PB-14-18
505-08
Public comments

From: Glenn Wellings [mailto:[redacted]]
Sent: Friday, February 23, 2018 4:03 PM
To: Enns, Alison <Alison.Enns@burlington.ca>
Subject: LBS Group - 1830 Ironstone Drive

Good afternoon Alison. Thanks again for all your help on this file. I have reviewed with our client the updated Official Plan (February 2018) and have a couple of minor comments as per the attached for your consideration.
Given that the retail sales of building and construction materials (i.e. Rona) already exists on the property, we feel the wording "may be permitted" should be replaced with "is permitted". Secondly, we would like the last sentence removed. We feel that this wording with a stated prohibition could potentially prejudice any future OPA application to pursue mixed-use/residential redevelopment. I think the draft policy framework is clear that residential is not currently permitted in the Uptown Corridor designation. We fully acknowledge that an OPA would be required with appropriate planning and technical justification to address the introduction of a residential (i.e. sensitive) land use to the subject lands.
Please call me to discuss once you have had a chance to review.

Thanks.
Glenn

Glenn J. Wellings, MCIP, RPP
Wellings Planning Consultants Inc.
513 Locust, Unit B
Burlington, ON L7S 1V3
p. 905.681.1769, ext. 1
c. [redacted]
w. www.wellingsplanning.ca

PB-14-18
505-08
Public comments

FROM:
Lily Benson and Paul Ricketts
3189 Woodward Ave

I would like to ask that the following email be sent to the Chair and Members of the Planning and Development Committee prior to the upcoming deliberations regarding the proposed development of the 607 Dynes Road site by DiCarlo Homes.
I would also request that James Ridge (City Manager) and Mary Lou Tanner (Director of Planning) also receive a copy of this email.
Many thanks.

OPINION ON THE CURRENT DEVELOPMENT PLAN FOR 607 DYNES RD

To all concerned.

We would like to start our opinions by saying that we are against the current level of development density applied for by DiCarlo Homes (who I will refer to from now on as "the developer") on the property previously containing the John Calvin Christian school (from here on referred to as "the school") which in turn is/was part of the larger parcel of land owned by the Ebenezer Canadian Reformed Church (hereto after referred to as "the church"). We would also suggest that the city and the developer need to properly investigate the access to the proposed site from the existing and legally deeded right of way through the Church land as opposed to opening up the reserve on Maplehill Drive.

We will first deal with our opposition to the proposed density of 20 townhouse units.

According to the survey provided in documentation, the parcel for development is 5402.1 square meters. Originally the developer suggested putting a total of 25 units on this property but in the revised plan is now suggesting 20. This would require a change in zoning from low density to medium (as we understand it) and we are against this level of density. Our neighbourhood has previously been single detached dwellings for the most part and while we understand it is unlikely that we would ever be able to convince the developer to build similar homes on the property in question we feel that a development similar to that at 581 Dynes Road (8 units, semi-detached) would fit in better with the neighbourhood while still providing for a reasonable return on investment for the developer.

The site at 581 Dynes Road (according to the City Of Burlington GIS application online …to access this website go to the web address below, click on Open App in the Explore Burlington window, and when the page has loaded, type in 607 Dynes in the address field, https://navburl-burlington.opendata.arcgis.com/pages/apps) is 4233.86 square meters and using this 8-unit site and a straight arithmetic comparison, the property previously containing the school could accommodate 10.2 units. Making allowances for the differences in the shape of the two Dynes parcels, we believe that a total of 10-12 units could easily be accommodated on the site of the school, maintain the character of the neighbourhood, require only the slightest of variance in housing density while still allowing for reasonable return on investment for the developer.

Now to the question of access to this property.

Our opinion is that the access to this parcel of land has always been and should remain from Dynes Road and that the reserve on Maplehill Drive should not be opened as an access point. We have a number of reasons for believing this to be the way forward.

First of all, it is a deeded access. From documentation received from the city (a PDF sent to us entitled 215323, which we will attach to this email but contains the following pertinent clause on page 2 of the document)

TOGETHER with a right of way over part of lot 4 more particularly described as follows:

COMMENCING at a point in the northeasterly limit of Dynes Road distant eighty-two feet (82' 0") northwesterly thereon from the most southerly angle of said lot;

THENCE northeasterly and parallel to the southeasterly limit of said lot, three hundred and twenty-five feet (325'0");

THENCE northwesterly and parallel to the northeasterly limit of Dynes Road, twenty-five feet (25' 0");

THENCE southwesterly and parallel to the southeasterly limit of said lot, three hundred and twenty-five feet (325'0") to a point in the northeasterly limit of Dynes Road;

THENCE southeasterly thereon twenty-five feet (25' 0") to the point of commencement.

, it appears that when the church first "severed" the land, the church provided for access through their property in perpetuity to whomever owns the parcel of land when the school was built. We use quotations around the word "severed" because the GIS website still shows that both the school and the church are on one parcel of land…that being 607 Dynes with a total area of 12,954.88 square meters and not two individual parcels.
This is a legal right of way to access the property which the church gave up rights to in 1962 when this document was completed. Since there is already a deeded access to this property, there is no sense in disrupting the lives of the residents of Maplehill Drive by changing things now. The church made their choice (whatever the reasoning behind it) and cannot change their point of view now just because it doesn't suit them. Legally, the parcel of land retains the right of access.

We're sure there are other examples in Burlington, but we draw your attention to a similar situation which already exists in the general area. Two landlocked parcels of land on Guelph Line (485 and 491) were recently up for sale. The realtor description of the properties (491 specifically) describes the legal right of way through an existing and separate property's parking lot to access these properties therefore there is a precedent for the use of right of ways as access in the area. We attach the realtor listings

below with full knowledge that these are being sold as potential development lots and not to be lived in as-is. Access will remain from Guelph Line as no other viable access exists.

In regards to how the school viewed their property, they obviously thought of themselves as being a Dynes address rather than anything else. At time of writing, their Yelp listing https://www.yelp.com/biz/john-calvin-christian-school-burlington is still active and shows they advertised themselves as being at 607 Dynes, not the newly created (as far as we are aware) 600 Maplehill Drive. On that note, if (and I stress "if" as the GIS won't even find the 600 Maplehill Drive address in the search function and this only shows up if you select the "Imagery Overlay" function, but still shows it to be one parcel of land…607 Dynes) this address on Maplehill is accurate, it was one never used by the previous residents of the land. From Google mapping to Yellow Page listing to Canada Post mail delivery, they were always 607 Dynes Road.

While we are not a property that abuts the school parcel of land in the slightest (we are on the north side of Woodward Ave), we do sympathize with those that do. The residents of Maplehill and the south side of Woodward will experience a change to their privacy that they never had to deal with before. Minimizing this by reducing the number of units from the currently proposed 20 to 10-12 would minimize the disruption to existing residents' lives. A further disruption to the lives of those on Maplehill near the location of the city reserve land (should it be opened up) would occur due to questions of snow removal, adequate parking for the development as well as increased traffic. The vehicular traffic to access this site will move from a major roadway (Dynes) to a minor street (Maplehill) and the streets used to access this street (Willow Lane, and Oakhurst) and will further disrupt the lives of the residents of these streets. Using the legal right of way which already exists would minimize the disruption to the lives of residents in our neighbourhood. It does seem that the wishes/demands of the church (though not supported by legal documentation) are being granted over the requests of ALL the residential addresses which would be negatively impacted by this change of access. This is not right.

And finally, the (seeming) backroom deals which have occurred in order to all-but ensure that the city will give up its reserve on Maplehill. I do not ever remember (and the GIS bears this out as well as the previously discussed school's point of view) being notified that the school parcel of land was to be granted a Maplehill address. In fact (if what I have heard is correct) the school predates Maplehill and therefore could not have such an address. When did this designation occur and was it properly handled? Without this being properly done (and residents being contacted to voice their opinions at the time), we do not believe proper procedure was followed and therefore the access should remain through Dynes Road rather than through Maplehill, regardless of what address is assigned to the property.

In conclusion we reiterate that the current level of density requested by the developer should be refused and that a density similar to that already in the area be maintained in order to preserve the character of our neighbourhood. Furthermore, we believe that access to this property should remain as it has been…though the deeded access already in place which can adequately handle the additional traffic development of this land would create. The city should not remove the reserve in order to allow access via Maplehill.

Thank you for your time and attention,

Lily Benson and Paul Ricketts
3189 Woodward Ave

REALTOR.ca

491 Guelph Line, Burlington, Ontario L7R3M2

$619,900

3 1

MLS® Number: H4019419

Property Type Single Family	Building Type House	Title Freehold
Land Size 100 x 112lunder 1/2 acre	Parking Type Detached garage	

Description

Looking for a bigger piece of land in the core? Love gardening? A yard for the kids? Look no further! Many possibilities for this 1140 sq ft solidly built bungalow on a huge 1/4 acre (100 x 112) property tucked away behind Roseland Plaza away from traffic. Perfect for the handyman to renovate or expand into the huge attic or to the unspoiled basement. Although dated, it is perfectly fine to live in. The oversized garage with a loft and hydro would make a great workshop or provide loads of storage, ideal for a contractor! Excellent Burlington core location (great for tenants too!): steps to transit, parks, schools, library, Rec Centre, YMCA, shopping & much more. Minutes from lake/downtown. Quick access to GO, QEW, 403 & 407. Given the lot size, location and zoning (RM2) this property also offers a unique longer term potential to participate in area redevelopment (adjacent property at 485 Guelph Line is also available for a combined ¾ acre). Access to the property is via legal right of way over the parking lot of 511 Guelph Line.

Location Description

URBAN

Details

Amenities Nearby Public Transit	Features Paved driveway	Parking Type Detached garage
Rental Equipment None	Total Parking Spaces 3	Zoning Description RM 2

Building

Architecture Style Bungalow	Basement Development Unfinished	Basement Type Full (Unfinished)
Bathrooms (Partial) 0	Bathrooms (Total) 1	Bedrooms - Above Grade 3
Cooling Central air conditioning	Exterior Finish Brick	Floor Space 1140
Foundation Type Block	Heating Fuel Oil	Heating Type Forced air
Rental Equipment None	Style Detached	Utility Sewer Septic System
Water Municipal water		

Rooms

Level	Type	Dimensions
Second level	Attic	37' 0" x 20' 4"
Ground level	Bedroom	9' 10" x 9' 6"
	Bedroom	10' 6" x 9' 6"
	4pc Bathroom	Measurements not available
	Master bedroom	12' 8" x 11' 0"
	Eat in kitchen	14' 10" x 10' 9"
	Living room/Dining room	21' 10" x 13' 2"
Basement	Storage	Measurements not available
	Laundry room	Measurements not available

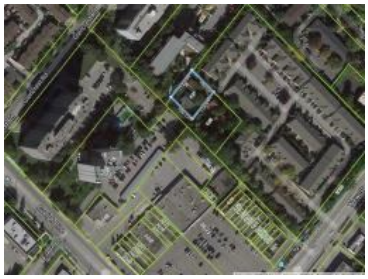
Land

Frontage	Land Depth
100 ft	112 ft

Photos





Data provided by: REALTORS® Association of Hamilton-Burlington 505 York Boulevard, Hamilton, Ontario L8R 3K4

All information displayed is believed to be accurate but is not guaranteed and should be independently verified. No warranties or representations are made of any kind.

Ron Lewyckyj
Salesperson
905-304-3303
Fax: 905-574-1450

RE/MAX Escarpment Realty Inc.
109 Portia Drive
Ancaster, ON L9G0E8
905-304-3303
Fax: 905-574-1450

REALTOR.ca

485 Guelph Line, Burlington, Ontario L7R3M2

$899,900

MLS® Number: H4009227

3 2

Property Type Single Family	Building Type House	Storeys 2
Title Freehold	Land Size 145 x 130ll/2 - 1.99 acres	Built in 1921
Parking Type Detached garage, Gravel		

Description

Character home on a unique ½ acre parcel in downtown Burlington behind Roseland Plaza. Large inviting verandah hints at the charm inside: foyer with oak stairs & banisters, tall baseboards throughout, built-in bookcases/display cabinets & buffet/hutch, beamed ceilings and window seat in the Dining room, brick fireplace with marble hearth in Living room & much more. Updates include electrical & plumbing, renovated main bath boasts a heated marble floor, large glass shower with seat & rainfall showerhead. Treed L-shaped lot (145 x 130 plus 33 x 100) with small 2 storey barn/garage. 491 Guelph Line also available, combined property would be ¾ acre (230 x 145). 1992 Survey Available. Loads of potential!

Location Description

URBAN

Details

Amenities Nearby Public Transit, Recreation, Schools	Appliances Included Water Softener	Community Features Community Centre
Features Park setting, Treed, Wooded area, Park/reserve, Crushed stone driveway, Sump Pump	Parking Type Detached garage, Gravel	Rental Equipment Water Heater
Total Parking Spaces 6		

Building

Architecture Style	Basement Development	Basement Type
2 Level	Unfinished	Full (Unfinished)
Bathrooms (Partial)	**Bathrooms (Total)**	**Bedrooms - Above Grade**
1	2	3
Construction Material	**Cooling**	**Exterior Finish**
Concrete block, Concrete Walls	Central air conditioning	Concrete, Stone
Fireplace Fuel	**Fireplace Type**	**Floor Space**
Wood	Other - See remarks	1920
Foundation Type	**Heating Fuel**	**Heating Type**
Stone	Oil	Forced air
Rental Equipment	**Style**	**Utility Sewer**
Water Heater	Detached	Septic System
Water		
Municipal water		

Rooms

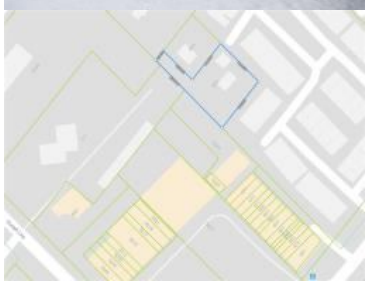
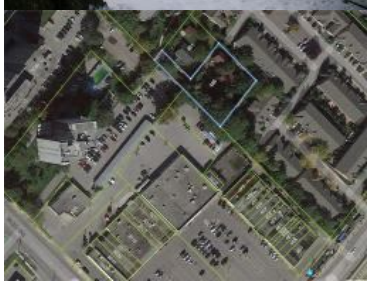
Level	Type	Dimensions
Second level	Other	15' 3" x 7' 4"
	Bedroom	16' 6" x 10' 0"
	4pc Bathroom	Measurements not available
	Master bedroom	20' 0" x 12' 6"
Ground level	Bedroom	13' 8" x 12' 0"
	2pc Bathroom	Measurements not available
	Den	21' 0" x 7' 6"
	Kitchen	13' 0" x 10' 6"
	Dining room	13' 0" x 10' 6"
	Living room	16' 6" x 12' 4"
	Foyer	Measurements not available
Basement	Utility room	Measurements not available
	Laundry room	Measurements not available

Land

Frontage	Land Depth
145 ft	130 ft

Photos



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RE/MAX Escarpment Realty Inc.
109 Portia Drive
Ancaster, ON L9G0E8
905-304-3303
Fax: 905-574-1450

RP/LL

THIS INDENTURE, made in duplicate the 15th day of October in the year of our Lord one thousand nine hundred and sixty-two.

IN PURSUANCE OF THE SHORT FORMS OF CONVEYANCES ACT:

BETWEEN:

ARIE J. HORDYK and HARRY AASMAN, both of the Town of Burlington, in the County of Halton, Trustees for the CANADIAN REFORMED CHURCH SCHOOL BOARD OF BURLINGTON,

hereinafter called the GRANTORS,

OF THE FIRST PART;

CANADIAN REFORMED SCHOOL SOCIETY OF BURLINGTON INCORPORATED,

hereinafter called the GRANTEE,

OF THE SECOND PART.

WHEREAS the lands hereinafter described were conveyed to the Grantors herein as Trustees for the Canadian Reformed Church School Board of Burlington.

AND WHEREAS the said Canadian Reformed Church School Board of Burlington has recently arranged for the incorporation of Canadian Reformed School Society of Burlington Incorporated and has turned over all its assets and undertakings to the said Canadian Reformed School Society of Burlington Incorporated, including among other assets and undertakings, the lands hereinafter described.

AND WHEREAS the said Canadian Reformed Church School Board of Burlington has requested, authorized and directed the said Arie J. Hordyk and Harry Aasman to convey by formal Deed the lands hereinafter described to the said Canadian Reformed School Society of Burlington Incorporated.

WITNESSETH that in consideration of the premises and the sum of One Dollar ($1.00) of lawful money of Canada now paid by the said Grantee to the said Grantors (the receipt whereof is hereby by them acknowledged) they the said Grantors DO GRANT unto the said Grantee in fee simple

ALL and Singular that certain parcel or tract of land and premises situate, lying and being in the Town of Burlington, in the County of Halton and being composed of part of lot 4 according to a Plan filed in the Registry Office for the said County as number 293 and which said parcel may be more particularly described as follows:

BEGINNING at the most southerly angle of said lot;

THENCE northwesterly along the northeasterly limit of Dynes Road, eighty-two feet (82' 0");

THENCE northeasterly and parallel to the southeasterly limit of said lot, three hundred and twenty-five feet (325' 0") to the point of commencement of the hereindescribed lands;

THENCE northwesterly and parallel to the northeasterly limit of Dynes Road, two hundred and forty-nine point seventy-two feet (249.72') to a point in the northwesterly limit of said lot;

THENCE northeasterly along the northwesterly limit of said lot, two hundred and forty-one point seventy-three feet (241.73') to the southwesterly angle of the lands of The Hydro-Electric Power Commission of Ontario;

THENCE southeasterly along the southwesterly limit of the lands of The Hydro-Electric Power Commission of Ontario, two hundred and fifty point zero eight feet (250.08') to a point distant eighty-two point thirteen feet (82.13') northwesterly thereon from the southeasterly boundary of lot 4;

THENCE southwesterly and parallel to the southeasterly limit of said lot, two hundred and twenty-five point zero five feet (225.05') to the point of commencement.

TOGETHER with a right of way over part of lot 4 more particularly described as follows:

COMMENCING at a point in the northeasterly limit of Dynes Road distant eighty-two feet (82' 0") northwesterly thereon from the most southerly angle of said lot;

THENCE northeasterly and parallel to the southeasterly limit of said lot, three hundred and twenty-five feet (325'0");

THENCE northwesterly and parallel to the northeasterly limit of Dynes Road, twenty-five feet (25' 0");

THENCE southwesterly and parallel to the southeasterly limit of said lot, three hundred and twenty-five feet (325'0") to a point in the northeasterly limit of Dynes Road;

THENCE southeasterly thereon twenty-five feet (25' 0") to the point of commencement.

and without Dower

, HAVE AND TO HOLD unto the said grantee its/successors heirs and assigns to and for its and their sole and only use forever.

SUBJECT NEVERTHELESS to the reservations, limitations, provisoes and conditions expressed in the original grant thereof from the Crown.

THE said grantors COVENANT with the said grantee THAT they have the right to convey the said lands to the said grantee notwithstanding any act of the said grantors.

AND that the said grantee shall have quiet possession of the said lands free from all encumbrances.

AND the said grantors COVENANT with the said grantee that they will execute such further assurances of the said lands as may be requisite.

AND the said grantors COVENANT with the said grantee that they have done no act to encumber the said lands.

AND the said grantors RELEASE to the said grantee ALL their claims upon the said lands.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals.

Signed, Sealed and Delivered
IN THE PRESENCE OF

Cameron Gage.

Mary Isaman

John A. Hewgill Limited, Toronto

Affidavit, The Registry Act

IN THE MATTER OF THE MORTMAIN AND CHARITABLE USES ACT

PROVINCE OF ONTARIO
COUNTY OF Halton

To Wit:

I, CAMERON HAROLD GAGE,
of the City of Hamilton, in the County of Wentworth, Solicitor, make oath and say:

1. That I am the Solicitor of Canadian Reformed School Society of Burlington Incorporated the Grantee named in the annexed instrument, and as such have knowledge of the matters herein deposed to.

2. That the lands described in the annexed instrument are not assured to Canadian Reformed School Society of Burlington Incorporated contrary to the provisions of Section 2 of the Mortmain and Charitable Uses Act of Ontario.

Sworn before me at the City of Hamilton, in the County of Wentworth, this 2nd day of ~~October~~ December A.D. 1962.

Cameron H. Gage

A Commissioner, etc.

John A. Newsome Ltd. Toronto

Affidavit as to Legal Age

PROVINCE OF ONTARIO
COUNTY OF Halton

To Wit:

I, WE, ARIE J. hORDYK and HARRY AASMAN,
of the Town of Burlington,
in the County of Halton,

in the within instrument named, make oath and say:

THAT at the time of the execution and delivery by us

of the within instrument we were each of the full age of twenty-one years.

and legally married

SEVERALLY

SWORN before me at the City
of Hamilton,
in the County
of Wentworth,
this day of ~~October~~ November,
A.D. 1962

A Commissioner for taking Affidavits, etc.

Affidavit, Land Transfer Tax Act

IN THE MATTER OF THE LAND TRANSFER TAX ACT.

PROVINCE OF ONTARIO
COUNTY OF Halton

To Wit:

I, Cameron Harold Gage,
of the City of Hamilton,
in the County of Wentworth, Solicitor for the
Grantors named in the within (or annexed) transfer make oath and say:

This affidavit may be made by the purchaser or vendor or by any one acting for them under power of attorney or by an agent accredited in writing by the purchaser or vendor or by the solicitor of either of them.

1. I am the Solicitor for the Grantors named in the within (or annexed) transfer.
2. I have a personal knowledge of the facts stated in this affidavit.
3. The true amount of the monies in cash and the value of any property or security included in the consideration is as follows:

(a) Monies paid in cash		$
(b) Property transferred in exchange;		
Equity value $		
Encumbrance $		$
(c) Securities transferred to the value of		$
(d) Balances of existing encumbrances with interest owing at date of transfer		$
(e) Monies secured by mortgage under this transaction		$
(f) Liens, legacies, annuities and maintenance charges to which transfer is subject		$
Total consideration		$

4. If consideration is nominal, is the transfer for natural love and affection? no
5. If so, what is the relationship between Grantor and Grantee? trustee and cestui que trust
6. Other remarks and explanations, if necessary. No consideration passes hereunder as this conveyance is made solely to discharge a trust.

Sworn before me at the City
of Hamilton,
in the County
of Wentworth,
this 2nd
day of October A.D. 1962

A Commissioner, etc.

CANADA
PROVINCE OF ONTARIO

To Wit:

I, Cameron Harold Gage (This name strictly in full, no initial)
of the City of Hamilton,
in the County of Wentworth, make oath and say:
(Occupation) Solicitor

1. THAT I was personally present and did see the within Instrument and a Duplicate duly signed, sealed and executed by Arie J. Hordyk and Harry Aasman, two of the parties thereto.
2. THAT the said Instrument and Duplicate were executed by the said parties at the City of Hamilton, in the County of Wentworth.
3. THAT I know the said parties and that they are each of the full age of twenty-one years.
4. THAT I am a subscribing witness to the said Instrument and Duplicate.

SWORN before me at the City of Hamilton, in the County of Wentworth this [illegible] day of [illegible] in the year of our Lord [illegible]

Cameron H. Gage

A Commissioner for taking Affidavits, etc.

THE REGISTRY ACT

AFFIDAVIT AS TO MARRIAGE STATUS

COUNTY OF

TO WIT:

I,
in the within instrument named make oath and say:

Strike out words and parts not applicable and initial.

THAT at the time of the execution and delivery by me of the within instrument I was (married), (unmarried), (a widower), and of the full age of twenty-one years or

HUSBAND — THAT at the time of the execution and delivery by me of the within instrument I was legally married to ...., the person joining therein as my wife to bar her dower and was of the full age of twenty-one years or

WIFE — THAT at the time of the execution and delivery of the within instrument, I was legally married to ...., the person named therein as my husband, and he was of the full age of twenty-one years.

SWORN before me at the
of
in the
of
this day of
A.D. 19

A Commissioner for taking Affidavits, etc.

8 C. or 1# 934 215323 Burlington

Dated October 15th, A.D. 19 62

ARIE J. HORDYK
et al

—TO—

CANADIAN REFORMED SCHOOL
SOCIETY OF BURLINGTON
INCORPORATED

Deed of Land

WITHOUT DOWER

SITUATE
in the Town of Burlington,
in the County of Halton.

John A. Newsome, Limited, Toronto.

308 Y-rel.

GAGE, GAGE & CHRISTMAS
BARRISTERS & SOLICITORS
HAMILTON, CANADA

I CERTIFY THAT THE WITHIN INSTRUMENT IS DULY ENTERED AND REGISTERED IN THE REGISTRY OFFICE FOR THE REGISTRY DIVISION OF THE COUNTY OF HALTON ON MICROFILM.
Burlington
1934 O'CLOCK AM OF THE 14
Dec 1966 No. 215323
W. E. Mattocks

Bell

February 23, 2018

Ms. Leah Smith
City of Burlington Planning Department
426 Brant Street, PO Box 5013
Burlington, Ontario L7R 3Z6

Re: City of Burlington Proposed (Draft) Official Plan – February 2018

Dear Ms. Smith:

We are pleased to have the opportunity to provide comments on the Proposed (Draft) Official Plan (OP) – February 2018 for the City of Burlington. The purpose of this letter is to provide comments on the draft policies of the OP and to outline Bell's initiative to work with municipalities to ensure the placement of its infrastructure within the public right-of-way (ROW) is undertaken in a coordinated and technically feasible manner. We understand that the Draft OP will be brought forward to a Statutory Public Meeting on February 27, 2018, followed by a recommendation to Council on April 4, 2018. We request that our comments be considered as part of the public consultation process on the City's Draft OP.

About Bell Canada

Bell Canada is Ontario's principal telecommunications infrastructure provider, developing and maintaining an essential public service. The *Bell Canada Act*, a federal statute, requires that Bell supply, manage and operate most of the trunk telecommunications system in Ontario. Bell is therefore also responsible for the infrastructure that supports most 911 emergency services in the Province. The critical nature of Bell's services is declared in the *Bell Canada Act* to be "for the general advantage of Canada" and the *Telecommunications Act* affirms that the services of telecommunications providers are "essential in the maintenance of Canada's identity and sovereignty."

Provincial policy identifies the economic and social functions of telecommunications systems and emphasizes the importance of delivering cost-effective and efficient services. For instance:

- The 2014 Provincial Policy Statement (PPS) requires the development of coordinated, efficient and cost-effective infrastructure, including telecommunications systems (Section 1.6.1).
- Section 1.7.1 k) of the 2014 PPS recognizes that "efficient, coordinated telecommunications infrastructure" is a component of supporting long-term economic prosperity.
- We note that the definition of infrastructure in the 2014 PPS is inclusive of communications / telecommunications, which is indicative of the importance in providing efficient telecommunications services to support current needs and future growth.
- Furthermore, the 2014 PPS states that infrastructure should be "strategically located to support the effective and efficient delivery of emergency management services"

(Section 1.6.4), which is relevant to telecommunications since it is an integral component of the 911 emergency service.

To support the intent of the *Bell Canada Act* and *Telecommunications Act* and ensure consistency with Provincial policy, Bell Canada has become increasingly involved in municipal policy and infrastructure initiatives. Bell Canada is supportive of municipal infrastructure initiatives, official plans, zoning by-laws, design guidelines and other initiatives that:

- Recognize the role of modern telecommunications infrastructure in creating economically competitive communities;
- Provide flexibility in the permission of utility structures, which ensures that utilities can be designed, located and maintained in a cost-effective and efficient manner, and ensures that Bell's technicians will have ease of access to maintain the infrastructure;
- Emphasize the need for municipalities, developers and Bell Canada to communicate and coordinate with one another to ensure the coordinated delivery of services; and
- Balance the desire to create attractive, uncluttered streetscapes with the need to provide cost-effective and efficient telecommunications services.

Comments on the Draft Burlington Official Plan (OP) – February 2018

We have reviewed the Draft Burlington OP – February 2018. The following provides a rationale for our proposed addition to draft policy. The addition is shown in <u>underline</u>.

Section 6.3

Section 6.3 (Utilities) speaks to the coordination of development activities with public utilities to ensure that construction activities minimize disruption to the community. Bell Canada is committed to working with the City and other public utilities, where appropriate, to optimize the design of utilities within public rights-of-way and to ensure that construction occurs in an efficient manner that is respectful of the existing community. We note that Subsection 6.3.2 f) proposes that "all existing and proposed overhead utilities should be buried" within the Downtown Urban Centre and Mobility Hubs. Although Bell understands that there is an aesthetic benefit to the burial of overhead wires along streetscapes in significant neighbourhoods, in some cases, it is not feasible to do so. In fact, it is often cost prohibitive or technically infeasible to bury utilities. In some cases, the burial of telecommunications infrastructure makes it more difficult and costly to maintain and increases the risk of damage due to freezing and thawing. For these reasons, we respectfully request that the City consider the following addition:

> 6.3.2 f) The Downtown Urban Centre and Mobility Hubs will be considered special areas where all existing and proposed overhead utilities should be buried<u>, if through consultation with public utilities it is determined to be technically feasible to do so.</u>

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Development and Municipal Services Control Centre
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Bell Canada has developed an Urban Design Manual (UDM) which speaks to the location and configuration of utility infrastructure to balance ease of access with design. Bell understands the need to balance the public interests of providing utilities and services with the streetscape design objectives of the City. The manual provides further context on the issues associated with burial of utility infrastructure. In particular, we wish to draw your attention to the following sections of the UDM, which address matters related to enhancing the streetscape and public realm:

- Section 5.0 discusses issues with regard to urban design and public utilities. Section 5.1 addresses municipal requests to bury telecommunications infrastructure. Section 5.2 discusses screening of telecommunications infrastructure from public view. Bell is supportive of discreetly locating its above-ground utilities and clustering utilities to minimize visual clutter; however, it is important to design the utilities to allow for safe access by Bell's technicians.

- Section 6.0 provides techniques which can be used to minimize the visual prominence of telecommunications equipment in a number of different community scenarios, while still meeting telecommunications network requirements for resiliency, sustainability and growth.

For your reference, the Urban Design Manual is enclosed with this letter.

Future Involvement

We would like to thank you again for the opportunity to comment on the City of Burlington's Draft OP – February 2018. We request that all documentation be forwarded to the Manager of Municipal Relations:

Ms. Meaghan Palynchuk
Manager - Municipal Relations
Access Network Provisioning, Ontario
20 Hunter Street West, Flr.3
Hamilton, ON
L8P 2Z2

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If you have any questions, please direct them to the undersigned.

Yours truly,

Meaghan Palynchuk
Manager, Municipal Relations
Access Network Provisioning, Ontario

cc: Chris Tyrrell – WSP Canada Group Limited

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Public comments

Urban Design Manual

TELECOMMUNICATIONS INFRASTRUCTURE



BALANCING DESIGN WITH COMMUNICATIONS SERVICES

MMM GROUP

dtah

October 2014 | Version 1.1

D14-00-05019

DISTRIBUTION

DISCLAIMER

The guidelines within the Bell Urban Design Manual represent Bell's vision for the delivery of telecommunications infrastructure, but will need to be considered on a case-by-case basis to ensure feasibility. As a non-statutory planning document, the guidelines within the Manual are designed to be applied in a flexible manner, having regard to the overall design principles, in a manner that considers the unique circumstances and parameters of different contexts.

ACKNOWLEDGEMENTS

We would like to acknowledge the contributions of the project team, whose hard work has led to the preparation of a telecommunications-oriented urban design manual. The project team consisted of staff from Bell Canada, MMM Group and duToit Allsopp Hillier. Bell Canada staff have provided technical input, images, and practical experience related to the operation and expansion of their telecommunications network. MMM Group has coordinated the preparation of the Manual, while also contributing their expertise in the fields of planning and engineering. duToit Allsopp Hillier has prepared the urban design guidelines and images, drawing on their extensive talents as innovators in the field. Members of the project team include the following people:

BELL CANADA

John La Chapelle, MCIP, RPP (Project Manager)
Frank Fucile, C. Tech
Meaghan Palynchuk

MMM GROUP

Chris Tyrrell, MCIP, RPP (Project Manager)
Darryl Bird, MCIP, RPP
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Ted Swiderski, B. Sc.
Suzanne Reeves, BFA, B.Sc.
Larisa Tcherednitchenko, Dip

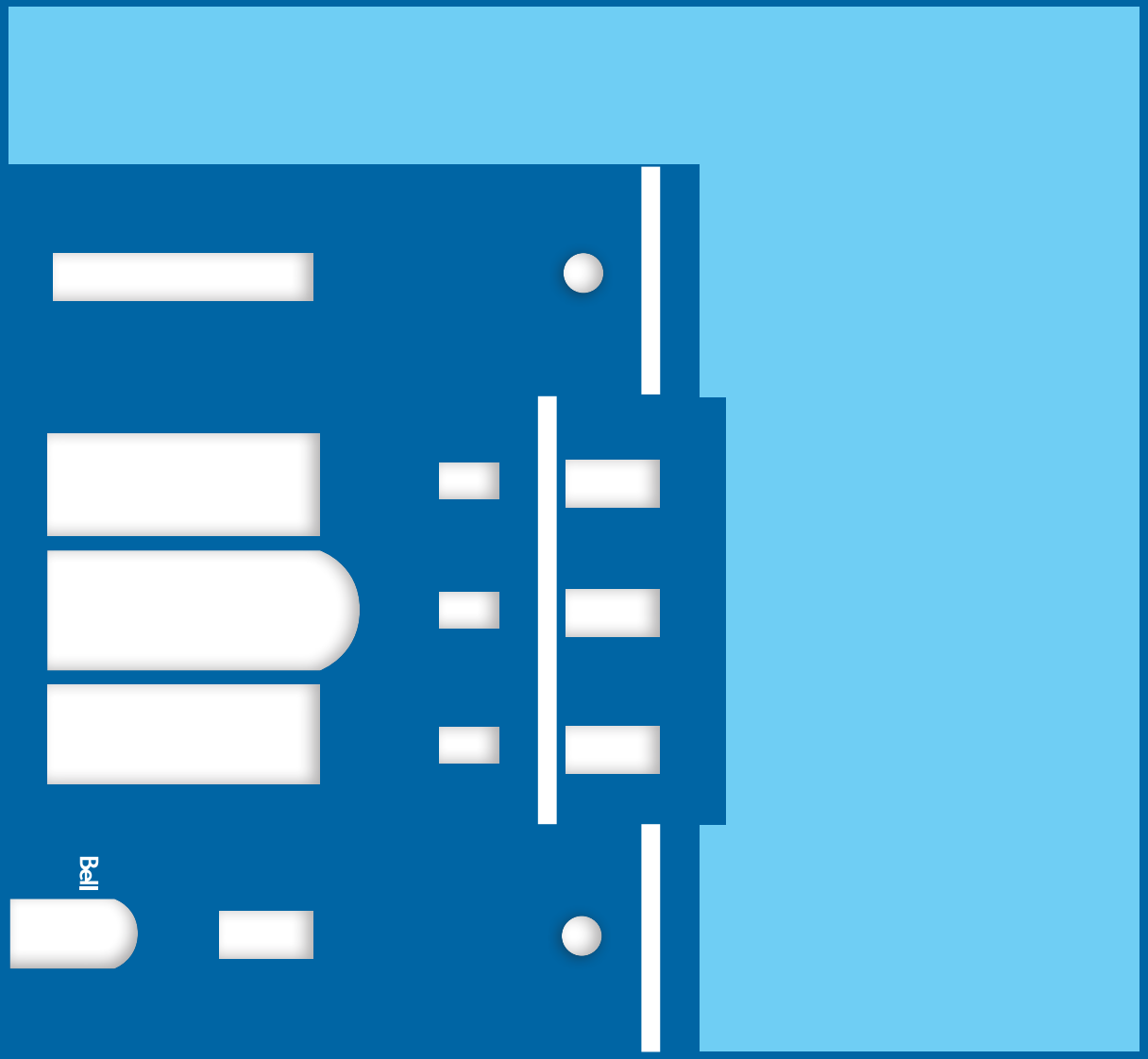
DU TOIT ALLSOPP HILLIER

Mark Langridge, OAA, ANZIA, LEED®AP
David Dennis, OAA
Brent Raymond, OALA, CSLA, ASLA, CNV
Carlos Rubio Reyes, B. E. S., B. Arch.

