff received one phone call for clarification.

Conclusion:

The initial three years of the pilot program have been largely successful in the Downtown. Staff recommends that the program be extended in the Downtown for another three years and subsequently reviewed through the Comprehensive Zoning By-Law Review process for expansion city-wide.

Respectfully submitted,

Jenna Puletto, MCIP, RPP
Special Business Area Coordinator
905-335-7600 ext. 7445

Appendices:

- A. Map of the Temporary Use By-law Boundary
- B. Temporary Use By-law
- C. Downtown Restaurant Survey Feedback

Notifications:

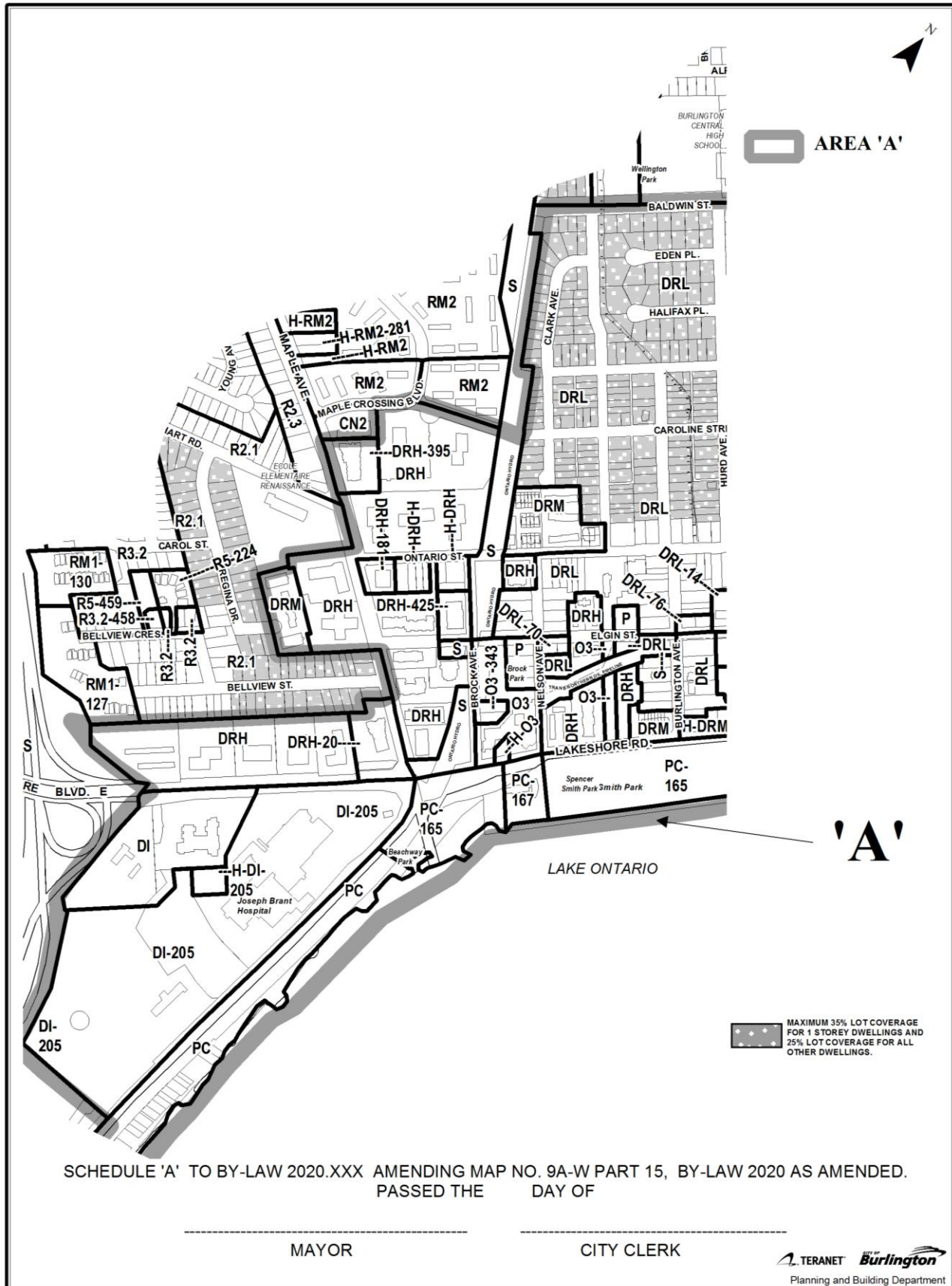
Brian Dean, Executive Director, Burlington Downtown Business Association
brian@burlingtondowntown.ca

Burlington Restaurant Association, c/o Burlington Downtown Business Association

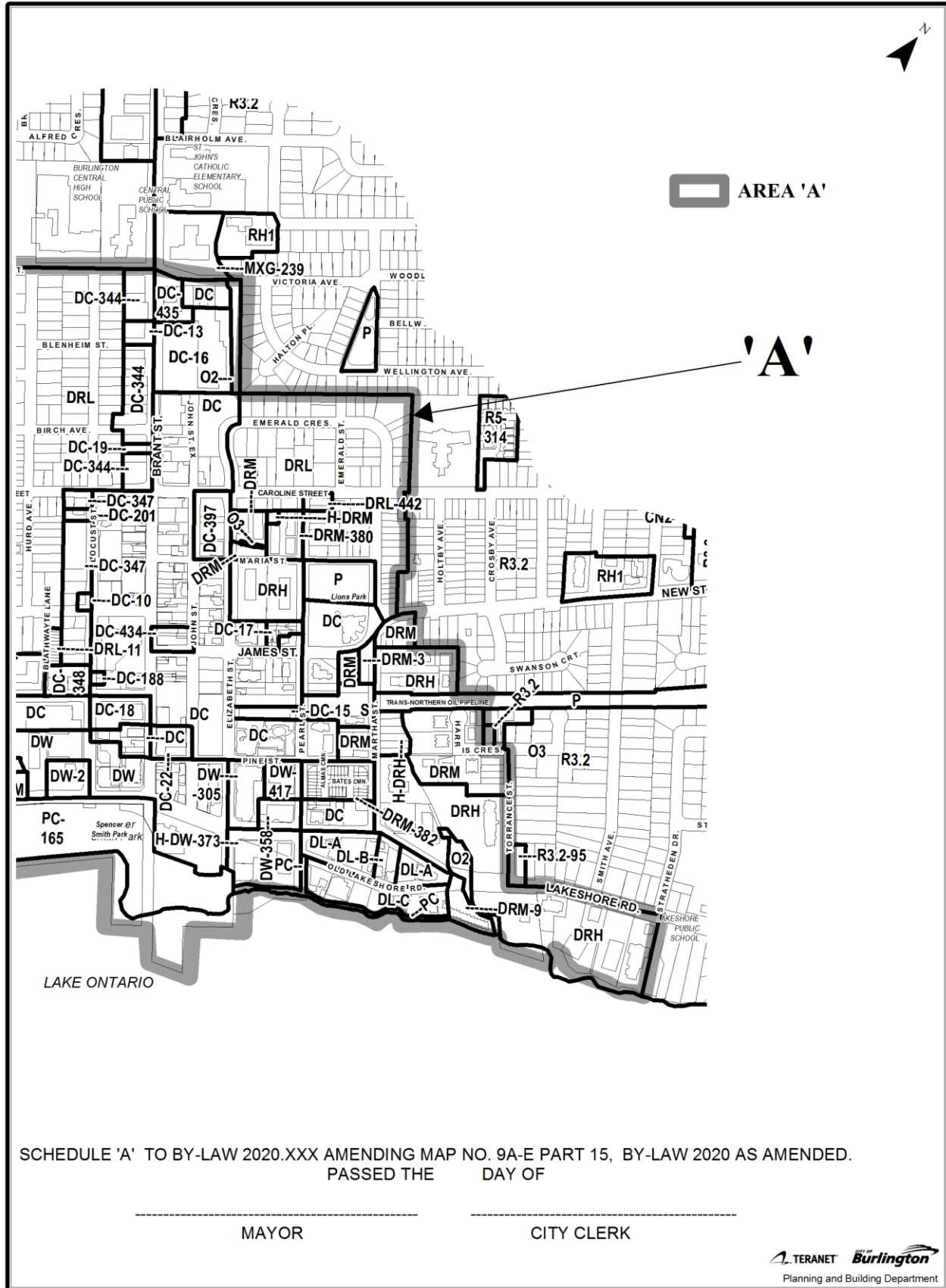
Report Approval:

All reports are reviewed and/or approved by Department Director, Director of Finance and Director of Legal. Final approval is by the City Manager.

APPENDIX A



APPENDIX A



APPENDIX B

The Corporation of the City of Burlington

City of Burlington By-law 2020.411

A By-law to amend By-law 2020, as amended, to permit
entertainment/recreation uses on downtown patios through
a temporary use by-law with a timeframe not to exceed 3 years
File No.: 520-05/19 (PB-35-19)

Whereas through Section 39(1) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, the council of a local municipality may, in a by-law passed under section 34, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited by the by-law; and

Whereas the Council of the Corporation of the City of Burlington approved the Recommendation contained in PB-35-19 on July 15, 2019, to amend the City's existing Zoning By-law 2020, as amended, to permit a temporary use by-law to permit entertainment/recreational uses on Downtown patios;

NOW THEREFORE the Council of The Corporation of the City of Burlington hereby enacts as follows:

1. THAT Zoning By-law 2020 is hereby amended as follows:

a) By adding Footnote (j) to Table 6.2.1 in Part 6 and Footnote (f) to Table 6.2.2 as set out in Schedule 2 to this By-law.

2. AND THAT this By-law shall come into force in accordance with Section 34 of the *Planning Act*.

ENACTED AND PASSED THIS 15th day of July, 2019.

_____ MAYOR

Marianne Meed Ward

_____ CITY CLERK

Angela Morgan

APPENDIX B

SCHEDULE 2

1. Footnote (j) to Table 6.2.1

- a. Outdoor patios shall be permitted to have entertainment and/or recreational uses until July 15, 2022 in accordance with the temporary use by-law in effect subject to the following:
 - i. Electronic devices intended to amplify sound are not permitted.
 - ii. Outdoor entertainment / recreational uses are permitted between the hours of 12:00 pm to 10:00 pm with the exception of Sundays and holidays when such uses are permitted between the hours of 12:00 pm and 6:00 pm.
 - iii. Outdoor entertainers are limited to one entity (one group or performer) at a time.
 - iv. The outdoor entertainment / recreational uses remain subject to all other City by-laws in effect, including the City's Nuisance and Noise By-law.
- b. Upon expiry of this by-law, entertainment and/or recreational uses will no longer be permitted on outdoor patios.

2. Footnote (f) to Table 6.2.2

- a. Outdoor patios shall be permitted to have entertainment and/or recreational uses until July 15, 2022 in accordance with the temporary use by-law in effect subject to the following:
 - i. Electronic devices intended to amplify sound are not permitted.
 - ii. Outdoor entertainment / recreational uses are permitted between the hours of 12:00 pm to 10:00 pm with the exception of Sundays and holidays when such uses are permitted between the hours of 12:00 pm and 6:00 pm.
 - iii. Outdoor entertainers are limited to one entity (one group or performer) at a time.
 - iv. The outdoor entertainment / recreational uses remain subject to all other City by-laws in effect, including the City's Nuisance and Noise By-law.
- b. Upon expiry of this by-law, entertainment and/or recreational uses will no longer be permitted on outdoor patios.

Appendix C: Downtown Restaurant Survey Feedback

1. Did you provide an entertainment or recreational use, such as a live music performer on your patio in the last 3 years?
 Yes: 6
 No: 4
2. Did you hear any feedback from patrons or neighbours (positive or negative) regarding your providing an entertainer or recreational use on your patio?
 - When we had performers on the patio, we had plenty of compliments, and I have not heard about any negative feedback either from neighbours or patrons
 - Yes regular feedback on how enjoyable it is to sit on our patio and listen to local musicians.
 - No
 - Yes, my patrons LOVE the idea of allowing. It gives another reason to enjoy the outdoors.
 - We received an extremely positive response to our musicians who played on our patio. I'll add that they only played during reasonable hours.
 - No, we shut down by 11pm, volume is always a common sense issue. Same with speakers, we shut them off late as well.
 - No
 - No feedback
 - N/A
 - Not our patio, but as a patron we love it.
3. Do you think entertainment-type uses should continue to be permitted on Downtown patios?
 - Yes, I do believe that these uses should be permitted on downtown patios. That being said, the patio owner should still be considerate of surrounding neighbours and patrons. I.e time of day, volume, type. As a note, the attached form says it will "prohibit the use of electronic devices for amplifying sound". I believe that an amplifier of some sort is a key piece to the performance, if not allowed, all acts would be limited to just guitars. In the past we had a keyboard player, which was very popular with our guests, and he would not be able to perform without an amplifier. Also the general ambient noise of downtown is often too high to hear the performer.
 - Yes, it adds to the draw for downtown restaurants.
 - Yes – with the right monitoring (so its not disruptive to other businesses/patios).

- Yes. We should be allowed as long as we adhere to the noise by-laws. 11pm closure.
- Ill admit I wasn't aware that we are currently permitted to have them play outdoors still. I strongly believe that if used appropriately and within reasonable hours music should and does add to the uniqueness of our Downtown. Definitely for it.
- Yes, gives great vibe to the restaurant scene. It's a positive to the downtown vibe and restaurants.
- Yes
- Yes
- Yes. We did not offer live entertainment as we acquired the business in October. We have live music/entertainment in most of our other restaurants and would intend to do so if allowable.
- Yes



SUBJECT: Information report for a plan of subdivision and zoning by-law amendment for 143 Blue Water Place and 105 Avondale Court

TO: Planning and Development Committee

FROM: Department of City Building - Planning Building and Culture

Report Number: PB-53-19

Wards Affected: 4

File Numbers: 510-01/19 & 520-04/19

Date to Committee: July 9, 2019

Date to Council: July 15, 2019

Recommendation:

Receive and file department of city building report PB-53-19 regarding the plan of subdivision and zoning by-law amendment for 143 Blue Water Place and 105 Avondale Court.

Purpose:

The purpose of this report is to provide information for a Statutory Public Meeting concerning applications for a plan of subdivision and to amend the zoning by-law to allow the development of eight residential lots, a public street and blocks for a window-to-the-lake at 143 Blue Water Place and 105 Avondale Court.

The following objectives of Burlington's Strategic Plan (2015-2040) apply to the discussion of the subject application:

A City that Grows

- *Intensification*

The Strategic Plan directs that new and transitioning neighbourhoods be designed to promote easy access to amenities, services, and recreation areas with more opportunities for walking, cycling and using transit. Intensification in older neighbourhoods is to be carefully managed to respect these neighbourhoods and be planned so that growth is financially sustainable.

- *Focused Population Growth*

The Strategic Plan encourages young families, youth, newcomers and seniors to locate in Burlington. Strategic initiatives and indicators for achieving this direction include: future development will be higher density, walkable and accessible; the city will become a leader in walkability and bikeability scores in the province and will be fully aligned with provincial strategy and goals.

A City that Moves

- *Increased Transportation Flows and Connectivity*

The Strategic Plan envisions a city that offers transportation options and actively connects people and places. Walking and cycling is to guide the development of new and transitioning neighbourhoods and the downtown so that people rely less on automobiles.

A Healthy and Greener City

- *Healthy Lifestyles*

Every resident is to live within a 15-20 minute walk from parks or green spaces. The window-to-the-lake will be a component of the City's park network, ensuring that the city's waterfront is easily accessible and accommodates walking and cycling. Progress indicators include: percentage of parks and green space within a 15-20 minute walk for residents; number of trail access points created; and kilometers of trails connected to parks.

- *Environment and Energy Leadership*

The city is to have a healthy natural heritage system that is protected, well connected, conserved and enhanced. Burlington's waterfront is to continue to be clean, safe and usable, and the city is to take a leadership position in ensuring the rehabilitation and preservation of the city's creeks and streams, and in stormwater management and low impact development. The city's urban forest and tree canopy is envisioned to increase and continue to thrive.

An Engaging City

- *Good Governance*

The Strategic Plan directs that new infrastructure needed to support growth is paid for by new development. Residents are involved to enhance sound decisions.

Executive Summary:

RECOMMENDATION:		None. Statutory Public Meeting.	Ward:	4
Application Details	APPLICANT: OWNER: FILE NUMBERS: TYPE OF APPLICATION: PROPOSED USE:	Bloomfield Developments Inc. Same as above. 510-01/19 (24T-19001/B) & 520-04/19 Plan of Subdivision & Zoning By-law Amendment Low density residential; Open space		
Property Details	PROPERTY LOCATION: MUNICIPAL ADDRESSES: PROPERTY AREA: EXISTING USE:	South of Lakeshore Road, between Walkers Line and Appleby Line 143 Blue Water Place & 105 Avondale Court 1.6 ha Low density residential		
Documents	OFFICIAL PLAN Existing: OFFICIAL PLAN Proposed: ZONING Existing: ZONING Proposed:	Residential – Low Density No change Residential Low Density (R1.2) R1.2-XXX; O2		
Processing Details	NEIGHBOURHOOD MEETING: APPLICATION RECEIVED: STATUTORY DEADLINE: PUBLIC COMMENTS:	November 13, 2018 April 17, 2019 October 14, 2019 Number of notices sent: 74 Number of comments received: 13, from 18 individuals		

Background and Discussion:

General

On April 17, 2019, the Department of City Building acknowledged that complete applications had been received for a Plan of Subdivision and to amend the Zoning By-law at 143 Blue Water Place & 105 Avondale Court to support the development of the lands with eight detached lots, a public road, and a window-to-the-lake. The purpose of this report is to provide an overview of the application, an outline of applicable policies and regulations, and a summary of technical and public comments received to date. This report is intended as background information for the statutory public meeting.

Site Description

The subject site has an area of 1.6 ha, with approximately 15 m of frontage on Lakeshore Road, 15 m of frontage on Avondale Court and 105 m bordering on Lake Ontario. The site is located south of Lakeshore Road, between Shoreacres Road and Appleby Line. The site is currently developed with two single detached homes, and consists of two parcels:

- 143 Blue Water Place is approximately 0.7 ha, with frontage on Lakeshore Road, and 3.5 m bordering on Lake Ontario. This parcel includes part of a private laneway (Blue Water Place (BWP)) that is used by 9 other houses on BWP for access to Lakeshore Road. The east-west jog of BWP is privately owned by 4346 Blue Water Place, and is outside of the subject site.

There are a number of individual private water and sanitary lines underneath BWP, connecting houses fronting BWP to the municipal systems at Lakeshore Road. The majority of houses fronting BWP, including the existing houses at 143 Blue Water Place and 105 Avondale Court, are currently using septic systems.

- 105 Avondale Court is approximately 0.91 ha, bordering on Lake Ontario and Avondale Court. An unregulated drainage feature runs along the east side of the property. The driveway of 105 Avondale is used as a shared access way to Avondale Court with the adjacent property to the east (113 Avondale Court).

In 2016, the site was the subject of a Zoning By-law Amendment application (520-07/16) for 35 townhouse units and 4 semi-detached dwellings. The application was refused by City Council in 2016 and by the Local Planning Appeal Tribunal in July 2018.

Through the previous application, 12 Butternut Trees (an endangered species protected under Ontario's *Endangered Species Act*), were identified on the site.

Surrounding Land Uses

The site is surrounded by low density residential uses (single detached dwellings) to the north, east and west, and Lake Ontario to the south.



Figure 1 – Air photo (2017) with the subject property outlined

Description of Application

As shown on Sketch No. 2 (Appendix A) and Figure 2 (p.10), the applicant proposes to develop the lands with eight, two-storey, single detached houses fronting a public road. Approximately 1 ha of the site is proposed to be dedicated to the City for a public road, a window-to-the-lake / waterfront trail with public access from Blue Water Place (Blocks 2 & 3), and for the protection of hazardous lands associated with the Lake Ontario shoreline and of the existing drainage feature (Block 1).

The proposed development has a density of 12.9 units per net hectare, excluding proposed land dedications.

To facilitate the development, the applicant has applied for a Plan of Subdivision consisting of 8 lots, 3 blocks and a public road. The applicant has also applied to rezone the lands from “Low Density Residential (R1.2)” to “Low Density Residential (R1.2-XXX)” and “Open Space (O2)”. The proposed Zoning By-law Amendment is for reductions in lot area, lot width, yard setbacks, building setback abutting a creek block, and increases in lot coverage and dwelling depth.

The existing 143 Blue Water Place laneway is proposed to be extended southwards, reconstructed to meet City standards, and transferred to the City as a public road. The proposed road includes a sidewalk on one side, and will also include street lighting to municipal standards.

Existing private lines under the 143 BWP laneway are proposed to be replaced with municipal water and wastewater mains and connections. Houses fronting 4346 BWP will have their private lines replaced with the new municipal system under and up to the limits of 143 BWP, and remain unchanged beneath 4346 BWP.

Supporting Documents

The applicant has submitted the following materials in support of the application:

- [Concept Plan](#), prepared by UrbanSolutions, dated March 15, 2019
- [Draft Plan of Subdivision](#), prepared by UrbanSolutions, dated March 2019 and signed by Surveyor on April 1, 2019
- [Proposed Zoning By-law Amendment](#)
- [Planning Justification Report](#), prepared by UrbanSolutions, dated April 2019
- [Functional Servicing & Stormwater Management Report](#), prepared by The Odan/Detech Group Inc., dated March 2019
- [Preliminary Grading Plan](#), prepared by The Odan/Detech Group Inc., last revised March 28, 2019
- [Preliminary Servicing Plan](#), prepared by The Odan/Detech Group Inc., last revised March 28, 2019
- Plan & Profile of Road, [Drawing 1](#) & [Drawing 2](#), prepared by The Odan/Detech Group Inc., last revised March 28, 2019
- [Height Survey](#), prepared by The Odan/Detech Group Inc., last revised March 28, 2019
- [Tree Inventory and Preservation Plan Report](#) and associated [Tree Inventory & Preservation Plan](#), [Tree Protection Fencing Details](#), and [Tree Table](#), prepared by Natural Resource Solutions Inc., last revised March 26, 2019, and Reliance Letter dated March 25, 2019
- [Landscape Plan](#), prepared by Geometric Studio Inc., dated March 28, 2019
- [Traffic Impact and Parking Study](#), prepared by Cole Engineering, dated May 2016, and [Reliance Letter](#) dated March 22, 2019
- [Noise Feasibility Study](#), prepared by Rubidium Environmental Inc., dated January 11, 2019
- [Shadow Study](#), prepared by TrolleyBus Urban Development, dated March 25, 2019
- [Phase One Environmental Site Assessment](#), prepared by Candec Engineering Consultants Inc., dated April 25, 2018, and [Reliance Letter](#) dated January 11, 2019

- [Stage Two Archaeological Report](#), prepared by Archaeological Consultants & Contractors, dated August 28, 2018
- [Geotechnical Investigation](#), prepared by Terraprobe Inc., last revised March 27, 2019
- [Topographic Survey](#), prepared by Ashenhurst Nouwens Ltd., signed by Surveyor on June 10, 2011
- [Environmental Site Screening Questionnaire](#), completed by UrbanSolutions, dated February 13, 2019
- [Plan of Survey](#), prepared by Ashenhurst Nouwens & Associates Inc., completed on February 22, 2019
- [Correspondence with Ministry of Natural Resources Regarding Butternut Trees](#)
- [Cover Letter](#), prepared by UrbanSolutions, dated April 3, 2019

All of the supporting documents have been published on the City's website for the subject application, www.burlington.ca/BluewaterAvondale.

Policy Framework

The proposed Plan of Subdivision and Zoning By-law Amendment are subject to the following policy framework: Provincial Policy Statement (2014), the Growth Plan for the Greater Golden Horseshoe (2019), Region of Halton Official Plan, City of Burlington Official Plan, and the City of Burlington Zoning By-law 2020. A discussion of conformity with the provincial and regional documents will be addressed in the subsequent recommendation report.

Provincial Policy Statement, 2014

The Provincial Policy Statement (PPS) provides broad policy direction on land use planning and development matters of provincial interest. The PPS provides policies for appropriate development and land use patterns that make efficient use of land and infrastructure, protect natural resources and public health and safety, and facilitate economic growth.

The PPS directs that growth and development be focused in settlement areas, but away from natural heritage features and areas and natural and human hazards, such as hazardous lands adjacent to Lake Ontario and river, stream and inland lake systems that are impacted by flooding, erosion and/or dynamic beach hazards. Planning authorities are also required to protect, improve or restore the quantity and quality of water by, among other things, ensuring stormwater practices that minimize stormwater volumes and contaminant loads and maintain or increase the extent of vegetative and pervious surfaces.

Within settlement areas, land use patterns are to be based on densities and a mix of land uses that efficiently use land, resources, infrastructure, and public service facilities,

and support active transportation. The PPS also directs that healthy, active communities should be promoted by planning public streets and spaces to be safe, meet the needs of pedestrians, and facilitate active transportation; and by providing a full range of publicly accessible settings for recreation and opportunities for public access to shorelines.

Growth Plan for the Greater Golden Horseshoe, 2019

The new Growth Plan for the Greater Golden Horseshoe (Growth Plan) came into effect on May 16, 2019. All planning decisions made on or after May 16, 2019 must conform to the Growth Plan. The Growth Plan builds on the policy foundation set out in the PPS and provides a framework for managing growth and achieving complete communities in the Greater Golden Horseshoe. Complete communities are defined in the Growth Plan as places that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living.

Among the Growth Plan's policies are policies that encourage municipalities to develop a system of publicly-accessible parkland, open spaces and trails, including in shoreline areas, that clearly demarcates where public access is and is not permitted, and is based on a coordinated approach to trail planning and development, and good land stewardship practices for public and private lands (Growth Plan, 4.2.5).

Halton Region Official Plan (ROP)

The subject lands are designated as Urban Area and Regional Natural Heritage System in the Halton Region Official Plan (ROP). The ROP states that the range of permitted uses within the Urban Area shall be in accordance with local official plans and zoning by-laws. However, all development is subject to the policies of the ROP.

The shoreline of Lake Ontario is designated Regional Natural Heritage System. The objectives of this designation include to protect and enhance the waterfront as a major resource that is part of the Provincially significant Lake Ontario and Burlington Bay shoreline. Policies regarding development or redevelopment applications adjacent to Lake Ontario include requirements for proponents to investigate and implement shoreline protection measures to the satisfaction of Conservation Halton and the City, as well as encouragement to local municipalities to obtain suitable waterfront property along Lake Ontario for public access and as part of a continuous trail system along or adjacent to the waterfront (ROP, 118.(15)(a) & (d)).

City of Burlington Official Plan

The property is designated "Residential – Low Density" on Schedule B, Comprehensive Land Use Plan – Urban Planning Area of the Official Plan. This designation permits single-detached and semi-detached housing units with a maximum density of 25 units per net hectare. (Official Plan, Part III, 2.2.2)

The applicant is proposing 8 single detached units, with a density of 12.9 units per net hectare. The calculation of density excludes the proposed public road and waterfront and drainage feature blocks.

Criteria for Residential Intensification within Established Neighbourhoods

The Official Plan provides criteria to be considered when evaluating proposals for residential intensification within established neighbourhoods. These criteria include the adequacy of municipal servicing and off-street parking, capacity of the transportation system to accommodate any increased traffic flows, level of significant sun-shadowing on adjacent properties, and compatibility and transitioning between existing and proposed buildings. (Official Plan, Part III, 2.5.2)

Waterfront Policies

The Official Plan also provides principles, objectives and policies to guide planning and development of property adjacent to the Lake Ontario/Burlington Bay shoreline. The Official Plan expresses that a publicly accessible and connected waterfront, consisting of parks, trails and windows-to-the-lake) is important for citizens to participate in a variety of waterfront activities; its objectives include to establish more areas of publicly accessible waterfront and to enhance public accessibility to the waterfront through land acquisition (Official Plan, Part II, 9.1, 9.3 & 9.4).

Accordingly, the Official Plan states that Council shall encourage the acquisition of land to create new or add to existing windows-to-the-lake (9.3.2 c)). Also, a continuous waterfront trail, comprised of a shoreline trail and a near-shoreline trail in the general vicinity of the Lake and connected to existing public waterfront areas will be implemented through development and/or redevelopment (9.3.2 i)).

Development proposals along the waterfront “shall *provide for public open space and a Waterfront Trail use, where feasible*” (9.4.2a)). Policy 9.4.2d) requires a minimum 15 m wide strip of land from the stable top of bank to be dedicated to the City as part of the fulfillment of parkland dedication. Furthermore, where there is sufficient distance between the roadway and the waterfront to accommodate both the development and the waterfront trail, the proponent is also required to dedicate to the City lands below the stable top of bank and links to public roadways and public open spaces, and carryout shoreline protection, basic grading, and any required fencing as a condition of approval (9.4.2).

The Official Plan also provides policies to ensure that all activities and future development surrounding the waterfront are clean, open, green, attractive, environmentally sustainable and that the waterfront environment and ecosystem is protected and enhanced. These policies include requirements for public parks to be designed to be safe, attractive and inviting, and to visually separate private and public open spaces (9.2.2; 9.3.2). Public waterfront areas are also to be accessible by all

means of transportation while maintaining a pedestrian-oriented atmosphere (9.3.2 g, h)).

Other Policies (e.g. Stormwater Management, Transportation)

Other policies of the Official Plan include policies related to the implementation of stormwater management controls, and the development and maintenance of the City's transportation system, among other matters. An analysis of the proposal according to the City's Official Plan, including the intensification, waterfront, stormwater management and transportation policies, will be provided in the future recommendation report.

City of Burlington Adopted Official Plan, 2018

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

City of Burlington Zoning By-law 2020

The lands are currently zoned "Residential – Low Density (R1.2) in the City's Zoning By-law 2020. Single detached dwellings are permitted. Table 1 below outlines the requirements for the R2.1 zone, what is proposed by the applicant, and whether site specific provisions would be required. It should be noted that this chart is based on a preliminary review by staff.

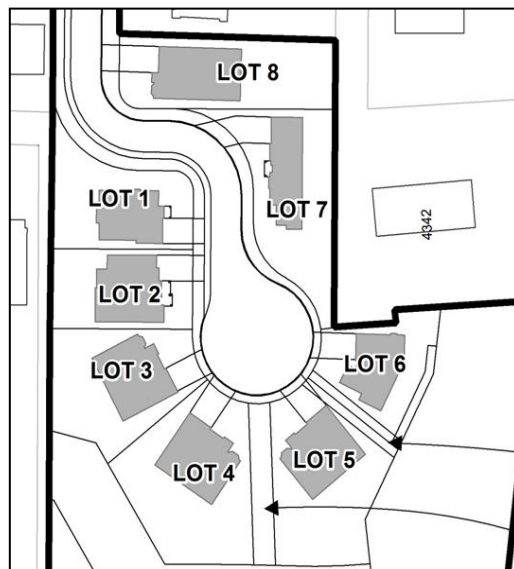


Figure 2 – Proposed Lot Layout

Table 1 – Comparison of Existing Regulations and Proposal

	Required (Minimum unless otherwise noted)	Proposed (bold = site specific provision required)							
		Lot 1	Lot 2	Lot 3	Lot 4	Lot 5	Lot 6	Lot 7	Lot 8
Lot Width	24 m	17.8 m	18 m	18.4 m	20 m	19 m	18.4 m	46.2 m	16.7 m
Lot Area	925 m ²	669 m²	595 m²	795 m²	985 m ²	905 m²	593 m²	831 m²	811 m²
Front Yard	9 m	6.7 m	6.6 m	7 m	7 m	7 m	6.7 m	3.5 m	7.4 m
Rear Yard	9 m; 4.5 m on a corner lot	10.5 m (corner)	10.4 m	8.2 m	9.5 m	6.3 m	7 m	7.5 m	21.8 m (corner)
Side Yard (for dwellings with an attached garage)	10% of lot width; Street side yard: 9 m i.e. given proposed lot widths: Lot 1 – 1.7 m; 9 m street side Lot 2 – 1.8 m Lot 3 – 1.8 m Lot 4 – 2.0 m Lot 5 – 1.9 m Lot 6 – 1.8 m Lot 7 – 4.6 m Lot 8 – 1.6 m; 9 m street side	4.2 m (street side); 1.3 m (interior)	1.3 m (north); 1.5 m (south)	1.2 m (north); 2.1 m (south)	3.1 m (west); 2.2 m (east)	1.8 m (west); 2.3 m (east)	3.2 m (south); 1.6 m (north)	20+ m (south); 1.8 m (north)	2.5 m (north); 2.1 m (street side); 1.8 m (south)
Setback of all buildings and structures from a creek block, O2 or O3 zone	7.5 m; 4.5 m if block includes a 3 m buffer	--	--	--	--	6.3 m	7 m	--	--
Lot Coverage (for two storey dwellings with an attached garage)	Maximum 35%, including accessory buildings	25.7%	37.1%	27.7%	22.2%	24.4%	28.5%	21.4%	28.9%

	Required (Minimum unless otherwise noted)	Proposed (bold = site specific provision required)							
Building Height	Maximum 2.5 storeys to 13 m	2 storeys							
Dwelling Depth	No maximum	Lot 1	Lot 2	Lot 3	Lot 4	Lot 5	Lot 6	Lot 7	Lot 8
		15.7 m	16 m	14.3 m	14.3 m	14.3 m	12.7 m	7.7 m	20.7 m
Architectural Features	Height of columns on first storey shall not exceed the height of the ceiling of the first storey.	No exemption proposed.							
Garages	<ul style="list-style-type: none">Width shall not exceed 50% of width of building elevation;Not permitted to project beyond the front wall on the first storey of a dwelling	No exemption proposed.							
Parking	2 spaces / unit, one of which may be provided in an attached or detached garage	4 parking spaces / unit (2 in garage, 2 in driveway)							
Driveway Widths and Landscape Open Space Area	Varies depending on length of front lot line	No exemption proposed.							
1-storey unenclosed porch encroachment into required front yard	Maximum 0.65 m	Setback of porch from front lot line to be confirmed.							
Floor Area Ratio	N/A – Site is not within a Designated Area for Lot Coverage								

Technical Comments

The rezoning and draft plan of subdivision applications were circulated to internal staff and external agencies for review. Not all comments have been received for this application. The following is a summary of the comments that have been received to date. Staff will address technical concerns and/or recommended conditions submitted by these agencies in the recommendation report.

City Parks & Open Space

City Parks & Open Space staff comment that in accordance with the City's Official Plan policies, the proponent is required to dedicate to the City lands below the stable top of bank as a condition of development or redevelopment. Also, a minimum 15 m strip of land from the stable top of bank along the entire width of the shoreline will be dedicated to the City as part of the fulfillment of parkland dedication for the establishment of a window-to-the-lake, along with a 5 m-wide public access to the window-to-the-lake and trail to provide public access and access for future shoreline maintenance and repairs. If the value of the park dedication exceeds the normal park dedication, the proponent would receive compensation for the difference.

The proponent will carry out a survey and undertake basic grading of the site for the window-to-the-lake and trail including construction of shoreline protection to the satisfaction of the City and Conservation Halton.

School Boards

Halton District School Board and Halton Catholic District School Board staff comment that they have no objection to the proposed applications. Elementary students generated from the development will be accommodated at Mohawk Gardens Public School, Frontenac Public School and St. Raphael Catholic Elementary School. High school students will be accommodated at Nelson High School and Assumption Catholic Secondary School.

Bell Canada

Bell Canada staff comment that their standard condition applies for the plan of subdivision. Bell Canada staff also advise that prior to commencing any work, the developer must confirm that sufficient wire-line communication/telecommunication infrastructure is available. The developer is required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure, if infrastructure is not currently available.

Financial Matters:

The applications are being processed in accordance with the required development application fees. Any additional financial matters will be addressed in the future recommendation report.

Public Engagement Matters:

The applicant held a Neighbourhood Meeting on November 13, 2018 at Pineland Baptist Church, prior to submission of the application. Approximately 35 residents, Ward Councillor Stolte, and City Planning staff attended the meeting.

The application was subject to the standard circulation requirements for a property in the urban area. A public notice and request for comments were circulated in May 2019 to all property owners and tenants within 120 m of the subject site. 74 households were circulated. A notice sign was posted on the property in May 2019.

A webpage was created on the City of Burlington website, accessible at www.burlington.ca/BluewaterAvondale. This webpage provides information about the subject application including dates of public meetings, links to supporting studies, and contact information for the applicant's representative and the Department of City Building.

Public Comments

In response to public circulation, staff received 13 comments from 18 members of the public on the subject application. A copy of the public comments received is attached as Appendix B to this report. The general themes of the written comments are summarized below:

- Opposition to window-to-the-lake / waterfront trail
 - Opinions that need for park is low due to proximity to Paletta Park, lack of interest from current residents of Blue Water Place and Secord Lane, and lack of parking on BWP for visitors
 - A waterfront trail connecting to Paletta Park via Secord Lane and to the west via Avondale Court is not possible
 - Concerns about privacy for houses that are proposed to back onto park and trespassing on Avondale Court
 - Concerns about safety of park due to steep slope to lake and limited visibility of park from street
 - Concerns about cost to City to maintain the park and shoreline protection works

- Eliminating parkland dedication would allow developer to reduce the number of lots and develop lots that are in conformity to the Zoning By-law 2020 without reducing the profitability of project for developer
 - Collect cash-in-lieu of parkland to improve existing Windows-to-the-Lake that are unsafe and in disrepair
- Historic flooding and maintenance issues associated with existing drainage feature
 - Concerns about costs to the City to maintain the drainage feature if City assumes ownership
 - Concerns that the proposed development would exacerbate current flooding problems associated with the drainage feature
- Opposition to sidewalks and street lights on proposed public road
 - Concern that sidewalks would remove green space and damage roots of existing trees
 - Opinion that sidewalks and streetlights are not needed because current and future residents currently/will rarely walk on the street
 - Concern that sidewalks would worsen existing flooding concerns on BWP
- Concerns about privacy and sun-shadowing impacts of proposed development on rear yard and trees of 4342 Blue Water Place; privacy impacts on 153 BWP; and general concerns about compatibility of number of lots with existing neighbourhood
- Concerns that proposed zoning by-law amendment will set precedence for future development on BWP, Secord Lane and the surrounding area
 - Number of lots should be reduced and proposed Window-to-Lake eliminated so that developer can develop larger lots that are in conformity to the Zoning By-law 2020
 - Concern that proposed development does not reflect the unique character of the area
- 105 Avondale driveway
 - Current driveway is in disrepair due to historic flooding events
 - Concerns about safety; suitability of driveway for construction vehicles, lighting; snow removal; and use of driveway as access point to future window-to-the-lake/waterfront trail
- Concern about loss of trees and other vegetation and impacts to existing wildlife; existing vegetation and wildlife should be protected
- Traffic and Parking
 - Proposed “S” configuration of BWP will result in speeding and visibility problems. Suggestion for a speed bump to be installed near the BWP and Lakeshore Road
 - Concern about impact of development on traffic and street parking on BWP
- Concern about parking, mud and dust impacts on BWP residents during construction, and request for construction parking and road clean up plan

- Interest in seeing 4346 Blue Water Place laneway become a public road with municipal services

The questions and concerns raised in the public's written comments, as well as those raised at the Statutory Public Meeting, will inform staff's review of the application.

Conclusion:

This report provides a description of the subject applications and an update on the technical and public review that are underway. A subsequent report will provide an analysis of the proposal in terms of applicable planning policies and will provide a staff recommendation on the proposed application.

Respectfully submitted,

Rebecca Lau

Planner I

905-335-7600 Ext. 7860

Appendices:

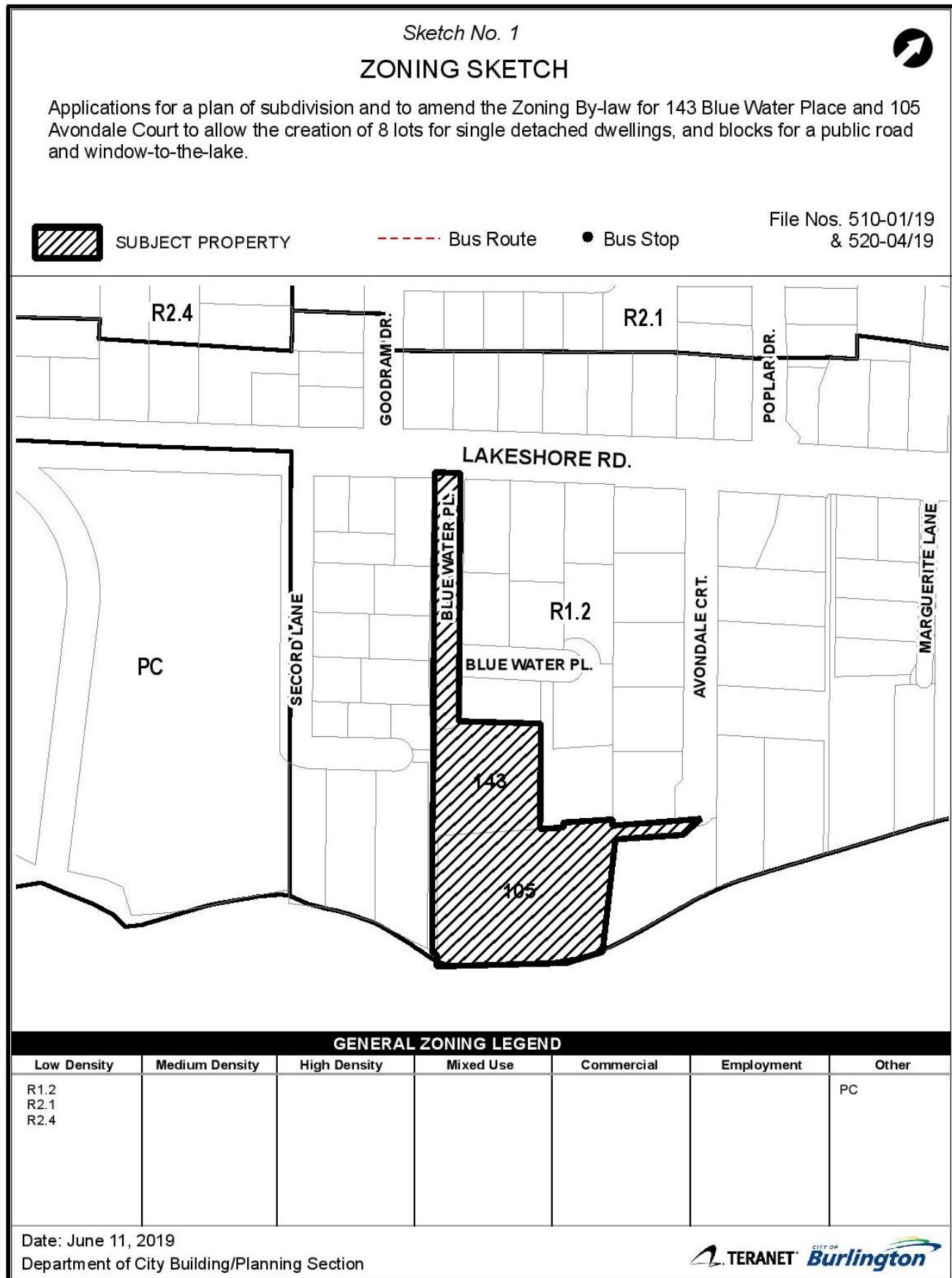
A. Sketches

B. Public Comments Received to Date

Report Approval:

All reports are reviewed and/or approved by Department Director, Director of Finance and Director of Legal. Final approval is by the City Manager.

Appendix A – Sketches



Sketch No. 2
DETAIL SKETCH

Applications for a plan of subdivision and to amend the Zoning By-law for 143 Blue Water Place and 105 Avondale Court to allow the creation of 8 lots for single detached dwellings, and blocks for a public road and window-to-the-lake.

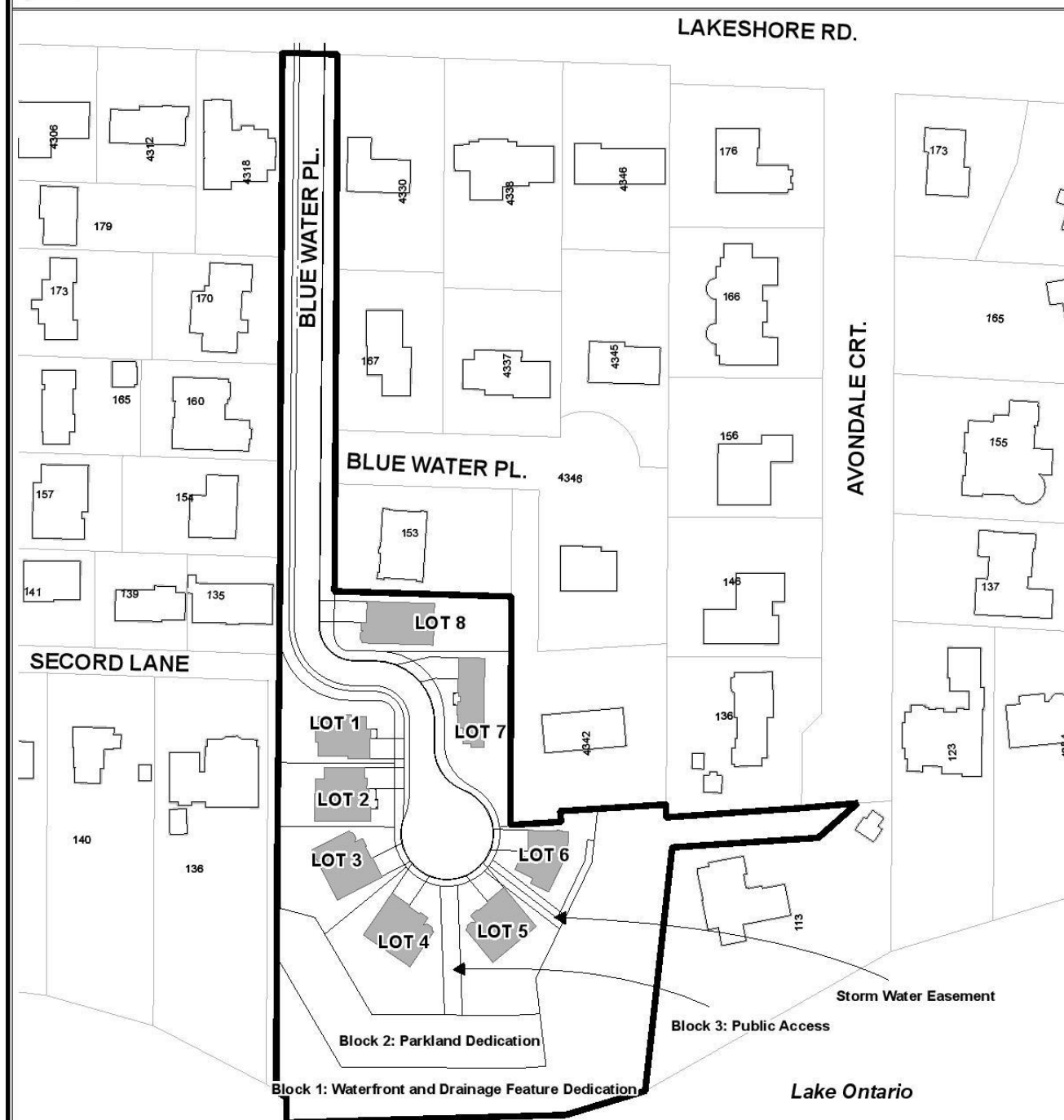


SUBJECT PROPERTY



PROPOSED 2 STOREY DWELLING

File Nos. 510-01/19 &
520-04/19



Date: June 11, 2019
Department of City Building/Planning Section



Appendix B – Public Comments Received

#	Name & Address	Date Received (by email unless otherwise stated)	Comments
1.	Joanne & Gerald Godin 139 Secord Lane	May 9, 2019	<p>Hello: I am writing regarding the Planning Application submitted by Bloomfield Developments Inc, for the site at 143 Blue Water Place and 105 Avondale Court.</p> <p>I have attended most of the hearings and meetings in the past, and am on the executive of the Secord Lane Homeowners Association. One large concern with the proposal is regarding the dedicated waterfront trail. We understand that the city is insisting on this, not the developer. This plan would severely impact Secord Lane residents, as it abutts our properties and our waterfront access. We are a private lane and enjoy our easement to the waterfront lookout. This would be a disaster if the public were to be walking this area. They would likely see no reason not to walk on our private lane and easement, and In addition there is no parking available on Blue Water. The proposed homes are very limited in lot size, and the dedicated waterfront and public access means the developer had to propose even smaller lots for his proposed eight homes.</p> <p>Secord Lane is very concerned about the destruction of more trees on the Blue Water Property, the impact of the construction on lands directly aligned with ours, and the size of the proposed lots which are not consistent with this area.</p> <p>Many of the homes on Secord are multi million dollar properties, and the residents have enjoyed a quiet lifestyle (and have paid to enjoy this both in taxes and price paid for homes), for over 60 years.</p> <p>Intensification should not occur where it is located within an area of primarily 100 ft lots, and many properties worth 4 and 5 million dollars.</p> <p>Many of our concerns have been raised with the previous application and this has not changed with the exception that the newly proposed waterfront trail is ludicrous on such a small area, particularly with Paletta Park within a couple of hundred yards. With the divide between Secord Lane and Blue Water being unrecognizeable the impact on our street would be devastating.</p> <p>Please let me know if you have any questions. Thank you.</p> <p>Joanne and Gerald Godin (139 Secord Lane)</p>
2.	J.P. Cooper 156 Avondale Court	May 9, 2019	<p>Dear Ms Lau,</p> <p>I am providing my written comments concerning the planning application related to 143 Blue Water Place & 105 Avondale Court, Files:510-01/19 & 520-04/19.</p> <p>I reside at 156 Avondale Court in Burlington and I have reviewed the documentation and information related to the planning application provided</p>

			<p>at the webpage for the file.</p> <p>I will begin by acknowledging that the application is certainly more reasonable than the previous application in 2016 which sought approval for a development of 39 townhomes. The residents in the affected area have faced uncertainty since 2016 including the city of Burlington planning application and the appeal to the Ontario Municipal Board. Unfortunately, the current application raises several major concerns which I will now outline in more detail.</p> <p>1) the applicant is requesting a zoning by-law amendment.</p> <p>I believe the application must follow the current official plan and zoning by-laws.</p> <p>A principal reason we purchased our home on Avondale Court was the unique character of the area. Large lots with single family homes near Lake Ontario and with a plethora of flora and fauna are hallmarks of this area.</p> <p>The official plan and zoning by-laws are essential to maintain that unique character of the area. Although, intensification is a priority of the city of Burlington and the province of Ontario, the subject area is not one where that is the goal.</p> <p>By amending zoning by-laws and not following the official plan as requested by the applicant, this makes the zoning by-laws and official plan a pointless venture.</p> <p>This would set a precedent for others to develop the area and other areas without regard for the carefully structured official plan and zoning by-laws which would be so easily amended. The result would be a city with no cohesive structure and an unappealing density and layout for residents.</p> <p>2) The waterfront area is one of the great assets and attractions to living in Burlington and Halton Region. The proposed development of the properties on the waterfront will create damage to the wonderful flora and fauna in the area and create potential environmental issues.</p> <p>Protecting the environment in Burlington and the nature we are so privileged to enjoy should be a priority since once a development takes place this is irreversible.</p> <p>This development will impact the shoreline of Lake Ontario and the creek despite the developer's reports asserting this would be minimal.</p> <p>There are countless trees including butternut trees and other vegetation, a diverse wildlife including many species of birds, rabbits, chipmunks, squirrels, frogs, snakes, insects, coyotes, foxes and we have even had a beaver in the creek in our garden.</p> <p>The impact of the development must protect this flora and fauna.</p> <p>Yet, the reports are rather dismissive. The removal of 135 trees will impact the beautiful tree canopy and the flora and fauna with potential serious environmental impact.</p> <p>The document from the developer even argues that 52 of the 135 trees</p>
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		<p>should not require compensation (Tree Inventory and Preservation Plan p. 13 5.0 paragraph 1).</p> <p>3) the impact on traffic is again downplayed in the report submitted by the developer (Traffic Impact and Parking Study).</p> <p>In recent years, the volume of traffic on Lakeshore Road has increased considerably with no change to the road.</p> <p>I have no expertise in this area, but the addition of 8 homes with 2-3 vehicles each will add 16-24 vehicles exiting and entering Blue Water Place several times daily.</p> <p>This number could increase considerably on holidays and at other times with visitors.</p> <p>This will impact traffic in the area with increased congestion on Lakeshore Road preventing residents in the area from exiting or entering their own streets in a timely manner. It also increases the environmental impact of fossil fuel and safety for pedestrians and those in vehicles.</p> <p>Just this week, it took 5 minutes to turn from Lakeshore Road onto Avondale Court.</p> <p>Also, it will be unpleasant for pedestrians with cars lined up to turn on side streets with no sidewalks and a possible safety risk.</p> <p>Also, side streets will be full of parked cars of visitors to the homes on Blue Water especially on holidays.</p> <p>4) the impact on noise of an additional 16-24 residents , 16-24 vehicles and resulting road traffic and social events held by these owners with many visitors is unclear.</p> <p>The report again downplays any impact. In my opinion, this assertion defies common sense.</p> <p>5) I was not clear on the pedestrian access to the Window on the Lake and if Avondale Court will be an access point. This will change the character of a quiet area with foot traffic and those walking their dogs.</p> <p>I do recognize that the current proposal is a substantial improvement to the previous application, but I do have the concerns outlined.</p> <p>I hope my comments are helpful as you explore your position on this situation.</p> <p>Please keep me updated re notices of meetings and any other developments.</p> <p>Thank you for your attention to this matter,</p> <p>Sincerely,</p> <p>J.P.Cooper</p> <p>156 Avondale Court</p>
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3.	Maggie Li 4337 Blue Water Place	May 14, 2019	<p>Hi,</p> <p>I have received the survey for proposed land change.</p> <p>I am the owner of 4337 blue water Place, I like to ask if the private street along the side to 4345/4346 also become to public road and municipal water and sanitary service?</p> <p>thanks,</p> <p>Maggie</p>
4.	Larry Hambly 154 Blue Water Place	May 23, 2019	<p>The requirements for approval of the Blue Water Place/Avondale Court development must include:</p> <ol style="list-style-type: none"> (1) A parking plan during construction. (2) A road cleanup plan during construction. (3) A speed bump. <p>Parking During Construction</p> <p>Blue Water Place is a private road which is owned by 143 Blue Water Place. The road allowance is 15.67 metres wide with a paved section six metres wide. Resident's lawns occupy approximately 6 metres on the east side and 3.7 metres on the west side.</p> <p>During construction there will be 10 to 20 sub-contractor vehicles plus delivery trucks at all times. There will be limited parking on-site. Since the developer owns sections of our front lawns, vehicles could legally park on our front lawns. In any case, residents will be subjected to an obstacle course weaving around vehicles for a few years.</p> <p>There will be no paved parking on-site during construction. Trucks will park on this dirt covered, muddy area and track dirt and mud down the street.</p> <p>In order to limit disruption to the lives of Blue Water Place residents, a formal parking plan is required to limit on-street parking. A road cleanup agreement is also required to limit the dust from the road.</p> <p>Speed Bump</p> <p>The site plan includes a sharp S curve inside the development. This is a safety hazard. There will be a blind corner when exiting this S curve. When cars turn a sharp corner they immediately speed up. If cars are backing out of their driveways immediately north of this curve, there is potential for a serious accident. Selva Chelliah has agreed that a speed bump placed north of the exit will minimize the safety hazard.</p> <p>Thank you for your consideration. Larry Hambly 154 Blue Water Place</p>

5.	Richard J. Hamilton 160 Blue Water Place	May 26, 2019	<p>Dear Ms Lau</p> <p>Please find attached for your consideration my written comments and opposition to this this development as it is currently proposed.</p> <p>Thank you.</p> <p>R. J. Hamilton</p> <p>----</p> <p>Attention; Rebecca Lau</p> <p>C.C. Councilor Shawna Stolte</p> <p>Files; 510-01/19 & 520-04/19</p> <p>M/s Lau,</p> <p>While we are in support of a development on 143 Blue Water Place and 105 Avondale Court we are opposed to the current proposal that includes a change in zoning to R1.2 site specific to accommodate the plan as submitted by Bloomfield Developments.</p> <p><u>ZONING</u></p> <p>If approved this site specific zoning change will set a major precedent in the area and lead to numerous other severances on Blue Water Place, Secord Lane and other nearby R1.2 zoned areas.</p> <p>We believe a fewer lot plan would allow the properties to more closely conform to R1.2 zoning without additional cost to the developer.</p> <p><u>Deviation from R1.2 zoning:</u></p> <p>In order to accommodate 8 home sites into the net area the developer has designed lots that completely deviate from R1.2 zoning, None of the lots conform to R1.2 zoning specifications in lot frontage, lot area, front yard setback, rear yard setback, and side yard setbacks. This is compared with all current Blue Water Place properties conforming to R1.2 zoning.</p> <p>If a zoning change is approved this disturbing precedent is expected to lead to three nearby severances in the short term with others following suit in the immediate Lakeshore area.</p> <p>The lot at 4330 Lakeshore Rd. is a rental property that runs south on Blue Water Place this property could be subdivided into 3 lots, the abutting lot to the south has been vacant for 2 years awaiting the decision on the Bloomfield Development and could be severed into 2 lots, Abutting to the east of this lot is 4337 Blue Water Place which is being rented and could be severed into 2 lots. All these lots are bordered on each other. They all conform to R1.2 zoning.</p> <p>Under separate submission the residents of Blue Water Pl, Secord Lane, and Avondale Court are firmly opposed to the waterfront trail. If the residents (We included) are successful in eliminating the requirement for a waterfront trail this would cause a substantial financial gain to the developer. This gain</p>
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should allow the developer to reduce the lot numbers to 7. (The developer would lose the profit on one home but regain this cost with not having to provide infrastructure for the water front trail together with substantial selling price increases on the lakefront properties together with the other properties as they will be taking on a more conventional lot layout that more closely conforms to R1.2 zoning.

Current Properties Abutting Blue Water Place Proposed Development

Address	Width "m"	Depth "m"	Area Sq/m	Status
R1.2 Zoning	24.0		925	
4330 Lakeshore Rd.	24.00	30.5	1861	Renter
167 Blue Water PL	45.7	30.5	1394	Vacant
4337 Blue Water PI	33.5	41.5	1390	Renter
4345 Blue Water PI.	30.5	57.6	1757	Owner
4346 Blue Water PI.	36.6	53.3	1951	Owner
4342 Blue Water PI.	44.1	45.7	2015	Owner
153 Blue Water PI.	30.5	50.3	1534	Owner
154 Blue Water PI.	27.4	44.8	1228	Owner
160 Blue Water PI.	27.4	40.2	1101	Owner
170 Blue Water PI.	30.5	40.2	1226	Owner
4318 Lakeshore Rd.	57.9	24.4	1413	Owner

HARDSCAPING AND SIDEWALKS

Blue Water Place has in the past been very vulnerable to flooding in any heavy rainfall. The new road and hard-scaping in the proposed development, together with the proposed sidewalks on Blue Water Place this problem will surely exacerbate this serious issue. We ask for serious consideration of these facts.