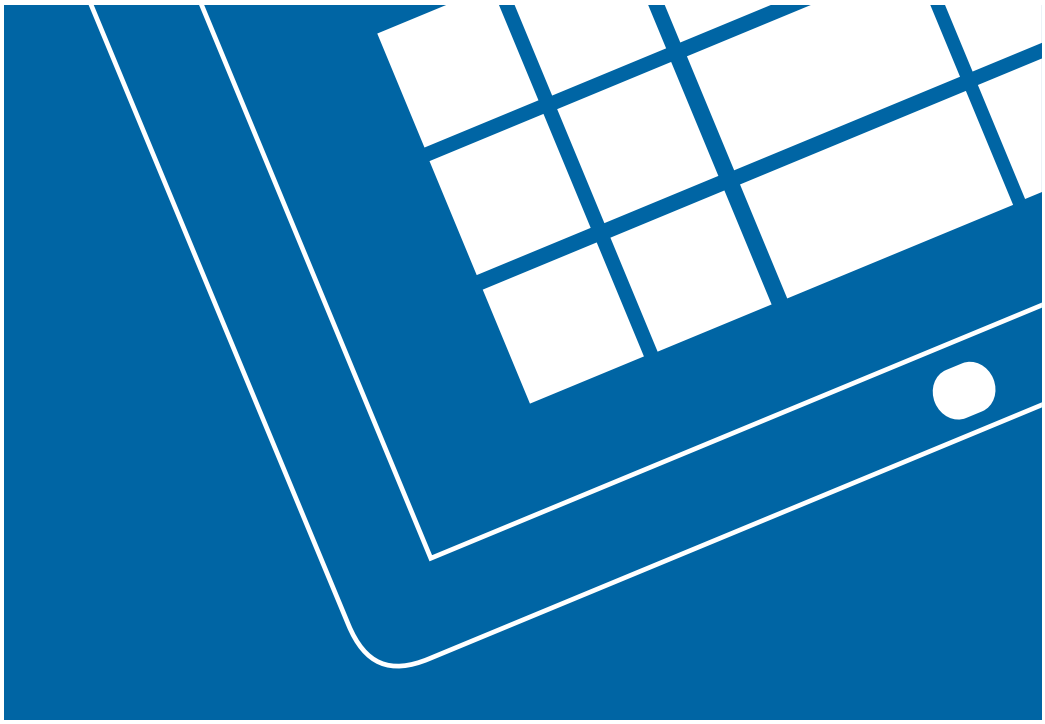
Contents

Urban Design Manual

Bell



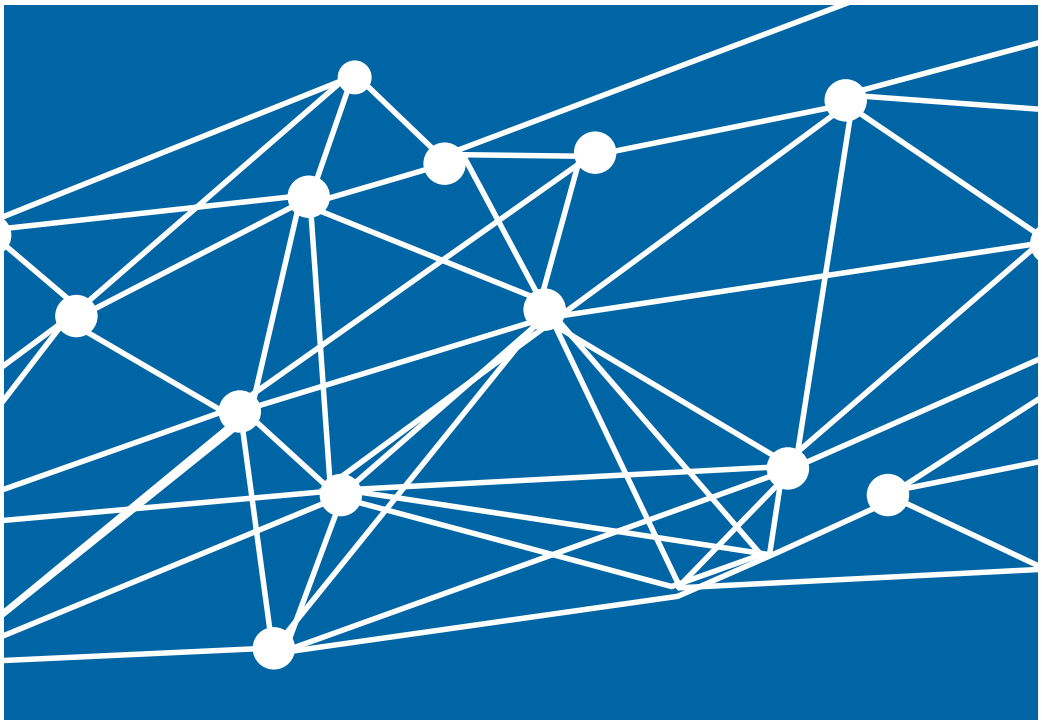
Executive Summary



Bell Canada is Ontario's principal telecommunications infrastructure provider. The Bell telecommunications network provides the public with a range of telephone and broadband internet/services. Bell's broadband network provides high speed networking capabilities and applications that help the Province stay competitive in the global economy. Bell's infrastructure network also ensures that the services provided have the necessary redundancy and security to ensure that 911 emergency services can be delivered consistently under a variety of circumstances.

In order to reinforce and expand the telecommunications network in an efficient and sustainable manner, Bell Canada has become actively engaged in the municipal planning process through the review of policy and development initiatives. This proactive approach involves the monitoring of all major policy initiatives such as urban design guidelines, official plans, zoning by-laws and heritage conservation district studies.

Bell has prepared numerous submissions to the Province and municipailites regarding iniatives that have had the potential to impact the telecommunications network. In order to provide a more consistent approach for the design of telecom network infrastructure. Bell has prepared this Urban Design Manual.



The Bell Urban Design Manual will assist municipalities, professional planners, urban designers, developers, and engineers in making informed decisions regarding the appropriate location of telecommunications infrastructure, in a variety of urban and suburban contexts commonly found in Ontario. This Manual presents an overview of the telecom infrastructure network, and provides guidelines, principles, and siting criteria to ensure that the Bell network is both well integrated in the public realm, and of sufficient technical resilience to provide for the increasing number and quality of services demanded by the public.

WHAT IS THE LEGISLATIVE FRAMEWORK UNDER WHICH BELL OPERATES?

The telecommunications network in Ontario is regulated by a number of laws including:

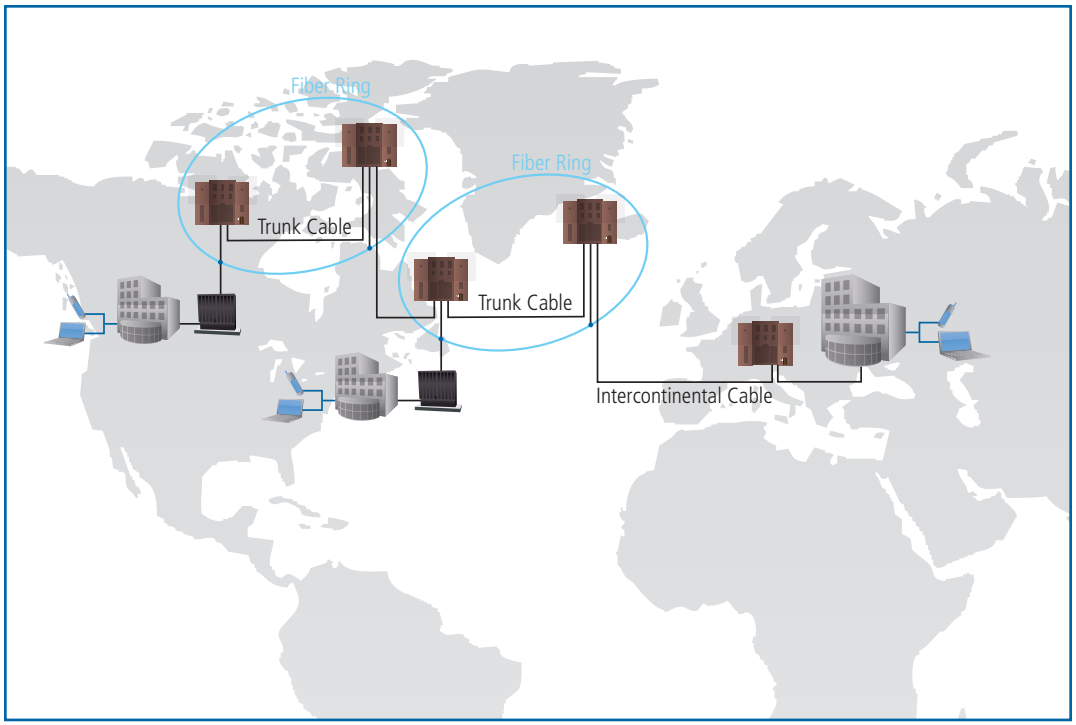
- The ***Telecommunications Act***, which provides the ground rules for telecom provision in Canada; and
- The ***Bell Canada Act***, which controls and regulates the responsibilities and operations of Bell Canada.

There are also Provincial planning documents that establish the framework for land use planning in Ontario, and contain policies regarding telecom infrastructure. Many of the development trends now occurring, such as intensification, are encouraged and mandated by Provincial policy.

There is a direct link between the form of growth and development, and the manner in which telecommunications infrastructure is delivered to the public. Generally, intensification requires Bell to reinforce its existing urban telecommunications infrastructure, while growth in greenfield areas requires network expansion. Both development scenarios present their own unique challenges to infrastructure provisioning.

Provincial policy clearly recognizes the importance of providing efficient and reliable telecommunications services, and balancing this need with other considerations. The 2014 Provincial Policy Statement (PPS) incorporates telecommunications as a component of the definition of infrastructure. In so doing, the policies that apply to creating coordinated, efficient and cost-effective infrastructure systems also apply to telecommunications (section 1.6.1).

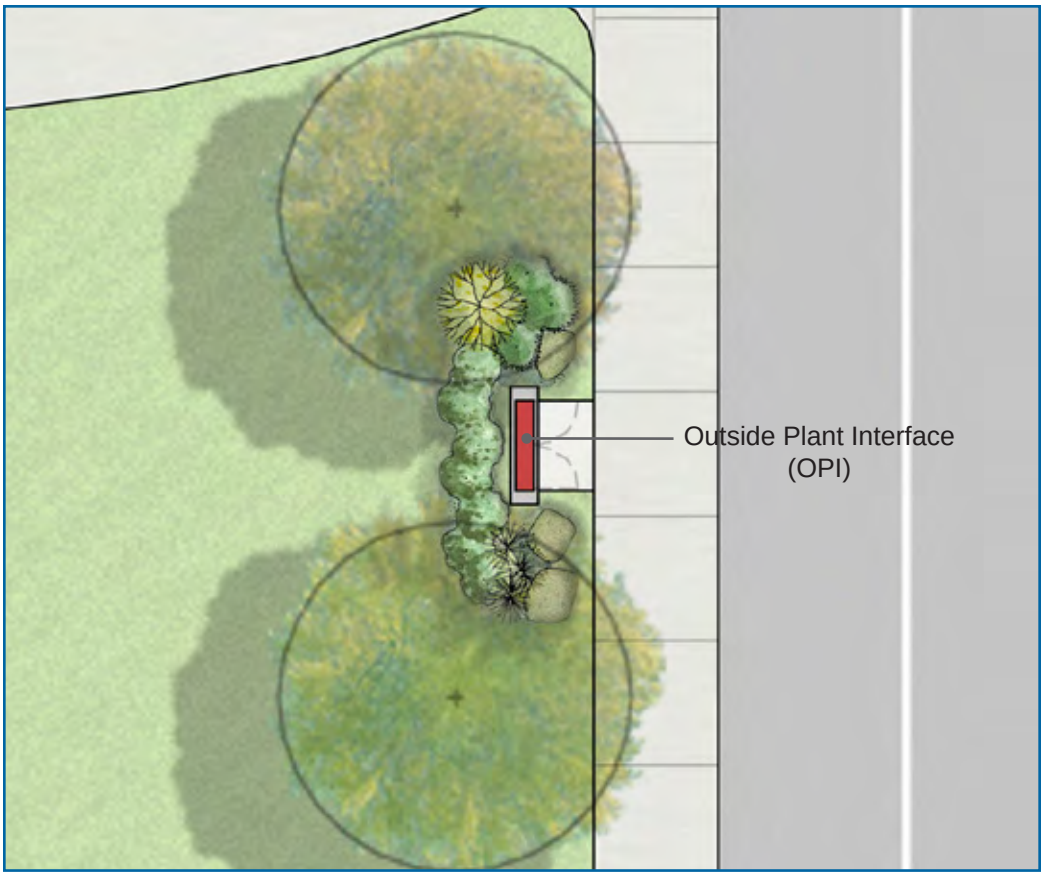
Additionally, the PPS now recognizes efficient and reliable telecommunications as a component of promoting long-term economic prosperity (section 1.7.1). The Greenbelt Plan recognizes the need for telecommunications infrastructure, and permits them in the Protected Countryside, subject to policies which help to balance the need for infrastructure with the need to protect sensitive environmental features (section 4.2.1).



WHAT OTHER ISSUES ARE RELEVANT TO THIS MANUAL?

There are a number of issues that are fundamentally changing the ways in which telecom providers maintain and upgrade the telecommunications infrastructure network. Foremost among these is the mounting infrastructure deficit in this country, which is growing rapidly as infrastructure reaches the end of its functional lifecycle, requiring extensive maintenance and upgrades.

Bell Canada understands that municipalities face limited funding to support the repair and expansion of costly infrastructure. By finding a way to balance the need to expand and improve the telecommunications infrastructure network, while also considering the aesthetics of the public realm, the Bell Urban Design Manual provides best practices to ensure that services are delivered in the most efficient manner possible, while improving the aesthetics of the public realm.



WHAT IS THE PURPOSE OF THIS MANUAL?

The overall goal of the Bell Urban Design Manual is to ensure that informed decisions are made about the appropriate design and location of telecom infrastructure elements. The telecommunications design guidelines have been prepared based on four core objectives, which include:

- Address issues of urban aesthetics;
- Create a consistent urban design policy framework;
- Consider sustainability issues; and
- Ensure the provision of reliable, efficient, high-quality and leading edge telecommunications services.

The Manual contains a high-level overview of Bell's telecommunications network, including a description of the most common infrastructure elements. This overview aims to detail the important role this infrastructure has in providing Bell's services to the public. Telecommunications infrastructure elements are constantly evolving to provide the public with the most technologically advanced services available.

However, while telecommunications elements may evolve over time, the network structure is fundamental, and has provided the foundation for reliable telecommunications service for over 130 years. It is robust in adverse weather conditions, meets stringent Canadian technical standards, and provides system reliability that is vital to the provision of 911 emergency services.

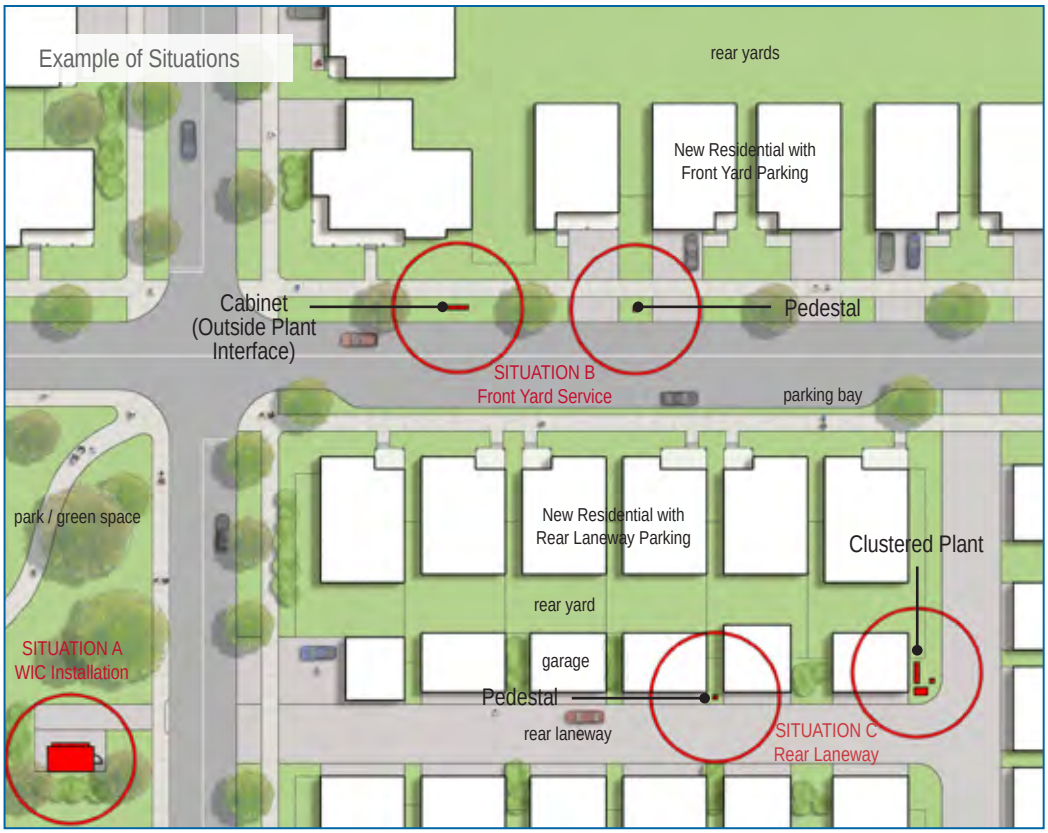
The biggest challenge in creating an Urban Design Manual for telecommunications infrastructure is balancing issues of urban design with the need to provide an efficient flexible and resilient service network. There are a number of such issues that arise on a regular basis, including requests to bury telecommunications infrastructure, the desire to screen infrastructure from public view, and proposals to phase out Central Offices (also known as Switching Centres). This Manual explains the technical rationale for the location of telecommunications infrastructure, while also providing design guidelines to mitigate issues of aesthetics.

WHAT TYPES OF GUIDELINES ARE CONTAINED IN THIS MANUAL?

The urban design guidelines in this Manual provide a number of general recommendations regarding the industrial design of telecommunications infrastructure elements.

Context specific guidelines are also provided based on the following typical urban scenarios:

- Traditional Main Street;
- Established Residential;
- Reurbanized Mixed Use Areas;
- Commercial/Industrial; and
- New Communities.



In the example diagram above, the following situations can occur in the context of a new community:

- Situation A (Walk in Cabinet Installation): Larger walk-in cabinet installations are sometimes required as a primary distribution point to a new residential neighbourhood.
- Situation B (Front Yard Service): Where front yard parking is required, services are often required in the front yard.
- Situation C (Rear Laneway): Where rear laneways are provided, such as in New Urbanist neighbourhoods, service may be provided in side or rear yards as shown.

For each of these situations, this Manual describes specific guidelines for siting and integrating Bell's utility structures. This and other examples of potential situations are provided in Section 6.

Moving forward, the Manual will provide the basis for Bell's reviews of municipal development and policy initiatives. The Manual will also be updated on a regular basis to keep pace with evolving technologies, and to ensure that the guidelines are still relevant in a future context.

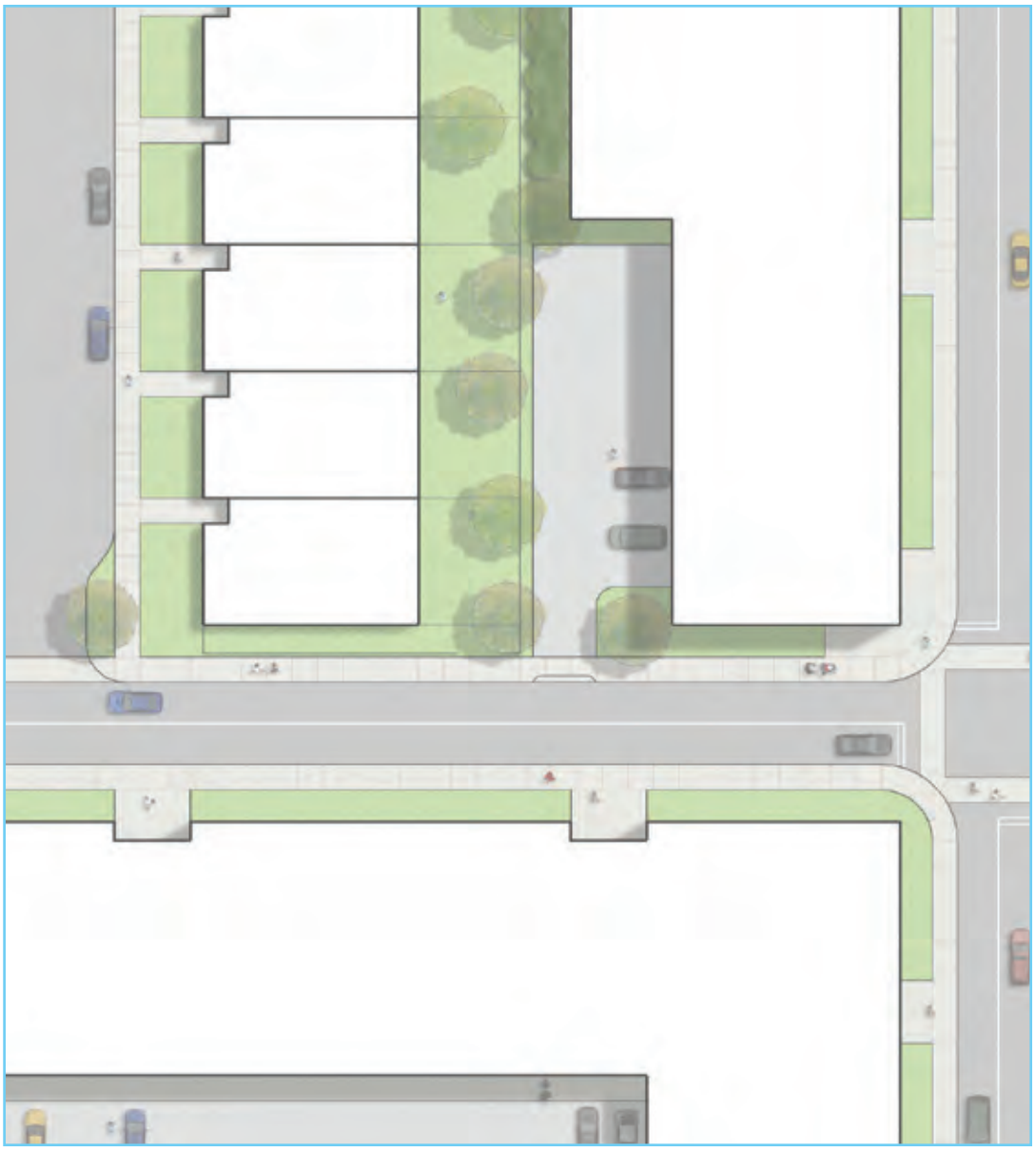
Urban Design Manual

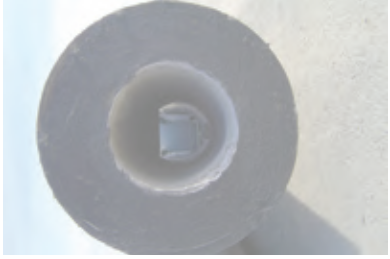
Bell

Chapter 1.0

Introduction

Chapter 1.0





Introduction

There is a clear need to provide urban design guidelines for the location and siting of telecommunications infrastructure. This section describes the practice of urban design, and the necessity of providing telecommunications infrastructure oriented guidelines for Bell Canada. These guidelines will assist municipalities, the development industry, and Bell Canada with the placement and maintenance of telecommunications infrastructure.

Fig. 1-1 | A Bell representative demonstrating dial service to Toronto firemen (circa 1924)

1.1 ABOUT BELL CANADA

Bell Canada is Ontario's principal telecommunications infrastructure provider. Bell's responsibilities and the importance of telecommunications services are outlined in:

- The ***Bell Canada Act***, a federal statute, which requires that Bell manage and operate most of the trunk telecommunications system in Ontario; and
- The ***Telecommunications Act***, also a federal statute, which recognizes the importance and role of telecommunications providers in maintaining Canada's sovereignty and identity and in advancing Canada's social and economic fabric.

This telecommunications network provides the public with a range of telephone and broadband internet / services. Bell's broadband network provides high-speed networking capabilities and multiple applications beyond the voice and data transmission capabilities of traditional telephone service. This broadband network helps Ontario stay competitive in the global economy, providing businesses and the public with the high-quality communications services required in this information age. This network is extending to the Province's rural communities, as the demand for broadband services increase in these areas.

Communities are increasingly recognizing the importance of fast, reliable high-speed Internet services as a key component of creating economically competitive, "smart" communities.

Bell Canada is also the telecom provider responsible for the infrastructure that supports most 911 emergency services in the Province, including geographical / municipal location services. Bell's extensive infrastructure network incorporates the necessary redundancy and security to ensure that 911 emergency services can be provided consistently under a variety of circumstances.

In order to reinforce and expand the telecommunications network in an efficient and sustainable manner, Bell Canada has become actively engaged in the municipal planning process through the review of policy and development initiatives.

This proactive approach involves the monitoring of all major policy initiatives such as urban design guidelines, official plans, growth plans, zoning by-laws and heritage conservation district studies for example. When necessary, Bell has provided policy suggestions and changes to ensure that telecom infrastructure has been appropriately addressed.

Bell has prepared numerous submissions to the Province and municipalities regarding initiatives that have had the potential to impact the telecommunications network. Such submissions have described the needs and technical demands of telecommunications providers.

Fig. 1-2 | Bell operators working in a Milton, Ontario Switching Centre (circa 1955)

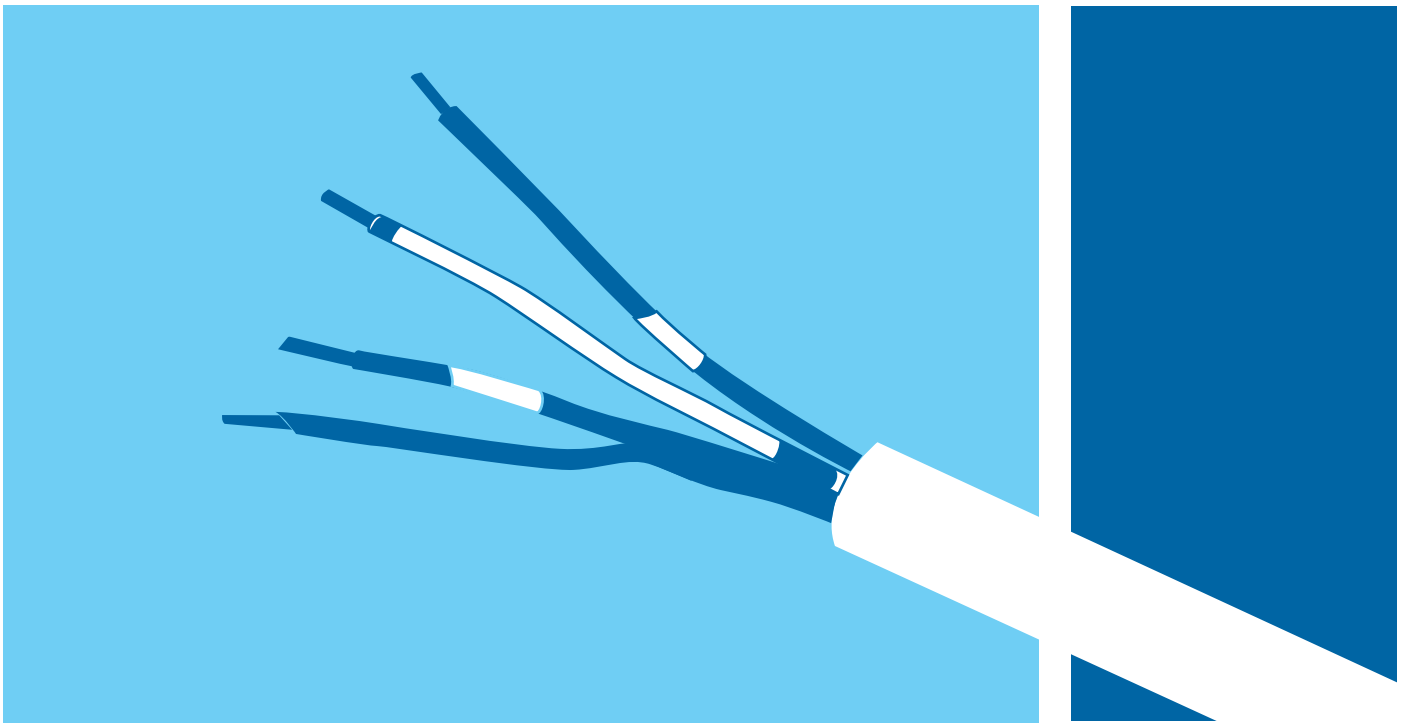
In order to provide a more consistent approach to municipalities for the design of telecom network infrastructure, Bell has prepared this Urban Design Manual. This Manual presents an overview of the telecom infrastructure network, and provides guidelines representing best practices in the telecommunications industry.

1.2 CONTEXT

The Bell Canada telecommunications infrastructure network is an extensive system, which was built in stages over the course of about 130 years, as communities, and the number of services available to the public have grown.

This infrastructure network is similar to municipal water and transportation systems in that it requires constant expansion, repair, upgrades and life-cycle replacement. Unlike municipal systems, though, Bell's infrastructure is composed of sensitive electronic equipment located both above and below grade.

There are a number of issues that are fundamentally changing the manner in which telecom providers maintain and upgrade the telecommunications infrastructure network. Foremost among these is the mounting infrastructure deficit in this country, which impacts infrastructure as it reaches the end of its functional lifecycle. Continued maintenance and upgrades are required to meet service demands. Bell Canada can relate to the issues municipalities face in a context where limited funds are available for the repair and expansion of costly infrastructure.



The Federal and Provincial governments are implementing programs to address the growing public infrastructure deficit, and have developed funding programs proposing the investment of billions of dollars. However, the funding from these programs only address a fraction of the infrastructure deficit in this country estimated to be well in excess of $100 billion. Bell Canada is experiencing the same strain from a growing population on its telecommunications infrastructure network.

Another factor that is changing the context for telecommunications providers is the evolution of Provincial planning policy, which is placing an increased importance on the promotion of infill development, brownfield redevelopment, higher-densities on greenfield lands.

This means a greater number of customers will use existing infrastructure that may not have been designed to accommodate dramatic increases in usage. Intensified development can also reduce the amount of space available to accommodate network infrastructure.

Provincial Policy is also evolving to place a greater emphasis on the need for efficient, coordinated infrastructure, including telecommunications services. Efficient, reliable and modern telecommunications services, in particular, is an important part of creating a strong economy in the 21st century. Bell Canada's role in developing the trunk network and reinforcing the network in intensification areas is therefore an important part of strengthening Canada's economic competitiveness and the individual economic competitiveness of neighbourhoods, communities and municipalities.

Fig. 1-3 |
A walk in cabinet that was designed in conformance with municipal urban design standards

Increasing population and intensified development puts a premium on the space found within the public realm, resulting in greater public scrutiny of areas where urban infrastructure, including telecommunications networks, have typically been located. Municipalities are thus placing increasing demands on telecommunications providers to adhere to a higher standard of urban design for telecommunications infrastructure located within the public realm. There is also a necessity in certain circumstances to acquire easements, extending from public rights of way to private property, which allow service providers continuous access to the telecommunications infrastructure components.

Bell Canada recognizes the public interest in providing a more functional and attractive public realm. However, the technological demands of telecommunications providers are not always considered during the preparation of urban design initiatives, as planners may be unfamiliar with the functional and technological requirements of this infrastructure. There is the risk that the technical and feasibility considerations of providing telecommunications services may be viewed as secondary to issues of aesthetics, which can result in greater costs to service providers, a reduced quality of service to their customers delay of deploying services and undertaking repairs and potential safety risks for Bell employees.

1.3 URBAN DESIGN

Urban design is a practice that deals with the function, arrangement, and appearance of communities. Urban design places particular emphasis on the design of the public realm, and the manner in which public places are used and experienced. As a practice it provides a key link between the fields of urban planning, architecture, landscaping, and engineering. Urban design has gained prominence in recent years as a vital activity in the overall planning and development process.

One of the central principles of urban design is the importance of providing aesthetically pleasing public open spaces. These spaces are viewed as a critical element of the urban landscape that should be both visually attractive and pedestrian-oriented. Unfortunately, urban design policies and guidelines are often inconsistent or do not give adequate consideration to the importance of the telecommunications network.

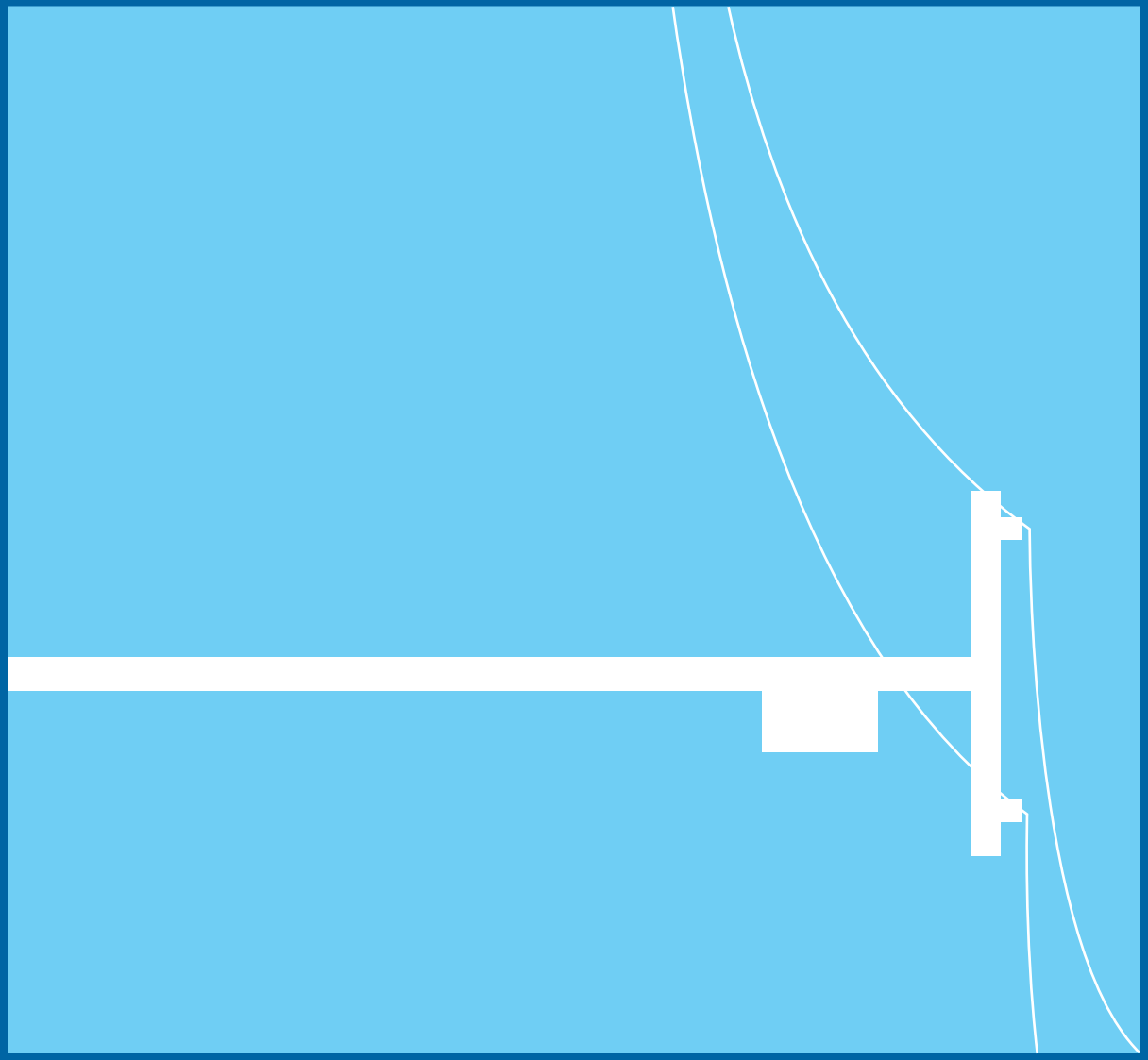
Municipalities are now developing urban design guidelines for specific elements of the urban landscape, such as drive-through facilities and infill townhouse developments. These initiatives often contain a thorough review of the existing context, providing the basis to establish guidelines based on best practices and functional requirements. This results in a consistent framework for both the municipality and all service providers to work with, resulting in well-planned projects that are well integrated in the urban realm. By providing a telecommunications specific Urban Design Manual, Bell Canada is seeking to set a balanced acceptable standard for the design and location of telecom infrastructure, which can be applied in municipalities throughout Ontario.

1.4 PURPOSE

The Bell Urban Design Manual will assist municipalities, professional planners, urban designers, developers, and engineers in making informed decisions regarding the appropriate location of telecommunications infrastructure in a variety of urban and suburban contexts commonly found in Ontario. The urban design guidelines will showcase the best practices for telecommunications infrastructure design, while also outlining the technological limitations of different locations and contexts. The guidelines are intended to establish principles and siting criteria for the location and design of telecommunications infrastructure. This will ensure that it is both well-integrated in the public realm, and of sufficient technical resilience to provide for an increasing number and quality of services demanded by the public.

Urban Design Manual

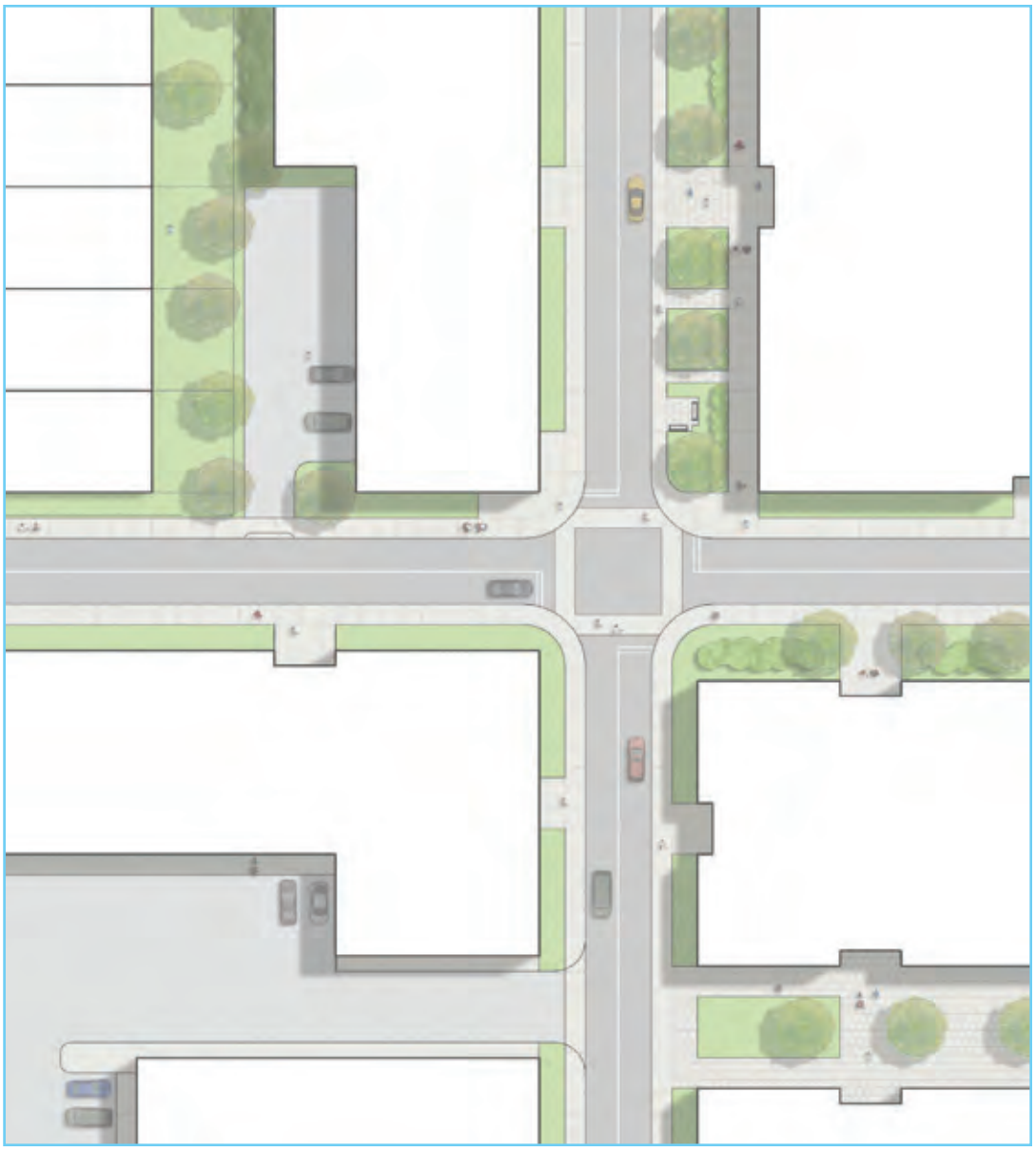
Bell



Chapter 2.0

Policy Framework

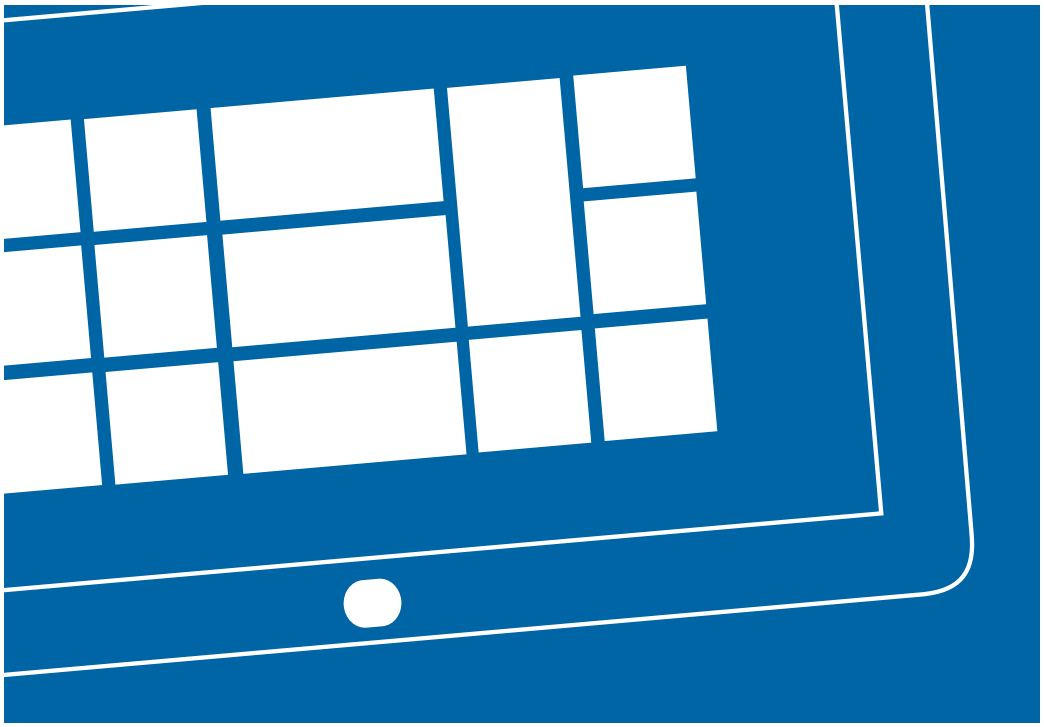
Chapter 2.0



BALANCING DESIGN WITH COMMUNICATION SERVICES

Policy Framework

There are a number of Federal policy documents that regulate the provision of telecommunications services. There are also Provincial planning documents that establish the framework for land use planning in Ontario, and contain policies regarding telecom infrastructure. Many of the development trends occurring in Ontario, such as intensification, are encouraged and mandated by Provincial policy. Provincial policy also recognizes the strong relationship between reliable, efficient telecommunications services and creating economically competitive, “smart” communities.



2.1 TELECOMMUNICATIONS ACT

The federal ***Telecommunications Act*** (1993) recognizes the important role telecommunications has in this country, and defines it as follows:

"the emission, transmission or reception of intelligence by any wire, cable radio, optical or other electromagnetic system, or by any similar technical system."

The ***Act*** contains the following elements; policy objectives, Canadian ownership requirements, and regulatory procedures. The ***Act*** encourages the stimulation of research and development, enhancing the competitiveness of the telecommunications system in order to "safeguard, enrich and strengthen the social and economic fabric of Canada." Section 7 of the ***Act*** recognizes that telecommunications performs an essential role in maintaining Canada's identity and sovereignty, and contains the following objectives:

(a) to facilitate the orderly development throughout Canada of a telecommunications system that serves to safeguard, enrich and strengthen the social and economic fabric of Canada and its regions;

(b) to render reliable and affordable telecommunications services of high quality accessible to Canadians in both urban and rural areas in all regions of Canada;

(c) to enhance the efficiency and competitiveness, at the national and international levels, of Canadian telecommunications;

(d) to promote the ownership and control of Canadian carriers by Canadians;

(e) to promote the use of Canadian transmission facilities for telecommunications within Canada and between Canada and points outside Canada;

Fig. 2-1 | Telecommunications technology continually evolves to address public needs

(f) to foster increased reliance on market forces for the provision of telecommunications services and to ensure that regulation, where required, is efficient and effective;

(g) to stimulate research and development in Canada in the field of telecommunications and to encourage innovation in the provision of telecommunications services;

(h) to respond to the economic and social requirements of users of telecommunications services; and

(i) to contribute to the protection of the privacy of persons.

The ***Act*** recognizes the need for national ownership of Canadian carriers, such as Bell Canada, and grants authority to the Canada Radio Television and Telecommunications Commission (CRTC) to make rules and regulate the Canadian telecom industry.

2.2 BELL CANADA ACT

The ***Bell Canada Act*** (1987) provides the legislation that controls and regulates Bell Canada. The ***Act*** states that the works of Bell Canada are "works for the general advantage of Canada (Sec. 5)." Section 6(1) of the ***Act*** requires that when a telephone service is requested by a person or organization for any lawful purpose in an area where general telephone service is provided by Bell, that Bell shall provide that service in a reasonable timeframe. However, the ***Act*** relieves Bell of this obligation under certain circumstances.

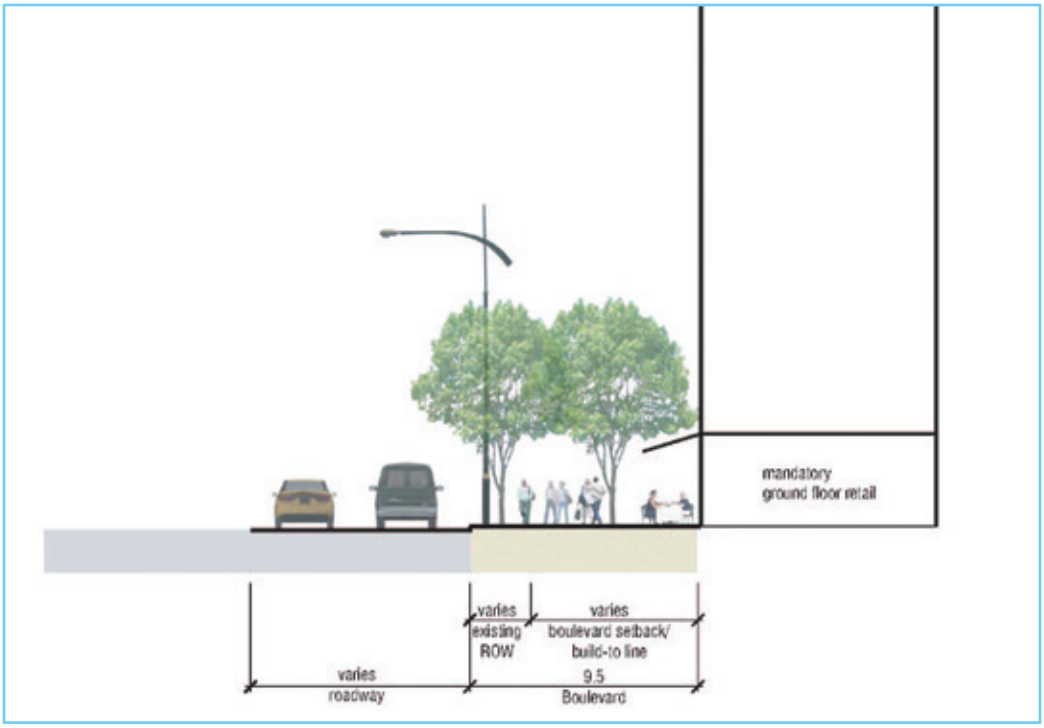


Fig. 2-2 | Provincial planning policy has encouraged municipalities to place an increased emphasis on providing a more desirable public realm through urban design

Another key provision is found in section 11.2 of the ***Act*** as follows:

"except in the ordinary course of the business of the Company, no facilities of the Company that are integral and necessary for the carrying on of telecommunications activities shall be sold or otherwise disposed of, or leased or loaned, without the prior approval of the Commission (CRTC)."

The above regulation indicates that Bell Canada may require Federal approval to replace / remove certain key infrastructure elements. It recognizes the vital role that telecommunications infrastructure has in providing reliable service for an integrated, national network.

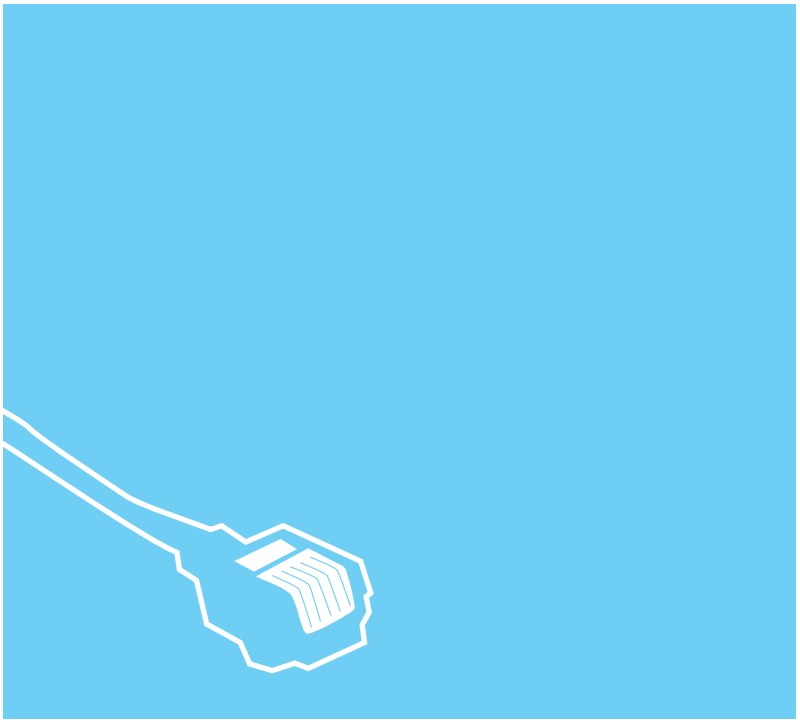
2.3 PLANNING ACT

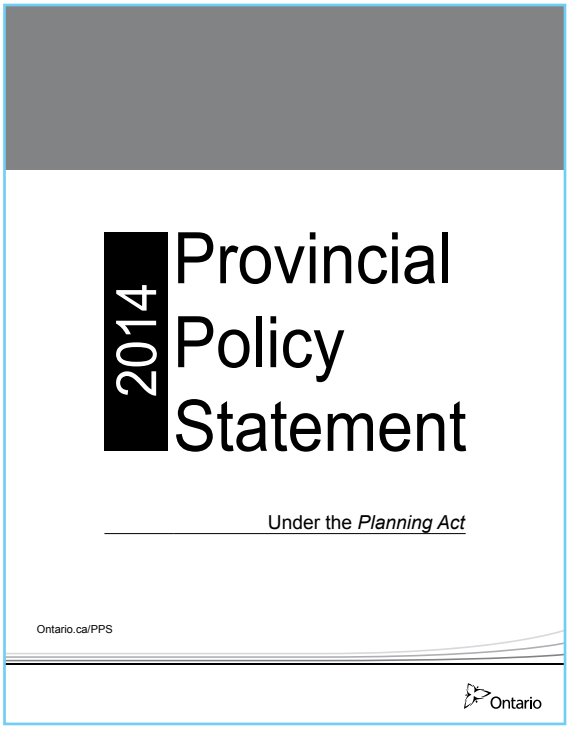
Ontario's ***Planning Act*** establishes the rules for land use planning throughout the Province, and describes the various tools available for controlling land use. Section 41(4) of the ***Planning Act*** enables municipalities to request the submission of drawings showing plan, elevation and cross-section views for each building to be erected. These drawings should show:

- the relationship of the proposed building to adjacent buildings, streets, and exterior areas to which members of the public have access;
- the provision of interior walkways, stairs, elevators and escalators to which members of the public have access from streets, open spaces and interior walkways in adjacent buildings;

- matters relating to exterior design, including without limitation the character, scale, appearance and design features of buildings, and their sustainable design, but only to the extent that it is a matter of exterior design, if an official plan and a by-law passed identifying the particular area as a site plan control area that contains provisions relating to such matters; and
- the sustainable design elements on any adjoining highway under a municipality's jurisdiction, including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities, if a site plan control area is in effect in the municipality.

These provisions are relatively new to the ***Planning Act***, having been implemented through Bill 51, and coming into effect in 2007. These powers are only available to municipalities if their official plan and site plan control by-laws contain provisions relating to such matters. Many municipalities have now revised their planning processes to implement these new provisions. These regulations provide municipalities with new tools for the design of the public realm, which are being implemented in many planning policy initiatives.





2.4 PROVINCIAL POLICY STATEMENT

The 2014 Provincial Policy Statement (PPS) establishes the principal policy framework for land use planning in Ontario's municipalities. Land use planning decisions must be consistent with the policies of the PPS. The PPS contains several important policies which underpin the importance of providing efficient, viable, coordinated telecommunications services, and the role of telecommunications in creating economically prosperous communities.

2.4.1 Efficient, Coordinated and Cost-Effective Telecommunications Services

The PPS strongly supports the integrated planning of communities, including the provision of efficient, coordinated telecommunications infrastructure, to support the development of prosperous communities.

The PPS specifically requires that- "planning for Infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities shall be provided in a coordinated, efficient and cost-effective manner that considers impacts from climage change while accommodating projected needs" (Section 1.6.1).

Furthermore, the PPS promotes the planning of infrastructure in a manner that ensures their financial viability:

"planning for infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities shall be coordinated and integrated with land use planning so that they are:

(a) financially viable over their life cycle, which may be demonstrated through asset management planning; and

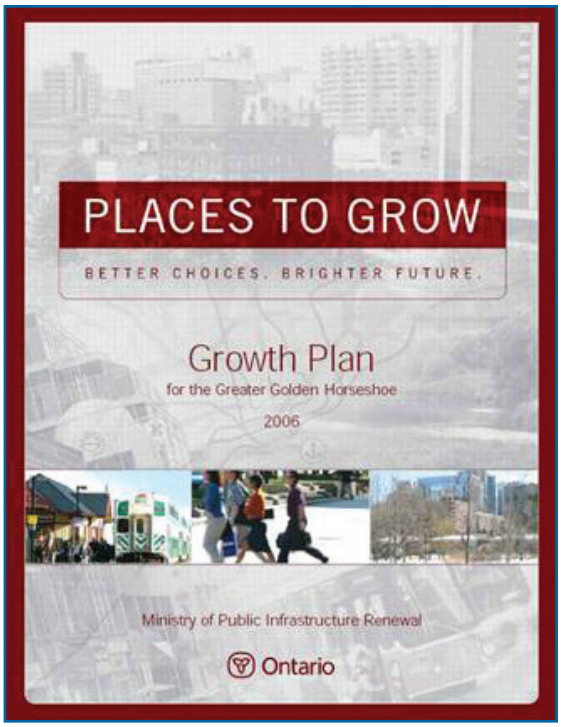
(b) available to meet current and projected needs."

The PPS definition of infrastructure includes communications/ telecommunications equipment, in recognition of its importance as a "foundation for development".

As a result, the PPS is interpreted to indicate the great importance of providing and maintaining telecommunications in an efficient, timely and coordinated manner, as would be expected for other types of infrastructure.

2.4.2 Telecommunications to Promote Economic Prosperity

Changes made to the PPS in 2014 place a clear recognition of the role of telecommunications in creating "smart", economically competitive communities. As municipalities establish goals for creating economically competitive, connected communities, it is important to understand the role of reliable, modern telecommunications infrastructure in achieving these economic development objectives.



The PPS specifically recognizes the role that telecommunications plays in economic development. Section 1.7.1 k), new to the 2014 PPS, recognizes that encouraging efficient and coordinated communications and telecommunications is an important aspect of supporting long-term economic prosperity.

2.4.3 Telecommunications as an Emergency Management Service

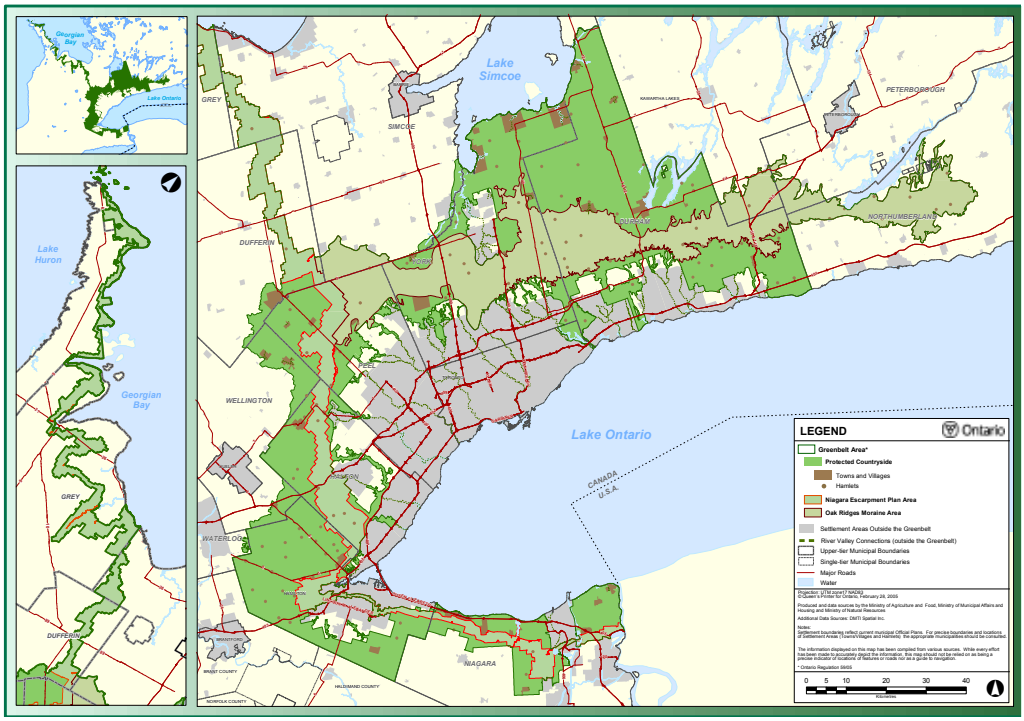
Furthermore, the PPS states that infrastructure should be located to support the delivery of emergency management services (Sec. 1.6.4). Bell Canada monitors both planning and development initiatives to forecast where new growth and intensification are to occur in the Province, so that it can adequately provide for current and future infrastructure needs.

Greater municipal understanding of the telecommunications infrastructure network, and its associated technical elements, will help to ensure that telecommunications requirements are appropriately accommodated in the early stages of the planning process.

2.5 PLACES TO GROW

The ***Places to Grow Act (2005)*** provides the Province with the authority to establish growth plans in any area of the Province. These growth plans are designed to manage growth and development in the Province in order to support economic prosperity, protect the environment, and provide a high quality of life in Ontario communities.

The first such growth plan to be established was the Growth Plan for the Greater Golden Horseshoe (2006). The Growth Plan for the Greater Golden Horseshoe contains substantial policy direction supporting urban design.



Section 2.2.3.7(c) requires that intensification areas be planned and designed in a manner that provides high-quality public open spaces, and utilizes site design and urban design standards to create attractive and vibrant places.

Section 2.2.7.1(d) requires that greenfield areas be designed in a manner that creates high quality public open spaces that support opportunities for transit, walking and cycling.

The Growth Plan emphasizes the importance of the urban realm, which has a greater role in increasingly intensified communities. As more municipalities undertake urban design initiatives, it is important that the technical and locational requirements of telecommunications infrastructure, which is often located in public spaces and rights of way, are understood and accounted for.

2.6 GREENBELT PLAN

The importance of telecommunications services is further emphasized by the policies of the Greenbelt Plan. Section 4.2 recognizes that infrastructure, which is defined to include telecommunications, "is important to economic well-being, human health and quality of life".

The Greenbelt Plan permits infrastructure that is approved in accordance with the federal Telecommunications Act within the Protected Countryside, provided that it supports economic vitality in the agricultural and settlement areas of the Protected Countryside, and provided that impacts to Natural Heritage Systems are minimized. The intent of these policies is to broadly permit telecommunications, while reasonably balancing its impacts.

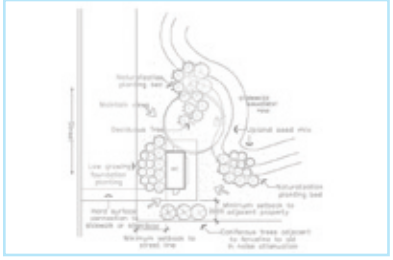
Urban Design Manual

Chapter 3.0

Objectives

Chapter 3.0

Urban Design Manual



Objectives

The overall goal of the Bell Urban Design Manual is to ensure that **informed decisions are made regarding the appropriate design and location of telecom infrastructure elements.** The telecommunications design guidelines have been prepared based on four core objectives:

1. addressing issues of urban aesthetics;
2. creating a consistent urban design policy framework;
3. considering sustainability issues; and
4. ensuring the provision of reliable, efficient, high-quality and leading edge telecommunications services.

3.1 ADDRESS ISSUES OF URBAN AESTHETICS

The Bell Urban Design Manual will bridge the public interests related to providing an aesthetically pleasing public realm, with the need to provide a reliable communications service (utility). Bell Canada strives to establish a partnership with municipalities to ensure that telecom infrastructure is aesthetically pleasing while also balancing the technical demands of providing reliable service to the public. Bell Canada will work with municipalities to locate infrastructure in a manner that is well-integrated with the surrounding environment, recognizing that there are technological limitations to certain locations.

3.2 CREATE A CONSISTENT URBAN DESIGN POLICY FRAMEWORK

The Bell Urban Design Manual will help to foster a collaborative relationship between municipalities and Bell by providing a basis for the development of telecom policies in planning documents. By providing a consistent framework, both Bell Canada and municipalities will be better able to plan for, and accommodate telecom infrastructure. This will avoid situations where last minute notifications and ill-informed policy directions result in infrastructure being placed in inappropriate locations or in a manner that results in poor service to the public.

Fig. 3-1 | Canadian Internet Traffic Forecast 2012-2017

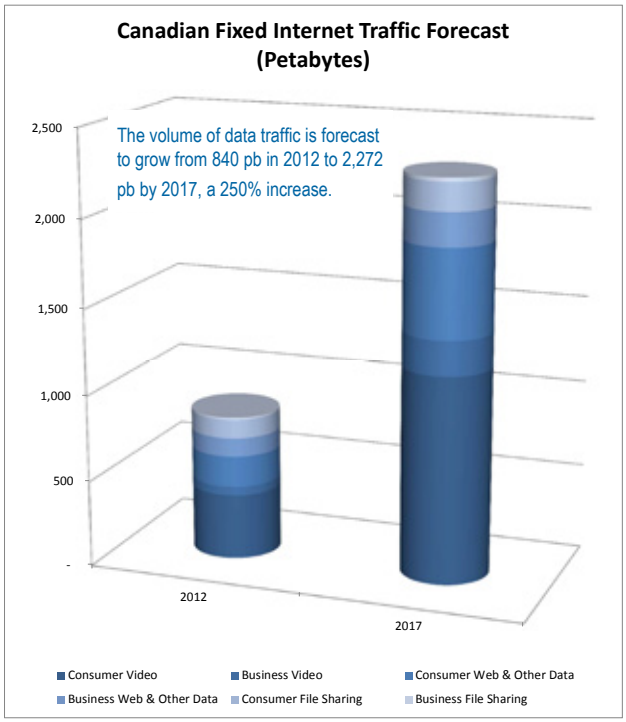
3.3 CONSIDER SUSTAINABILITY ISSUES

Bell Canada will strive to provide infrastructure in a manner that is sustainable over the long term and minimizes disturbance to adjacent land uses.

Much of Bell Canada's network infrastructure is in good condition, requiring only scheduled maintenance to provide reliable service. Bell Canada constantly invests in the maintenance and enhancement of the resilience and relevance of this infrastructure. Replacing this infrastructure solely for reasons of design compatibility is not environmentally or economically sustainable. Bell Canada does strive to work with municipalities collectively to enhance urban design compatibility as it replaces, upgrades, adds and retrofits network components.

However, the design of the various infrastructure elements and their deployment must also account for durability. Providing durable infrastructure reduces the need for frequent replacement, resulting in less waste.

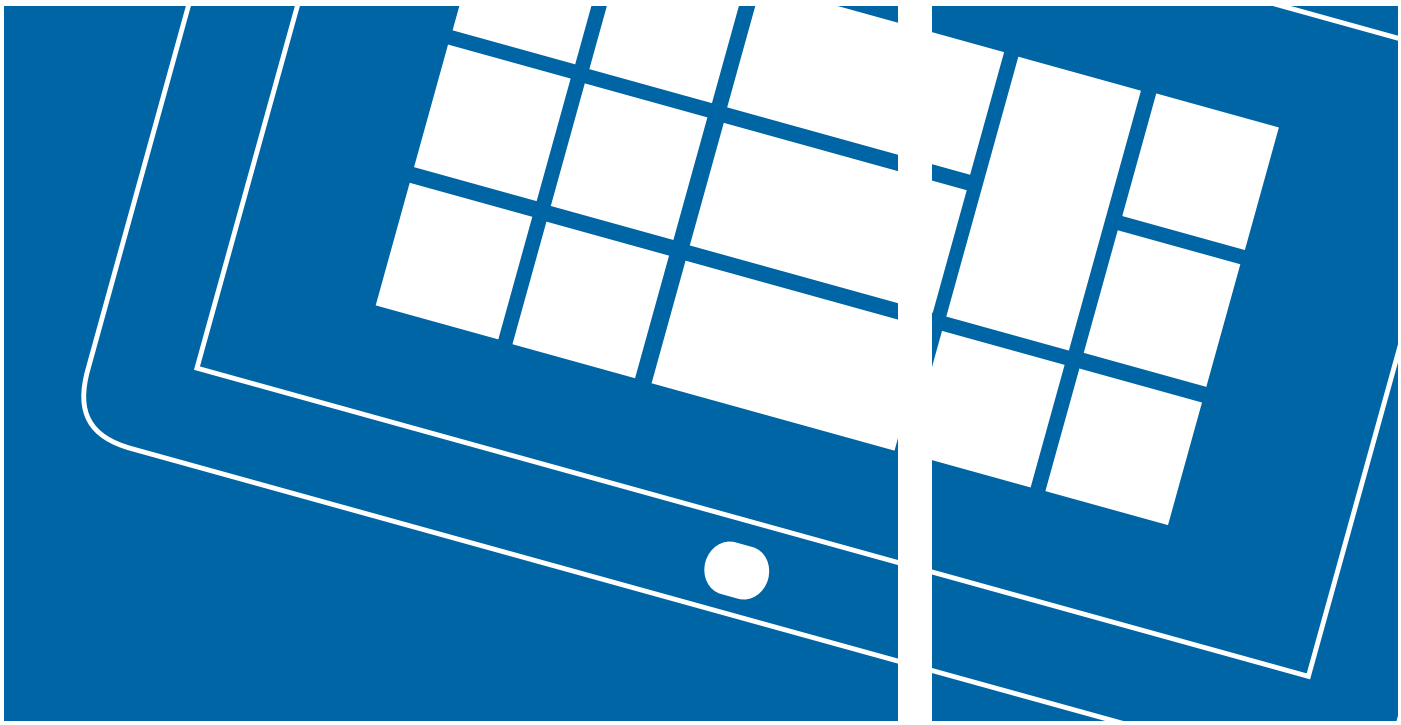
The safety of the public and Bell Canada's staff is also a key consideration. Telecommunications infrastructure should be placed in areas that limit to the best extent possible, the need to disturb public rights of way. This will help to prevent unnecessary digging, trenching and road upheaval when infrastructure maintenance or repair is required, and will result in lower costs for municipalities and Bell Canada.



3.4 ENSURING RELIABLE, EFFICIENT, HIGH-QUALITY AND LEADING-EDGE TELECOMMUNICATIONS SERVICES

Bell must constantly strive to deliver efficient and coordinated telecommunications infrastructure in a manner that provides high quality, leading-edge services to the public. Telecommunications providers are under increasing demands to increase the capacity of their networks to accommodate the rapid growth of broadband services. Canadian Internet traffic is forecast to grow from 840 petabytes in 2012 to 2,272 petabytes in 2017, a 250% increase. (See Fig. 3-1).