All residents on Blue Water Place are opposed to sidewalks and see no value in having the developer provide these.

UNDERGROUND SERVICES

All services on this proposed development will be replaced, sanitary, water, gas. Could we propose to the developer to include burying the hydro lines while this construction is being done as a neighborhood improvement?

Richard J. Hamilton

160 Blue Water Place, Burlington, ON, L7L2J4

6.	Aylin Guer 4346 Blue Water Place	May 29, 2019	<p>Hi Rebecca,</p> <p>Reference to our talk today, I am the owner of the house located at 4346 Bluewater Pl. As mentioned in the mail, informing us about the planning application submitted by Bloomfield Developments, I understood that a small section of the Bluewater Rd is excluded from the plan for converting to the public road. With that, only 30mt of the road and only 3 houses around that part of the road are excluded and will not be able to have public services. I would kindly ask your support that City of Burlington reconsider to include that section into the conversion plan as well.</p> <p>Looking forward to hearing from you.</p> <p>Kindest regards, Dr.Aylin Gurer</p>
7.	Lawrence Hambly, 154 Blue Water Place; Virginia Tinti, 165 Secord Lane; Richard Hamilton, 160 Blue Water Place	May 29, 2019	<p>Dear Madam Mayor and Members of Council:</p> <p>The residents of Blue Water Place and Secord Lane have endorsed the attached report submitted with this e-mail for your collective consideration. The Blue Water Place/ Avondale Court development provides a unique opportunity to obtain significant parkland dedication funds to upgrade many of our existing unsafe, neglected, windows-to-the-lake. We ask that you kindly read the attached report and we welcome your comments and those of staff.</p> <p>Thank you for your consideration,</p> <p>Lawrence Hambly Virginia Tinti Richard Hamilton</p> <p>[See attached letter]</p>

#7.

Proposed Blue Water / Avondale Waterfront Trail / Window-To-The-Lake

To: Mayor Marianne Meed Ward
Councillor Shawna Stolte
Councillor Kelvin Galbraith
Councillor Lisa Kearns
Councillor Rory Nisan
Councillor Paul Sharman
Councillor Angelo Bentivegna
Rebecca Lau
Rosalind Minaji

By: Lawrence Hambly 154 Blue Water Place
Virginia Tinti 165 Secord Lane
Richard Hamilton 160 Blue Water Pl

Endorsed By: Marie Ampleman 170 Blue Water Place
Ben King and Lori Haines 4342 Blue Water Place
Karim and Susan Samna 4345 Blue Water Place
Brad and Andrée Lawrence 135 Secord Lane
Kyle and Bekah Camarro 140 Secord Lane
Penny Hambly 154 Blue Water Place
Frank and Shirley Gerencser 4318 Lakeshore Road
Rob and Brenda West 136 Secord Lane
Mike Gmell and Val Cambre 153 Blue Water Place
Doris Hamilton 160 Blue Water Place
Selva Chelliah 143 Blue Water Place
Kevin Smith 173 Secord Lane
Chris and Maggie Chen 4337 Blue Water Place
Thomas Solomon 143 Secord Lane
Joanne Godin 139 Secord Lane
Sharron and Rob Langford 113 Avondale Court

**Note: These endorsements apply only to the window-to-the-lake and the sidewalk.
Residents may have other concerns regarding the application.**

May 28th, 2019

Proposed Blue Water / Avondale Waterfront Trail / Window-To-The-Lake

Residents of Blue Water Place, Secord Lane and Avondale Court are firmly opposed to the creation of a window-to-the-lake within the proposed development (Exhibit 1).

We are therefore requesting Council to:

- (1) Charge a parkland dedication fee in place of dedicating property for a new window-to-the-lake.
- (2) Use the substantial parkland dedication fee to upgrade existing windows-to-the-lake.
- (3) Eliminate the proposed sidewalk and street lights on Blue Water Place.

Following is a summary of our rationale for removing the proposed window-to-the-lake.

- (1) With the close proximity to Paletta Park, additional public access to the Lake is not necessary.
- (2) Utilization of the window-to-the-lake would be minimal.
- (3) A continuous waterfront trail connecting Paletta Park to the west and through Avondale Court to the east is not possible.
- (4) Other windows-to-the-lake in Burlington are at the end of municipal dead-end streets or in front of higher density housing.
- (5) This would be the first window-to-the-lake in Burlington in front of low-density housing.
- (6) The location of this window would encourage visitors to Paletta Park to trespass through privately owned Secord Lane to this window-to-the-lake.
- (7) This window would be difficult to police since it could not be observed from a road.
- (8) A window-to-the-lake would not be compatible with low-density housing since it would transform lakeshore homes into lakeview homes.
- (9) It would be irresponsible to develop this window while existing windows-to-the-lake are unsafe and neglected.

Public Access to the Waterfront

The Official Plan states “The acquisition of land to create new ... Windows-to-the-Lake ... shall be encouraged by City Council, as a means to increase public access to the waterfront.”

With the close proximity to Paletta Park, a new window will result in a negligible increase in public waterfront access. Current Blue Water Place residents have little interest in the proposed window and Secord Lane residents have their own 3 metre wide access to the waterfront with a deck which is rarely used.

Comparing the proposed window to Paletta Park (Exhibit 2), it is clear that the window will have no attraction for non-local visitors. Noteworthy, is the distance from the Lakeshore Road / Blue Water Place intersection is 230 metres to the Paletta Park entrance and 320 metres to the window. In addition, the window would not have a parking lot and would have no privacy from houses that front on the water. With few amenities there would be few visitors.

Waterfront Trail

The Official Plan states “The Waterfront Trail will be connected to existing waterfront public open spaces ...” In the future it will not be possible to connect this window westward to Paletta Park with a waterfront trail. Existing lots are exempt from dedicating property for a trail. The owner of 140 Secord Lane was not requested to donate property for the large house currently being constructed on the property.

It would not be possible to connect the window to the east through Avondale Court for a future waterfront trail. The lakefront properties at 113 and 123 Avondale Court have shallow backyards without space for a trail. The topography of these rear yards and the increased levels of the lake through global warming makes a waterfront trail in this area a liability for all, including the City of Burlington.

Parkland Dedication Fee

The windows-to-the-lake at the end of Market Street and St. Paul Street are open, attractive and inviting spaces. The windows at the end of Green Street, Fruitland Road, Walkers Line and Appleby Line are dark, unattractive places and are a safety hazard for all children. Walkers Line has a tall chain link fence for safety which gives visitors the feeling of observing the lake from a cage. The others use posts with either one or two chains strung between posts. They are a safety hazard since they present an open invitation for children to swing on the chains beside the steep embankments. The windows mentioned are an embarrassment to the residents, an eyesore and a drain on the City's resources.

Charging a parkland dedication fee for the Blue Water / Avondale development should provide sufficient funds to renovate the existing windows-to-the-lake up to Burlington standards and make them safe for children.

Cost vs Benefits

There will be little to no benefit from constructing this window-to-the-lake. It will create an access to the waterfront with minimal visitors.

The opportunity cost of developing this window-to-the-lake will be substantial including:

- (1) The loss of a significant parkland dedication fee which can be used to upgrade other windows-to-the-lake.
- (2) A significant reduction in value of the four lakefront lots with a corresponding reduction in tax revenue.
- (3) The significant cost of developing the window-to-the-lake to the City.
- (4) The cost of maintaining the window-to-the-lake and shoreline protection.
- (5) The dedication of the lands to the City will result in a dedication exceeding the normal park dedication rate with the developer receiving compensation for the difference.

Compatibility

The Official Plan states that one objective is “To ensure that development is compatible with the waterfront in terms of land use, intensity and scale ...” It also states “Planning for public use of and access to the shoreline shall recognize ... existing private uses and the ownership of the shoreline and shall incorporate ways to ensure these uses are compatible.”

The proposed window-to-the-lake is not compatible behind private waterfront homes. The current windows at the end of municipal owned dead-end streets are open to the lake and open to the street. Visitors have a sense of space and reasonable privacy from adjacent homes.

Residents do not expect privacy in their front yards but they do expect a reasonable amount of privacy in their rear yards. This window directly in back of the four lakefront properties would eliminate their privacy. It would be unconscionable to open up backyards to the public.

Similarly, the privacy of visitors would be compromised. With shallower back yards, visitors would have the impression that they are in a fish bowl.

Precedent

In 2014, Burlington owned the waterfront property between Market Street and St. Paul Street. Council voted to sell the property to adjacent land owners rather than retain it for a future parkette. The Council meeting was in-camera and details were not made public.

The rationale for the sale could have been to use the proceeds of sale to develop windows-to-the-lake at the end of Market and St. Paul Streets, likely with the knowledge that a parkette would be superfluous with these windows or the knowledge that a waterfront trail could never be extended either east or west through private property.

Windows-to-the-lake have been constructed in front of the Easterbrook townhouses and in front of the Bridgewater project. Developing this window-to-the-lake would set a precedent for a window in front of several abutting single family residences.

Sidewalk / Street Lights

With the current 10 houses on Blue Water Place, traffic is very light. With no bus service on Lakeshore Road, residents only walk on the street to walk their dogs or visit Paletta Park. In the past 46 years, there has never been more than one young family with small children living on the street. We expect the new residents of this development to have few young children and rarely walk on the street. Also, residents rarely walk on the street at night. Therefore there is no need for sidewalks or street lights.

Sidewalks are completely unnecessary on Blue Water Place. They would be detrimental to the park like ambiance we now enjoy. Sidewalks would also remove green space and could damage the root systems of some of our mature trees which we own and this is unacceptable.

Exhibit 1 - Concept Plan Urban Solutions

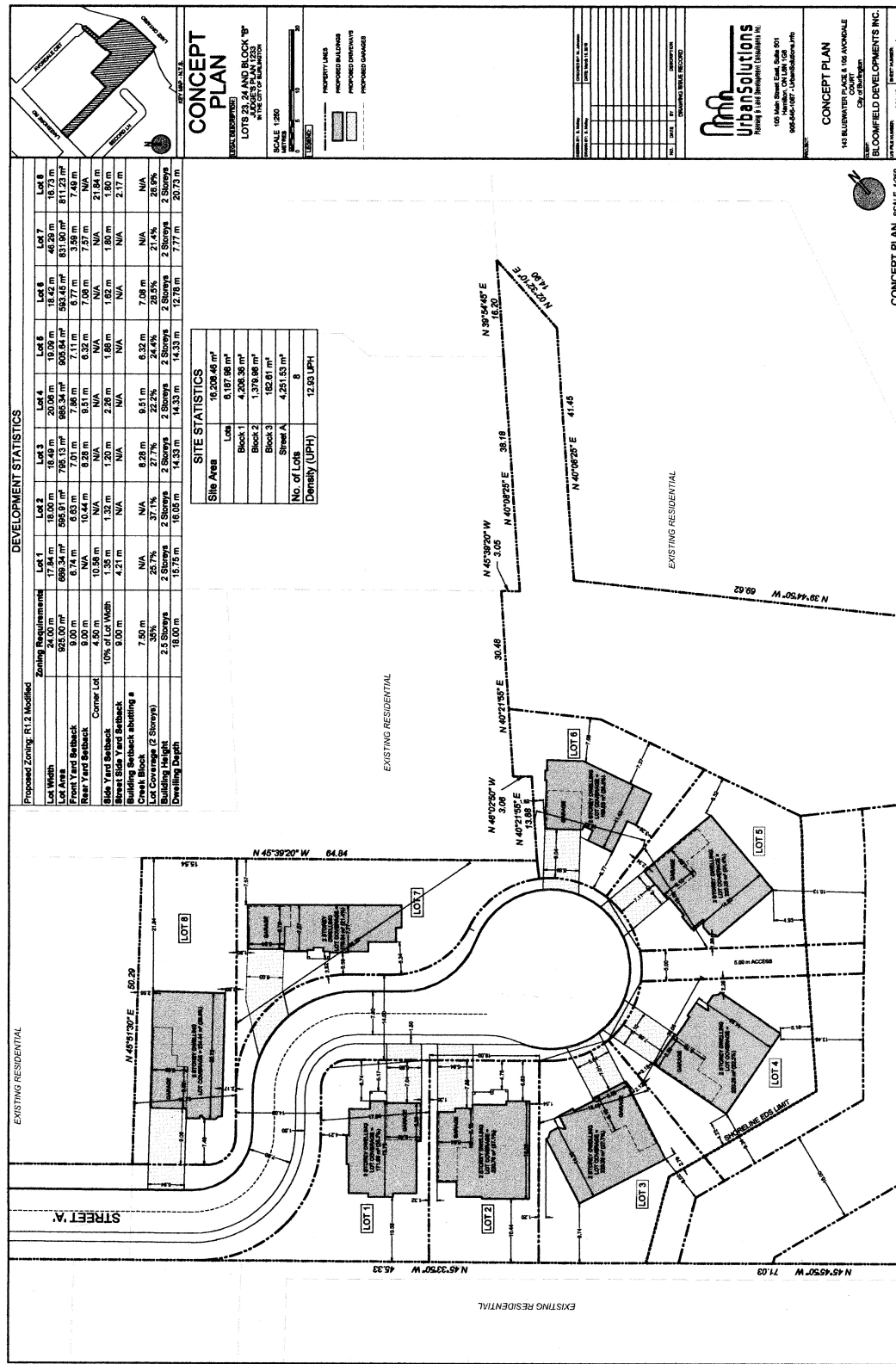


Exhibit 2 - Comparison of Paletta Park and Blue Water Place Window-to-the-Lake

	Paletta	Window
1- Distance from foot of Blue Water Place	230 m	320 m
2- Size	5.7 hectares	15m X 79m (.12 h)
3- Lake views	Yes	Yes
4- Parking lot	Yes	No
5- Utilization rate	Low	Minimal
6- Trees / shade	Yes	Minimal
7- Nature trail	Yes	No
8- Creek	Yes	No
9- Expansive lawn	Yes	No
10- Beach	Yes	No
11- Backyard neighbours	No	Yes
12- Fence on Lake side	No	Yes
13- Mansion	Yes	No
14- Privacy	Yes	No
15- Bird watching	Yes	No
16- Photogenic	Yes	No
17- Armour stone into Lake	Yes	No
18- Ducks, geese, swans	Yes	No
19- Washrooms	Yes	No

8.	Brian & Donna Duncombe, 137 Avondale Court	May 31, 2019	<p>Sorry for being so late but we only got the materials second hand even though we think we really should have received the proposal as a neighbor to the properties.</p> <p>We agree that it would make more sense to collect a “parkland dedication” in place of dedicating property for a Waterfront Park and use it to improve/maintain existing “windows on the lake”. - the city has been inconsistent with requiring “window on the lake” dedications anyway. - there is little need for a Waterfront Park as part of the new development when Palletta is so close, has parking, etc.</p> <p>We have some concern that if the “Waterfront Dedication” didn’t happen, would the developer stretch his lot plans closer to the lake? We would not want to see him try to build another house or two given the space. We think that 8 lots is perhaps 2 too many already and that if it were 6 lots, it would blend with the existing neighborhood better. “Lot8” already looks crammed in and seems to almost encroach on #153’s privacy. This is not an objection, just our feelings.</p> <p>We have no opinion on the proposed sidewalk and street lights on Blue Water. We suppose that if the city takes ownership, they want to bring it up to standards. We understand the comments made by Richard Hamilton et al and if we lived on Blue Water, we may feel the same, especially if the road width gets constricted to make way for the sidewalks.</p> <p>As far as the replacement of private services with public ones, it makes sense. We do have a concern/question about whether all homes in the “Bluewater Neighborhood” would get public services to their lot line or only those houses that abut the new project.</p> <p>We are of the opinion that if there is not a “Window on the Lake” then it leaves the access via Avondale as a loose end to nowhere. Our concern is that this lane from Avondale would only encourage problems as it approaches the rear of the eastern line of new rear yards. It might be possible to find some way to terminate the access road somewhere approaching the top of the incline.</p> <p>We have a serious concern about the creek that runs behind the houses on the west side of Avondale. Historically, there has been flooding of the road on Avondale as well as water problems at a couple of the houses abutting the creek. It seems that it would make sense to increase the creek capacity if possible. There is also an issue with the various junk that is washed down the creek and seems to hang up just as the creek meets the lake.</p> <p>Please keep us informed of any actions/meetings/etc that pertain to this file.</p> <p>Sincerely, Donna and Brian Duncombe 137 Avondale Court</p>
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PB-53-19 – Statutory Public Meeting & Information Report (510-01/19 & 520-04/19)

9.	Sharron Langford 113 Avondale Court	May 31, 2019	<p>Good Day,</p> <p>As a resident of Ward Four residing beside the proposed development site I gave grave concerns about this proposed plan.</p> <p>Sharron Langford</p> <p>113 Avondale Court Burlington, Ontario L7L 2M8</p> <p>[See attached letter]</p>
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#9.

Bloomfield Developments Planning Application

City of Burlington

File Number 510-01/19 & 520-04/19

143 Blue Water Place, 105 Avondale Court

Burlington, Ontario

May 31, 2019

Sharron A. G. Langford
113 Avondale Court
Burlington, Ontario
L7L 2M8



Mayor Marianne Meed Ward	mayor@burlington.ca
Councillor Shawna Stolte	shawna.stolte@burlington.ca
Councillor Kelvin Galbraith	kelvin.galbraith@burlington.ca
Councillor Lisa Kearns	lisa.kearns@burlington.ca
Councillor Rory Nisan	rory.nisan@burlington.ca
Councillor Paul Sharman	paul.sharman@burlington.ca
Councillor Angelo Bentivegna	angelo.bentivegna@burlington.ca
Rebecca Lau	rebecca.lau@burlington.ca
Rosalind Minaji	Rosalind.minaji@burlington.ca

1. Qualifications

I have lived in Burlington for over 30 years. I have lived in my current home at 113 Avondale Court for over 23 years. Our property is directly beside 105 Avondale Court separated by an active creek. My husband and I chose our current property for the view, mature trees and privacy. Our property has a Muskoka like setting. It has been an ideal location for our family of six, connected to the city yet safely removed from excessive traffic.

The proposed development by Bloomfield (File 510-01/19 for 143 Bluewater Place, File 520-04/19 for 105 Avondale Court – City of Burlington) raises numerous concerns, including, but not limited to:

- 1) Redundant Window – To – The – Lake
- 2) Road Access/Right of Way
- 3) Creek Ownership and Maintenance / Slope and Drainage Issues
- 4) Shore Line Erosion

1) Redundant Window – To – The – Lake

With Paletta Park in close proximity to the proposed Window- to- the- Lake I find this is a misuse of land. Unlike Paletta this area would not have parking, lighting, bathrooms or walking trails. As Secord Lane has private ownership of a 3 metre wide access to the lake the linking of these areas is not feasible. With plans to put the bridge back in use at Paletta this access to the lake will be better utilized by the public.

2) Road Access/Right of Way

The shared right of way is in disrepair. The flood of 2014 flooded this area and eroded the foundation resulting in crumpling asphalt, potholes and deteriorating surfaces. In it's current condition the lane cannot support continuous traffic or construction vehicles or machines. This area has limited lighting and is quite dark at night. To date snow removal has been shared with the occupants of 105 Avondale Court (renters).



3) Creek Ownership and Maintenance / Slope Drainage Issues

Owning the creek in it's current condition is a liability for the City of Burlington. The City may want to consider charging Bloomfield Developments a substantial Parkland Dedication Fee and utilizing that money to refurbish the creek area. I am unclear as to how this area will be revamped. Along my side of the creek is an extensive woodland garden. Water flow is managed by loose stones lining the bed of the creek and graduated up the bank. The Cambrian cages on the opposite bank are caving in, reducing the net area for water to flow unobstructed to the lake. Use of large armor stone retaining walls would be required to handle the increase in watershed once grade changes have been made on the build site. The creek should also be widened to handle in volume increase of water from changing weather patterns and more frequent rain. Please note the property line does not follow the natural lines of the creek but rather crisscrosses from one bank to the other and back.

After every storm the creek is overrun with debris and garbage. It the waves pound the water towards the shore the lake deposits stones creating a stone barricade trapping water upstream filled with runoff garbage, creating a stagnant pool. For the past 23 years I have unblocked and cleared this area as needed. It is an ongoing endeavor. Is the city ready for this kind of upkeep?



Photos taken May 28th, 2019



Photos taken May 28th, 2019



4) Shore Line Erosion

Shore line stabilization is a concern when you live along Lake Ontario. In May 2017 Burlington experienced a second major rain event resulting in excessive flooding. This picture taken of the shoreline at 105 Avondale Court (P1000483.jpg - Personal Photo) depicts the state of the unstable shore line. The Willow tree is from the top of the bank.



P1000478.jpg (Personal Photo) 105 Avondale Court May7th 2017

The preexisting retaining wall has washed away and the valley was a watershed runoff area.



Photo May 31, 2019

CONCLUSION

Instead of a Window –to-the-Lake I would rather Bloomfield Developments build six stately homes with larger lot sizes to maintain compatibility with the existing neighbourhood. This would decrease the number of variances needed for this development, allow for increased lot sizes, increase asking prices and yield a greater tax base for the City of Burlington. This plan would also eliminate the upkeep of a costly, secluded and isolated, Window-to-the-Lake in years to come.

Thank you for taking the time to hear about a few of the many objections I have regarding of development at 105 Avondale Court and 143 Bluewater (– City of Burlington)

Sincerely,

Sharron Langford

Sharron A. G. Langford
113 Avondale Court
Burlington, Ontario
L7L 2M8

[REDACTED]
[REDACTED]

10.	Lori Haines & Ben King 4342 Blue Water Place	May 31, 2019; June 6, 2019	<p>Good morning Rebecca,</p> <p>Attached please find our comments in PDF format including the missing photos. I can also forward the original Word document if it helps but saving in PDF format allowed me to reduce the file size considerably.</p> <p>I created a separate document specific to the creek flooding incidents at our place. Flooding is a concern both for the proposed development and as a wider issue of the City assuming regular maintenance. The flooding incidents (most recently May 25, 2019) suggest an intensity and frequency beyond the typical 100-year flood metric. The City also talked about assuming maintenance of the creek which has become critical with the accelerated pattern of surcharges in just the past 5 years. So we'd like to raise the issue of City regulation and maintenance with Parks and Open Spaces even beyond the scope of this development. I had also planned to raise this with our Ward Councillor.</p> <p>Thank you very much for including our comments in your planning report. Any idea as to the timing of the Public Meeting?</p> <p>Many thanks once again,</p> <p>Lori & Ben 4342 Blue Water Place</p> <p>[See attached letters]</p>
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#10.

Comments from 4342 Blue Water Place – City of Burlington Files 510-01/19 & 520-04/19

Greetings Rebecca,

Thanks to you and staff for the opportunity to comment on the proposed application at **143 Blue Water Place and 105 Avondale Court** (Files **510-01/19** and **520-04/19**).

My husband I, **Ben King** and **Lori Haines**, have enjoyed calling **4342 Blue Water Place** our home for 18 years. Our property **abuts both subject properties** as well as the **Creek** and '**Road Block C**' (Judge's Plan 1233), the second road segment that comprises the street known as 'Blue Water Place'. Four additional properties are located on Road Block C: **4337, 4342, 4345 and 4346 Blue Water Place**.



4342 Blue Water Place – 1962 (in red)

West	143 Blue Water Place
South	105 Avondale Court
East	Creek
North	Road Block C (owned by 4346 BWP)

We have been active participants throughout this process both individually and as part of the **Lakeshore Residents Association** formed in response to the 2016 townhome application by First Urban and Bloomfield Developments.

In the aftermath of the July 2018 OMB Decision, we do sincerely appreciate the significant efforts made by current applicant Selva Chelliah of Bloomfield Developments (now acting in his own stead) to approach City Planning, our new ward Councillor, and most especially the neighbours to communicate and refine a solution more acceptable to the community.

In the spirit of progress, Ben and I offer the following comments on behalf of **4342 Blue Water Place**.

1. Zoning and Precedent

One of the chief concerns for residents in similar neighbourhoods along the Lakeshore corridor is the future implication of zoning changes required to accommodate this pocket of higher density, albeit a much-improved plan for 8 single homes.

‘Exception zoning’ as a mechanism to allow increased density in this specific pocket while retaining the existing R1.2 density for the immediately surrounding area does unwittingly establish a precedent for future developments in similar areas.

Other properties in a transitional status could easily follow suit whereby the entire street known as ‘Blue Water Place’ becomes zoned with a higher exception density. This domino effect has ramifications for similar established neighbourhoods.

2. Built Form, Setbacks, Sun-Shadowing, Privacy and Overlook (Lots 6 & 7)

The current placement of the dwelling on **Lot 6** is of great concern to the enjoyment and privacy of our property. The latest iteration of the plans show a reduced creek setback (7.08m instead of EDS 7.5m) as well as a reduced side setback (1.62m), placing it extremely close to 4342 BWP backyard pool and amenity area. The pool is currently in need of refurbishment but has provided an enjoyable gathering spot for family over the years. We also very much enjoy the view toward the lake which was a deciding factor when first purchasing our home.

Tall statuesque Norway Spruce trees between **Lot 6** and our property are well over 50 years old with mature canopies and large root systems. Digging a foundation so close to these trees can’t help but either harm or even destroy these trees. Damage to the roots can also cause these trees to topple over posing a health and safety risk. We’ve had two such occurrences in an Austrian pine tree stand north of our property that necessitated removal of the entire stand for safety.

Also impacting our backyard pool and amenity area is late summer afternoon sun-shadowing from the dwelling on **Lot 7**. One idea may be a reverse house plan that places the home’s garage on the south rather than north end of the dwelling with the added benefit of correcting the somewhat awkward driveway location at the bend in the road.

3. Functional Servicing for 4342 BWP via the 105 Avondale Laneway

The 4 homes along ‘Road Block C’ will not receive new services for municipal water, sewer, stormwater, fire, or utilities.

Existing services for 4342 BWP (gas, power, phone, and cable) run along the 105 Laneway. The gas line crosses the creek culvert and the power, phone, and cable lines run from a service pole at the SW corner of 4342 BWP abutting 105 Avondale.

Will any 4342 services be relocated? Will the 105 Laneway asphalt be preserved for access by utility companies?

4. Flooding, Drainage, the Creek and 105 Avondale Laneway Culvert

Topographically, this entire area has steep elevation drops both toward the creek as well as the shoreline of Lake Ontario. The properties along the above-mentioned Road Block C are situated at a lower elevation than the subject lands, ours at **4342 Blue Water Place** being the lowest elevation.

One item of concern to the City continues to be flash flooding potential, exacerbated by climate change. These concerns were showcased at the May 2018 OMB with photos of creek surcharge and flooding from several prior dates, *not* solely limited to the Burlington Flood of 2014. Flooding surcharges of the creek with 5 occurrences in just the past five years may already exceed the Chicago 100 Year flood metric employed by the Functional Servicing analysis.

Just this past weekend on **Saturday May 25, 2019** following a rainfall and flash flood warning issued by Environment Canada, the creek again surcharged to a level second only to the flood of 2014. The creek level rose above the height of the 105 Avondale laneway culvert which is roughly 3-4 feet in diameter. The current could not drain fast enough and overflowed upstream onto our property at **4342 BWP**, seeping into our basement. We took photos and some video.



Sat May 25, 2019 6:12pm – 4342 BWP (looking north)



Sat May 25, 2019 6:12pm – 4342 BWP (looking east)



Sat May 25, 2019 **6:12pm** – 4342 BWP (looking south)



Sat May 25, 2019 **6:20pm** – Just 8 minutes later

4342 Blue Water Place Creek Flooding – Multiple Incidents



Creek – May 25, 2019



Creek – May 1, 2017



**Creek – August 4, 2014 - Burlington Flood
[Looking toward 4342 BWP from 105 Culvert]**



Creek – May 14, 2014



Creek – July 17, 2005



Creek – March 27, 2002

Creek flooding was discussed in depth at last year's OMB hearing both in terms of EDS hazard setback as well as the City assuming maintenance. EDS setback for this application has been established, but the question of City maintenance remains unresolved.

While the 8-home configuration does introduce less impermeable hardscape than would large townhouse blocks, it is still more than what exists currently, consisting primarily of grass and natural treed areas. Our place at 4342 is situated at a steep 10-foot elevation drop from 143 Blue Water Place supported by a wooden retaining wall. During rainstorms water pours over the retaining wall with surprising force, much like a fountain.

An ***enhanced grass swale and bioretention facility*** and erosion control and protection at the site outlet is suggested in the FSR to address creek drainage problems but we're not clear on exactly where the swale and outlet would be located.

Given that Road Block C to properties 4342, 4345, 4346, and 4337 has no stormwater drainage system and these properties are *not* planned to be serviced, we are concerned as to how development may negatively impact stormwater drainage and the increased creek surcharge at our lower elevations.

5. Waterfront Trail vs Window-to-the-Lake

A contiguous public waterfront trail may not be fully realized for many generations, but not at all if the public lands are not acquired piece by piece. So, acquisition of public land makes sense. Much like squares on a quilt that are saved until there are enough to finally make the quilt. Acquiring the land is one thing, but the schedule for developing isolated sections into Windows-to-the-Lake may warrant further consideration or deferral.

In the case of Blue Water Place, the acquired lakefront parcel would not yet be contiguous and occurs at a high elevation with a cliff drop-off. A Window-to-the-Lake poses additional costs to the City for safety fencing and maintenance that might be better directed to Paletta Park, given its close proximity.

Paletta Park provides both a manicured section as well as a naturalized trail for public access. Parking is also available. There would be literally no place to park on Blue Water Place. Once a visitor parks at the Paletta, the Park can immediately be enjoyed rather than walking two streets over to Blue Water Place.

6. Trees and Butternut Species [Testing results Appended]

We independently tested four of the five offsite Butternut trees including Tree 12DD at 4342 BWP adjacent to Lots 7 & 8 (the fifth tree was not tested due to renovations at the testing lab last summer). Tested trees were all found to be Pure Butternut Species. Reports include **Tree 5/C (154 BWP)**, **Trees 6/D & 7/E (136 Avondale)**, and **12/DD (4342 BWP)**. Our concern is appropriate tree protection zone setbacks during construction.

An abundance of wildlife in the area nest in trees and use them for cover and protection. We have photos of raccoons living in the trees, squirrels, and several species of birds. Ducks are annual visitors to the creek and geese and swans swim nearby. We've had a snake, a fox, groundhogs, skunks, rabbits, coyotes, and even a Cooper's Hawk.

Biodiversity is supported by the abundance of natural features in this area creating a welcoming habitat for flora and fauna.

Thank you once again for inviting our comments and listening to our concerns. The current application is a vast improvement over the previously proposed townhome configuration and we do very much appreciate the flexibility that Selva of Bloomfield has shown toward both the community and individual properties. This is not to be discounted or underappreciated in any way. We commend these efforts.

That said, we also need to continue to be good stewards of our community by promoting sensitive change in step with Burlington's vision of where it wants to grow.

Lori Haines & Ben King
4342 Blue Water Place

Butternut Results – Tree 12/DD (4342 Blue Water Place)



LABORATORY SERVICES
Agriculture and Food Laboratory

FINAL Report
Submission# **17-070315**
Reported: 2017-Sep-11

Submitted By:
Client ID: 1785010
LORI HAINES
LORI HAINES
4342 BLUE WATER PLACE
BURLINGTON, ON L7L 1E5

Owner:
LORI HAINES

Phone: [REDACTED]
Sampling Date: 2017-Aug-29
Received Date: 2017-Aug-30

Plant Species ID Method ID: MOL-198
Date Authorized: 2017-Sep-11 17:38

Sample ID	Client Sample ID	Specimen type/ Sampling Date/Time	Common name	Similarity %	Plant- Best Similar Species
0001	BUTTERNUT TREE	Tree-other 17-AUG-29 16:00	Butternut	>99.6%	Juglans cinerea

Supervisor: Shu Chen PhD, Agriculture and Food Laboratory 519 823 1268 ext. 57319 schen@uoguelph.ca

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These test results pertain only to the specimens tested.

Butternut Results – Trees 5/C (154 BWP), 6/D & 7/E (136 Avondale)



FRMS-PL-F-003

LABORATORY TEST REPORT BUTTERNUT HYBRIDITY TEST

OFRILS

1235 Queen Street East
Sault Ste. Marie, Ontario P6A 2E5
Phone: 705 946 7448
Fax: 705 946 2030

Report Date

2018-06-04

Report ID: OFRILS-PL-

1819

Page 1 of 2

Client	Lori Haines
Address	4342 Blue Water Place Burlington, Ontario L7L 1E5
Contact	Lori Haines
Phone:	
E-mail:	

MNR Contact	Bohdan Kowalyk
Address	Aurora District 50 Bloomington Rd. W. Aurora, ON L4G 0L8
Phone:	(905) 713-7387
E-mail:	bohdan.kowalyk@ontario.ca

Sample Received On: 2018-05-25

Method: Molecular tests to detect butternut x Japanese walnut hybrids*

Test Report:

Three standard molecular tests were conducted on two samples from Avondale Court and one from Blue Water Place, Burlington, Ontario. Hybridity was not detected in any of the results of laboratory tests. To the best of our knowledge, all three samples represent butternut, *Juglans cinerea*. Sample details may be found on page two of this report.

Please direct any questions to the contact below.

The Forest Pathology Laboratory applies three standard molecular tests published by Zhao & Woeste (2011) * for detecting hybrids.

Note: If these tests are for the purpose of seed tree certification, the results apply only to the tested tree(s) and cannot extend to progeny.
This result and test report relates only to the items tested.

Laboratory Contact:

Glenna Halicki Hayden
Forest Pathology Lab Supervisor
Ontario Forest Research Institute
1235 Queen Street East
Sault Ste. Marie, ON P6A 2E5
Phone: 705 946 7412 Fax: 705 946 2030
Email: glenna.halickihayden@ontario.ca
Web: <http://ontario.ca/ofri>

All appropriate laboratory quality controls were applied in producing the result/s. The results and interpretation are reported to the best of the knowledge and expertise of the lab and is based on the reference method adopted.

Authorized Signature

Glenna Halicki Hayden

Digitally signed by Glenna Halicki Hayden
DN: cn=Glenna Halicki Hayden, o=Ontario, email=glenna.halickihayden@ontario.ca, c=CA
Date: 2018.06.04 16:52:51 -0400

Name

* Based on published reference method: Peng Zhao & Keith E. Woeste. 2011. DNA markers identify hybrids between butternut (*Juglans cinerea* L.) and Japanese walnut (*Juglans ailantifolia* Carr.). Tree Genetics & Genomes 7:511–533. DOI 10.1007/s11295-010-0352-4.

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All errors and omissions are limited to the cost of the analysis

Revision No: 1.0

Date: 2014 - 07 - 11



FRMS-PL-F-003

SAMPLE INFORMATION AND TEST SUMMARY

OFRILS

1235 Queen Street East
Sault Ste. Marie, Ontario P6A 2E5
Phone: 705 946 7448
Fax: 705 946 2030

Report ID: OFRILS-PL-

1819

Page 2 of 2

Lab ID	Sample Type	Tree ID	Collection Site	UTM Coordinates	LAB RESULT Hybridity Detected
18040	Foliage	Butternut Tree 5/C	154 Blue Water Place, Burlington, Ontario	17T 601261 4800936	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES
18041	Foliage	Butternut Tree 6/D	136 Avondale Court, Burlington, Ontario	17T 601417 4800992	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES
18042	Foliage	Butternut Tree 7/E	136 Avondale Court, Burlington, Ontario	17T 601412 4800986	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES

4342 Blue Water Place

History of Creek Flooding

Most recent incident: **Saturday May 25, 2019**



Creek Path – Avondale Court & Blue Water Place



Site at 105 Avondale Court & 143 Blue Water Place
(4342 Blue Water Place shown in red)

Major Flooding Events occurred on several dates, not limited to the Burlington Flood of August 2014.

March 7, 2002
July 17, 2005
May 14, 2014
August 4, 2014 Burlington Flood
May 1, 2017
May 25, 2019

The most recent incident was **Saturday May 25, 2019** following a flash flooding warning issued by Environment Canada. Water rose above the height of the culvert beneath the 105 Avondale laneway and spilled onto 4342 Blue Water Place, peaking at the highest level since the August 2014 flood.

No fewer than 4 instances in the just the past 5 years suggests the Chicago 100-year flood planning metric used in functional servicing engineering models is insufficient for peak levels in this area.

4342 Blue Water Place

Creek Flooding - **May 25, 2019**



Sat May 25, 2019 6:12pm – 4342 BWP (looking north)



Sat May 25, 2019 6:12pm – 4342 BWP (looking east)



Sat May 25, 2019 6:12pm – 4342 BWP (looking south)



Sat May 25, 2019 6:20pm – 4342 BWP (looking south)

Just 8 minutes later. Shows peak water level debris.

4342 Blue Water Place

Creek Flooding – Multiple Incidents



Creek – May 25, 2019



Creek – May 1, 2017



Creek – August 4, 2014
Looking from 105 Culvert toward 4342 BWP



Creek – May 14, 2014



Creek – July 17, 2005



Creek – March 27, 2002

4342 Blue Water Place

Creek - First Boundary Fence looking North



Creek – Monet Bridge on a Fair Day (136 Avondale)



Creek – Monet Bridge in Storm Conditions – May 1, 2017

First of two 5-foot high fences crosses creek between 136 & 146 Avondale

4342 Blue Water Place

Creek - Stones and Fencing



Hardscape
(facing north toward 146 Avondale)



5-Foot high Fence #1 crossing Creek
(136 & 146 Avondale boundary facing south)

4342 Blue Water Place

Creek - Second Fence & Culvert



**5-Foot High Fence #2 crossing creek at boundary of 136 Avondale & 4342 BWP
Culvert underneath 105 Avondale Laneway**



**Creek – May 1, 2017 Storm (best comparative view)
Storms in 2014 and **May 25, 2019** rose above height of culvert**

4342 Blue Water Place

Second fence crosses Creek at 136 Avondale & 4342 BWP



Fence #2 crossing Creek (looking toward 136 Avondale)



**Fence #2 in storm conditions – May 14, 2014
[3 months before Burlington Flood on Aug 4, 2014]**

4342 Blue Water Place

Creek surcharge during Burlington Flood - Aug 4, 2014



In fair conditions (looking toward 4342 BWP from 105 Avondale Culvert)



**← 5 Foot high Fence #2 crosses Creek
Between 136 Avondale & 4342 BWP**

**Burlington Flood – Aug 4, 2014
Flood waters rose to top of 5-foot high Fence #2**

4342 Blue Water Place
105 Avondale Laneway Culvert at Capacity



In fair conditions – 105 Laneway Culvert – North side (entry point)



In storm conditions – 105 Laneway Culvert at capacity – South side (exit point)

4342 Blue Water Place

Gabion wall collapsed north of 105 Laneway Culvert



Collapsed Gabion Wall section at 105 Avondale (2014)



Collapsed Gabion Wall section at 105 Avondale (2014)

11.	Isabella Fattore 123 Avondale Court	May 31, 2019	<p>Hi Ms. Lau,</p> <p>I have attached a letter regarding the development application for Avondale court and Blue Water Place.</p> <p>Please feel free to contact me if you have any questions or concerns.</p> <p>Kind regards,</p> <p>Isabella Fattore 123 Avondale court</p> <p>---</p> <p>Bloomfield Developments Planning Application City of Burlington File Number 510-01/19 & 520-04/19 143 Blue Water Place, 105 Avondale Court</p> <p>May 31, 2019</p> <p>Mayor Marianne Meed Ward mayor@burlington.ca Councillor Shawna Stolte shawna.stolte@burlington.ca Councillor Kelvin Galbraith kelvin.galbraith@burlington.ca Councillor Lisa Kearns lisa.kearns@burlington.ca Councillor Rory Nisan rory.nisan@burlington.ca Councillor Paul Sharman paul.sharman@burlington.ca Councillor Angelo Bentivegna angelo.bentivegna@burlington.ca Rebecca Lau rebecca.lau@burlington.ca Rosalind Minaji Rosalind.minaji@burlington.ca</p> <p>Dear Ms. Lau,</p> <p>I am writing to you regarding the development of 143 Blue Water Place and 105 Avondale Court. First I would like to state that I am not opposed to developing on the two properties listed above. However, a smaller plan of 6 executive homes to preserve property size in the area would be appreciated. It would reduce the variances needed for the development and provide homes better suited to the area. The Shoreacres area of south Burlington does not have a subdivision setting.</p> <p>As a resident on Avondale Court, 123, I definitely oppose the window- to-the- lake and support the letters from Richard Hamilton, Lawrence Hambly, Virginia Tinti and Sharon Langford.</p> <p>The window-to-the-lake does not pose any benefit to the residents of Burlington, especially those on Secord Lane, Blue Water Place and Avondale Court.</p>
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			<p>*Paletta Park is adequate for this area.</p> <p>*No privacy for the homes being built and existing homes with public access</p> <p>*Safety concerns with the public access behind homes</p> <p>*Who will be responsible for the creek</p> <p>I believe it will be beneficial to work with the developer and omit the window-to-the-lake which would enable him to reduce the number of houses in his plan.</p> <p>Thank you Isabella Fattore 123 Avondale Court</p>
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PB-53-19 – Statutory Public Meeting & Information Report (510-01/19 & 520-04/19)

12.	Val Cambre & Michael Gmell 153 Blue Water Place	May 31, 2019	Good afternoon Rebecca, Please find our comments attached. Have a great weekend, Val Cambre and Mike Gmell 153 Blue Water Place [See attached letter]
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#12.

Department of City Building

PO Box 5013, 426 Brant St.

Burlington, ON, L7R 3Z6

Attention: Rebecca Lau

C.C. Councilor Shawna Stolte

Files; 510-01/19 & 520-04/19

Dear Miss Lau,

We are the residents of 153 Blue Water Place, the property directly abutting the proposed development, and have been involved in conversation with City Planning, the City Council and the Developer over the last 3 years regarding this.

While we support that a development on 143 Blue Water Place and 105 Avondale Court should take place and respect the work that the developer has been doing towards this, we ask that the city consider honouring the recent OMB ruling – which cited compatibility and density as the reasons the previous proposal was denied.

We have worked closely with the developer to support something that is compatible and with the right density for the area. This means that there should not be a zoning change. The zoning change will set a major precedent in the area and lead to numerous other severances on Blue Water Place, Secord Lane and other R1.2 zoned areas, which was a key point of concern in the previous development reviews.

Further, we are not in support of putting in sidewalks, a window to the lake and dedicated lake lands to the City for a waterfront trail. We understand the City's interests in this regard, but the access and more importantly the expense is not necessary with the Paletta public park and access right next door. This requirement is also pushing the Developer to try and fit in more homes to recover the burden of the expenses that they will have to shoulder. Further, the addition of a sidewalk will significantly damage mature trees on edges of the properties where space for sidewalk will be required.

We are truly close to a solution after a very long and exhausting process for everyone. We believe that if the City maintains the current zoning, then it will allow for a beautiful development that is compatible and keeps the density of the area and is manageable for the developer. In summary, please:

- Keep the current zoning in place, and do not deviate. We would support variances to accommodate for more homes but not a zoning change.
- Do not enforce the requirement of putting in sidewalks, a window to the lake or a lake front trail.

We believe the cost savings associate with not having sidewalks and the window to the lake, and lakefront trail dedication may be a good compromise for the developer to have one or two fewer homes versus the eight proposed and then have a more compatible development.

Finally, we have worked closely with the developer and he has been very cooperative in finding a solution, and we intend to continue to work together towards one.

We sincerely hope that serious consideration will be given to these items,

Kind regard,

Val Cambre & Michael Gmell

153 Blue Water Place, Burlington, Ontario, L7L 2J

PB-53-19 – Statutory Public Meeting & Information Report (510-01/19 & 520-04/19)

13.	Doug & Inez Budd, 176 Avondale Court	June 3, 2019	Concerns by Doug and Inez Budd, 176 Avondale Court, Window on the Lake a real concern and the city can't even repair the bridge at Paletta, how are they going to maintain another public park. Traffic, Noise, Late night action., Litter and more litter.
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SUBJECT: Corrections to 441 Maple Avenue official plan amendment and rezoning applications

TO: Planning and Development Committee

FROM: Department of City Building - Planning Building and Culture

Report Number: PB-56-19

Wards Affected: 2

File Numbers: 505-02/19 and 520-03/19

Date to Committee: July 9, 2019

Date to Council: July 15, 2019

Recommendation:

Receive and file department of city building report PB-56-19 correcting information on the 441 Maple Avenue official plan amendment and rezoning applications contained in department of city building report PB-23-19.

Purpose:

Department of city building report PB-23-19 was presented to the Planning and Development Committee on May 14, 2019 for information purposes at a Statutory Public Meeting. The report subsequently went to the Council Meeting held May 27, 2019.

In response to a letter received May 13, 2019 from Kelly Martel of MHBC, which formed part of the "Additional Items" for the Planning and Development Committee meeting of May 14, 2019, corrections have been made. Corrections are as follows:

- The "Date to Committee" date is *May 14, 2019* whereas April 1, 2019 was previously stated. The report was originally scheduled to appear before the Planning and Development Committee on April 1, 2019; but for agenda management was moved to May 14, 2019;
- The "Date to Council" date is *May 27, 2019* whereas April 23, 2019 was previously stated. The report was originally scheduled to appear before Council on April 23, 2019; but for agenda management was moved to May 27, 2019;

- The “Statutory Deadline” date of September 24, 2018 within report PB-23-19 was based on the date that the sign was posted. The correct “Statutory Deadline” date is August 9, 2019;
 - The permitted uses include *ground and non-ground oriented housing units*, whereas only ground-oriented housing units was previously stated in error; and,
 - The applicant has reduced the proposed number of residential units from 164 to 153 since the neighbourhood meeting held November 14, 2018, which was not mentioned in report PB-23-19.
-

Conclusion:

This report provides a description of corrected information from department of city building report PB-23-19. A subsequent recommendation report will provide an analysis of the proposal in terms of the applicable planning policies and will provide a recommendation on the proposed application.

On March 5th, 2019, Council enacted Interim Control By-law (ICBL) 10-2019 to temporarily limit development within the City’s Urban Growth Centre and the Burlington GO mobility hub area in order to complete a land use study assessing the role and function of these Major Transit Station Areas. The ICBL is in place for a period of one year which can be extended for a second year.

The Planning Act preserves the priority of zoning passed during the period of breathing created by Interim Control By-law and, if passed in that period, the prior zoning does not come back into effect unless the new zoning is appealed and is defeated on appeal. The effect of the interim control by-law is to permit existing uses only. The application is therefore premature, and it would not be appropriate to process it further, including providing any analysis or recommendations at this time.

Following the statutory public meeting, these applications will be held in abeyance until the ICBL is no longer in effect.

Respectfully submitted,

Melissa Morgan, MCIP RPP
Planner II – Development Review
905-335-7600 extension 7788

Appendix:

A. Corrected Report – PB-23-19

Report Approval:

All reports are reviewed and/or approved by Department Director, Director of Finance and Director of Legal. Final approval is by the City Manager.



SUBJECT: Statutory Public Meeting – 441 Maple Avenue Official Plan Amendment and Rezoning Applications

TO: Planning and Development Committee

FROM: Department of City Building - Planning Building and Culture

Report Number: PB-23-19

Wards Affected: 2

File Numbers: 505-02/19 and 520-03/19

Date to Committee: May 14, 2019

Date to Council: May 27, 2019

Recommendation:

Receive and File Report PB-23-19 for Information.

Purpose:

The following objectives of the City's Strategic Plan apply:

A City that Grows

- Intensification
 - Older neighbourhoods are important to the character and heritage of Burlington and intensification will be carefully managed to respect these neighbourhoods.
 - Focused Population Growth
 - Burlington is an inclusive and diverse city that has a growing proportion of youth, newcomers and young families and offers a price range and mix of housing choices.
-

RECOMMENDATION:		None; information only	Ward:	2
Application Details	APPLICANT: OWNER: FILE NUMBERS: TYPE OF APPLICATION: PROPOSED USE:	<i>MHBC Planning (Kelly Martel)</i> <i>Better Life Retirement Residence</i> <i>505-02/19 & 520-03/19</i> <i>Official Plan and Zoning By-law Amendment</i> <i>11-storey residential building</i>		
Property Details	PROPERTY LOCATION: MUNICIPAL ADDRESSES: PROPERTY AREA: EXISTING USE:	<i>East side of Maple Avenue, north of Lakeshore Road</i> <i>441 Maple Avenue</i> <i>0.28 hectares</i> <i>Two-storey long-term care facility</i>		
Documents	OFFICIAL PLAN Existing: OFFICIAL PLAN Proposed: ZONING Existing: ZONING Proposed:	<i>Downtown Residential – Medium and/or High Density Precinct</i> <i>Downtown Residential – Medium and/or High Density Precinct with site specific policy</i> <i>Downtown Residential High-Density (DRH)</i> <i>Downtown Residential High-Density with site specific exception (DRH-XXX)</i>		
Processing Details	APPLICATION RECEIVED: STATUTORY DEADLINE: NEIGHBOURHOOD MEETING: PUBLIC COMMENTS:	January 11, 2019 August 9, 2019 November 14, 2018 1 e-mail as of the time of the writing of this report		

Background and Discussion:

On January 11, 2019, the Department of City Building acknowledged that a complete application had been received for an Official Plan Amendment and Zoning By-law Amendment for 441 Maple Avenue. The purpose of these applications is to amend the Official Plan and Zoning By-law in order to facilitate a residential development consisting of one 11-storey residential building. The location of the subject lands is illustrated in “Appendix A”. A Detail Sketch of the development proposal is provided in “Appendix B”.

The purpose of this report is to provide an overview of the proposed application and provide an outline of the applicable policies and regulations as well as a summary of the technical and public comments received to date. This report is intended as background information for the Statutory Public Meeting.

Site Description:

The subject property is located on the east side of Maple Avenue, north of Lakeshore Road. The property has an area of 0.28 hectares (0.69 acres). The site currently supports a two-storey long-term care facility which is proposed to be demolished. Surrounding land uses include the following:

North: Mid-rise apartment buildings (6 and 11 storeys)

East: Hydro Corridor and Pipeline Right-of-Way, currently used for parking

South: Mid-rise apartment building (11 storeys)

West: High-rise apartment building (14 storeys) and low-density residential (2 storeys)

Discussion**Description of Application**

The City of Burlington is in receipt of the following applications:

- 505-02/19 – Official Plan Amendment to re-designate the subject lands from “Downtown Residential – Medium and/or High Density Precinct” to “Downtown Residential – Medium and/or High Density Precinct” with a site specific policy to permit additional density; and,
- 520-03/19 – Zoning By-law Amendment application to rezone the subject lands from “Downtown Residential High-Density (DRH)” to “Downtown Residential High-Density with site specific exception (DRH-XXX)”.

The current Official Plan designation on the subject lands is “Mixed Use Centre” in accordance with Schedule “B” of the Official Plan and is further designated “Downtown Residential – Medium and/or High Density Precinct” in accordance with Schedule “E” of

the City's Official Plan. The current zoning is "Downtown Residential High-Density (DRH)". The applicant is proposing to construct a new 11-storey residential building. Site specific amendments to the Official Plan and Zoning By-law are required to facilitate the proposal.

The proposed development would contain 153 units and have a density of 547 units per hectare. The building is proposed to be stepped down to 9 storeys abutting Maple Avenue with a pedestrian entrance facing Maple Avenue. 164 parking spaces are proposed within three levels of underground parking, and an additional 15 parking spaces are proposed to be used as visitor parking spaces on the adjacent hydro lands through a lease with Hydro One. The underground parking garage is proposed to be accessed from the south side of the site, where a drop-off location is also provided. Common indoor amenity space is proposed on the ground floor, with outdoor amenity space proposed on the tenth floor.

Technical Reports

The applicant submitted the following technical reports in support of the subject application to be reviewed by various departments and technical agencies.

- [Planning Justification Report](#), prepared by MHBC Planning Limited, dated December 2018.
 - Discusses the proposed development with respect to the applicable policy framework;
 - Concludes that the proposal is in keeping with the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe and the Halton Region Official Plan;
 - Concludes that the proposal is not in keeping with the City's Official Plan and Zoning By-law; and provides rationale for the proposed amendments.
- [Site Plan and Elevations](#), prepared by Michael Spaziana Architect Inc., dated December 2018.
 - Includes the Site Plan, building statistics, building elevations and proposed features of the site such as entrances and amenity area.
- [Urban Design Brief](#), prepared by Michael Spaziana Architect Inc., dated December 2018.
 - Provides a summary of surrounding developments and heights of adjacent buildings;
 - Reviews the proposal in light of the urban design policies of the Official Plan;
 - Provides angular plane study and shadow analysis which identifies no negative impacts due to increased shadow;
 - Concludes that the proposal is compatible with the existing neighbourhood character.

- [Functional Servicing Report](#), prepared by GHD, dated November 2018.
 - Outlines proposed strategy for site servicing and stormwater management;
 - Concludes that the site can be adequately serviced by the existing municipal infrastructure without negatively impacting existing development.
- [Tree Inventory and Preservation Plan](#), prepared by BTi, dated December 2018.
 - Identifies 10 trees on the subject lands; two of which are to be preserved, eight of which are to be removed;
 - Notes that one tree will be removed for construction, two trees require city approval for removal and four trees require approval from neighbours.
- [Traffic Impact Study](#), prepared by Crozier Consulting Engineers, dated December 2018.
 - Indicates that the proposed development will generate 50 two-way trips during the weekday am peak hour and 55 two-way trips during the weekday pm peak hour;
 - Concludes that the proposed development can accommodate the increased volumes and will have little impact on the operations of nearby major roads during these times;
 - Indicates that the proposed parking reduction can be supported based on results of parking rate data and proximity to major active transportation facilities in the downtown.
- [Pedestrian Wind Study](#), prepared by RWDI, dated December 2018.
 - Reviews the wind conditions pre- and post-development;
 - Provides recommendations with respect to mitigating wind impacts.
- [Phase I Environmental Site Assessment](#), prepared by BlueFrog Environmental Consulting Inc., dated January 2019.
 - Presents existing environmental conditions on the subject property;
 - Identifies potential presence of substances on the site from previous underground oil heating tank, and outlines recommendations for handling, management and disposal of such substances.
- [Geotechnical Investigation and Engineering Design Report](#), prepared by Terraprobe, dated December 2017.
 - Investigates subsurface soil rock and groundwater conditions;
 - Contains recommendations on design of foundation, floor slabs-on-grade, basement drainage and paving.
- [Noise Feasibility Study](#), prepared by RWDI, dated November, 2018.
 - Assesses noise sources affecting proposed development and determines whether proposed development is feasible;
 - Provides recommendations based on the findings which will help mitigate noise impacts.

Technical Review

The Official Plan Amendment and Zoning By-law Amendment applications and supporting documents were circulated for review to internal departments and external agencies. Comments are still forthcoming from Halton Region, Union Gas, Bell, the Burlington Economic Development Corporation, Burlington Hydro, the City's Fire and Emergency Services, Landscaping, Transportation and Parks and Open Space sections.

Transit:

Transit has reviewed the proposal and note that a new bus shelter is recommended in front of the subject lands. Funds in the amount of approximately \$18,000 are requested to construct a new concrete pad and bus shelter. This number would be confirmed at the Site Plan stage.

Site Engineering:

Site Engineering has reviewed the proposal and note that a Phase II Environmental Site Assessment will be required as there might be potential contamination on the site. Site Engineering also provided comments on submitted documents, and minor changes will be required.

Burlington Accessibility Advisory Committee (BAAC):

Comments from the BAAC indicate that the request to reduce the size of accessible parking stalls and access aisles is not permitted, that accessible parking stalls should be relocated to be adjacent to the entrance of the elevator lobby, and that one Type A spaces and access aisle should be accommodated within the surface parking.

Other:

The City's Finance Department have provided their standard comments and have advised that they have no issues or concerns at this stage.

Policy Framework:

The application is subject to the following policy framework: the Provincial Policy Statement 2014, the Growth Plan for the Greater Golden Horseshoe, the Halton Region Official Plan, the City of Burlington Official Plan and the City of Burlington Zoning By-law 2020. Consideration of applicable policies from these documents will be addressed in the subsequent recommendation report. Listed below is an overview of the land use designations and policy directions at the provincial, regional and local level.

Provincial Policy Statement (PPS) 2014

The Provincial Policy Statement (PPS) provides broad policy direction on land use planning and development matters of provincial interest. The PPS provides policies for

appropriate development based on efficient use of land and infrastructure, protection of natural resources, and supports residential and employment development including a range and mix of land uses. Through the PPS, growth and development are to be focused within the established settlement areas. Decisions affecting planning matters made on or after April 30, 2014 “shall be consistent with” the PPS.

Growth Plan for the Greater Golden Horseshoe

The updated Growth Plan for the Greater Golden Horseshoe came into effect on July 1, 2017 and provides a growth management policy direction for the defined growth plan area. The subject lands are located within an Urban Growth Centre within the Growth Plan. Through this plan, growth is focused in the existing urban areas through intensification. The guiding principles of the Growth Plan include building compact, vibrant and complete communities, and optimizing the use of existing and new infrastructure to support growth in an efficient and well-designed form.

Halton Region Official Plan

The subject lands are designated “Urban Area” in accordance with the Halton Region Official Plan (ROP), and is located within an Urban Growth Centre. The Urban Area objectives promote growth that is compact and transit-supportive. This designation also encourages intensification and increased densities. The ROP states that permitted uses shall be in accordance with local Official Plans and Zoning By-laws and other policies of the Halton Region Official Plan.

City of Burlington Official Plan

The current Official Plan designation on the subject lands is “Mixed Use Centre”, in accordance with Schedule “B” of the Official Plan and the property is located within the Downtown Urban Growth Centre Boundary. Within the Downtown Mixed-Use Centre, the lands are further designated “Downtown Residential – Medium and/or High Density Precinct” in accordance with Schedule “E” of the City’s Official Plan. **This designation allows for ground and non-ground oriented housing units ranging between 26 and 185 units per net hectare;** home occupations and cottage industries; neighbourhood parks and office uses. No height limit is specified in the Official Plan for this property. The applicant is proposing a residential building having a density of 547 units per net hectare, which is above the permitted maximum density of 185 units per hectare. As such, an Official Plan Amendment has been applied for.

According to Part III, Subsection 5.5.5 a) of the City’s Official Plan, the objective for the Downtown Residential Medium and/or High Density Precinct is *“to recognize the variety of the existing residential medium and/or high density development that currently exists within these precincts and to provide for future medium or high density residential development or redevelopment which is compatible with the existing development”*. The

proposal will be assessed for compatibility with the surrounding area throughout the development application process.

In addition to the above and in keeping with Provincial requirements, Part III, Section 2.5.2 of the Official Plan contains policies pertaining to residential intensification. While the policies are intended for intensification within established neighbourhoods, the proposal is surrounded by established residential areas and these policies are a useful means of evaluating land use compatibility. As such, the proposed development will be reviewed in accordance with these criteria.