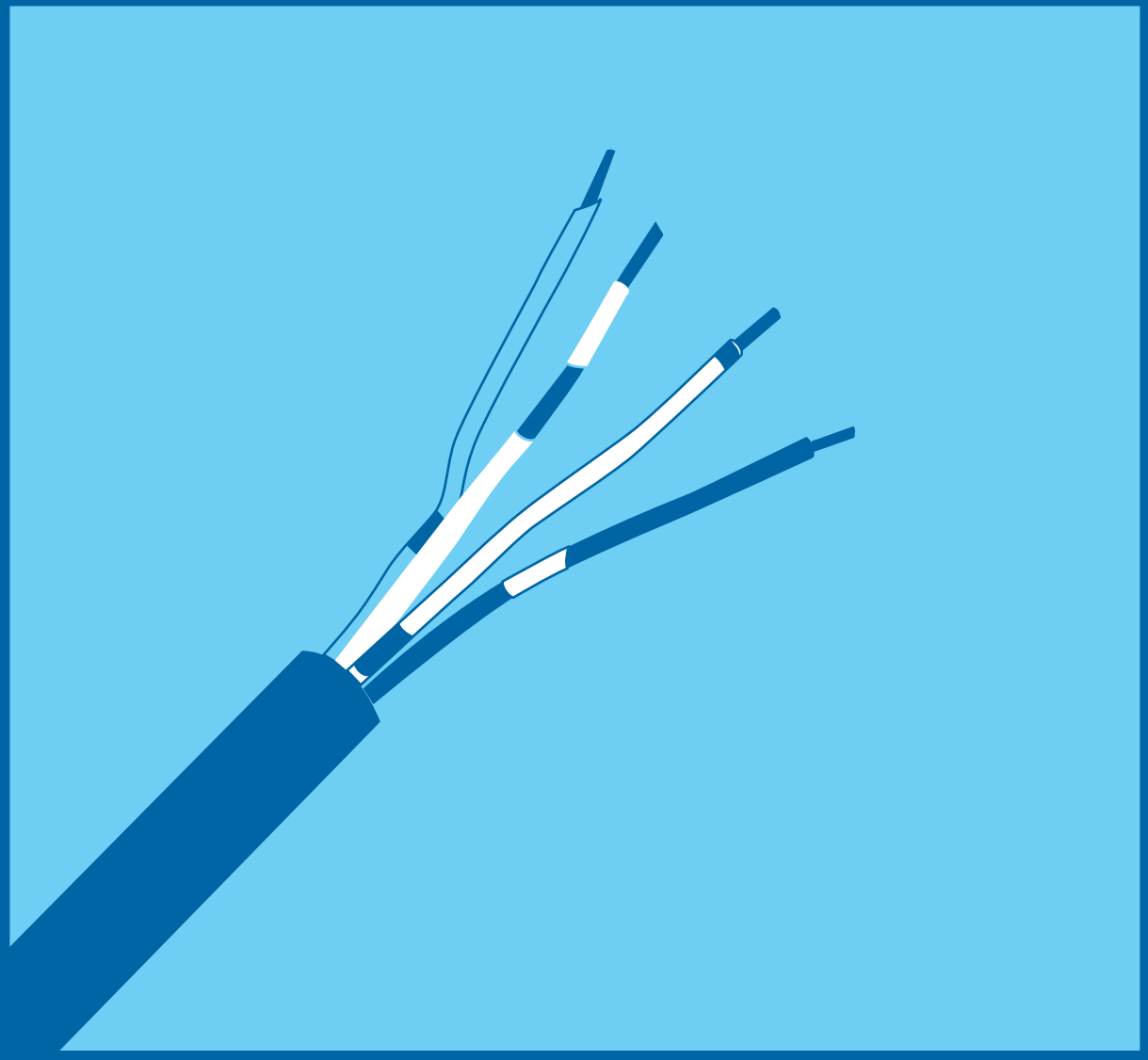
The growth of internet-based television is also dramatically increasing the pressure on the broadband network. The telecom industry must constantly evolve to meet consumer demands, requiring new technology and infrastructure elements to deliver increased services. Therefore, this Manual must be flexible enough to accommodate the future technical advances that will ensure that leading edge services remain available to the public.



Coordinated and efficient infrastructure is required by Provincial policy. Furthermore, it is an objective of the Telecommunications Act to provide affordable services. These Provincial and Federal requirements underpin the need for Bell to work closely with municipalities to deliver efficient telecommunications services, and to work together to find solutions that balance the need for efficient infrastructure with the need to create attractive urban environments.

Urban Design Manual

Bell



Chapter 4.0

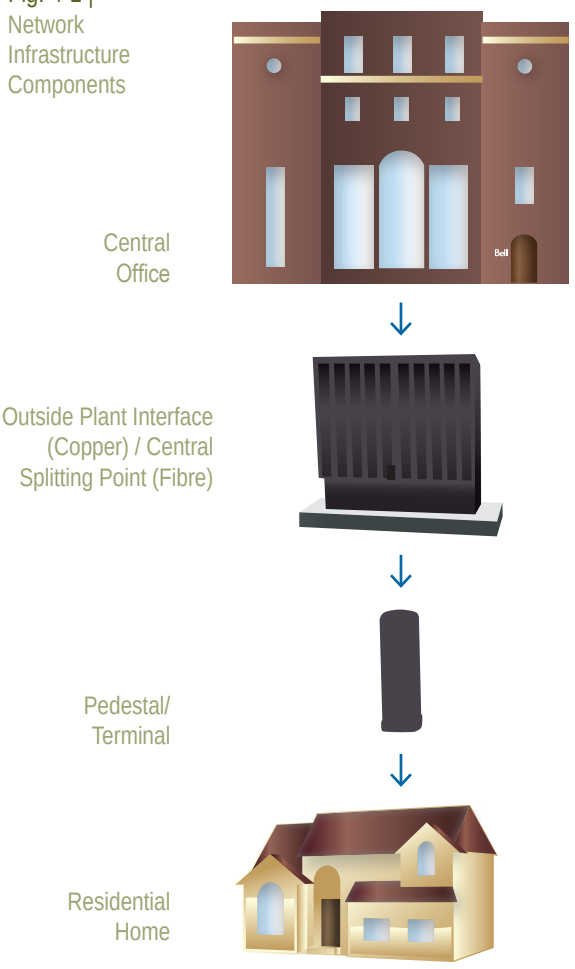
Telecommunications Infrastructure

Chapter 4.0

Telecommunications Infrastructure

The following provides a high-level overview of Bell's telecommunications network, including a description of the most common infrastructure elements. This overview does not delve deeply into the technical functionality of these elements, but rather aims **to detail the important role this infrastructure has in providing Bell's services to the public.**

Fig. 4-1 | Network Infrastructure Components



The essential elements connecting the network are fibre and the copper pair. The Bell telecommunications network connects the public to the rest of the world. Landline service has provided the foundation for telecommunications connectivity for over 130 years and has proven resilience. It is robust in adverse weather conditions, meets stringent Canadian technical standards, and provides system reliability that is key to the efficient provision of 911 emergency services.

Figure 4-1 provides a simplified overview of the key infrastructure components in the Bell telecommunications network, **however other equipment is often also required depending on the unique attributes of different communities and contexts. (See Section 4.2).**

Bell requires the flexibility to use and add different elements depending on various factors including; the distance from a Central Office to the subscriber, the vintage of existing infrastructure elements, the availability of fibre and copper transmission capabilities, and the technological advances required to provide new services.

Figure 4-2 provides a graphic representation of a number of different telecommunications network scenarios.

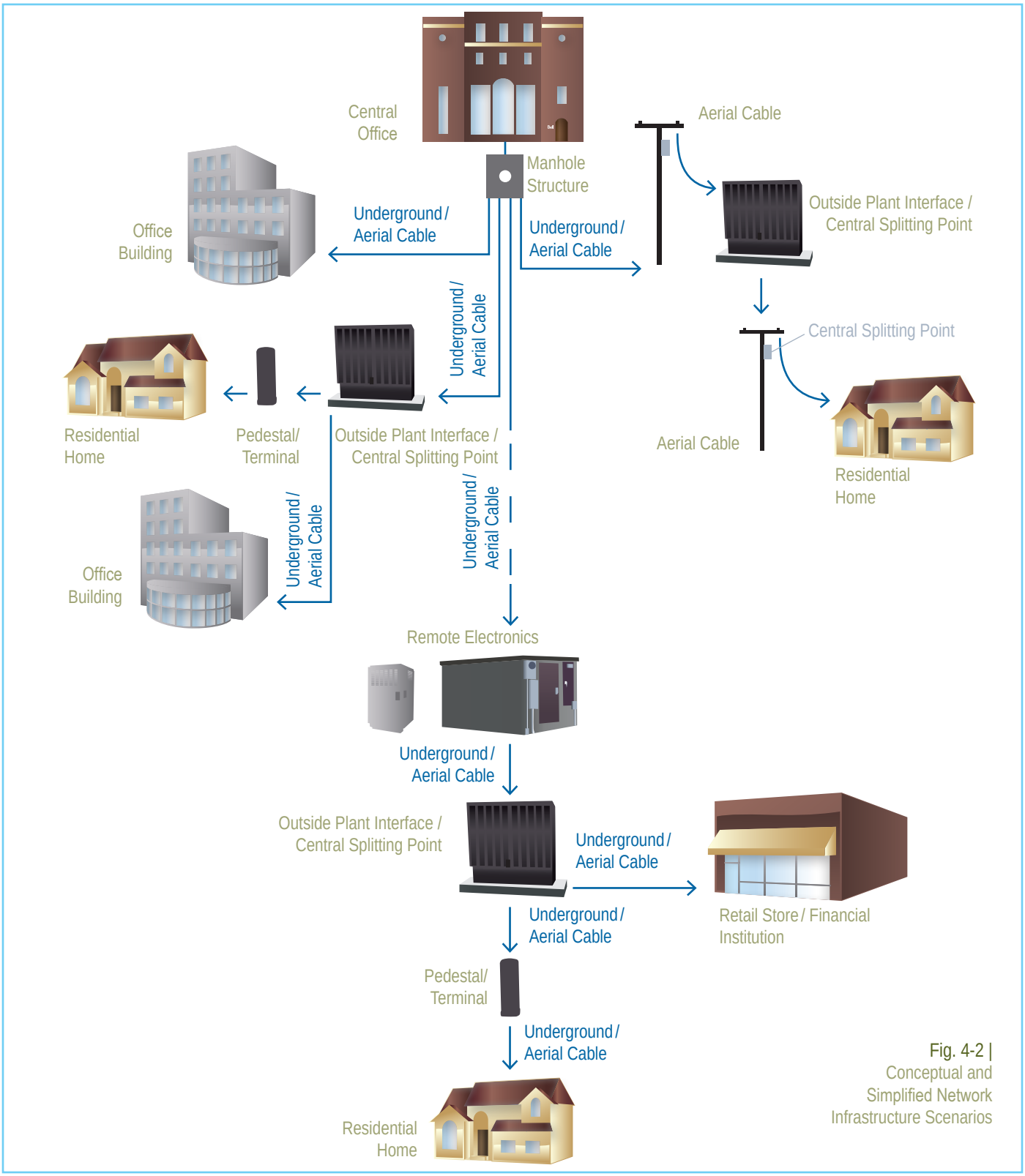


Fig. 4-2 | Conceptual and Simplified Network Infrastructure Scenarios

Fig. 4-3 | This is Bell's Eglinton Central Office, which houses the mid-town Toronto switches

4.1 PRIMARY NETWORK ELEMENTS

The following provides a description of the purpose and function of the primary elements in the Bell telecommunications network.

4.1.1 Central Office (CO)

A Central Office (CO), also known as a switching centre, is the hub for all telecommunications services in a community, and performs an essential service that cannot be replaced. COs house essential telecommunications equipment and electronics including, among others, the switches that link telephone calls together, the servers that provide community wide broadband internet/services, and co-location capabilities for other telecommunications providers. There are numerous cooling systems located in each building to prevent the electrical equipment from overheating. The CO also contains backup electrical generation capabilities to ensure that the network remains operational during power failures.

Fibre ring infrastructure allows for continuous service to be supplied to the public, providing essential system redundancy. In the event that a system failure occurs on a portion of the network preventing service delivery from the designated CO, the fibre ring network allows backup service to be provided from another CO. This is a vital component of Bell's terrestrial network, especially considering the vital need to provide unencumbered emergency 911 services. COs are also connected nationally and internationally, via extensive copper and fiber-optic trunk networks, connecting the Canadian public to the rest of the world.

COs often contain Bell offices on the upper floors, with the basement and main floors dedicated to the location of telecommunications equipment and electronics. COs were constructed utilizing robust building techniques designed to withstand a variety of threats. Those of a certain vintage were even designed to withstand bomb attacks.

Fig. 4-4 (left) | A manhole structure being constructed with the interior conduit casings visible

Fig. 4-5 (right) | Aerial cable (bottom strand) located on hydro poles along an arterial road

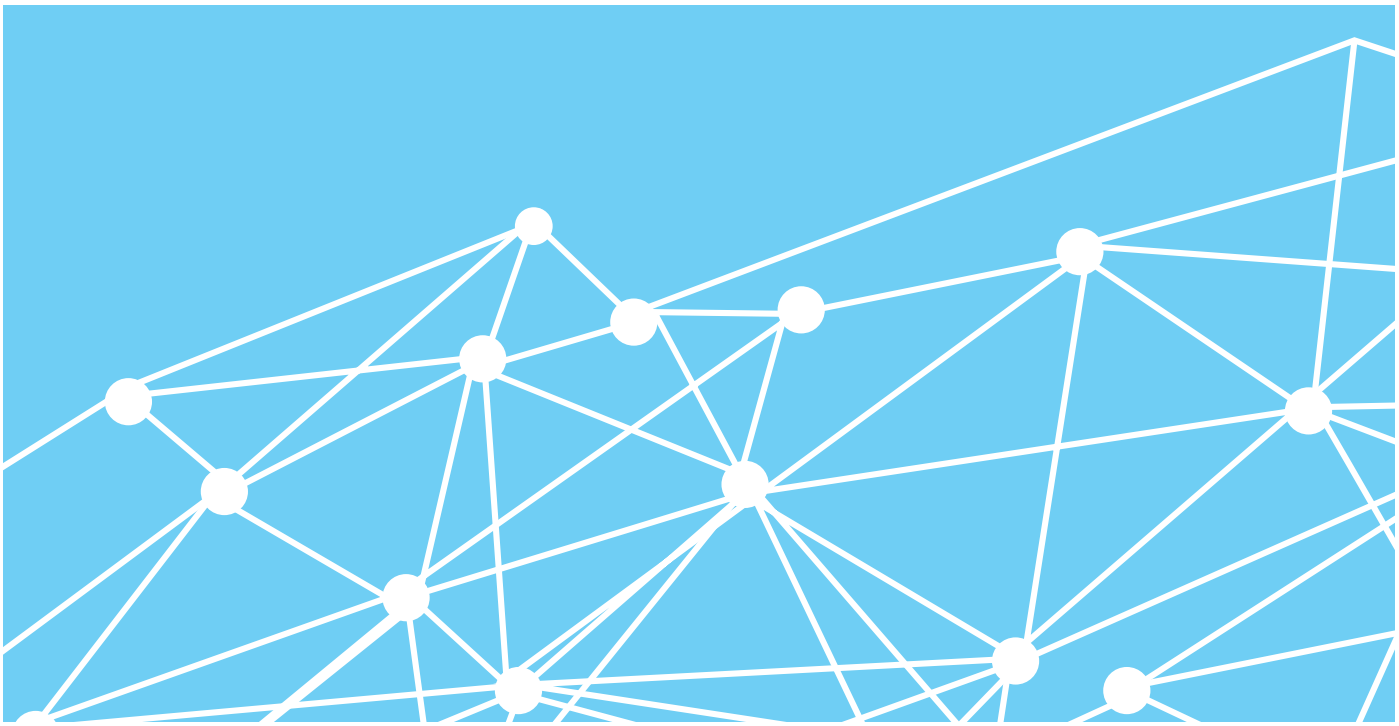
New COs are rarely built as they are already located in all major centres. There are also a number of smaller-scale infrastructure alternatives that can extend the functionality of COs to more distant locations.

4.1.2 Network Transmission Infrastructure

Copper cable, which uses electrical current, was historically the medium used to transmit voice and broadband services, and it remains the standard physical (last mile) connection that customers find in their homes and businesses. To provide faster and higher capacity service, however, Bell has been replacing/overlaying much of the trunk copper network with fibre optic technology. Fibre optic cable is composed of thin strands of glass through which light pulses are transmitted and provides superior service.

While Bell has been working to replace/overlay its trunk infrastructure from copper to fibre for a number of years, it is now also working to extend the reach of its fibre infrastructure by extending it into customer's neighbourhoods, homes and businesses by replacing copper feeder and local distribution cables as well.

Bell uses manhole and duct structures, to house, route, and access numerous cable splices which originate from the Central Office. As such, manhole structures perform the essential function of housing the transmission cables that deliver service from the point of origin (COs) to the public. Duct structures also allow for the placement of successive cables required for growth, without significant disruption to the roadway. Manhole structures and their associated duct structures may be placed in joint trenches with hydro and other utilities.



They are located in street allowances, are flush to the ground, and can also be located under the traveled portion of roadways or under concrete sidewalks. It is essential that manhole structures and conduits are unobstructed and safe to enter at all times to address any emergency maintenance operations that may arise.

A large part of the existing Bell network infrastructure is comprised of aerial plant, which utilizes overhead cables lashed to a strand between utility poles. Aerial plant may be constructed by Bell when costs for buried facilities are excessive, or when unfavourable terrain is encountered.

Often aerial construction is used when temporary plant is involved. In areas where separate pole lines may be required, Bell may enter into agreements for the joint use of poles with electric power companies. Aerial plant has the advantage of being readily accessible for maintenance or service provisioning requirements.

Bell is also working with municipalities and hydro companies to replace existing wood poles for project-related work or upgrades to concrete poles with cost sharing options. This is a particular priority in downtown urban areas where aesthetics are a major consideration.

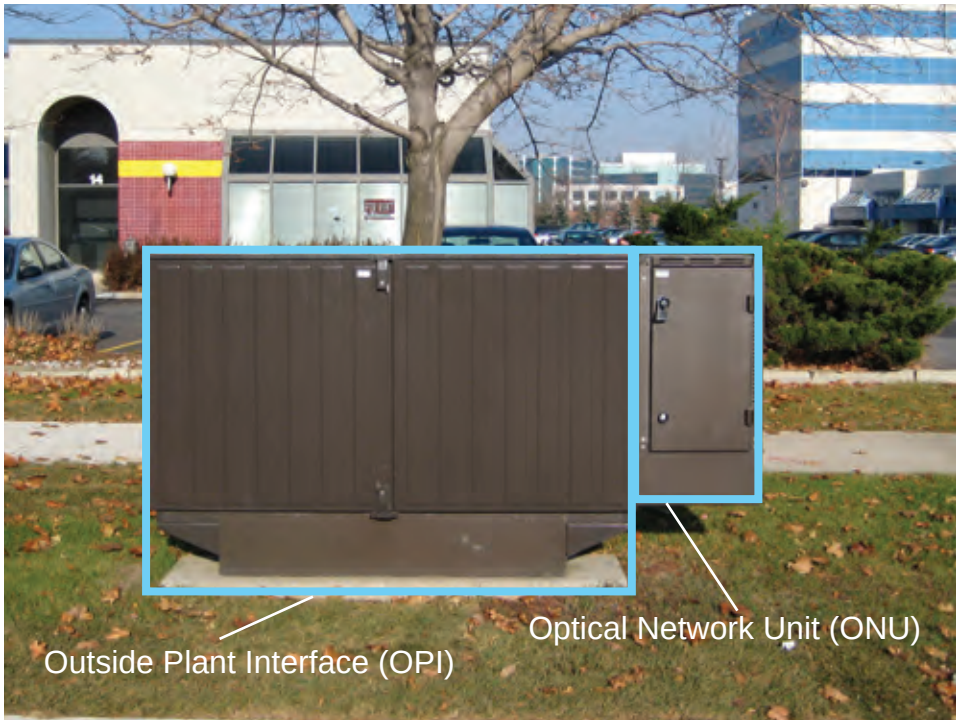


Fig. 4-6 | An example of an OPI with an ONU attached

Municipal requests to utilize Bell poles for the placement of decorative lighting equipment, power rectifiers and related accessories or equipment will be considered based on Bell's Agreement for Municipal Equipment Attachments to Bell Canada Poles.

4.1.3 Outside Plant Interface / Central Splitting Point

The Outside Plant Interface (OPI) is an above ground structure used by Bell as an interconnection point between higher order copper feeder cables originating in the central office and lower order distribution cables providing service to Bell customers. Every copper pair in a geographically defined servicing area is housed inside the OPI.

Depending on contextual conditions and technical requirements, Bell may place modular equipment additions on, or near to, an OPI. A common addition is the Optical Network Unit (ONU), which allows the OPI to connect to higher order fibre feeders. Bell uses these units in established neighbourhood to maximize the performance of existing lower order copper plant. ONUs and other modular additions are further explained in Section 4.2.

Central Splitting Points (CSPs) are the fibre-only equivalent of the OPI. They serve as interconnection points between higher-order fibre feeder cable and lower-order fibre distribution cables that provide service to Bell customers. CSPs are typically used in areas which were not historically serviced with copper plant, typically representing new neighbourhoods and high-demand buildings.

Fig. 4-9 | A Walk-in Cabinet integrated within a park setting with a brick exterior selected to match the surrounding community

OPIs and CSPs are physically similar. Both are mounted on a concrete pad and are available in various sizes and styles, depending on the number of customers or anticipated customers they are intended to serve. These units are typically placed in the street allowance along lot flankage areas, or in areas that minimize visual impact. Sometimes, easements are required where the units are to be located on private property.

Modular additions to the OPI are often placed on the exterior cabinet to deliver high speed bandwidth to customers, which will be further explained in Sec. 4.2.

4.1.4 Walk-in Cabinet (WIC)

Bell may use Walk-in Cabinets for the deployment of electronic technology to residential and commercial developments. A WIC extends the penetration of a Central Office to areas where insufficient telecommunications facilities exist, or when a development is located beyond a threshold distance from a Central Office. Each WIC is fed from its respective Bell Exchange Switching Centre via fibre optic cable from which copper services are derived and provisioned to serving areas.

WICs are typically large enough for technicians to enter and undertake necessary repairs and upgrades. They are

Fig. 4-7 to 4-8 | OPIs come in a variety of shapes and sizes depending on their vintage and locational context and may have modular additions

Fig. 4-10 | 52E cabinets (small-scale WICs) are often located in easements on private property

environmentally controlled, and require air conditioning to keep the internal electronics from overheating.

A variety of external roof profiles and cabinet finishes have been used to better integrate with surrounding architectural designs. There are also alternative cabinet types, such as the 52e that provide the same services and functions as a WIC, but on a smaller scale providing increased opportunities for placement. The installation of a WIC generally requires the procurement of easements of up to 10 m x 10 m, to ensure continuous access to the facility from public rights of way to private property.

The need for new WICs is slowly declining due to technological advances and cost efficiencies. However, WICs are still required in areas where new large-scale community development occurs, with little or no existing telecommunications network facilities. WICs boost the strength of services from Central Offices to these new communities. They also significantly reduce the need to expand COs, and reduce the amount of cable required along the roadway back to the CO.

Fig. 4-11 | A Servicing Pedestal / Terminal

Fig. 4-12 | Communication pole located in a new community

4.1.5 Servicing Pedestal / Terminal

The Servicing Terminal is an above ground structure used by Bell to house technical equipment for both copper and fibre networks. These units are pole mounted or enclosed in pedestals and provide service to nearby homes and businesses via aerial and buried cable that branch out from them. They are typically placed in the street allowance and adjacent to street light poles, hydro transformers, and cable television pedestals. In the case of the pedestal, the concave design provides strength to the structure of the ground mounted pedestal. Pole mounted terminals are also used, particularly in areas that are predominantly served with fibre only.

An alternative form of pedestal is the communication pole, which can house two servicing terminals in an integrated structure. These poles are not owned or provided by Bell Canada and are sometimes mandated for use in subdivisions by municipalities and developers. Bell has made every effort to accommodate requests to use communication poles in the past, where feasible. They typically house the infrastructure of two service providers, each of which are located in a separate chamber within the pole. Communication Poles have wider bases than a typical light pole to house the infrastructure chambers. They are available in a number of styles to conform to the varying standards of municipalities.

Fig. 4-13 | A flush to Grade Handwell located near an office complex

Another alternative to pole and pedestal terminal housings is the Flush to Grade (FTG) Handwell. This type of housing is placed flush to the ground in the boulevard portion of the road allowance. They cannot be placed in the traveled portion of roadways. While Bell often uses this type of terminal housing in its fibre network, it strongly discourages and minimizes their use in its copper network. Additionally, the use of these structures are minimized due to safety concerns and ease of maintenance/durability due to weather issues. Section 5.1 further discusses the issues associated with these terminals.

In the case of copper networks, pedestal and pole mounted terminals are significantly more resilient types of housing. FTGs are considered acceptable housings in fibre network contexts, however as it minimizes the need for larger, more intrusive, above ground plant, fewer FTGs are necessary than would be required in a copper network context and more stringent siting and configuration rules are applied to minimize risks.

Fig. 4-14 |
A Fibre Distribution Interface located in a reurbanized mixed-use area

4.2 OTHER IMPORTANT COMPONENTS

The following provides an overview of the secondary elements in the Bell telecommunications network that may be required to provide high quality services to the public. These elements provide the necessary flexibility to reinforce, expand, and provide new services to customers, and maximize the utilization of cables, thus reducing the need for cable reinforcement. The following provides a snapshot of these secondary infrastructure elements that Bell may require. However, this is not an exhaustive listing as technologies continuously advance to provide higher quality services to the public.

4.2.1 Fibre Distribution Interface (FDI)

Bell uses above grade Fibre Distribution Interfaces (FDIs) to house the equipment necessary to provide services using fibre optic cable. FDIs are mounted directly on a concrete pad. They are typically placed in the boulevard portion of the road allowance.

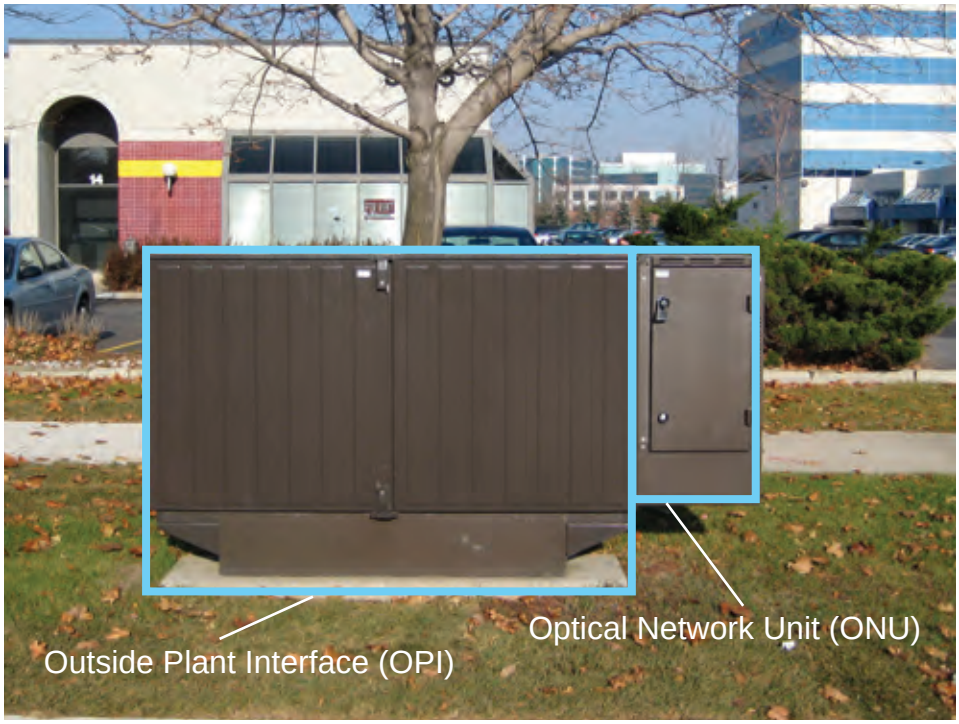


Fig. 4-15 | An Optical Network Unit appended to an Outside Plant Interface

Fig. 4-16 | A Compact Power Node

4.2.2 Optical Network Unit (ONU)

The Optical Network Unit (ONU) is a device that converts an optical signal from the Central Office to the OPI for the provisioning of broadband services to customers. ONUs are typically appended to an OPI cabinet on either the front, rear or the side to deliver these broadband services to customers within the servicing area of the OPI.

4.2.3 Compact Power Node (CPN)

The Compact Power Node (CPN) is a device used to augment broadband service delivery from the ONU when the distance from a Central Office exceeds certain thresholds, or when technical demands dictate their use, which will be determined on a case by case basis. Local hydro authorities may require the CPN to be metered, resulting in additional street furniture. The placement of the CPN and associated appurtenances is predicated on municipal requirements, safety considerations, and technical feasibility.

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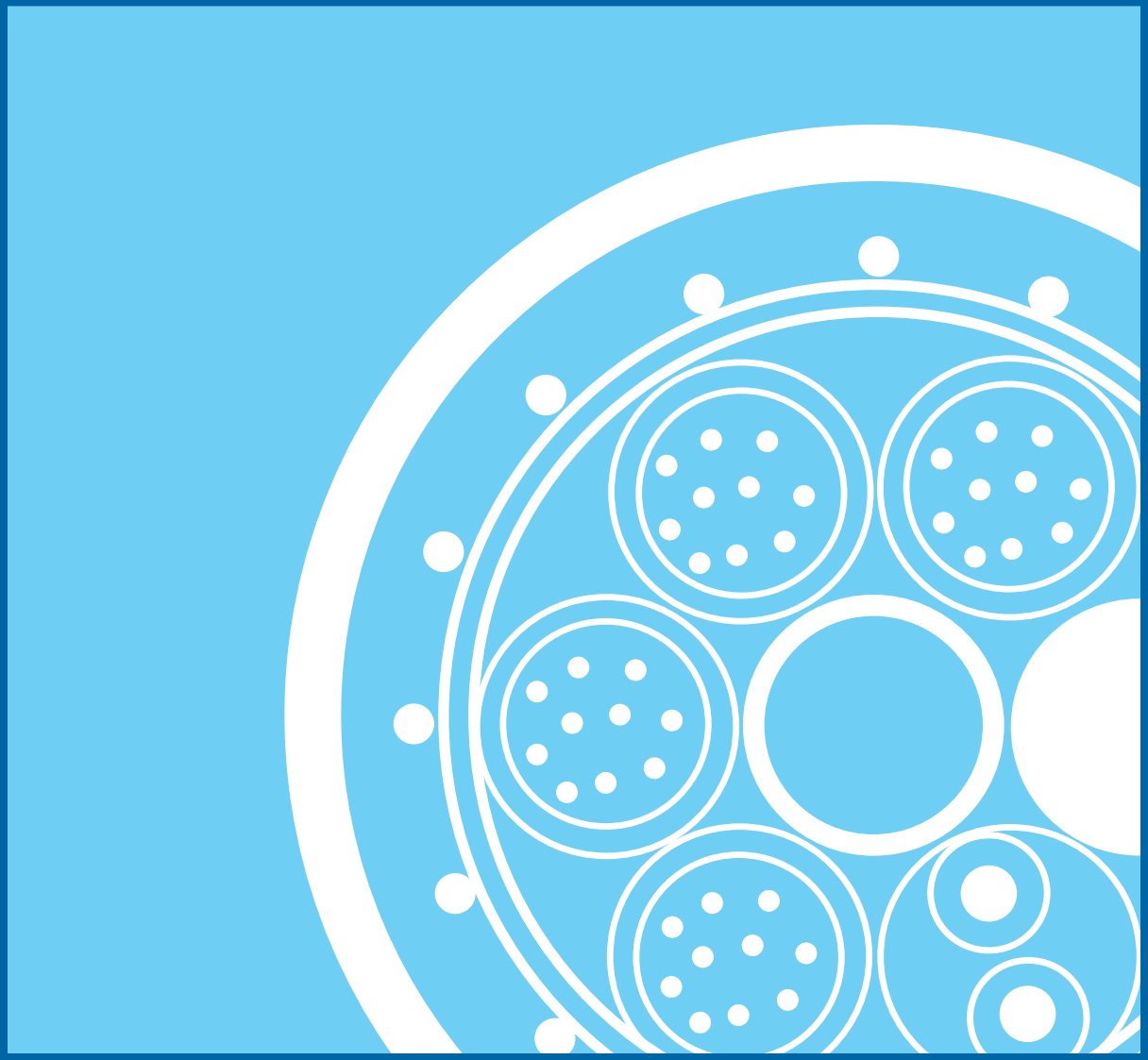


Chapter 5.0

Urban Design Issues and Challenges

Chapter 5.0

Urban Design Manual

BALANCING DESIGN WITH COMMUNICATION SERVICES

Urban Design Issues and Challenges

The biggest challenge in creating an Urban Design Manual for telecommunications infrastructure is balancing issues of urban design with the need to provide a flexible and resilient service network. While this Manual seeks to address this and related issues, the following is an overview of some of the challenges that have been experienced.

Fig. 5-1 |
Extensive damage to a FTG Handwell caused by ice

Bell Canada is keenly aware of the concern related to the appearance of the public realm. As communities grow and intensify, the need for high quality public spaces grows with them. This is especially true in the increasingly dense community fabrics mandated by Provincial policy. As scrutiny of these spaces has increased, a number of issues with telecommunications infrastructure have received attention. These issues include, but are not limited, to the following:

5.1 REQUESTS TO BURY TELECOMMUNICATIONS INFRASTRUCTURE

There is a strong desire to reduce street and aerial congestion in the public realm. This can result in requests to partially or completely bury all telecommunications infrastructure.

There are numerous issues that arise from requests to bury certain telecommunications infrastructure, which contain sensitive technological and electrical equipment.

An example of a network element that receives frequent burial requests is the Servicing Pedestal / Terminal in areas serviced predominately by copper networks. These contain the equipment necessary to provide service to homes and businesses through buried copper service cable.

The Flush to Grade Handwell is sometimes requested as the buried alternative to the above grade pedestal in these situations. As displayed in **Figure 5-1**, Flush to Grade Handwells are not as resilient as pedestals due to water infiltration, which damages the buried copper and splices.

Fig. 5-2 | Burying overhead plant is a significant and costly operation

The pooled water can also freeze resulting in heaving that further damages the sensitive equipment, and restricts maintenance during Canadian winters. This results in frequent reliability issues. It also creates a safety hazard to Bell technicians and the public due to the dangerous presence of water in the sensitive electrical equipment.

In the case of fibre contexts for former FTGs are required and they represent an acceptable compromise between ease of access versus size and frequency of an above ground plant.

Aerial cable is another network element that has been the subject of burial requests. As the Bell network has grown in stages over time, its aerial infrastructure has generally followed the same route as hydro power lines.

Bell and other providers have often placed their cables on hydro poles, utilizing the reciprocal joint use agreements between them in order to reduce utility congestion and footprint. These routes are typically placed along public rights-of-way. In general, aerial lines exist in older established communities, while cables are placed underground in new communities.

Burial is a costly procedure requiring a great deal of disturbance to municipal rights-of-way during construction. Furthermore, burial is not always feasible due to legal agreements governing the use of poles. It is also more sustainable to maintain operative aerial lines rather than burying plant and causing extensive disturbance to public rights-of-way. This is especially true in mature areas where aerial lines are often camouflaged by trees.

Fig. 5-3 |
A FTG Handwell covered in sod by a homeowner, making it difficult to locate and access

Bell must consider the following conditions when deciding if existing aerial lines are to be buried:

- Condition of Plant – Is the existing pole line operationally sound and in good condition?
- Cost of Maintenance vs. Relocation Costs – Is it more economically feasible to repair the existing plant or undertake relocation underground?
- Pole Line Location – Is the existing pole line located within a potential conflict area with planned road widening or municipal / development works?
- Obstructions – Are there any physical obstacles, preventing construction of underground plant?
- Construction Activity – Will the proposed construction adversely disrupt municipal or private property, or will it alleviate completely the aerial structure?
- Service Entrances – Can new service entrances be accommodated by property owners, and with minimal disruption to service levels?

5.2 DESIRE TO SCREEN INFRASTRUCTURE FROM PUBLIC VIEW

Bell makes every effort to discretely locate its plant in public rights of way. However, it may be challenging to find available locations in the public realm to accommodate this at all times. In certain situations, this can result in the need to locate on private land. Locating telecom infrastructure on private lands requires the acquisition of expensive easements. This process may also slow the deployment of service in new communities.

As well, telecommunications equipment requires regular service from Bell technicians, which is accommodated by locating infrastructure in areas that are easy to access.