City of Burlington Adopted Official Plan, 2018

The proposed New Official Plan was adopted by Council on April 26, 2018 and has been developed to reflect the opportunities and challenges facing the City as it continues to evolve. Halton Region has identified areas of non-conformity, and as such, the adopted Official Plan will be subject to additional review and revision prior to its approval. Further, City Council has directed a new staff review and public engagement process to consider potential modifications, including a review of height and density provisions. As a result, no weight is placed on the policies of the adopted Official Plan in the review of this application at this time.

City of Burlington Zoning By-law 2020

The property is zoned “Downtown Residential High-Density (DRH)” in accordance with Zoning By-law 2020. The DRH Zone permits apartment buildings, retirement homes and offices within an existing building or on the ground floor of a residential building. The proposed development does not comply with some regulations, including setbacks, density, building height, parking and landscape buffers and areas. A Zoning By-law Amendment application is therefore required. The following table outlines which requirements of the “Downtown Residential High-Density (DRH) Zone” will need site specific zoning exceptions. It should be noted that this chart is a preliminary review by staff of the current proposal. A more detailed review of the proposal will be undertaken by Zoning staff at a later stage in the process.

Regulation	Current DRH Requirement	Proposed
Front Yard Setback	7.5 metres abutting a street having a deemed width of 36 metres or more	4.5 metres
Side Yard Setback	6 metres	4 metres (north side)
Maximum Density	185 units per hectare	547 units per hectare
Maximum Building Height	22 metres	36 metres

Regulation	Current DRH Requirement	Proposed
Visitor Parking	0.25 visitor parking spaces per unit (39 spaces)	0.17 visitor parking spaces per unit (27 spaces) <ul style="list-style-type: none"> • 15 of these spaces proposed to be located on Hydro lands
Occupant Parking	1 occupant parking space per unit (153 spaces)	1 occupant space per unit (153 spaces)
Transformers, Exhaust Shafts and Air Shafts within Landscape Area	Not Permitted	Permitted
Landscape Buffer (South side)	3 metres	0 metres
Balcony Encroachments	0.5 metres into side yard 1.6 metres into other yard	1 metre into north side yard 1.5 metres into south side yard
Encroachment of Parking Structure to Lot Line and Within Landscape Areas and Buffers	Not Permitted	Permitted

As mentioned above, those development standards shown on the chart above do not comply with the Zoning By-law requirements, and as such a Zoning By-law Amendment is being requested. The applicant is requesting to add a site-specific exception to the existing “Downtown Residential High-Density (DRH)” Zone.

Financial Matters:

In accordance with the Development Application Fee Schedule, all fees determined have been received.

Public Engagement Matters:

Public Circulation/Notification

The applicant posted a public notice sign on the property to reflect their submission on February 22, 2019. All of the technical studies and supporting materials for this development were posted on the City's website at www.burlington.ca/441Maple. The application was subject to the standard circulation requirements for Official Plan and Zoning By-law Amendment applications. A public notice with a request for comments was circulated to surrounding property owners in February 2019.

Burlington Urban Design Advisory Panel Meeting

The applicant met with the Burlington Urban Design Advisory Panel on September 18, 2018. Based on the advice given, a number of changes were made to the proposal, including the following:

- Underground parking ramp relocated;
- Garbage room relocated to underground level to allow for additional amenity space;
- Rear yard redesigned to allow for more landscape features and an outdoor patio adjacent to the amenity area;
- Ground floor extended to provide a step back on the 10th floor; and,
- Revisions to balcony design.

Pre-Application Consultation Meeting

The applicant conducted a pre-application neighbourhood open house for the proposal on November 14, 2018 at the Burlington Art Gallery that was attended by approximately 50 members of the public who reside in the area. The open house included displays showing the proposed building. The key concerns raised by the public at the meeting were related to the building height, traffic and access, parking and noise. **In response to comments received from the public, the applicant has reduced the proposed number of residential units from 164 to 153.**

Public Comments

As a result of the public consultation, one written comment has been received from a member of the public as of the time of the writing of this report. Should future comments be received, they will be considered and included within a future recommendation report. The comments received following the pre-application open house meeting highlighted the following themes and areas of concern about the development and are summarized below:

- Building Height

- Building will be taller in linear height than others in the area;
 - Too many tall buildings exist in the area.
 - Traffic and Access
 - Increased traffic congestion and air pollution;
 - Not enough space for more cars;
 - Decreased safety.
 - Parking
 - Concerns about underground parking impacts on groundwater;
 - Questions regarding visitor parking and provision of accessible parking spaces;
 - Concerns with visitor parking being on Hydro One lands;
 - Space for moving trucks and maintenance trucks.
 - Noise
 - Concerns about noise from mechanical room and outdoor amenity area on 10th floor;
 - Concerns about noise and vibration on nearby properties.
-

Conclusion:

This report provides a description of the development application, an update on the technical review of this application and advises that public comments have not been received as of the writing of this report. A subsequent report will provide an analysis of the proposal in terms of the applicable planning policies and will provide a recommendation on the proposed application.

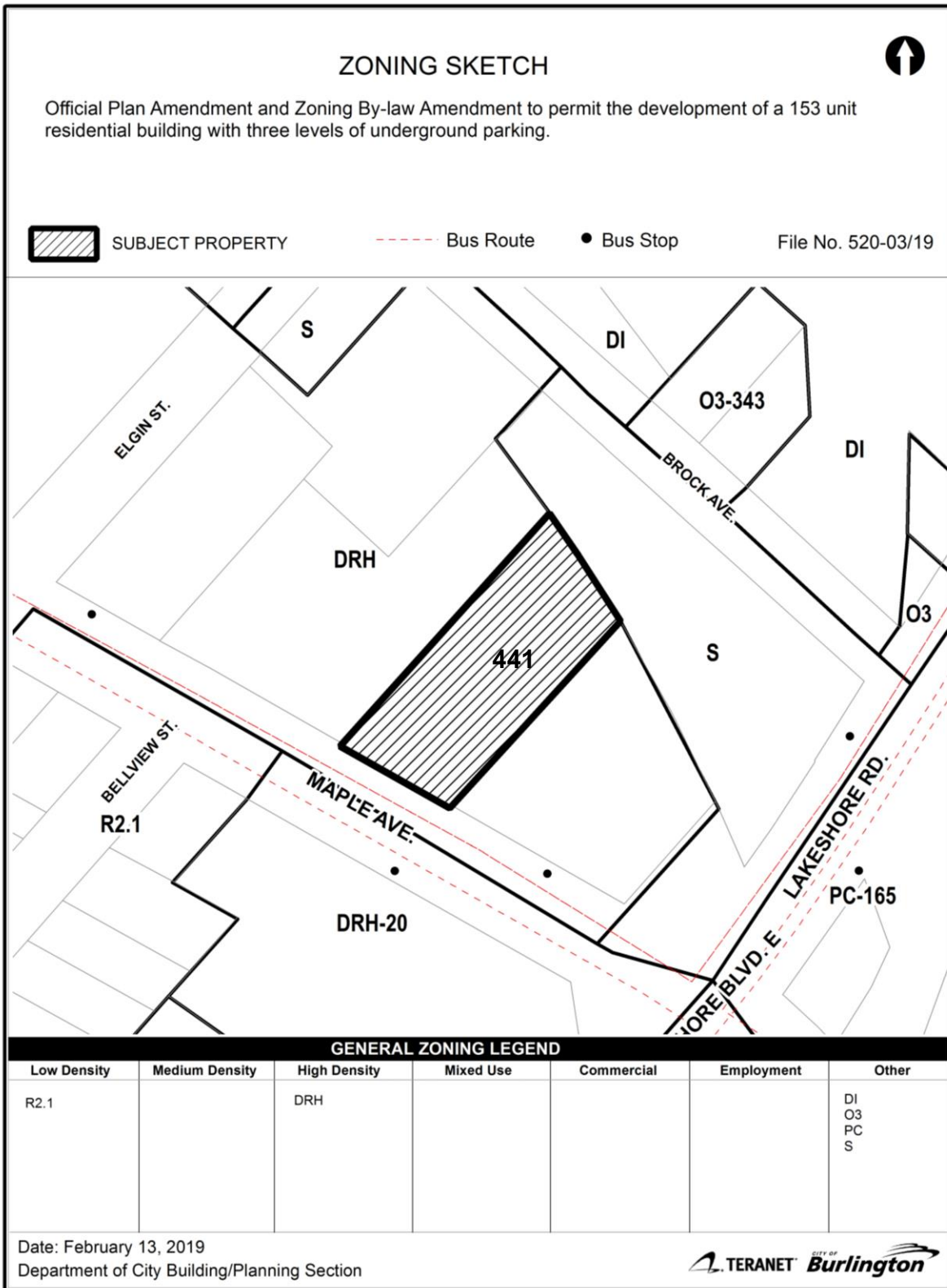
Respectfully submitted,
Melissa Morgan, MCIP RPP
Planner II – Development Review
905-335-7600 extension 7788

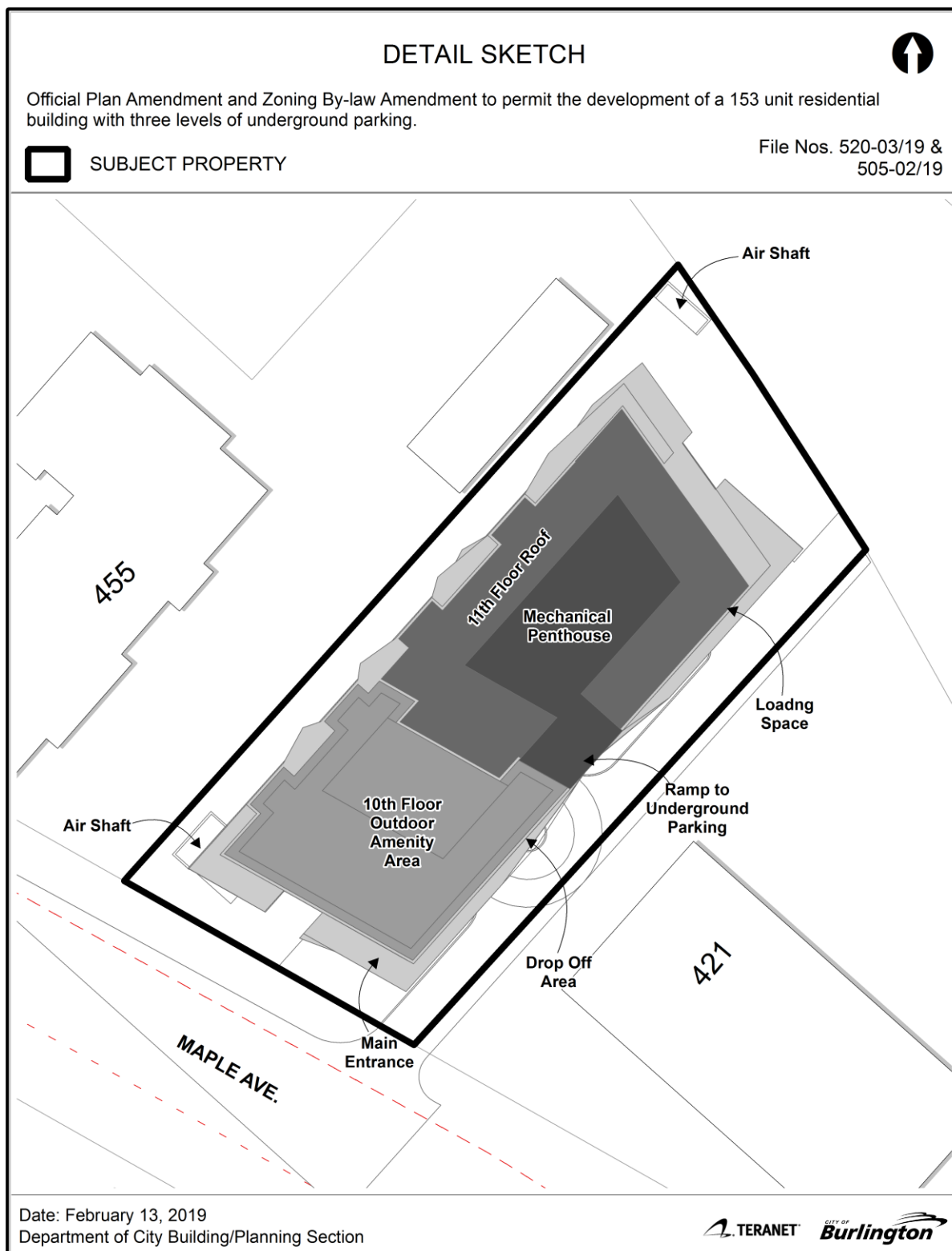
Appendices:

- A. Location/Zoning Sketch
- B. Detail Sketch
- C. Public Comments

Report Approval:

All reports are reviewed and/or approved by Department Director, Director of Finance and Director of Legal. Final approval is by the City Manager.

APPENDIX "A"

APPENDIX "B"



SUBJECT: State of the Business Improvement Areas (BIAs) 2019

TO: Planning and Development Committee

FROM: Department of City Building - Planning Building and Culture

Report Number: PB-03-19

Wards Affected: 1, 2

File Numbers: 560-08

Date to Committee: July 9, 2019

Date to Council: July 15, 2019

Recommendation:

Receive and file department of city building report PB-03-19 providing an update on the State of the Business Improvement Areas (BIAs) 2019.

Purpose:

This is the ninth report in a series of annual reports since the inception of Core Commitment, Downtown Burlington's Strategic Plan.

The purpose of these annual reports is to provide an overview of the prior year's highlights and to assess the current state of both of Burlington's BIA areas: Downtown Burlington and Aldershot Village.

This report aligns with the objectives set out in Burlington's Strategic Plan 2015-2040, particularly with respect to strategic direction 1: A City that Grows; and subsection 1.1e, which states: "small businesses contribute to the creation of complete neighbourhoods where residents are close to goods and services."

Background and Discussion:

As is tradition, staff brings an annual report to Council to provide an account of the accomplishments, challenges and indicators or metrics of the health of the two BIA areas. The initiative started as a means to report on the progress of the City's Core Commitment Downtown Strategic Plan and has been expanded to include an overview

of the Aldershot Village BIA's yearly work as well. This report acknowledges and celebrates the uniqueness of each BIA area and is not intended to be a comparison of the two areas.

Aldershot Village BIA

The Aldershot Village BIA was established in 2004 and supports approximately 250 retailers and service professionals along an 8km stretch of Plains Road spanning from the Queen Elizabeth Way to Highway 6, capturing properties on either side of the Plains Road road allowance. The Aldershot Village BIA is highly committed to the Aldershot community through partnerships with the Aldershot Community Honour Roll, Plains Road Village Vision Group, Partnering Aldershot and Alderfest Community Festival, among many others.

The Aldershot Village BIA is composed primarily of small businesses which are accessed by car and are generally less walkable and pedestrian friendly than businesses in other areas of the City. This is reminiscent of the area's transition from a highway, to a multi-purpose arterial and mixed-use corridor.

Aldershot continues to experience significant growth and change and Plains Road and the Aldershot GO Mobility Hub area continues to attract intensified new development and businesses.

Year in Review

2018 was a very exciting and successful year for the Aldershot Village BIA. The BIA opened up a store-front office at 195 Plains Road East and was able to get permanent visibility and a dedicated meeting space. The Board also saw long-time Chair and inaugural member, Kelvin Galbraith step into a new role as Ward Councillor and the BIA staff successfully increased the name and presence of the BIA through a number of special events including five BIA Markets. The following is an overview of some of the initiatives and projects that were undertaken by the Aldershot Village BIA in 2018.

Development

Aldershot continues to experience a significant amount of residential and mixed-use development, focused around the Plains Road corridor and Aldershot GO Station. There are currently 147 residential units approved or under construction along Plains Road and within the BIA boundary. Many of these units are incorporated into developments containing at-grade retail units. A possible 730 units are under review or appeal. Adjacent to the BIA boundary there are 421 units under construction at 101 Masonry Court, and another 1610 units possible units under review.

Particularly noteworthy, was the opening of the new “Gateway of Burlington” gas station and grocery store which opened at the west-end of the BIA (1134 Plains Rd West) in 2018. It is expected that mixed-use development will continue along Plains Road in the coming years.

Arts and Culture

This past year, a new public art piece called *Dwelling* was installed on Plains Road in the median near the intersection of Plains Road and Francis Road. The art was created by artist Xiaojing Yan. *Dwelling* has six house shapes in different sizes made of stainless steel. The artwork creates a marker for the community and a sense of identity and belonging. This piece is part of the City’s public art collection.

Special Events

Community outreach and special events are an integral part of the work of the Aldershot Village BIA. In 2018, the Aldershot Village BIA held another successful Christmas tree lighting event with approximately 300 people in attendance. The BIA hosted also five successful market events where BIA members were able to participate as vendors and many were able to establish new customers as a result. The BIA also sponsors an award through the Aldershot Community Honour Roll for a business that provides an outstanding contribution to the Aldershot community. Additionally, the Aldershot Village BIA is a significant contributor to the Alderfest event.

Aldershot GO Mobility Hub Planning

The Aldershot GO Mobility Hub is a locally recognized Mobility Hub centered around the Aldershot GO Station. Area Specific Planning of the City’s Mobility Hubs began in 2017. The Aldershot GO Mobility Hub study area boundary is comprised of an area of approximately 800m around the GO Station, south of Highway 403, including Waterdown Road and extending both east and west along the Plains Road corridor.

During both 2017 and 2018, there were multiple public engagement opportunities around the vision for the Aldershot GO Mobility Hub. At the end of 2017, a preferred land use concept was presented to Council. On July 12, 2018, the conversation about the draft precinct plans for Aldershot GO, Appleby GO and Burlington GO continued at a Council Workshop of the Committee of the Whole. Currently, the work on the Aldershot GO Mobility Hub is on pause as the Region’s Official Plan Review process is underway. As the process continues, the Aldershot Village BIA will continue to be engaged.

2019: The Year Ahead

The Aldershot Village BIA is at a critical point in its growth. It is no longer a newly established BIA and has gained considerable momentum and presence in the community. In order to take their work to the next level, the Aldershot Village BIA is planning to embark on a process of Strategic Planning for the short term. Out of this plan, key initiatives for the next 3-5 years will emerge and will position the BIA to better address the needs of its members and the community and will further increase the presence of the BIA within Burlington. Staff will report back upon completion of the Strategic Plan.

Burlington Downtown Business Association

The Burlington Downtown Business Association (BDDBA) was established in 1980 and supports approximately 420 businesses including a range of retail and service commercial establishments, restaurants and professional services, among others. The BDDBA BIA area, expanded in 2015, has a western boundary of Maple Avenue to Ontario Street. It captures both sides of Ontario Street over to Brant Street. The BIA area then extends on either side of Brant Street up to Ghent Avenue. The eastern boundary of the BIA extends from Brant Street along Caroline Street, down the west side of Martha Street, and along Lakeshore Road on both sides to Smith Avenue.

The Downtown continues to experience significant development and development pressures and continues to be a tourism destination for Burlingtonians and people through the GTHA alike.

Year in Review

The BDDBA had another eventful year in 2018, which marked “Year II” of their current three-year strategic plan, Focus 2020. In 2018, the BDDBA successfully delivered 85% of its targeted work and welcomed 26 new businesses. They also successfully began to apply their membership endorsed *Statement of Guiding Principles*, which act as their official commenting position on development applications.

The BDDBA co-sponsored Sound of Music’s Downtown Streetfest, a 3-day event over the Father’s Day weekend, with programming designed to get people out of Spencer Smith Park and into downtown businesses. 2018 brought Streetfest farther up Brant Street to Caroline Street and increased the offerings to capture a broader business mix.

Downtown Jazz Fest, in partnership with the Burlington Performing Arts Centre, was a resounding success, with each of the 4 performances having over 400 patrons. The

BDBA was also quick to prepare one-of-a-kind programming to make Roger's Hometown Hockey event a success and our Downtown event ready. This included the unveiling of the BDBA's vinyl window marketing campaign, "Celebrate Downtown".

The BDBA was successful in raising more than \$40,000 in sponsorship and completing multiple beautification initiatives including the installation of new, heritage-style street signage in all of the areas of the expanded BIA boundary and contributions to the construction of a raised planter bed along the Elgin Promenade.

Core Commitment Update

On November 4, 2013, Council approved the revised and updated Core Commitment, which established a new vision for the downtown together with a set of guiding principles and a new set of recommended actions. With respect to the latter, Core Commitment includes a number of strategic initiatives intended to support and strengthen Downtown. The original Core Commitment was adopted and approved in May 2005.

Core Commitment is referenced in the City's Strategic Plan 2015-2040 as the strategic action plan for the downtown. It is set out in the City's Strategic Plan that the recommendations of the Core Commitment will be put in place for the downtown and extend where possible, to other urban centres.

Core Commitment Initiatives

Core Commitment includes an implementation strategy and a series of strategic initiatives, approved in principle by Council, subject to budget approval. The table attached as Appendix A provides a review and status update on these initiatives. The initiatives identified in the implementation plan are largely completed. Core Commitment is due to be updated, either through a review of the existing plan or a new strategic plan process, reflective of the vision of the community. Staff will report back to Council with a proposed Terms of Reference including a project timeline, estimated cost and engagement plan, following the scoped re-examination of the adopted Official Plan.

Initiatives Completed

The initiatives generated out of the Core Commitment document are nearly complete. Appendix A provides an update on the Core Commitment Initiatives.

Other Initiatives

The following is an update on other initiatives identified in Core Commitment, as well as several downtown projects underway.

Burlington Beach Regional Waterfront Park Master Plan

On May 25, 2015, Halton Regional Council approved an updated Master Plan that provides direction to Regional staff for the future park development. Phase 1 of the implementation of the Burlington Beach Regional Waterfront Park Master Plan was completed in 2017 and included an upgraded gazebo, concrete walkway, pedestrian lighting, benches and tree planting. Phase 2, which was completed in 2018, included improvements to the promenade (asphalt re-surfacing and bollards), concrete surfacing at seating areas and pathway at west end, benches and a new safety railing along a section of the concrete wall. Future phases include environmental and technical studies prior to detail design and implementation at Beachway Park.

The Elgin Promenade

Identified through Core Commitment as a strategic initiative to improve pedestrian connections, the Elgin Promenade multi-use path takes advantage of the existing underground TransNorthern Pipeline and regional trunk sanitary sewer easements that run east-west through the downtown. Phases 1-3 of the Elgin Promenade project are completed and are being enjoyed by the community.

Phase 4 of the Elgin Promenade was approved for construction in 2020 through one-time funding provided by the Federal Gas Tax to the City of Burlington.

Pop-Up Patio Pilot

The Pop-Up Patio program is currently entering the final year of the pilot program. Upon completion of the 2019 Pop-Up Patio season, staff will be reporting back to Council with recommendations on next steps for the program. This report will include results of a public engagement process aimed to capture the experiences of downtown residents, restaurant patrons and pop-up patio operators among others. Staff would like to point out that Pop-Up Patios do not fall under the Temporary Use By-Law provisions being contemplated in report PB-35-19.

Civic Square

Due to accessibility concerns and failing infrastructure, city staff identified the need to repair and revitalize the existing Civic Square. In 2018, public consultation was undertaken in order to get public feedback on some improvements to Civic Square and then again in 2019 to determine if anything had been missed from the 2018 public engagement. The revitalization of Civic Square was approved in the 2019 Capital Budget, and additional funding identified through the one-time Federal Gas Tax funds, however, further conversation about budget and design are anticipated to take place in 2019.

Streetscape Design Guidelines

City Building Department report PB-50-19 provides an update on the Downtown Streetscape Design Guidelines. This report is being considered in the same reporting cycle.

Downtown Precinct Plan

In April 2018, the former City Council adopted a new Official Plan for the City which included a new precinct plan for the Downtown. In February 2019, Council provided staff the direction to re-examine the policies of the Adopted Official Plan. On May 21, Council considered staff report, PB-49-19 which outlined the work plan for the scoped re-examination of the Adopted Official Plan. Through this work, a revised precinct plan will emerge and will form the basis for multiple initiatives in the Downtown.

Waterfront Hotel Planning Study

The Waterfront Hotel Planning Study kicked off in March 2017 to comprehensively plan this key waterfront site and guide the property owner in its redevelopment. Three public meetings/workshops and two community surveys were conducted in 2017. In November 2017, an update on the status and progress of the study was presented to Council at the Planning and Development Committee meeting. From January to April 2018, ongoing stakeholder engagement sessions were held.

PB-23-18 was brought to the Planning and Development Committee in June 2018 and established a set of key policy directions to guide the development of a final concept. Through the work completed to date, there is a lack of consensus among all parties around what constitutes an appropriate development for this

property. Staff will re-activate the discussions related to the Waterfront Hotel property and report back to the Planning and Development Committee in Q2 2020 with an augmented work plan, including details on timelines, a new public engagement plan and any additional budget required to support this work.

New Initiatives

Downtown Performance Indicators

In 2015, Planning Staff brought a report on the State of the Downtown (DID-2-15) which included a series of downtown performance indicators, developed using the Results Based Accountability (RBA) approach. Since these indicators were developed, there have been mixed results in their application. The metrics were well-intended and were an attempt to meaningfully measure the success of the Downtown, however, there are multiple metrics for which data is not consistently available, relies heavily on the data collection of third parties, or which has never been available. Additionally, since the creation of these metrics, the role of the Special Business Area Coordinator was expanded to include the Aldershot Village BIA.

As such, staff is planning to bring to Council a “toolkit” of metrics, developed based on best practices and in line with the work undertaken by the Ontario Business Improvement Area Association. The intent is to create a suite of metrics which can be drawn upon as applicable for each of the BIAs in a way that is consistent, meaningful and contextually appropriate.

Appendix B provides a complete summary of the current metrics and the results for Downtown Burlington, as well as a selected snap shot of Aldershot Village BIA.

Downtown Parking Utilization and Needs Study

The Downtown Parking Utilization and Needs Study will assist in examining the way parking is used in the Downtown, identify areas which have parking constraints, and lay the ground work to determine if and where additional parking is required. An approved policy framework guiding the development of the Downtown is required to be in place prior to the commencement of the Downtown Parking Needs Study. Once initiated, it is expected that it will take 12 months to complete.

City Wide Parking Standards Review

In June 2019, Council approved of a staff direction to proceed with Zoning By-law amendments to implement the recommendations of the City Wide Parking Standards Review study. At this time, the study does not include recommended parking rates for intensification areas, including the Downtown. Following approval of the adopted Official Plan, parking standards for Downtown will be established through the Comprehensive Zoning By-law Review and informed by the Downtown Parking Utilization and Needs Study.

Pedestrian counter

The City currently has a pedestrian counter which is used throughout the city to monitor pedestrian traffic. The counter was installed on the west side of Brant Street, just north of Pine from January to July (end) 2018.

Month	Total Pedestrian Traffic	Daily Average
January	24,350	785
February	23,513	840
March	35,045	1,130
April	36,563	1,219
May	57,448	1,853
June	56,226	1,874
July	50,772	1,683

Courtesy of: Transportation Services

Staff is happy to report that the pedestrian counter was returned to the Downtown by the end of June 2019.

Development

The Downtown has experienced a significant amount of development activity including mixed-use and residential development inquiries, applications and construction activity. The City Building Department will provide a report on the City of Burlington Growth Analysis Study which was prepared to inform the growth analysis work being undertaken by Halton Region, through PB-19-19, in this same Council cycle.

Arts and Culture

The City's public art program continues to expand and enhance the quality of life of Burlingtonians. In 2018, the Downtown added two new pieces of public art to the City's Public Art Collection; Portal, a mixed-media reflective structure and Squeeze, a urethane resin material set in a fence, both apart of the Elgin Promenade. Please note in Appendix B that the number of Downtown pieces in the City's Public Art Collection appears to have been reduced from 2017. This is accounted for by the removal of the listing of four pieces from the Public Art Collection that were not commissioned by the City. While they remain in our Downtown for the enjoyment of visitors and residents alike, they are not physically counted in the City's Collection.

Special Events

In 2018, the Downtown hosted a number of special events as it does annually. This past year, 372 events were held in the Downtown, 181 of which were held between May to September. This is slightly less events held than the previous year, attributed to poor weather and a spike in the number of events held in honour of Canada 150. It was estimated that these events brought 661, 208 people to the Downtown. Hometown Hockey, Ribfest, Sound of Music, Candlelit Stroll, Treats in our Streets and the Santa Claus Parade are significant contributors to the large number of visitors to the Downtown.

Financial Matters:

N/A

Connections:

Both the Aldershot Village BIA and Burlington Downtown Business Association continue to work closely with the city on all matters relating to their respective geographical areas and beyond. Both Brian Dean and Judy Worsley, Executive Directors, were instrumental in the preparation of this report. Staff will continue to foster relationships with both BIAs to continue to advance the work programs of the BIAs and the City. Staff would also like to thank the numerous contributors to this report, including Tourism Burlington, Burlington Economic Development Corporation, Staff from Transportation Services, Capital Works, Special Events and Parks and Recreation.

Public Engagement Matters:

N/A

Conclusion:

Both of Burlington's BIAs continue to evolve and make Burlington a great place to live, work, shop and play. The year ahead will be an exciting one as the Burlington Downtown Business Association will soon celebrate its 40th year and the Aldershot Village BIA will embark on the creation of a strategic plan. Staff will report back on the creation of a new or a revision to Core Commitment and the creation of a tool-kit of metrics to assess the success of both BIAs for the future.

Respectfully submitted,

Jenna Puletto

Special Business Area Coordinator

905-335-7600 ext. 7445

Appendices:

- A. Core Commitment Initiatives Tracking
- B. Aldershot and Downtown Performance Indicators

Notifications:

Judy Worsley, Executive Director, Aldershot Village BIA

judy@aldershotbia.com

Brian Dean, Executive Director, Burlington Downtown Business Association

brian@burlingtondowntown.ca

Pam Belgrade, Tourism Burlington

Pam.Belgrade@burlington.ca

Anita Cassidy, BEDC

Anita.Cassidy@Burlington.ca

Report Approval:

All reports are reviewed and/or approved by Department Director, Director of Finance and Director of Legal. Final approval is by the City Manager.

Appendix A

Core Commitment Initiatives Tracking

SHORT TERM:

Initiative	Lead	Status
Complete the review of funding options for the provision of 27kv hydro service and burial of overhead lines in the downtown.	Capital Works	<p>The burial of the upgraded 27kv hydro service required to support new development along John Street is complete from the Bus Station north to Caroline Street.</p> <p>The burial of the existing 4kv above ground service was relocated to the opposite side of John Street. It will remain overhead until the road works commence. The 2019 Capital Budget and Forecast identifies projects scheduled to take place in 2024.</p>
Prepare an employment strategy for the downtown supported by a business case and including the development of a strategy to attract niche office users, and including a strategic review of City owned lands.	Burlington Economic Development Corporation (BEDC)	<p>Strategic land review completed by Capital Works with BEDC.</p> <p>Office Analysis study completed by Deloitte on future market trends for office.</p> <p>BEDC will be supporting a future update of Core Commitment and developing an employment attraction strategy for Burlington, including the Downtown, scheduled for 2022.</p>
Examine the options for incentives to attract employment uses including TIF's, grants, interest-free-loans, and the benefits of a Community Improvement Plan.	BEDC	BEDC will be working with the Department of City Building on a Community Improvement Plan for Burlington, scheduled for 2022.
Complete Burlington Beach Regional Waterfront Park Master Plan.	Capital Works (Parks and Open Space)	<p>Completed.</p> <p>The Burlington Beach Regional Waterfront Park Master Plan was approved by Halton Region Council on May 20, 2015.</p>

Initiative	Lead	Status
Complete the Community Trails Strategy and ensure alignment with and connection to Cycling Master Plan, Burlington Beach Regional Waterfront Park Master Plan, and Downtown Mobility Hubs Study.	Capital Works (Parks & Open Space)	Completed.
Develop a plan to enhance pedestrian connections using city owned lands and right of ways through Parking Lots 1, 4, and 5 connecting to the Centennial Bike Path.	Capital Works (Parks & Open Space) / Special Business Area Coordinator	Elgin Promenade Phases 1, 2 and 3 completed. Phase 4 is scheduled for completion in 2020.
Complete and implement near term recommendations arising from the Parking Study with respect to rates, fees and governance.	Transportation Services	Fee structure in place. New equipment installed in the summer of 2016. Fully funded through Downtown Parking Reserve Fund. Interactive mapping in place.
Complete the OPR Mobility Hubs Opportunities and Constraints Study.	City Building	Completed.
Complete a strategic review of the City's real estate assets in the downtown.	Capital Works	Completed.

MEDIUM TERM:

Initiative	Lead	Status
Review park dedication policies to enhance existing public spaces and consider feasibility of adding new ones as intensification occurs.	Capital Works (Parks & Open Space)	Parkland Dedication policies were updated through the adopted Official Plan. The <i>More Homes, More Choice Act, 2019</i> may have implications on the city's parkland dedication policies and strategies.
Develop a targeted retail business recruitment program including resource implications and business case.	BEDC	BDBA employs a contract person to pursue targeted businesses for the downtown.
Explore opportunities to establish a year-round farmer's market in the	Special Business Area	Centro hosts a seasonal farmer's market that is very well attended by

Initiative	Lead	Status
downtown and report to Council, including considerations for providing start-up support, financial or otherwise, and/or a permanent indoor space for the market.	Coordinator	residents and visitors to the Downtown. Further exploration of this opportunity will be explored through the next Core Commitment process.
Develop a sustainable animation strategy for smaller spaces and the winter season with a business plan for Council's consideration.	Parks and Recreation	Not started.
Explore opportunities to attract an educational institution to the downtown.	BEDC	Blythe Academy opened Fall 2014. BEDC will be developing a Post-Secondary Attraction Strategy for Burlington in 2022.
Implement the recommendations of the Cultural Action Plan once approved by Council, including the potential for a cultural district.	Manager of Arts and Culture	Ongoing.
Develop and implement the pedestrian priority pilot program as directed by the Strategic Plan.	Transportation Services	The scope of the Integrated Mobility Plan will be reassessed through a Council workshop and later presented for Council approval in Summer 2019.

LONG TERM:

Initiative	Lead	Status
Explore opportunities for the expansion of Wi-Fi Capability throughout the downtown.	Information Technology Services	Public Wi-Fi is available at City Hall and in Civic Square. Future work to explore Wi-Fi in other locations downtown will be explored.
Develop and install an interactive downtown business directory.	Burlington Downtown Business Association (BDDBA)	Not started.
Consider a pilot program for a seasonal road closure including programming.	BDDBA	While there has not been a comprehensive pilot program to specifically close an area of the Downtown seasonally, the Downtown is more frequently hosting special events which

Initiative	Lead	Status
		close portions of roads. Examples include Street Fest, Sound of Music, Burlassic Park, Canada Day, etc.
Complete and implement long term recommendations arising from the parking study with respect to rates, fees and governance.	Transportation Services	Complete.
Examine, in conjunction with the Region, the need for and the feasibility of a graduated tax rate structure for small retail properties.	Finance	Not started.

ONGOING INITIATIVES

Initiative	Lead	Status
Continue to work with the Downtown Hospitality Group to manage night life in the downtown considering the needs of downtown residents.	Ward 2 Councillor's Office	As needed.
Continue to work with the Halton Region Police Services (HRPS) to increase police presence and safety measures downtown.	BDBA	As needed.
Implement a parking marketing strategy.	Transportation Services	Ongoing.
Enhance marketing of the downtown to raise awareness of downtown shopping and services.	BDBA	Ongoing.
Consider the parking needs of the downtown workforce in the development of parking options.	Transportation Services	Ongoing – downtown workforce are assigned parking locations strategically to continue to improve parking availability and convenience for visitors to the Downtown.
Explore partnerships with the private sector with respect to making public parking available as part of redevelopments.	Transportation Services	Ongoing.

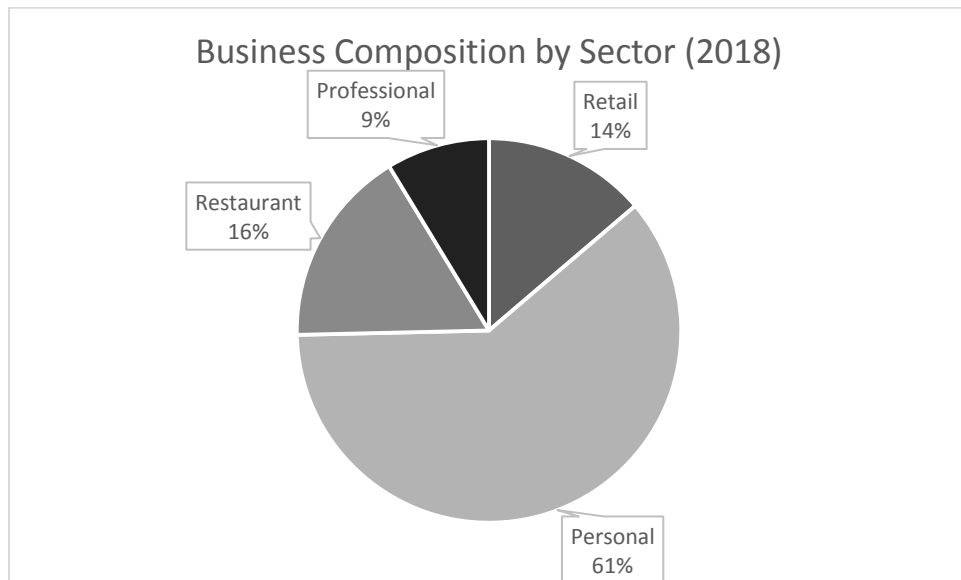
Initiative	Lead	Status
Leverage the existing policy to waive or reduce fees for use of civic square and other downtown public spaces for small scale events.	Parks and Recreation	Opportunities currently exist for organizations to request one-time fee support for events. Enhanced promotion of the overall fee waiver opportunity to be included in future Live and Play guides and in other promotional vehicles.
Continue to add public art in the downtown through the Public Art Program.	Manager of Arts and Culture	Ongoing. In 2018, two new pieces of public art were added, <i>Squeeze</i> and <i>Portal</i> , both part of the Elgin Promenade.
Promote downtown events.	Tourism	Ongoing promotion through social media (e.g. Twitter, Facebook), print materials, etc.
Continue Annual Reporting to Council on transit operations and programs.	Transit	Ongoing.
Continue to implement recommendations of the City's Cycling Master Plan to enhance linkages and cycling safety to and within the downtown.	Capital Works (Parks & Open Space)	Elgin Promenade connects the Centennial Path through the downtown. Multi phase project. Anticipating the fourth and final phase of construction to be complete in 2020.

Downtown Performance Indicators (as of 2018)

	Prosperity	Current Indicator	Past Indicator	Source of Data
DP1	Business Occupancy Rate	N/A	95.2%	BDBA Records
DP2	Longevity of businesses (turnover rate or 'churn' rate)	8-9%	8%	BDBA Records
DP3	Change In Assessment Value (year over year)	\$345M (10.6 % increase from 2017)	\$312M (3.18% increase from 2016)	BDBA Records
DP4	Construction Value of Building Permits	\$53M	\$43M	Dept of City Building and ITS
DP5	Percentage of locally owned businesses (non-franchise)	75% (approx.)	>82%	BDBA Records
DP6	Number of commercial building permits issued (excluding demolition)	4	14	Dept of City Building and ITS
DP7	Ratio of Jobs to Population	No Change	7,162:9,217 (~3:4 jobs: people)	City Building Dept
	Balance	Current Indicator	Past Indicator	Source of Data
DB1	Business Mix or Ratio	See Below	See Below	
DB2	Residential Population and Geographic Area of Downtown as a Percentage of the City	No Change	Residential Population: 5% [(9,217/183,314) x 100] Geographic Area: 0.6% [(103/18,566) x100]	Stats Canada Census Data and Dept of City Building and ITS
	Livability	Current Indicator	Past Indicator	Source of Data
DL1	Total Number of Residents	No Change	9,217	Stats Canada Census Data
DL2	Number of Residential Units	No Change	7,700	Stats Canada Census Data
DL3	Number of Residential Building Permits Issued (excluding demolition)	11	19	Dept of City Building and ITS
DL4	Proportion of City's Public Art Inventory	34/87 (39%)	36/ 84 (43%)	Manager of Arts and Culture
DL5	Crime Known to Police per 1000 residents	N/A	N/A	Halton Region Police Service
DL6	Population Growth in Downtown vs	No Change	6.6% Downtown 4.3% City Wide	Dept of City Building

	Population Growth City-Wide			
	Inclusiveness	Current Indicator	Past Indicator	Source of Data
DI1	% of visible minority population in the Downtown vs City	No Change	6%	Dept of City Building, Stats Canada
	Connectivity	Current Indicator	Past Indicator	Source of Data
DC1	Number and Value of Public Improvement Projects	10; \$13.7M	7; \$2.35M	Capital Works
	Vibrancy	Current Indicator	Past Indicator	Source of Data
DV1	Sidewalk Activity	No Data	No Data	
DV2	Number of Events	372	393	Tourism Burlington
DV3	Total attendance at Events	661, 208	701,935	Tourism Burlington
DV4	Year over Year Satisfaction Rate of Visitors	No Data	No Data	
DV5	Year over Year % Increase in Event Attendance by event type per season	5% decrease in total attendance from previous year	2.1% increase in total attendance from previous year	Tourism Burlington
DV6	Year over Year Walk Score (Average of 5 locations)	City Hall 426 Brant St: 93 (Transit Score: 44) (Bike Score: 68) AGB 1333 Lakeshore Rd: 80 (Transit Score: 43) (Bike Score: 65) Bridgewater 2042 Lakeshore Rd: 88 (Transit Score: 43) (Bike Score: 65) No Frills Plaza 571 Brant St: 91 (Transit Score: 46) (Bike Score: 67) Martha's Landing 2109 Lakeshore Rd: 85	426 Brant St: 92 1333 Lakeshore Rd (AGB): 71 2042 Lakeshore Rd (Bridgewater): 88 571 Brant St (No Frills Plaza): 89	Walkscore.co

		(Transit Score: 44) (Bike Score: 72) Average: 87.4 (Transit Average: 44) (Bike Average: 67.4)	2109 Lakeshore Rd (Martha's Landing): 84 Average: 84.8	
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Aldershot Village Performance Indicators (As of 2018)

Prosperity	Current Indicator	Source of Data
Construction Value of Building Permits	\$737,000	Dept of City Building and ITS
Number of commercial building permits issues (excluding demolition)	4	Dept of City Building and ITS
Number of Residential Building Permits Issued (excluding demolition)	3	Dept of City Building and ITS
Proportion of City's Public Art Inventory	1/87	Manager of Arts and Culture
Year over Year Walk Score (Average of 5 locations)	1065 Plains Rd E (IKEA): 60 (Transit Score: 48) (Bike Score: 44) 195 Plains Rd E: 51 (Transit Score: 46) (Bike Score: N/A) 680 Plains Rd W (RBG): 28 (Transit Score: 28) (Bike Score: 43) 1410 Plains Rd W: 9 (Transit Score: 28) (Bike Score: 9) Average: 37 (Transit Average: 37.5) (Bike Average: 32)	Walkscore.com

To: Chair and Members of the Planning and Development Committee

From: Councillor Shawna Stolte, Ward 4
Councillor Lisa Kearns, Ward 2
Councillor Kelvin Galbraith, Ward 1

Cc: Jo-Anne Rudy, Committee Clerk
Tim Commisso, City Manager

Date: July 5, 2019

Re: Maple Avenue Cycling Facilities

Growth in our urban areas require our residents to have access to all forms of convenient, affordable and green transportation, including cycling, walking and transit.

Moving around our city should be easy and convenient no matter how our residents choose to travel. Maple Avenue is a wide thoroughfare, and carries less high volume traffic capacity than other major connector streets. It is a well-positioned opportunity to connect Plains Road, Fairview Street and Maplevue Mall to the lakefront and the downtown, as well as other options.

Enhanced cycling infrastructure, for example, including separated, two directional bike lanes with the potential of a bike share program at strategic locations creates an opportunity for Burlington residents and tourists to park elsewhere and actively transport themselves to many locations including Spencer Smith Park, Beachway Park, the downtown commercial area, or higher transit.

Enhanced cycling infrastructure is in alignment with the approved [Strategic Plan](#), specifically the strategic direction of: ***"A City that Moves: People and goods move through the city more efficiently and safely. A variety of convenient, affordable and green forms of transportation that align with regional patterns are the norm. Walkability within new/transitioning neighbourhoods and the downtown are a reality."***

This infrastructure is also in alignment with the strategic direction of: "A Healthy and Greener City: The City of Burlington is a leader in the stewardship of the environment while encouraging healthy lifestyles.

With the current Maple Avenue Area Road, curb, storm sewer, and watermain and water service replacement project currently underway, this is an opportune time to review enhanced infrastructure on Maple Avenue.

A safe, separate cycling lane also promotes improved health and a reduction in greenhouse gas emissions through the use of alternative modes of transportation.

As such, we are bringing the following direction forward:

Direct the Director of Transportation Services to carry out an assessment, including public consultation, of providing improved cycling facilities for Maple Avenue from Lakeshore Road to Fairview Street. This assessment may include the re-purposing or re-configuration of exiting vehicle lanes, for potential implementation following the completion of the QEW works to be undertaken by the Ministry of Transportation in the vicinity of the QEW/Northshore interchange and report back to the Planning and Development Committee.

Thank you for your consideration,

Councillor Shawna Stolte, Ward 4

Councillor Lisa Kearns, Ward 2

Councillor Kelvin Galbraith, Ward 1



SUBJECT: Downtown Streetscape Guidelines

TO: Planning and Development Committee

FROM: Department of City Building – Planning, Building and Culture

Report Number: PB-50-19

Wards Affected: 2

File Numbers: 560-01

Date to Committee: July 9, 2019

Date to Council: July 15, 2019

Recommendation:

Receive and file the draft Downtown Streetscape Guidelines, included as Appendix A to department of city building report PB-50-19; and

Table department of city building report PB-50-19 to the Planning and Development Committee meeting of September 10, 2019 for debate and approval in principle of the Downtown Streetscape Guidelines with implementation subject to future budget considerations.

Purpose:

The purpose of this report is to present Council with the new Downtown Streetscape Guidelines (Appendix A), to guide the enhancement of the downtown street boulevards through future streetscape improvements. The guidelines provide an updated design framework and foundation for the transformation of the downtown streetscapes to improve accessibility, connectivity, safety, walkability, maintenance, and character.

If approved, the new Downtown Streetscape Guidelines will allow staff to update the engineering / urban design detail standards for each of the streetscape design elements that will contribute to the enhancement and positive aesthetic attributes of the downtown's public realm.

The Downtown Streetscape Guidelines provide general and specific design guidance for identified character areas within the downtown, as well as key strategies to assist with implementation of the recommendations contained in the document.

Implementation will take place through future street-related capital improvements and asset renewal as well as private development/redevelopment projects.

The updated Guidelines are based on input received from several public and stakeholder consultation sessions held since 2015. In May 2018, a draft of the Downtown Streetscape Guidelines was shared with the public and stakeholders for additional input and feedback.

The Guidelines support all four pillars of the Strategic Plan: A City that Grows; A City that Moves; A Healthy and Greener City; and, An Engaging City.

Background and Discussion:

Background:

The current downtown streetscape guidelines, known as the Streetscape Design Study for Downtown Burlington, were adopted in 1982.

In 2015, Council approved a capital project to study and update the downtown streetscaping guidelines due to changes to standards for accessibility, lighting and safety, and to consider advancements in technologies related to streetscape elements such as paving materials and lighting technologies. The timing of this approval also aligned with the emergence of the downtown as an area of interest for private growth and investment and in consideration of other public infrastructure investments such as those made to the waterfront park that adopted a new design language for Spencer Smith Park and segments of Lakeshore Road in the early 2000s, which strayed from the original theme of the Streetscape Design Study for Downtown Burlington.

Between 2015 and 2019, stakeholders and members of the public were engaged to develop new Downtown Streetscape Guidelines. This process took place over three phases, with the first two led by staff with support from a consulting team. The final phase was completed in-house lead by an interdepartmental staff team with representatives from Capital Works (Accessibility, Asset Management, Design and Build, Site Engineering); City Building (Planning and Urban Design); Roads, Parks and Forestry; Transportation Services; and, Transit.

The review and update process has included public open houses, a workshop and presentations to Heritage Burlington, the Halton Developers' Liaison Committee (HDLC), and the Burlington Downtown Business Association (BDBA), on-line surveys and questionnaires. In May 2018, draft Downtown Streetscape Guidelines were shared with the public and stakeholders for additional input and feedback.

Upon adoption, the new Downtown Streetscape Guidelines would replace the current downtown streetscape guidelines.

Discussion:

A lot has changed since the current downtown streetscape guidelines were adopted when it comes to our understanding of the economic, social, and environmental benefits of streetscape improvements, not only through beautification, but also through a street's role, function, and operation. The new Guidelines are based on a consideration for these economic, social, and environmental benefits, as well as best practices for placemaking and policy alignment. Staff believe that a refreshed and renewed approach to downtown streetscape design and improvements will result in a more vibrant and attractive downtown, highlighting it as an amenity for all to enjoy while enhancing quality of life and economic development.

The proposed Guidelines support designs that encourage streetscapes where all users move through more cautiously and are aware of each other. Pedestrian-focused and -oriented streets can result in fewer accidents and prevent potential deaths or severe injuries. The Guidelines also support a reduction of impacts on the natural environment. For example, enhancements to the public realm that encourage people to walk rather than drive, result in reduced greenhouse gas emissions. Planting trees that can thrive and grow to maturity results in reduced heat island effect by providing shade on hardscapes, and water quality is improved through tree planting and planters that absorb and filter water. The recommended paving materials are about simplifying the palette of colours and materials proposed to better identify the downtown area. The new guidelines have considered the ability to replicate designs over the long-term to ensure cohesiveness into the future and when it is time to undertake repairs including winter maintenance.

Additionally, the design recommendations contained in the new Downtown Streetscape Guidelines support establishing and reinforcing neighbourhood identity through four character areas with streetscape furnishings and materials that enhance the qualities of these areas as destinations. They reflect best practices to reinforce what is great about the downtown as well as create new places and destinations for people to explore through visual interest. The new Guidelines also attempt to move beyond the typical beautification measures with recommendations and strategies that encourage the exploration of entire street transformations. Research has shown that better quality streets lead to higher retail and residential values. In this regard, the new Guidelines are also about inspiring a long-term strategy for future revitalization and a sustainable and healthy downtown environment.

Project Scope:

The study area is defined by the area known as the Downtown Burlington Business Improvement Area (BIA) or Burlington Downtown Business Association (BDBA). It is important to note that the Guidelines apply only to the street boulevard or the area between the curb edge and either the front lot line of abutting properties and/or the building face as referenced in the Streetscape Anatomy section of the Guidelines. While some general design guidance is provided for streetscape improvements outside of the boulevard, specific recommendations related to the functional design of streets and/or intersections are outside the project scope. It is anticipated that updated functional design standards outside of the street boulevard will be explored as an action item resulting from the Integrated Mobility Plan.

Overview of the Downtown Streetscape Guidelines:

The Guidelines establish a renewed vision and design framework (including design principles, priorities, guidelines and strategies) for future streetscape improvements within the downtown's public rights-of-way and more specifically the various street boulevards. The intent is to provide recommendations on how to create and contribute to a safe, vibrant, cohesive, and walkable downtown environment.

Chapter one of the Guidelines provides the background and reason for the update. Chapter two sets out the design framework including a vision, set of guiding design principles, an overview of the new character areas, each of which aim to reinforce and support the unique qualities that already exist in the downtown while also assisting in making these areas visually diverse and distinctive. Chapter three establishes the project scope, which is limited to the street boulevard, and contains design priorities, guidelines and strategies for the implementation of future improvements. Chapter four sets out the implementation framework and introduces the need to establish an interdepartmental team that will be responsible for the coordination, design, review and implementation of all public-sector streetscape improvements, including capital forecasted plans and projects as well as operational maintenance projects such as sidewalk repairs, in the downtown.

The key highlights or changes from the current guidelines include:

- The introduction of a vision statement:
 - “To **enhance** the public realm by creating **high quality** downtown streetscapes that are **attractive, pedestrian-friendly**, and support **vibrant** destinations.”;
- The creation of five design principles for all decisions related to the design of the downtown streetscape:
 - Pedestrian First Focus;

- Green & Sustainable;
 - Easy to Use & Equitable;
 - Long Lasting; and
 - Connect & Integrate;
- The establishment of Design Priorities to provide guidance when existing street geometry cannot accommodate all anticipated streetscape design elements;
- A renewed and inclusive approach to character areas;
 - Each of the different character areas will have its own distinctive group of furnishings while still maintaining an overall sense of unity.
- A careful consideration of the number of different furnishing pieces to simplify the on-going operations and maintenance of the downtown;
- The introduction of a streetscape anatomy and terminology to assist with establishing boulevard zones and priorities for the re-design of downtown boulevards through operational maintenance and necessary upgrades;
- A simplified boulevard treatment that aligns with the desired streetscape anatomy;
- Support for high-quality tree planting where possible;
- A simplified colour palette for metal components on streetscape elements and furnishings including paving materials (ending the use of red banding); and
- A renewed approach to pedestrian lighting with an emphasis on dual luminaires along Lower Brant Street to reinforce its status as the downtown 'main street'.

Consultation:

The formal consultation period for these design guidelines began in 2015. Public consultation and engagement took place in three phases:

Phase 1 – September 30, 2015

- An open house was held on September 30, 2015 attended by approximately 30 people. At this public meeting, participants had the opportunity to work in small groups and discuss potential improvements to downtown streetscape elements such as streetlights, benches, waste receptacles, paving materials and sidewalk crossings.

Phase 2 – June 25, 2016

- Some examples of possible future directions for the streetscape furnishings were displayed at Civic Square in front of City Hall. This included pavement options, waste receptacles and bench samples.

Phase 3 – May 17, 2018

- Two drop-in open houses were held on May 17, 2018 at the Art Gallery of Burlington and was attended by approximately 30 people.

Following Phase 2 a draft version of the design guidelines was prepared and released for public review and posted on the City's website. A commenting period for review of the draft document ran from May 2018 to May 2019.

Summary of feedback and changes

Based on feedback gathered from the online survey and the first two phases of public consultation, residents told us they would like to see:

- wider sidewalks where possible in the downtown;
- an increase in the number of pedestrian crossings to help feel safe when crossing the street;
- more garbage, recycling and compost bins;
- more benches to sit and enjoy the downtown;
- more greenery and street trees on downtown streets;
- a greater number of bike lanes and bike racks in convenient locations; and
- a style of furnishings that reinforces the 'main street' character along Brant Street.

With the input gathered through the first two phases of consultation, the city released a first draft of the Downtown Streetscape Guidelines in May 2018, with additional opportunities for the public to comment and share input, including two open house events on May 17, 2018. Through this public comment period, we received the following feedback:

- General agreement with the defined character areas, particularly agreement with Lower Brant Street as a 'main street';
- Consider exploring different colours outside of Lower Brant Street;
- A heritage theme of furnishings should extend beyond Lower Brant Street, but maintain a specific treatment for Lower Brant Street; and
- A desire for waste receptacles to have multiple streams for recyclables, compost, etc.

Because of the feedback received for the draft Guidelines released in May 2018, the document was refined further to include the following revisions:

- A reduction in the total number of furnishing options (from three to two);
- The addition of a new section entitled Design Priorities to inform the preliminary planning, design, and implementation of the guidelines (Section 3.2);

- The addition of guidelines specific to Transit Stops (Section 3.3.3);
- A recommendation for the Lakeshore Road Character Street streetscape elements to be painted grey; and
- The addition of a concept drawings to help demonstrate a typical layout scenario for each of the Character Area streetscapes (Appendix A).

The development community has been integral to the review and development of the Guidelines. Several meetings and opportunities to provide written feedback have taken place during the consultation phases. Members of HDLC, namely the Hamilton-Halton Home Builder's Association (HHHBA) and Mr. Mark Bales on behalf of Carriage Gate have raised several concerns with respect to the timing, financing, and general and specific implementation.

Staff believes the Guidelines as revised address many of the concerns expressed by the development community including how to navigate design constraints where the street geometry is not anticipated to change (through the addition of the Section 3.2 Design Priorities). Other comments, point to considerations that are very important to overall street design, however, they are outside the scope of this project (such as specifications for bump-outs, reduced land widths, and reduced turning radii). Staff's general commentary here is that there appears to be a misunderstanding of the role of design guidelines. As noted above, the Guidelines provide a framework to inform the decision-making process. This document is not putting forward a plan with concepts or a redesign of each street within the downtown. Were this the case, many of the comments received from the development community would be appropriate and staff would have addressed each and everyone of them directly. Moreover, while Urban Design staff agree that these are all valid design solutions that promote the Design Principles of these Guidelines and support a walkable and pedestrian-oriented downtown, the development of standard specifications would have been considered as part of a more comprehensive street design initiative and are currently outlined in the Guidelines as a key strategy or outcome of the Guidelines' approval.

Other comments suggest that a list of approved plants and trees be provided to assist consulting landscape architects with their plan preparation to development application submission. Staff note that this list will be made available as part of the Tree Planting Guidelines update. Future iterations of the DSG may incorporate this as an appendix. Several questions dig deeper than the scope of this project, for example questions about integration of a stormwater management system and the use of permeable pavers. At present, the Guidelines only recognize these techniques as opportunities to explore for future consideration of streetscape and stormwater management design. As such, they are identified as key strategies in the document.

All feedback received to date, including comments from staff from various departments within the corporation and that may be impacted either directly or indirectly by the

Guidelines, have informed refinements to the document presented for approval and attached to this report as Appendix A.

Implementation:

The Guidelines provide a general implementation framework for future downtown streetscape improvements that will occur through either private or public sector investments and development. At least initially, it is expected that private sector development or redevelopment proposals will account for the more significant frontage improvements. Downtown public sector investments for streetscape improvements on the other hand, will be planned and implemented in accordance with the capital investment and budget framework and aligned with the city's approved Asset Management Plan. The timing of implementation will be coordinated with other roadway works with consideration of funding, available resources, and prioritization of other city projects.

The following table lists some of the current and forecasted private and public sector development projects that represent the best opportunities to implement the new streetscape improvements over the short-term.

Table 1: Current and Forecasted Projects

Project	Status
Private Sector	
The Bridgewater	Site Plan Approved
The Berkeley	Site Plan Approved
Saxony	Site Plan Approved
Nautique	Site Plan Reviews
Brock II	Site Plan Reviews
Gallery	Site Plan Reviews
Public Sector	
James Street Reconstruction	Identified in 10 year Capital Budget and Forecast
John Street Reconstruction	Identified in 10 year Capital Budget and Forecast

Note: several more known private development applications are in process for land within the Downtown but do not yet have any status,

which would present additional opportunities for short-term implementation.

It should be noted that based on the known public and private investments identified in the table above, full conversion to refreshed streetscapes throughout the Downtown will be a long-term implementation strategy. As such, there will be situations where abrupt transitions between the current and refreshed streetscapes will occur in the downtown.

Should Council wish to accelerate implementation of the new streetscape guidelines beyond the public investments currently identified in the City's Asset Management Plan, further analysis of funding options is required.