Fig. 5-4 | This Central Office equipment contains the telephone switches serving thousands of customers

Fig. 5-5 | Fibre optic and copper transmission cables exiting a Central Office to underground manhole structures

Fig. 5-6 | The multi fiber ring infrastructure network of central offices provide system redundancy allowing continuous service even if there are disruptions in the network

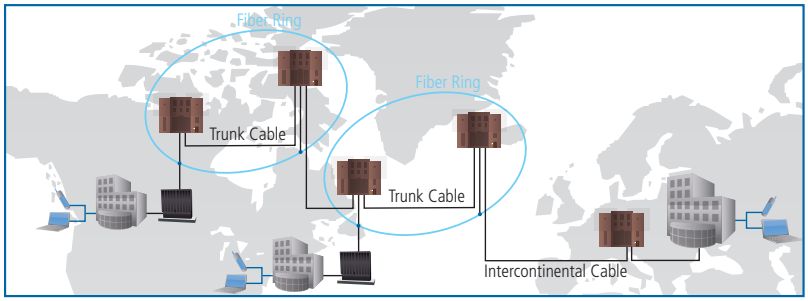
Locating in areas outside of the public realm can impede the ability to repair problems rapidly, and can also lead to safety risks for Bell employees. It can also result in inadvertent damage to sensitive telecom equipment by private landowners during the regular maintenance of their properties. Unfortunately, this can result in service disruptions at a neighbourhood scale.

5.3 PROPOSALS TO PHASE-OUT CENTRAL OFFICES

Provincial planning policy encourages municipalities to seek opportunities to accommodate growth and development in already built up areas.

Due to their locations in central areas, there have been a number of urban renewal/revitalization initiatives that have proposed the phasing out of Central Offices (COs). Many COs were built when telecommunications services were first established in an area, and therefore reflect the architectural and design policies of their vintage, which may not be consistent with current norms.

However, COs represent the origin of a community's telecommunications network, and are governed by a complex regulatory framework that mandates their location.



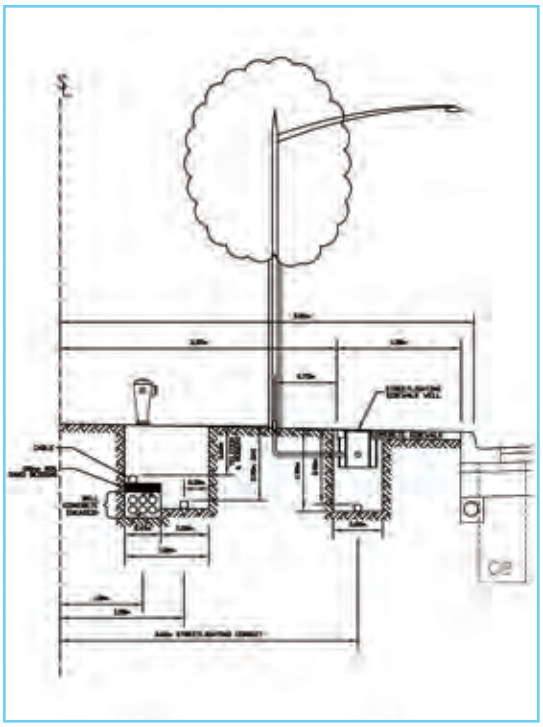


Fig. 5-7 |
A cross section showing multiple utilities competing for space

Central Offices house the telecommunications equipment and electronics necessary to provide service to customers across a defined geographic boundary. They provide electrical generation capabilities in times of power failure, to ensure that the telecommunications network is operational and capable of providing critical 911 emergency support services. The CRTC also mandates that Bell Central Offices provide collocation capability to other local exchange carriers.

Central Offices are a key component in establishing multi-fibre ring architectures, which link COs together, in order to provide redundancy and survivability for broadband and voice networks in the event of cable damage, or electronic equipment failure (as shown in Fig. 5-6). COs are also critical for the interconnection of all Bell local and long distance trunk cables, and for access to global long distance carriers for intercontinental calls and data transmission.

Central Offices provide a vital role in proposals for development intensification and community revitalization. Their location in or near these areas is essential in providing the technical capability to service intensified development. In certain circumstances where placement of telecommunications infrastructure is hindered or prohibited, the size of Central Offices may need to be expanded.

5.4 CASE STUDIES

The following case studies represent some of the issues Bell has experienced with the operation and installation of its telecommunications network. These network issues span new and existing network infrastructure elements, and illustrate the need for early collaboration between Bell and municipalities.

Fig. 5-8 | Bell receives frequent requests to bury aerial cable; however this is not sustainable when it is in good condition from a physical and operational stand point

Case Study 1

As municipalities work to revitalize their downtown areas, there is a great emphasis being placed on improving the appearance of the public realm to attract new business, and making these areas more livable for current and future residents. This has resulted in initiatives that propose the burial of all utility infrastructure in downtown areas to enhance the appearance of the public realm.

The replacement and burial of all utility infrastructure in a geographically large area would be a prohibitively expensive operation that could result in a great deal of disruption. This disruption could include traffic issues related to construction, disturbance to municipal rights of way, and the potential for service outages.

Bell's infrastructure is also part of a national and international telecommunications network, and is strictly regulated by the CRTC, which has authority in determining the location and functionality of telecommunications infrastructure. Bell understands the desire to improve and streamline the appearance of utility infrastructure in the public realm, and will consider the replacement of infrastructure that is in poor condition, unsafe, and/or not operationally sound. However, Bell is experiencing the same challenges as public authorities are in keeping up with the demand for new infrastructure, while also maintaining existing networks. It is not sustainable, economically or environmentally, to replace infrastructure that is in good working condition solely for aesthetic purposes.

Fig. 5-9 |
Provincial policy has placed an increased emphasis on accommodating growth within existing built up areas

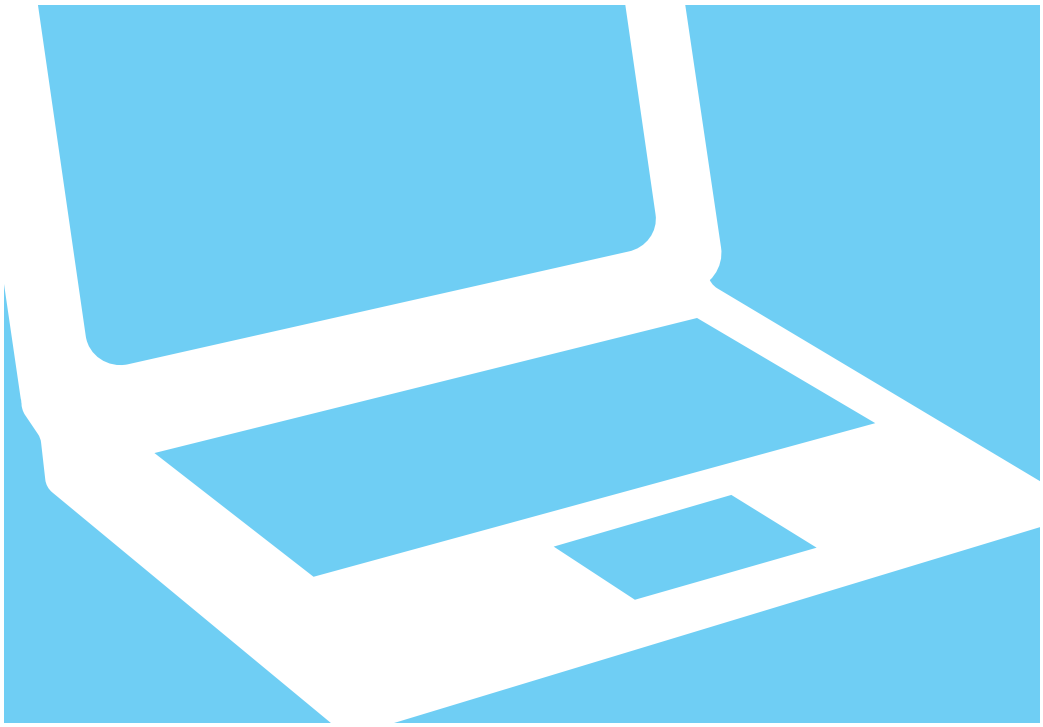
Case Study 2

Amendments to the ***Planning Act*** provided municipalities with enhanced control over the appearance, and materials used in buildings and structures. One method planners can use to implement design measures is through the preparation of heritage conservation districts. Heritage conservation districts are created to define the boundaries of historic areas, and control the change that occurs within them. This includes architectural controls to ensure that new development is compatible and uses materials that reflect the historic character of the community. A heritage permit is often required in these districts for the development of new buildings, structures, and alterations to existing buildings. This approvals process includes a review of the proposal to determine whether it is appropriate given the historical context of the community.

A recent heritage conservation district plan outlined a list of materials that were deemed “inappropriate” in that district. These inappropriate materials included pre-fabricated metal, and concrete block exterior finishes, among others, that are often used for telecommunications infrastructure. While Bell endeavours to work with municipalities to provide attractive network infrastructure, the materials in many of these elements is necessary and/or required to protect the sensitive equipment within them, as well as to provide technicians with easy access in instances where repair is required.

Case Study 3

Ontario communities are placing an increasingly high emphasis on preserving boulevards, associated landscape areas, and pedestrian walkways. As a result, there have been requests to locate all utilities under the hard road surface.



Accordingly, other than street lighting poles and associated power cables, the location of conduits, manhole structures, cables, above grade splices in pedestals, or below-grade splices in the boulevard portion of the street allowance have not been permitted.

Although all utilities have been affected by such initiatives, Bell has been particularly impacted as follows:

- Splices have to be located in full size manhole structures in the paved portion of roadways, adding substantial cost;
- Future building development and the associated entrance duct design may not be known. Therefore, any future access to duct infrastructure for growth related demand or maintenance reasons would necessitate cutting and exposing newly asphalted sections of roadway;
- Any future work in the roadway could be disruptive to vehicular and pedestrian traffic.

It is preferable to construct utility infrastructure requiring future access, in the boulevard portion of the municipal right of way. Placement of these utilities in the boulevard allows for subsequent physical accessibility, with minimal impacts to existing roads. Further, as construction in the boulevard limits disruption to the roadway, the need for roadway repaving and resurfacing is eliminated which reduces costs for the utility provider and the municipality.

Urban Design Manual

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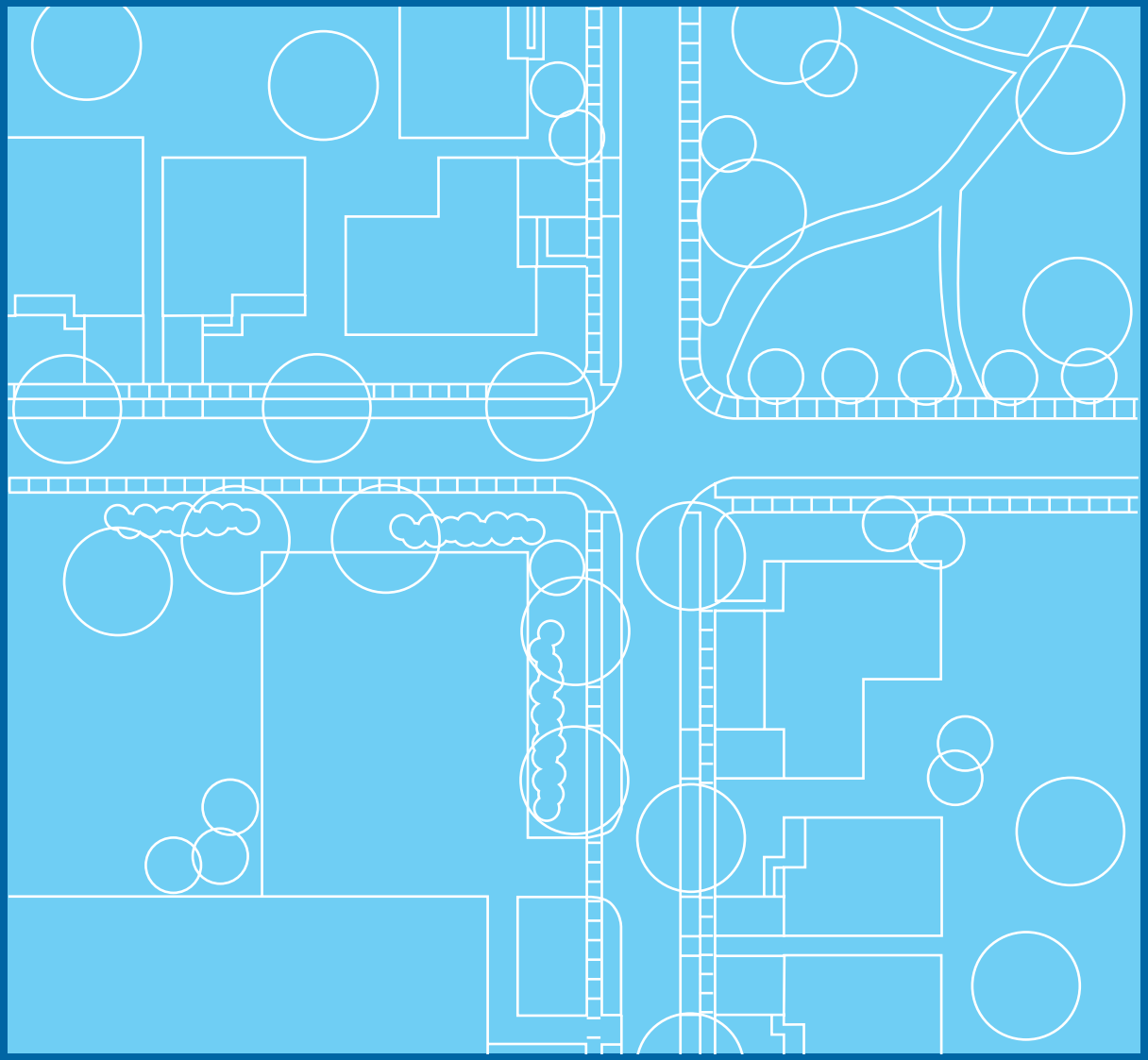


Chapter 6.0

Design Guidelines

Chapter 6.0

Urban Design Manual

BALANCING DESIGN WITH COMMUNICATION SERVICES

Design Guidelines

There is increasing demand in the public realm for space to locate poles, waste/recycling units, newspaper and mail boxes, transit shelters, guide map structures, advertising signs and other space-consuming elements. These elements contribute to the character of public spaces and interact with them. In recent years there has been growing recognition that urban design improvements to the arrangement and design of individual elements can help achieve a more cohesive, visually pleasing effect within the overall streetscape. Bell understands that it has a role to play as its infrastructure is often located within, or visible from, the public realm.

Fig. 6-1 |
Visually prominent utility equipment serves a vital function, but can have a visual impact on the public domain

DISCLAIMER

The guidelines within the Bell Urban Design Manual represent Bell's vision for the delivery of telecommunications infrastructure, but will need to be considered on a case-by-case basis to ensure feasibility. As a non-statutory planning document, the guidelines within the Manual are designed to be applied in a flexible manner, having regard to the overall design principles, in a manner that considers the unique circumstances and parameters of different contexts.

6.1 INDUSTRIAL DESIGN

Utility plant elements, including telecommunications infrastructure, serve an important functional purpose. However, these elements, usually not large, can also be visually prominent, especially if not well located within their context. Once installed they will likely remain in place for decades, so it is important that their visual appearance is minimized and fits within their context.

Visual appearance issues associated with telecommunications elements can include the following:

» Overhead wire distribution and associated pole-mounted plant can be visually prominent in the skyline;

Fig. 6-2 (left) | Bollards can make utility equipment appear more prominent

Fig. 6-3 (top right) | Aerial cable in an urban setting

Fig. 6-4 (bottom right) | A damaged pedestal that has been repaired in a temporary manner

- Individual cabinets can be prominent, if they are not well positioned;
- Two cabinets located close to, or attached to each other, often of differing size, shape, height and alignment, can produce a visually prominent effect;
- Telecom cabinets typically have concrete bases that project out of the ground, often at different heights, which may not "blend in" with adjoining hard or soft landscape;
- One or more bollards are sometimes installed adjoining cabinets, to provide crash protection, contributing to a visually congested effect;
- Service pedestals can end up angled rather than vertical, or missing cover panels.

This section recommends guidelines for improving the urban design of telecommunications elements to provide a more visually pleasing effect within the overall streetscape.

The recommendations fall into two categories, both of which should be addressed in the future in order to improve / enhance visual elements of telecommunications infrastructure:

General Recommendations: Improving the design and appearance of individual telecommunications elements.

Context-specific Recommendations: Optimizing the location and arrangement of telecommunications elements so as to appear more visually integrated within their particular urban context.

The following guidelines are to be applied with flexibility, having regard for the overall design principles, and considering the feasibility of their application on a case-by-case basis.

Fig. 6-5 |
The public associates "high-quality attractive design" with Bell products

GENERAL RECOMMENDATIONS

We recommend the following guidelines to improve the design and appearance of outdoor telecommunications equipment in the future:

- Emphasis should be placed on achieving good industrial design, considering the fundamental principles of aesthetics; functional clarity, economy and simplicity, scale and proportion, harmony and visual balance, enduring visual quality; a design featuring simple, clean, smooth lines and slender proportions will maximize a sleek, visually pleasing effect over time;
- A similar degree of care and attention should be expended on the design of outdoor equipment as is spent on other products that the company produces; consideration should be given to consistent colour and / or finish across elements for visual association by the public of "high-quality attractive design" with the company;
- Consideration should be given to future flexibility: cabinets should be designed so that future appended elements do not detract from their appearance;

Fig. 6-6 | Enhanced industrial design of street furniture elements is increasingly expected in urban areas

- Consideration should be given to improving the appearance of the concrete base: where it is technically feasible, the height above grade should be minimized, or the grade may be sloped up to the base to screen it from public view;
- Service pedestals should be designed with a more stable base to ensure a consistent vertical alignment over the long term. Bell will continue to seek a design for this element that maximizes service reliability, is robust, and blends within its context.
- Initiating planning and design, consultation between utilities, developers and planners in the early stages of a project can eliminate the “last minute” need to locate equipment, which can often result in unacceptable locations (awkward retrofit).

CONTEXT – SPECIFIC RECOMMENDATIONS

Recommendations are presented on the following pages for the following typical urban contexts:

- Traditional Main Street
- Established Residential
- Reurbanized Mixed Use Areas
- Commercial / Industrial
- New Communities

Fig. 6-7 (top) | Wide Sidewalks help create a pedestrian-friendly atmosphere

Fig. 6-8 (middle) | Bicycle stands and curbside parking promote pedestrian usage

Fig. 6-9 (bottom) | Sidewalk space is usually at a premium

Fig. 6-10 (right) | Typical Main Street context

6.2 TRADITIONAL MAIN STREET

Context / Character

- Main Streets serve retail and mixed uses in a high density built-up urban setting designed to promote walking, cycling and use of transit. Buildings, typically 2 to 3 storeys, are located adjacent to the street-line, with at-grade uses that attract people and add vitality to the street.
- Sidewalk areas are as wide as possible and designed to create a pedestrian-friendly atmosphere, including trees, street furniture, outdoor cafes, stalls etc. Streets usually have curbside on-street parking that serves adjoining uses, and only two through-traffic lanes. Space is at a premium throughout the street cross-section.

Typical Service Provisioning

Traditional Main Street areas contain commercial uses along the main roads with residential dwellings typically located behind or above businesses. In most cases, these areas are served by Bell aerial facilities located in laneways. Typically, Bell will provide service in the above scenario via mahole structures in the main roadway or sidewalk areas, with lateral conduit structures constructed along side roads. Underground feeder cable from the Central Office is placed to an OPI location, and buried distribution facilities from the OPI to their respective poles in the laneways. New infill growth in these areas may be served by buried facilities from the OPI.

Telecommunications Issues

- Existing Bell mahole structures, conduit, and cable facilities congestion;
- Increased vehicular and pedestrian traffic; potential presence of public transit tracks and subway corridors;
- Existing Bell cable vintages may require maintenance, reinforcement, and / or replacement;

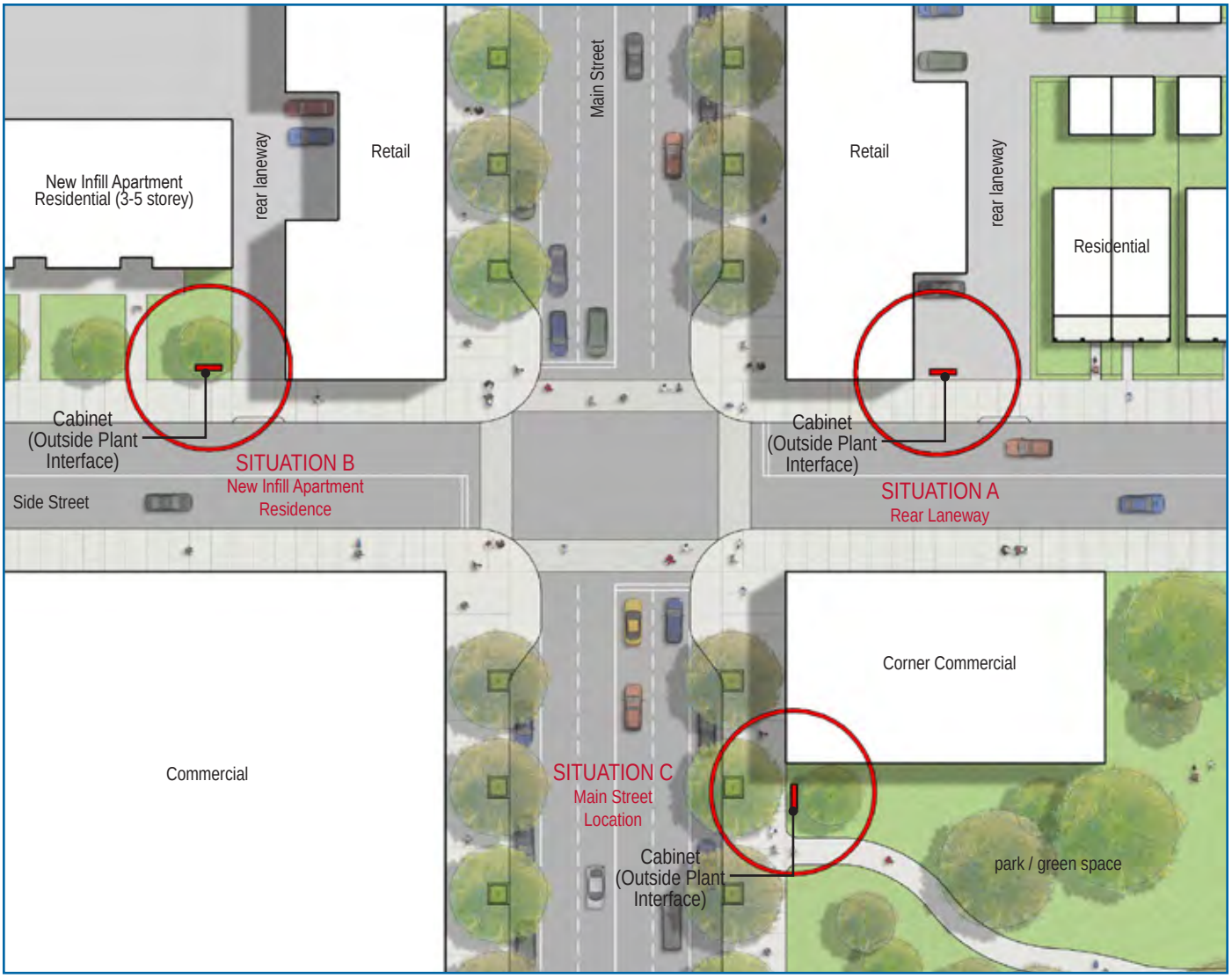
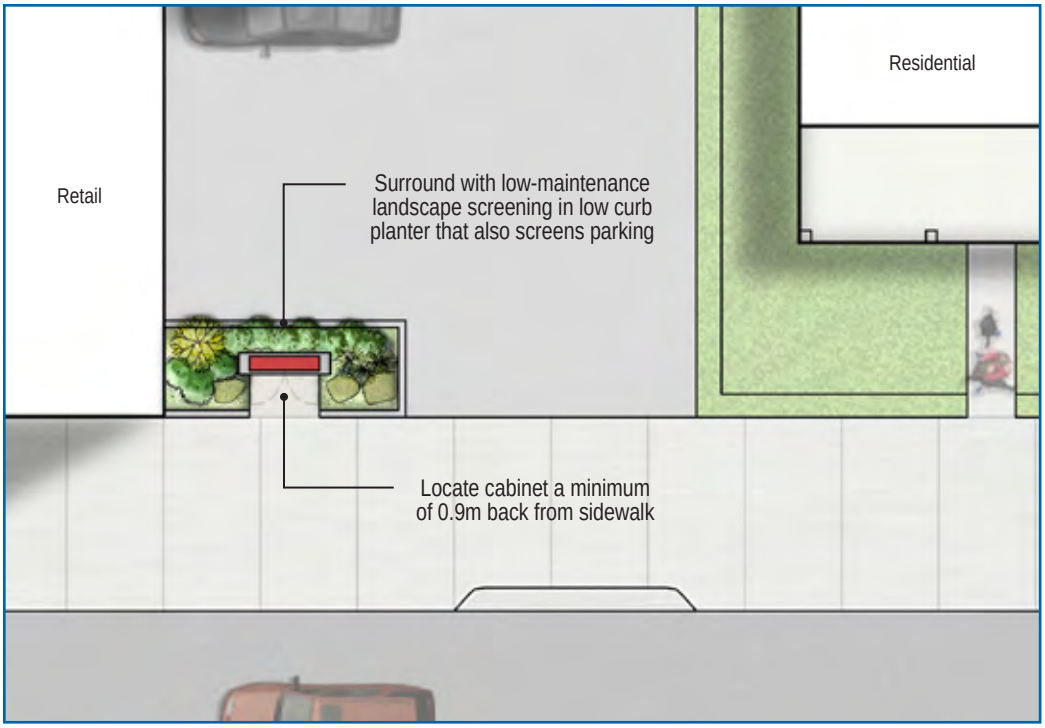


Fig. 6-11 | Detail Plan: Traditional Main Street

- Concrete / asphalt hard surfaced street allowances;
- Congestion of street allowance by other utilities;
- Requirements for relocation of existing Bell plant due to municipal or utility infrastructure enhancements associated with infilling growth and modernization; Increased density demand requirements associated with infilling growth.

The following typical situations, illustrated above, occur in the Traditional Main Street context:

- Situation A Rear Laneway: Primary service to Main Street retail uses occurs via rear laneway.
- Situation B New Infill Apartment Residential: New residential intensification set back from street with landscaped frontage, often located on a side street.
- Situation C Main Street Location: Green open space or a wide sidewalk area can be an appropriate place to locate equipment on a Main Street.



Situation A – Rear Laneway

Recommended Urban Design Strategies

» Locate cabinet close to corner of laneway; further from Main Street is better than closer; cabinet should align and be parallel with existing site elements (line of sidewalk, fence, garage etc);

» Position back from sidewalk ideally within existing landscape, consider under-tree location where feasible, or landscape screening to reduce visual impact; if there is no landscaping, the cabinet should align and be parallel with existing site elements (line of sidewalk, fence, garage, etc).

Fig. 6-12 (middle) | Typical rear lane overhead service

Fig. 6-13 (right) | Well located OPI, positioned under tree canopy

Fig. 6-14 |
Existing “excess” hard space (shown at right) provides an opportunity to transform the rear lane into an attractive landscaped setting (shown above); Bell will cooperate with municipalities to promote greening in prominent locations

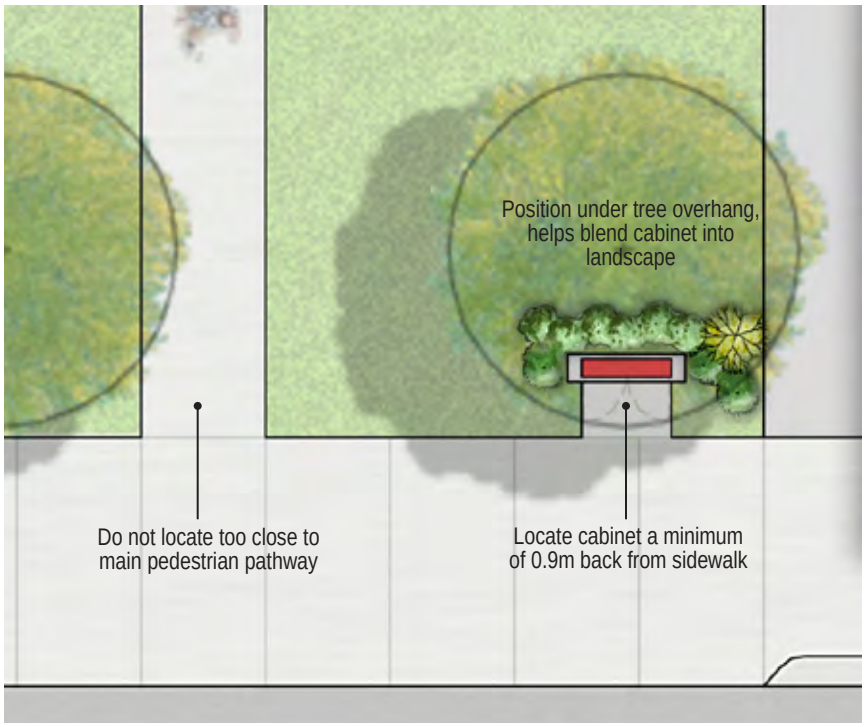


Fig. 6-15 |
OPI cabinet located back from sidewalk and aligned with pole

Situation B – New Infill Residential

Recommended Urban Design Strategies

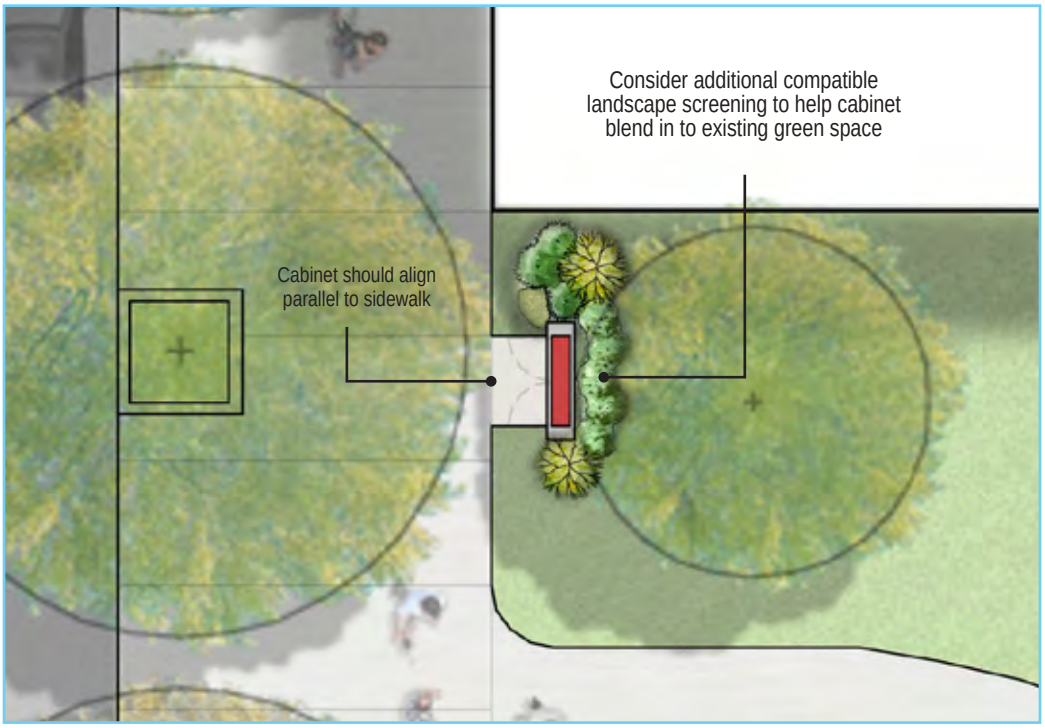
» Consider major pedestrian approaches and views within the setting, especially coming from Main Street: cabinet should not be visually prominent, should be perceived as a secondary element.

» Locate cabinet in discreet location at front of new development; further from Main Street is better than closer; do not locate too close to main pedestrian pathways into development.

» Position back from sidewalk within landscaped frontage, consider under-tree location where feasible, or additional landscape screening to reduce visual impact.

Fig. 6-16 (left) |
Cabinet well located to reduce visual prominence and provide convenient parking for servicing

Fig. 6-17 (right) |
This cabinet installation would be improved with a greater setback



Situation C – On Main Street

Recommended Urban Design Strategies

» If a cabinet requires placement on the Main Street, look for opportunities to locate in an area that will not be an obstruction to pedestrians such as green open space or a wide sidewalk area.

» Position back from sidewalk ideally within existing landscaped area, consider under-tree location where feasible, or additional landscape screening to reduce visual impact; the cabinet should align and be parallel to existing site elements if there is no landscaping (line of sidewalk, railing etc).

Fig. 6-18 | Discreet cabinet location up against railing in front of green space

Fig. 6-19 to 6-20 (top, right) |
Typical street views

Fig. 6-21(bottom) |
Well located cabinet integrated with adjacent landscaping

6.3 ESTABLISHED RESIDENTIAL

Context / Character

- These areas are typically stable neighbourhoods containing low density residential uses ranging from single family detached dwellings to apartment buildings, as well as key community uses such as schools. Traditionally homes are well set back from the lot line to provide generous space for trees and landscaping, and streets are narrow to encourage slower traffic.
- In other areas, houses are closer to the street, often with rear laneway parking, yet still provide a sense of "retreat" and calm from adjoining high-traffic built-up areas.

Typical Service Provisioning

Established Residential areas may be served by buried or aerial Bell facilities. Typically, lateral conduit structures are extended from a manhole structure location from a main roadway to an OPI location inside the residential area. Underground feeder cable from the manhole structure is placed to the OPI location, and buried distribution facilities from the OPI to street frontages for buried pedestal applications or to rear end lots for aerial design. Most of the rear lot pole lines are already existing in the established residential areas. New infill growth in these areas may be served by buried or aerial facilities from the OPI.

Telecommunications Issues

- Increased emphasis on aesthetic quality of proposed Bell plant;
- Existing Bell cable vintages may require maintenance, reinforcement, and / or replacement;
- Care is required in locating and installing equipment to avoid damage to existing mature vegetation and trees;
- Optimal location of Bell above ground structures often not possible;

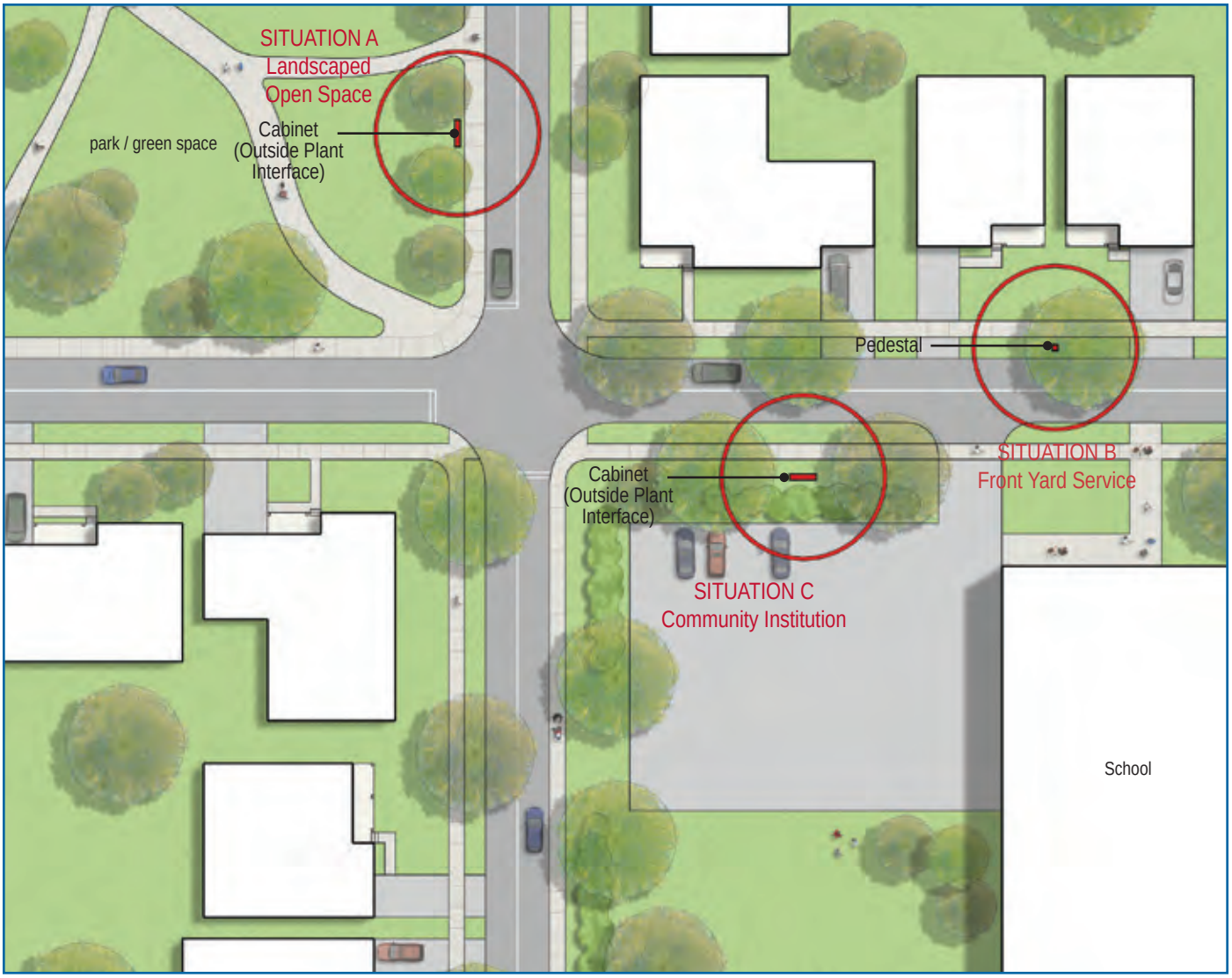


Fig. 6-22 | Detail Plan: Established Residential

» Reinforcement of existing facilities can be laborious and may be viewed as disruptive.

The following typical situations, illustrated above, occur in the Established Residential context:

» **Situation A Landscaped Open Space:** Green open space or a landscaped setback frontage can be an appropriate place to locate equipment.

» **Situation B Front Yard Service:** Primary service to houses via front yard location.

» **Situation C Community Institution:** Community uses can offer opportunities for advantageous siting.

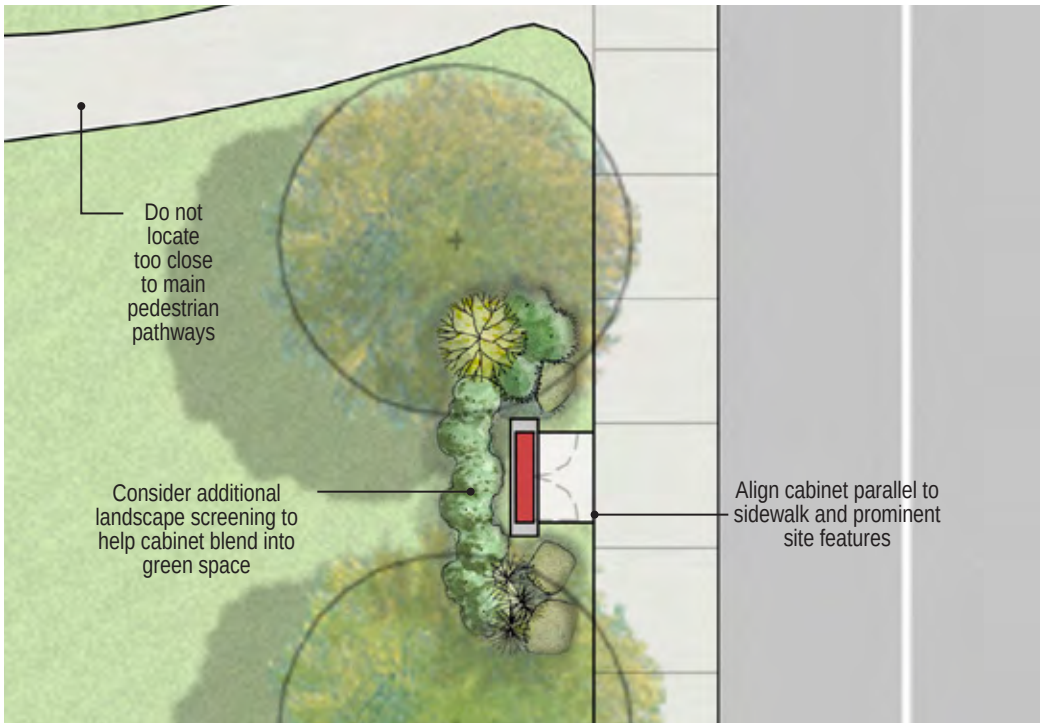


Fig. 6-23 to 6-25 (top, middle, bottom) | Examples of well integrated cabinets

Fig. 6-26 (bottom, right) | Setting cabinet further back into landscape avoids need for bollards, improves visual appearance

Situation A – Landscaped Open Space

Recommended Urban Design Strategies

» Where a cabinet is required, look for opportunities to locate at the edge of a park, green open space or a wide landscaped sidewalk area to blend into the setting (rather than locating in front of an individual house, increasing visual prominence).

» Position back from the sidewalk within landscaped area, consider under-tree location where feasible, or additional landscape screening to soften visual impact; cabinet should align and be parallel to existing site elements.

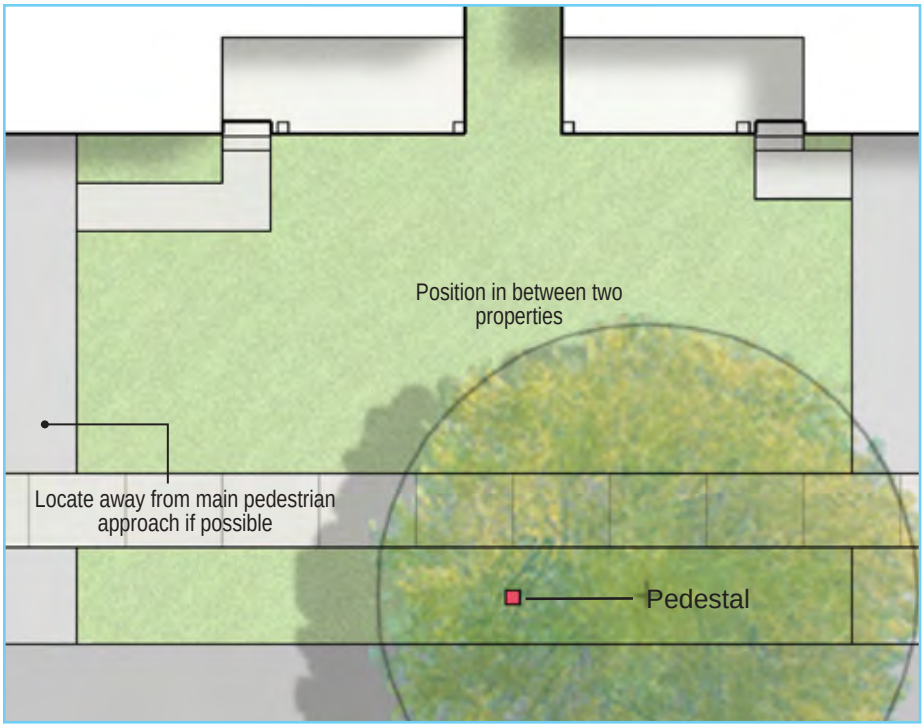


Fig 6-27 to 6-28 | Well-located Service Pedestals

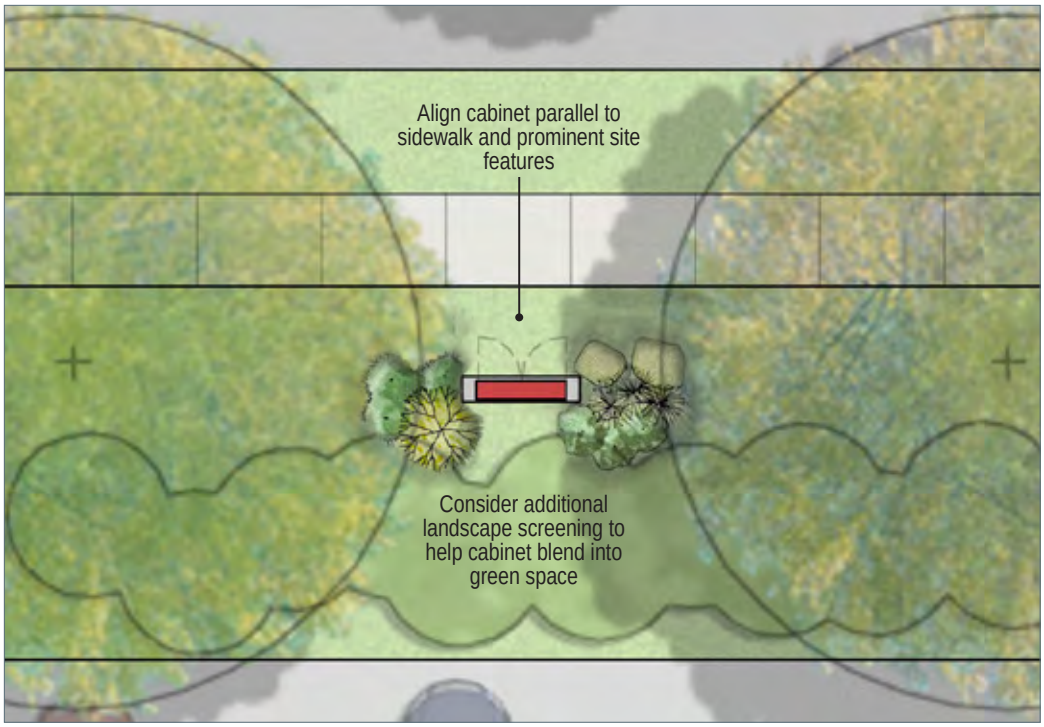
Situation B – Front Yard Service

Recommended Urban Design Strategies

» Where service pedestals are required for front yard servicing, look for a discreet location at the lot line in between two properties (rather than centrally in front of one property-owner).

» Position back from the sidewalk adjoining existing landscaping, consider under-tree location where feasible, or additional landscape screening to soften visual impact.

» Ensure pedestal is installed in a manner that ensures it remains vertical – it makes the installation look neat and permanent which helps it blend in to its setting.



Situation C – Community Institution

Recommended Urban Design Strategies

- Where a cabinet is required, look for opportunities to locate at the edge of a building to maximize the chances of blending into the setting.
- Position back from the sidewalk ideally within existing landscaped area, consider under-tree location where feasible, or additional landscape screening to reduce visual impact; cabinet should align and be parallel to existing site elements (line of sidewalk, railing etc).
- Although it is not a common practice, in certain circumstances Bell has in the past considered proposals to contribute to the local community through public art projects in high visibility areas, through partnerships with municipalities.

Fig. 6-29 (top) | Example of art applied to telecom cabinet by school students

Fig. 6-30 (bottom) | Under tree location helps the cabinet blend into the landscape

Fig. 6-31 to 6-34 |
Reurbanized areas contain a mix of commercial, retail, and residential uses

6.4 REURBANIZED MIXED-USE AREAS

Context / Character

- These are typically older downtown areas that are in transition and are being redeveloped with a range of higher density mixed uses, including commercial, retail and residential. Heritage buildings converted into new uses co-exist beside new infill buildings to create a lively urban atmosphere.
- The older buildings are typically located close to the street and cover a large percentage of their land. Newer built form is often designed in combination with wider sidewalks on the sunny side of the street or small open spaces to make the streetscape more attractive and encourage pedestrian activity.

Typical Service Provisioning

Reurbanized Mixed Use areas typically contain existing Bell manhole structures and conduit infrastructure around the perimeter. This infrastructure and cabling would have to be extended into and within the development as required. Single dwelling units would be serviced from an OPI as well as potentially retail and commercial buildings. Some buildings, depending on requirements, may require a separate individual cable for large service demands.

Telecommunications Issues

- Existing Bell manhole structures, conduit, and cable facilities congestion;
- Increased density and demand for telecom services may require reinforcement of existing facilities;
- Increased emphasis on aesthetic quality of proposed Bell plant;
- Availability of locations for placement of above ground structures may be restricted resulting from increased land and municipal right of way use and other utility needs;

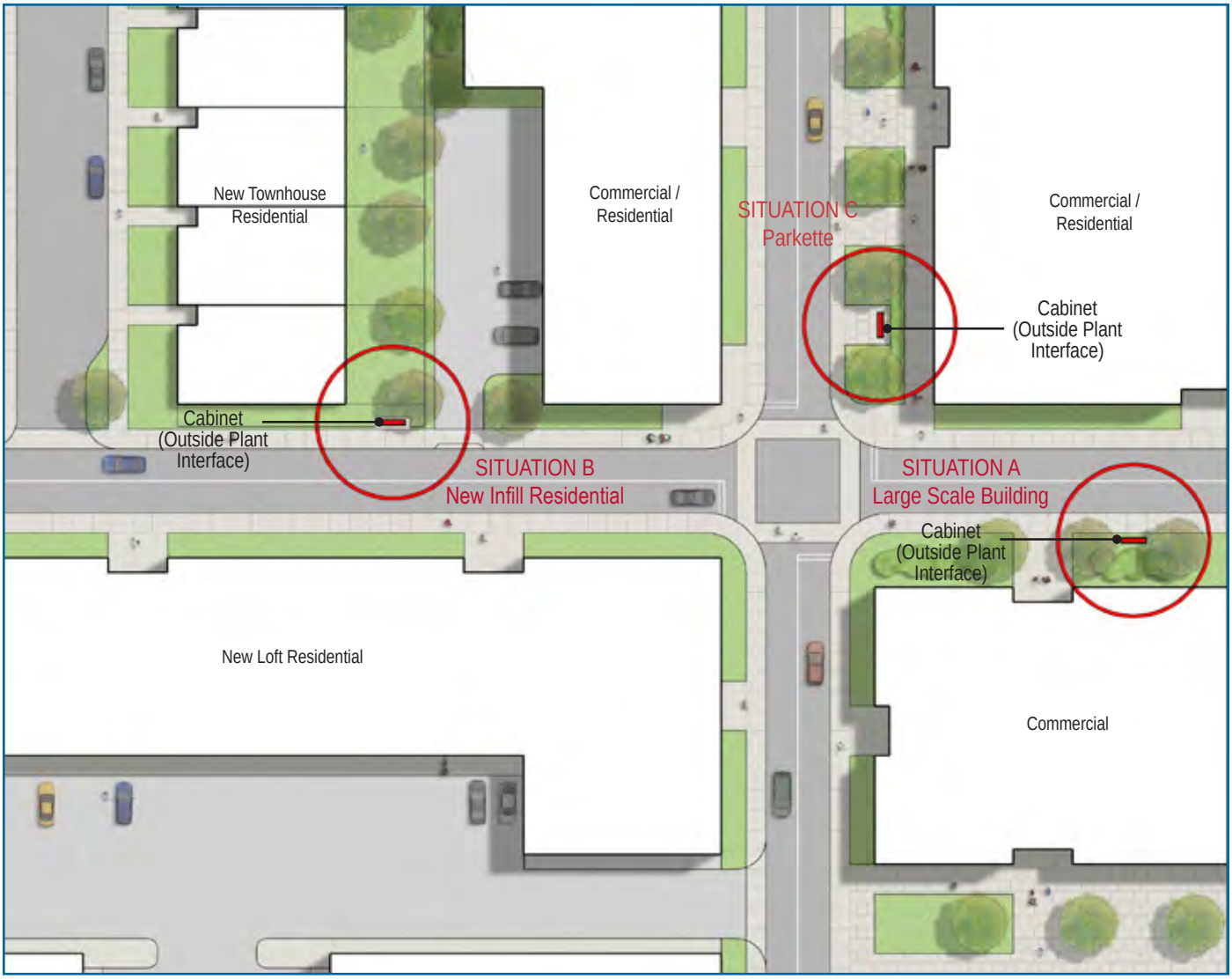


Fig. 6-35 | Detail Plan: Reurbanized Mixed-use Areas

- Increased possibility for easement requirements;
- Coordination requirements with architectural and landscape control resulting from increased development of green spaces, tree plantings, and public walkways.

The following typical situations, illustrated above, occur in the Reurbanized Mixed-use Areas:

- **Situation A Large Scale Building:** Larger old or new building is typically built close to the street and requires increased telecommunications demand.
- **Situation B New Infill Residential:** New row townhouse development provides grade-related dwellings with private rear yards.
- **Situation C Parkette:** Green open space or a wide sidewalk area can be an appropriate place to locate equipment.

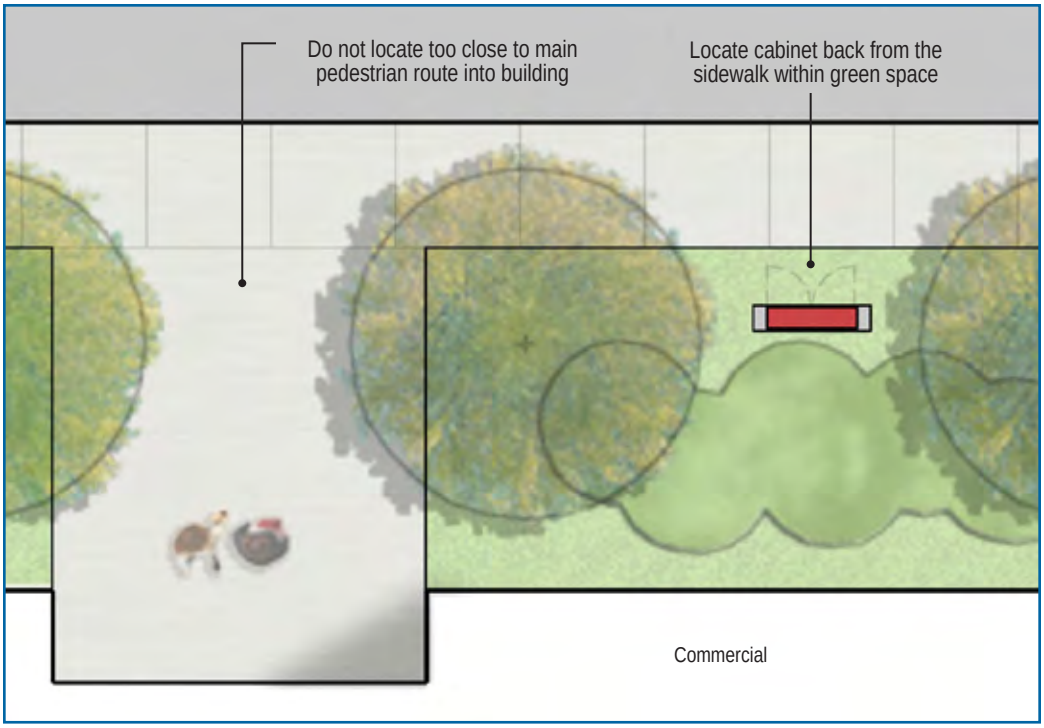


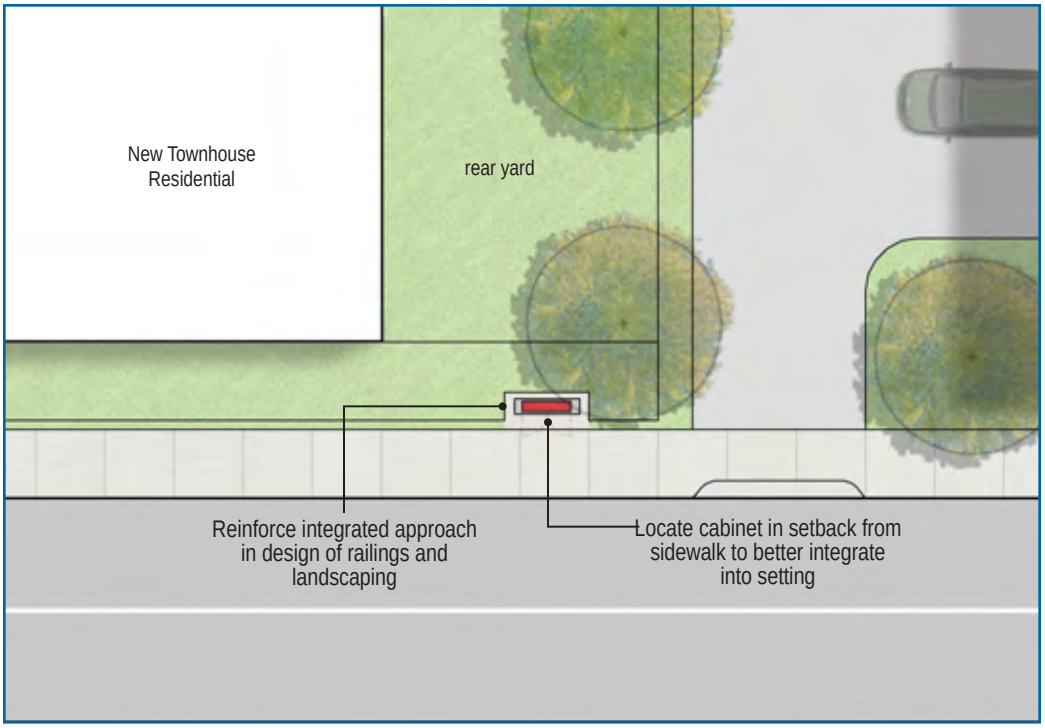
Fig. 6-36 to 6-37 |
Cabinets are well positioned within landscaped setback to heritage building

Situation A – Large Scale Building

Recommended Urban Design Strategies

» Locate cabinets in as discreet a location as possible, not visually prominent; do not locate too close to main pedestrian pathways into building, or windows.

» Position back from sidewalk within landscaped frontage, consider under-tree or additional landscape screening to soften visual impact; cabinet should align and be parallel to existing site elements (line of sidewalk, wall, hedge etc).



Situation B – New Infill Residential

Recommended Urban Design Strategies

» Consider major pedestrian approaches and views within the setting: new development is attempting to enhance the streetscape; cabinet should not be visually prominent, should be perceived as secondary element.

» Locate cabinet in discreet location within the streetscape such as at the side of rear yard on a corner lot.

» Position back from sidewalk within landscaped frontage, consider under-tree location or additional landscape screening to soften visual impact; cabinet should align and be parallel to existing site elements (line of sidewalk, railing, hedge etc).

Fig. 6-38 to 6-39 | Excellent integration of cabinet into its "side of rear yard" setting

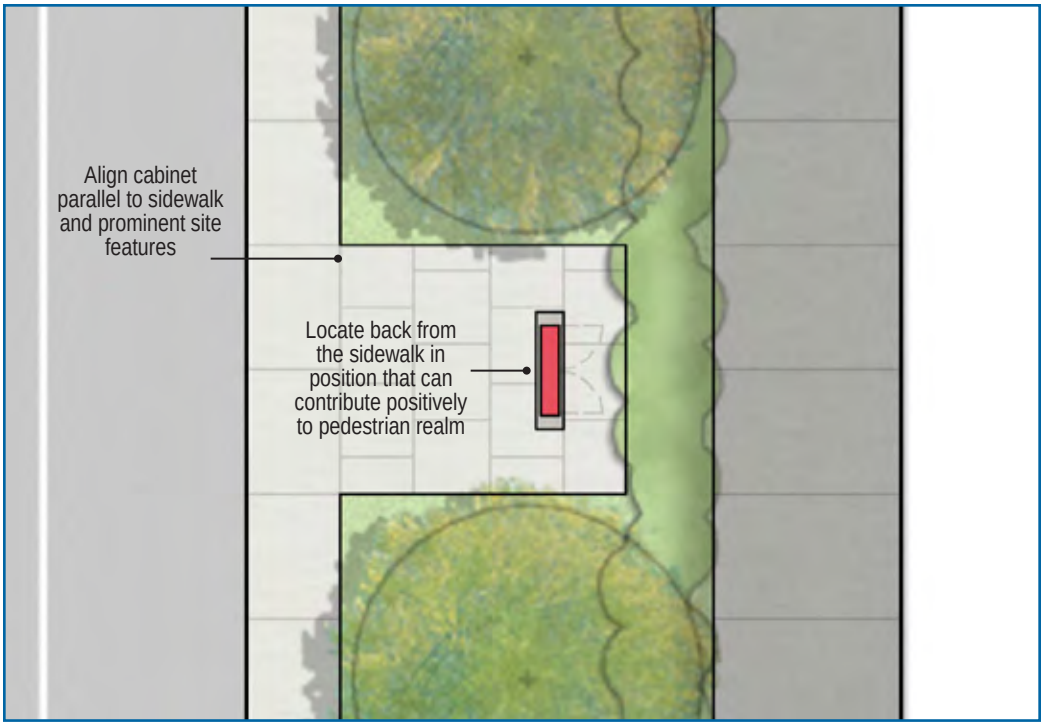


Fig. 6-40 |
Public art applied to telecom cabinet as part of a series of community art installations

Situation C – Parkette

Recommended Urban Design Strategies

- Where a cabinet is required, look for opportunities to locate in a wider sidewalk, open space, or parkette area.
- Position back from the sidewalk ideally within landscaped area, consider under-tree position or additional landscape screening to soften visual impact; cabinet should align and be parallel to existing site elements.
- Although it is not a common practice, in certain previous circumstances, Bell has considered proposals to contribute to the local community through public art projects in high visibility areas, through partnerships with municipalities.
- Consider opportunities for contributing to greening of the streetscape; cabinet could be visually screened through landscaping.

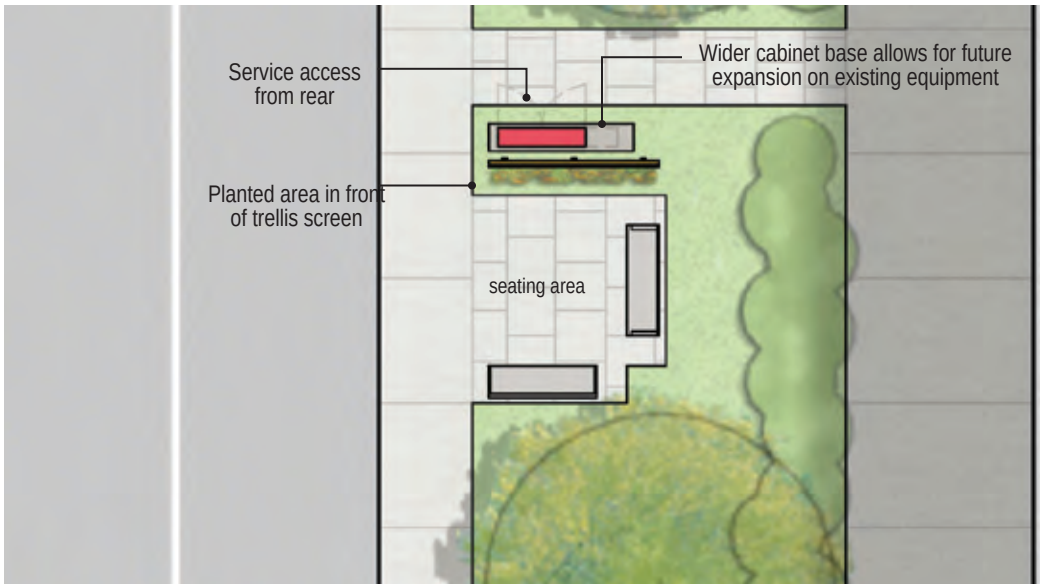


Fig. 6-41 | Cabinet could be visually screened with landscaping to provide an attractive backdrop for a pedestrian seating area while respecting safety clearances

Fig. 6-42 to 6-45 | Commercial / Industrial areas are exemplified by wide arterial roads, wide boulevards, and a general lack of pedestrian activity

6.5 COMMERCIAL / INDUSTRIAL

Context / Character

- These areas cater to a variety of commercial and industrial uses, from the quieter atmosphere of commercial / industrial office park to busy retail strip plaza stretches.
- Streets are wide, often providing four to six traffic lanes. Buildings are well set back from the street, typically with front yard parking, resulting in a large number of mid-block driveways.
- On street parking is infrequent and landscaped buffers are often provided between businesses and to screen parking areas.

Typical Service Provisioning

Commercial and Industrial areas contain existing Bell manhole structures and conduit structures along main and lateral roadways. Depending on requirements, some buildings are serviced via OPIs and others may have separate individual cable for large service demands. Most new and existing commercial buildings will also be serviced with fibre cables, or will have to be in close proximity to Bell fibre facilities. New infill growth in these areas will be served by under ground facilities, and may require extension of conduit structures and cables into the new growth area. There is typically minimal urban design considerations of utilities, within these contexts. Bell will work with municipalities and developers to ensure that the design and placement of telecommunications infrastructure accounts for future flexibility. This flexibility is necessary to account for unforeseen changes to the built form of these areas in the future (i.e., road expansion).

Telecommunications Issues

- Existing Bell manhole structures, conduit, and cable facilities congestion;
- Demand for greater bandwidth requires increased fibre provisioning and associated below and above ground structures;

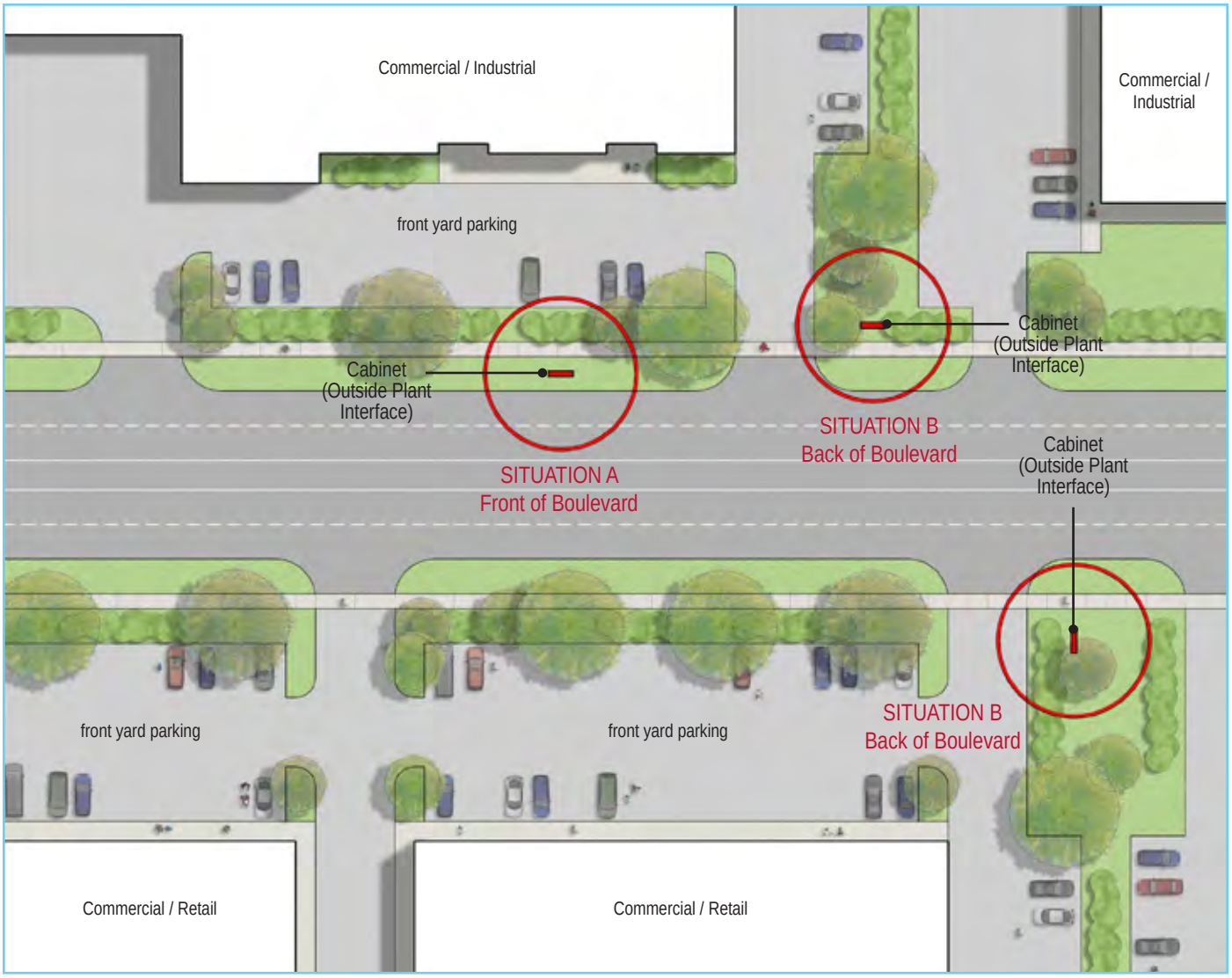


Fig. 6-46 | Detail Plan: Commercial / Industrial

- Each commercial building generally requires a separate cable entrance which increases demand for availability of conduit within municipal road allowance;
- Future development information may not always be available;
- Finding discreet locations for above ground structures can be challenging.

The following typical situations, illustrated above, occur in the Commercial / Industrial context:

- **Situation A Front of Boulevard:** Telecom equipment is located close to the roadway curb in front of the sidewalk.
- **Situation B Back of Boulevard:** Telecom equipment is located back of the sidewalk close to the edge of a R.O.W.