Downtown Streetscape Implementation Team

The City will establish a multi-disciplinary interdepartmental staff team that will be responsible for the design, review, and implementation and monitoring of all public sector streetscape improvements. This group will also be responsible for identifying implementation opportunities and informing the capital budget on public realm investments related to infrastructure, public service and transportation facilities throughout the downtown. Operational impacts to budgets will also be presented for consideration as part of any implementation strategy. The team will be coordinated jointly by the Departments of City Building, Capital Works, and Transportation Services and meet at least once a quarter or as needed.

For private sector development applications, streetscape plan review will occur through established planning processes such as site plan approval.

Next Steps:

Upon Council endorsement of the Guidelines, staff will begin to update engineering / urban design detail standards and establish a downtown streetscape implementation team.

Should Council wish to direct staff, further public consultation and engagement opportunities can continue for the selection of specific streetscape elements (e.g. benches, bike racks, streetlight fixtures). Otherwise, staff will proceed straight to the procurement of street materials and furnishings based on the themes established in these guidelines. The chosen selections will be incorporated into the Downtown Streetscape Guidelines document and used as streetscapes in the downtown are reconstructed.

Strategy/process

Appendix A is a copy of the final draft of the new Downtown Streetscape Guidelines, which is presented for Council approval.

Options considered

Consideration of all feedback received to date has resulted in a revised final draft of the new Downtown Streetscape Guidelines. A wide range of issues were considered given that the ultimate realization of the Guidelines impacts several City departments.

An alternative option is to maintain the status quo and continue to require streetscape improvements that reflect the current standards. However, since this option is dated and does not reflect current industry best practices, this is not a recommended option.

Financial Matters:

A preliminary review has been undertaken to estimate the costs of constructing a typical 120-metre-long segment of boulevard based on the new streetscape recommendations contained in the Guidelines. A cost premium of approximately \$1,185 per linear metre is estimated. See the table below for a cost breakdown and comparison between the costing for the current and proposed streetscapes. Accordingly, if approved the streetscape guidelines will require funding adjustments for future capital projects. As highlighted in the table below, a significant source of the increase in capital costs are the result of the city's new standard use of underground soil cell technologies for planting in urban environments. The new tree planting standards account for approximately 80% of the cost increase. Soil cells provide for a minimum amount of uncompacted soil volumes to support healthy street trees in the downtown and positively contribute to Burlington's urban canopy. It should be noted that this new direction and associated costs are independent of the streetscape guidelines and will be brought forward simultaneously by the Tree Management Service for approval.

Table 2: Estimated Costs per 120 metre Segment of Downtown Streetscape

		Current	Proposed	Difference	Difference (\$/metre)
i.	Hard Landscape	\$50,019.12	\$67,230.00	\$17,210.88	\$143.42
ii.	Soft Landscape	\$17,500.00	\$123,000.00	\$105,500.00	\$879.17
iii.	Street Furnishings	\$72,200.00	\$80,400.00	\$8,200.00	\$68.33

iv. Demolition and Site Preparation	\$11,400.00	\$11,400.00	0.00	0.00
TOTAL	\$151,119.12	\$282,030.00	\$130,910.88	\$1,090.92

Minor increases for hard landscape costs can be associated with the use of paver units in furnishing zones. Although, these costs can be expected upfront because unit pavers are a premium product treatment in comparison to the alternative pour-in-place coloured concrete. Staff expect the long-term benefits of using unit pavers such as durability and ease of repair will be more cost efficient over time.

The even more marginal increases for street furnishing costs are attributed to the new design guidelines for streetlighting, which suggest that spacing should be 15m. The intent of this spacing suggestion is to create a rhythm along a segment of street, alternating between a street light pole and street tree every 7.5m. As such, one additional street light and one additional street tree can be accommodated along a stretch of 120m. Another consideration of the new Guidelines, suggest that throughout the downtown benches should be placed at intervals of 30m. This guideline is based on best practices and directly aligns with the city's Active Aging Plan that seeks to provide areas of rest more frequently.

Also, in 2015, Council approved the BDBA's request to alter the boundaries of the Burlington Downtown Business Improvement Area by way of By-law 30-2015, enacted on March 23, 2015. The boundary expansion resulted in an increase in the number of streets now within the downtown area. These additional streets or street segments are now subject to the streetscape guidelines and will therefore impact the future capital as well as operational and maintenance costs required to implement and maintain their streetscape improvements.

Additionally, a preliminary review of the day-to-day operation and maintenance of the Downtown has been undertaken by the Roads, Parks, and Forestry (RPF) Department. The findings indicate that there is at present, a funding gap in the level of service being provided in the downtown. This has been estimated at 1.67 FTEs and a total operating budget request of approximately \$105,000.00 for service expansion. This gap includes: weekend foot patrol; waste removal; sidewalk sweeper; roadway sweeper; 3 shifts for snow removal; a new sidewalk plow/slater; horticulture maintenance, including flower planting and watering of planters and flower pots, weed control of municipal parking lots and streetscape sidewalks, mowing/trimming of boulevards; spring placement of benches, waste receptacles, planters and their fall removal; and replacement of site furnishings.

It is anticipated that an additional 2.83 FTEs and an additional operating budget request of approximately \$255,000.00 is required to maintain the new Downtown Streetscape

Guidelines as recommended. This additional costing is based on service expansion to the expanded BIA boundaries including additional benches, waste receptacles, trees, and planters, additional maintenance required for an increase in streetscape furnishings within the core, and anticipated labour costs associated with unit paver maintenance as well as additional maintenance required for the new street tree planting standards.

Requests for additional funding to maintain existing service levels and provide for enhanced service levels will be subject to future budget deliberations.

As identified earlier in this report, implementation of the new streetscape guidelines is a long-term strategy based on known public and private investments. Should Council wish to accelerate the renewal of its downtown streetscapes, further work can be done on financial costing of the recommendations and strategies contained in the Guidelines.

Source of Funding

Funding of \$95,000 was approved as part of the 2015 Capital Budget, which covered the cost of consulting services to delivery the first two phases of this project including background research, public consultation, and delivery of a draft document. An internal staff team built on the work provided by the consultant's original work and are responsible for the delivery of the final draft of the new Downtown Streetscape Guidelines (Appendix A).

Connections:

The Guidelines align with the key strategic directions set out in Burlington's Strategic Plan and connect to various approved documents and ongoing initiatives. Moreover, it is important to note that the Guidelines are intended to be a living document that will be continually edited and updated to evolve with the downtown yet still provide predictability for short-, medium-, and long-range planning and investments.

If approved, the Guidelines will signal the City's commitment to investment in the downtown public realm that will improve the success of small business, including local tourism, and delivery of safe and pedestrian-friendly streets as well as a commitment to design excellence. Accordingly, the recommendations contained in the Guidelines will lead to renewed streetscapes throughout the Downtown that will require a sustained need for enhanced levels of service and corresponding financial resources.

Public Engagement Matters:

Staff hosted several public consultation sessions over the course of 3 years, including a public workshop, 2 open house drop-in sessions, an online survey, and a dedicated web

page. Print and social media were used to advertise these community engagement opportunities.

Conclusion:

The update to the Downtown Streetscape Guidelines are needed to help plan, design, and implement future streetscape improvements throughout the downtown. This report recommends approval of the Downtown Streetscape Guidelines.

Respectfully submitted,

Todd Evershed, MCIP RPP
Urban Designer
905.335.7600 x 7870

Appendices:

- A. City of Burlington Downtown Streetscape Guidelines (July 2019)

Report Approval:

All reports are reviewed and/or approved by Department Director, Director of Finance and Director of Legal. Final approval is by the City Manager.

Downtown Streetscape Guidelines

July 2019 - Draft





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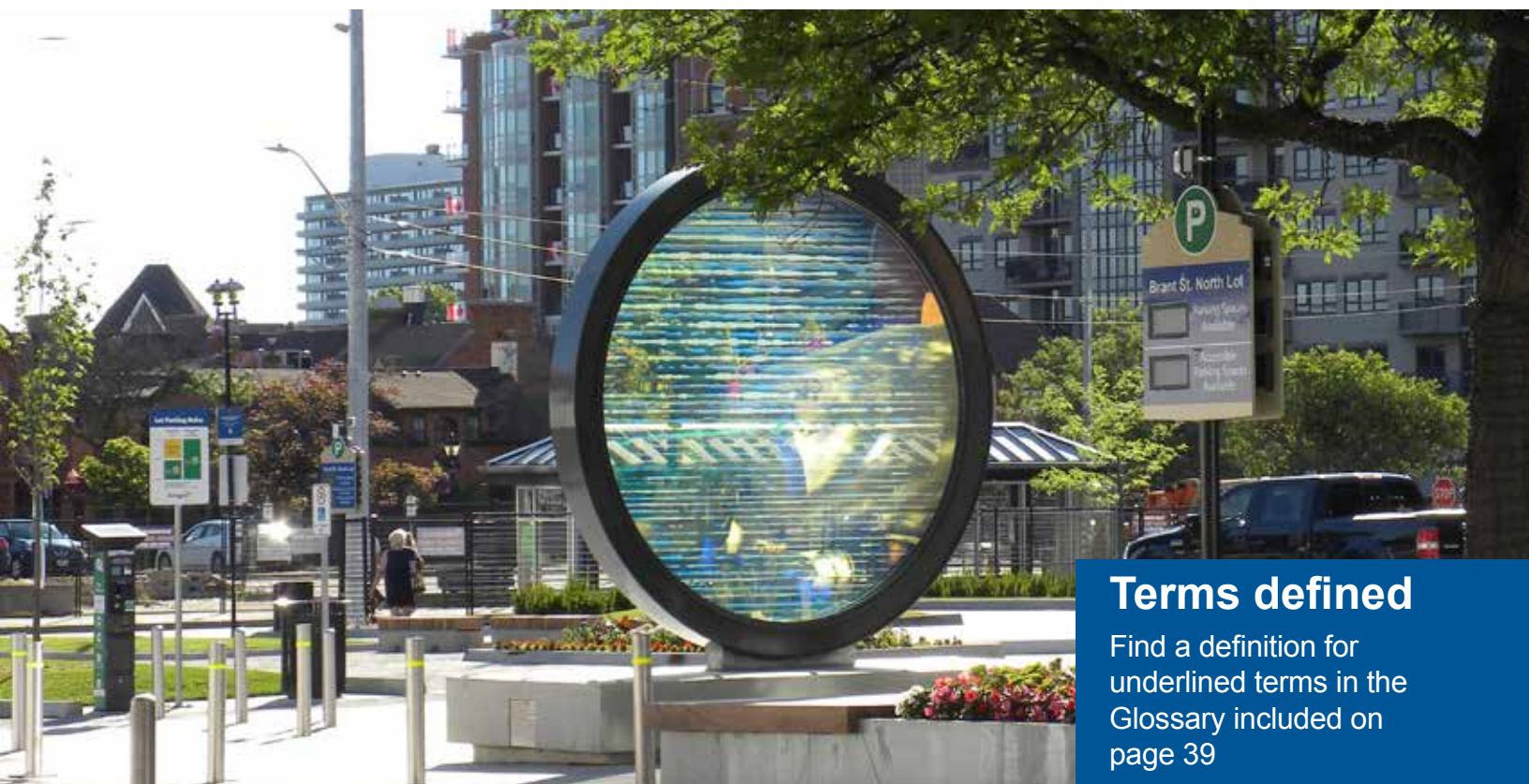
1. INTRODUCTION

1.1. Background & Overview

Downtown Burlington's streetscape has gradually changed over time due to significant public and private sector investments and general wear from weathering and use. Many of the furnishings and materials that contribute to the Downtown streetscape are physically and visually fragmented and no longer offer the cohesiveness they were originally intended to provide.

The 2019 Downtown Streetscape Guidelines [the "DSG"] establishes a new vision, framework, and a set of design principles and strategies, which will provide guidance for the consistent application and renewal of the various downtown streetscapes. This may include the reconstruction of surface works such as sidewalks, curbs, cross-walks, and roadways together with the replacement or refurbishment of streetscape elements such as street trees, streetlighting, and furnishings (e.g. benches, waste receptacles, bike racks, bus shelters, and bollards). The guidelines are intended to help enhance and strengthen the public realm and contribute to the Downtown as an accessible, cohesive, identifiable and vibrant destination within the city.

The DSG replace the previous downtown streetscape guidelines adopted by Council in 1982.



Terms defined

Find a definition for underlined terms in the Glossary included on page 39

1.2. Purpose

What is the Streetscape?

The streetscape is the combination of all the elements that make up the physical environment of a street and define its character, including trees, lighting, paving materials, street furniture, pedestrian amenities and the setback and form of surrounding buildings.

What are Streetscape Guidelines?

It is a document that establishes a vision, design principles, strategies and guidelines for future construction work within the public right-of-way. The intent is to provide recommendations on how to create a continuity of space for people to experience and enjoy.

What are the benefits of Streetscape Guidelines?

They provide the city with a consistent and unified design approach. Guidelines are a tool for creating change towards a coherent, consistent and complementary palette of materials, furnishings and plantings that integrate well with the surrounding built environment and land uses. Through proper implementation, they can have positive social, environmental, and economical benefits.

How are Streetscape Guidelines structured & used to inform design decisions?

The DSG establishes a set of guiding design principles (Section 2.2) structured around character areas (Section 2.3). The DSG will be

used when planning for street-related capital improvement projects or reviewing publicly-initiated and private development applications. This document is intended to supplement in-force land use policies and built form design guidelines.

How are Streetscape Guidelines implemented?

These guidelines set out an implementation framework [refer to Chapter 4 in its entirety]. In the short-term, known private sector developments and street-related capital improvements will present the first opportunities for realization of the new streetscape designs and treatments.

The DSG will be implemented over an extended time frame and thus a consistent application of the guidelines is critical to ensure a cohesive downtown streetscape. Accordingly, medium- and long-term street-related capital investments should continue to be developed based on the City's asset management practices.

1.3. Where Downtown Streetscape Guidelines Apply

The DSG applies to all downtown streets or street segments that fall within the boundaries of the Downtown Business Improvement Area [Figure 1].



Figure 1: Study Area

Boulevard Bounded

It is important to note that the guidelines set out in this document apply only to the street boulevard – the area between the curb edge and either the front lot line of abutting properties and/or the building face [see Figure 3 on page 8]. While this document offers design guidance for streetscape elements outside of the boulevard zone, recommendations related to the functional design of streets and intersections are outside the scope of this project. Notwithstanding, all public and private sector developments within the defined area should have regard for all applicable guidelines presented herein.

1.4. How to Use the Guidelines

The DSG will assist staff, landowners, developers, and the public by providing both general and area-specific design direction for all Downtown streetscapes. The DSG presents illustrative design approaches that should be implemented by future public and private sector developments, street-related capital improvements, and other city initiatives and projects to ensure a high level of design excellence throughout the Downtown.

Where it can be demonstrated that an alternative design achieves or exceeds the intent of the DSG, as outlined herein, alternative solutions will be considered.

1.5. Policy Alignment

The DSG builds on the Strategic Plan through its guiding design principles and will deliberately connect to the outcomes of various other policy documents and implementation plans. As such, the DSG is intended to be a living document that will be continually edited and updated to evolve with the downtown yet still provide predictability for long range planning and investments.

The following is a summary of key plans, guidelines, standards and studies that should be considered when designing a streetscape as they provide background and context to align this document:

[Accessibility Design Standards](#)

[Active Aging Plan](#)

[Asset Management Plan](#)

[Burlington's Strategic Plan](#)

[Community Trails Strategy](#)

[Core Commitment: Burlington's Downtown Vision and Action Plan](#)

[Cycling Plan](#)

[Downtown Urban Design Guidelines](#)

[Downtown Water Quality Control Plan](#)

[Mid-Rise Building Guidelines](#)

[Official Plan](#)

[Pedestrian Charter](#)

[Public Art Master Plan](#)

[Transit's Bus Stop Design Standards](#)

[Integrated Mobility Plan](#)

[Tree Planting Guidelines](#)

[Street Lighting Specifications and Design Manual](#)

[Tall Building Guidelines](#)

[Urban Forest Management Plan](#)

The DSG alignment with these documents signals the City's commitment to strategic growth and design excellence in the Downtown. Accordingly, the recommendations set out herein will lead to renewed streetscapes in the Downtown that may require the continued need for enhanced levels of service and corresponding financial resources.

2. FRAMEWORK

2.1. Vision

Streets play an important role in the livability, vitality, and character of the Downtown. These guidelines strive to create a friendlier and greener downtown street network for people to enjoy and explore.

The DSG is about place-keeping and place-making in the Downtown, as well as supporting streets that can accommodate a diverse population, serve many roles, and be universally accessible. It must retain and enhance active and vibrant pedestrian-focused streets, and provide safe, sociable and comfortable environments.

The following vision statement will inform all decisions to meet current and future streetscape needs:

“To enhance the public realm by creating high quality downtown streetscapes that are attractive, pedestrian-friendly, and support vibrant destinations.”



2.2. Design Principles

The following design principles will guide and support the creation of an accessible, walkable, and attractive public realm that integrates with the existing urban fabric. These principles are based on the key strategic directions of a city that moves, a healthy and greener city, and an engaging city, which were established by the City of Burlington through its Strategic Plan.



1. Pedestrian-First Focus

Design streetscapes to be safe and comfortable for all users by prioritizing the safety of the most vulnerable users (children, older adults, and people living with disabilities). The downtown is a place where life can slow to a human walking pace, where people can gather and spend time.



2. Green & Sustainable

Improve environmental quality through living assets and responsible design.



3. Easy to Use & Equitable

Design streetscapes for all ages, abilities and modes of travel. Design must be impartial and inclusive, serving the needs of a diverse range of users with equitable attention for children, older adults, and people living with disabilities.



4. Long Lasting

Provide for a high quality of design using durable materials and construction practices that are informed by local conditions such as climate, and ongoing maintenance needs.



5. Connect & Integrate

Design streetscapes to be context-sensitive and reflect the character of the street.

2.3. Character Areas

The Downtown is Burlington's historical commercial core, developed along two main streets, Brant Street and Lakeshore Road. Both streets provide key points of entry into the downtown and together provide the anchor for many business, civic, and entertainment activities and interests. While the neighboring lands have helped to support and reinforce the character and function of these two main streets, they have emerged as two distinct districts; and are characterized by a mix of business and higher density residential buildings or established residential neighbourhoods primarily of lower-scale buildings with a few medium- and high-density buildings. The DSG organizes the downtown into the following Character Areas to reflect the unique qualities of each:

Two Character Streets

- 1. Lower Brant Street
- 2. Lakeshore Road

+

Two Districts

- 3. Mixed-Use Commercial
- 4. Residential

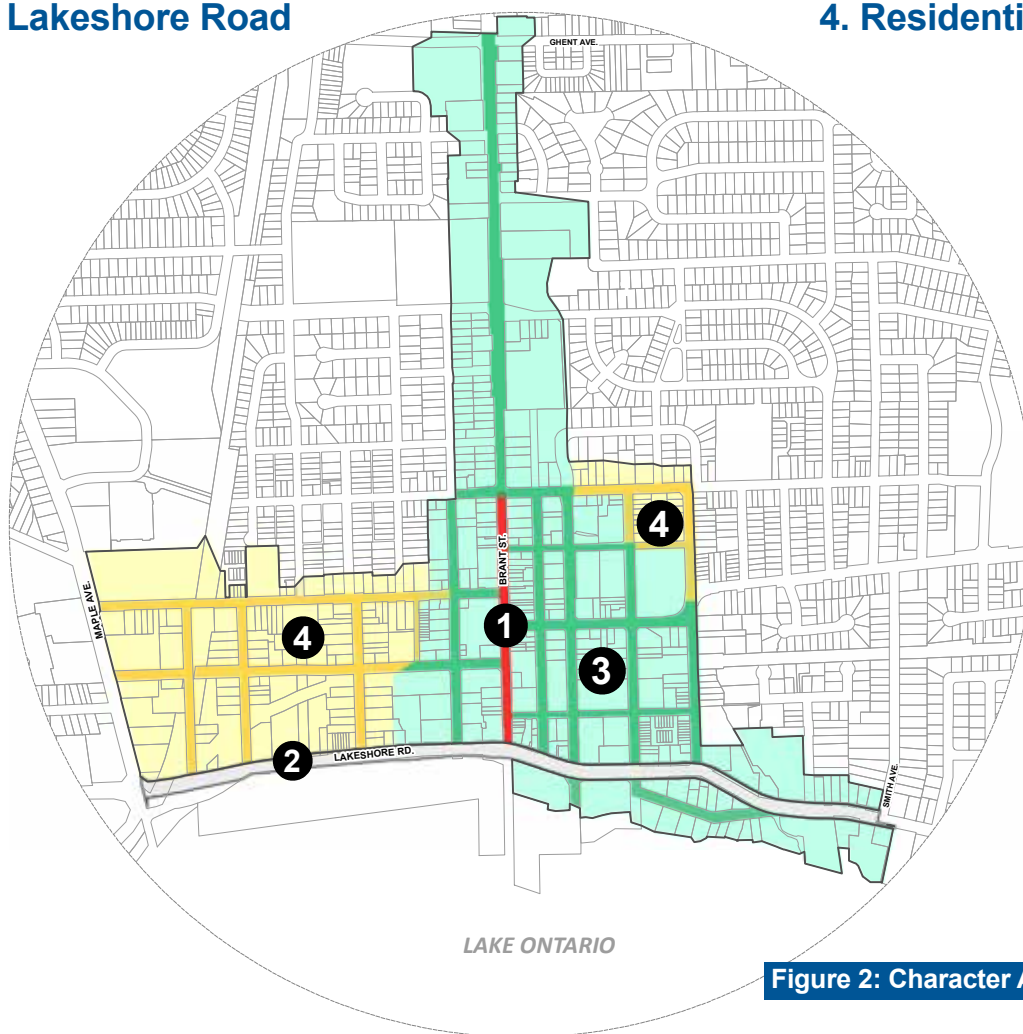


Figure 2: Character Area Map

3. STREETSCAPE GUIDELINES

3.1. Streetscape Anatomy

Streets, and by extension the ‘streetscape’, consist of elements including travel lanes, transit routes, bikeways, greenways, sidewalks, parking and sitting areas, and meeting places. In an urban setting such as the downtown, the design and treatment of its streets is critical to the safe movement of people. As noted above, this document applies only to the boulevard, which consists of up to the following four zones:

Each zone has a role to play in contributing to a high-quality streetscape:



Legend

- 1. The Marketing Zone
- 2. The Clear Path Zone
- 3. The Furnishing Zone
- 4. The Edge Zone

Figure 3: Boulevard zones applied to a portion of Brant Street [east side, looking south of Caroline Street].

1. The Marketing Zone: functions as an extension or spill-out of the adjacent building and its uses, whether it is for signage, the display of goods or a café or restaurant patio. This zone is typically located on private property and encourages businesses to use this portion of the boulevard as part of the downtown experience. A minimum 2m wide marketing zone is encouraged along streets that require at-grade retail and service commercial uses.

2. The Clear Path Zone: provides an unobstructed and accessible public path of travel dedicated for pedestrians. This zone ensures a safe and comfortable walking experience and should be a minimum of 1.8m wide [complying with the minimum Accessibility for Ontarians with Disabilities Act (AODA) standards for two-way travel for people using mobility devices]. This width should increase – where space permits – along streets with heavy pedestrian volumes.

3. The Furnishing Zone: defined as the section of the boulevard between the back of curb and the Clear Path Zone. This zone is where street furnishings, trees, and utilities are provided. Typical streetscape furnishings include, but are not limited to, benches, bike racks, bollards, bus shelters and transit stops, pedestrian and traffic signal poles and street lighting, newspaper kiosks, mailboxes, street trees, utilities, and waste receptacles. This zone may also include green infrastructure elements such as bioretention facilities. This zone should be a minimum of 1.2m wide.

4. The Edge Zone: defined as the area immediately next to the Furnishing Zone and edge of roadway. This zone may include a variety of different elements including curb and gutters, corner and mid-block bump-outs, curb extensions, parklets, pop-up installations, green infrastructure, flexible pedestrian spaces, parking, and/or cycling infrastructure. It varies in width depending on which of the above strategies are employed. For example, this zone will generally be a minimum of 0.5m to accommodate a standard or modified curb and wider when accommodating parking as part of a flexible street design.

3.2. Design Priorities

To facilitate the design of the boulevard, the importance of establishing a framework to prioritize the specific zones was identified.

The following Design Priorities provide direction for the preliminary planning, design and implementation of the guidelines contained in this document, particularly in situations where all four zones cannot fit within the existing street geometry. This approach provides a general framework and hierarchy of public space to inform the design decision-making process where street geometry changes are not anticipated or where the boulevard space within the current street design is limited.

Priority 1 Put Pedestrians First

The Clear Path Zone +
The Edge Zone (Min. curb)

Priority 2 Maximize Opportunities for Street Trees

The Furnishing Zone

Priority 3 Support Lively Sidewalks

The Marketing Zone, where appropriate

Priority 4 Provide More Space for People and Trees

The Edge Zone (Enhanced Curb)

3.3. Design Guidelines & Strategies

The new DSG represents a refreshed set of guidelines and material selections for the Downtown. The application and maintenance of which will require a renewed dedication of efforts as the downtown continues to evolve. Guided by a set of design principles set out in Section 2.2 above, this section outlines design guidelines and strategies for streetscape improvements within the boulevard. While some of the design guidelines and strategies offer remedies for changes outside of the boulevard, the use of any of these treatments will be subject to separate street design decision-making processes informed by functional design considerations.

3.3.1. Accessibility

- All aspects of the streetscape shall be designed to be accessible to persons living with disabilities and must comply with the City of Burlington Design Standards and the Accessibility for Ontarians with Disabilities Act [AODA] and its regulations including the Design of Public Spaces Standards.
- Streetscape designs and plans shall be reviewed for compliance with the AODA in consultation with the City's Accessibility Coordinator.

3.3.2. Pedestrian Crossings

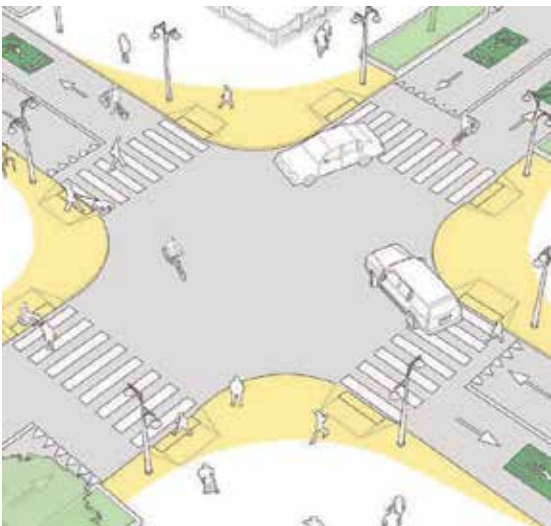
Driveways

- Where driveways cross the pedestrian Clear Path Zone, sidewalks should be continuous and level through the conflict zone;
- The number of driveway access points should be minimized (by limiting curb cuts for new driveways or changes to existing driveways) in areas with high pedestrian volumes such as Lower Brant Street;
- Where existing driveways cross the Clear Path Zone and cannot be relocated or consolidated through redevelopment, they should be narrowed to signal pedestrian priority and maintain a safe and comfortable environment;
- Refer to the City's Tree Planting Guidelines for minimum tree setbacks from driveways.

Intersections

Promote and prioritize pedestrian safety throughout the Downtown by designing intersections that:

- Reduce crossing distances through the provision of corner bump-outs or curb/sidewalk extensions;
- Improve visibility and traffic calming through narrower travel lane widths and smaller corner radii; and
- Use materials and textures that enhance pedestrian priority.



Figures 4 & 5: Examples of gateway and node intersection treatments

Source: NACTO Global Street Design Guide

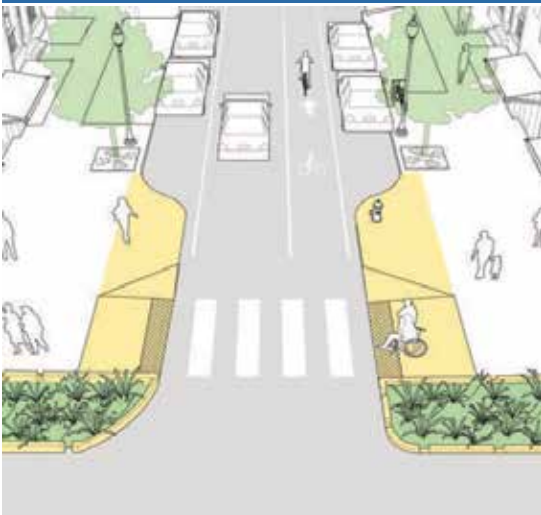
Corner Bump-Outs

At street corners, bump-outs or curb/sidewalk extensions successfully reduce crossing distances at intersections and physically and visually identify an intersection.

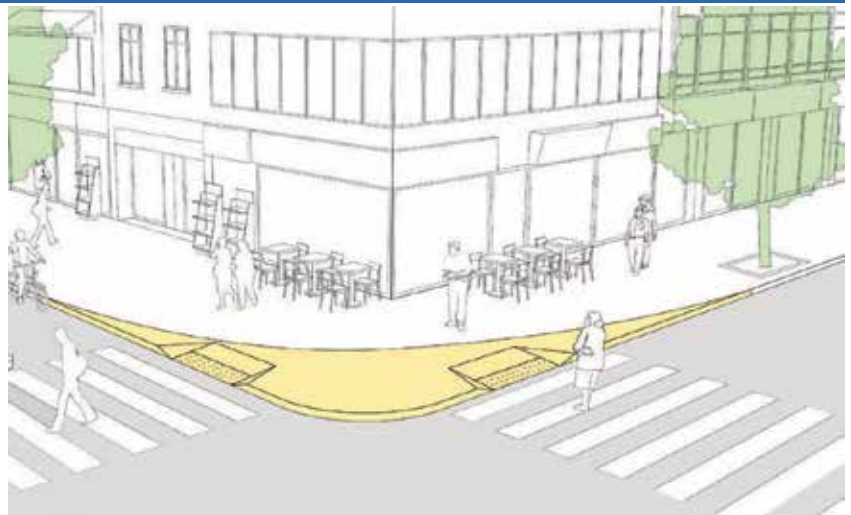
- Where intersection geometry, traffic flows and use of adjoining lands permit, provide corner bump-outs to improve pedestrian comfort and safety;
- For corners where bump-outs are not practical, the use of smaller curb-return radii should be evaluated. Reduced corner radii can achieve many of the above noted objectives; and,
- In addition to reducing crossing distances; increasing visibility, and calming traffic, reclaimed space achieved with corner bump-outs provides more room within the boulevard for waiting areas, curb-side pickup and opportunities to add landscaped areas, site furnishings, public art, or stormwater management features such as bioretention facilities.

Figures 6 & 7: Examples of corner treatments

Source: NACTO Global Street Design Guide



Bump-out scenario



Reduced corner radii scenario

Mid-Block Bump-Outs

Like corner bump-outs, mid-block bump-outs emphasize pedestrian priority and safety; reduce crossing distance and slow vehicular traffic, with the added benefit of creating more direct connections throughout the Downtown. More connections mean more choices for getting around.

Where traffic flows and use of adjoining lands permit, provide mid-block bump outs at all street locations that meet the following criteria:

- Where on-street parking exists at curb edge and can be adopted for bump-out mid-block;
- Where there is no bus stop;
- Where adjacent building uses allow for boulevard expansion into the parking lane;
- Where there is a need to reduce the length of the street block or create better pedestrian circulation; and,
- Where mid-block connections meet the street, provided there are no conflicts with vehicular maneuvering.

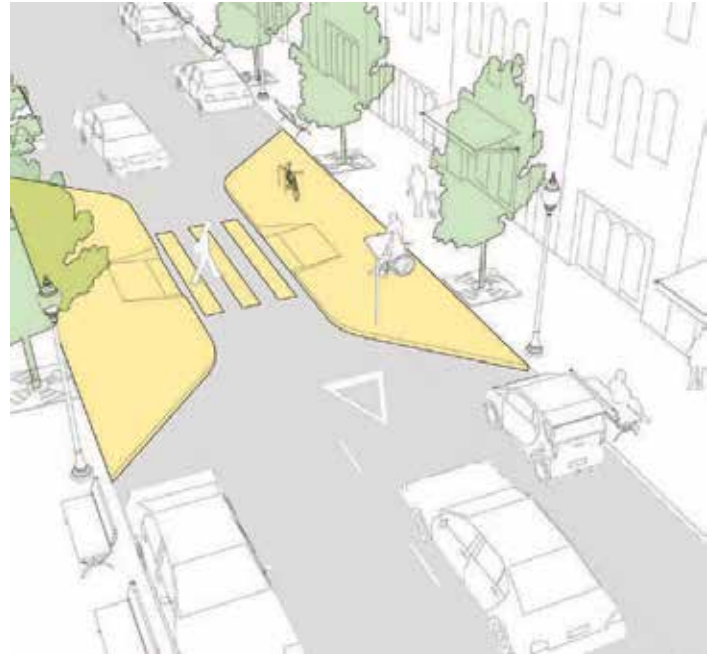


Figure 8: Example of a mid-block bump-out treatment
Source: NACTO Global Street Design Guide

KEY STRATEGIES FOR PEDESTRIAN CROSSINGS:

- Identify a hierarchy of intersections including gateway and node intersections and create design guidelines to make them more comfortable and accessible for pedestrians. For example, the intersection of Brant Street and Lakeshore Road should be identified as a priority intersection for a special treatment that strengthens its importance as a gateway to both the downtown and waterfront;
- Explore opportunities to incorporate corner bump-outs along Brant Street, Lakeshore Road, and within the Mixed-use Commercial District;
- Where corner bump-outs cannot be achieved, reduced corner radii, specific to the intersection type and the existing and planned street context, should be considered;
- Explore opportunities for new mid-block bump-out locations along Brant Street, Lakeshore Road, and within the Mixed-use Commercial District.; and,
- Ensure that alignment for people who are blind or partially sighted is considered when configuring pedestrian crossing

3.3.3. Transit Stops

The location and design of transit stops directly impacts the comfort and attractiveness of transit service. The selection of a transit bus stop location should be guided by the safety and comfort of users, while minimizing the delay to transit service. Where on-street parking is permitted, transit platform bump-outs should be considered to improve transit reliability, travel time and accessibility. These curb extensions align the transit bus stop with the parking lane, allowing the transit vehicle to stop and board transit riders without having to leave and re-enter the travel lane, which reduces traffic interactions. These transit bus stops would be designed as per Burlington Transit's Bus Stop Design Standards and will be based on location and space availability.



Figure 9: Example of a transit bump-out
Source: NACTO Urban Street Design Guide

Selection of transit bus stop locations:

- Spacing between stops should be at least 300m to balance between user access and travel time, though it may vary based on context and transit service design;
- Stops should generally be located at intersections close to a pedestrian crossing;
- Stops should be clear of clutter and unobstructed for boarding and dismounting;
- Signalized intersections are ideal locations for bus stops to allow for safe pedestrian crossings, and to ease the experience of route-transfers; and,
- Mid-block bus stops are recommended only near significant pedestrian generators, and where intersections are far away.

- Transit stop design considerations:
- Safety: location, visibility, lighting, and geometry.
- Accessibility: concrete landing pad connection to sidewalk, minimum 2.0m wide landing pad, maximum slope of 2%, and an accessible turning radius as per AODA standards.
- Amenities and Design: bus stop sign poles, concrete landing pad; compliance with Burlington Transit's Bus Stop Design Standards; and,
- Comfort: shelters for weather protection, coordinated street furniture for waiting passengers, facilitating transfers with transit information and real time display screens for bus arrival information.

3.3.4.Flex Streets - Shared Streets

Flexible (“Flex”) streets provide opportunities to widen the boulevard, allowing more room for pedestrian movement during peak times of the year such as summer months or for public events and festivals. The design elements used for flex streets help control and slow vehicles, allowing for the boulevard and parts of the roadway [typically on-street parking lanes] to read as one space and adapt to a variety of conditions. Key components of flex streets include, but are not limited to, the use of bollards, flexible on-street parking configurations, pavement materials and modified curbs.

Shared streets are similar to flex streets but are designed and intended to provide pedestrians with more freedom of movement such that they become the dominant user. Vehicular transportation is “controlled” through reduced lane widths, generous sidewalks and clearly delineated open spaces. The key difference between flex and shared streets is using a curb-less street environment, which places all users and elements of the streetscape on one plane, allowing for unrestricted movements of pedestrians between the boulevard [pedestrian zone] and roadway [shared zone]. As with flex streets, a key component of shared streets is the strategic use of distinguishing pavement materials, bollards and other elements. These design elements increase safety for vulnerable users, as they inherently require that vehicles move slowly through them.

Flex and Shared Streets may be appropriate in urban contexts that experience, or are planned to support, higher pedestrian volumes and lower vehicle volumes and speeds.



KEY STRATEGIES FOR FLEX/SHARED STREETS:

- Explore the opportunity for a shared street design on the segment of Brant Street between Ontario and Elgin Streets. This core section of Brant Street has high pedestrian flows and is often closed for special events and festivals. The entire space could become accessible and barrier free through a curb-less design, which would allow for temporary and seasonal traffic closures and support the use of this key node as a grand plaza connecting Civic Square to the ‘Elgin Promenade’;
- Explore the opportunity to convert all or parts of Lower Brant Street to a flex street and/or shared street; and
- Explore other opportunities in the Downtown to develop flex and/or shared streets – streets with narrower right-of-way widths such as Pine Street.

3.3.5. Tree Planting

Street trees make up the clear majority of the municipally owned urban forest and provide incredibly important and measurable benefits that are vital to the overall health of our community. Successfully establishing and maintaining the urban forest requires careful planning and foresight. Innovative technologies are making the challenge of growing large, healthy street trees in highly urbanized areas feasible.

As the downtown streetscape is redeveloped, street tree planting will play a prominent role. Planting design will be implemented as per municipal and industry best practices and follow the City of Burlington’s Tree Planting Guidelines.

In general, the goal is to plant the largest tree for the available above ground space, while looking at all constraints including, but not limited to, overhead restrictions, soil composition, soil volume, and visibility.

Species Selection

- Street trees need to withstand tough conditions and be tolerant of drought, salt, wind, and soil compaction;
- Species selection shall consider required offsets, potential conflicts, maintenance requirements, and the existing and planned site conditions;
- Above ground and below ground conflicts will also inform appropriate species choices; and,
- Species will be chosen based on their ability to thrive in urban conditions, their status as native or non-invasive, and their ability to contribute to the diversity and resiliency of the City’s urban forest.

Soil Volume

- Minimum required soil volumes will range based on tree species and planting layout. For preliminary design purposes, anticipate a typical minimum of 30m³;
- Minimum soil volumes will be achieved by utilizing adequately sized trench planting installations, structural soils, breakout zones, or structural soil cell technology throughout the downtown; and,
- In hard surfaced urban areas, structural soil cells will be required. Structural soil cells can be configured to accommodate almost any space and contribute to our resilient urban forest by providing a space for adequate volumes of soil that are protected from compaction.

For additional information refer to the City's Tree Planting Guidelines.

Tree Placement

- Tree spacing will vary depending on the desired size and form of the tree species at maturity;
- The species of trees chosen will inform plant spacing and soil volume;
- Trees will be planted in the Furnishing Zone to ensure the Clear Path Zone is maintained; and,
- Trees will not be planted where they may impede visibility at intersections and crosswalks.

KEY STRATEGIES FOR TREE PLANTING:

- Recommended street trees will be context-sensitive and based on the size, form, and canopy coverage desired within each of the Character Areas; ensuring diversity of species along the streetscape.



3.3.6.Planting

Planting beds, open tree pits, rain gardens, raised planters and trenches present additional opportunities for vegetation and bioretention facilities throughout the downtown. While movable planters and hanging baskets can add an infusion of colour and an additional layer of visual interest to the streetscape using annuals.

- Green infrastructure such as bioswales, planting beds, rain gardens, raised planters and connected tree pits and trenches are permitted within the Edge and Furnishing Zones to ensure that the Clear Path Zone is maintained for safe pedestrian flows;
- Along retail streets, the Marketing Zone may contain movable planters; and
- Planting material should be chosen for its ability to withstand the climate, visual interest throughout the year, and for ease of maintenance.

Left: Integrated bench design; centre: movable planters; right: hanging baskets

KEY STRATEGIES FOR PLANTERS:

- Explore opportunities to add planting throughout the downtown in locations where sight lines are not restricted.
- Collaborate and partner with the Downtown Business Association on annual planting, maintenance and hanging basket programs.



Left: Integrated bench design; centre: movable planters; right: hanging baskets

3.3.7. Stormwater Management

Stormwater management allows us to minimize flooding risks in our city. There is opportunity to feature Low Impact Development (LID) stormwater management designs and mitigation measures into the reconstruction and renewal of the downtown streetscape. LID design concepts for on-site infiltration include the use of bioretention facilities, permeable pavers, and utilizing stormwater to irrigate tree pits.

The Downtown Stormwater Quality Control Plan is a program that will help to inform where and how best to utilize techniques to improve stormwater quality with a treatment train approach, ensuring cleaner water reaches Lake Ontario.

KEY STRATEGIES STORMWATER MANAGEMENT:

- Explore the opportunity to use stormwater from sidewalk to passively irrigate street trees and planting areas using open tree pits, permeable pavers, and trench drain systems [with inlet valve controls to ensure trees are not inundated with salt during thaw periods]; and
- Explore the opportunity to use corner bump-outs and planting areas that utilize trenches as bioretention facilities collecting, cleansing and infiltrating stormwater run-off from the adjoining streets.



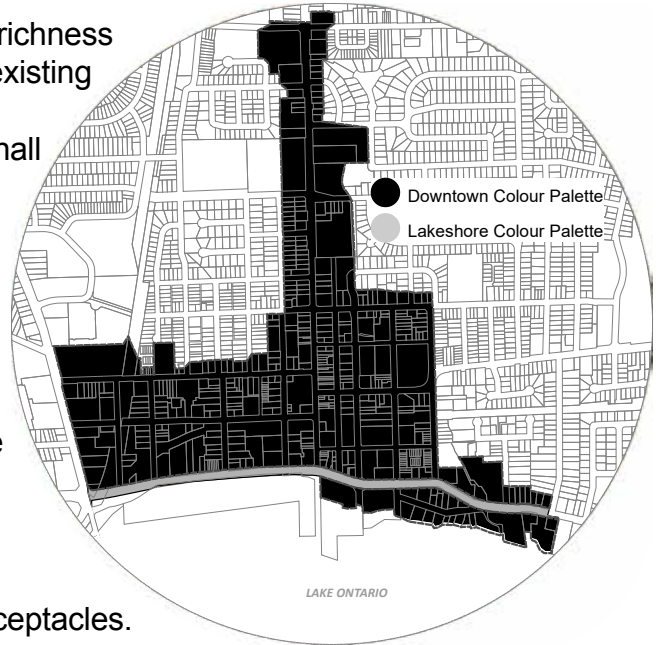
Examples of Low Impact Development techniques within the Furnishing and Edge Zones

3.3.8.Colours & Finishes

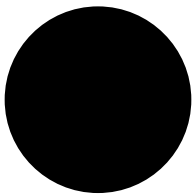
A unifying colour ties all elements together and allows the richness of the built environment to take centre stage, highlighting existing architectural heritage and diverse storefronts. All metal components within the Downtown furnishings selections shall be painted with a glossy black finish except for furnishings along Lakeshore Road, which will be painted grey.

Lakeshore Road has a unique character defined in part by its relationship to the waterfront. Past streetscape design schemes have included grey painted streetlight poles and fixtures. The DSG proposes that these streetlights be maintained and expanded upon by painting all streetscape elements along Lakeshore Road grey.

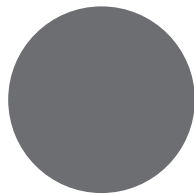
To align with the above Design Principles, the DSG also recommends the use of wood for bench seats and other complimentary streetscape components such as waste receptacles.



DOWNTOWN FURNISHING COLOURS + FINISHES:



Unifying Black



Lakeshore Grey



Wooden Well-Being

3.3.9.Lighting

Lighting can be a defining feature of any street to create a unique identifier and contribute to its character and sense of place.

- Light standards should maintain a pedestrian scale with fixtures that are four to five metres in height above the ground plane. Where taller light standards are necessary, poles should be used for placement of pedestrian-scaled light fixtures positioned over the boulevard;
- Light poles and fixtures should be placed on centre in either the Edge or Furnishing Zones and never obstruct the pedestrian Clear Path Zone;
- Spacing will vary to achieve the appropriate level of lighting for the area based on right-of-way widths and functional design considerations, and will require verification by a qualified electrical engineer at the time of detailed design;

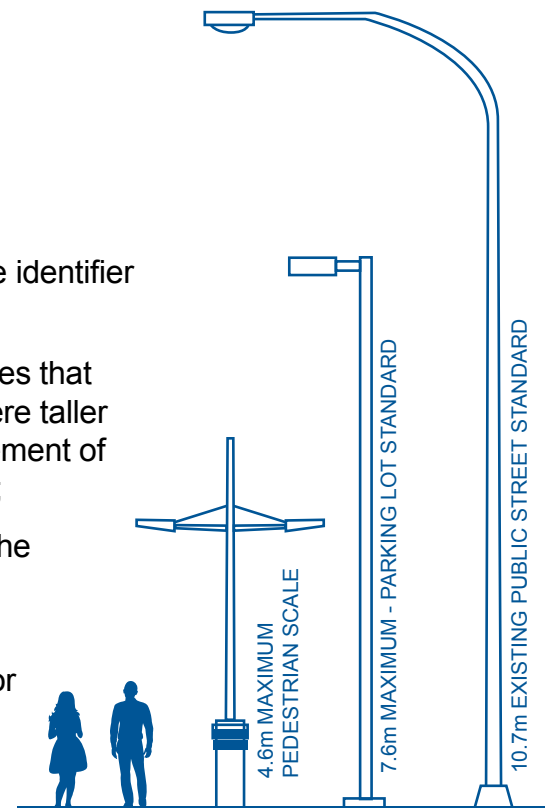


Figure 10: Pedestrian-scaled lighting – defines the street as a space for people

- If necessary, light fixtures may be installed on traffic signal poles to ensure that the intersections are adequately lit; and,
- Light poles on character streets should be prioritized to accommodate and support accessories such as banners, hanging baskets, irrigation for baskets, signage and electrical outlets for events, and to reduce the number of poles within the streetscape. Where feasible, strapless accessories or mounting straps to match the colour of the poles should be used to enhance the visual quality of the streetscape.

For additional information refer to the City's Street Lighting Specifications and Design Manual.



3.3.10. Public Art & Culture

To further reflect on the local history and cultural heritage of the Downtown, the DSG supports opportunities to incorporate public art for beauty, interest, animation and weather protection as part of the streetscape.



- Promote functional public art through customized site furnishings including, but not limited to, benches, bike racks, bus shelters, fencing, waste receptacles and tree grates that comply with the design principles and guidelines of this document;
- Incorporate temporary and permanent public art installations into the streetscape. The Furnishing Zone and portions of pedestrian crossings may provide adequate space for such installations; and,
- Provide supporting infrastructure to install art that can illuminate otherwise dark urban areas and plazas, or locations not suitable for street trees or plantings.

3.3.11. Boulevard Treatments

High-quality materials are both attractive and economical over the long term. They will last longer and better withstand the impacts of heavy urban use and climate. A palette of high-quality materials for downtown streets will redefine the public realm. The DSG proposes a simplified palette of colours, paving materials and patterns for all Downtown boulevards.



Concrete Paving

The use of concrete is practical from both an economical and functional perspectives and provides a uniform and universally accessible surface.

- All Clear Path Zones are to be made of cast-in-place concrete with a broom finish to ensure a safe, comfortable and universally accessible surface treatment.

Concrete Unit Pavers

Precast concrete unit pavers are utilized as a visual feature element in the streetscape. These pavers provide a comfortable pedestrian environment and help with accessibility and wayfinding. Unit pavers provide an added benefit of being easily removed and reset if required.

- Precast concrete unit pavers should be used in the Furnishing Zones along Brant Street, Lakeshore Road, and within the Mixed-use Commercial District, where feasible;
- Unit pavers should be overlaid on a solid concrete base to avoid uneven heaving; and
- Must comply with the City of Burlington Accessibility Design Standards [flush, narrow grout line, no chamfering, etc.]



KEY RECOMMENDATIONS FOR BOULEVARD TREATMENTS:

PAVING MATERIALS

	Lower Brant Street & Lakeshore Road	Mixed-use Commercial District	Residential Districts
Clear Path Zone	Concrete (no colour, no pattern) Min. 1.8m (6') wide	Concrete (no colour, no pattern) Min. 1.8m (6') wide	Concrete (no colour, no pattern) Min. 1.8m (6') wide
Furnishing Zone	Unit pavers; where there are street trees Min. 1.2m (4') wide	Unit pavers; where there are street trees Min. 1.2m (4') wide	Soft paving (grass, mulch sod) Min. 1.2m (4') wide
Edge zone	Concrete (no colour, no pattern); saw cut joints offset from back of curb Typ. 0.4m wide	Concrete (no colour, no pattern); saw cut joints offset from back of curb Typ. 0.4m wide	Concrete (no colour, no pattern); saw cut joints offset from back of curb Typ. 0.4m wide

3.3.12. Streetscape Elements

A common suite of streetscape furnishings will provide a unique identity for the Downtown as well as each of its Character Areas. The DSG recommends a consistent and simple approach to furnishings to balance built heritage with new downtown developments, while the deliberate placement of furnishings will encourage safer and more comfortable pedestrian circulation. The Downtown streetscape furnishings include benches, bollards, bicycle infrastructure, lighting, and waste receptacles.

- All streetscape elements should be placed in the Furnishing Zone to allow for an uninterrupted Clear Path Zone, except for benches in the Marketing Zone and road safety elements such as parking metres, sign, street and traffic light poles in the Edge Zone, where the street geometry does not have enough space to allow for a Furnishing Zone; and

- Streetscape furnishings should be placed a minimum of 0.6m from the curb side of the Furnishing Zone, including benches, bollards, bus shelters, bike racks, and waste receptacles.

Bollards

- Bollards should be used where deemed appropriate to separate pedestrian zones from potential conflicts
- Bollards may be used to close off and delineate flex and shared streets for seasonal uses and during special events and festivals that share the street;
- Spacing between bollards should provide at least 1 metre of clear width to meet minimum accessibility requirements but never be wider than 1.5 metres to protect against the minimum width of a vehicle; and,
- Designs should avoid linking bollards with chains or ropes.

Seating

- Where feasible, seating to be spaced 30m apart to improve the accessibility of streets and promote an age-friendly downtown;
- Place benches a minimum 0.6m from back of curb;
- Benches should be located under tree canopies where possible to provide shade and comfort;
- Benches shall be accessible;
- Informal seating [e.g. low walls, temporary or permanent art installations] may also be incorporated into other elements in the Furnishings Zone such as tree pits or raised planter edges;
- Where seating is oriented parallel to the curb, it should face toward buildings when located in the Furnishings Zone, or away from buildings when located in the Marketing Zone;
- Where space permits, benches in the Furnishing Zone should be perpendicular to the curb;
- In corner bump-outs, benches should be organized to create social spaces;
- Seating incorporated into building forms, such as seatwalls, may be used as an alternative to free-standing benches;



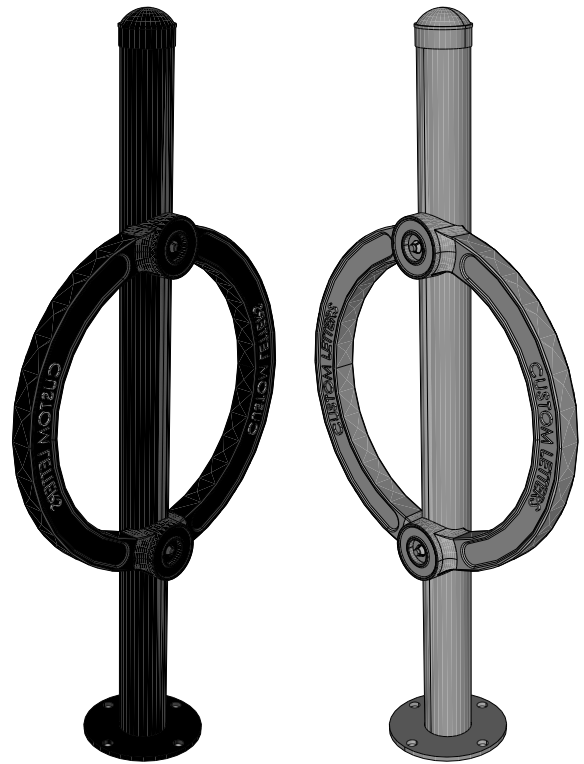
- Where locations provide a visual connection to a landmark or other amenity, it may be appropriate to vary from these guidelines to take full advantage of a street's setting. For example, seating may be oriented towards a view or vista, rather than towards a street when doing so would provide an additional amenity; and,
- Wooden bench seats promote use during all four seasons. For example, wooden seats provide a warmer material for users in the autumn and winter, especially when facing south to capture sunlight, while also providing a cooler surface in the spring and summer whereas metal can get very cold or hot depending on the season.

Bus Shelters

- Bus shelters to be placed within the Edge and Furnishing Zones;
- Placement and size of bus shelters must comply with applicable AODA standards;
- Consider provision of heated shelters for winter weather protection;
- Ensure design and location does not obstruct sightlines for oncoming vehicular traffic;
- Consider provision of real time display screens for bus arrival information; and
- Design bus shelters for ease of snow-clearing and to minimize ice hazards.

Bike racks

- Provide at regular intervals throughout the Downtown;
- Where possible, bike racks should be placed near lighting;
- Bike racks shall not be placed within 1.8m of a tree;
- The traditional post-and-ring design is preferred as larger bike racks impede pedestrian movements and snow clearing; and,
- Should never be placed where a bicycle would impede the pedestrian Clear Path Zone.



Waste receptacles

- Waste receptacles should be placed at regular intervals throughout the downtown;
- Placement should maintain minimum setbacks from other furniture and tree pits of 0.9m and 0.3m respectively; and,
- Where possible incorporate repositories for cigarette butts and pet waste.





Typical square tree grate to be used in the Furnishing Zone



Expandable tree grate

Tree Accessories

Tree grates and guards shall be provided only where young trees are planted in spaces where they may be vulnerable to damage, or where a natural surface planting area is not appropriate. Requirements for these accessories will be accessible and be determined on a case-by-case basis.

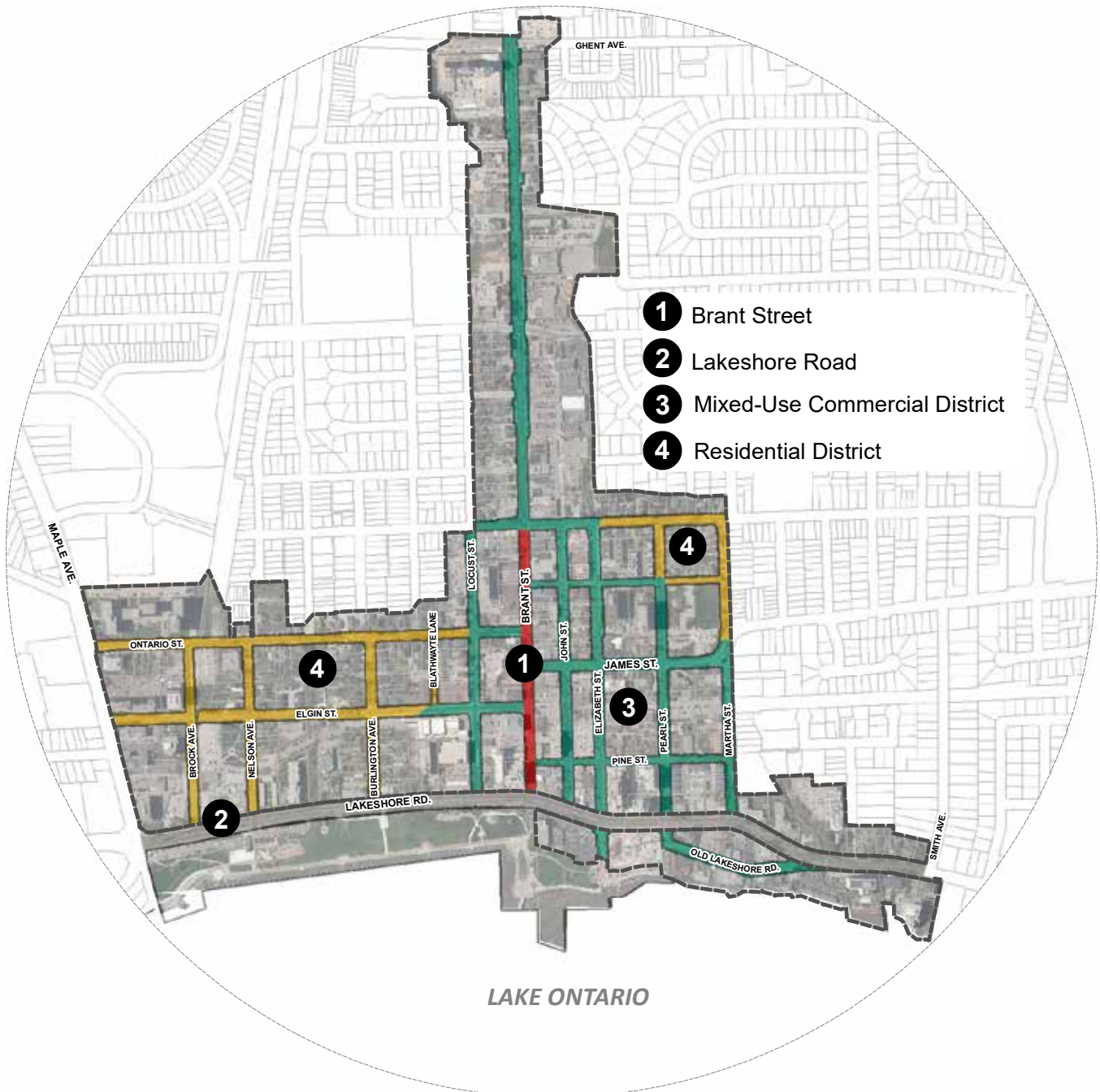
- Tree grates must be compliant with the appropriate AODA regulations;
- Where tree grates are deemed necessary, generally within the furnishing zone surrounded by hardscape, expandable grates will be required;
- Grates should provide inlets, openings or be designed to incorporate the provision of tree aeration and irrigation, and electrical outlets; and,
- Where applicable, tree grates shall match tree drains.

KEY STRATEGIES FOR STREET ELEMENTS:

- Remove all unnecessary elements not specified in this document;
- Use only furnishings that meet the design guidelines outlined in this document;
- Adhere to furnishing placement criteria set out in this document; and,
- Explore the use of multi-stream waste receptacles, including designs with built-in cigarette butt disposal and pet waste, where appropriate throughout the downtown.

3.4. Character Areas (Streets & Districts)

The DSG organizes the downtown into the following Character Areas:



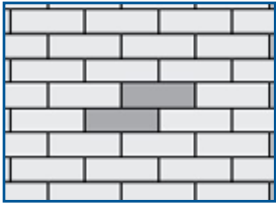
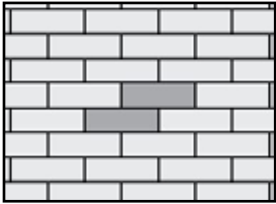
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Lower Brant Street

Brant street's character as a main street and spine of the Downtown has been well established. Within the study area this is most notable as it changes from a traditional main street in the historic core to a conventional arterial corridor – north of Caroline Street – the result of development patterns, land uses and public right-of-way widths. Brant Street is at its narrowest in this 'lower' segment, which contributes to its walkability and pedestrian appeal supported by the existing built form character, active edges, on-street parking, street trees, pedestrian-scaled lighting, and an elaborate paving scheme. For the DSG, Lower Brant Street is deemed to be special and celebrated as a Character Street. The paving and furnishing recommendations intend to reinforce this notion.



RECOMMENDATIONS FOR LOWER BRANT STREET

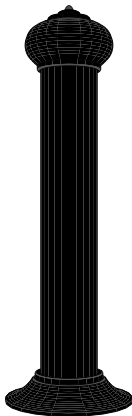
PAVING MATERIALS				
	Marketing	Clear Path	Furnishing	Edge
<u>Hardscape Materials</u>	Concrete paving	Concrete Paving	Concrete unit pavers	Barrier or modified curbs
<u>Score pattern</u>	Scored (saw cut) in a 1.5m rectangular pattern.	Scored (saw cut) in a 1.5m rectangular pattern.		
<u>Laying pattern</u>	Running Bond		Running Bond	
				

FURNISHING SELECTIONS *A functional public art alternative is encouraged for all furnishing selections.

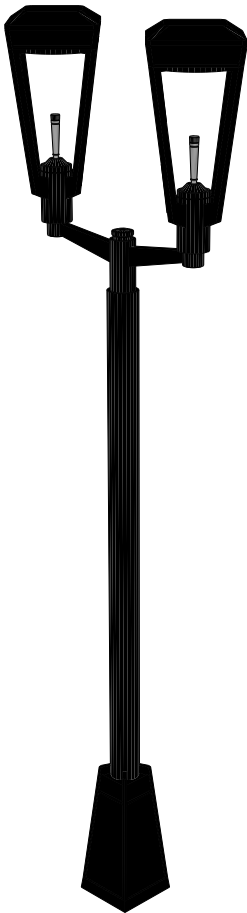
Bench



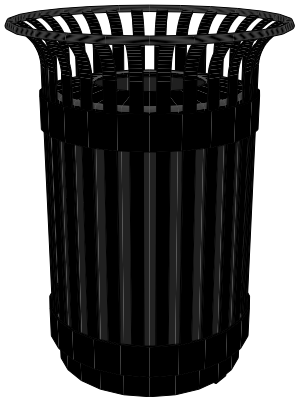
Bollard



Lighting



Waste



Bike Rack



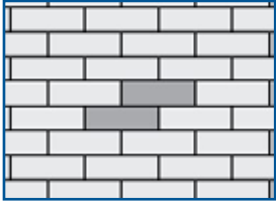
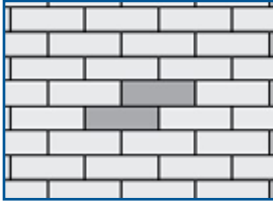
Lakeshore Road

In the Downtown, Lakeshore Road runs parallel to the shoreline from Maple Street to Smith Avenue and plays a critical role in connecting the waterfront lands to the rest of the Downtown. The lands south of Lakeshore Road include key city assets such as Discovery Landing, Spencer Smith Park, the waterfront promenade, and the Brant Street Pier. The intersections of Lakeshore Road and Maple Avenue, Brant Street, and Smith Avenue are important gateways to the Downtown and provide a sense of arrival and an opportunity for unique identifiers. Lakeshore Road is also a key transit corridor.



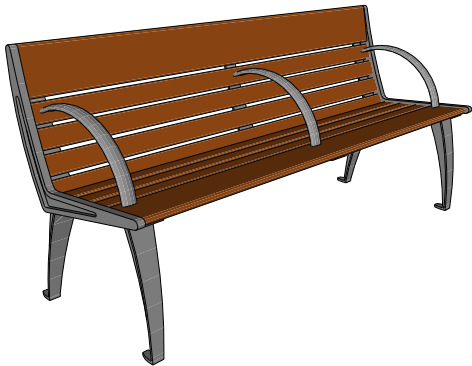
RECOMMENDATIONS FOR LAKESHORE ROAD

PAVING MATERIALS

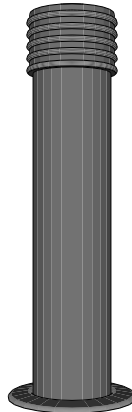
	Marketing	Clear Path	Furnishing	Edge
<u>Hardscape Materials</u>	Concrete paving	Concrete Paving	Concrete unit pavers	Barrier or modified curbs
<u>Score pattern</u>	Scored (saw cut) in a 1.5m rectangular pattern.	Scored (saw cut) in a 1.5m rectangular pattern.		
<u>Laying pattern</u>	Running Bond 		Running Bond 	

FURNISHING SELECTIONS *A functional public art alternative is encouraged for all furnishing selections

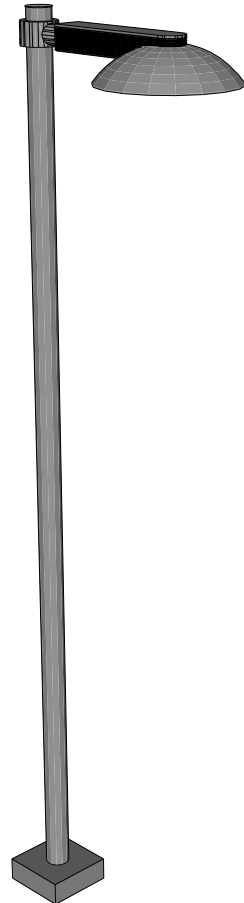
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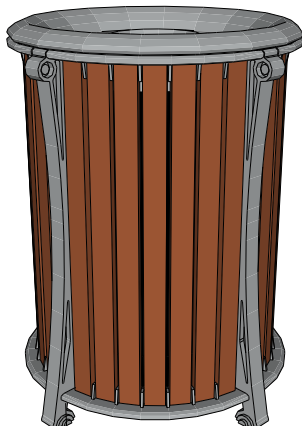
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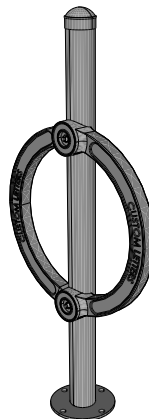
Lighting



Waste



Bike Rack



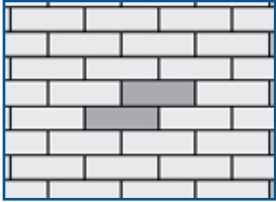
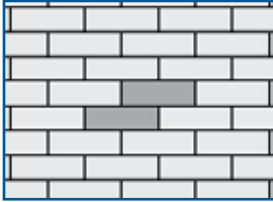
Mixed-Use Commercial District

Bisected by Lower Brant, the Mixed-Use Commercial District includes Brant Street between Caroline and Ghent and extends westerly to include Locust Street and parts of Ontario Street and Elgin Street, and easterly to include parts of Caroline, Maria, John, Elizabeth, Pearl, Martha, James, and Pine Streets as well as Old Lakeshore Road. This area offers a mix of uses including cultural, entertainment, residential, and commercial retail. It includes key transit access to the Downtown via the John Street transit station and features Village Square and its unique character.



RECOMMENDATIONS FOR THE MIXED-USE COMMERCIAL DISTRICT

PAVING MATERIALS

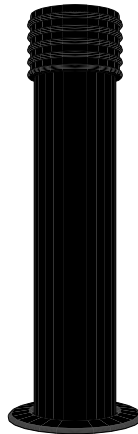
	Marketing	Clear Path	Furnishing	Edge
<u>Hardscape Materials</u>	Concrete paving	Concrete Paving	Concrete unit pavers	Barrier or modified curbs
<u>Score pattern</u>	Scored (saw cut) in a 1.5m rectangular pattern.	Scored (saw cut) in a 1.5m rectangular pattern.		
<u>Laying pattern</u>	Running Bond 		Running Bond 	

FURNISHING SELECTIONS *A functional public art alternative is encouraged for all furnishing selections

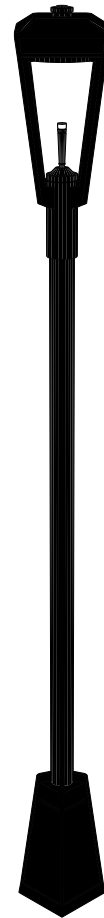
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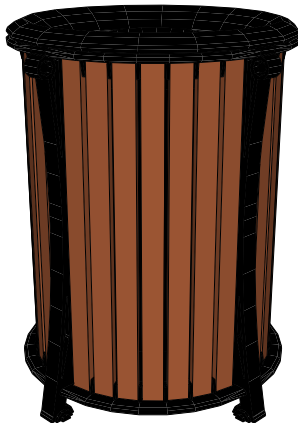
Bollard



Lighting



Waste



Bike Rack



Residential Districts

The areas within the established neighbourhoods of St. Luke's and Emerald and the higher density housing on the fringes of the historic core makeup the Residential Districts. In most cases, these streetscapes add to the Downtown's overall character and sense of place. These city blocks are narrow, and traffic moves slowly, providing residents with a short walk and easy access to the downtown and all its offerings. With limited development potential within this district, the recommended furnishings and materials intend to conserve the established residential quality and heritage character of these neighbourhoods, whilst complimenting Lower Brant Street as a key Character Street.



RECOMMENDATIONS FOR RESIDENTIAL DISTRICT STREETS

PAVING MATERIALS

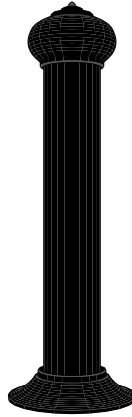
	Marketing	Clear Path	Furnishing	Edge
<u>Hardscape Materials</u>	NA	Concrete Paving	N/A	Barrier concrete curbs

FURNISHING SELECTIONS *A functional public art alternative is encouraged for all furnishing selections

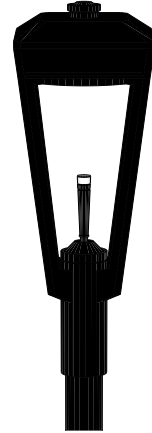
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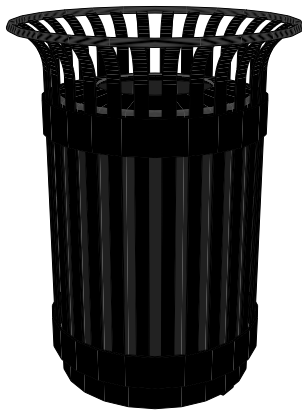
Bollard**



Lighting



Waste**



Bike Rack**



****These furnishing selections will be limited on streets with adjacent low density residential land uses**

4. IMPLEMENTATION

4.1. Updated Streetscapes

The implementation of the DSG will occur gradually over time through either one or both of the following instruments:

Private Sector Development

New developments in the downtown will require streetscape improvements and may require enhanced streetscape elements through negotiated public realm improvements

Public Sector Development

Downtown public realm improvements will be planned and implemented in accordance with the capital investment and budget framework, and aligned with the city's approved Asset Management Plan. The timing of implementation will be coordinated with public space improvements and other road right-of-way works with consideration of funding, available resources, and prioritization of other city projects. A complete list of all forecasted street-related capital improvements is published annually in the 10-year capital budget and forecast.

4.2. Downtown Streetscape Implementation Team

The City will establish a multi-disciplinary interdepartmental staff working group that will be responsible for the design, review, and implementation and monitoring of all public sector streetscape improvements. This group will also be responsible for identifying implementation opportunities and providing advice to the capital budget committee on public realm investments related to infrastructure, public service and transportation facilities throughout the downtown. Operational impacts to budgets must also be presented for consideration as part of any implementation strategy. The team will be coordinated jointly by the Departments of City Building and Transportation Services and meet at least once a quarter [and more frequently as required]. This team should include representation from Arts and Culture, Asset Management, Roads, Parks and Forestry, Parking Services, Site Engineering, Sustainability, Traffic Services, Transit, Transportation Planning – Functional Design, and Urban Design as well as the City's Accessibility Coordinator Design and Construction, Stormwater Management.

For private sector development applications, streetscape plan review will occur through established planning processes such as site plan approval.

Accessibility for Ontarians with Disabilities Act [AODA]

There is a legislated requirement through the AODA Design of Public Spaces Standards to seek public consultation on specific accessibility aspects regarding the design of outdoor public spaces.

People living with disabilities can provide valuable input to designers and decision-makers regarding their diverse needs, identify potential barriers in proposed design and provide insight on how to remove existing barriers in the built environment.

As stated in the legislation, the city is required to consult with the public, people with disabilities and the Burlington Accessibility Advisory Committee when constructing new or redeveloping existing rest areas in the exterior path of travel, exterior paths of travel, on-street parking, recreational trails, and outdoor play spaces.

With respect to the DSG an exterior path of travel is a sidewalk or walkway intended to provide a functional route from Point “A” to Point “B” and is usually not intended to provide a leisure experience. The city will seek input on the design and placement of rest areas along exterior paths of travel. On-street parking refers to parking spaces that are located on a street or roadway rather than in a separate parking lot area. It most often consists of parallel parking. The city will seek input on the need, location and design of accessible on-street parking spaces.



4.3. Transition

Implementation of the DSG is a long-term plan. In the interim, opportunities for low cost treatments can be explored to help transition the downtown streetscape to its long term desired state. This reinforces the asset management goal of an optimized replacement schedule and maximizes investment value.

The Downtown Streetscape Implementation Team will identify such opportunities on a case-by-case basis and seek alignments where possible with other initiatives in the downtown. Other strategies will include seeking available grants and funding from upper levels of government to accelerate implementation of the DSG.



From pilot to permanent: shared street in Halifax; Argyle Street
Opposite page: demonstration of the shared street concept during the pilot period; Above right and left: Argyle Street (post-construction) as transformed from a conventional street to a shared street that prioritizes pedestrians through its design.

GLOSSARY

Accessible	Describes the design of street or portion thereof or streetscape elements that complies with the City of Burlington Accessibility Design Standards [ADS].
Bioretention Facilities	Refers to a concave landscape area that allows stormwater runoff from impervious urban areas such as roofs and sidewalks to be absorbed. This reduces the rainwater runoff by allowing stormwater to soak into the ground.
Boulevard	The boulevard is the area between edge of the curb and the front property line or building face.
Green infrastructure	Natural and human-made elements that provide ecological and hydrological functions and processes. Green infrastructure can include components such as storm water management systems, street trees and permeable surfaces.
Pedestrian Scale	The proportional relationship of the physical environment to human dimensions, acceptable to public perception and comprehension in terms of the size, height, bulk, and/or massing of buildings or other features of the built environment.
Infrastructure	Physical structures [facilities and corridors] that form the foundation for development. Infrastructure includes: sewage and water systems, septic treatment systems, stormwater management systems, waste management systems, electric power generation and transmission, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.
Living assets	Natural and human-made elements that provide ecological and hydrological functions and processes. Living assets can include streetscape elements such as street trees and may include green infrastructure assets such as bioswales and rain gardens.
Permeable Pavers	A pavement surface consisting of strong structural materials having regularly interspersed void areas which are filled with pervious materials, such as sod, gravel or sand, but not including traditional interlocking concrete pavers or pavers that are not specifically designed to increase infiltration.
Public Realm	All spaces to which the public has unrestricted access, such as streets, parks and sidewalks. Refers to spaces under City ownership including streets, boulevards, parks, and public buildings and structures.

Public Service Facilities	Land, buildings and structures for the provision of programs and services provided or subsidized by a government or other public body, such as social assistance, recreation, police and fire protection, health and educational programs, and cultural services. Public service facilities do not include infrastructure.
Right-of-Way	The part of the street that is publicly owned and lies between the property lines.
Roadway	The space between the two boulevards that can be designed to carry various modes of transportation and their ancillary facilities.
Structural Soil Cell	Refers to modular plastic or steel units designed to support loads to prevent compaction of soils. Each unit is connected to create a trench/ area where the tree roots can grow. They are to be placed in and around the root ball of a tree.
Stormwater	Rainwater from ground surfaces, roads, roofs, paved areas etc. and usually carried away by drains. It is further defined as storm runoff, snowmelt runoff, or surface runoff and drainage.
Stormwater Management	Stormwater management is the mechanism for controlling stormwater runoff rate and quantity for the purposes of reducing downstream erosion, water quality degradation, and flooding and mitigating the adverse effects of changes in land use on the aquatic environment.
Transportation Facilities	Includes roads, bike lanes, sidewalks and multi-use paths.

APPENDIX A

The following conceptual designs demonstrate the streetscape plans for each character area where the existing street design would allow for the minimum recommended widths (for the Clear Path, Furnishing, and Edge Zones).

Typical Lower Brant Streetscape



Typical Lakeshore Road Streetscape



Typical Mixed-Use Commercial District Streetscape



Typical Residential Districts Streetscape







SUBJECT: Red Tape Red Carpet Task Force recommendations

TO: Planning and Development Committee

FROM: Office of the Mayor

Report Number: MO-06-19

Wards Affected: All

File Numbers:

Date to Committee: July 9, 2019

Date to Council: July 15, 2019

Recommendation:

Table mayor's office report MO-06-19 providing an update and recommendations arising from the Red Tape Red Carpet (RTRC) Task Force to the Planning and Development Committee meeting of September 10, 2019, incorporating any additional feedback and recommendations arising from committee discussion and further community input over July and August; and

Direct the City Manager to work with RTRC Task Force to propose an implementation plan, including owner, timeline and associated costs for all RTRC action items and report back in September.

Background and Discussion:

Throughout the past 5 months, the Red Tape Red Carpet Task Force initiative has collected insights and ideas from the Burlington business community, partner organizations and staff to better understand the challenges (red tape) to locating or expanding a business here, and to ideate around solutions that will better serve our businesses (red carpet).

To address opportunities identified in the Red Tape Red Carpet Task Force initiative, the following list of recommendations is suggested for City Council's consideration. For organizational purposes, they have been categorized by their relationship to cutting red tape or rolling out the red carpet, although some fit in both categories. Those that are considered quick wins are placed first on each list and noted with an asterisk:

Cutting Red Tape:

1. * Establish a position at City Hall to act as our Chief of Business Development, serving as a primary outreach for attracting new businesses to Burlington, overseeing and expediting applications through the system and reporting progress and obstacles regularly to City Council and the City Manager (See Appendix A for roles and responsibilities).
2. * Develop and implement targets and Key Performance Indicators (KPIs), including timelines for processing business applications, for all staff in planning, building & development teams
3. * Streamline and optimize the zoning, site grading and Committee of Adjustment processes for faster execution and resolution, considering recommendations from industry professionals (see Appendix B).
4. * Optimize the City of Burlington website with relevant, informative and easy-to-find content that is search-optimized and externally marketed in order to support businesses through their journey with us
5. Implement improved customer service technology including a self-serve online portal for applicants including the ability to submit and check on the status of their applications.
6. Explore additional paid “Fast Track” options for rush projects and business applications in areas in addition to the existing fast track for building permits, while also ensuring the delivery date results in a firm decision.
7. Foster a strong and meaningful culture of high performance and employee recognition
8. Review the agribusiness rules, zoning, and definitions to encourage diversified use and help support economic sustainability for our rural/farming businesses.
9. Target completion of all minor site plan reviews and zoning clearances within 30 days.
10. Implement an acceptable Standard Deviation for development related plans and drawings that better accounts for the use of imperial measurements (e.g. 0.00m or 3/16”).

Rolling out the Red Carpet:

11. * Develop a clear vision at the City of Burlington with respect to business attraction and development.
12. * Mayor and leadership team act as Chief Salespeople, actively seeking out opportunities to bring new business to Burlington.
13. * Make business attraction/retention a standing item for discussion at all Planning & Development Committee meetings.
14. * Launch monthly Subject Matter Expert (SME) drop-in sessions where businesses can come ask questions and get advice and guidance from experts from the City of Burlington and partner organizations.
15. * Create an “Open for Business” customer service window, ideally on the first floor of City Hall, co-locating key staff from different business-related

departments for easy public access and on-the-spot collaboration & problem solving.

16. Review the efficiency, effectiveness and optimal structure of the Burlington Economic Development Corporation and TechPlace, as well as the opportunity for a Municipal Development Corporation, in achieving the city's business attraction and retention goals (see companion report listed on July 8, 2019 COW agenda: MO-04-19).
17. City Manager to review and implement changes to the City's organizational structure and business processes to give priority strategic focus to enhanced economic and business development working closely with the BEDC.
18. Explore opportunities to use city parking supply as a leverage for business attraction and address existing downtown parking challenges.

Conclusion:

The draft list of recommendations from RTRC Task Force for cutting red tape and rolling out the red carpet to ensure business attraction and retention in Burlington is presented for review and further comment over the months of July and August.

Please provide any additional feedback to my office, attention
victoria.alsamadi@burlington.ca

A finalized set of recommendations will be presented at the Planning & Development Committee on September 10th, with a final vote taking place at City Council on September 23rd.

Respectfully submitted,

Mayor Marianne Meed Ward

905-335-7607

Appendices:

- A. Roles & responsibilities related to Chief of Business Development position
- B. Zoning process improvements for consideration submitted by industry professionals in 2018

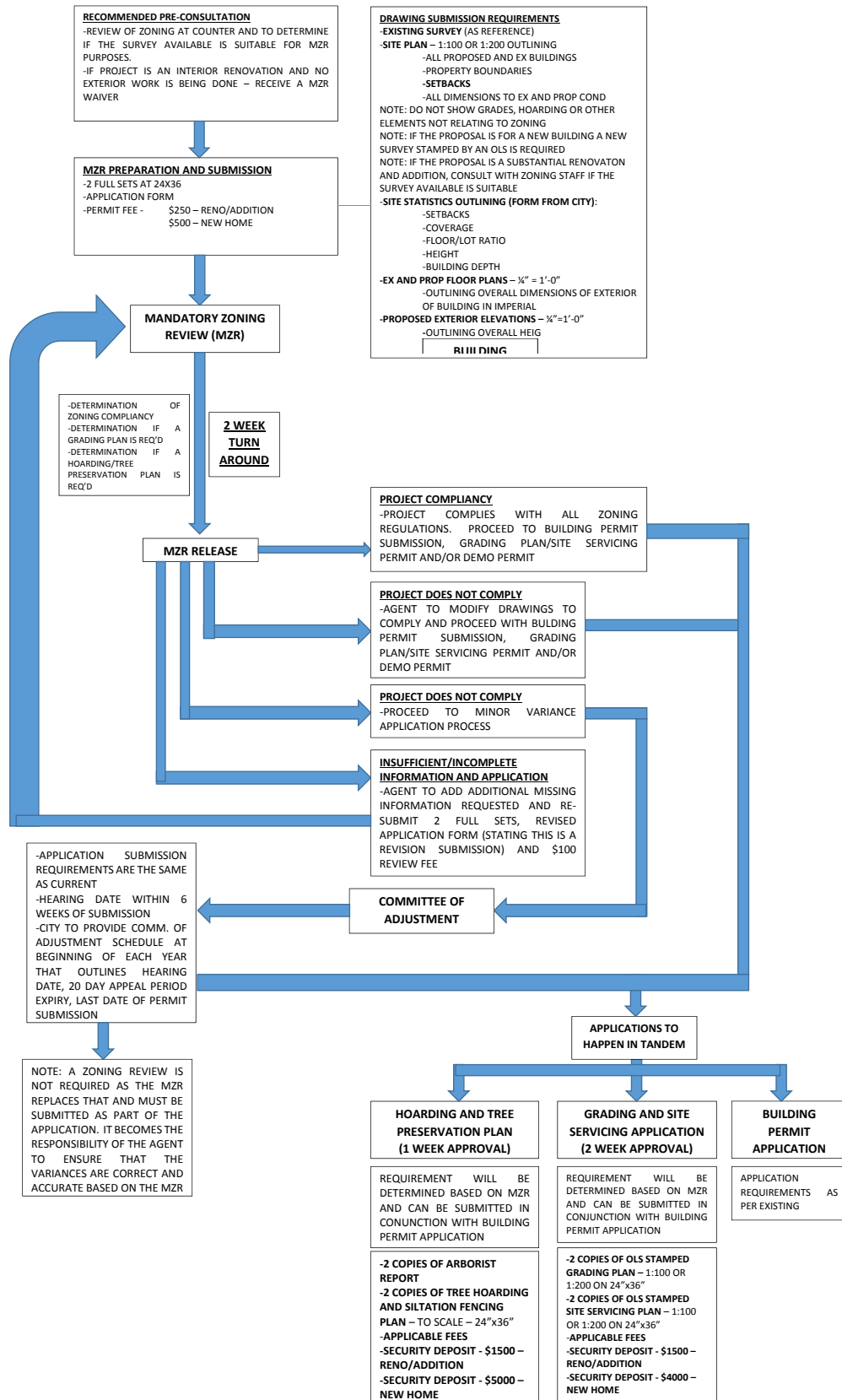
City of Burlington

Chief of Business Development

Roles & Responsibilities

- Seek out and attend external events to represent the City of Burlington as a place to locate/grow a business and build relationships with the broader business community in Ontario and beyond
- Be the primary liaison/partner with the team at the BEDC
- Act as the key liaison for business-related issues with partner organizations including Burlington Chamber of Commerce, MTO, Conservation Halton, Halton Region, Burlington Hydro, Niagara Escarpment Commission and any related City of Burlington departments
- Review new applications daily to identify those that are of high value/impact to the City's economic well-being and put them on a high priority watch list, updating the Mayor and City Manager weekly
- Review the status of all existing applications on a daily basis to identify those experiencing delays and road blocks and pull in the right people to move past them in a timely manner, updating the Mayor and City Manager weekly
- Own the business attraction/application progression dashboard and report it weekly to the Mayor, City Manager, City Council and City of Burlington leadership team, and BEDC
- Oversee monthly SME drop-in sessions
- Oversee the continued updating and evolution of City of Burlington business-related digital/print marketing and information assets in partnership with City of Burlington marketing teams
- Oversee the creation and execution of business-related marketing and awareness campaigns and web content in partnership with City of Burlington marketing teams
- Oversee any additional surveys, town halls or public outreach that further supports continued process improvement and business attraction
- Advise Council on unnecessary regulations or red tape being applied and seek to remove it.
- Ensure consistency in application of regulations across relevant staff members.
- Clarify the difference between changes that are required via regulatory mandate vs those that are just "recommended" and ensure applicants know the difference.
- Review department structures to ensure we have Subject Matter Experts in key areas who can be assigned to related applications/files, including commercial, large industrial, small residential, heritage planning, agricultural, etc. so that the right people are bringing the right expertise to the right files

Zoning Diagram - Detail





. . . Memo

To: Members of Burlington City Council/Planning and Development Committee

From: Councillor Paul Sharman

Cc: Tim Commisso, Mary Lou Tanner, Heather MacDonald, Jo-Anne Rudy, Angela Morgan

Date: June 27, 2019

Re: Staff direction regarding Endress & Hauser Canada Limited

Dear colleagues,

City staff are currently working with a company in Ward 5, Endress + Hauser (EH) Canada Ltd., a world leader in high technology process control systems for a variety of industries including Oil and Gas and Sanitary Sewage processing. They are one of several corporations who have successfully implemented Project Management, Lean Management and integrated process management/value chains and aligned performance measurement. Several of their staff are Black Belt Six Sigma qualified and members of their senior management team are Green Belt Six Sigma.

EH is in process of increasing the foot print of their Canadian operations in Burlington from 27,000 sq. ft to 46,000 sq. ft, expandable to 55,000 sq. ft. The new building is planned to be state of the art, LEED GOLD level, Net Zero Energy and Net Zero Carbon. The scheduled development goals are ambitious as EH wish to be "in the ground" by October 2019 to install geothermal infrastructure. This schedule may be achievable if City processes are adapted to accommodate and process applications within the speed of business.

It is proposed that the EH application be engaged by the City of Burlington as a prototyping initiative to learn from EH about how to successfully implement leading practice Project Management, Lean Management with integrated process management/value chains and aligned performance measurement.

Accordingly, I wish to put forth the following staff direction:

"Direct the City Manager, Director of City Building and staff to engage with Endress + Hauser on their application to develop land on International Boulevard taking advantage of their Project Management, Lean Management with integrated process management/value chains and aligned performance measurement expertise in order to enhance City Planning and Development Application approval processes and achieve the applicants desired construction timeline."

Thank you for your consideration

Paul Sharman



SUBJECT: Recommendation report for official plan and zoning by-law amendments for 1085 Clearview Ave., 1082, 1086 and 1090 St. Matthew's Ave.

TO: Planning and Development Committee

FROM: Department of City Building - Planning Building and Culture

Report Number: PB-31-19

Wards Affected: 1

File Numbers: 520-02/19 and 505-01/19

Date to Committee: July 9, 2019

Date to Council: July 15, 2019

Recommendation:

Refuse the application for official plan and zoning by-law amendments submitted by MHBC Planning Limited, 442 Brant St. Suite 204, Burlington, ON L7R 2G4, on behalf of LIV Communities for the properties located at 1085 Clearview Ave., 1082, 1086 and 1090 St. Matthew's Ave. for the development of a 6-storey, 162-unit residential building.

Purpose:

The purpose of this report is to provide a recommendation to refuse this development application. The following objectives of Burlington's Strategic Plan (2015-2040) apply to the discussion of this application:

A City that Grows:

- Intensification
 - 1.2.b - *Mobility hubs are developed near each GO Station and in the downtown.*
 - 1.2.e - *Older neighbourhoods are important to the character and heritage of Burlington and intensification will be carefully managed to respect these neighbourhoods.*

The application proposes a 6-storey apartment building with 162 dwelling units in close proximity to the Aldershot GO Station and an established residential neighbourhood.

- Focused Population Growth

1.3.a - Burlington is an inclusive and diverse city that has a growing proportion of youth, newcomers and young families and offers a price range and mix of housing choices.

The existing neighbourhood surrounding the site includes one, one and a half, and two-storey detached dwellings. The proposal is located in close proximity to a Higher Order Transit Station (Aldershot GO Station) and includes a range of unit sizes.

Executive Summary:

The subject lands are located between the Aldershot GO Station to the north, and an established residential neighbourhood to the south, east and west.

Application has been made to amend the Official Plan Designation of the subject lands from Residential – Low Density to Residential – High Density and to change the zoning from the Residential (Low Density) R2.1 zone to the Residential (High Density) RH1 zone with site specific amendments. These amendments are requested in order to permit the development of a 6 storey residential building with 162 units at a density of 258 units per hectare.

Planning Staff have reviewed the application in the context of Provincial planning documents. The development is generally consistent with the Provincial Policy Statement and generally conforms to policies of the A Place to Grow: Growth Plan for the Greater Golden Horseshoe. However, these provincial policy documents also acknowledge that local official plans are the most important vehicle for implementation of provincial policy. The application generally conforms to the Region of Halton's policies for development in the Urban Area and Intensification Areas; however, it does not satisfy the City of Burlington's policies with regards to housing intensification as provided in Part III, Section 2.5.2 of the Official Plan, and urban design as provided through the Council approved Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings. The Zoning By-law amendments requested to facilitate the proposed development do not provide a compatible transition to the established residential neighbourhood that surrounds the site.

Technical and public comments received for this application have been considered in the evaluation of the proposed development.

Planning Staff are supportive of residential intensification in principle on the subject lands; however, the built form and site design of the proposed development does not represent an appropriate transition to the established residential neighbourhood and does not contribute to high quality urban design and an enhanced public realm along Masonry Court. In consideration of the above, Planning Staff are recommending refusal of the application for Official Plan Amendment and Zoning By-law Amendment for the subject lands.

REPORT FACT SHEET

RECOMMENDATIONS:		Refusal	Ward No.:	1
Application Details	APPLICANT: OWNER: FILE NUMBERS: TYPE OF APPLICATION: PROPOSED USE:	MHBC Planning Ltd. LIV Communities and Hamilton Meeting Rooms Association 505-01/19 and 520-02/19 Official Plan Amendment and Zoning By-law Amendment 6 storey residential apartment building with 162 units		
Property Details	PROPERTY LOCATION: MUNICIPAL ADDRESSES: PROPERTY AREA: EXISTING USE:	East side of Clearview Ave. and west side of St. Matthew's Ave. South side of Masonry Court, west of the Aldershot GO Station. 1085 Clearview Ave., and 1082, 1086 and 1090 St. Matthew's Ave. 0.63 ha Place of worship use at 1085 Clearview Ave. and 1082 St. Matthew's Ave. Single-detached residential use at 1086 and 1090 St. Matthew's Ave.		
Documents	OFFICIAL PLAN Existing: OFFICIAL PLAN Proposed: ZONING Existing: ZONING Proposed:	Residential – Low Density Residential – High Density Residential (Low Density) R2.1 zone Residential (High Density) RH1- site specific		
Processing Details	NEIGHBOURHOOD MEETING: APPLICATION RECEIVED: STATUTORY DEADLINE: STATUTORY PUBLIC MEETING: PUBLIC COMMENTS:	October 29, 2018 January 14, 2019 August 12, 2019 (210 days) April 2, 2019 Staff have received 23 written comments from 21 correspondents (Appendix E). 89 households were circulated.		

Background and Discussion:

On January 14, 2019 the Department of City Building received a complete application for an Official Plan and Zoning By-law Amendment for 1085 Clearview Ave., 1082, 1086, and 1090 St. Matthew's Ave (the subject property). The application originally proposed a 6-storey residential building with 160 units on the subject lands, however the most recent resubmission dated May 27, 2019 proposes 162 units. The location and current zoning of the subject lands is illustrated in Appendix A to this report. A detail sketch of the development proposal is provided in Appendix B. Building elevations of the proposed development are included as Appendix C.

Site Description:

The subject properties are located on the south side of Masonry Court, bound by Clearview Ave. to the west and St. Matthew's Ave. to the east. Currently the subject properties are developed with a place of worship building at 1085 Clearview Ave., a building accessory to this use located at 1082 St. Matthew's Ave., and with detached dwellings at 1086 and 1090 St. Matthew's Ave. which have been assembled for the purposes of this development application. The lands occupied by the place of worship are currently accessible by driveway entrances from St. Matthew's Ave., Clearview Ave. and Masonry Court. The subject lands are rectangular in shape and have a combined area of approximately 0.63 hectares with approximately 137 metres of frontage along Masonry Court and a site depth of 45.5 metres.

Surrounding land uses:

- North: Aldershot GO Station parking area, station platforms, and vacant land to be developed for the transit station. North-west are lands at 101 Masonry Court which are being developed for high density residential use with a variety of townhouses and a joined, 6-storey apartment building, known as Station West, by ADI Development Group.
- South: single detached residential uses
- East: single detached residential uses
- West: single detached residential dwellings on Clearview Ave., and employment uses further west on Cooke Blvd.

Description of Application:

MHBC Planning Ltd. has made application for Official Plan Amendment and Zoning By-law Amendment on behalf of LIV Communities and the Hamilton Meeting Rooms Association for the subject lands. The application was received on January 14, 2019 and proposed a mid-rise, 6-storey residential building with 160 dwelling units, resulting in a density of approximately 255 units per hectare. The application proposes to change

the Official Plan designation from Low Density Residential to High Density Residential and proposes to change the zoning from the Low Density Residential R2.1 zone to a site-specific High Density Residential RH1 zone. A Statutory Public Meeting for this development application was held on April 2, 2019 and Report PB-28-19 provided summary of the proposal and comments received to that date from the public and technical agencies and departments.

On May 27, 2019 the applicant submitted revised documents for the proposed development in response to comments received from the public and commenting agencies and departments. The revised plans propose the development of a 6-storey building with 162 dwelling units, resulting in a density of 258 units per hectare. In the revised submission the applicant removed one driveway entrance, extended the building to 113 metres in length, provided additional building stepbacks on the Masonry Court and Clearview Ave. sides of the building, provided revised architectural treatments, moved the amenity area to the east side of the rear yard, extended the first two storeys of the building further into the east yard abutting St. Matthew's Ave., setback the at-grade patios along Masonry Court 1.4 metres from the property line, increased surface parking by one space resulting in 50 at-grade spaces, and increased the landscape buffer abutting the R2.1 zone to 2.5 metres.

The proposed residential units range from 1-bedroom units to 2-bedroom units with a den. The following table illustrates the type and quantity of dwelling units in the original proposal from January 14, 2019 as compared to the revised proposal received on May 27, 2019:

Type of Unit	# of Units (January 14, 2019)	# of Units (May 27, 2019)
1 bedroom	29	24
1 bedroom + den	95	89
2 bedroom	11	19
2 bedroom + den	25	30
Total Units	160	162

Technical Reports:

The applicant has submitted technical supporting documentation for the development proposal. All supporting documentation, including revised documents can be accessed online at: www.burlington.ca/1085Clearview.

The following documentation and plans were received on January 14, 2019 in support of the application.

- [Planning Justification Report](#). MHBC Planning Ltd., dated December 2018.
- [Urban Design Brief](#). MHBC Planning Ltd., dated December 2018.
- [Site Plan and Architectural Drawings](#). Kirkor Architects and Planners, dated December 20, 2018.
- [Height Survey of Adjacent Buildings](#). MHBC Planning Ltd. Dated December 12, 2018.
- [Shadow Impact Study](#). MHBC Planning Ltd., dated December 21, 2018.
- [Transportation Impact, Parking, and TDM Study](#). Paradigm Transportation Solutions Limited, dated December 2018.
- [Arborist Report](#) and [Tree Inventory, Protection, and Removals Plan](#). MHBC Planning Ltd., dated July 2018.
- [Landscape Concept Plan](#). MHBC Planning Ltd., dated December 13, 2018.
- [Functional Servicing & Stormwater Management Report](#). MTE Consultants Inc., dated December 20, 2018 (Revised January 11, 2019)
- [Existing Conditions Plan](#). MTE Consultants Inc., dated December 10, 2018.
- [Preliminary Site Servicing Plan](#). MTE Consultants Inc., dated December 11, 2018
- [Preliminary Grading Plan](#). MTE Consultants Inc., dated December 11, 2018.
- [Topographic Survey and Existing Site Servicing Plan](#). J.D. Barnes Ltd., dated September 27, 2018.
- [Geotechnical Report](#). Soil Mat Engineers and Consultants Ltd., dated November 10, 2018 (Revised December 20, 2018).
- [Noise Assessment](#). Novus Environmental, dated December 12, 2018
- [Phase One Environmental Site Assessment](#). Soil Mat Engineers and Consultants Ltd., dated November 14, 2018.

On May 10, 2019 the applicant submitted a revised set of drawings and a cover letter summarizing the changes to the proposal.

- [Revised Architectural Drawing Package](#). Kirkor Architects and Planners, dated April 16, 2019.
- [Cover Letter](#). MHBC Planning Ltd., dated May 10, 2019.

On May 27, 2019 the applicant submitted a comprehensive revised submission for consideration, including a further revised Architectural Drawing Package with minor changes.

- [Revised Architectural Drawing Package](#). Kirkor Architects and Planners, dated May 23, 2019.
- [Revised Landscape Concept Plan](#). MHBC Planning Ltd., dated May 24, 2019.
- [Soil Volume Plan](#). MHBC Planning Ltd., dated May 24, 2019.
- [Revised Arborist Report](#). MHBC Planning Ltd., dated May 23, 2019.
- [Revised Tree Inventory, Protection and Removals Plan](#). MHBC Planning Ltd., dated May 23, 2019.
- [Revised Shadow Study](#). MHBC Planning Ltd., dated May 13, 2019.'

- [Revised Functional Servicing and Stormwater Management Report](#). MTE Consultants Inc., dated May 17, 2019.
 - [Transportation Impact, Parking, and TDM Study Addendum Letter](#). Paradigm Transportation Solutions Limited, dated May 15, 2019.
 - [Noise Study Addendum Letter](#). Novus Environmental, dated May 15, 2019.
 - [Phase One ESA – Revised](#). Soil Mat Engineers and Consultants Ltd., dated May 23, 2019.
 - [Phase Two ESA](#). Soil Mat Engineers and Consultants Ltd., dated July 24, 2017.
 - [Phase Two ESA – Supplemental](#). Soil Mat Engineers and Consultants Ltd., dated December 11, 2018.
 - [Revised Draft Official Plan Amendment](#). MHBC Planning Ltd., dated May 9, 2019.
 - [Revised Zoning By-law Amendment](#). MHBC Planning Ltd., dated May 23, 2019.
 - [Comment Response Matrix](#). LIV Communities, received May 27, 2019.
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Policy Framework:

The application for Official Plan Amendment and Zoning By-law Amendment is subject to the following policy framework:

PROVINCIAL POLICY FRAMEWORK

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

The Planning Act requires the council of a municipality to have regard to specific matters of provincial interest, among other matters, when carrying out their responsibilities under this Act (Part 1, Section 2). The matters of provincial interest which are relevant to this development application for Official Plan Amendment and Zoning By-law Amendment for the subject lands are summarized below. Further analysis of key matters are discussed throughout the report:

Matters of Provincial Interest	Staff Analysis
The protection of ecological systems, including natural areas, features and functions	The subject lands are located in an urban setting, and not located within a regulatory floodplain. The development proposes the removal of all trees on the property and the removal of the majority of the existing public street trees along Masonry Court. The application contributes to the removal of tree canopy in an urban setting.

Matters of Provincial Interest	Staff Analysis
The conservation of features of significant architectural, cultural, historical, archaeological or scientific interest	The subject properties are not listed in the Municipal Register as either designated or non-designated properties under the Ontario Heritage Act. The area is not identified as having archeological potential as it is already disturbed.
The supply, efficient use and conservation of energy and water	The applicant has indicated that efficient fixtures and appliances will be incorporated in the development. No detailed information has been provided at this time about the energy efficiency of the building shell.
The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems	Studies provided by the applicant indicate that the development can be supported by existing infrastructure.
The minimization of waste	Waste will be generated by disposal of existing building materials. No details have been provided in regard to the disposal of waste related to construction activities. The development is proposed to be serviced by Halton Region Waste collection services.
The orderly development of safe and healthy communities	The development proposal is located in the urban area of Burlington and is designated for low-density residential development according to local official plan policies. The development is located within an existing low-density residential community and is located across the street from a regional transit station (Aldershot GO Station). While the development of higher density housing in proximity to major transit stations within the urban area of Burlington presents an opportunity to increase ridership for transit use, the built form of the current proposal does not represent compatible intensification within the context of the surrounding community.
The accessibility for persons with disabilities to all facilities, services and matters to which this Act applies	The development provides barrier free parking spaces.
The adequate provision of a full range of housing, including affordable housing	The proposed apartment building will offer a variety of unit sizes. 24 one-bedroom units, 89 one-bedroom plus den units, 19 two-bedroom units,

Matters of Provincial Interest	Staff Analysis
	and 30 two-bedroom plus den units. No information has been provided to indicate the affordability of the units.
The resolution of planning conflicts involving public and private interests	The City's Mobility Hub Study for the Aldershot GO Station area has not been completed, and therefore the development of this parcel at this time may affect the direction of future plans for the area.
The appropriate location of growth and development	The location of a development with higher residential densities is appropriate given the proximity to the Aldershot GO Station. However, the proposed building length and massing does not represent a compatible built form transition to the adjacent low-density residential community to the south, east and west. The massing and built form of this development is not appropriate for the transitional context of the site.
The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians	The development is located adjacent to a transit station and would likely provide additional users of the public transportation services. However, a more compatible form of intensification than currently proposed would also fulfill this Provincial interest.
The promotion of built form that, is well-designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant	The building and site, as proposed, do not provide a compatible transition to the surrounding low-density land uses and do not contribute to an attractive and vibrant public space along Masonry Court.
The mitigation of greenhouse gas emissions and adaptation to a changing climate	The subject lands are located within 250 meters of the Aldershot GO Station and may contribute to increased ridership and less reliance on automobiles for commuting. The large paved surface at the rear of the property, combined with the hardscaped at-grade amenity space does not provide a permeable surface for increased flows of stormwater.

Provincial Policy Statement (2014)

The Provincial Policy Statement (PPS) came into effect on April 30, 2014 and provides broad policy direction on matters related to land use and development that are of provincial interest. Local Official Plans are recognized through the PPS as the most important instrument for implementation of the land use policies stated by the PPS. Decisions affecting planning matters made on or after April 30, 2014 are required to be consistent with the PPS.

The PPS requires that settlement areas shall be the focus of growth and development and the subject lands are located within the settlement area of the City of Burlington.

Within settlement areas, the PPS encourages densities and a mix of land uses which efficiently use land and resources; are appropriate for, and efficiently use, infrastructure and public service facilities; minimize negative impacts to air quality and climate change and promote energy efficiency; support active transportation; are transit-supportive, where transit is planned, exists or may be developed, and are freight-supportive (PPS, 1.1.3.2). The site is located across the street from the southern entrance to the Aldershot GO Station which includes GO Train service on the Lakeshore West line, Go Bus service, as well as local transit stops. The development is proposed to be serviced by existing roadways, as well as existing water, sanitary and stormwater infrastructure in the area.

Planning authorities are directed by the PPS to identify appropriate locations for intensification and redevelopment and to provide development standards which facilitate this intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety (PPS, 1.1.3.3, 1.1.3.4). The PPS instructs that minimum targets for intensification and redevelopment shall be established by planning authorities and based on local conditions. However, in areas where provincial targets have been set out through provincial plans, the provincial targets shall apply (PPS 1.1.3.5). A Place to Grow: Growth Plan for the Greater Golden Horseshoe applies to the City of Burlington and the minimum intensification targets of this plan shall apply. The PPS requires that new development in designated growth areas should occur adjacent to the existing built-up area and shall have a compact built form, a mix of densities and uses that allow for an efficient use of land, infrastructure and public service facilities (PPS, 1.1.3.6).

The PPS provides housing policies which direct planning authorities to provide an appropriate range and mix of housing types and densities to meet projected demands of current and future residents of the regional market area (PPS, 1.4.3). The need for housing is to be accommodated by permitting and facilitating all forms of housing and all forms of residential intensification; directing growth to locations with appropriate infrastructure and public service facilities; promoting densities that efficiently use land, resources, infrastructure, public service facilities and support active transportation and

transit; and by establishing development standards for residential intensification which minimize the cost of housing and facilitates compact form, while maintaining appropriate levels of public health and safety.

In determining the compatibility of land uses, the PPS requires that sensitive land uses such as housing, and major facilities such as transportation infrastructure and corridors, be planned to ensure that they are appropriately designed, buffered and/or separated from each other. This ensures that any potential adverse effects from odour, noise and other contaminants are mitigated to minimize risk to public health and safety, and to ensure the viability of major facilities in the long-term (PPS, 1.2.6.1, 1.6.8.3).

The PPS directs that municipal sewage services and municipal water services are the preferred form of servicing for settlement areas, and intensification in settlement areas on these services should be promoted, wherever feasible (PPS, 1.6.6.2). When planning for stormwater management, development should maximize the extent of and function of vegetative and pervious surfaces; and promote stormwater management best practices including stormwater attenuation and re-use, and low-impact development (PPS, 1.6.6.7).

The PPS instructs planning authorities to support energy conservation, improved air quality, reduced greenhouse gas emissions, and climate change adaptation through land use development patterns which promote compact form and a structure of nodes and corridors; promote active transportation and transit; and promote design which maximizes energy efficiency and conservation and considers the mitigating effects of vegetation and maximizes vegetation in settlement areas (PPS 1.8.1).

The PPS recognizes that the province of Ontario is diverse, and that local context is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided provincial interests are upheld. The policies of the PPS represent minimum standards, and planning authorities and decision makers may go beyond these minimum standards to address matters of importance to a specific community (PPS, Part III). Policy 4.7 of the PPS identifies that the official plans are the most important mechanism for the implementation of provincial policy and shall establish appropriate land use designations and policies that direct development to suitable areas. The City of Burlington's Official Plan contains development standards to facilitate housing intensification through specific evaluation criteria. The development standards from the City's Official Plan are integrated in the City's Zoning By-law 2020 in the form of regulations to inform appropriate development. The City's Official Plan also gives consideration to built form in its policies for design and associated Council approved design guidelines.

Staff Analysis:

Planning Staff have reviewed the application against the PPS and believe that increased residential density is appropriate for this site. The subject lands are located within the settlement area of Burlington and are within 250 metres of the Aldershot GO Station. Increased residential density will support transit ridership for GO Transit, and active transportation is supported by way of cycling amenities proposed in the development and by proximity to local amenities. An increase in residential density will assist in the achievement of the required intensification targets for the Region of Halton. The proposed development is capable of being supported with existing water, waste water, and stormwater infrastructure, and vehicle traffic generated from the site is capable of being accommodated on the existing road network. The residential intensification proposed utilizes a compact built form which will assist in providing a mix of housing options in the area. The use of at-grade residential patios along Masonry Court will assist in activating the streetscape and provide passive surveillance of the public realm. The proposed building height of 6 storeys may also be appropriate as a mid-rise built form can assist in transitioning between high and low intensity uses. Planning Staff feel that increased residential density for the subject lands is generally consistent with the PPS.

There are elements of the proposal however, that do not align with certain PPS policy, specifically:

- Policy 1.2.6.1 and 1.6.8.3 Land Use Compatibility and Transportation and Infrastructure Corridors as the rail authority (CN Rail) has not been adequately satisfied that the sound level limits can be achieved on site without mitigative measures; and Policy 1.8 Energy Conservation, Air quality, and Climate Change as they relate to design which considers the mitigating effects of vegetation; and,
- Policy 1.6.6 Sewage, Water and Stormwater as they relate to the function of vegetative and pervious surface for stormwater management.; and,

Policy 4.7 of the PPS identifies that official plans are the most important mechanism for the implementation of provincial policy and shall establish appropriate land use designations and policies that direct development to suitable areas. Planning Staff acknowledge that the current Official Plan designation of the subject lands as Residential – Low Density is not appropriate given the close proximity to the Aldershot GO Station. However, the lands are also located within an established low-density neighbourhood and appropriate transition must be provided through a built form that is context-sensitive. While Planning Staff support the residential density proposed for the site, the proposed building and site design do not satisfy local policy with regard to housing intensification evaluation. Similarly, while a 6-storey built form can assist in achieving a transition between higher and lower intensity residential uses, the building has not been designed in accordance with the City's Council Approved Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings.

Conclusion:

Planning Staff feel that an increase in the residential density for the subject lands is generally consistent with the PPS. In accordance with section 4.7 of the PPS, matters related to the proposed building and site design are addressed in the Official Plan section of this report.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan) came into effect on May 16, 2019 as an update to the previous provincial growth plan. The Growth Plan provides specific growth management policy direction for the Greater Toronto and Hamilton Area (GTHA) and focuses development in the existing urban areas through intensification. The guiding principles of the Growth Plan include building complete communities that are vibrant and compact, and utilizing existing and planned infrastructure in order to support growth in an efficient and well-designed form.

Forecasted growth will be allocated based on a vast majority of growth being directed to settlement areas that have a delineated built boundary; that have existing or planned municipal water and wastewater infrastructure; and that can support the achievement of complete communities (Growth Plan, 2.2.1.2 a). Complete Communities are defined in the Growth Plan as:

“Places such as mixed-use neighbourhoods or other areas within cities, towns, and settlement areas that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and public service facilities. Complete communities are age-friendly and may take different shapes and forms appropriate to their contexts.”

Based on this definition, complete communities are understood as areas within a city that offer a variety of conveniently located housing, jobs, daily amenities and transit for a diverse range of residents in a way that responds to the uniqueness of each area’s context.

The Growth Plan identifies that, within settlement areas, growth will be focused in delineated built up areas; strategic growth areas; locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and, areas with existing or planned public service facilities (Growth Plan 2.2.1.2 c). Strategic Growth Areas, within settlement areas, are nodes, corridors, and other areas identified by the municipalities or the province to be the focus of intensification and higher density mixed uses in a more compact built form.

The Growth Plan also requires that by the time the next municipal comprehensive review is approved and in effect, and for each year thereafter, the minimum intensification target for Halton requires that a minimum of 50 percent of all residential development happening annually be within the delineated built boundary (Growth Plan, 2.2.2.1 a). Municipalities are required to develop and implement a strategy, through their official plan documents, to achieve the stated minimum intensification target. Policies for growth and intensification are required to identify strategic growth areas to support the intensification target; identify the appropriate type and scale of development in these areas and transition of built form to adjacent areas; encourage intensification throughout the delineated built-up area; and ensure lands are zoned for the achievement of complete communities (Growth Plan, 2.2.2.3). The City of Burlington began developing and implementing an intensification strategy to respond to the objectives of the 2006 Growth Plan by directing a significant amount of population and employment growth to mixed use intensification corridors and centres in its 2008 Official Plan. The City is continuing to respond to the objectives of the more recent provincial growth plan documents for the Greater Toronto and Hamilton Area through its review of the draft policies of the 2018 Council adopted Official Plan and Mobility Hubs studies.

Priority transit corridors are depicted on Schedule 5 of the Growth Plan. Development will be prioritized for major transit station areas (MTSA) on these priority transit routes (Growth Plan, 2.2.4.1). MTSA's, among others, are identified as Strategic Growth Areas in the Growth Plan, and are defined as:

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

Higher Order Transit is defined in the Growth Plan as:

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

The Growth Plan requires that planning will be prioritized for MTSA's that are located along priority transit corridors and a minimum density target of 150 residents and jobs per hectare will apply (Growth Plan, 2.2.4.3 c). The Lakeshore West GO Train line is shown on Map 5 of the Growth Plan as a priority transit corridor between the Burlington GO Station and Toronto's Union Station. The Aldershot GO Station is not located on a priority transit corridor, and therefore no minimum density target is specified in the Growth Plan.

The Growth Plan identifies that within all MTSAs, development will be supported in appropriate areas by planning for a diverse mix of uses to support existing and planned transit levels; collaboration between public and private sectors; providing alternative development standards; and, prohibiting built form and land uses that would adversely affect the achievement of transit-supportive densities (Growth Plan, 2.2.4.9). The term “transit-supportive” is defined by the Growth Plan as:

“Relating to development that makes transit viable and improves the quality of the experience of using transit. It often refers to compact, mixed-use development that has a high level of employment and residential densities. Transit supportive development will be consistent with Ontario’s Transit Supportive Guidelines.”

The Province’s Transit-Supportive Guidelines were released by the Ministry of Transportation in 2012 and are intended to be a reference document for planning transit-supportive development as called for in the Growth Plan. The Province’s Transit-Supportive Guidelines document provides strategies for site and building design to achieve a built form that is transit-supportive. Buildings should have a positive relationship to the street and should contribute to a pedestrian friendly public realm.

The Growth Plan requires that municipalities support housing choice through the achievement of the specified minimum intensification targets prescribed in the plan by identifying a diverse range and mix of housing options and establishing targets for affordable housing (Growth Plan, 2.2.6). Further, municipalities will support the development of complete communities by planning to accommodate forecasted growth to the planning horizon of the plan; by planning to achieve the minimum intensification targets; considering the range and mix of housing options and densities of existing housing stock; and, planning to diversify the overall housing stock across the municipality (Growth Plan, 2.2.6.2).

The Growth Plan specifies that municipalities, in planning to achieve their mandated minimum intensification targets, are to develop and implement urban design and site design policies within their Official Plan and supporting documents that will direct the development of a high quality public realm and compact built form (Growth Plan, 5.2.5.6). The City of Burlington’s Official Plan contains policies for housing intensification and includes evaluation criteria for determining appropriate site design and built form for such developments. The City’s Official Plan also contains policies for design, including implementation policies which regard any Council approved design guideline documents as policy. In this regard, the City has approved Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings which apply to the proposed development of a mid-rise building on the subject lands.

The Growth Plan notes that the identification of a strategic growth area, such as a MTSA, does not equate to a land use designation and the delineation does not confer

any new land use permission or alter any existing land use designation. Development proposed on lands within these identified areas continues to be subject to the relevant provincial and municipal land use policies and approval processes (Growth Plan, 5.2.5.8). The lands are designated as Low Density Residential in the City's Official Plan, however they are also located within 250 metres of a higher order transit station. Therefore, the proposed redesignation of the subject lands to High Density Residential needs to be assessed against all relevant local Official Plan policies for evaluation of residential intensification.

Staff Analysis:

The Aldershot GO Station is considered a higher order transit station. The subject lands are located approximately 250 metres from a pedestrian entrance to the Aldershot GO Station and therefore, the subject lands are located within an area defined by the province as a MTSA. Planning Staff acknowledge that the subject lands are appropriately situated to accommodate residential intensification as directed by the Growth Plan.

Planning Staff have reviewed the application with respect to the policies provided in the Growth Plan and find that increased residential density is appropriate for the site. Residential intensification on these lands has the potential to increase ridership of regional and local transit, and to provide a mix of housing in a compact form on existing municipal services. Increased residential density on this site will assist in achieving the Growth Plan's minimum intensification targets for Halton. Planning Staff feel that the application generally conforms to the Growth Plan with regard to the appropriate locations for residential intensification.

However, as noted in policy 5.2.5.6 of the Growth Plan, municipalities are required to develop and implement urban design and site design official plan policies that direct the development of a high quality public realm and compact built form.

The lands are identified as Residential – Low Density in the City's Official Plan, and therefore, applications for residential intensification are subject to the review of the housing intensification policies and evaluation criteria. The proposed building and site design of this development has not satisfied the City's evaluation criteria for housing intensification provided in the Official Plan. A detailed analysis of the City's Official Plan policies as they relate to housing intensification are provided in this report.

Furthermore, the development proposes a 6-storey, mid-rise building and the Council approved Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings also apply. Planning Staff have reviewed the development with regard to these local guidelines, and have concluded that the building and site design, as proposed, do not provide a high quality public realm along Masonry Court and do not provide an

appropriate transition to the existing low-density neighbourhood. More detail in this regard is provided in the analysis of the Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings in this report.

Finally, due to close proximity of the proposed development to the Aldershot GO Station, Planning Staff have reviewed the proposed development against the Province's Transit-Supportive Guidelines. Planning Staff acknowledge that increased residential density on the subject lands will support transit, however the built form must also be transit-supportive and be consistent with these provincial guidelines. Planning Staff have concerns that the development, as proposed, is not consistent with these guidelines and a detailed analysis of Ontario's Transit-Supportive Guidelines are provided in a separate section of this report.

The City continues to work to develop land use designations surrounding the Aldershot GO Station which support transit and also integrate well with the surrounding community. As stated in Policy 5.2.5.8 of the Growth Plan, the identification of a MTSA does not confer any new land use permission or alter any existing land use designations on existing lands. Planning Staff's recommendation of refusal of this application is premised on the incompatibility of the proposed building and site design with surrounding residential uses, negative public realm impacts, as well as prematurity to the finalization of the land use designation review for this area.

Conclusion:

Planning Staff feel that increased residential density for the subject lands conforms with policy direction in the Growth Plan for intensification around higher order transit stations. However, Planning Staff are not satisfied that the building and site design, as proposed, address urban form and site design strategies as provided in Ontario's Transit Supportive Guidelines. Furthermore, in accordance with Growth Plan policies 5.2.5.6 and 5.2.5.8, the land use designation change requested to support the residential intensification of the site is required to be assessed against local official plan policies. Planning Staff do not feel that the development, as proposed, adequately satisfies local housing intensification policies and design guidelines for mid-rise buildings. More detailed analysis with regard to these local matters is provided in the Burlington Official Plan section of this report.