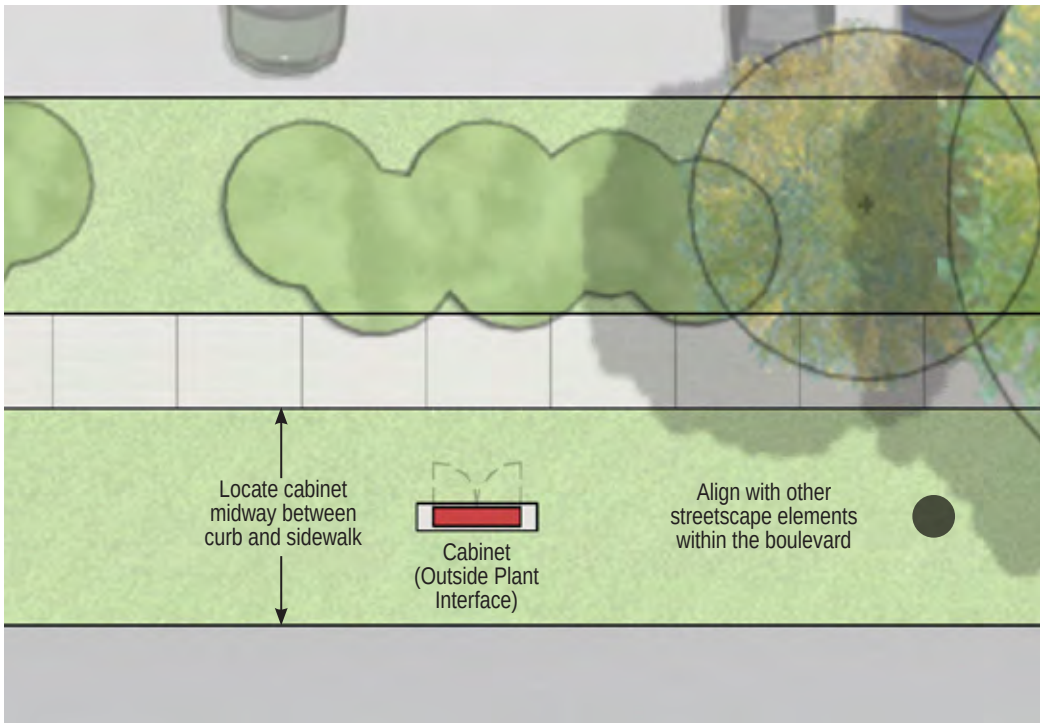
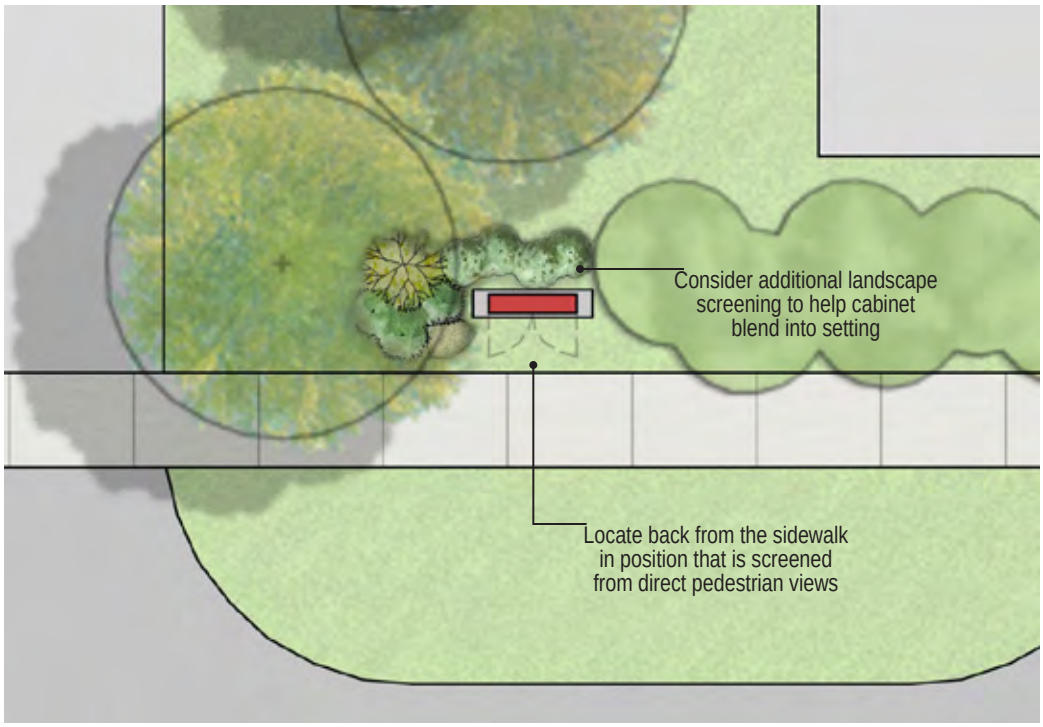


Fig. 6-47 to 6-48 |
Well-located front boulevard cabinets; flush concrete base helps units blend in visually

Situation A – Front of Boulevard

Recommended Urban Design Strategies

- Certain municipalities dictate that cabinets must be located in a front of boulevard position.
- Consider major views within the setting, ideally cabinet should not be visually prominent.
- Locate cabinet in discreet location at front of new development; further from intersection or driveways is better than closer; do not locate too close to main pedestrian pathways into development.
- Position to align neatly with street trees, light poles and other elements within the boulevard, ideally placed centrally between these elements.
- Consider potential for future additional cabinets being required; allow sufficient space, future cabinets should be installed near to the original cabinets with same alignment, base condition, cabinet size and finish if feasible.



Situation B – Back of Boulevard

Recommended Urban Design Strategies

- Back of boulevard position is recommended if acceptable to municipality; it is more discreet, and not as visually prominent within the streetscape.
- Locate cabinet back from sidewalk ideally within landscaped buffer areas; further from intersection is better than closer; do not locate too close to main pedestrian pathways into development; consider location at side lot line between parking areas.
- Consider under-tree or additional landscape screening to soften visual impact; cabinet should align and be parallel to existing site elements (line of sidewalk, parking lot etc).

Fig. 6-49 | Even larger equipment cabinets can be well integrated into a back of boulevard setting; landscaping treatments screening the concrete base improve the cabinet appearance

Fig. 6-50 to 6-52 | Typical street views

6.6 NEW COMMUNITIES

Context / Character

- New communities are usually located in greenfield areas. They are typically comprised of low density single-family residential homes located on wide streets with front yard car parking, garages integrated with the house, and back-to-back landscaped rear yards.
- Some “New Urbanism” communities feature rear laneways with separated garages for car parking, enabling houses to be located closer to the street with porches and landscaped front yards to encourage an attractive, pedestrian-friendly street atmosphere.

Typical Service Provisioning

New Community areas are typically located in close proximity to existing Bell facilities. However, the existing Bell infrastructure or cables may not be of sufficient size or capability to provide service to meet the demands of new growth. In these situations Bell may require the inclusion of a Walk-In Cabinet (WIC) to extend the capability of the Central Office, and to provision adequate facilities to meet growth requirements. The WIC will often require an easement. Bell will extend the required conduit, manhole structures, and associated infrastructure fibre cable to the WIC from a main road. Underground feeder cables from the WIC are placed to the required OPIs in the development, and buried distribution facilities are placed from the OPI to street frontages for buried applications to service residential units. Large commercial buildings within the development may require separate individual cables for large service demands.

Telecommunications Issues

- Existing Bell facilities may need reinforcement to meet growth demands;
- New developments may require large remote electronic implementations;
- Increased need for above ground plant locations such as OPIs;

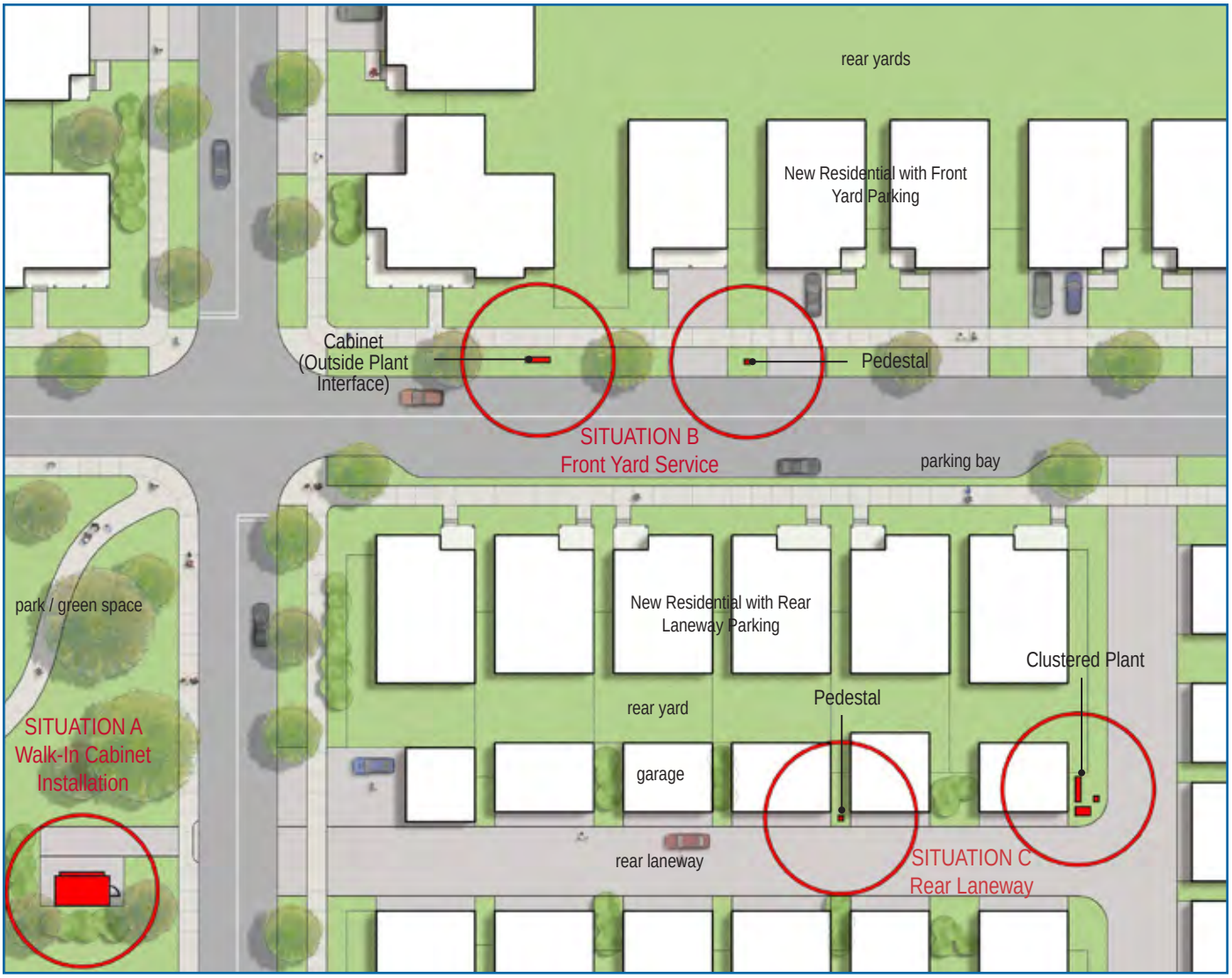


Fig. 6-53 | Detail Plan: New Communities

- Bell must adhere to Composite Utility Plans (CUPs), which can result in the overly prominent clustering of multiple plant elements between lots (often a result of driveways being flipped to create additional lots in red-line plan revisions);
- Locations and design requirements for equipment is often mandated by municipality or developer;
- Coordination requirements with architectural and landscape control resulting from increased development of green spaces, tree plantings, and public walkways;
- Increased possibility for easement requirements.

The following typical situations, illustrated above, occur in a New Community context:

- **Situation A WIC Installation:** Larger Walk-In Cabinets are sometimes required as a primary distribution point to a new residential neighbourhood
- **Situation B Front Yard Service:** This situation occurs in traditional new residential developments with front yard car parking, which are serviced from street frontage
- **Situation C Rear Laneway:** This situation occurs in some recent " New Urbanism" communities, which provide rear laneways for resident car access and garage parking

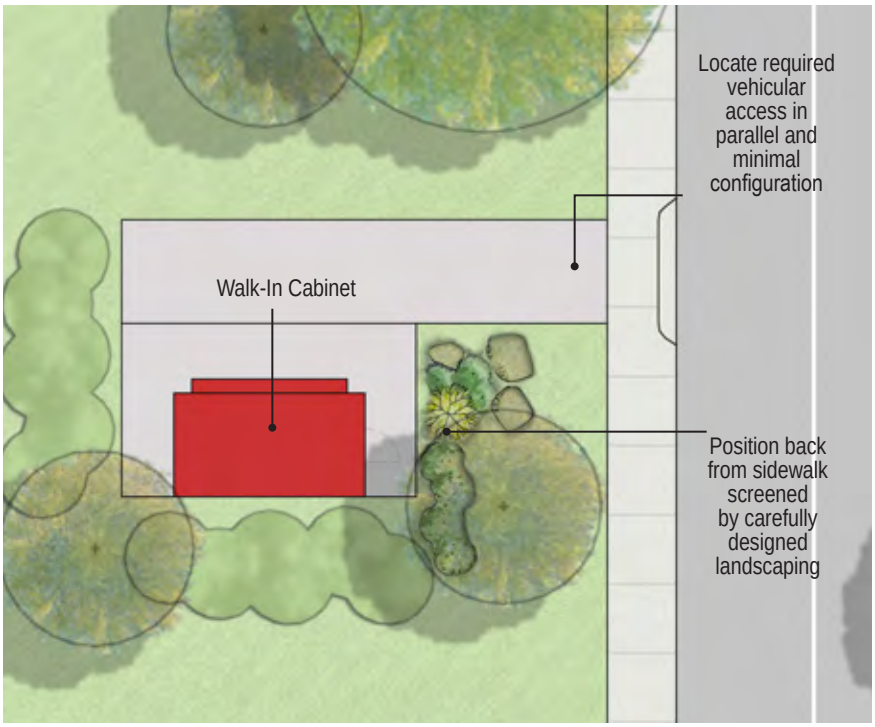
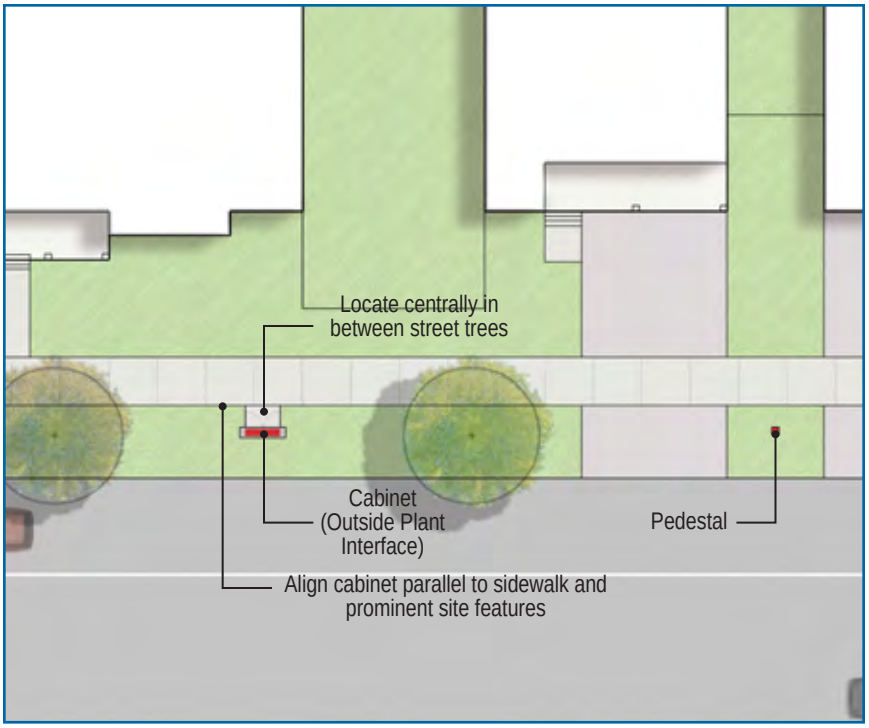


Fig. 6-54 |
WIC building well integrated into setting

Situation A – WIC Installation

Recommended Urban Design Strategies

- Where a WIC is required, look for opportunities to locate at the edge of a park, or green open space within the new neighbourhood to ensure integration with its surroundings.
- Position back from the sidewalk and screen with carefully designed landscaping to soften visual impact; cabinet should align and be parallel to existing site elements.
- Locate required vehicular access in a parallel and minimal configuration.
- Where feasible, avoid separate freestanding cabinets in close proximity to a WIC.
- Design WIC building to be visually discreet and compatible with its neighbourhood setting; clean, simple lines and a streamlined design is recommended.
- Consider common design elements of the surrounding neighbourhood (through colour, brick, and roofing design).



Situation B – Front Yard Service

Recommended Urban Design Strategies

- Where cabinets are required, locate in discreet location, such as at the side of rear yard on a corner lot.
- Position adjoining sidewalk within boulevard centrally between street trees; cabinet should align and be parallel to existing site elements (line of sidewalk, back yard fence etc).
- Where service pedestals are required for front yard servicing look for a discreet location at the lot line in between two properties (rather than centrally in front of one property-owner).
- If feasible, position back from the sidewalk adjoining landscaped area, consider additional landscape screening to soften visual impact.
- Ensure pedestal is installed vertically to promote integration with its surroundings.
- Avoid overly prominent location of utility plant in between lot locations (see Fig. 6-62). This can result from driveways being flipped to create additional lots in red-line revisions to Composite Utility Plans (CUPs). Early cooperation between Bell, Minicipalities and the development community can help to prevent this.

Fig. 6-55 (top) | Well located cabinet (Outside Plant Interface), adjoining side of rear yard, aligning with boulevard trees

Fig. 6-56 (bottom) | A well-integrated pedestal installation

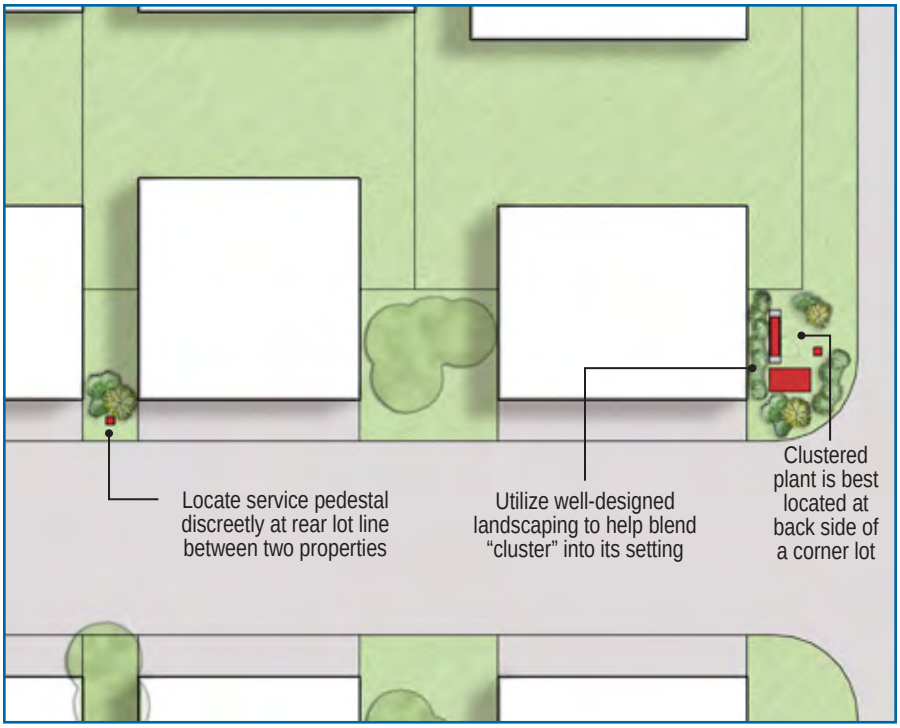


Fig. 6-57 (top) | Cabinet is best located at edge of green open space

Fig. 6-58 (bottom) | Rear laneway service pedestal installation

Situation C – Rear Laneway

Recommended Urban Design Strategies

- Where a cabinet is required, look for opportunities to locate at the edge of a park, green open space or a wide landscaped sidewalk area which maximizes chances of blending into the setting (as opposed to locating in front of an individual house which may be more visually prominent).
- If possible, position back from sidewalk within landscape, consider under-tree location or additional landscape screening to soften visual impact; cabinet should align and be parallel to existing site elements.
- Look for opportunities to consolidate utility plant into one location in a "clustered plant" configuration; use carefully designed landscape screening to help cluster blend into its setting.
- Where service pedestals / terminals are mandated to locate in a rear laneway, look for a discreet location at the lot line in between two properties.
- Make sure the pedestal is installed in a manner that ensures it remains vertical.
- Communication Pole Approach: Where it is mandated that service pedestals / terminals must be integrated with other streetscape elements, such as a light pole, it has the major advantage of requiring no rear laneway service pedestals.

There are many excellent examples of telecommunications structures that have been well-integrated in new communities. Figure 6-59 is a photo of a New Urbanist community, in which a communication pole integrates communications utilities. Similarly, Figure 6-60 is an example of a light pole that integrates service pedestal equipment into the base of the pole, rather than providing a separate utility structure.

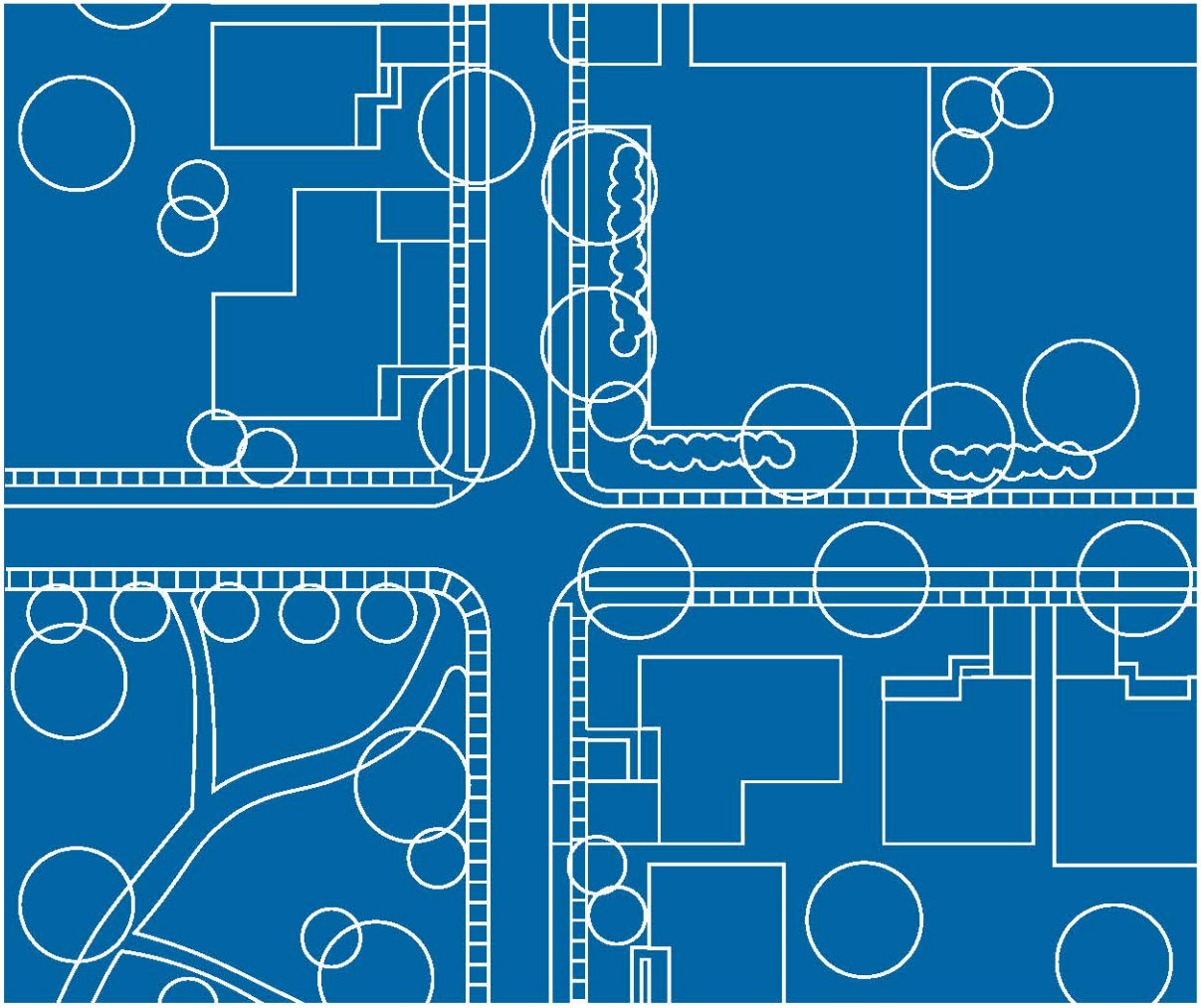
Fig. 6-59 (top) | Example of visually appealing "New Urbanist" streetscape

Fig. 6-60 (left) | Communication Pole design integrates service pedestal equipment into pole base

When clustering utility structures, it is best if they are located at the rear of a corner lot, as shown on Figure 6-61.

The situation shown in Figure 6-62 is not desirable. In this case, the clustered plant is located between lots, which creates a visually unappealing streetscape.

Fig. 6-61 to 6-62 (above) | Clustered plant is best located at the back side of a corner lot (top) rather than in between lots (bottom)



Urban Design Manual

Chapter 7.0

Implementation

Chapter 7.0

Implementation

The following details the manner in which the Manual is to be interpreted and used, and outlines how it will be updated over time.

7.1 CONSULTATION WITH MUNICIPALITIES

In order for the guidelines in this Urban Design Manual to be utilized, consultation with municipalities will be required. We propose that a series of workshops be held with municipal planning staff and other interested public stakeholders to promote the guidelines within the Bell Urban Design Manual and to obtain feedback and comments.

7.2 USAGE

The Urban Design Manual will form the basis for comment letters to municipalities regarding planning policy and design initiatives. Bell will also endeavour to maintain an ongoing relationship with public sector agencies using the manual. Their comments will be integral to ensuring that the Manual is providing beneficial results for the public realm and the ongoing operations of Bell Canada. Bell will also undertake a program to monitor the performance of the guidelines to ensure that they are providing the intended benefits, and will work to devise solutions where there are deficiencies.

7.3 MANUAL HORIZON

Telecommunications infrastructure is constantly evolving, as the public continually demands faster, better service, from providers. While this urban design manual addresses the types of infrastructure Bell uses today, there will be change in the future. However, the principles contained herein, should essentially remain the same. Bell will endeavour to review this Manual on a regular basis, or as new technologies evolve, to ensure that the guidelines are still relevant in a future context.

Fig. 7-1 | The Telecommunications Act encourages innovation in the provision of telecommunications services

7.4 INTERPRETATION

The Bell Urban Design Manual is to be used by those involved in the siting, location and design of telecommunications infrastructure. This Manual is to be used as a tool to ensure that urban design principles are reflected and considered in the policy formulation and project development processes. Bell will use this Manual to educate and inform telecommunications stakeholders of the technical, design and locational requirements of Bell network infrastructure. When implementing the guidelines, consideration will need to be given to their underlying principle. While this Manual provides guidelines representing best practices for telecommunications infrastructure, Bell will require flexibility in their implementation to adapt to a variety of real world contexts. As such, Bell Canada will use this document as a means to guide their future infrastructure implementation; however, changes to the existing network will occur incrementally, as infrastructure is reinforced and replaced over time. **Bell is committed to maintaining ongoing discussion and dialogue with municipalities to ensure that the telecommunications network is designed in a manner that is well-integrated in the public realm while also balancing the technical demands of providing reliable service to the public.**

Urban Design Manual

Bell

Chapter 8.0

Definitions

Chapter 8.0

Definitions

To assist in understanding and interpreting this document, this section contains definitions of technical terms.

Example of a type of cabinet - in this case, an Outside Plant Interface (OPI)

Cabinet is a broad term that generally refers to various above-ground utility structures, most typically Outside Plant Interfaces, Walk-In Cabinets and Central Splitting Points.

Bell's Eglinton Central Office, which houses the mid-town Toronto switches

Central Office (CO) means the central hub for all telecommunications services in a community. The Central Office houses critical equipment which connects phone calls, servers and may also contain Bell administrative offices specifically related to the function of the Central Office. Central Offices are sometimes referred to as Switching Centres.

Example of an opened Central Splitting Point

Central Splitting Point (CSP) means an above-ground structure which is used to connect higher-order fibre cables with lower-order distribution fibre cables. Central Splitting Points are similar to Outside Plant Interfaces, except they are fibre-only, and are therefore used and found in newer neighbourhoods.

Example of a clustered plant

Clustered Plant means a collection of utility structures (Bell and other utility providers) that are clustered together.

Example of a Compact Power Node

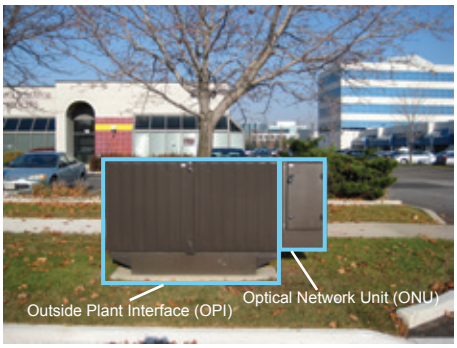
Compact Power Node (CPN) means a device used to augment broadband service delivery from the Optical Network Unit when the distance from a Central Office exceeds certain thresholds, or when technical demands dictate their use, as determined on a case by case basis.

Example of a Fibre Distribution Interface

Fibre Distribution Interface (FDI) means an above ground structure used to house equipment for providing services using fibre optic cable.

Example of a flush to grade handwell

Flush to Grade Handwell means a below-ground housing placed flush to the ground within a public boulevard. The function of a flush to grade handwell is similar to that of a pedestal. The use of these structures is generally minimized due to safety and maintenance concerns.



Example of an Optical Network Unit appended to an Outside Plant Interface

Optical Network Unit (ONU) is a structure appended to an Outside Plant Interface and used to allow an Outside Plant Interface to interconnect with higher order fibre cables.

Example of an Outside Plant Interface

Outside Plant Interface (OPI) means an above-ground structure which is used to connect higher order copper feeder cables (originating from the Central Office) with lower order distribution cables which connect Bell's customers. Also refer to the definition of Central Splitting Point, the fibre-equivalent of an OPI.

Example of a stand-alone servicing pedestal (left) and a pedestal integrated into a communication pole (right)

Pedestal (or servicing pedestal/terminal) means an above ground structure used to house technical equipment for copper and fibre cables. Pedestals may exist as stand-alone structures or may be integrated into communication poles (such as light poles which may be owned by another entity).

Example of a Walk-In Cabinet

Walk-In Cabinet (WIC) means an above ground structure used to extend the range of the Central Office to areas where insufficient telecommunications facilities exist, or when a development is located beyond the threshold distance of the Central Office. WICs are designed to be large enough for technicians to enter and to allow for essential cooling equipment to ensure the sensitive internal equipment does not overheat.

Barristers & Solicitors

WeirFoulds LLP

VIA E-MAIL

Denise Baker
Partner
T: 905-829-8600
dbaker@weirfoulds.com

File 16121.00001

February 23, 2018

City of Burlington
426 Brant Street
PO Box 5013
Burlington, Ontario
L7R 3Z6

Attention: Leah Smith, Planning Department

Dear Ms. Smith:

RE: City of Burlington Proposed New Official Plan

We are solicitors for A&W Food Services of Canada Inc., McDonald's Restaurants of Canada Limited, Restaurant Brands International (operators and licensors of Tim Hortons Restaurants) as well as their industry association, the Ontario Restaurant Hotel and Motel Association (ORHMA).

On November 28, 2017, we corresponded with the City regarding our concerns with the November 2017 draft of the proposed Official Plan. In that correspondence we requested an opportunity to meet with staff with respect to our concerns and the modifications that we had proposed. To date, staff has not contacted the undersigned with respect to such a meeting.

Further, we note that our concerns have not been addressed in the February 2018 version of the proposed Official Plan. As such our comments and concerns with respect to policies 7.3.3 and 8.7.1 remain.

We also note that drive through facilities (DTFs) are not simply a matter of convenience as stated in the proposed Official Plan, but rather provide a very important accessibility function and that an outright prohibition on DTFs in any area of the municipality adversely affects the ability of older persons and persons with disabilities from being able to fully participate in society, contrary to policy 1.1.1 f) of the Provincial Policy Statement.

As such, we again reiterate our request that staff meet with us to discuss modifications to the proposed policies referred to above.

Yours truly,

WeirFoulds LLP

Denise Baker

DB/mw

Encls.

cc Clients
Victor Labreche, Labreche Patterson & Associates Inc.

11454535.1

PB-14-18
505-08
Public comments

LARKIN+
land use planners inc.
larkinplus.com 905-895-0554
849 Gorham Street, Newmarket ON Canada L3Y 1L7

2018.02.26

VIA EMAIL: newop@burlington.ca

City of Burlington
Planning Department
426 Brant Street, PO Box 5013,
Burlington, ON L7R 3Z6

Dear Sir/Mme,

Re: Written Submission for Consideration, Statutory Public Meeting – February 27, 2018

LARKIN+ Land Use Planners Inc. represents Arbor Memorial Inc. (AMI) with regards to their cemetery properties across Canada and in particular, with regards to Burlington Memorial Gardens located at 3383 Guelph Line in the City of Burlington. This letter follows up our previous correspondence dated June 29, 2017 and November 27, 2017 wherein we provided feedback on the new draft Official Plan.

In light of the upcoming Statutory Public Meeting on February 27, 2018, we would like to reiterate our Client's ongoing concern with the lack of appropriate cemetery policies within the City of Burlington Official Plan 2018. We have reviewed the City of Burlington Official Plan 2018 and respectfully conclude that it is inconsistent with the Provincial Policy Statement (PPS), 2014. Section 1.1.1 b) states that healthy, liveable and safe communities are sustained by accommodating an appropriate range and mix of uses including **cemeteries** to meet long-term needs.

Section 3 (5) (a) of the Planning Act, R.S.O. 1990 requires that decisions affecting a planning matter made by the council of a municipality be consistent with the policy statements issued under subsection (1). **Section 4.1 and 4.2** of the PPS 2014 provide further policies in this regard which state that the PPS "*applies to all decisions in respect of the exercise of any authority that affects a planning matter"* and that *"a decision of Council "shall be consistent with" this PPS".*

We submit that it is the responsibility of municipalities to ensure that their planning documents are consistent with provincial policy statements and provincial plans issued under the Planning Act. The GTA is expected to experience significant population growth and, with this growth in population, planning for the deceased in the GTA is critical. It is clearly in the public interest for municipalities to plan for this important land use, and as such ensure the memorialization needs of the community are met as directed by the PPS (Section 1.1.1 b) described above.

Please do not hesitate to contact us should have any questions or require further information on this matter.

Respectfully submitted,

LARKIN+

Michael T. Larkin, M.Pl., MCIP, RPP
Principal
mtl@larkinplus.com

cc Cosimo Casale, Cosmopolitan Associates
Dan Tovey, Halton Region

BUILDING YOUR IDEAS · INTO BIG PLANS
THE BIGLIERI GROUP LTD.

February 5th, 2018

City of Burlington
Planning and Building Department
426 Brant Street, PO Box 5013
Burlington, ON L7R 3Z6

Attention: Ms. Andrea Smith, MCIP, RPP
Manager of Policy and Research

Dear Andrea

RE: Comments on the Burlington Draft Official Plan
Item 5.1, February 6 2018 Planning & Development Committee
Mapleview Shopping Centre - 900 Maple Avenue
Canapen (Halton) Limited and Ivanhoé Cambridge II Inc.
TBG Project No. 17485

INTRODUCTION

The Biglieri Group Ltd. (TBG) represents Canapen (Halton) Limited and Ivanhoé Cambridge II Inc., owners of the Mapleview Shopping Centre ("Subject Site"), located southeast of the intersection of the QEW and Fairview Street in the City of Burlington, and municipally known as 900 Maple Avenue. On behalf of our client, TBG has reviewed the policies of the Draft Official Plan as they relate to the redevelopment potential for the Subject Site and would like to provide comments for staff's consideration.

SUMMARY OF PROPOSED DESIGNATIONS AND POLICIES AFFECTING THE SITE

The Subject Site carries a number of designations in the Draft Official Plan, inclusive of:

- Mixed Use Nodes and Intensification Corridors – Schedule B, Urban Structure
- Secondary Growth Area – Schedule B-1, Growth Framework
- Mixed Use Commercial Centre – Schedule C, Land Use-Urban Area

Further, Fairview Street and Maple Avenue carry the following designations:

- Fairview Street
  - Primary Mobility Hub Connector – Schedule B-2, Long Term Frequent Transit Corridors
  - Multi Purpose Arterial – Schedule O-1, Classification of Transportation Facilities
- Maple Avenue
  - Secondary Mobility Hub Connector - Schedule B-2, Long Term Frequent Transit Corridors
  - Urban Avenue - Schedule O-1, Classification of Transportation Facilities

Generally, the policies for Mixed Use Node and Intensification Corridors, Secondary Growth Areas, and Mixed Use Commercial Centres all promote re-development of under-utilized sites with mixed use, street oriented, pedestrian friendly development in a manner which is compatible with adjacent

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uses. These areas are planned to be the "focus of re-urbanization". Further, the Draft Official Plan contains a number of specific and prescriptive policies that affect any future redevelopment of the site, which are as follows:

- 2.4.2(2)a)iv) – "*Secondary Growth Areas:... shall be limited to a maximum of mid-rise building form, unless otherwise permitted by the policies of this Plan*"
- 8.1.3.(3.2)b) – "*the following uses may be permitted on lands designated Mixed Use Commercial Centre:*
    - *All types of service commercial uses;*
    - *Automotive commercial uses;*
    - *Residential uses with the exception of single-detached and semi-detached dwellings;*
    - *Office uses;*
    - *Entertainment uses; and,*
    - *Recreational uses.*"
- 8.1.3.(3.2)d) – "*the maximum building Height shall not exceed twelve (12) storeys*"
- 8.1.3.(3.2)e) – "*Notwithstanding Subsection 8.1.3.(3.2) b) of this Plan, development applications on large sites designated Mixed Use Commercial Centre that introduce one or more tall buildings as part of a comprehensive site development shall be subject to the preparation of an area-specific plan, in accordance with the policies of Subsection 12.1.3 of this Plan, and conform to the policies and design guidelines as approved by the City. The area specific plan may not be subject to the policies of Subsection 2.4.2.(2) a) (iv) of this Plan.*"
- 8.1.3.(3.2)f) – "*It is the intent of this Plan for the Mixed Use Commercial Centre areas to retain the planned retail and service commercial function set out in this Plan.*"

TBG has met with policy staff to discuss the policies above as they affect the Subject Site. TBG understands that per the policies of the Draft Official Plan an Area Specific Plan (ASP) will be required in order to support the re-development of the Site given its large size and its designation as a Secondary Growth Area. This holds true whether an application conforms or does not conform to the height restrictions listed in Section 8.1.3.(3.2). Further, staff have noted that they will support and encourage the retention of the existing commercial function of the Mapleview Centre itself as part of any development application pursuant to policy 8.1.3.(3.2)f).