Metrolinx 2041 Regional Transportation Plan

The 2041 Regional Transportation Plan (RTP) was released in 2018 by Metrolinx as an update to the 2008 Regional Transportation Plan entitled The Big Move. The 2041 RTP supports the policy framework for the Growth Plan, by providing guiding policies for creating an integrated, multimodal regional transportation system that will serve the needs of residents, businesses and institutions into the future. Through the 2041 RTP,

Mobility Hubs and Major Transit Station Areas (MTSA) along Priority Corridors are identified as being the focal areas for development.

Conclusion:

The Aldershot GO Station is identified as a Major Transit Station Area but is not located on a Priority Transit Corridor. Referring to the Growth Plan, only MTSA's on priority transit corridors are required to achieve minimum density targets. All MTSA's are required to assist in achieving the municipal minimum intensification target. Staff can support intensification on this site to support the Aldershot GO Station, however the current built form and site design of the proposed development does not appropriately transition to the established neighbourhood surrounding the property.

Ontario Transit-Supportive Guidelines

The Province's Transit-Supportive Guidelines (TSG) are intended to be a reference document for planning transit-supportive development as called for in the PPS and the Growth Plan. Focusing urban growth within a system of nodes with higher levels of transit service is fundamental to linking land use and transit (TSG, 1.1.2). Intensification within nodes should provide an appropriate transition of use, intensity and scale to surrounding areas (TSG, 1.1.2.9). The TSG also provides guidance on transit-supportive development within built-up areas, noting that the retrofit of these areas through intensification can enhance the efficiency of transit service (TSG, 1.1.4). The following text from section 1.1.4 of the TSG speaks to the importance of integrating transit-supportive development in existing built-up areas:

“Stable built-up areas are important to the quality of life in our towns and communities. Preserving the function of built-up areas while encouraging incremental changes that support transit ridership will help maintain desired characteristics while supporting more comprehensive community-wide measures in support of transit.”

Staff Analysis:

Planning Staff believe that the subject lands are an appropriate location for residential intensification due to the close proximity of the Aldershot GO Station. The proposed development is situated adjacent to an existing built up area comprised of low density residential dwellings and careful consideration must be given to compatibility of built form and site design. Further analysis to this effect is provided in the review of the City's Official Plan policies for housing intensification and urban design guidelines for mid-rise buildings.

Section 2.4 of the TSG provides direction for the creation of transit-supportive urban form. Developments which are transit-supportive should support a high level of walking and cycling and help to strengthen connections between transit facilities and surrounding areas. Buildings should be designed and situated appropriately to support an active pedestrian environment through careful consideration of the way they meet the street. Specifically, Section 2.4.1 of the TSG states:

“The act of locating higher-density development and uses adjacent to a transit stop does not always equate to transit-supportive development.” [and]

“Buildings can help to support an active pedestrian environment through careful consideration of the way they meet the street. Architectural variety, including the creation of prominent architectural features so that buildings can act as landmarks on the street and the use of clear windows and doors, can help to create an inviting environment, shortening perceived walking distances, assisting pedestrians in navigating stations and in turn encouraging higher levels of pedestrian activity. Through the use of massing and transitions in height and density, buildings can help to frame and enclose the street giving areas a stronger sense of identity and helping to integrate higher-density station areas into surrounding development.”

The TSG document provides strategies for site and building design to achieve a built form that is transit-supportive. Buildings should have a positive relationship to the street and should contribute to a pedestrian friendly public realm. This can be achieved by situating buildings close to the street so they contribute to ground level pedestrian activity and by designing buildings to have a high level of transparency and active architectural treatments (TSG, 2.4.1.1).

Staff Analysis:

The proposed building is located 2.5 metres from property line abutting Masonry Court, with private outdoor patios for ground level units located 1.4 metres from the property line. Most pedestrian traffic will pass this building frontage to access the Aldershot GO Station. Due to the proximity of the building frontage this property line, windows and doors provided at-grade will likely be curtained for privacy by residents. The glazing at-grade will therefore not provide a high level of transparency into the building. Furthermore, there is inadequate separation between the public realm and the private patios to have either user group have a level of comfort using these spaces. A greater building setback to Masonry Court to include an increased landscape planting area would offer a more substantial separator for the public and private realms and would contribute to a more pedestrian friendly streetscape.

The TSG provides direction that buildings with active street level uses should incorporate frequent entrances to increase permeability (TSG, 2.4.1.2), where permeability is defined in the TSG as “The degree to which pedestrians can see inside or physically enter buildings or sites. A permeable façade or site helps create a more animated and safe environment”.

Staff Analysis:

The building is proposed to have at-grade residential patios along the building frontage at Masonry Court. The 113 metre long building façade has only one at-grade common pedestrian entrance along Masonry Court and private windows and doors at-grade are likely to be curtained due to proximity to the sidewalk. The building has not been designed to provide enough entrances to increase permeability for pedestrians walking along the front façade looking to access the building. A building design which increases the separation and vegetative landscaping area between the private units and the public realm, and which clearly demarcates multiple common entry-points to the building along the front façade may address building permeability.

The TSG directs that buildings must be scaled to match their specific context and transitions in building scale can enable higher-density uses close to transit stations while integrating with the scale and character of the surrounding community (TSG, 2.4.1.6).

Staff Analysis:

The building addresses the low-rise residential context on the east side by reducing the building height to 2-storeys. However, the building height on the west side of the building does not transition to the low-rise residential uses on Clearview Ave. as terracing is only provided from the 5th and 6th storey. The overall building length of 113 metres is not representative of, or contextually appropriate for, the scale of the surrounding residential neighbourhood. A design that visually separates the building into two distinct buildings over the length of the city block would provide a building scale which could better relate to the context on either side street and break up the overall massing.

In the design of parking facilities, the TSG instructs that, for development to be transit supportive, it is important that the design and location of parking is unobstructive, and not a detriment to the quality and vitality of surrounding streets and open spaces (TSG, 2.4.2).

Staff Analysis:

The proposed parking area is screened from the street by placing it behind the building. However, the total amount of surface parking provided (approx. 25% of site parking) takes up a substantial amount of the at-grade area. If this surface parking area was reduced, the applicant would be able to increase the amount and quality of resident outdoor amenity area and increase the depth of the landscape areas and buffers to screen the proposed building.

The TSG directs that the design of large areas of surface parking should include a range of environmental features, such as shade trees, permeable paving and bio-swales that can absorb and filter surface run-off (TSG, 2.4.2.10).

Staff Analysis:

The extension of the parking area to 0.8 metres from the west property line and 2.5 metres from the south property line does not allow for enough planting area for shade trees to minimize surface heat and mitigate the urban heat island effect. No bio-swales or permeable paving in the parking area have been proposed. Increased landscaping areas achieved through a significant reduction of surface parking and increased setback of the underground parking structure from lot lines would assist in providing area for shade trees to mature. Low-impact development techniques such as permeable paving and bio-swales could more easily be incorporated in a concept that has a significantly reduced amount of surface parking.

Conclusion:

Staff have reviewed the development, as proposed, and have concluded that, while increased residential density on the site may be transit-supportive, the building and site design proposed are not consistent with Ontario's Transit-Supportive Guidelines for the following reasons:

- The proposed building length and reduced setback of the at-grade residential uses does not assist in achieving a high quality public realm along Masonry Court;
- The proposed building wall length and limited common entrances adjacent to Masonry Court does not provide an adequate sense of building permeability for pedestrians;
- The building does not adequately relate to the scale of the surrounding neighbourhood character; and,
- The surface parking areas and extent of the underground parking structure limit the ability to provide adequate area for tree maturation and low-impact development techniques for stormwater management.

REGIONAL POLICY FRAMEWORK

Halton Region Official Plan

The Region of Halton's Official Plan (ROP) provides goals, objectives and policies for land use development in Halton Region. The ROP provides intensification targets for all local municipalities, including the City of Burlington. The ROP identifies that the City is expected to meet a minimum intensification target of 8,300 new dwelling units constructed within the Built Up Area between 2015-2031 (ROP, 56, Table 2).

The subject lands are designated as "Urban Area" in accordance with the ROP. The Urban Area objectives promote growth that is compact and transit supportive. This land use designation also encourages intensification and increased densities. The ROP states that permitted uses shall be in accordance with local Official Plans and Zoning By-laws, and that all development shall be subject to the policies of the ROP (ROP, 76).

The ROP identifies "Intensification Areas" as those areas within the Urban Area that will be the primary focus for accommodating intensification. The ROP objectives for intensification areas include the development of an urban form that is complementary to existing developed areas, the economical use of land, a diverse mix of compatible land uses, the creation of a vibrant pedestrian oriented environment, support for active transportation, higher development densities, and appropriate transition of built form to adjacent areas. The ROP instructs that development with higher densities and mixed uses will be directed to Intensification areas (ROP, 81(1)). Major Transit Station Area (MTSA) are acknowledged as Intensification Areas in the ROP, and generally consist of areas within 500 m of the Major Transit Station (Policy 80 (2)). MTSA objectives include increased residential and employment densities to support transit, a mix of uses where appropriate, and multi-modal access to transit facilities (ROP, 78 (11)).

The Urban Services section of the ROP requires that all new development within the Urban Area be connected to Halton's municipal water and wastewater systems (ROP, 89(3)).

Staff Analysis:

The proposed development generally conforms with the ROP direction to accommodate intensification within the built boundary. The development can be supported with existing water and sanitary services which satisfies the ROP servicing policy for new development.

However, as stated earlier in this section of the report, the ROP requires that permitted land uses be in accordance with local Official Plans and Zoning By-laws. The location of the subject lands, in the context of the Aldershot GO Station but also within the context of an existing residential neighbourhood, requires that any applications for intensification provide appropriate built form transitions to adjacent areas. Intensification

is appropriate in MTSAs; however, the ROP objective of creating vibrant, pedestrian oriented environments in intensification areas is subject to evaluation criteria policy in the City's Official Plan and Council approved Design Guidelines for Mixed-Use and Mid-Rise Residential Buildings. Detailed analysis of these criteria is located in the Burlington Policy Context section of this report.

Conclusion:

Planning Staff are of the opinion that the development generally conforms to the ROP policies for the urban area and intensification areas. However, compliance with the City's Official Plan with respect to housing intensification policies is required.

CITY OF BURLINGTON POLICY CONTEXT

City of Burlington Official Plan

The subject lands are designated as "Residential – Low Density" on Schedule B – Comprehensive Land Use Plan – Urban Planning Area of the City's in-force Official Plan (OP). The general policies of this designation allow single, semi-detached dwellings, and other forms of compatible ground-oriented housing, with a density up to 25 units per hectare. This development application seeks to redesignate the property to the Residential – High Density designation to allow the development of a 6-storey, 162 unit apartment building at a density of 258 units per hectare. In the Residential – High Density designation, either ground or non-ground-oriented housing units with a density between 51 and 185 units per net hectare are permitted.

Housing Intensification

Intensification is defined in the City's OP as:

"Development or re-development of a property or site within an existing developed area which is proposed to be undertaken at a higher density or intensity than permitted under the existing zoning, and which may include re-development, (including the re-use of brownfield sites), development on vacant and/or underutilized lands, expansion or conversion of existing buildings, addition of dwelling units, or creation of new lots."

The City's OP encourages residential development and residential intensification within the Urban Planning Area as a means to increasing the availability of a variety of housing options, while recognizing that the proposed additional housing must be compatible with existing residential neighbourhoods. Re-development of underutilized residential lands is encouraged, where appropriate, at the periphery of existing residential neighbourhoods for non-ground-oriented housing purposes (OP, Part III, 2.5.1). This objective directs intensification to transportation corridors that frame existing residential

neighbourhoods. The subject lands are located along Masonry Court across the street from the Aldershot GO Station, and also have frontage at the end of the cul-de-sacs of Clearview Ave. and St. Matthew's Ave. Residential intensification on these lands must provide an appropriate transition between these two contexts.

Applications for housing intensification within established neighbourhoods are evaluated based on a framework of criteria provided in Part III, Section 2.5.2 (a) of the City's Official Plan. The City's Official Plan housing intensification evaluation criteria have been reviewed by Planning Staff with respect to this proposal:

Policy 2.5.2 a) i) – *“adequate municipal services to accommodate the increased demands are provided, including such services as water, wastewater and storm sewers, school accommodation and parkland”*

The proposed development of a 6-storey, 162-unit apartment building is proposed to be serviced by existing water and stormwater infrastructure on Masonry Court. Sanitary servicing is proposed to connect to existing infrastructure located on Clearview Ave.

The applicant's Functional Servicing Report identified that there were no servicing capacity constraints for the proposed development. The Region of Halton has indicated that the Functional Servicing Report submitted with the application is adequate for the purposes of the Zoning By-law Amendment and Official Plan Amendment application.

The Halton Catholic District School Board has advised that students generated from the development would be accommodated at Holy Rosary Catholic Elementary School and Assumption Catholic secondary school. The Halton District School Board has advised that students generated from the development would be accommodated at Maplehurst Public School, Glenview Public School, and Aldershot Public Elementary and High School.

The subject lands are located approximately 1 km from Aldershot Park and Grove Park and 1.2km from LaSalle Park. Also, a new neighbourhood park is to be constructed on the north side of Masonry Court, near Waterdown Road. The distances to these neighbourhood amenities is walkable from the site and can provide recreational spaces for residents.

Staff Analysis: This criterion has been met.

Policy 2.5.2 a) ii) – *“off-street parking is adequate”*

The applicant has proposed an on-site parking rate that is lower than the required parking rate for apartment units through the City's Zoning By-law. The City's Zoning By-law requires that the development be supplied with 1.25 spaces per one-bedroom unit, 1.5 spaces per two-bedroom unit, and 0.35 visitor parking spaces per unit, resulting in a requirement of 273 occupant and visitor parking spaces.

The parking rate requested is 1 space per unit with 0.25 visitor parking spaces per unit. 204 parking spaces for 162 units is proposed. The site is within walking distance of a major transit station and a parking reduction has been deemed appropriate. This parking rate is consistent with the minimum parking rates for apartment buildings in the City of Burlington's City-Wide Parking Standards Review prepared by IBI Group Inc. and is supported by Transportation Staff.

Staff Analysis: This criterion has been met.

Policy 2.5.2 a) iii) – *“the capacity of the municipal transportation system can accommodate any increased traffic flows, and the orientation of ingress and egress and potential increased traffic volumes to multi-purpose, minor and major arterial roads and collector streets rather than local residential streets”*

All vehicular traffic would be directed towards Masonry Court, which is classified as a local road. The Transportation Impact, Parking and Transportation Demand Management Study submitted by the applicant concludes that the subject site is estimated to generate approximately 41 new AM peak hour vehicle trips and approximately 53 new PM peak hour vehicle trips. No intersection capacity issues are expected to occur at the proposed site driveway at Masonry Court. Intersections in the vicinity of the development are forecast to operate with levels of service similar to the background traffic condition. Traffic control in the form of two-way stop control is suggested in the study at the intersection of Cooke Blvd. and Masonry Court, however this is driven in part by the forecasted background traffic levels. The applicant has demonstrated, to the satisfaction of the City's Transportation staff that vehicle traffic generated from the application can be accommodated on the existing road network with minimal impacts.

Staff Analysis: This criterion has been met.

Policy 2.5.2 a) iv) – *“the proposal is in proximity to existing or future transit facilities”*

The proposal is located within 250 metres of the nearest Aldershot GO Station entrance. This transit station is serviced by GO Train service on the Lakeshore West line, GO Bus service, VIA Rail service and Burlington and Hamilton municipal bus service.

Staff Analysis: This criterion has been met.

Policy 2.5.2 a) v) – *“compatibility is achieved with the existing neighbourhood character in terms of scale, massing, height, siting, setbacks, coverage, parking and amenity area so that a transition between existing and proposed buildings is provided”*

The proposed 6-storey apartment building development is immediately surrounded by an established neighbourhood which contains low density residential uses to the south, east and west, comprised of single detached dwellings fronting onto Clearview Ave., St. Matthew's Ave. and Queen Mary Ave. An approved high-density development is under construction on the north side of Masonry Court, and is comprised of a 6-storey apartment building abutting the street and a variety of townhouses. The compatibility criteria provided by this policy have been reviewed with respect to the proposed development:

Scale

In the City's Official Plan "Scale" is defined as "*The proportion of a building or building elements created by the placement and size of the building or element in comparison with adjacent buildings or building elements and to human dimensions.*"

The subject lands currently contain three single detached dwellings and a 1-storey place of worship building. All of the adjacent properties in the neighbourhood also contain single detached dwellings. The homes in the established neighbourhood range between 1 and 2 storeys in height and are surrounded by lawn, mature trees and hedges. The building widths of these residences range from approximately 6 metres to 20 metres with an average building width of the dwellings closest to the site being approximately 13 metres.

The applicant has made efforts to integrate the built form of the proposed 6-storey apartment building to the scale of the residential uses on St. Matthew's Ave. by incorporating a 2-storey built form at the base, and terracing at the 5th and 6th floors. However, the west side of the proposed building has not received the same treatment to relate to the scale of the existing residential uses on Clearview Ave. Furthermore, the east-west profile of proposed 6-storey building is 113 metres which is approximately 8 times the average width of the dwellings in the immediate area surrounding the site.

The proposed building is similar to the overall length of the approved 6-storey apartment building under construction across the street on Masonry Court. However, the scale of the proposed building is not in keeping with the scale of this approved building due to the proposed continuous 113 metre long building wall. The approved 6-storey building under construction across the street, while 112 metres in overall length, is physically broken up into two distinct apartment buildings separated by a 2-storey common amenity area building. This results in a building scale that appropriately frames the street along Masonry Court.

The proposed continuous building wall results in a building scale that is not compatible with the existing neighbourhood.

Massing

In the City's Official Plan "Massing" is defined as "*The overall bulk, size, physical volume or magnitude of a structure or project*"

The overall building massing, notably caused by the significant building length, is not compatible with the surrounding built form context. The building is proposed to be 113 metres long at grade, and 96 metres long along the roofline. The building is proposed to be 22 metres in depth. The block length between Clearview Ave. and St. Matthew's Ave. is 137 metres, and the proposed building wall of 113 metres represents 82% of the length of the block. The proposed building massing creates a 6-storey, 113 metre long wall along the majority of the block which will impact sky views around the property. The result of the proposed building length when combined with the proposed height is a built form which does not achieve compatibility with the existing neighbourhood character in terms of massing, and does not provide an appropriate transition to the established low-density residential neighbourhood from the Aldershot GO Station.

As noted in the discussion of building scale, the approved 6-storey apartment building development on the opposite side of Masonry Court has incorporated a physical break in building length resulting in the appearance of two separate apartment buildings which reduces the overall building massing. The proposed building on the subject lands does not incorporate any break in the building length which results in a massive building form along Masonry Court. The proposed building is therefore not compatible with the future built form on the north side of Masonry Court in terms of massing.

Height

The low-density residential dwellings in the surrounding context of the site range in height from 1 to 2 storeys. The current zoning affecting the property and the surrounding residences is R2.1 which allows for a height of 2 storeys to a maximum of 10 metres for a peaked roof house. The building is proposed to be 6-storeys in height with a 4 metre tall mechanical penthouse on the roof. The proposed building measures 19.5 metres in height to the roofline and 23.5 metres in height to top of the mechanical penthouse. The proposed building is more than twice the permitted height compared to the permissions for the surrounding dwellings and will contain 3 times as many floors than would be permitted in the current zone. However, the subject lands are located opposite the Aldershot GO Station and residential intensification and increased building heights may be appropriate on the site, provided the building form can provide a compatible transition to the established neighbourhood to the south, east and west. The 6-storey building height, as proposed, fits within a 45-degree angular plane to the rear lot line abutting the residential properties to the south. The development fronts onto two low-density residential cul-de-sacs, and the proposed building height must respond appropriately to the built context on these streets. The proposed 2-storey portion of the

building on the east side abutting St. Matthew's Ave. appropriately responds to the permitted building heights of the dwellings on this street; however, the same treatment of building height has not been applied to the west side of the building abutting Clearview Ave. While the proposed development is compatible with the existing neighbourhood character along St. Matthew's in terms of height, it is not compatible in terms of height along the Clearview Ave. side of property.

In terms of height compatibility with the approved 6-storey apartment building on the north side of Masonry Court, the proposed building replicates the number of storeys but is proposed to be 3 metres taller in vertical height. While a reduction in building height would potentially assist in achieving consistency between these two similar building forms, a physical break in the proposed building length may be more impactful to achieving compatibility with regard to the overall scale and massing.

Siting

The existing dwellings surrounding the site are generally modest in size and are situated on lots which allow for landscaping and a sense of privacy. The proposed building is situated 2.5 metres from Masonry Court in order to have the building height fit within a 45-degree angular plane to the residential lot line to the south. The building base is situated 17 metres from Clearview Ave. and 5.9 metres from St. Matthew's Ave. The 2 storey building form abutting St. Matthew's Ave. is situated appropriately since it replicates the general front yard setback of the existing dwellings on the lot to this street. The west side of the building abutting Clearview Ave. has been sited to accommodate the proposed driveway and surface parking areas. The siting of the driveway and surface parking area is 0.8 metres from the interface of Clearview Ave. whereas 4.5m is required, and 2.5 metres from the south lot line whereas 6 metres is required. The driveway and parking areas are situated too close to the adjacent residential property and the right-of-way for Clearview Ave. Furthermore, the hardscaped ground level amenity area is located 2.5 metres from the south lot line, whereas 6 metres is required. The location of these site elements does not allow for adequate landscape screening to give a sense of privacy and separation between the site, adjacent residential uses, and the public right-of-way along Clearview Ave. The proposed development is compatible with the existing neighbourhood character in terms of siting along St. Matthew's Ave, but is not compatible with the existing neighbourhood character in terms of siting along Clearview Ave. and the proximity of site activity abutting the rear property line.

As mentioned, the proposed building on the subject lands is situated 2.5 metres from the Masonry Court lot line. The approved 6-storey building across the street will be situated 5 metres back from the property line abutting Masonry Court and will accommodate at-grade residential patios in the front yard at a setback of 3 metres. The

proposed development is similar to the approved building across the street, as at-grade residential patios are also proposed. However, the applicant has not situated the proposed building on the property to provide a sufficient privacy and landscaping buffer between the public realm on Masonry Court and the at-grade residential patios. Planning Staff feel that the increased separation of the at-grade residential patios in the approved development across the street results in a positive public and private realm interface along Masonry Court. The siting the proposed building 2.5 metres from Masonry Court does not provide enough separation between the public and private realm. The proposed development is not compatible with the approved apartment building on the opposite side of Masonry Court in terms of building siting.

Setbacks

The property and surrounding established neighbourhood is zoned R2.1 in the City's Zoning By-law which requires an 11 metre front yard setback. The front yard setbacks of the existing dwellings at the north end of St. Matthew's Ave. are generally less than what is required through the Zoning By-law. The front yard setbacks of the existing dwellings along Clearview Ave. are generally consistent with the required setback. The proposed building setback along the east side is generally consistent with the existing front yard setbacks of the residential dwellings immediately to the south along St. Matthew's Ave. While no reductions to the required building setback for the RH1 zone are requested along the east side of the property, the accommodation of the site driveway and surface parking along this side of the building is not provided in way that is compatible with the existing neighbourhood character along Clearview Ave. The building setback to the rear property line allows the building to fit within a 45-degree angular plane. However, the proposed reduction to the required setbacks of the underground parking structure, surface parking area and hardscaped amenity area to the south property line limit the landscaping potential for a densely planted buffer and limits the ability to appropriately separate the on-site functions of the proposed development from the neighbouring properties. The underground parking structure is proposed to have a 1 metre setback to the lot lines adjacent to Clearview Ave. and St. Matthew's Ave. and a 3.2 metre setback to the property line shared with the dwellings to the south. For underground parking structures on lands zoned RH1, the Zoning By-law requires a 3 metre setback from all property lines and no encroachment into required landscape buffers (a 6 metre landscape buffer abutting the R2.1 zone is required). The proposed reduced setbacks for the underground parking structure restricts the maturation of larger vegetation along the property edges to provide screening and privacy.

With regard to the compatibility of the proposed building setbacks with the approved high-density apartment building across the street on Masonry Court, Planning Staff do

not feel that the proposed front yard setbacks provide the same degree of privacy and separation between the public and private realm uses at-grade. Discussion to this effect has been provided in the previous section related to building siting.

The proposed development is not compatible with the existing neighbourhood character in terms of setbacks.

Coverage

The subject property and surrounding lands in the residential neighbourhood are zoned R2.1, which permits single detached dwellings on lots which are a minimum 700 m² in area. The lot areas in the immediate area around the site range in size from 460m² to 1080m². The houses are generally modest in size and have significant greenspace and mature trees surrounding them. The R2.1 zone permits a maximum lot coverage between 25% to 40% in this area, depending on the number of storeys of a single detached dwelling. The intent of the lot coverage regulations in the Zoning By-law is to ensure there is adequate open space to provide a balance between built form and landscape features on a property. The proposed RH1 zone does not have a lot coverage requirement; however, lot coverage is controlled by built form regulations like required setbacks.

The proposed building represents a lot coverage of approximately 40%; however, the site needs to accommodate an acceptable amount of vehicle parking to support the number of units proposed. The applicant has provided one level of underground parking with 154 spaces and has provided 50 surface parking spaces behind the building. The proposed underground parking structure represents a lot coverage of approximately 87% of the site. The applicant has requested relief from required building setbacks, landscape areas and landscape buffers in order to develop the site as proposed. The extent of the underground parking structure to 1 metre from the side lot lines allows minimal vegetation be planted above it, resulting in an amenity area that is hardscaped. Aside from the 0.8 metre and 1.4 metre landscape areas on the sides of the property, the 1.4 metre landscape area in front of the building, and the 2.5 metre landscape buffer to the south, the property will be completely covered with hard surface. Planning Staff acknowledge that the existing site at 1085 Clearview Ave. is primarily an asphalt parking lot; however, this existing situation does not set the standard for what is acceptable for a redevelopment proposal that contemplates residential use. The redevelopment of the site should improve on the existing site conditions to enhance the characteristics of the established neighbourhood. Landscape areas and landscape buffers which meet the minimum requirements as provided in the Zoning By-law should be provided to compliment greenspace in the existing neighbourhood and screen the proposed development. Due to the amount of hardscaped and asphalt surface area proposed, the development does not achieve compatibility with the existing low-density residential neighbourhood character in terms of coverage.

Parking

The parking rate for the site has been provided in accordance with the minimum parking rate for apartment buildings in the *Burlington-City Wide Parking Standards Review* prepared for the City by IBI Group Inc. Transportation Staff has reviewed the proposed parking rate and is supportive of the parking rate of 1 occupant space per unit and 0.25 visitor parking spaces per unit. The development is proposed to have internal bike parking on the first level and in the underground parking area which will help to encourage active transportation. The proposed development does achieve compatibility with the existing neighbourhood character in terms of parking.

Amenity Area

The existing neighbourhood has been developed at a low density with large greenspaces around most homes as well as mature trees on private property and public rights-of-way. All residents have access to private amenity area behind their homes. The proposed development will have 506 square metre outdoor amenity area at-grade, and each unit will have access to a private outdoor amenity area in the form of a patio, balcony or terrace. The total amenity area for the site is proposed to be 2,621 square metres including the at-grade outdoor amenity area, private balconies and terraces, as well as indoor amenity space. The required amenity area for the proposed development is 5,275 square metres as per the City's Zoning By-law and the proposed amenity area represents a 50% reduction to this requirement. The limited amenity area for the future residents is not consistent with the amenity area provided in the existing neighbourhood. Furthermore, the at-grade, common outdoor amenity area is proposed to be hardscaped. A hardscaped amenity is not consistent with the landscaped amenity areas in the surrounding neighbourhood. The reduced landscape buffer along the R2.1 zone boundary limits the ability to provide a deep, densely planted area of trees, shrubs other landscaping to provide privacy screening between the properties. Due to the insufficient landscape buffer proposed, the occupants of the rear-facing units of the proposed building may be able to overlook from their balconies into the rear yard amenity areas of the adjacent residential properties. The proposed development does not achieve compatibility with the existing low-density neighbourhood character in terms of amenity area.

Staff Analysis: In consideration of whether compatibility with the existing neighbourhood character is achieved in terms of Scale, Massing, Height, Siting, Setbacks, Coverage, Parking and Amenity Area so that a transition between existing and proposed buildings is provided, overall this criterion has not been met.

Policy 2.5.2 a) vi) – *“effects on existing vegetation are minimized, and appropriate compensation is provided for significant loss of vegetation, if necessary to assist in maintaining neighbourhood character”*

The surrounding neighbourhood is characterized as having a mature tree canopy both on private lots and public rights-of-way. The applicant proposes to remove all 25 existing trees on the subject lands and 22 of 25 public trees located along Masonry Court. The extent of the underground parking structure limits the ability to replace the removed trees on-site. Any trees planted within the area of the underground parking structure will need to be removed in the future if maintenance is required to the parking structure. The removal of mature vegetation and the limited soil volumes of the landscape areas to plant replacement trees along the property lines does not assist in maintaining neighbourhood character.

Staff Analysis: This criterion has not been met.

Policy 2.5.2 a) vii) – *“significant sun-shadowing for extended periods on adjacent properties, particularly outdoor amenity areas, is at an acceptable level”*

The sun shadow study provided by the applicant has been reviewed by staff within the context of the established neighbourhood. The shadow study shows shadowing on the properties directly south of the development on the west side of St. Matthew’s Ave after 6:30pm in June. In March and September sun shadowing is shown on properties directly south of the subject lands on the west side of St. Matthew’s Ave. and properties on the east side of St. Matthew’s Ave. from 5:30pm and onwards. In December, properties on the east side of St. Matthew’s will be impacted by shadow from 2:30pm onwards. The sun shadow cast by the development on adjacent properties and their outdoor amenity areas is acceptable.

Staff Analysis: This criterion has been met.

Policy 2.5.2 a) viii) – *“accessibility exists to community services and other neighbourhood conveniences such as community centres, neighbourhood shopping centres and health care”*

The proposed development is in proximity to Plains Road and Waterdown Road, which is primarily designated as a mixed-use corridor in the City’s Official Plan where commercial development exists including retail, office, service commercial, and restaurants. Community gathering spaces such as St. Matthew’s-on-the-Plains Anglican Church, Aldershot Pool and Aldershot Arena are located within a reasonable distance from the site.

Staff Analysis: This criterion has been met.

Policy 2.5.2 a) ix) – *“capability exists to provide adequate buffering and other measures to minimize any identified impacts”*

A “landscape buffer” is defined in the City’s Zoning By-law 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 with evergreen or deciduous trees, shrubs or berms.”* The intention of requiring a landscape buffer between high and low density uses is to provide a respectful amount of separation between at-grade uses and to reduce the likelihood of privacy intrusion through overlook from occupants of taller residential buildings. As noted earlier in this report, the extent of development proposed on the site has resulted in a reduced landscape buffer abutting the residential lands to the south. A 6 metre landscape buffer is required by the City’s Zoning By-law and a 2.5 metre landscape buffer is proposed. Due to the lack of space remaining for large vegetation such as trees to mature and provide visual screening, the development’s massing will be highly visible from the lands located to the south, east, and west. Privacy in rear yard amenity areas may be compromised by overlook from occupants of the proposed building if a dense landscape buffer cannot be provided. The development’s at-grade outdoor amenity area and parking area will also not be adequately separated from adjacent properties due to this reduced landscape buffer.

Staff Analysis: This criterion has not been met.

Policy 2.5.2 a) x) – *“where intensification potential exists on more than one adjacent property, any re-development proposals on an individual property shall demonstrate that future re-development on adjacent properties will not be compromised, and this may require the submission of a tertiary plan, where appropriate”*

The applicant has assembled the parcels at 1086 and 1090 St. Matthew’s Avenue, and therefore the development does not compromise the potential redevelopment of adjacent lands.

Staff Analysis: This criterion has been met.

Policy 2.5.2 a) xi) – *“natural and cultural heritage features and areas of natural hazard are protected”*

There are no identified areas of natural hazard or cultural heritage features on the subject lands.

Staff Analysis: This criterion is not applicable to the subject lands.

Policy 2.5.2 a) xii) – *“where applicable, there is consideration of the policies of Part II, Subsection 2.11.3, g) and m)”*

Part II, subsection 2.11.3 g) does not apply to the subject lands as the lands do not contain part of a regulatory floodplain. Part II, subsection 2.11.3 m) applies to the lands due to their location in the South Aldershot Planning Area. The applicant's functional servicing report has indicated that capacity exists in the existing storm sewer to accommodate flows from the existing and proposed development. However, Planning Staff feel that the required landscape areas and buffers should be provided in order to allow for low-impact development techniques with regard to stormwater management.

Staff Analysis: This criterion has been met.

Policy 2.5.2 a) xiii) – *“proposals for non-ground oriented housing intensification shall be permitted only at the periphery of existing residential neighbourhoods on properties abutting, and having direct vehicular access to, major arterial, minor arterial or multi-purpose arterial roads and only provided that the built form, scale and profile of development is well integrated with the existing neighbourhood so that a transition between existing and proposed residential buildings is provided”*

The proposal is located at the periphery of the northern portion of the residential neighbourhood, having frontage on Masonry Court. However, it can also be considered located within the existing neighbourhood as it has frontage on the cul-de-sacs of both Clearview and St. Matthew's Ave. None of the three street frontages which abut the property are identified in Schedule J of the City's OP as either major arterial, minor arterial or multi-purpose arterial roads, and are therefore considered local roads. The development is proposed to have one vehicle driveway to Masonry Court, and no vehicle access to either Clearview Ave. or St. Matthew's Ave. Masonry Court, while considered as a local road, provides direct access to the Aldershot GO Station and must be considered as a roadway that accommodates more than just local traffic.

The situation of the lot in the context of this road network means that significant consideration must be given to ensure that the built form, scale and profile of any proposed development is context sensitive and transitions well to the existing residential neighbourhood. Official Plan policy 2.5.2 a) v) was reviewed earlier in this report, and Planning Staff determined that the proposed building and site design do not represent a compatible transition to the existing established neighbourhood. Planning Staff are therefore not satisfied that the built form, scale, and profile of the development adequately addresses the context of being located adjacent to these local roads.

Staff Analysis: This criterion has not been met.

Conclusion:

The subject lands are identified as being within an MTSA according to A Place to Grow: Growth Plan for the Greater Golden Horseshoe; therefore, Planning Staff are generally supportive of intensified residential development on the subject lands. However, the

built form and site design proposed through this application pose significant compatibility concerns with respect to the transition to the established residential neighbourhood located to the south, east, and west. Policy 4.7 of the PPS identifies that the official plan is the most important mechanism for the implementation of provincial policy, and Section 5.2.5.6 of the Growth Plan requires that municipalities develop and implement urban design and site design policies within their Official Plan and supporting documents that direct the development of a high quality public realm and compact built form. Planning Staff have reviewed the application in consideration of the City's OP policies for housing intensification. The proposed building does not successfully meet critical housing intensification evaluation criteria provided through these policies and is therefore not supported by Planning Staff.

Urban Design

With re-development and intensification being the dominant form of development in the City of Burlington, a thorough review of proposed building design and site designs is recognized as a critical component of the evaluation of development applications.

Part II, Section 6 of the City's Official Plan provides specific reference to ensuring that the design of the built environment strengthens and enhances the character of existing distinctive locations and neighbourhoods, and that proposals for intensification and infill within existing neighbourhoods are designed to be compatible and sympathetic to existing neighbourhood character. The objectives of this section of the OP also include a commitment to the achievement of high quality design within the public realm. Consideration of urban design is to be integrated into the full range of decision-making activities by Planning Staff.

The City has prepared design guidelines that relate to various building typologies. Part 2, Section 6.6 c) states: "...*Any City Council-approved design guidelines are considered City policy and shall be implemented for all public or private development proposals*". Planning staff refer to design guidelines throughout the development review process in order to critically examine the design performance of private development proposals in reference to the design objectives of the OP. Applicants are expected to adhere to the relevant design guidelines when preparing their development proposals. Burlington City Council has approved Design Guidelines for Mixed-Use and Mid-Rise Residential Development, which apply to the proposed development on the subject lands.

The City's OP Design policies also allow for the establishment of an outside body of design professionals to advise on issues of design (Part II, Section 6.6 d). The Burlington Urban Design Review Panel reviews development applications and provides urban design advice to Staff for applicants to consider before submitting a formal application. The proposed development was reviewed by the Burlington Urban Design

Review Panel prior to the application being submitted and comments from the panel have been included in the Technical Review section of this report.

Planning staff has completed the following review of the proposed development application in consideration of the Council approved Design Guidelines for Mixed-Use and Mid-Rise Residential Development.

City of Burlington Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings

The City's Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings (herein after referred to as the "Mid-Rise Guidelines") were approved by Burlington City Council on March 5, 2019. The intent of the Mid-Rise Guidelines is to implement the City's Official Plan objectives and policies for Design (Part II, Section 6), specifically as they relate to buildings that are 5 to 11-storeys in height. The Mid-Rise Guidelines recognize that the built form of mid-rise developments can assist in transitioning from lower density neighbourhoods to more intense communities and create a vibrant public realm and comfortable pedestrian environment. The proposed development on the subject lands is a 6-storey residential building, and the Mid-Rise Guidelines shall apply. After the approval of the Mid-Rise Guidelines in March of 2019, they were discussed with the applicant, and the revised development proposal for this site was submitted on May 27, 2019.

The Mid-Rise Guidelines are broken down by main the components of a mid-rise building being the Lower Building and the Upper Building. Together, these components address all aspects of a building; however, not all guidelines will apply to every building. Staff has completed a review of the proposed mid-rise residential building regarding the applicable guidelines for building placement, height and massing, street level design, site design and built form transitions.

Building Placement

The placement of the building on a site influences the building design and expression, how the rest of the site functions, and how the building relates to the surrounding context. The following guidelines relate to building placement for the proposed development:

2.1.1. In general, buildings should be placed parallel to streets or public open spaces (within or along the edge of the site) to frame and define these spaces. This will also increase the amount of private open space behind the building and separation from neighbouring properties.

The building is placed parallel to Masonry Court to frame this space as the dominant streetscape leading to the Aldershot GO Station. The location of the building

predominantly along Masonry court increases the amount of open space behind the building and provides separation between the proposed building and neighbouring properties.

2.1.2 Consider the building's orientation to maximize south-facing walls for optimal access to sunlight to habitable rooms and other environmental benefits such as energy conservation, solar access to open spaces or areas for stormwater management and planting.

The building's overall length and orientation results in limited solar access for units on the north side of the building. According to the applicant's Shadow Study, the building massing and placement will result in the private patios at the front of the building experiencing shadow impacts until 1:30pm in June, until 2:30pm in March and September, and until 3:30pm in December.

The building's orientation also impacts the solar access of the common outdoor amenity area at-grade for afternoon and evening users. The common at-grade outdoor amenity area will be in shadow from 4:30pm and onwards in June, 3:30pm and onwards in March and September, and from 2:30pm and onwards in December.

2.1.3 Placement should consider existing site conditions and look to retain and enhance certain features as assets such as mature trees and topography.

The majority of the existing site is asphalt with most mature trees located on the residential lots along St. Matthew's Ave. and on the public right-of-way along Masonry Court. The development is proposed to have an underground parking structure that is 1.1 metres from the north property line, 1.0 metres from the east and west property lines, and 3.2 metres from the south property line. These extents require the removal of all 25 on-site trees, and 22 of 25 trees along the Masonry Court right-of-way. A modified development that retains more mature trees, notably City-owned trees along Masonry Court, is preferred by Planning Staff.

2.1.6 Where there is no consistent pattern of street setbacks, the building should be set back to create a boulevard that can accommodate wider sidewalks, street trees, landscaping, and active uses to establish a more pedestrian oriented relationship between the building and the sidewalk.

There is no consistent pattern of street setbacks established along the south side of Masonry Court. The shallow 2.5m building setback along Masonry Court and the narrow 1.4m landscape strip separating the private patios from the public realm does not provide enough room to create a boulevard that can accommodate wider sidewalks, street trees, landscaping, and active uses. The proposed building placement close to

this property line does not assist in achieving a more pedestrian oriented relationship between the building and the street.

2.1.7 Where a building includes residential uses at grade, they should be differentiated from any active or non-residential uses through additional setbacks. Front yards should incorporate landscaping and enclosure to provide privacy to individual units.

The proposed building has only residential uses at grade. While it is therefore not necessary for there to be a differentiation of uses along the building wall through additional setbacks, the whole building must be setback adequately to ensure privacy for the at-grade residential uses. The reduced building setback of 2.5 metres and 1.4 metre setback of the residential at-grade patios to the property line along Masonry Court does not allow for enough room to incorporate landscaping and enclosures to provide privacy screening for these units.

2.1.9 All buildings should have a public front ('face') and private back. Buildings should not expose their back onto the front of a neighbouring building to minimize impacts such as "back of house" activities on adjacent properties

The front of the proposed building is oriented to the public realm of Masonry Court. The back of the building and property is primarily designated for surface parking, garbage loading and removal, and common outdoor amenity space for the building occupants. However, the site is bound by local roads, Clearview Ave. and St. Matthew's Ave., and residents of these streets may be exposed to the "back of house" activities on the property if the development is not appropriately screened with fencing and dense vegetation. The landscape areas abutting Clearview Ave. and St. Matthew's Ave. are too narrow and encumbered by the underground parking structure to provide adequate room to plant dense vegetation to screen the views and sounds of back of house uses from the residents of these streets.

Built Form: Height & Massing

The height and massing of a building are critical to determining the impact a building will have on adjacent properties. Therefore, mid-rise buildings like the one proposed in this development, must respond with sensitivity to the surrounding context.

2.3.1 When deciding on lower building height and massing consider the following:

- *the permitted minimum and maximum heights set out in the Official Plan and Zoning By-law;*

The maximum height for a dwelling in the existing R2.1 zoning is 2 storeys to a maximum of 10 metres. The proposed RH1 zoning provides a maximum height

of 6 storeys. The proposal represents a height increase of 3.5 storeys beyond what is currently permitted.

- *the physical character of the surrounding area including the height and scale of adjacent buildings and the immediate streetscape;*

The existing physical character to the south, east, and west of the site is low-rise residential with building heights ranging from one to two storeys. The proximity of the Aldershot GO Station and location within a MTSA requires that appropriate intensification in a compact built form be accommodated in the redevelopment of the property to encourage transit use. To the north, there is an approved high-density development at 101 Masonry Court which includes two 6-storey apartment buildings and a variety of townhouses. While the proposed 6-storey building height of the proposed development mirrors the height of the approved high-density development across the street, the proposed building is to be 3 metres taller. The proposed development does not provide a physical separation in the building to break up the length and massing, whereas this has been accomplished on the approved development across on the north side of Masonry Court. The proposed building also does not respond adequately to the existing low density neighbourhood to the south. While the 2-storey building base on the east side of the building assists in transitioning the massing to the context of St. Matthew's Ave., these height transitions have not been replicated along the west side of the building to relate to the context of Clearview Ave. The physical scale of the 6-storey building spans the length of a neighbourhood block and is significantly greater in massing than the existing low-rise residential uses in the surrounding context. On the north side of Queen Mary Ave., south of the site, there exists 7 residential dwellings along the length of the block. There needs to be a physical separation of the building massing on this site to have the proposed building better relate to the scale of the surrounding context.

- *the views into, out of, and through the site;*

The building length of 113 metres does not allow for views into the site from Masonry Court, except along the sides of the building wall. The building length limits views out of the site from the rear of the property, and the building height proposed, when combined with the overall length, does not allow sky views out of the site or from Masonry Court. Similarly, from adjacent properties to the south, east, and west, the building height and length proposed limits views through the site to the north and negatively impacts sky-views in this direction.

- *the potential shadowing impacts on neighbouring properties and adjacent public spaces – taller elements should be arranged accordingly;*

Shadowing impacts on neighbouring low-density residential properties are acceptable, however the placement of the 4 metre tall rooftop mechanical

penthouse close to the rear of the building causes more shadowing than necessary and impacts could be improved by moving it towards the centre of the building. The shadowing impacts on the public realm of Masonry Court caused by the building length of 113 metres, building setbacks, and proposed building height of 6-storeys are not acceptable. The public realm of Masonry Court, which will lead pedestrian traffic to the south side of the Aldershot GO Station, will be in shadow until 1:30pm in March and September, and until 3:30pm in December. The December shadow impacts are the most significant because the sun generally sets around 4:45pm which would result in solar access for only 1 hour and 15 minutes along the Masonry Court frontage at this time of year.

The private outdoor amenity area in the rear of the building is also negatively impacted by sun shadow cast by the proposed building in the afternoon and evening hours, notably 4:30pm and later in March and September, and 5:30 and later in June.

- *the micro-climate (particularly impacts created by wind); and*
A wind impact study was not required for this development. The micro-climate of the public realm along Masonry Court will be impacted by the significant sun shadowing caused by the building length and height as described above.
- *the relationship of the building height to building depth and lot width. Use site characteristics such as width (narrow or wide), depth (deep or shallow) and number of frontages to inform an appropriate built form.*

The proposed building replicates the lot configuration of the subject lands which are shallow and wide. The proposed building height is 6 storeys and in order to achieve this height while respecting at 45-degree angular plane to the residential uses to the south, the building has been pushed towards the Masonry Court frontage, resulting in an insufficient setback between the public realm and the at-grade residential units and their outdoor patios. If the upper storeys of the proposed building were stepped back further on the south side, the building could be moved back onto the property while still respecting the 45-degree angular plane.

2.3.2 Design buildings so that the massing reinforces the street edge.

There is no defined street edge along the south side of Masonry Court, however through this proposal, the applicant is attempting to define this street edge. The proposed building setback to Masonry Court is not acceptable to define the street edge since there is not adequate space to provide privacy to the at-grade residential uses. The existing street edge along St. Matthew's Ave. has been reinforced by the 2-storey building height on the east side of the building at a setback that replicates the residential setbacks on this street. The existing street

edge for Clearview Ave has not been replicated through the massing on the west side of the building.

2.3.3 In general, a building's form should reflect the existing and planned context in terms of street character (including the planned street function and right-of-way width), land use, and built form.

The lands are located along Masonry Court close to the Aldershot GO Station, and therefore, a high priority is placed on accommodating active transportation uses including walking and cycling. The pedestrian experience along Masonry Court needs to be carefully considered in this context. The negative impact on the pedestrian realm from the proposed building's length and massing has been discussed above. The uses at-grade along Masonry Court are proposed to be individual residential units with at-grade patios between the building and the public realm of Masonry Court. However, private uses such as these should not be relied upon to animate a street. Rather, the intermediate space between the public realm sidewalk and the building should be generous enough to accommodate vegetative plantings and street furniture to enhance the pedestrian experience, while also providing sufficient area for privacy screening for the private at-grade uses. The building is proposed to be setback 2.5 metres from Masonry Court and the associated patios are proposed to be setback 1.4m from Masonry Court. The proposed building setback of 2.5 metres, including a landscape strip of 1.4 metres in front of the at-grade patios is too shallow to adequately separate the public realm from the private residential patios. The result of these setback deficiencies is that residential users may feel uncomfortable with the proximity of pedestrian traffic, and public users may feel a sense of intrusion into private residential spaces. Additionally, a lack multiple of common building entrances along the front façade does not encourage pedestrian access or building permeability.

2.3.5 Where a streetwall is not established, the streetwall for new mid-rise buildings should be limited to a height of 80% of the street width (up to a maximum of 6-storeys) with additional storeys stepping-back a minimum of 3 metres above the streetwall to maintain a humanscale and minimize shadowing.

The street width of Masonry Court 20 metres. Eighty percent of the street width at Masonry Court is therefore 16 metres. The top of the fifth-floor of the propose building is 16 metres in height. The building is proposed to have a stepback of 2.3 metres to the sixth-floor building wall which, while not providing the recommended 3 metres, adequately achieves the intent of this guideline in the context of the proposed building.

2.3.6 In general, the building should not exceed a length of 60.0 metres apart from L-shaped building forms. Longer buildings, approaching and exceeding 60.0 metres, should either be broken up physically or visually using architectural and design elements that sufficiently differentiate the building mass to appear as separate building forms. This should include step-backs, colour and material variations, and unique building articulation. [and]

2.3.7 Pushing (projecting) and pulling (recessing) building volumes from the main building form is encouraged to help break down the mass of larger buildings.

The metric of the 60 metre building length for mid-rise development is informed by best practices in urban design to ensure that building massing does not limit access to sunlight at the street level, that sky views are maintained, and that the buildings and sites have a high degree of physical permeability and visual interest for at-grade users in the public realm. The proposed building nearly doubles the maximum building length indicated by the City's Mid-Rise Guidelines. The applicant has indicated that they have incorporated additional architectural detailing and façade recessions to the building elevations to address the building length and reduce the overall massing (See Appendix C). However, the architectural treatments described by this guideline are expected on any mid-rise building, not just buildings which approach or exceed 60 metres in length. Planning Staff do not agree that the efforts made by the applicant to address the building length have mitigated the massing of the proposed building.

The building does not propose adequate pushing and pulling of building volumes to break down the mass of the building. Architectural techniques such as these cannot adequately reduce massing along building walls that nearly double the recommended building length or compensate for the loss of sky views from the public realm on Masonry Court and the residential neighbourhood to the south. The applicant has not achieved the intent of this guideline with regard to building length, and the result is a building with massing that is incompatible with the surrounding context.

As an example of a preferred massing, the approved development at 101 Masonry Court, north of the subject lands, includes a 6-storey apartment building form along the street edge which is more in keeping with the intent of this guideline. The apartment building at 101 Masonry Court is a total of 112 metres in length, however the building has been physically divided by creating two 46.7 metre long residential buildings separated by a distance of 18.6 metres. Within the 18.6 metre separation is a 10 metre wide, 2-storey amenity area building with corridor connections to the adjacent apartment buildings at the first and third

storeys. This amenity area building is recessed from the front of the apartment building by 2.7 metres.

2.3.10 Stepping back upper level building volumes is encouraged to assist with transitions between neighbouring buildings with lower heights.

The east side of the building has been treated to relate to the 2-storey building heights along St. Matthew's Ave. A similar treatment has not been applied to the west side of the building along Clearview Ave. The majority of the rear of the building has been setback 21.7 metres from the property line abutting the R2.1 zone to the south and the sixth floor is setback 24 metres. The building fits within the 45-angular plane, however the minor building wall stepback on the sixth floor along the length of the building does not adequately reduce the overall building massing perception from the neighbouring residential properties. Building wall stepbacks combined with building separation would assist in achieving the intent of this guideline.

2.3.11 A variety of scales, colours and textures should be used to create visual interest across the building façades.

The applicant has used building material treatments such as a variety of scales, colours and textures to attempt to break up the massing of the building and create visual interest along the façades. While these measures do create visual interest, they are not adequate to break up the large building massing.

2.3.12 The height and massing of the building should ensure a minimum of five hours of consecutive sunlight on the sidewalk across the street at the spring and fall equinoxes (approximately March 21 and September 21, respectively).

The proposed building is able to provide 5 hours of sunlight on the north side of Masonry Court during March and September.

Street Level Design, Façade Articulation & Materials

A positive relationship between the public and private realm adjacent to a mid-rise building is impacted by how the building addresses the street. The function and design of the ground floor spaces greatly influences how a building performs in this regard. The proposed building contemplates residential uses at grade along Masonry Court and a review of the applicable guidelines as they relate the ground floor residential uses is provided below:

2.4.9 Design the main entrance to be clearly distinguishable from other entrances through its architectural design and treatment, high visibility, wayfinding and direct pedestrian access [and]

2.4.11 Emphasize grade-related entrances with high quality landscape design [and]

2.4.15 The location of building entrances should consider the location of adjacent transit stops.

The building is proposed to have one main building entrance from the public realm of Masonry Court located at the eastern end of the building in close proximity to the Aldershot GO Station. This main building entrance is not readily distinguishable in terms of architectural treatment to give it a distinctive look compared to recessed patios for the residential units at-grade. The applicant has not provided detailed landscape plans to show how the main entrance would be enhanced with landscape design, however the reduced building setback proposed does not leave a sufficient area for enhanced landscaping around the main entrance.

2.4.13 Where there are residential uses on the ground floor, design their principal entrance from the street. An elevated grade difference is appropriate to increase privacy for the building occupants, however, the change in grade from the public sidewalk to the front entrance should balance between privacy and maintaining an appropriate relationship to the street. Additionally, privacy should be considered through careful landscaping such as low fencing/walls, raised planters, railings and lighting to clearly define the public, semiprivate and private spaces.

The building is proposed to have residential units at-grade. No grade change for the associated at-grade patios for these units has been depicted. The applicant's Soil Volume Plan has calculated soil volume areas for landscaping immediately in front of the at-grade private patios along Masonry Court by including lands which are located in the public right-of-way. The inclusion of public lands in the soil volume calculation for these landscape areas immediately next to the proposed at-grade residential patios demonstrates that the landscaping proposed in these areas cannot be supported within the reduced 1.4 metre landscape area along the Masonry Court frontage. Therefore, the proposed 1.4 metre landscape area in front of these at-grade patios is not sufficient to provide enhanced privacy measures such as those listed by this guideline and clear definition of the public and private realms.

As an example of a preferred relationship to the street, the approved 6-storey residential building north of the subject lands at 101 Masonry Court also provides at-grade outdoor patios abutting this street. This building is setback 5 metres from the front lot line along Masonry Court with the patios setback 3 metres. The

increased setback of these patios at 101 Masonry Court provides additional space for privacy screening for the patios and better executes the intent of this guideline.

Site Design

The design of a site with a mid-rise building is imperative to its ability to fit within the surrounding area and enhance the public realm. The following guidelines have been reviewed with regard to the site design elements of the proposed development:

2.5.2 Pedestrian access should always be prioritized for the safety and enjoyment of residents and visitors. [and]

2.5.3 Reduce the number and width of vehicle access points to avoid conflicts between pedestrian and vehicle traffic.

In their revised proposal, the applicant has reduced the number of vehicle entrances from two to one and this represents a positive change to the site design since it reduces the potential for vehicle and pedestrian interaction. The building design is proposed to have one pedestrian entrance along the building frontage of Masonry Court. Multiple common entrances to the building along Masonry Court would improve pedestrian access to the building.

2.5.9 Most on-site parking should be provided underground. In general underground or structured parking is encouraged before surface parking. [and]

2.5.10 Underground parking structures should not encroach into required landscape buffers to ensure the long-term viability of mature trees and vegetation. Where underground parking structures must unavoidably encroach beyond the building footprint or into a landscape buffer, provide a minimum depth of 1.0 metre of uncompacted soil below grade to support opportunities for tree planting and other landscaping along the streetscape.

The development proposes 154 vehicle parking spaces in one level of underground parking and 50 surface parking spaces. The majority of the on-site parking is therefore provided underground. However, the surface parking provided requires landscape areas and buffers that are reduced from what is required by the Zoning By-law for the proposed RH1 zone. The reduced setbacks for the underground parking structure also significantly reduce the soil volumes for the landscape areas and buffers, and the resulting areas for landscaping such as mature trees and dense plantings are not sufficient to provide visual screening.

2.5.12 Any surface parking areas visible from the street should be buffered and screened with high quality architectural elements, setbacks or landscaping.

The proposed site design has placed parking along the west side of the property line visible from Clearview Ave. The setback to this parking area is 0.8m from the Clearview Ave. right-of-way. This reduced setback is not appropriate because it results in narrow landscaping area that is not sufficient to provide vegetative screening to obstruct the view of this parking area from Clearview Ave.

Built Form: Transitions

Buildings should respond to their context to ensure high quality design outcomes. In situations where there is a transition between low-rise and mid-rise built forms, transitions should be used to address potential impacts related to building height and massing such as shadowing and overlook on neighbouring properties. This section of the Mid-Rise Guidelines is geared to design standards for the upper building. While the proposed building does not have a definitive upper and lower building, the applicable guidelines from this section have been reviewed as they relate to the proposed development. Guidelines 3.1.1 and 3.1.2 have been addressed in earlier analysis for Guidelines 2.3.1, 2.3.3, and 2.3.5. in this report.

3.1.3 - Where the building is on a site that is transitioning to a low-rise residential neighbourhood area (including properties designated Residential – Low Density and – Medium Density, Natural Heritage System, Parks and Open Space) a 45-degree angular plane should be applied from the shared property line. The building form should fit entirely within this angular plane and utilize setbacks and step-backs to ensure any impacts related to the change in height, overlook, and shadowing are mitigated.

The proposed building is situated 2.5 metres from Masonry Court in order to have the building fit within a 45-degree angular plane to the residential lot line to the south. However, as noted previously in this report, the front yard setback and landscape area abutting Masonry Court is not sufficient to separate the at-grade residential uses from the public realm. If the building were to be moved back on the site to improve the front yard setbacks, the 45-degree angular plane may be compromised and additional stepbacks on upper levels may be needed.

Overlook concerns remain, regardless of the success of the 45-degree angular plane for this site, due to the reduced landscape buffer abutting the low-density residential zone to the south.

3.1.7 - Building tops and mechanical equipment should be designed to integrate with the overall architectural expression of the building. [and]

3.1.10 - *Rooftop mechanical equipment should be architecturally screened from public view to protect or enhance views from other buildings and the public realm. [and]*

3.1.12 - *Rooftop mechanical equipment should be set back, on all sides, no less than 3.0 metres from the edge of the floor below, and where an angular plane applies, fit within all angular planes.*

While the mechanical penthouse located on the roof of the proposed building does fit within the 45-degree angular plane, it does not integrate into the overall architectural expression of the building because it has been treated with a uniform cladding. The mechanical penthouse is setback to not be visible from the public realm of Masonry Court, however it is only setback 1.5 metres from the edge of the floor below and will be highly visible from the surrounding residential neighbourhood.

Conclusion:

Planning Staff are supportive of residential intensification of this site due to the close proximity to the Aldershot GO Station, and a mid-rise building may be able to provide an appropriate transition to the existing low-rise residential neighbourhood and enhance the streetscape along Masonry Court. As stated previously, Policy 4.7 of the PPS identifies that the official plans are the most important mechanism for the implementation of provincial policy, and Section 5.2.5.6 of the Growth Plan requires that municipalities develop and implement urban design and site design policies within their Official Plan and supporting documents that direct the development of a high quality public realm and compact built form. The City's Official Plan provides implementation policy for Design which directs that any City Council-approved design guidelines are considered City policy and shall be implemented for all public or private development proposals. Therefore, any mid-rise mixed-use or residential building must adequately address the Council approved Mid-Rise Guidelines. Planning Staff are of the opinion that the proposed building does not adequately address critical elements of the City's Mid-Rise Guidelines and are not supportive of the development as proposed.

City of Burlington Adopted Official Plan, 2018

The City's proposed New Official Plan was adopted by Council on April 26, 2018 and has been developed to reflect the opportunities and challenges facing the City as it continues to evolve. Halton Region has identified areas of non-conformity, and as such, the adopted Official Plan will be subject to additional review and revision prior to its approval. Further, City Council has directed a new staff review and public engagement process to consider potential modifications, including a review of height and density provisions. As a result, no weight is placed on the policies of the adopted Official Plan in the review of this application at this time.

Aldershot GO Station Mobility Hub Area Specific Plan

The subject lands are located within the proposed Aldershot Mobility Hub boundary. A pre-consultation meeting for the proposed development was held in May 2018 with the applicant and City staff. At this meeting, the applicants were advised of the draft Mobility Hub Study for Aldershot and that issues of height, density, and the planned function of the area were unknown. The pre-consultation notes state that the outstanding issues of height and density should be settled before site specific applications are considered for properties in the Mobility Hub.

On July 12, 2018 Mobility Hubs staff presented Report PB-65-18 to the City's Committee of the Whole (COW) which set out the draft precinct plans for the GO Station Hubs (Aldershot, Burlington and Appleby), and to receive Council feedback. The subject lands, with the exception of 1085 Clearview Ave., were identified as part of the Grove Park/St. Matthew's Neighbourhood Precinct which envisioned a low-rise built form. 1085 Clearview Ave. was identified as part of the Mid-Rise Residential Precinct. At the July 12, 2018 COW meeting, a motion was carried to direct staff to include both sides of Clearview Ave. in the Grove Park/St. Matthew's Neighbourhood, which would capture 1085 Clearview Ave. in this low-rise land use category. To date, the Mobility Hub Study and Area Specific Plan for the Aldershot GO Station area have not been completed.

City of Burlington Zoning By-law

The subject property is zoned Low Density Residential (R2.1) in the City of Burlington's Zoning By-law No. 2020. The R2.1 zone permits detached dwellings, as well as one accessory dwelling unit per dwelling subject to certain provisions.

The Zoning By-law Amendment proposes to rezone the property to Residential High Density (RH1). The RH1 zone permits apartment buildings, stacked and back-to-back townhouse, street townhouses, retirement homes, community institutions, as well as a lodge, fraternity, or private club. The applicant has also proposed certain site-specific zoning regulations to the RH1 zone for the development. The table below details the zoning requirements and the site-specific modifications to the RH1 zone that have been requested to facilitate the development, as proposed. Planning Staff have provided comment on the requested amendments to the RH1 zone.

Table 1: RH1 Zone Requirements and Proposal

Regulation	Requirement of RH1 Zone	Requested through Revised Proposal	Amendment Required
Density	50-75 units/ha	258 units/ha	Yes
Comment: An increase in density may be appropriate on this site given the location within a MTSA, but it must be facilitated in a built form that provides a compatible transition to the adjacent R2.1 zone.			
Height	6 storeys max.	6 storeys	No
Lot Width (shortest side)	30m	45.7m	No
Lot Area	0.2ha	0.627 ha	No
Yard Abutting:			
Masonry Crt.	7.5m	L1-L4: 2.5m L5: 3m L6: 5m to wall, 3m to terrace	Yes
Comment: The reduced setback to Masonry Court does not provide enough separation between the at-grade residential units and their amenity areas to the public realm along Masonry Court. This reduction is <u>not</u> supported by Staff.			
Clearview Ave.	7.5m	L1-L4: 17m to wall, 15.3m to balconies L5: 22m to wall, 17m to terrace L6: 22 to wall, 20.6 to balconies	No
St. Matthew's Ave.	7.5m	L1-L2: 5.9m to wall, 5m to balconies L3-L4: 11m to wall, 7m to L3 terrace L5: 14.2m to wall, 11m to terrace L6: 19.5m to wall, 14.2m to terrace	Yes
Comment: The reduced setback to the yard abutting St. Matthew's Ave. for the two storey portion of the building is appropriate because it replicates established setbacks for existing dwellings on this side of the street. Balconies above the first storey are permitted in the front yard for detached residential buildings, and therefore, Planning Staff can support the request for second level balconies in this yard. The level 3 terrace setback represents a minor reduction to the required setback and is acceptable. These reductions are supported by Staff.			
R2.1 Zone	15m	L1: 13m	Yes

Regulation	Requirement of RH1 Zone	Requested through Revised Proposal	Amendment Required
		L2: 15m to wall, 13m to balcony L3: 21.8m to wall, 15m to terrace L4-L5: 21.7m L6: 24m to wall, 21.7m to balconies	
Comment: The requested reduction to the first storey is appropriate since it facilitates a building height that is compatible with the existing dwellings on St. Matthew's Ave. The requested reduction to the rear balcony for level two is not appropriate because balconies above the first storey are not permitted in the rear and side yards of detached residential buildings for privacy concerns. This portion of the building is not context sensitive to the detached residential buildings on St. Matthew's Ave. The reduced setback to level one is supported by Staff, but the reduced setback to the level two balcony is <u>not</u> .			
Amenity Area	25m ² per bedroom (113 1bdrm x 25m ²) + (49 2bdrm x 25m ² x 2) = 5,275m ²	16.1m ² per unit = 2,621m ²	Yes
Comment: The amenity area is proposed to be reduced by 50% from what is required by the Zoning By-law. Future residents of the proposed development should be provided with amenity area, notably outdoor amenity area, which is consistent with and compatible to the amenity areas of the surrounding neighbourhood. Planning Staff do <u>not</u> support the proposed reduction to the required amenity area.			
Landscape Area Abutting a Street:			
Masonry Crt.	4.5m	1.4m	Yes
Comment: The reduction to the required landscape area abutting Masonry Court is not acceptable as it does not allow for adequate landscape screening and separation between the public realm along the street and the at-grade units and their respective private outdoor patios. Planning Staff do <u>not</u> support the reduced landscape area abutting Masonry Court.			
Clearview Ave.	4.5m	0.8m	Yes
Comment: The proposed reduction to the landscape area abutting Clearview Ave. is not acceptable as this side of the property contains the main driving aisle into and out of the property, 10 vehicle parking spaces, the exhaust vent for the underground parking structure, a transformer, and the loading space for garbage trucks and other service vehicles. Planning Staff do <u>not</u> support the reduction to the landscape area abutting Clearview Ave.			

Regulation	Requirement of RH1 Zone	Requested through Revised Proposal	Amendment Required
St. Matthew's Ave.	4.5m	1.4m	Yes
Comment: A reduction in the landscape area abutting St. Matthew's Ave. may be acceptable since this side of the building contains passive uses such as unit entrances and walkways. Planning Staff are prepared to support a reduction to the landscape area abutting St. Matthew's Ave. provided that the 1.4m landscape area is widened to include the amenity area strip east of the private walkway, resulting in landscape area 4 metres in width. A landscape area of 4 metres on this side of the property would replicate existing front yard setbacks for residential dwellings on this side of St. Matthew's Ave. As currently proposed, the reduced landscape area abutting St. Matthew's Ave. is <u>not</u> supported by Planning Staff.			
Landscape Buffer Abutting a R2.1 Zone	6m	2.5m at grade 3.2m to underground parking structure	Yes
Comment: The landscape buffer abutting the R2.1 zone is a critical component of ensuring a compatible transition between a higher density residential use on the subject lands and the low density residential uses in the surrounding established neighbourhood. The proposed reductions to the landscape buffer do not assist in providing adequate separation between the at-grade uses of the subject lands and the adjacent low-density residential properties. The proposed landscape buffer reductions also do not assist in achieving a dense screening of tall trees and other vegetation to block views of the proposed building from the surrounding neighbourhood, and to address privacy concerns due to overlook into adjacent backyards. Planning Staff do <u>not</u> support the requested reductions to the landscape buffer at-grade and the location of the underground parking structure at the setback requested along the rear property line.			
Underground Parking structure setback to street lines:			
Masonry Crt.	3m	1.1m	Yes
Clearview Ave.	3m	1.0m	Yes
St. Matthew's Ave.	3m	1.0m	Yes
Comment: The proposed reductions to the setback of the underground parking to these lot lines impacts the ability to provide landscape areas that could allow the long-term maturation of trees. Planning Staff do <u>not</u> support the reduced setbacks of the underground parking structure along Masonry Court, Clearview Ave. and St. Matthews's Ave.			
Parking	1.25 per 1bdrm 1.5 per 2bdrm 0.35 visitor per unit 1 loading space	1.0 per unit 0.25 per unit – visitor	Yes

Regulation	Requirement of RH1 Zone	Requested through Revised Proposal	Amendment Required
	$1.25 \times 113 = 142$ $1.5 \times 49 = 74$ Occupant = 216 $0.35 \times 162 = 57$ Visitor = 57 Loading = 1 Total Required = 273 spaces	$1.0 \times 162 = 162$ Occupant $0.25 \times 162 = 41$ Visitor = 203 Total Proposed = 204 spaces	
Comment: The proposed parking rate is acceptable given the location of the property in close proximity of the Aldershot GO Station and the proposed Transportation Demand Management measures indicated by the applicant in their Transportation Impact, Parking, and TDM Study. Transportation Planning Staff are supportive of the reduced parking rate, therefore Planning Staff can support the requested parking reduction.			
Accessible Parking	$216 \times 3\% = 7$ $57 \times 3\% = 2$ Required = 9 accessible spaces	$162 \times 3\% = 5$ $41 \times 3\% = 2$ 7 spaces	No (if parking rate is approved)
Setback from window of habitable room on first level to driveway or parking space	9m to driveway 6m to parking space	3.5m to driveway on west side	Yes
Comment: The proposed setback of unit windows to the driveway on the west side of the building is acceptable as the windows will be separated from the driveway by a landscape area and sidewalk. Planning Staff can support the requested setback reduction.			
Driveway and Parking Spaces setback from R2.1 zone	6m	2.5m	Yes
Comment: The parking spaces along the south end of the property are proposed within an area which should be dedicated as a landscape buffer. The proximity of these parking spaces does not represent a compatible transition to the low-density residential properties to the south. Planning Staff do <u>not</u> support the requested setback reduction for parking spaces abutting the R2.1 zone.			

Regulation	Requirement of RH1 Zone	Requested through Revised Proposal	Amendment Required
Parking lot setback abutting a street – Clearview Ave.	4.5m	0.8m	Yes
Comment: The parking spaces proposed along the west side of the property are proposed within an area that should be dedicated as a landscape area. Staff do not support the reduction of the landscape area along this property line and therefore do <u>not</u> support the reduced setback of these parking spaces to Clearview Ave.			
Number of Driveways	1	1	No

Conclusion:

Given the extent of the zoning modifications to the RH1 zone requested to facilitate the development as proposed, Planning Staff is not in support of the application for Zoning By-law Amendment for the subject lands.

Technical Review

The supporting documents for the Official Plan Amendment and Zoning By-law Amendment application were circulated for review to internal departments and external agencies in February 2019 and in late May 2019. The following comments have been received with respect to this application:

Canada Post

Canada Post has provided no objections to the application and note that the building will be required to provide centralized, rear-loading mailboxes for delivery.

Halton Catholic District School Board (HCDSB) and Halton District School Board (HDSB)

The HCDSB and HDSB have provided no objections to the application and have indicated that students generated from the proposed development may be accommodated in schools within the catchment area. The HCDSB and HDSB have provided standard conditions for subsequent agreements such as Site Plan and Condominium.

Finance

The City's Finance Department has provided no objections to the application.

CN Rail

CN Rail has provided comment on the development as the site is located within 300 metres of CN's principle main line and within 1,000 metres of the Aldershot yard. CN Rail provided a copy of their development standards for projects in proximity to their rail lines, which were forwarded to the applicant by City Staff. CN Rail has indicated that they will require the registration of a development agreement and environmental noise easement for the development. The noise study submitted by the applicant was reviewed by CN Rail's peer reviewer Jade Acoustics. The peer review indicates that, based on the study submitted, they cannot conclude that the sound level limits are being achieved for the proposed development without mitigative measures. The peer review document recommends that the noise study be updated to address the outstanding comments and concerns.

Ministry of Transportation (MTO)

The Ministry of Transportation has reviewed the application and have indicated that the subject lands are outside of the Ministry's permit control area and MTO permits are not required.

Metrolinx

Metrolinx has commented on the application and requires an update to the noise study to recognize use of diesel trains for GO Trains. The agency has also provided comment that the location of the proposed driveway access, Metrolinx access road, and multi-use path be coordinated between the applicant, the City and Metrolinx. The agency has required that a warning clause be inserted into all development agreements, offers to purchase and agreements of Purchase and Sale or Lease of each dwelling unit within 300 metres of the railway right of way.

Metrolinx has requested to review the applicant's Transportation Impact Study to ensure that the future access roads to Metrolinx property have been included in the analysis. The agency has required that the owner grant an environmental easement in favour of Metrolinx for operational emissions, registered on title against the subject property. The agency has noted that the subject lands are located within the Primary Mobility Hub Zone (within 250 metres) of Aldershot GO Station, as per the September 2011 *Metrolinx Mobility Hub Guidelines*. Given the proximity, Metrolinx has recommended that appropriate connections on Clearview Avenue and St. Matthews Avenue are established to enhance connectivity from the subject lands to Aldershot GO Station.

Halton Region

Halton Region has reviewed the applications within the context of Provincial Planning documents and the Regional Official Plan. The Region finds that the applications are

generally consistent with, and conform to, Provincial planning policy documents. Region Staff note that the lands are located in proximity of the Aldershot MTSA on Map 1 of the Regional Official Plan; however, the boundary and growth target for the MTSA have not been established as the Regional Municipal Comprehensive Review has not been finalized in accordance with the A Place to Grow: Growth Plan for the Greater Golden Horseshoe requirements.

Regarding the noise study submitted by the applicant, the Region relies on the comments from the railway authorities to determine potential impacts and implementation measures from these agencies. Regional Staff will be satisfied that the ROP policy with regard to noise impacts from activity on the adjacent railway corridor has been addressed when the applicant has satisfied all comments and concerns from the railway authorities. The Region will require an Air Quality Assessment at an appropriate stage in the development process for these lands. Regional Staff will require a Ministry of the Environment, Conservation and Parks (MOECP) approved Record of Site Condition (RSC) for the subject lands and require that a Holding Zone be applied to the property until this is received. The Region has indicated that there may be adequate water and wastewater services to accommodate the development, however connection to trunk wastewater mains require special review and permission is not always guaranteed. The Region has provided comment with regard to solid waste management and encourage the applicant to update their plans to accommodate Regional Waste collection services.

Halton Region offer no objections to the proposed amendments provided the applicant addresses the comments from the railway authorities with regard to the potential noise impacts, and that a Holding Zone be placed on the property until such a time as the applicant has submitted a MOECP acknowledged RSC to their satisfaction.

Parks and Open Space

The City's Parks and Open Space staff has reviewed the application and requested that cash-in-lieu of parkland dedication be applied for this development. Comments received indicate a preference for sidewalk placement within the municipal boulevard, not curbside, along Masonry Court. Parks and Open Space staff have commented that they have concerns that the underground parking structure limits the ability to provide an adequate buffer to the surrounding neighbours and the streetscape.

Accessibility Coordinator

The City's Accessibility Coordinator has commented that the applicant must provide the required number of both "Type A – Van Accessible" and "Type B" Barrier Free parking spaces as per the Accessibility for Ontarians with Disabilities Act, Design of Public Spaces Standards. Comment has been provided that the applicant must ensure that

one of the required accessible spaces is a visitor parking space designed to be a Type A – Van Accessible space. The accessible parking spaces should be connected to the main entrance by a continuous walkway. Changes are needed to the parking layout as the applicant has not shown Type A – Van Accessible spaces, all access aisles are to be 2 metres in width, and a continuous walkway needs to be provided to the building entrances from all accessible parking spaces.

Building

The City's Building Department Staff has reviewed the Building Code requirements as they relate to the location of the intake and exhaust locations for the underground parking area. The exhaust vent for the underground structure would be required to have a distance of 3 metres from any mechanical air intake system, window, door, or other opening into a residence that requires a natural ventilation system.

Fire

The Fire Department has provided no concerns with respect to the proposed applications, however detailed drawings of the fire department connection placement will be needed at the site plan stage to determine the requirements of the fire access route.

Transportation

Transportation Planning staff have reviewed the Transportation Impact, Parking and Transportation Demand Management (TDM) Study submitted by the applicant. Staff has provided comment that they are satisfied with the conclusions of the applicant's traffic impact analysis and are in support of the TDM initiatives suggested in the study. Transportation Planning Staff has made suggestions to increase active transportation use by establishing a pedestrian connection on Clearview Ave. and by providing a sidewalk connection to the existing sidewalk east of the site on the south side of Masonry Court. Transportation Planning Staff has recommended that the number of vehicle accesses be reduced from two to one, and this has been satisfied in the resubmission from May 27, 2019. Technical review of the submitted building design documents has resulted in the following comments from Transportation Planning Staff:

- Structural columns 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).
- Maximum ramp grade is 12%; ramp grades 8% or more will require heating coils.
- A flat landing pad area of 6m in length with appropriate transitions is required at the top of ramps.

The proposed parking rate for the site of 1 space per unit and 0.25 spaces per unit for visitor parking has been reviewed by Transportation Staff. The proposed parking rate, while lower than the required rate in the City's Zoning By-law, is in line with the findings of the *Burlington-City Wide Parking Standards Review* prepared for the City by IBI Group Inc. Transportation Planning staff agree with the proposed parking rate for this development.

Site Engineering

Site Engineering staff reviewed the application materials that were circulated and indicated that the following documents will be required for their review, prior to providing support for the applications:

- A Construction & Mobility Management Plan, for approval;
- Engineering details of the underground parking structure, for approval;
- An updated Environmental Noise Assessment, for approval;
- An updated P1 Level Parking Plan, for approval;
- An updated Existing Conditions, Removals, and ESC Plan, for approval;
- An updated Preliminary Grading Plan, for approval; and,
- An Updated Preliminary Servicing Plan for approval.

In the resubmission provided on May 27, 2019 the Construction & Mobility Management Plan, engineering details of the underground parking structure, and updated Environmental Noise Assessment documents were not provided by the applicant as requested by Site Engineering staff. As these documents were required by Site Engineering and not submitted, Site Engineering has not indicated support for the application at this time.

Urban Forestry and Landscaping

The City's Urban Forestry and Landscaping staff has reviewed the application. The applicant proposes to remove 22 out of 25 surveyed city trees along Masonry Court for the development application. As per the City's Public Tree By-law 68-2013, the removal of City trees requires Council approval. Replacement of the public trees based on an aggregate caliper ratio or cash-in-lieu value determined by the Manager of Urban Forestry. Urban Forestry and Landscaping staff have commented that the applicant should consider whether it is possible to save additional trees along Masonry Court.

The applicant proposes the removal of all 25 trees located on the subject property. Urban Forestry and Landscaping staff have commented that while the City does not have a definitive requirement for replanting on private property, various City policy documents and guidelines refer to a 1:1 caliper replacement to maintain and grow the

urban tree canopy in the city. The approximate adjusted caliper replacement value is calculated at 350cm for the private trees. Urban Forestry and Landscaping staff have commented that the applicant should consider whether it is possible to save site trees close to the property lines.

No trees are permitted to be removed until an application for development has been approved.

Urban Forestry and Landscaping Staff have identified that thirty cubic metres (30cm³) of soil per tree is to be provided in a single planting environment, and fifteen cubic metres (15cm³) in a shared planting environment. Comment has been made that there is insufficient information available with regard to the proposed landscape plantings to determine if appropriate landscape buffering and screening can be provided in the landscape strips shown on the site plan. New tree planting that has the opportunity to grow to maturity will assist with compatibility with adjacent properties. Comment has also been made that there should be landscaping on site along Masonry Court to screen the residential patios and enhance the public realm. Similarly, staff have commented that the main entrance to the building along Masonry Court should receive an enhanced landscape treatment. Urban Forestry and Landscaping has requested updated plans and detailed information prior to providing support for the applications for Official Plan Amendment and Zoning By-law Amendment.

Burlington Urban Design Review Panel

Prior to the development application being submitted to the City, the applicant was required to have the proposed building reviewed by the Burlington Urban Design Review Panel (BUD). The applicant and City Staff attended BUD on September 18, 2018 to hear feedback from the panel. The panel was asked to provide feedback to Staff on the proposed streetscaping and public realm along Masonry Court, the proposed site layout and outdoor amenity areas, and the building design as it relates to the surrounding context. The BUD panel members made the following comments with regard to the development:

- Area for street tree planting along Masonry Court needs to be accommodated
- The building should have multiple pedestrian entrances from Masonry Court
- The applicant should look at ways to break up the feeling of continuous asphalt between the rear parking area and the adjacent cul-de-sacs
- The amenity area should be consolidated into one larger outdoor space
- The extent of the underground parking will not allow for large vegetation to mature
- The east and west sides of the building could stepdown to relate to the nearby low-rise residential built form

- Ground level units along Masonry Court could be architecturally treated as two-storey townhouses to have them relate better to the proposed front yard, ground level patios
- Building is long and the panel asked the applicant to consider looking at a two building proposal or breaking up the building visually with architectural features to have it read as two buildings. An alternative design to consider would be to develop the base of the building with single loaded townhomes to address the built form context of Clearview Ave. and St. Matthews Ave.

The following changes were made to the proposal as a result of the feedback from BUD (changes provided in the May 27, 2019 submission are provided in italics):

- reduction in number of units from 169 to 160 units, with a floor area reduction from 12,657m² to 12,249m²
(May 27, 2019 submission has 162 units and floor area of 12,013m²)
- reduction of surface parking from 51 vehicle spaces to 49 vehicle spaces
(May 27, 2019 submission has 50 surface vehicle parking spaces)
- building setbacks on the east façade of the building in an effort to transition to the low-density residential uses on St. Matthew's Ave.
(May 27, 2019 submission incorporated additional setbacks on east side, and upper level setbacks on west side)
- Consolidated outdoor amenity area in the centre of the rear yard, whereas the original proposal had a more linear outdoor amenity area alongside the rear of the building
(May 27, 2019 submission has amenity area consolidated as well but concentrated on the east side of the property)
- Material and façade changes made to the middle of the building to visually break up the length and massing
(Additional architectural detailing and building material changes in May 27, 2019 submission)
- Enhanced shadow study to provide modelling for the shadow cast during the fall equinox (September 21st)

Additional details from the applicant regarding how the proposal has addressed the comments from BUD are included in the Urban Design Brief that was submitted with the original application.

Planning Staff has reviewed the development proposal in consideration of the comments received from BUD and do not feel that the proposed building adequately addresses the comments for the following reasons:

- The applicant is proposing to remove street trees along Masonry Court and has not provided a sufficient landscape area between the front of the building and patios and the property line to allow for replacement street tree planting on the property.
- The building design does not provide additional entrances from Masonry Court, as requested by BUD. The building design has multiple entrances at the back and sides of the building, however these do not address the comments from BUD with respect to providing pedestrian permeability to the building from the front.
- The applicant has provided narrow landscape areas of 1.4 metres, 0.8 metres and 1.4m on the north, west, and east yards respectively, a large area of surface parking and a hardscaped at-grade amenity area, which are not sufficient to assist in breaking up the feeling of continuous asphalt around the site.
- The extents of the underground parking structure are proposed to be 1.1 metres, from the north lot line, 1 metre from the east and west lot lines, and 3.2 metres from the south lot line, resulting in narrow landscape strips on all sides of the property. These narrow areas for landscaping do not provide sufficient area for large vegetation like trees to mature in order to provide adequate screening between the development and adjacent properties or shade for the at-grade uses.
- While the at-grade amenity area has been consolidated into one larger space on the property, the applicant has provided a vehicle drop off area within the amenity area which is not desirable as it creates the potential for hazard for users of the space.
- The applicant has provided a lower building form and terracing to relate to the low-rise residential uses to the east, however similar treatment has not been provided on the west side of the building.
- The ground level units along Masonry Court have not been treated architecturally to appear as two storey townhouses, as suggested by BUD, and are not architecturally distinguishable from the rest of the building.
- The applicant has chosen to address the building length concerns from BUD by using architectural treatments such as material colour changes and recessions of portions of the building wall. Planning Staff believe that the architectural treatments proposed by the applicant do not adequately address the building length concerns raised by BUD, and that the building continues to read as one continuous building mass, not two buildings as suggested.

Financial Matters:

In accordance with the Development Application Fee Schedule, all fees determined have been received.

Public Engagement Matters:

Public Circulation

The application was subject to the standard circulation requirements. A public notice was circulated in February 2019 to surrounding property owners/tenants. A subsequent notice regarding the Statutory Public Meeting was circulated in March 2019 to surrounding property owners/tenants as well as to those who had provided written comments. A total of 89 households were circulated on the application. Three notice signs were also posted on the property, along the frontages on Clearview Ave., St. Matthew's Ave., and Masonry Court, which depicted the proposed development. All technical studies and supporting materials were posted on the City's website at www.burlington.ca/1085Clearview.

Public Open House

A pre-application neighbourhood open house was held on October 29, 2018 at the Aldershot Arena, hosted by the applicant. The City circulated notice of the open house meeting to all property owners located within 120 metres of the subject lands. The open house was attended by approximately 35 members of the public, the applicant and their consulting team, City planning staff, as well as the Ward 1 Councillor. The applicant provided panels showing the proposed site design, internal floor plans, as well as building cross sections and architectural renderings. A total of 25 comment sheets were received by the applicant. The applicant has synthesized the comments received on page 16 of their Planning Justification Report. The highlighted themes of the public concerns raised include matters of building design, vehicular access, potential traffic congestion and on-street parking issues, vegetated buffering needed at the rear, perceived reduction to property value, and the proposed scale of the building not being in keeping with the built form of the surrounding neighbourhood. Comment sheets were also received in support of the application, noting the proximity to the Aldershot GO Station, and a request to reduce parking requirements to encourage use of transit and reduce traffic.

Burlington Sustainable Development Committee

Burlington's Sustainable Development Committee (SDC) is a citizen advisory committee. The SDC has made comments on the development proposal (Appendix D to this report). While the SDC generally supports the development because of the proximity to transit and the provision of bicycle storage and facilities, the following comments have been made with respect to the proposal:

- Applicant should conform with the Sustainable Building Guidelines and follow Net Zero Energy and Carbon approach
- Use of recycled building materials to reduce building waste
- Larger units should be considered for families, and provide a portion of units using principles of sustainable design
- Provision of affordable housing units
- Increase the amenity area provided on the site
- Inclusion of rooftop amenity space with green roof, garden and solar panels
- Design interior amenity spaces to improve sense of community
- Replace surface parking with greenspace with non-turf ground cover
- Public parking spaces underground
- Enhance Transportation Demand Management measures by having on-site car sharing, transit passes, and a front lay-by space for pick up and drop off on Masonry Court
- Trees removed from the site are to be adequately replaced on site or in the community with equivalent caliper trees

The applicant has made changes to their proposal which reflect some of the comments from the SDC:

- Widened landscape strips along the north and south property lines have been incorporated to increase the amount of greenspace;
- The applicant has also stated that they will use energy efficient appliances and fixtures in the development;
- The amenity area for the site has been increased by way of the indoor amenity area balconies (however the at-grade outdoor amenity area has reduced in size from the original proposal);
- The applicant has indicated they will properly dispose of their construction waste, and the building will be serviced by the Region of Halton for waste collection and will have recycling facilities;

- The applicant has identified that they will be reviewing the Region's Comprehensive Housing Strategy and the Sustainable Building Guidelines in conjunction with the development; and,
- While the applicant has given consideration of a green-roof and rooftop garden, no design plans have been submitted showing use of the roof area for amenity or green space.

Planning Staff have considered the comments provided by the SDC in the review of this application. The extents of the underground parking structure continue to create site design challenges reflected in the SDC comments. The applicant has indicated that they will not be removing the surface parking for the site, and due to the underground parking garage under the majority of the site, they have chosen not to use water-permeable materials in the parking area and hardscaped amenity area. The reduced setbacks required to accommodate the underground parking and the surface parking have not left adequate area to provide functional greenspace and landscaping area. The impermeable surface to accommodate the parking infrastructure does not leave enough room for low impact development techniques for alternative treatment of surface water.

Public Comments

Since the development application was submitted in January 2019, Planning Staff has received 23 written comments from 21 correspondents with regard to this application which have been included as Appendix E to this report. A Statutory Public Meeting for this development application was held on April 2, 2019. At the meeting, six delegations were made by members of the public. The following table provides a summary of all public comments that were received and how they were considered by Planning Staff in the development of this recommendation report.

Public Comment	Staff Response
<p>Built Form:</p> <ul style="list-style-type: none"> • Building height of 6-storeys does not transition well to the low-density neighbourhood and needs to be reduced • Preference for low-rise, townhouse development on the subject lands 	<p>The proposed building fits within the 45-degree angular plane in the current location. Building stepbacks are proposed on the third, fifth, and sixth floors on the east side of the building, and on the fifth floor of the building on the west. Planning Staff are of the opinion that the stepbacks on the east side transition well to the low-rise built form, but the west side setbacks do not. The building length does not assist in transitioning to the low rise neighbourhood since the continuous wall</p>

<ul style="list-style-type: none"> Proposed density is too high Building needs to step-down on both sides to relate to neighbourhood form 	<p>length, when combined with the proposed height, creates a large building massing which limits sky views across the city block.</p> <p>The lands are located within 250 metres of the Aldershot GO Station entrance and are therefore an appropriate location for intensification, possibly in a mid-rise form, that is compatible with the surrounding low rise residential uses.</p>
<p>Site Design:</p> <ul style="list-style-type: none"> Narrow landscape strips will not support larger vegetation for screening Snow storage overflow onto side streets Underground parking area comes too close to the lot lines Too much paved and hardscaped surface, and not enough greenspace/outdoor amenity area Tree removal impacts on ecosystem Rear drop off area is not capable of being adequately buffered by the landscape strips proposed Location of exhaust fans from underground parking area close to dwelling Ground water impacts on proposed underground parking Apartment building should have greater setbacks and more landscaping 	<p>The landscape areas and buffer are significantly reduced from the requirements of the Zoning By-law. Staff do not support the extent of the reduction to these landscaping requirements. Greater landscape areas along the property lines will assist in providing a dense landscape planting area in the rear landscape buffer for privacy, assist in separating the public and private uses at-grade along the building frontage along Masonry Court, and will allow for greater separation and screening of on-site uses like parking and drop off areas from the neighboring properties.</p> <p>The underground parking structure setbacks are reduced from the requirements of the Zoning By-law and impact the availability of landscaping around the property perimeter. Staff do not support the extent of the reduced setbacks for the underground parking structure.</p> <p>The applicant has not shown snow storage areas on their site plan, and long-term storage on the narrow landscape areas will not be sufficient. Staff are not concerned about snow storage overflow onto the adjacent cul-de-sacs, as fencing will be required along the property line, however there is not enough information about snow storage to determine if it can be adequately accommodated on site.</p> <p>The proposed development requires the removal of 22 City owned street trees, and</p>

	<p>all 25 on-site trees. Some trees are noted to be in poor health on the arborist's report submitted and are proposed to be removed, however, efforts to retain additional trees in fair to good condition should be made to assist in maintenance of the urban tree canopy. The underground parking structure extents should be modified to assist in retention of on-site trees.</p> <p>The proposed exhaust vent from the underground parking structure has been moved from the south-east corner of the site to the north-west corner of the site, therefore Staff do not have concerns with its proximity to existing residential buildings.</p> <p>The proposed underground parking structure is proposed to be one-storey in depth, above the high-groundwater level. Additional levels of underground parking would enter into the ground water levels, and would require long-term pumping.</p> <p>While the majority of the apartment building is within the required setback abutting a low-density residential zone, Level 1 is situated 13 metres from the zone boundary as well as the balcony for Level 2, and these require site-specific amendments to the requested zoning. Required building setbacks abutting Clearview Ave. have been met, however landscaping requirements have not and this side of the site will be used for parking and driving. The building is setback 5.9 metres to St. Matthew's Ave. at Level 1 and 2 and requires site-specific amendments to the requested zoning, however, this setback is consistent with existing building setbacks along this side of St. Matthew's Ave.</p>
<p>Neighbourhood Impacts:</p> <ul style="list-style-type: none"> • Loss of privacy from over-look into yards from balconies 	<p>The landscape concept plan does not depict a dense landscape planting area along the yard abutting the R2.1 zone. The landscape buffer should support</p>

<ul style="list-style-type: none"> • Construction activity spillover onto adjacent streets (equipment staging, construction office, worker parking, street closures) • Potential noise impacts from residential and service vehicle movement in the rear of the property • Not enough local commercial and retail amenities in the area to support increased population • Increased vehicle traffic on nearby streets • Potential visitor parking overflow on side streets • Sun shadow impact on adjacent properties • Public realm on adjacent streets will be negatively affected 	<p>dense, mature landscaping to screen uses on adjacent lands and reduce privacy concerns from over-look. Insufficient information has been provided to establish if a dense planting environment of taller vegetation like trees can be accommodated in the 2.5 metre buffer. Staff do not support this reduced landscape buffer since it could negatively impact privacy for adjacent landowners.</p> <p>The applicant has not supplied a Construction and Mobility Management Plan, as requested by Site Engineering Staff. Staff continue to have concerns about construction activity spillover onto adjacent municipal roads due to the extents of the underground parking structure.</p> <p>The applicant has located the service vehicle loading area on the rear of the building at the west side and have reduced the number of vehicle entrances to one. Noise impacts on adjacent properties from service vehicles should be minimal. Noise impacts from resident and visitor vehicles parking at grade could be reduced if the rear landscape buffer requirements were met, resulting in increased separation of vehicles from the rear property line.</p> <p>While west Aldershot may be missing access to a local grocery store within walking distance, increased density permissions on this site will assist in achieving population figures which may assist in attracting grocery and other commercial amenities.</p> <p>The site is not proposed to have access from Clearview Ave. or St. Matthew's Ave., and the development has proposed a parking rate that is acceptable to Transportation Staff. Planning Staff believe that there will be minimal impact</p>
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	<p>on these streets in terms of parking or traffic.</p> <p>Sun shadow on surrounding residential properties will be limited to after 5:30pm in March/September, after 6:30pm in June, and after 2:30pm in December. While the December shadows are the longest, few properties are impacted. Planning Staff believe the sun-shadow impact on these properties is minimal. More adverse sun shadow impact is present on Masonry Court and in the proposed amenity are on the site.</p> <p>The applicant has not addressed the interface of the property with the public realm along Clearview Ave. and St. Matthew's Ave. adequately. Narrow landscape areas provide limited area for tree planting adjacent to the cul-de-sacs. The narrow landscape areas proposed and lack of information about tree plantings and beautification does not satisfy Planning Staff that the public realm of the cul-de-sacs will be enhanced by this development, as currently proposed.</p>
<p>Planning Process:</p> <ul style="list-style-type: none"> • Uncertainty about Aldershot Mobility Hub planning while the 2018 Council adopted Official Plan is under review • Amount of development happening in Aldershot • Concern that the information provided by the applicant at the neighbourhood meeting did not provide enough detailed information about the proposal for residents to comment • Preference for Aldershot Mobility hub not to include these lands 	<p>The Aldershot Mobility Hub planning process is on hold until the Official Plan Review is completed later this year. The subject lands continue to be located in an area recognized as an MTSA by the Province. Transit supportive densities are encouraged within MTSA's and may be appropriate for this property, provided the form of development is compatible with surrounding uses.</p> <p>The future Aldershot Mobility Hub precinct plan will be required to be consistent with and conform to all relevant Provincial policy and plans.</p> <p>Plains Road in Aldershot is primarily designated for mixed use, commercial and some medium density residential development. The Aldershot GO Station MTSA is also a driver for development.</p>

	<p>The City's Official Plan review process will provide further direction on how and where development should occur in Aldershot.</p> <p>The applicant-led pre-application neighbourhood meeting involved a series of conceptual renderings of the development for public review. When the concept was finalized, and the application submitted to the City, all plans and studies have been posted on the City's webpage for the development for public review and comment. Notice letters in February and March advised that the materials were available online for public review.</p>
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Conclusion:

The Official Plan Amendment and Zoning By-law Amendment applications submitted for the lands located at 1085 Clearview Ave., and 1082, 1086, and 1090 St. Matthew's Ave. have been reviewed by Planning Staff and are recommended for refusal. While the application is generally consistent with the PPS and generally conforms to the Growth Plan, it does not adequately address the City's Official Plan policies for housing intensification compatibility and urban design. The proposal has been reviewed and assessed through the evaluation criteria for housing intensification contained in the City's Official Plan and Planning Staff have concluded that it does not meet critical criteria for compatibility. The proposal has been assessed for consistency with the City's Council approved Guidelines for Mixed-Use and Mid-Rise Residential Buildings and Planning Staff have concluded that the building and site design fail to achieve a high level of urban design. For these reasons, Planning Staff are recommending refusal of the application.

Respectfully submitted,

Lauren Vraets MCIP RPP

Planner II, Development Review

905-335-7600 ext. 7536

Appendices:

- A. Location and Zoning Sketch
- B. Detail Sketch
- C. Building Elevations
- D. Sustainable Development Committee Comments
- E. Public Comments

Notifications:

Dana Anderson, MHBC Planning Ltd.

danderson@mhbcplan.com

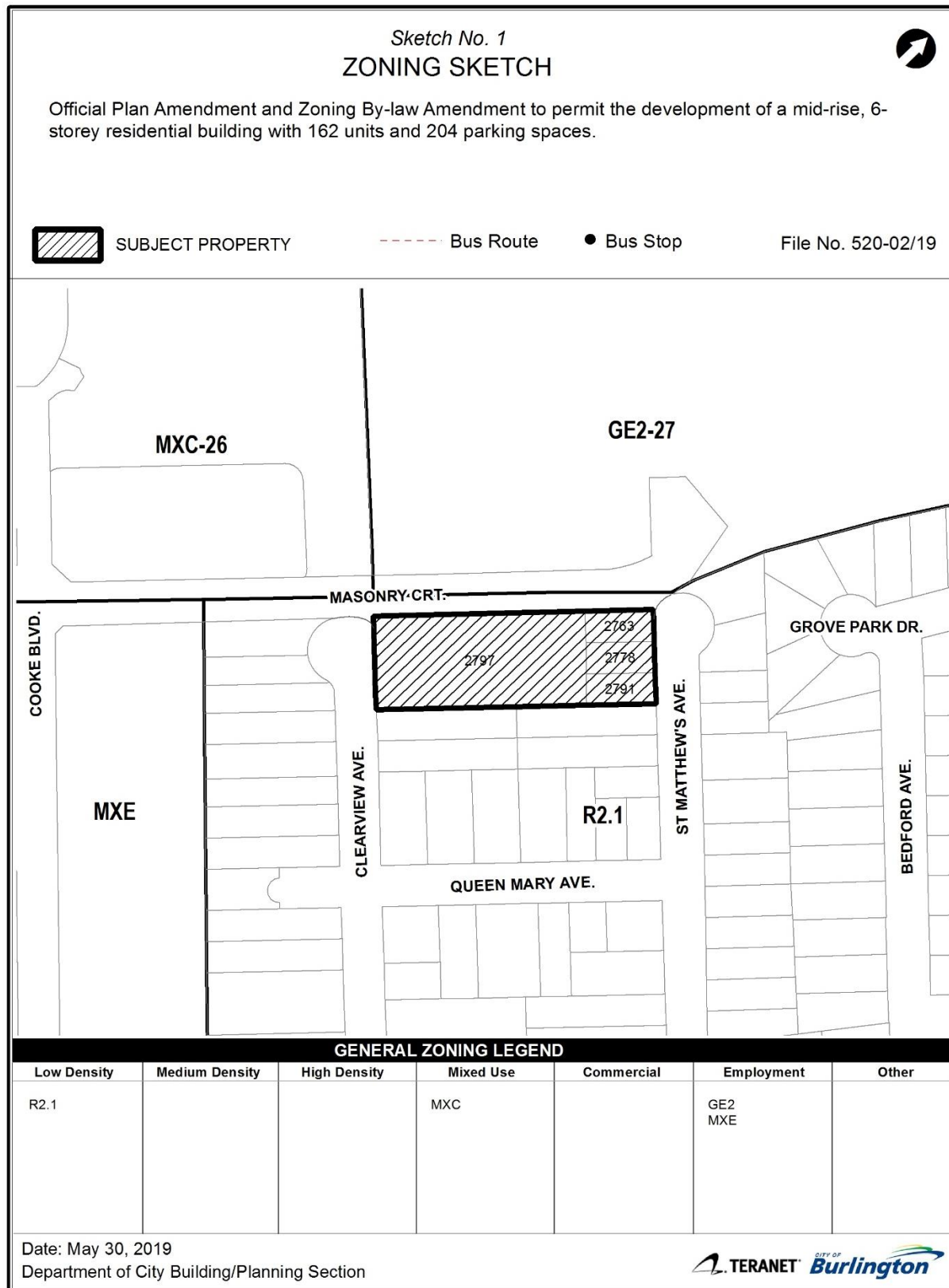
Katherine Rauscher, LIV Development Ltd.

KRauscher@livhere.ca

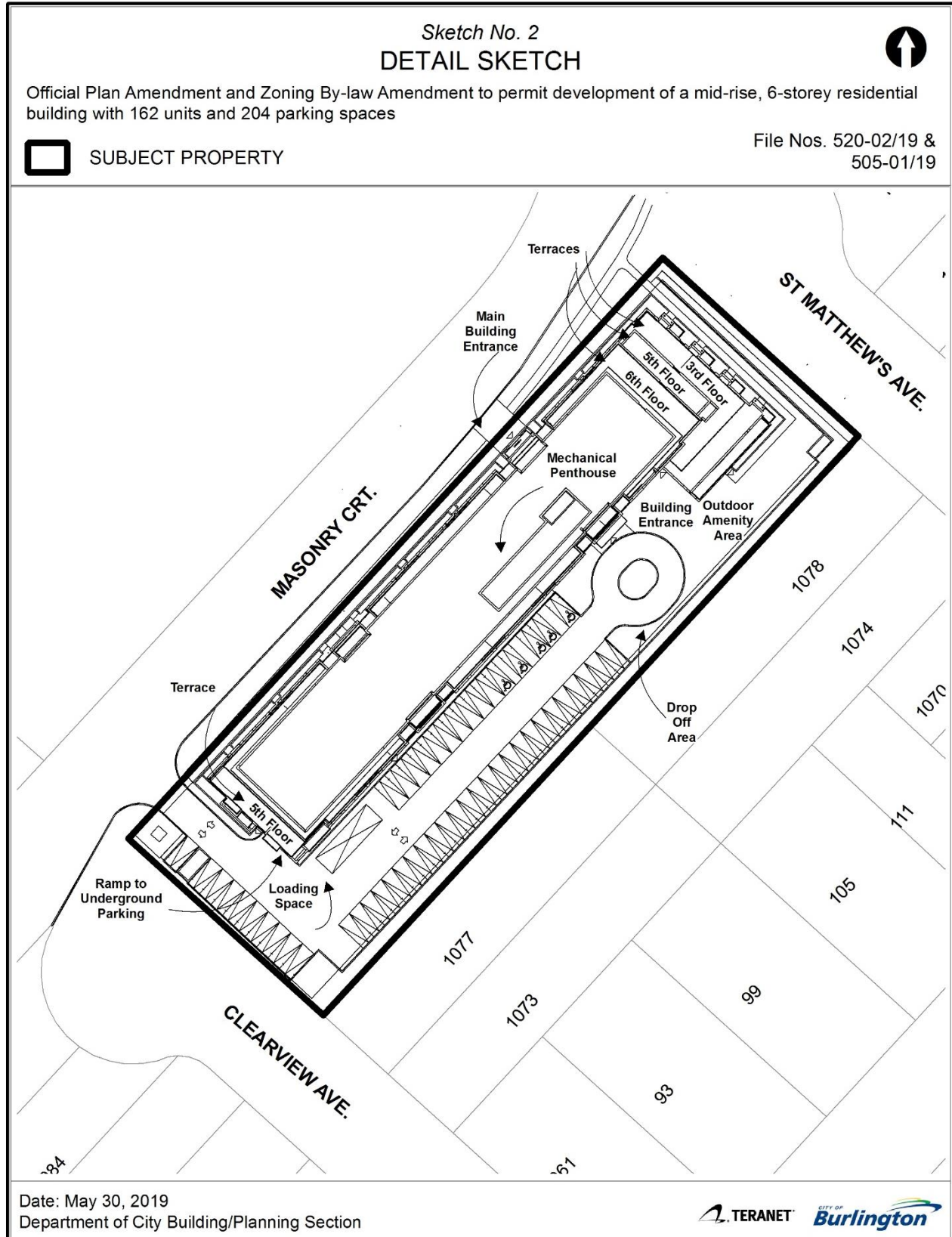
Report Approval:

All reports are reviewed and/or approved by Department Director, Director of Finance and Director of Legal. Final approval is by the City Manager.

Appendix A: Zoning Sketch



Appendix B: Detail Sketch



Appendix C: Building Elevations from Applicant's Architectural Drawing Package,
Submitted May 27, 2019

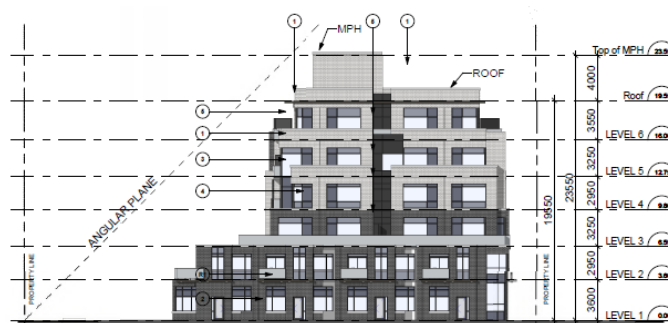
North Elevation



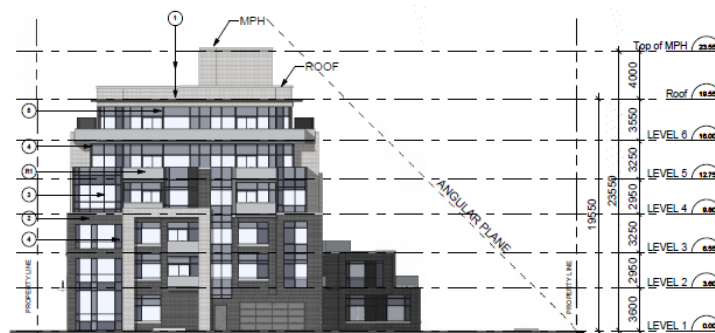
South Elevation



East Elevation



West Elevation



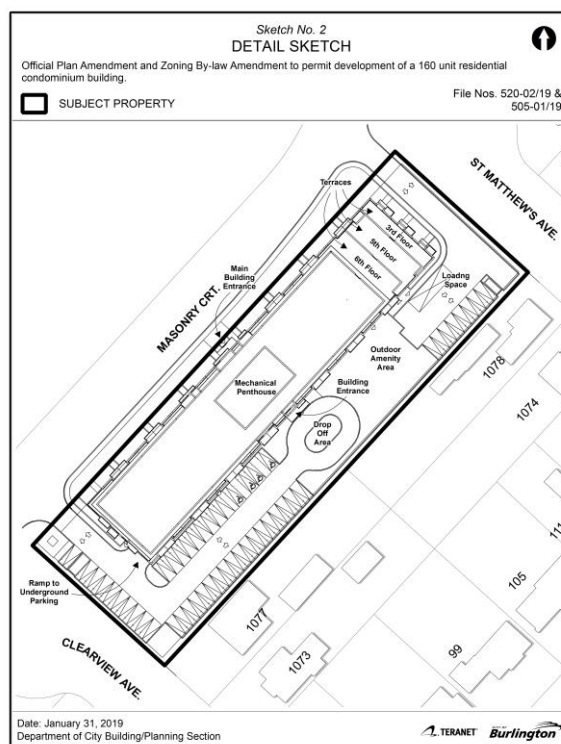
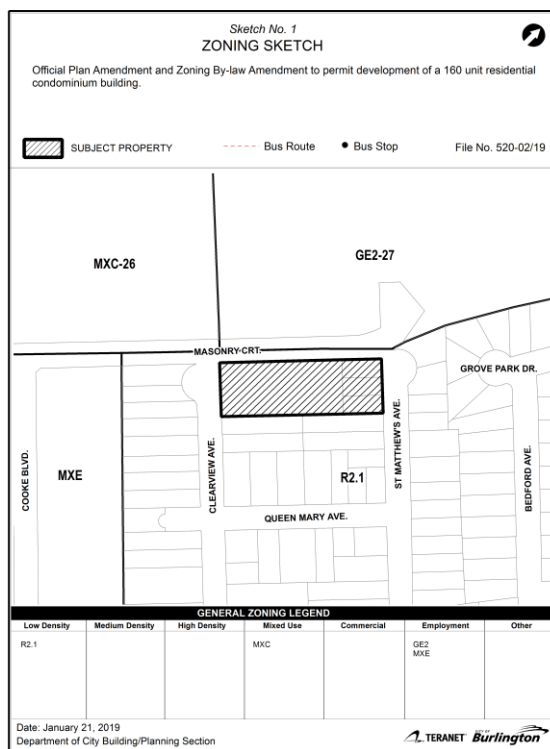


DATE: April 17, 2019

TO: Lauren Vraets, Planner, Department of City Building

RE:	1085 Clearview Ave. and 1082, 1086 & 1090 St. Matthews Ave.
File Number(s):	505-01/19 and 520-02/19
Description:	Application to amend the Official Plan Designation and Zoning By-law to permit a 6 storey residential apartment building with 160 units.

Overall Recommendation: Support with modifications/conditions.



The SDC reviews development applications in order to provide comments to encourage sustainable development. Council approved this mandate in 1990. In order to implement sustainable building and design measures effectively, they should be considered at the earliest possible stage in the development process to ensure integrated design occurs and to reduce project costs. In addition, the Committee is empowered to review applications based on Part II Section 2.3 policy b) of the 2008 Official Plan which states:

"The City will maintain a citizen's advisory committee to advise and assist Council and staff on the implementation of Principles and Objectives of Sustainable Development (see Appendix E), through the review of development applications and other matters of interest in accordance with the terms of reference adopted and periodically reviewed by Council."

In general, the Committee also relies on the following sections of the official plan in its review of applications:

Part II Section 2.2 objective d) *To use Sustainable Development criteria for review of applications for development, and to ensure that new development is compatible with existing end uses,*

Part II Section 2.7.1 Principles a) *To the greatest extent possible, proposed development shall be consistent with the goals and objectives of Sustainable Development, and other policies in Part II Section 2.7 of the Official Plan.*

Figure 1. Site Plan

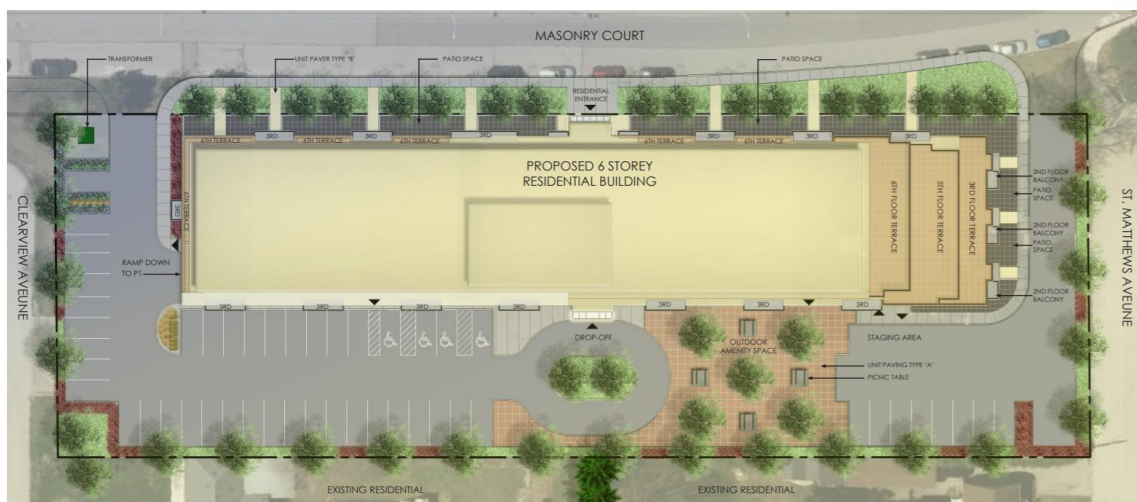


Figure 2: Perspective



Preamble:

Site Description

The subject lands are approximately 0.62 hectares in size and are bounded by Masonry Court to the north, low density residential uses to the south, Clearview Ave to the west, and St. Matthews Ave. to the east. The lands are comprised of three parcels which are to be merged on title to facilitate the development. 1085 Clearview Ave. is developed with a 1 storey place of worship with surface parking, and 1082 St. Matthews Ave. currently contains a dwelling which is used for the place of worship as an administrative building. The lands associated with the place of worship are currently accessed by entryways from Masonry Court, Clearview Ave., and St. Matthews Ave. 1086 and 1090 St. Matthews Ave. are currently developed with single detached dwellings and have been assembled in order to facilitate the application as proposed. The lands are located in close proximity to the Aldershot GO Station and are located within the boundaries of the Aldershot Mobility Hub Study Area.

Application Details

The applicant has submitted an application to amend the Official Plan designation and Zoning By-law for the subject lands in order to permit the development of a 6 storey mid-rise residential apartment building with 160 units, resulting in a density of 258 units per hectare. The development is proposed to provide 29 one bedroom, 95 one bedroom plus den, 11 two bedroom and 25 two bedroom plus den units. The development is proposed to provide a total of 203 vehicle parking spaces with 154 spaces located in a below-grade parking structure, and 49 spaces located at grade. Vehicle access to the site is proposed from two entrances off Masonry Court. The applicant is proposing to provide 2,552 sq. metres of amenity area in the form of unit balconies, at-grade patios, and common indoor and outdoor amenity area.

General

The SDC supports higher density development close to transit, retail and community services that will likely attract transit-oriented, environmentally focused residents and businesses.

While the SDC supports this application in general for these reasons, there are specific concerns with respect to sustainable construction, green space, and energy efficiency.

The SDC sees opportunity in this development to support Burlington to achieve its goal of being net carbon neutral. This means all development must strive for Net Zero Energy and Carbon. The SDC recommends the applicant reviews the current report by the Federation of Canadian Municipalities on Net Zero developments across southern Ontario which provides a mechanism for municipalities to implement such development. <https://s2etech.com/fcm-gmf/>

Additionally, The SDC recommends the applicant incorporates more green space, placemaking, affordable and accessible housing, a more detailed plan for trees, and construction waste management.

The quantity of amenity space is low (at ~2,552 m²). Additional amenity space would help affirm and promote practices that provide a safe and healthy environment, build a sense of resilience, and enhance quality of life.

The SDC would welcome discussions with the developer to consider how the sustainability of the building could be enhanced, including at the Site Plan stage. The SDC encourages the applicant to review the Sustainable Building and Development and seek to implement these as best practices.

Recommendations:

Our comments are based on the following Principles and Objectives of Sustainable Development, as developed by the committee, endorsed by Council and found in Appendix E of the City's Official Plan:

SUSTAINABLE DEVELOPMENT PRINCIPLES	COMMENTS
<p>1. Recognize the interdependence of humans and the rest of nature in a common ecosystem; seek to prevent and reverse degradation of the earth, air, water, plants and animals by human activity.</p>	<p>Use a Low Impact Design approach to storm water management</p> <p>Use of sustainable practices to manage construction waste</p> <p>The SDC is encouraged by the development team's incorporation of natural elements on site. In this vein, efforts to incorporate water-permeable materials for proposed parking area/surfaces, in addition to replacing the trees that will be removed as a result of this development are recommended.</p> <p>The SDC also recommends increasing the quantity of proposed green space.</p>
<p>2. Recognize the urgency of climate change and take measures to reduce greenhouse gas emissions and to adapt.</p>	<p>The Developer has not provided information on design elements to encourage the conservation of energy. The building should be designed and built to help Burlington to achieve its goal of being net carbon neutral. SDC recommends:</p> <ul style="list-style-type: none"> • Construction of a very efficient building shell • Incorporation of passive solar design elements • Reduction in the use of energy through efficient fixtures and appliances • utilization of ground/air source heat pump heating/cooling, and • Individual energy metering of each unit <p>The SDC supports the development team's efforts to encourage residents to use forms of transportation other than their automobiles, especially given the proximity to the Aldershot GO Station. SDC supports:</p> <ul style="list-style-type: none"> • Reduced parking spaces • Providing ample bike storage • Providing ample electric vehicle charging capacity • Providing an on-site vehicle sharing program

SUSTAINABLE DEVELOPMENT PRINCIPLES	COMMENTS
	<ul style="list-style-type: none"> • Incorporating a “lay-by” area on Clearview in addition to the drop off at the back • Providing one-year transit (bus) passes for new residents
<p>3. Promote conservation, stewardship and responsible use of resources. Discourage processes and practices that result in natural resources being consumed at a rate faster than they can be replenished.</p>	<p>The SDC would like to see reference to:</p> <ul style="list-style-type: none"> • Commitment to installation of energy efficient appliances (if provided) • Efficient use of water • capture and reuse of rainwater for irrigation <p>The SDC shares the concerns of local community members with respect to sustainable construction practices. The proposed footprint of the building and underground parking leave very little to no room for lay down, site management, and waste sorting areas. The SDC recommends that the applicant develop plans outlining the sustainable construction methods and procedures they will use.</p>
<p>4. Discourage the production and use of persistent and harmful substances. Reinforce proper disposal practices for such substances</p>	
<p>5. Affirm and promote practices that provide a safe and healthy environment and build resilience, and engage our community in not only meeting the economic and social needs of all citizens but enhancing quality of life.</p>	<p>The SDC would like to see reference to:</p> <ul style="list-style-type: none"> • A small proportion of units (e.g. 10 per cent) built using principles of universal design to optimize accessibility and to promote aging in place. • Utilization of available space for social purpose/community-based services or supports. • Common areas that contribute to community/community building. • The applicant proposes 27,469 square feet of amenity area, only slightly more than half that required by zoning-by-law RH5. SDC recommends provision of additional amenity space.

SUSTAINABLE DEVELOPMENT <u>OBJECTIVES</u>	COMMENTS
a. Leadership: Take a leadership position on sustainability issue both within and outside the City of Burlington. Recognize that our local actions can have global implications.	The SDC recommends the developer incorporate the guidelines outlined in the Burlington “Sustainable Building and Development Guidelines” and incorporate elements to encourage the conservation of energy and help Burlington to achieve its goal of being net carbon neutral.
b. Protection and Enhancement of Natural Features: Protect and enhance Burlington’s natural features to ensure that shorelines, natural water courses, wetlands, flood plains, woodlands and forestry tracts, as well as notable landmarks such as the Niagara Escarpment, are preserved for future generations. Improve the connectivity of natural features to enhance the natural heritage system. Preserve habitat to maintain and increase biodiversity and protect species at risk.	<p>The SDC recommends the applicant incorporate native, non-invasive, biodiverse species resilient to climate change into its green space and amenity areas.</p> <p>The SDC further recommends that the Developer incorporate bird friendly design.</p>
c. Protection of Natural Resources: Sustainably manage and protect natural resources such as water, minerals and fertile lands. Reverse degradation of natural resources when feasible.	
d. Responsible Use of Natural Resources: Reduce the consumption of natural resources and ensure users are responsible for the full local costs of services such as water, electricity and sanitary sewers. Provide educational programs to encourage conservation of natural resources and increase awareness of the full costs of services.	The SDC recommends the applicant incorporates fixtures and appliances that encourage conservation of energy and natural resources like LED lights and low flow water fixtures. The SDC recommends that units be individually metered with respect to both water and electricity and capture and re-use rain water for irrigation

SUSTAINABLE DEVELOPMENT <u>OBJECTIVES</u>	COMMENTS
<p>e. Waste Reduction: Reduce waste generation and increase resource recovery. Minimize waste in designing, building, operating, renovating, demolishing and re-purposing buildings.</p>	<p>The applicant should consider ways to reduce resource usage, such as using recycled building materials. The use of rapidly renewable building materials that total at least 5% of the total value of products should be used in this project. If possible, donate any usable building materials (windows, kitchen cabinets, fixtures, etc.) from the existing buildings to Habitat for Humanity. Properly recycle demolition materials.</p> <p>The applicant should ensure that proper recycling methods and facilities are available. This must include organic waste through the green bin program.</p> <p>The SDC notes that the applicant is expected to experience space constraints during construction. The SDC recommends the applicant prepare a plan for the handling, separating, and recycling of appropriate building materials in the space constrained environment.</p>
<p>f. Greening of the City: Promote the preservation, management and planting of trees and other vegetation on private and public property within the City. Encourage the use of native, non-invasive and diverse species.</p>	<p>The SDC is pleased to see the development team appears to be planting trees although no landscape plan has been provided. The Concept Plan shows trees but we find no commitment to the number and size. 49 out of 55 existing trees are being destroyed. The SDC requests compliance with tree replacement requirements in Section 9.4 of the Site Plan Application Guidelines for planting of equivalent caliper diameter at other sites that will be paid for by the applicant. The equivalent caliper diameter of the destroyed trees is 1327 cm. Replacing these with the typical 5 cm size tree would require a total of 265 trees which should be native and diversified species. The Concept Plan indicates about 46 trees.</p>

SUSTAINABLE DEVELOPMENT <u>OBJECTIVES</u>	COMMENTS
g. Natural Features and Green Space: Ensure natural features and greenspace are fundamental components of the City including new developments and redevelopments.	A green roof/rooftop garden should be considered.
h. Superior Neighbourhood Design: Make land-use decisions considering the natural features, site characteristics and location relative to employment, transportation and amenities. Apply an ecosystem approach to assess the impacts of development and ensure environmental integrity, diversity and resiliency. Create vibrant, equitable communities that are healthy, walkable and transit supportive.	
i. Sense of community: Create sustainable and appropriate forms of development that reflect the human scale, promote a sense of community, and connect and integrate urban development natural surroundings.	
j. Neighbourhood Connectivity: Promote community development where residents can easily access necessities and amenities, such as housing, employment, locally produced food, retail, green spaces, education, recreation, and arts and culture through active transportation or transit.	<p>The applicant should include/consider building a small proportion of units (e.g. 10 per cent) using principles of universal design to optimize accessibility and to promote aging in place.</p> <p>Space should be made available for social purpose/community-based services or supports, and include common areas to foster community/community-building.</p>
k. Sustainable Transportation System: Prioritize walking, cycling and transit and make the best use of the existing road system for the safe movement of goods and people. Support multi-modal connectivity within the City and with neighbouring municipalities.	<p>The area is very walkable and there is easy access to public transit.</p> <p>There should be a lay-by area to allow taxis/ride sharing businesses to pick up and drop off residents at the front.</p> <p>The SDC is glad to see the 88 bicycle storage lockers and repair area on the ground floor and the additional space on the P1 level.</p>

SUSTAINABLE DEVELOPMENT <u>OBJECTIVES</u>	COMMENTS
	<p>SDC supports a reduced number of parking spaces. There are 203 spaces for 160 units, or 1.3 spaces per unit. Sustainable communities need to eliminate individually owner vehicles and move to other options. Eliminating as many parking spaces as possible for occupants and providing ones for visitors only will help greatly. As a minimum, the surface parking should be removed and replaced with plant ground cover that does not have turf.</p> <p>The SDC recommends the applicant provide for an on-site car-sharing program and consider the provision of one-year transit (bus) passes for new residents.</p>
<p>l. Efficient Urban Design: Increase the efficiency of land use in the urban community with the goal of reducing greenhouse gas and other air emissions and provide efficient, well- connected route for active transportation and transit. Promote urban intensification and development policies, rather than suburban policies that generate sprawl.</p>	
<p>m. Natural Storm Water Management: Protect water courses in their natural state and encourage the restoration of water courses that have been degraded. Encourage low impact development design and use of best practices to improve storm water quality and reduce the quantity storm water sent to traditional storm water infrastructure.</p>	<p>SDC recommends:</p> <ul style="list-style-type: none"> • Water-permeable materials be used for parking area/surfaces.
<p>n. Energy Conservation, Efficiency and Generation: Promote net zero carbon energy generation and usage. Increase energy conservation through efficient land use planning and building design. Encourage sustainable local thermal and electrical energy generation and the supporting distribution network. Adopt low emission</p>	<p>SDC recommends Net Zero Energy and Carbon design including:</p> <ul style="list-style-type: none"> • Construction of a very efficient building shell • Incorporation of passive solar design elements

SUSTAINABLE DEVELOPMENT <u>OBJECTIVES</u>	COMMENTS
forms of transportation. Take all opportunities to switch from fossil fuel to renewable and electricity-based technologies.	<ul style="list-style-type: none"> • Reduction in the use of energy through efficient fixtures and appliances, and • Individual energy metering of each unit • Consideration of the deployment of a ground/air source heat pump heating/cooling system • Following LEED (or similar) construction principles <p>The applicant should provide electric vehicle charging stations for residents and visitors.</p>
o. Agriculture and Food: Promote policies that improve long-term food security with sustainable local agriculture in urban and rural communities. Increase the supply of local, accessible, affordable, culturally diverse and nutritious food. Protect agricultural land from loss and fragmentation.	The applicant is requested to provide a rooftop garden facility for residents.
p. Healthy Lifestyles: Promote and support healthy and active lifestyles through the development of complete neighborhoods, active transportation infrastructure, recreational facilities and parks.	
q. Community Engagement: Seek and encourage public participation and education, and, consider public input in city decision-making. The economic, environmental and social aspects of proposed developments should be considered. Decisions should address all aspects and build consensus among stakeholders.	The applicant is encouraged to ensure that the project is supportive of Halton Region's Comprehensive Housing Strategy and is in the alignment with the housing objective 86(26) of the Halton Region Official Plan: "Seek development opportunities for Assisted and Affordable Housing in Intensification Areas where public transit, retail and other facilities are readily accessible."
r. Evaluation of Development: Continuously monitor and evaluate community development to assess its sustainability in	

SUSTAINABLE DEVELOPMENT <u>OBJECTIVES</u>	COMMENTS
relation to social, environmental or economic impacts.	
s. Sustainability Assessment: To assess progress towards sustainability, the City of Burlington should prepare a performance review of the entire municipality at regular intervals and develop and implement an action plan based on the findings.	

Summary of Above Discussion and Recommendations/Action Items:

The proposed development has positive components e.g.:

- The proximity to transit and walkable streets
- 88 ground floor bicycle storage lockers and repair room

The proposed development should be further enhanced by addressing issues such as:

- Ensuring the overall design is in conformity with the Sustainable Building and Development Guidelines
- The inclusion of some 3-bedroom units that could accommodate families
- Outdoor amenity space, garden and solar electric panels on the roof
- The provision of a portion of the units as affordable/accessible housing
- Design elements to improve the sense of community
- Reduced parking, preferably with all surface spaces replaced with turf free plant ground cover
- Providing some public parking underground (reducing the amount of resident parking)
- Enhancing TDM measures e.g.:
 - Information package available to residents; on site car share provided by the development; one-year transit (bus) passes provided to residents; creation of a front side lay-by space to allow for pick up/drop off of residents
- Ensuring that trees removed from the site are replaced (with equivalent caliper) on the site or elsewhere in the community
- The applicant has an opportunity to create a building that can set a standard for new development within the Aldershot community by following the Net Zero Energy and

Carbon approach promoted by the Federation of Canadian Municipalities by incorporating sustainable practices and LEED (or similar) level components.

Future Site Plan & Building Permit Considerations:

The City of Burlington has approved the Sustainable Building and Development Guidelines. The Committee recommends that the applicant consider the Guidelines in this application. Many of the items identified in the Guidelines are implemented through site plan and/or building permit approval, after a development proposal has received an Official Plan amendment and/or zoning by-law amendment, however, to ensure the design of sustainability features can be incorporated, the SDC recommends these items be given consideration at this stage in the process. A full copy of the Guidelines can be downloaded at:

https://www.burlington.ca/en/services-for-you/resources/Planning_and_Development/Official_Plan/Proposed-OP/18-304-PB-Sustainable-Building-and-Development-Guidelines-WEB_April-2018.pdf

The SDC requests a response from the applicant related to the above recommendations. The Committee would be pleased to meet with the applicant to discuss these comments in further detail and appreciates the opportunity to provide further review and comments on subsequent submissions.

This report was reviewed and approved the Sustainable Development Committee's "Committee of the Whole" on April 16, 2019

Respectfully Submitted,

Burlington Sustainable Development Committee (SDC)

Cc:

C. Barnes, Chair, Sustainable Development Committee

L. Robichaud, Sr. Sustainability Coordinator, Capital Works Department, City of Burlington

Lauren Vraets, Planner, Policy, Department of City Building, Planning Section, City of Burlington

#	Name, Address & Date Received	Comments
1.	<p>Greg Casson</p> <p>1081 St. Matthews Ave.</p> <p>Feb. 19, 2019</p>	<p>Lauren;</p> <p>I reside on St. Matthews Ave and would like some additional information regarding the application to develop 1085 Clearview Ave. and 1082, 1086 & 1090 St. Matthews Ave.</p> <p>I have attended a community meeting and reviewed the supporting documents available online through the City's website regarding the proposed development.</p> <p>I have been lead to understand that the "Landscape Strip" (Site Plan drawing, page A1.1) along the east, south and west sides of the development are to be just 3 ft / 36"s wide, with no fencing of any sort and the landscaping itself is to be determined at a later date. Is this correct?</p> <p>Regarding the east side driveway into the proposed development from Masonry Crt....it appears on the Site Plan drawing, page A1.1, that the driveway is only separated from the west edge of St. Matthews Ave., by the "Landscape Strip". How is this permissible? Is there not a set distance (dictated by the cities or the Region of Halton's bylaws) back from the roadways (St. Matthews Ave) edge that must be abided by? Is there no consideration given in the approval process regarding snow fall in the winter and where and how it will accumulate during the plowing process? I would suggest that if there is only 3 ft / 36" separating the driveway from St. Matthews Ave., that during snow plowing, of the driveway (presumably by private contractors on behalf of the building) and St. Matthews Ave by the City, that 3 ft / 36" is insufficient and will result in spillage of snow back and forth between the driveway and the street and vise versa.</p> <p>I have the same question and concern regarding the west side of the proposed development as it related to Clearview Ave. How is such a small space, "Landscape Strip", permissible?</p> <p>Regarding the shadow(s) that will be cast by the proposed building....are there no provincial rules or regulations that pertain to shadows and their effect on existing surrounding family dwellings?</p> <p>Lastly, how does the re-examination of the policies of the official plan impact this proposed development and the proposals time lines?</p>

		<p>Thank you in advance for responding to my inquiries.</p> <p>I look forward to hear back from you.</p> <p>Greg Casson</p>
2.	<p>Jill and Greg Casson</p> <p>1081 St. Matthews Ave.</p> <p>Feb. 20, 2019</p>	<p>Lauren:</p> <p>Thank you for getting back to me and providing the answers to my questions / concerns.</p> <p>By way of follow up to the size of the landscape strip area and buffer, can you directed me to where in the development application supporting documents the developer provides the rationale or justification for such a drastic reduction in size, from the presently required 4.5m to less then 1m, of the buffer area.</p> <p>To add to the concerns I have previously stated in regards to the size of the buffer area being less then 1m in width. A 1m's width buffer area, essentially a sidewalks width, abutting St. Matthews Ave and Clearview Ave is unsafe and insufficient in size to grow anything but very minimal, low height vegetation. Trees, of any sort, to be used to landscape the property edge and provide some privacy, may survive in the short term but long term growth is not sustainable in such a small area. Snow clearing during the winter will further reduce the survivability of any vegetation planted in such a small area. A 1m width buffer is not in keeping with the present environmental design of the neighbourhood.</p> <p>After having attended community meeting(s) and reviewing the development application supporting documents, my wife, Jill and I are strongly opposed to the applicants proposal as it stands on the following grounds;</p> <ul style="list-style-type: none"> - Insufficient buffer area along the east and west side of the development. We can see no rationale or justification for reducing the size of the buffer area from the presently required (Zoning By-Law) 4.5m to less then 1m other then it allows the developer to have a bigger footprint on the property therefore increasing the size of the development thus making it more profitable for the developer to develop the property. - The development size, six story building with drastically reduced buffer area to the east and west does not fit into the neighbourhood. - A drastically reduced buffer area raises safety and privacy concerns for the occupants living in homes on St. Matthews Ave and Clearview Ave and users (vehicles and pedestrians) of both

		<p>streets.</p> <ul style="list-style-type: none"> - A six storey building with no viable area to plant trees (that will survive and thrive in the long term) reduces the privacy presently afforded the homes located in close proximity to the development. - The shadow cast by a six storey building in the winter months will negatively affect the homes located in close proximity of the development, raising heating and hydro costs during the winter months for the home owners.
3.	<p>Peter and Anne-Marie Campbell</p> <p>1040 Clearview Ave.</p> <p>Feb. 25, 2019</p>	<p>Dear Lauren,</p> <p>This letter would be in response to the developers proposal for a 6 storey residential apartment building at the noted location. When the property was first purchased by Liv Communities, a new home builder and a division of Lanmark Homes, the area residents were originally led to believe this would be a Townhouse infill project, not this, now proposed, high density condo development. While not ideal, as all homes in this subdivision are zoned single family residences, it certainly was a better option to a condo tower. This is a relatively small piece of property for the area at .6 hectares (1 ½ acres) , as most of the properties in this original subdivision were all single family homes on 1/2 acre lots. This property has wide frontage along Masonry Crt. but is not very deep. While the prospect of a 6 storey condo is not totally unreasonable , given the properties location within a couple hundred meters of the Aldershot GO, the high density and all the proposed bylaw changes are, and for that reason this build should not be approved as it is submitted.</p> <p>In order for this build to happen, the entire property would need to be excavated, as the underground garage walls extend all the way to the property lines. This leads to a multitude of issues in logistics of how this build would be undertaken. I can only imagine that it will be a mess, much like the Affinity Condos on Plains Rd. that, required the entire property to be excavated. To that end, the city closed the sidewalks and boulevard on the South side of Plains Road in November of 2017 until completion. This was the quote from Ward 1 councilor at the time, for the City of Burlington's actions and appeared in the Ward 1 newsletter when they had so many complaints : "An unfortunate but necessary closure of the sidewalk and boulevard to allow the Condo build to dig the parking because they do not have enough room on their property for materials ". Unfortunate yes, necessary no, if the City should not have allowed this type of build in the first place and the exact same problems will happen here. Just a few of the issues that come</p>

		<p>to mind would be :</p> <p>Where would the site offices be located? No room on the property for large equipment. Where would the construction personnel park? The overflow from the Aldershot Go already extends to the entire length of Masonry Court. There is absolutely no additional parking. Excavation and shoring on the South side are immediately adjacent to private residence structures. How would materials be delivered to, and stored at, this site. This build is over intensification, no greenspace, only a very minimal amenity area, entire surface area of the property is a very long and skinny building and all asphalt. The drop off area is at the back of the building adjacent to two residential properties, 1077 Clearview Ave and 1078 St. Matthews Ave. , with a lot of above ground parking and only a sliver of landscape divide. Totally unacceptable.</p> <p>This application and all the requests for variances needs to be REJECTED in it's present form in order to maintain the integrity of the established R2-1 zoned single family neighbourhood. Front setback reduction from 7.5m to 2m . - NO Increase density from 75units /hectare to 257 units /hectare. - NO Reduction of amenity area, ie. green space, from 4660 m2 to 2458 m2. - NO Reduction in landscape width along Clearview, Masonry And ST. Matthews from 4.5 m to 1m, 0m & 1.5m respectively. - NO Reduction of landscape buffers abutting R2 zone from 6m to 1.5m. - NO Extension of below grade parking structure. - NO Reduction of 259 parking spaces to 202. – NO and actually ALL parking to be underground, ie., no surface parking allowed.</p> <p>Best Regards,</p> <p>Peter and Anne-Marie Campbell 1040 Clearview Ave.</p>
4.	<p>Sharron Hughes</p> <p>1084 Clearview Ave.</p> <p>February 26, 2019</p>	<p>Dear Ms Vraets,</p> <p>I would like to state that I'm against the rezoning of the above properties to allow a 6 storey residential apartment building to be developed.</p> <p>When my husband and I moved to 1084 Clearview Ave in 2011 it was because of the appeal of a quiet dead-end street across from a church and to-date the community has been just that. Family friend, quiet neighborhood.</p>

		<p>I understand that Aldershot is growing. I can see the extensive development happening all along Plains Road and Masonry Court but I question the value in adding even more development in an area of single-family homes. You don't even know what the effect will be on the neighborhood and traffic when the development at Masonry Court is complete. Right now, I often find it a challenge to enter and exit my street. I can't imagine what it would be like adding at least a 203 vehicles but I'm going to go with nightmare. My nightmare.</p> <p>This proposed development will be directly across from us. The literature provided states that "the proposal will enhance the public realm and streetscape along Masonry Court by creating ground level residential patios which serve to provide street-level activity and natural surveillance". It's ugly, huge and in NO way will enhance Clearview's public realm or streetscape. Our streetscape is lovely. I think the residences of St. Matthews Ave would agree. I don't know why improving Masonry Court – across from undeveloped land should be more of a concern than the existing residences.</p> <p>The proposal goes on to say "The proposal can be adequately serviced and does not create any impacts to the surrounding area. The proposal is keeping with the character of the neighbourhood". This will create an immense impact and is not at all in character on the neighbourhood. To say that it won't is ignorant and poorly researched. There are so many issues that have not been addressed. Developers will say anything to get their buildings up with no consideration for the consequences.</p> <p>Please do not destroy our neighbourhood. Please reject the proposed re-zoning change.</p> <p>If you need to contact me – I can be reached at ###-###-#### or 1084 Clearview Ave, Burlington ON L7T 2J1</p> <p>Yours truly,</p> <p>Sharron Hughes</p>
5.	<p>Dina Knight</p> <p>1079 St. Matthews Ave.</p> <p>Feb. 26, 2019</p>	<p>Attention: Lauren Vraets</p> <p>I am writing to oppose the new development application in Ward 1 on St. Matthews Ave and Clearview. There are many concerns I have regarding this new proposal including its size, especially the height, density, location to existing single dwelling homes, noise, privacy, traffic, overall design and materials used, landscaping buffers and finally that this small piece of land</p>

		<p>needs to be removed from the mobility hub designation and stay low density.</p> <p>The Official Plan for this property should remain residential low density with single dwelling homes or as a alternative design stacked town homes. The transition from the existing homes to the new development proposal in the area on both streets needs to be considered. As a resident I would like to see a gradual transition and not a 6 storey tower. In review, areas on Plains Rd have had new development with town homes or even condos of 4 storeys at the new ADI development beside the GO Train and are in a busier traffic area, so why is this not being considered for these small single dwelling court locations. We specifically purchased a home in this area for the small, quiet court location without traffic or noise and enjoy our quiet single dwelling home with mature landscape in the area. The new development would take all of that away. A 6 storey building would mean greater noise from the 160 units with balconies and outdoor terraces, loading spaces which would mean garbage removal, moving trucks just outside our door as well as drop off and outdoor parking areas with 203 cars in and out daily. As well as mature landscape would be lost. The proposed building would take away existing privacy and create shadows on existing properties as well as roadways. The height of the building as well as the balconies and terraces proposed in the new development would allow for residents to lose their privacy because the residents would be able to see into windows of the existing homes as well as rear yards and pools. The height of the building needs to be reduced to a maximum of 4 stories or replaced altogether by designing town homes.</p> <p>The design and landscape of the building does not coincide with existing homes. It's modern facade and lack of design needs to drastically change so that it transitions with the area. The use materials like stone, brick and wood as well as having the building location setback further from the existing homes and courts would allow a better transition into the area. Currently the planning sketch only allows for a few meters of landscape buffers before the structure leaving very little transition, instead towers and greater shadowing. I accept that development needs to take place in our city yet Mayor Meed strongly agreed with residents that proposals into existing low density areas be given greater attention. Residents should not have to feel bullied by developers looking for greatest financial gains. City councillors and planning staff have a responsibility to hear existing residents views and to make sure all parties benefit from new developments that are proposed. At this time, the development proposed offers no</p>
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		<p>benefits to the existing residents of this area. There are areas of the city that are blank slates, allowing for higher density and far from existing developments yet this area is not one of them and should be considered to remain low density for the future. I therefore recommend the planning department should not amend the existing zoning to allow the condominium to be built.</p>
6.	<p>James McKenna</p> <p>1077 St. Matthews Ave.</p> <p>Feb. 27, 2019</p>	<p>Attention: Lauren Vraets</p> <p>Our beautiful neighbourhood should remain zoned as residential low density intended for single family homes. I moved to Burlington in 1968 and since that time I have lived in six different neighbourhoods encompassing most corners of our city. One thing each of these neighbourhoods had in common was that owners could rest assured nothing major would be done to change or destroy the unique features of the locale. Everything that contributed to making the area residential each resident knew was steadfast.</p> <p>When I purchased in Aldershot in 2003, I was excited about being part of the oldest most established part of Burlington. I knew from the beginning that just as each person on the street kept their property in pristine condition, that the City would not allow anything to violate or change the aesthetics of the area.</p> <p>And then the unthinkable happened!!!! Some of our local aldermen decided it may be a good idea to cluster people around Go train stations and maximize those that could live there by changing long standing zoning regulations and building upward. Apparently little consideration was given to the existing residents. If they eventually would look out onto someone staring back from their balcony or, worse yet, look out a window to see someone looking into their house or back yard from an upper level balcony, that now seemed OK. If there was noise from cars and trucks and daily activities of the proposed multi family development, that now seemed OK. If there was an erosion of privacy due to multi level buildings right across the street, that now seemed OK. This isn't the Aldershot I proudly moved into !!!!! This isn't the Burlington I have proudly lived in for over 50 years !!!!!</p> <p>I understand the land in question has been purchased by a private developer and he wants to maximize his profits. That doesn't necessarily have to be at odds with the neighbouring landscape. Why not consider upscale townhomes or a 2 storey condo building with balconies facing the street which houses the very Go train station the City wants the new residents to be near.</p>

		<p>My recommendation and preference is that the zoning remain exactly as it is and that City council pay more attention to the desires of existing residents than to maximizing profits for developers or maximizing population density at the expense of everything “Burlington “.</p> <p>I hope that our new mayor, who campaigned on minimizing change to existing residential neighbourhoods, and our newly elected council, whom I trust has the best interests of existing residents in mind, puts a stop to the proposed changes and allows us to continue to enjoy and be proud of our corner of Aldershot.</p> <p>Thank you for the opportunity to voice my opinion and I assure you I speak for most in the area</p>
7.	<p>Ruth, Diane & Deborah Roberts</p> <p>1019 Clearview Ave.</p> <p>Feb. 27, 2019</p>	<p>Hello Lauren,</p> <p>Please find the attachment regarding our concerns re the application to change the Official Plan in our neighbourhood of Clearview Avenue. I have also copied our concerns to our Councillor Kelvin Galbraith</p> <p>Ruth Roberts</p> <p><<LETTER>></p> <p>NEW DEVELOPMENT ON CLEARVIEW</p> <p>As longtime residents of Clearview Avenue we have seen a few changes take place in our neighbourhood. Most of these new developments have added to the character of this area. However.....</p> <p>The new proposal for the property located at 1085 Clearview and 1082, 1086 and 1090 St. Matthews will certainly be a negative impact on this single family residential area.</p> <p>The proposed change from the Official Plan designation to Residential – High Density and to change the zoning to High Density Residential RH1 is not in keeping with our ideas of what this original Official Plan indicated.</p> <p>We do understand that new development is coming but the density (with a high-rise 6 storey building is certainly not compatible with the surrounding single family homes. The site specific zoning requests re setbacks, landscaping and buffers, amenity area, and required parking, as well as increased site density, and permission for placement of patios in the front yard and a second driveway are certainly areas of our concern.</p> <p>Although it is assumed that most of the occupants will use the Go Station for their main means of transportation mostly to and from Toronto, it is obvious to all that the major mode of movement in Aldershot is the automobile. Bus transportation to</p>

		<p>shopping areas, theatres, and the downtown – even City Hall is neither convenient nor timely. Having 160 units in the building will certainly generate more traffic and increase not only pollution but also traffic congestion on Plains Road.</p> <p>We heartily oppose the construction of a 6 storey highrise development in this area. Perhaps a small community of townhouses should be considered. This would enable the property in question to be developed with a somewhat increased residential component but have a less damaging impact on our neighbourhood and traffic.</p>
8.	<p>Garry Dalley</p> <p>1043 Clearview Ave.</p> <p>Feb. 27, 2019</p>	<p>Lauren,</p> <p>This is building is clearly excessive for this area for which my family and many others reside. There is no reasonable way to deal with the overflow of traffic that will result from this build.</p> <p>It will turn Clearview Ave. into an extension of the problems we already face with Plains Rd. during busy times.</p> <p>I am 100% against this size of build, and will be looking forward to the first meeting.</p>
9.	<p>Nancy McKenna</p> <p>1077 St. Matthews Ave.</p> <p>Feb. 27, 2019</p>	<p>Attention: Lauren Vraets</p> <p>I am a long-term resident of St Matthews Ave who is very opposed to the new plan proposed for my neighbourhood. St. Matthews Ave. is a quiet dead end street. The landscape is mature. Huge trees line the street, making a beautiful canopy enveloping the homes and street. The houses are immaculate single dwellings. There are no sidewalks, children play safely on the street... and hydro lines are still prevalent. This is true old Aldershot.</p> <p>Recently a developer has decided to upheave our pleasant neighbourhood with a proposed multi-storey building. This is an invasion of the privacy I purchased when I moved here!</p> <p>Do I want high rise residents peering down into my home and backyard? NO!</p> <p>Do I want the noise from an additional 160 units' occupants and vehicles in this small space? NO!</p> <p>Do I want increased traffic and delivery trucks en route to a high rise? NO!</p> <p>Do I consider a parking lot an acceptable trade for mature trees and blooming landscape? NO!</p> <p>Does the modern fascade in the proposed drawings reflect the character of this neighbourhood? NO!</p>

		<p>Do I feel bullied by this impending high-rise developer? YES!</p> <p>Are there other areas of Burlington available for development? YES!</p> <p>Did Mayor Meed promise to protect existing low-density residential housing? YES!</p> <p>Do I expect our Town Council to protect its existing low-density residential housing constituents? YES!</p> <p>I am respectfully requesting rejection of this proposal and continued maintenance of St. Matthews Ave classification as low-density residential.</p>
10.	<p>Nadine Martin</p> <p>1050 Clearview Ave.</p> <p>Feb. 27, 2019</p>	<p>Dear Ms. Vraets:</p> <p>With respect to the Planning Application submitted by MHBC Planning Ltd. which we received via mail from the City of Burlington, I wish to make the following comments. I am greatly disappointed with the City of Burlington Planners that they would even entertain such an application for this dramatic zoning change.</p> <p>We are a cloister of homes on three streets that form a community not unlike the White Oaks Community that the city deemed would be omitted from hub development. It goes beyond reason why one street over would not be granted the same courtesy. We are not any different than White Oaks. You are asking to change our zoning from Low density to High density. Not only would this result in a shockingly drastic change to our neighbourhood, it shows all the signs of you having made a promise to a developer in advance.</p> <p>My house has been on this street since 1942. It is part of a community. We are happy being part of this community but you somehow think it is acceptable to go into this community and try to dictate a new way of life for us. A zoning change to high density would bring commotion, noise pollution and of people to an area that has historically been tranquil and reality free from a lot of traffic. This would be just the beginning of you stealing from us the peace and green space that we all chose when we moved to this area. You do not have the right to do this to us. I vehemently oppose this application.</p> <p>Respectfully submitted,</p> <p>Nadine Martin 1050 Clearview Avenue, Burlington</p>

11.	<p>Dawn Kurmey</p> <p>1060 Clearview Ave.</p> <p>Feb. 28, 2019</p>	<p>Ms. Vraets,</p> <p>I'm writing to highlight my concerns for the proposed development of 1085 Clearview avenue and surrounding lots.</p> <p>The Clearview/St. Matthews neighbourhood has been under a lot of scrutiny over the last few years as we were targeted as a location for the Mobility Hub, for the same reasons our community banded together to protect our neighbourhood from Mobility Hub developments, amending the zoning to accommodate a high rise development would be tragic.</p> <p>Looking at the letter distributed two weeks ago asking for comment/feedback I have numerous concerns;</p> <ol style="list-style-type: none"> 1) Opening up roadways at Clearview and St. Matthews avenue onto Masonry court would destroy our community which is comprised of young families (our children play in the roads) and senior citizens who regularly walk the streets (that don't have sidewalks) each night after supper. Into a freeway of cars rushing to & from the Aldershot go station. It is crucial to the essence of our neighbourhood that these roadways are not opened up for vehicle traffic. Opening up these roads would be a danger to the existing residents within the community 2) The proposal submitted does not appear to have adequate parking for the number of units that the developers current plan on constructing. Masonry court and the Aldershot Go Station already has a shortage of parking and often vehicles line the streets during the week to accommodate commuter traffic. 3) The lack of park space proposed in this development is also concerning considering the number of residents within the building and the fact the Station West development across the road was allowed to consider a storm water collection basin as park space in their development approval – there is not adequate park space in the area for the number of families. <p>When you factor in the already congested roadways, the number of new units in this proposal and the continued intensification of developments proposed within this community and surrounding around area there is not enough infrastructure to support these developments. Our community is also in conflict as our Ward counsellor Calvin Galbraith is unable to represent us as there is a conflict of interest as his home backs onto the proposed development.</p> <p>Marianne Mead kicked off her campaign at the top of Clearview Avenue gaining the trust of the community that she would support us in preventing over-development and</p>
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		<p>intensification. I hope that our newly elected counsellors continue on this mission to protect existing established neighbourhoods and work with the community and developers for reasonable projects that enhance existing neighbourhoods inside of exploit them for profit.</p> <p>Thank you for hearing and listening to my concerns.</p>
12.	<p>Gaetano Fanelli</p> <p>1060 Clearview Ave.</p> <p>Feb. 28, 2019</p>	<p>Lauren,</p> <p>I live at 1060 Clearview Ave with my wife and a newborn baby. I not only speak for us but for the neighborhood as a whole when we say have a huge issue with this proposed re-zoning.</p> <p>There is absolutely no benefit to our community if a 6 storey apartment is built there, I will outline the main issues that will adversely affect of daily lives:</p> <ol style="list-style-type: none"> 1. Putting a 6 storey building into a residential only area will cast major shadows over the existing homes 2. It will have an increased traffic and congestion issue that already exists on masonry that already has the go station and has not even closed a single unit in the large development currently being built 3. It's not safe to open up the dead end streets of Clearview and St Matthews as we do not have sidewalks or curbs. How are our roads supposed to safely take on the increased traffic for this proposed development, the one currently being built on masonry, the vast amount of GO train traffic and don't forget the proposed (2) 11 storey buildings at Clearview and plains on the solid gold site. Plains road is one of the most congested roads in the entire city during rush hour, we need to wait for a break in traffic just to turn down Clearview as it is today. <p>The developers were also bold enough to tell us residents not to worry about both the dead end roads being opened up at the town hall dissicusion that was held at aldershot arena a few months ago which was obviously a lie.</p> <p>We are not opposed to change and development in our area or in our city but this proposal can not be looked at in a vacuum, it will have adverse effects on the functionality and safety of our neighborhood in conjuction with all the development happening in this small area at once.</p> <p>We hope the city of Burlington agrees with the residents of this neighborhood and sticks with the zoning laid out in the city's OP epically since our new mayor campaigned and won on the promise to end over development in the city of burlington.</p>

		<p>We hope the city will do the right thing and not approve a zoning change and preserve our neighborhood.</p> <p>Thank you for your time,</p> <p>Gaetano Fanelli</p>
13.	<p>Steve and Marina Favalaro</p> <p>1073 St. Matthews Ave.</p> <p>Feb. 28, 2019</p>	<p>Hi Lauren, I am writing to voice our objections to the proposed development on Clearview and St. Matthews Ave. I had originally intended on attending the open house, but when I went to the original one, it had been cancelled and I did not receive notice of the new date. I have reviewed all the documentation on the City's website regarding this proposal and while I am all for development, in this case I need to voice our objection.</p> <p>In my view, the proposed development is completely out of character with the surrounding neighborhood, and unless the City is going to rezone all of St Matthews and Clearview to allow for this type of development, the proposed building will stick out like a sore thumb for years to come. All the buildings around it are low density. In addition I also note that from the shadowing plan, after about 5:30 pm our property will be completely shadowed by the new building. This does not comply with the Mobility Hub area plans and in my opinion the properties in question should not be removed from this study area.</p> <p>It is my opinion that allowing this development to proceed with greatly impact the character of St. Matthews Ave, not only from the height aspect but also the overall design (modern which does not match the character), reduce our property values and set a precedence for more development like this in Aldershot that negatively impacts the low density residential aspects of our neighborhoods. If there is going to be more development in our area I would more than support town homes than 3-6 storey condos. With all due respect I think the City needs to stop bending to developers and listen to the people that live in the impacted areas. Aldershot is being over run with condo's, traffic with limited to no major commercial development – we do not need anymore nail salons lining the streets of Aldershot</p> <p>Thanks Steve and Marina Favalaro 1073 St. Matthews Ave</p>
14.	<p>D. Seeley</p> <p>1032 Clearview Ave.</p>	<p>Being a homeowner on Clearview my concerns are how drastic the changes to setbacks buffers etc. Going from low density to high density is a major impact on the neighborhood. Traffic is a</p>

	Feb. 28, 2019	<p>big concern and I don't know how this will be handled. Construction causes traffic hassles and with the Go commuters it is amplified. The whole picture has to be taken into consideration. Each application with extra changes to zoning is going to cause more and more concerns regarding traffic and parking.</p> <p>I am glad the access for the proposal is on Masonry Crt. The developer has shown consideration .I know this is a prime area for development but our roadways cannot handle traffic at the best of time.</p>
15.	<p>John Knight</p> <p>1079 St. Matthews Ave.</p> <p>Feb. 28, 2019</p>	<p>I have been a Burlington resident for 47 years, I have lived in all ends of Burlington in the east,north ,south and now the west end of Burlington for the last 8 years. After looking at many homes with my wife and 2 young children we stumbled across this beautiful home on St.Matthews Ave with mature landscape, huge trees, and a quiet street that ends in a court. My children enjoy playing in the court, riding their bikes and setting up nets for hockey games and basketball. But now a developer wants to change that not just for the residents of St Matthews, but also Queen Mary and Clearview. If this multi-storey condominium was originally there in the first place I wouldn't be writing this letter because there is no way we would of chosen a house directly across the street from it. I oppose this proposal to amend the zoning in this area. It needs to remain low density residential.Why you ask?</p> <p>The proposal of a condominium development on this property would mean:</p> <p>1- Absolutely no privacy, we would have to keep our blinds closed at all times,someone watching you sitting out front,cutting the grass,playing with your kids etc. When you have eyes watching you from the many units and balconies right across the street</p> <p>2-We receive the afternoon sun which is needed for my garden and to heat our house in the cooler months, that condominium at 6 storeys high will cast a shadow causing our heating bills to go up in the winter</p> <p>3-The area has been zoned for low density and needs to be kept as low density residential with single dwelling homes or town homes. The height of the building proposed is too high.</p> <p>4- NOISE,NOISE,NOISE, cars coming and going from the drop off turn around, 49 cars starting/parking at all hours of the day and night ,noise of residents on balconies surrounding the building, terraces and patios and most concerning is the loading docks for moving trucks and garbage disposal located right outside my front door.</p> <p>5- No green space what so ever between St Matthews and the</p>

		<p>structure of the condo unit. The plans do not allow for vegetation/trees on the land left in this small strip of grass barely a few meters wide</p> <p>Overall there's been a lot of new condos going up in Aldershot in the last few years, they all seem to be right on Plains road which is great but why come into our lovely neighborhood and build this large building a stones throw away from my doorstep and other single homes. It doesn't make sense, would you Lauren or the Developer like this situation if it was across from your homes? The location of this condo would be better suited along Waterdown rd or Plains rd. Personally why not get rid of all these run down buildings eye sores on Plains like the run down motels and build your condo structures there. That would make Aldershot a more updated area of Burlington. The condominium being proposed for the area does not transition into the existing neighborhood.</p> <p>Mayor Meed Ward assured the residents of this area during her campaign that she would help maintain this area as low density residential. She stood outside our home as we discussed what was happening and she agreed that this area was to remain a quiet court location with single homes. She agreed with residents that a proposal like this should never be allowed to change this existing mature area.</p>
16.	<p>Beth and Aaron Boag</p> <p>1045 Clearview Ave.</p> <p>Feb. 28, 2019</p>	<p>Hi Lauren,</p> <p>As residents of Clearview Ave we are writing to provide feedback on the proposed planning application. We voted for Marianne on the understanding that our neighbourhood would be unchanged, after being so supportive and petitioning for this neighbourhood to remain dedicated to two-story buildings. After everything with the mobility hub, we were led to believe it was decided that this site address would support residential townhouses on the site. We were quite surprised to see that a proposal for a 6 storey building has come through.</p> <p>Although we see that access will not be available through Clearview Avenue (which we are thankful for), the idea of a moderately high rise building so close to our quiet cul-de-sac is disheartening. It impedes on our sightlines, and eliminates the quiet charm of this Aldershot community. We have only lived in this neighbourhood for four short years. Many of our neighbours have been here for decades. This is an area where families live with their children, everyone who lives here chose this area for being stable, friendly, lovely, and a caring community. The addition of a 6 story high rise would be a</p>

		<p>severe detriment to this community.</p> <p>I should also mention there are not enough amenities in this area to appease the drastic population increase Burlington is planning for. Keep with the charm of the area and make smart development decisions by keeping a limit on the height of the building and number of units... and please start planning for more groceries, restaurants, gas stations and retail to keep up with this growing area!</p>
17.	<p>Lowell Crane</p> <p>111 Queen Mary Ave.</p> <p>Feb. 28, 2019</p>	<p>Good Evening, please accept this email as my comments on the proposed change to the Official Plan and Zoning for the properties located at 1085 Clearview Ave, and 1082-1086 1090 St Mathews Ave.</p> <p>Just as an introduction, I have lived in Burlington since 1985. I purchased my home on Queen Mary Avenue in 1996 fresh out of university. My home is located within the Clearview/St Mathew Ave subdivision. Like everyone in Aldershot, a conscious decision was made to live in a lesser/older home in order to have the more spacious atmosphere Aldershot provided. Larger lots, less housing density, the village feel as opposed to a larger new home in North Burlington with more population and house density.</p> <p>The proposed development threatens exactly that. The essence of Aldershot.</p> <p>Here are my concerns:</p> <p>1. This developer, like any good developer purchased a piece of property on pure speculation based on trends to intensify areas around Go Train Stations. Mobility Hubs. He originally proposed a 11 storey building. When success of that variance seemed unlikely, he reduced the size of the building and added window dressing to support his proposal. Driveways off Masonry court, Terraced Upper Floors, and Greenspace are just developer smoke screens to achieve to check the boxes on the Planning Departments checklist for development. Let's be clear. This is about building height. This developer gambled on an investment and lost and is now pulling out all the tricks to get his new down sized proposal pushed through.</p> <p>Is the idea of the planning process to allow developers to keep submitting proposals until one sticks? Along with the primary land he purchased, this developer has purchased residential properties in the neighborhood which has already lead to the disintegration of the neighborhoods character. Always dark, non-maintained properties for the surrounding neighbors to look</p>

		<p>at. Very nice.</p> <p>If this area is re-zoned it only a matter of time before developers follow the lead and purchase up homes as they become available, primarily from long term residents who have passed on and slowly lower property values of current residents. The City needs to protect current residents from that approach from outside developers. It's happened in this case. It will continue until residents are basically forced out.</p> <p>I don't believe the City, or the residents have any obligation to meet this developer half way, no obligation to help get him out of a speculation that went wrong. They knew what the zoning and designation was before purchasing. Buyer beware.</p> <p>With that said, I think residents see the need for intensification, see the logic in the plans for creating mobility hubs. No one is saying these properties do not need to be developed. Where is the proposal that shows what can be achieved by maximizing the current zoning which designates this precinct as low density, and allows only single-family homes, semi-detached and street townhouses. I see 3 storey townhouse developments on Plains Road, that would fit nicely on this property. Achieving the intensification requirement but not drastically changing the character of the neighborhood. It seems to me that the ask of the developer is to far removed from the current designation. Let him come back with something that maximizes the current zoning or stretches it to a reasonable level. No need to blow the current zoning out of the water.</p> <p>2. Before any proposal is agreed to, the intensification targets for Aldershot should be reviewed and confirmed to determine what is needed to reach targets. It's too late once all the buildings are constructed to backtrack and find out that you have far exceeded the targets. If you're a resident of Aldershot, you have seen building after building go up without confidence there is anything guiding the process other than the deep pockets of developers and a property tax hungry city. I don't want to read in 5 years that Aldershot is in fact over intensified and that traffic, parking are chronic problems. The character once so craved, gone forever just to meet the needs of developers with no concern other than their bottom line. There are 3-4 buildings currently slated for Plains Road currently within a 2-minute walk of the proposed property. There is a large development currently under construction next to the Go Station, within view of this property. The long-term plan is to have 20 plus story buildings off Waterdown Road and other areas surrounding the GoStation. Is this 6 storey building in</p>
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		<p>fact needed to meet the Aldershot Target? Should intensification even be a criterion for consideration in this proposal?</p> <p>3. Aldershot is facing a traffic and parking nightmare when all these building are built. Is there a plan in place to deal with that? Parking from the Go Train is already spilling over and doesn't even account for the new populations coming to Aldershot, Waterdown and Hamilton which will continue to grow and grow. How does this proposed building help that situation?</p> <p>4. One of the greatest features of Aldershot is the mature tree canopy which are the homes to a diverse ecosystem of birds and various other wildlife. Having been here for the 20 plus years, it's a pleasure to see the uptick in the hawk population in recent years where once they were few and far between not to mention the robins, blue jays, cardinals etc. Has any consideration been given to how all these proposed buildings will impact this ecos system?</p> <p>To Summarize, I think Aldershot residents have had no choice but to accept the ongoing intensification of the Plains Road Corridor. As much as we like to see things stay the way they were, progress is inevitable. However, let common sense prevail. Let's listen to the residents. Before existing neighborhoods are impacted Let's see the plan for the Plains Road Corridor play out. Intensify existing neighborhoods by infilling with townhouses or building on double or triple lot to preserve the character of the neighborhoods. This proposed 6 storey building will a square peg in a round hole in this neighborhood. Let's not be fooled by token gestures of site features that are just smoke screen to real issue.</p> <p>It pains me to figure out why the current development under construction next to the go station which does not impact any neighborhoods is not being constructed to this building height. Where was foresight to see this requirement for intensification was coming.</p> <p>Appreciate the forum to submit a long-term residents concerns.</p> <p>Lowell Crane</p>
18.	<p>Lianne Dalley</p> <p>1043 Clearview Ave.</p> <p>March 1, 2019</p>	<p>Lauren</p> <p>I am writing to you to express my concerns regarding the re-zoning of 1085/1082/1086 Clearview and 1090 St. Matthews Avenue.</p>

		<p>I have sat in on a few different town hall meetings with regards to re-zoning plans in Aldershot, with particular interest in the development plans for the Solid Gold property. I was a little taken back to see further re-zoning and development of 1085 Clearview Ave. My biggest concern with all of these developments is that there is not a proper infrastructure in place to support these plans. With the Solid Gold property development, it is my understanding that the traffic assessment results were not favourable. Has this been a consideration for this new development? Do we have the infrastructure in place on Plains Road and subsequent side streets to accommodate these developments? On a good day, the traffic is so backed up on Plains Road. I anticipate that this is going to get even worse with this property development. Our neighborhood is a quiet area where I feel safe for my kids to play outside. This new development will substantially increase the flow of traffic which is concerning for my kids. And my last concern is the development of a block apartment building right in the middle of a single home neighbourhood? I can't see this as been a positive addition to our neighbourhood. The only one benefiting is the owner of the new building.</p> <p>I hope these comments are taking in to consideration for the approval of the re-zoning.</p>
19.	<p>Michael Moore</p> <p>1065 St. Matthews Ave.</p> <p>March 2, 2019</p>	<p>I live on St. Matthews Avenue. I am 100% against this change to the official plan and zoning change for 1085 Clearview Ave, 1082, 1086 and 1090 St. Matthews Avenue.</p> <p>Putting a building this large and high in an established neighbourhood of single family homes is a colossal mistake and asinine. It is truly ponderous as to why the City came up with this official plan...nevermind asking for comments on our feelings on how you want to destroy a neighbourhood.</p>
20.	<p>Lisa and Ryan Browne</p> <p>1074 St. Matthews Ave.</p> <p>March 5, 2019</p>	<p>Hi Lauren,</p> <p>We are writing to you to oppose the new development application in Ward 1 on Saint Matthew's Ave. We live at 1074 Saint Matthew's Ave we have a few concerns.</p> <p>First of all the height I feel it should remain low density residential if feel like 6 stories is not a reasonable transition from our home which is two stories. When we purchased our home a year and a half ago the real selling feature was the quiet court without traffic and noise. It would take away the privacy we enjoy. The hight needs to be reduced to at the most 4 stories to make for a reasonable transition. Second concern we have is the added traffic to our beautiful quiet neighbourhood.</p>

		<p>We hope you take our concerns into consideration.</p> <p>Sincerely, Lisa and Ryan Browne</p>
21.	<p>Tom Muir</p> <p>70 Townsend Ave.</p> <p>March 3, 2019 with additional emails documentation provided on March 4, 2019, April 6, 2019,</p>	<p>Hi,</p> <p>It is my intention to submit some written comments on this application, however, I have been on an extended absence from home and will not be able to submit these by the March 1 suggested date.</p> <p>I would appreciate an extension to this date, and intend to submit my comments by March 12 2019. I hope that this meets with your approval.</p> <p>Further to this application, I did have several correspondences on this file at the time of the neighborhood meeting on this project, so there should be a file on this with Roz Minaji who I copied all correspondence. This file I wish to be part of the record of my interest in this application and gives a sense of my concerns and criticism.</p> <p>Thank you, Tom Muir 70 Townsend Ave., Burlington. L7T 1Y7</p> <p><<<Correspondence>>></p> <p>To: gtchisler <gtchisler@mhbcplan.com> From: "Tom Betty.muir" Date: October 29, 2018 at 7:08 PM</p> <p>Hi,</p> <p>I met you at the open house tonight, early, we spoke a bit about my concerns and advice, and I asked you for a copy of all the boards that were on display. You told me to email you to give you my address, so here it is. I also ask for a copy of the OP and zoning compliance comparisons - existing OP versus your requested amendments. I need these boards and information in order to comment intelligently on your proposal.</p> <p>Thanks, Tom Muir</p> <hr/>

From: "Tom Betty.muir"
 To: gtchisler <gtchisler@mhbcplan.com>
 Cc: Minaji Rosalind <rosalind.minaji@burlington.ca>
 Date: November 4, 2018 at 9:15 PM
 Subject: Re: Clearview proposal open house.

Hi,
 This is my second request, and I phone called you and left a message last Friday.
 I have not had any reply or acknowledgement.
 Do you have a problem?

Tom Muir

From: Gerry Tchisler <gtchisler@mhbcplan.com>
 Date: November 5, 2018 at 3:36 PM

Hi Tom,

Thanks for your patience. I was waiting for a response from the owner regarding the display boards since we do not normally distribute draft materials to the public prior to finalizing a design and formally submitting an application to the City. The owner does not wish to distribute the concept plans at this time (see email below). If you would like, I can still send the other display boards. Let me know.

Regards,
 Gerry

*From: Katherine Rauscher
 [mailto:KRauscher@livhere.ca]
 Sent: November-05-18 3:27 PM
 To: Gerry Tchisler <gtchisler@mhbcplan.com>
 Subject: Clearview Materials*

Hi Gerry,

At this time we would like to hold back on sharing our elevations and floorplates, as they are not yet finalized. We are currently reviewing the comments received from the comment cards and are making revisions to the proposal. We would be happy to share materials related to surrounding developments/amenities and the current Official Plan and Mobility Hub designations. Once our official application is made all our materials will become public documents and available for review. I believe the

		<p><i>City of Burlington will also post the materials on their website at that time.</i></p> <p><i>Regards,</i></p> <p><i>Katherine Rauscher Project Manager</i></p> <p><i>L!V Communities Loyalty. Integrity. Vision.</i> <i>1005 Skyview Road Suite 301, Burlington, Ontario L7P 5B1</i> <i>T. 289.245.1300 x 520 C. 289.208.4391 F. 289.245.1301</i></p> <hr/> <p>From: Tom Betty.muir</p> <p>Sent: November-05-18 3:50 PM To: Gerry Tchisler <gtchisler@mhbcplan.com> Subject: Re: FW: Clearview Materials</p> <p>Hi, Please send me whatever boards you can. Concepts, designs, and floorplates were not my main interest. I wanted the written planning related information boards, including the shadow study, the data on the unit numbers and configurations, the amendments needed, and such.</p> <p>Thanks, Tom Muir</p> <hr/> <p>From: Gerry Tchisler <gtchisler@mhbcplan.com> Date: November 6, 2018 at 12:05 PM</p> <p>Hi Tom,</p> <p>Attached are the open house boards that were displayed last week. Not included in this set are the boards that show the concept plans and related information, as per the emails below.</p> <p>Regards, Gerry</p> <hr/> <p>From: Tom Betty.muir Sent: Wednesday, November 07, 2018 6:14 PM</p>
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	<p>To: Gerry Tchisler Cc: Minaji, Rosalind Subject: RE: FW: Clearview Materials</p> <p>Hi, Thank you for this, but it is much less than was shown to residents at the open house. In this information here you say nothing about what is being proposed - no height, no unit numbers, no parking, no amenity and so on, in terms of the OP amendment and particularly the zoning bylaw standards existing now, and what the proposal is requesting in the way of amendments.</p> <p>The time available at the open house was far from what is needed to provide intelligent comment. This is not satisfactory or acceptable to refuse the provision of all the information presented there so residents can have a basis on which to know what you have in mind.</p> <p>Ask your client to reconsider providing what they proposed at the Open House. They asked for comments and it's only fair that they provide the information they are asking for comments on.</p> <p>Do you really expect people to remember everything you had there? You gave until Nov.12, so how does that work when you won't provide the information needed? I had no problem with the timeline at first, but I don't have enough to comment on fully.</p> <p>For Roz, if this is what the new developer neighborhood meeting process is all about in terms of information provided to enable intelligent comment over a reasonable period, then it needs an overhaul. This developer looks to be providing a quicky peep show.</p> <p>Better bring a camera is good advice for the future. Tom Muir</p> <hr/> <p>From: Gerry Tchisler <gtchisler@mhbcplan.com> Date: November 8, 2019 at 8:15 AM RE: FW: Clearview Materials</p> <p>Tom, The boards that I have sent were the same set of boards there were shown at the open house minus the boards which are related to the design, as we had discussed. The board showing the official plan and zoning information if the same board that</p>
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		<p>was shown at the open house.</p> <p>Please note that, unlike some other consultations, this one is occurring PRIOR TO a formal application submission. This is why there is limited information available, much of which is still in draft form. Once the design has been refined and an application is made to the City, you will get further opportunities to review all the material in detail and comment on the proposal. At that point, all of our drawings, reports and studies will be publicly available through the City for everyone to review.</p> <p>The intent of the open house is to provide people with preliminary information and gather feedback at the meeting. We provide a period of time for people to submit comments after the meeting as a courtesy in case they don't have enough time to write something at the meeting.</p> <p>Regards, Gerry</p> <hr/> <p>From: "Tom Betty.muir" To: Gerry Tchisler <gtchisler@mhbcplan.com> Cc: Minaji Rosalind <rosalind.minaji@burlington.ca> Date: November 8, 2018 at 11:06 AM Subject: RE: FW: Clearview Materials</p> <p>Hi, I know the boards you sent were among those shown at the Open House.</p> <p>The problem is that there is basically no information on which to judge the actual build that is being proposed, or the actual amendments that are needed to permit it.</p> <p>There is nothing that enables an observer to judge the siting, scale, density, massing, shadowing, height, setbacks, gross evidence of compatibility, zoning compliance, parking, and so on. I'm not a competitor looking for design tips.</p> <p>For all I care, you can just put up a cube with the right shape, and provide the numerical details and zoning standards compliance, and that would give me a sense. Put a car or a person in front of it so I can see the scale. There are simple things that can provide a perspective and sense of variances from permissions.</p>
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22.	<p>Tom Muir</p> <p>70 Townsend Ave.</p> <p>March 13, 2019</p>	<p>Hi,</p> <p>As I wrote previously on March 3, I am on an extended leave from home and unable to submit anything but an abbreviated set of comments and concerns. Please accept this correspondence in short form, as a record of my interest in this application, and for inclusion in the record of the proceedings.</p> <p>1. As an initial reaction I found that the Planning Justification did not include a written record of my comments on the inadequacy of the information provided at the neighborhood meeting, that I sent to you earlier this month. There was no mention of this</p>

	<p>concern I expressed. The consultant actually stated that any added time to comment after the meeting was a matter of courtesy, and additional information was not provided. Comments were restricted to sticky tabs at the meeting. In the zoning compliance tables and discussion there were numerous apparently inaccurate or incorrect statements of permissions, or in force existing OP and ZBL permissions, such that it seemed to be deliberately misleading and false. What is being compared to what would need for me to check every instance and/or statement of comparison.</p> <p>It seems to me that the consultant is using a mix of existing OP, adopted OP, and draft only studies with no force, and such things and I wound up not being able to believe any of it. It appears that the planning justification was written with the draft and then adopted OP that is not approved, and the consultant failed to rewrite it to take account of the factual non-compliance and refusal with a revision to get the report to the factual state of accuracy.</p> <p>This willingness to be inaccurate and misleading, using false information, is similar to what I found in the reports of the same consultant for 92 Plains Rd E, and I noted this in my comments submitted on the public review process for that application. I think this is lacking in professional ethics and shows a willingness to cheat.</p> <p>Public comments actually printed were biased and incomplete, and did not reflect what I saw and heard. Public concerns including what I expressed about the application being overdevelopment and not in compliance with the in force OP and ZBL, and not compatible with the zoned low rise residential neighborhood it is proposed to be located in, was omitted. This zoning is in the existing OP, and was in fact retained in the adopted OP now under revision. This zoning allowed 25 units per hectare, but the application asks for 250 upha, a 10 times increase in density. Permitted is 1 1/2 story limit, asked is 6 story; permitted is low density residential, but asked is high density. The permitted height is stated as 6 stories but this is incorrect, but stated as in compliance.</p> <p>The expressed intention of Council and the mayor and direction to staff, is that the entire Clearview neighborhood be excluded from the Mobility Hub and to retain the low density zoning. The developer was informed of this, however, at the neighborhood meeting this was concealed from the residents in attendance. Instead residents were told the application was based on a non-existent Mobility Hub.</p> <p>The developer and consultant was informed of this situation but</p>
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		<p>chose to ignore this and to submit their application anyways. I suggested that other built forms including towns and semis were permitted and could provide a project with some increased density by right. This was not included in the public comments.</p> <p>2. There are a large number of other amendments to zoning that are wanted to enable the over-development application to proceed, and these too are not permitted in the OP, and are added dimensions of the incompatible built form. These include amenity area, landscape aear, landscape buffer, front yard, driveway widths, parking, and others. I do not support any of these.</p> <p>The apparent intent of the exceptions asked for in this application is to fit the land parcel configuration and zoning standards to the design of the building proposed, and not the design and fit the building to the land parcel and zoning standards.</p> <p>3. At this stage of the application process I am really telling you things you already know about the application. I am basically telling you that I am opposed to this project for the few major non-compliant and incompatibility reasons stated.</p> <p>I can provide a more thorough submission when the city has a Statutory public Meeting inviting more comments, and then further at the time of the staff recommendation report.</p> <p>I object to the project and its misleading and inaccurate presentation in the planning justification, and I recommend that staff refuse the application at the first opportunity.</p> <p>I apologize that I have been unable to provide a more substantive set of comments at this time. The purpose is to get my key concerns on the record at a very preliminary time in the process.</p> <p>Thank you, Tom Muir</p>
23.	<p>Peter and Anne Marie Campbell</p> <p>1040 Clearview Ave.</p> <p>April 3, 2019</p>	<p>Good Morning All,</p> <p>I listened with intent at last evening's meeting regarding the Liv Communities site proposal and inclusive of the comments that were received by Lauren, the speakers made it obvious one thing is clear, this is definitely not the right build for this site. This must NOT be approved in any way shape or form and that town homes would be the right fit, actually the 'only' fit for this site.</p> <p>The developers smoke and mirrors propaganda about the build and the proximity to GO Station aside, the representative indicated they never considered town homes, even though this</p>

		<p>is contrary to what we were told was going to happen at the site. There is a build you may want to check out in progress at the Clarkson Go by Haven Developments. This build is obviously the result of an excellent collaboration between the neighbourhood, Mississauga Council and the Developer, to build units that acceptable and appropriate and not throw up just another condo tower because it is close to the GO. This is something Burlington must strive for to succeed and yet protect our established neighbourhoods. Please have a look at Haven Development's website.</p> <p>This a new stacked townhouse complex under construction at the Clarkson Go, aptly named the 'Clarkson Urban Towns' by Haven Developments and is the perfect and only solution for the Liv Communities site that would be acceptable. This Clarkson site is an enclave of approximately 60, back to back s and 2 and 4storey towns, with the 4th storey being an individual rooftop amenity. It is composed of 5 separated builds and each complex has it's own specific underground parking for both the condo units and visitors below the units. There is absolutely no above ground parking.</p> <p>My daughter moved out of her condo tower and purchased a brand new townhouse in a development in Scarborough, Toronto, that sold out in days from pre construction plans only. Their complex is almost identical in nature to the above and was the perfect solution for that area it is located within. This is what millennials want if that is the developers target market as indicated.</p> <p>This proposal obviously has a long way to go as it is totally unacceptable as it stands, so let's take the time and get it right.</p> <p>Best Regards,</p> <p>Peter and Anne Marie Campbell</p>
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