RE-DEVELOPMENT OF THE MAPLEVIEW CENTRE

Further to above, our Clients are monitoring the Draft Official Plan process closely and anticipate moving forward with site re-development in the medium-term. Through any re-development they are committed to maintaining the retail function of Mapleview Centre and anticipate mixed use intensification of portions of the existing parking lot and unused commercial spaces. They also anticipate that said proposals will include heights in excess of 12 storeys, which in turn will trigger the need for an area-specific plan.

CONCERNS RESPECTING THE DRAFT OFFICIAL PLAN

TBGs primary concerns with respect to the policies of the Draft Official Plan, in respect to the Mapleview Centre Site, are in regards to the Area Specific Plan ("ASP") Process. TBG's concerns and comments are further outlined below.

When is an ASP required?

Through interpretation of the policy alone, it would appear that an ASP for the Mapleview Centre Site would only be triggered if 'tall buildings' were proposed per policy 8.1.3.(3.2) e). TBG appreciates the flexibility this policy provides in permitting additional height and density on large sites subject to a more detailed review of the merits of such an application. However, the term 'tall building' in the Official Plan is defined as being "*A building twelve (12) storeys or higher*". This contrasts with the proposed 'as-of-right' height limit for Mixed Use Commercial Centres, which is 12 storeys per policy 8.1.3.(3.2)d). This is further confused by the fact that Section 2.4.2 (2) notes that Secondary Growth Areas (which include the mixed use commercial centres) are limited to a maximum of mid-rise built

form (being a maximum of 11 storeys in height per the definitions of the Plan). TBG requires clarity with respect to these policies. Are 12 storeys permitted 'as-of-right' under the Mixed Use Commercial Centre designation? Or is an ASP triggered by a 12 storey building?

Further, the policies of the Draft Official Plan contain a 'catch all' policy with respect to Area Specific Plans, being policy 12.1.3.(2) e), which notes that

"Area-specific plans may be prepared for areas demonstrating one of the following characteristics:

- *(i) Primary Growth Areas, as identified on Schedule B-1: Growth Framework, of this Plan;*
- *(ii) large areas of vacant or under-utilized lands;*
- *(iii) select Secondary Growth Areas, as identified on Schedule B-1: Growth Framework, of this Plan, and as outlined in Subsection 2.4.2.(2) of this Plan;*
- *(iv) any location in the city that requires comprehensive planning to enable suitable development."*

In discussions with City staff it was identified that the Mapleview Centre Site would likely be subject to an ASP based on Section 12 regardless of the height of any future development proposals. However, reading through the policy framework above it is difficult to determine what concerns might trigger the need for an ASP on site. However, in reading through Sections 2 and 6 of the Draft Official Plan, it becomes clear that a primary concern in regards to the ASP process is servicing. Section 2.4.2 notes that Primary Growth Areas are priority locations for investments in transit as well as other types of infrastructure to support Growth, and that Secondary Growth Areas "*will not result in a significant relocation of planned growth outside of the Primary Growth Areas*". Further, Section 6.1.2 e) notes that

> "*The highest priorities for servicing capacity improvements within the Urban Area are: (i) the Downtown and Uptown Urban Centres; and (ii) the Mobility Hubs, pursuant to the finalization of the area-specific plans.*"

Additionally, with respect to the phasing of infrastructure to support development, policy 6.4 c) notes that "*The City will consider the role of area-specific planning in supporting future growth, beyond the planning horizon of this Plan, within the Secondary Growth Areas.*"

TBG recognizes the importance of servicing capacity as a primary requirement to facilitate growth, and understands that this must be planned for in a comprehensive manner. Thus, for clarity purposes, TBG recommends that policy 2.4.2.(2) (iii) make specific reference to considerations in Section 6 with respect to servicing capacity to provide further clarity with respect to what is meant by "*not result in a significant relocation of planned growth*". This would also serve to provide further clarity with respect to potential triggers for an ASP in a Secondary Growth Area.

Site Specific Considerations

Generally, as noted in the Draft Official Plan, Mixed Use Commercial Centres are comprised of multiple properties. When higher density redevelopment is being considered across multiple sites, with multiple owners, coordination is essential and best facilitated through a large scale comprehensive planning process undertaken by a public body, as is contemplated by the ASP process. However, in this case, the Mapleview Centre Site encompasses the entirety of the Mixed Use Commercial Centre designation as it is completely surrounded by established land uses, being the QEW and Fairview to the west and north, Maple Park to the south, and low-rise residential uses to the east. As such, the Mapleview Centre Site presents a unique circumstance which would benefit from Site Specific Policies in Section 8.1.3.(3.3).

Our client is interested in moving forward with applications and redevelopment of the Mapleview Centre Site at the appropriate time. Requiring that an ASP be completed by Staff and approved by Council prior to processing a re-development application on the site is not necessarily conducive to this goal. It is also contrary to policy 8.1.3.(3) e) which encourages the re-development of under-utilized surface parking lots. This is especially true given the multiple ASP priorities the City has already specifically expressed through its draft Official Plan, including the four Mobility Hubs, The Waterfront Hotel Planning Study, The Innovation District Study Area, and the Bronte Creek Meadows Area. This being said, it is understood that the ASP process exists to ensure orderly, logical, and well-planned development, and

that any specific landowners 'timelines' cannot be the primary process consideration. The goal of a site-specific Policy for the Mapleview Centre Site would be to balance these two overlapping concerns.

As noted above, two primary concerns which drive the need for ASPs are servicing capacity issues and coordination between multiple owners. The Mapleview Centre Site is under a single ownership. Therefore, there can be no issue with respect to allocation allotments between owners in this circumstance. In other words, redevelopment of a portion of the Mapleview Centre Site would only prejudice our client's ability to further redevelopment their own site, rather than prejudicing other landowners in the Mixed Use Commercial Centre. The same is true with respect to site design. As such, in order to facilitate redevelopment in the 'medium term' TBG requests that a site-specific policy be included in Section 8.1.3 (3.3). This policy would note that development on the Mapleview Centre Site will be permitted in the absence of an ASP, so long as said applications comply to the policies of the Mixed Use Commercial Centre designation and so long as servicing capacity is available to support the proposed development. This would permit moderate intensification of the Mapleview Centre site to occur over the medium term (ie in buildings 12 storeys in height or less, where allocation is available, and respecting the existing commercial space on site).

At the same time, the proposed site-specific policy should clearly state that it does not preclude an ASP process being undertaken in order to introduce tall buildings and additional density on site (above 12 storeys), as well as consider matters such as long-term built form, servicing strategies, additional community services and infrastructure required to support the same. The site-specific policy should also note that active development applications occurring concurrently with an ASP 'have regards' to the ASP process such that 'medium term' development on site is coordinated with the longer-term vision being established through the ASP process. Lastly, given the importance of the multiple ASP priorities already identified by City staff, and given that the Site is under one ownership, it is proposed that the Mapleview ASP process be applicant rather than City driven; and that the manner in which this would occur be specified in the Site-Specific Policy.

Further to our request for the Mapleview Centre Site, as described above, TBG has prepared the following draft wording for Staff's review:

"8.1.3.(3.3) SITE-SPECIFIC POLICIES
*d) **900 Maple Avenue**: On the lands designated "Mixed Use Commercial Centre" at the south-west corner of Maple Avenue and Fairview Street, and north of Maple Park, the following additional policies shall apply:*

- *(i) development on the lands shall be permitted in the absence of an approved area-specific plan if said development:*
  - *complies to the policies of the Mixed Use Commercial Centre designation per section 8.1.3.(3.2)a)-d), f)-m);*
  - *there is adequate capacity to service the proposed development; and,*
  - *Any such development application made under this policy shall have regard to any ongoing area-specific planning processes occurring concurrently on the lands.*
- *(ii) An area-specific plan for the lands will be required for development of tall buildings, and where servicing capacity constraints exist.*
- *(iii) Notwithstanding Section 12.1.3(2)b) an area-specific plan for the lands may be coordinated and prepared by the applicant, subject to scoping and review by City staff, and ultimately approval by City Council.*

Other Concerns

Location of residential ground floor frontages

Policy 8.1.3.(3) states that

> *"g) The ground floor frontage of buildings fronting a Major Arterial or Multi Purpose Arterial Street, Urban Avenue, Industrial Connector Street or a public open space shall consist of retail and service commercial uses"*

and

> *"j) Notwithstanding Subsection 8.1.3.(3.2) b) (iii) of this Plan, other forms of ground-oriented dwellings may only be permitted as a component of an overall development of mixed residential or residential/commercial building forms, where the ground-oriented residential portion of the development: (i) does not abut a Major Arterial, Multi-Purpose Arterial Street, Urban Avenue or Industrial Connector, as identified on Schedule O-1: Classification of Transportation Facilities-Urban Area, of this Plan;"*

TBG recognizes the intent of these policies, which is to create attractive, walkable streets in mixed use areas as well as to limit vehicular access points to these Street typologies. However, TBG also recognizes that this policy may in instances be in conflict with numerous policies in the Draft Official Plan which direct development to be designed in such a manner as to ensure compatibility with adjacent neighbourhoods; specifically, in locations where the adjacent neighbourhoods are comprised wholly of low-rise residential uses. The Mapleview Centre Site is one such example, where development of higher density, taller buildings, may be best buffered from the low-rise residential uses to the east via townhomes fronting onto Maple Avenue. TBG recommends that flexibility be accommodated in policies 8.1.3.(3) g) & j) allowing townhomes and other residential uses to front onto Urban Avenues in conjunction with retail and commercial uses, where it can be demonstrated that this configuration would provide an appropriate transition to an adjacent established neighbourhood.

Hotel/Hospitality uses

The Mapleview Centre is currently designated Regional Commercial per the in-force Official Plan. This designation permits hospitality uses with the condition that the floor area of the hospitality use shall not exceed half of the total floor area on the property. In reading through the policies of the in-force Official Plan, Hotel uses are listed as a hospitality use in several instances. TBG understands that it was staff's intent through the draft Official Plan to consolidate retail and mixed-use policies. As such, it follows that it was not staff's intention to scope/limit permissions on lands previously designated Regional Commercial, but rather to expand said permissions and provide additional flexibility. As such, it would be appropriate for hospitality uses to be included in the permitted uses for the Mixed Use Commercial Centre designation in the draft Official Plan, subject to the previously existing limitations.

CLOSING

TBG appreciates the opportunity to comment on the Draft Official Plan and would like to request a subsequent meeting with Policy and Development staff to discuss these comments and the short-, medium- and long-term redevelopment of the Mapleview Centre Site. Should you have any questions feel free to contact the undersigned.

Respectfully,
THE BIGLIERI GROUP LTD.

Anthony Biglieri, MCIP, RPP
Principal

Michael Testaguzza, MCIP, RPP
Planner

Cc: Jillian Jackson & David Baffa, Ivanhoé Cambridge II Inc.

PB-14-18
505-08
Public comments

EMBEE
PROPERTIES LIMITED

88 Sheppard Avenue W, Suite 200
Toronto ON M2N 1M5
tel 416.250.5858
fax 416.250.5860

February 20, 2018

VIA-E-MAIL
WITHOUT PREJUDICE

Planning Department
City of Burlington
426 Brant Street
Burlington ON L7R 3Z6

Attention: Andrea Smith, MCIP, RPP
Manager of Policy and Research

Dear Ms. Smith:

Re: Proposed New Official Plan
Report Number PB-14-18
Statutory Public Meeting- February 27, 2018
File Number 505-08

Embee Properties Limited holds an ownership interest in Block 299, Plan 20M-1193, which is located at the north-east corner of Dundas Street and Palladium Way.

Further to our correspondence to the City dated November 28, 2017, attached herein, out of an abundance of caution, we must continue to object to the proposed designation of Block 299.

We look forward to working with City and Region staff to resolve this matter prior to the adoption of the proposed Official Plan scheduled for Spring 2018.

We request that we continue to receive written notice of any and all further actions by the City with regard to this matter.

Yours very truly,
EMBEE PROPERTIES LIMITED

Jonathan Rubin, MCIP, RPP
Phone: 416.250.5858 ext.34
E-mail: jonathan@embeeproprties.ca

cc: Mr. Hugo Rincon
Ms. Amber LaPointe

EMBEE
PROPERTIES LIMITED

88 Sheppard Avenue W, Suite 200
Toronto ON M2N 1M5
tel 416.250.5858
fax 416.250.5860

November 28, 2017

VIA-E-MAIL
WITHOUT PREJUDICE

Planning Department
City of Burlington
426 Brant Street
Burlington ON L7R 3Z6

Attention: Andrea Smith, MCIP, RPP
Manager of Policy and Research

Dear Ms. Smith:

Re: Proposed New Official Plan
Report Number PB-50-17
File Number 505-08

Embee Properties Limited holds an ownership interest in Block 299, Plan 20M-1193, which is located at the north-east corner of Dundas Street and Palladium Way.

Block 299 is approximately 3.37 acres in area and is vacant at this time. It is designated in the current Official Plan as Business Corridor and zoned Business Corridor (H-BC1-320).

We have reviewed the proposed Official Plan (November 2017) and note that Schedules B, B-1 and C have mistakenly designated more than 50% of Block 299 as Natural Heritage System.

We are aware of policies in the proposed Official Plan that explain designation boundaries are approximate, except for those established by well-defined features. We can confirm that Block 299 is indeed well-defined by public roads on two sides and public green space on two sides.

We would respectfully request, therefore, that Schedules B, B-1 and C be modified correctly so that the entirety of Block 299 is properly designated Employment Lands (B), Undeveloped Area Outside Built Boundary (B-1), and Business Corridor (C).

Out of an abundance of caution, we must object to the proposed designation of Block 299.

2...

We have enclosed copies of the noted Schedules together with details and related maps to assist you in describing the correct designation for Block 299.

We look forward to working with staff to resolve this matter prior to the adoption of the proposed Official Plan scheduled for Spring 2018.

We request that we continue to receive written notice of any and all further actions by the City with regard to this matter.

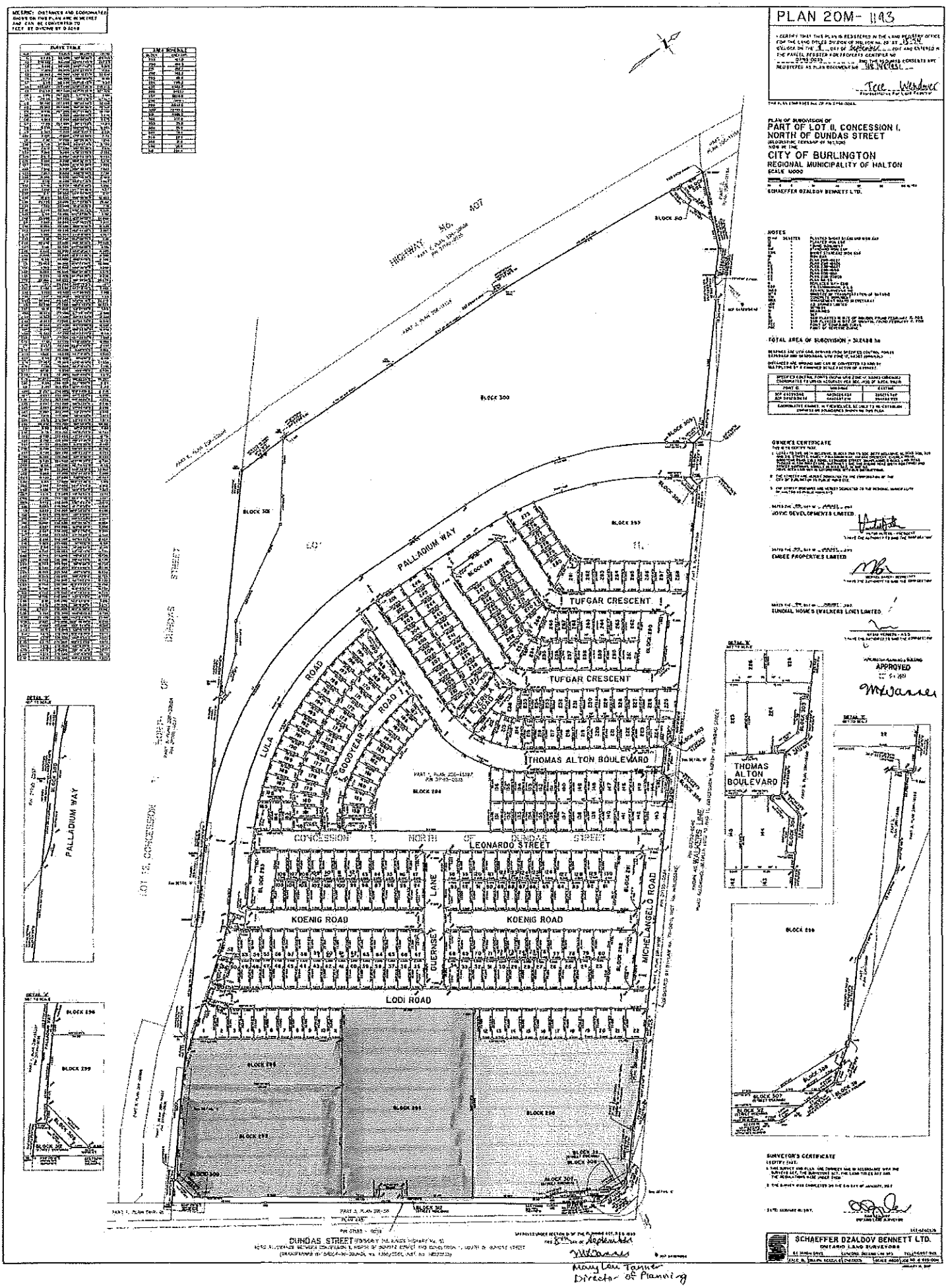
Yours very truly,

EMBEE PROPERTIES LIMITED

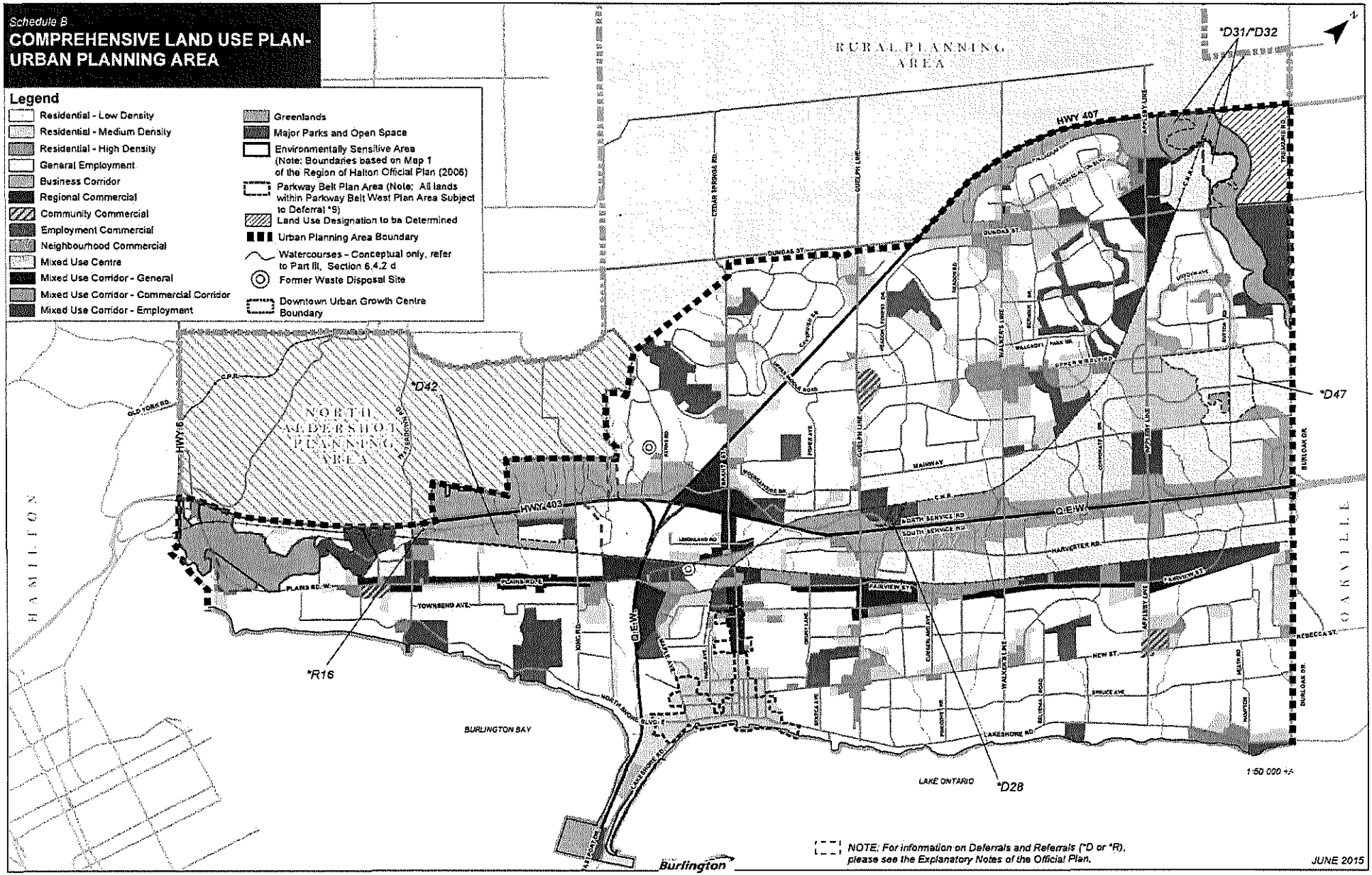
Jonathan Rubin, MCIP, RPP
Phone: 416.250.5858 ext.34
E-mail: jonathan@embeeproprties.ca

JR:bk
Encl.

cc: Mr. Hugo Rincon
Ms. Amber LaPointe


PLAN 20M- 1193
PLAN OF SUBDIVISION OF
PART OF LOT 8, CONCESSION I,
NORTH OF DUNDAS STREET
(GEOGRAPHIC TOWNSHIP OF NELSON)
NOW IN THE
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON
SCALE 1:2000
SCHAEFFER DZALDOV BENNETT LTD.
NOTES
TOTAL AREA OF SUBDIVISION = 32.488 ha
OWNER'S CERTIFICATE
I AUTHORIZE THE REGISTRATION OF THIS PLAN.
MOVIC DEVELOPMENTS LIMITED
EMBEE PROPERTIES LIMITED
SUNDIAL HOMES (WALKERS LINE) LIMITED
APPROVED
SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
SCHAEFFER DZALDOV BENNETT LTD.
ONTARIO LAND SURVEYORS
HIGHWAY NO. 407
PALLADIUM WAY
TUFGAR CRESCENT
THOMAS ALTON BOULEVARD
LEONARDO STREET
KOENIG ROAD
LODI ROAD
LULA ROAD
GOODYEAR ROAD
GUERNSEY LANE
MICHELANGELO ROAD
CONCESSION I, NORTH OF DUNDAS STREET
LOT 16, CONCESSION I, NORTH OF DUNDAS STREET
DUNDAS STREET (FORMERLY THE KINGS HIGHWAY No. 5)
Mary Lou Tanner
Director of Planning

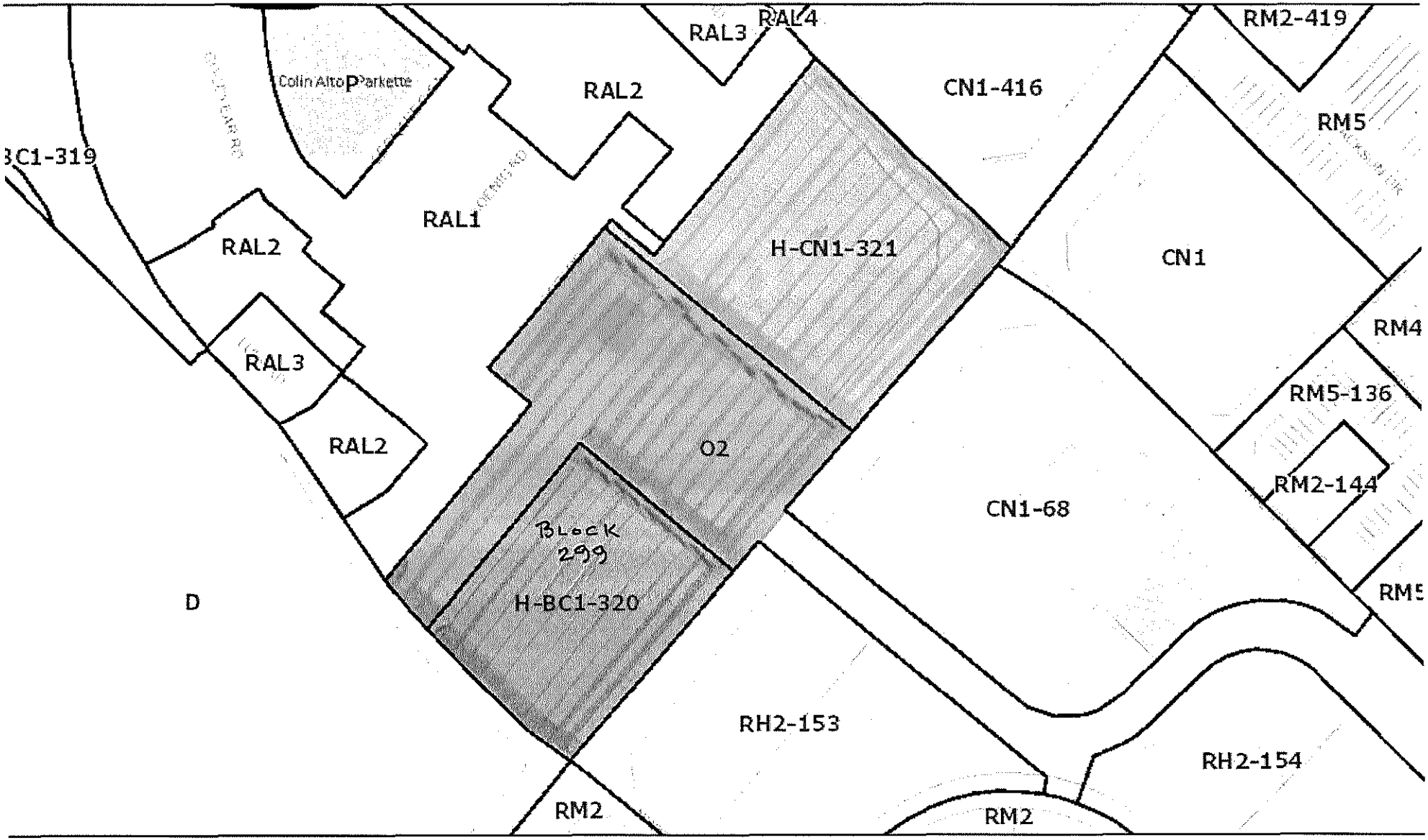
CITY of BURLINGTON
EXISTING OFFICIAL PLAN



CITY of BURLINGTON

EXISTING OFFICIAL PLAN - SCHEDULE B - DETAIL - NOT TO SCALE

City of Burlington Mapping



ovember 27, 2017

- NEC Development Control
- Indian Point
- Roseland
- Shoreacres
- Zoning Bylaw
- Designated area for lot coverage

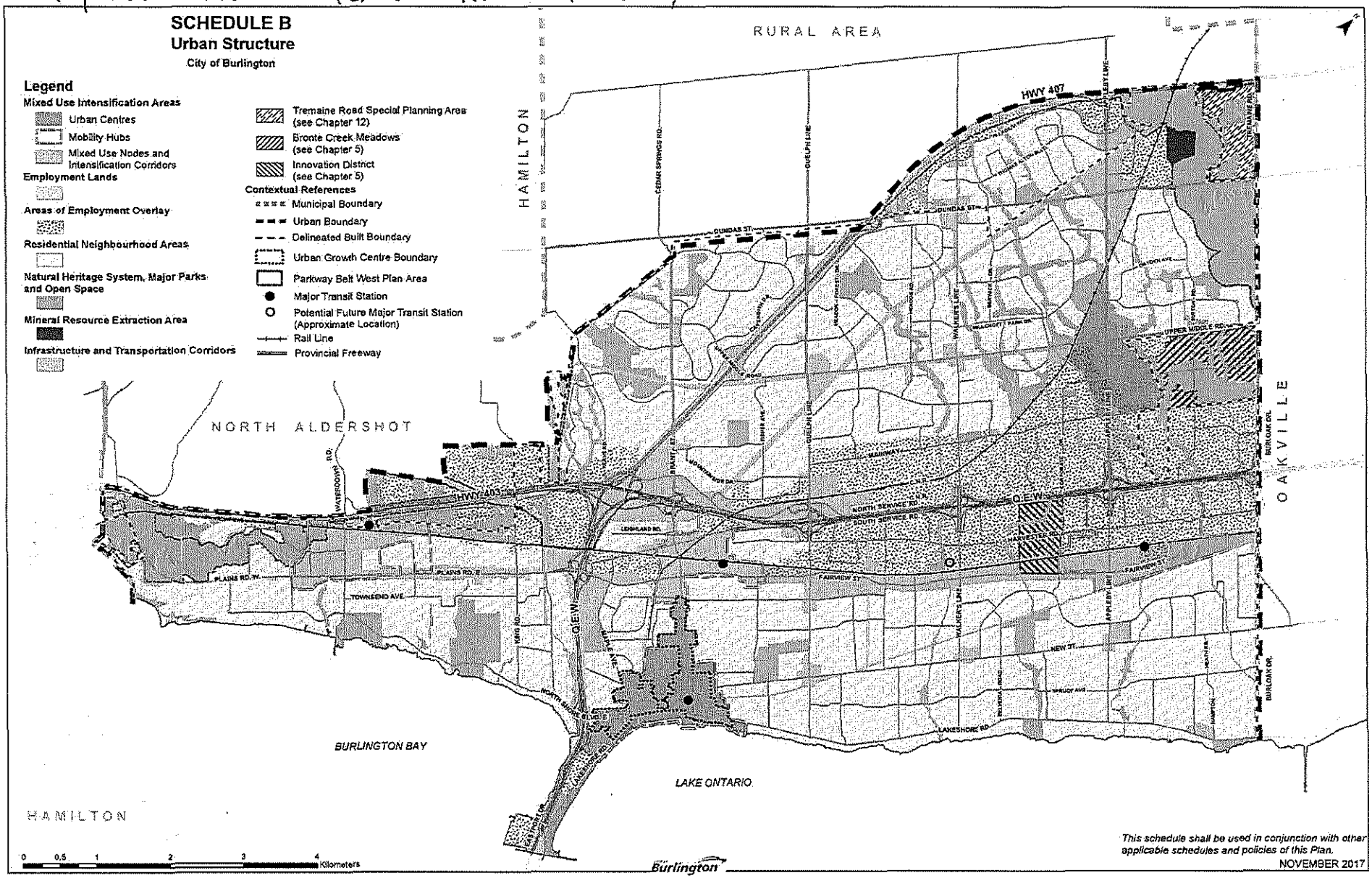
1:4,514

0 0.035 0.07 0.14 mi

0 0.0425 0.085 0.17 km

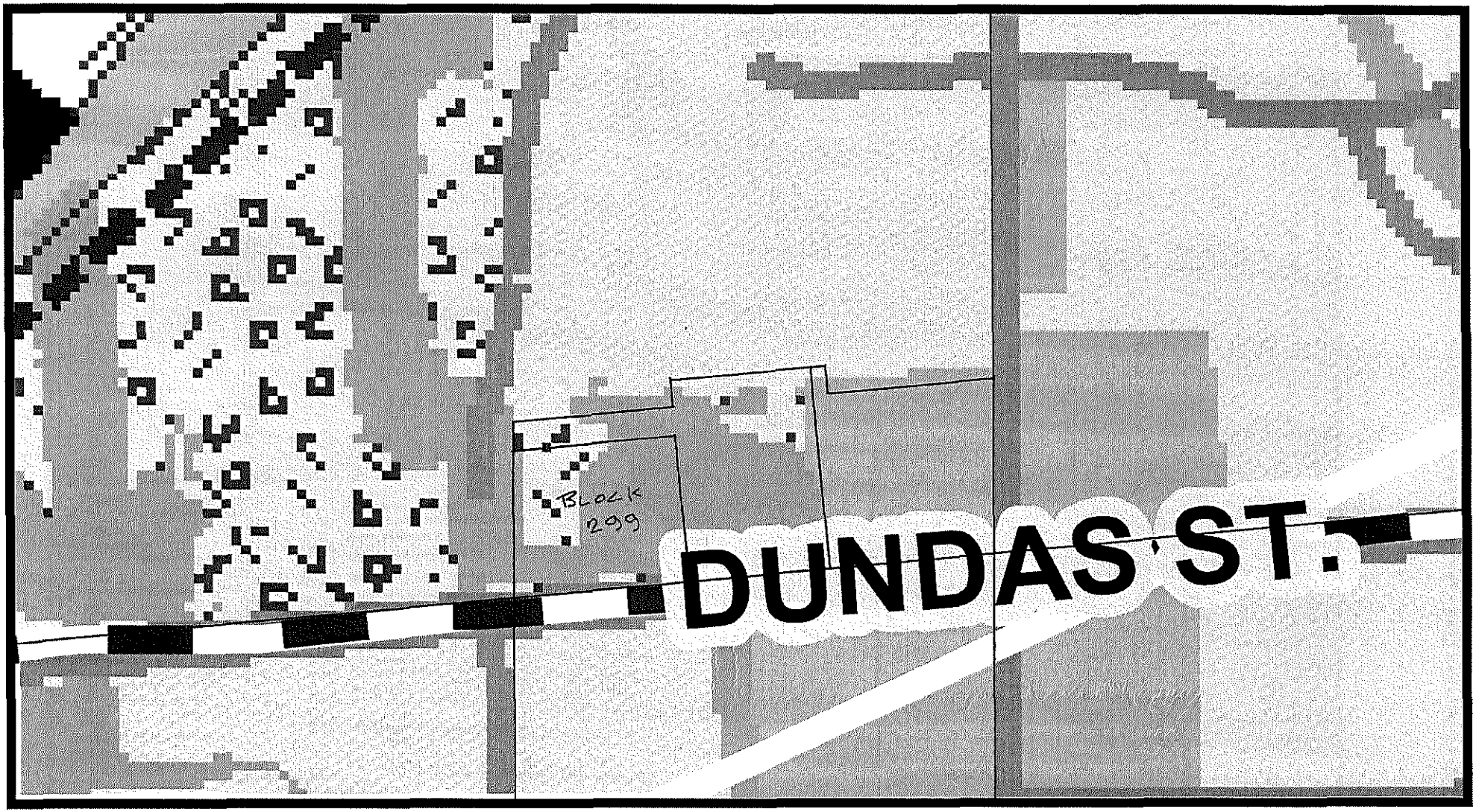
City of Burlin

PROPOSED OFFICIAL PLAN - NOVEMBER 2017

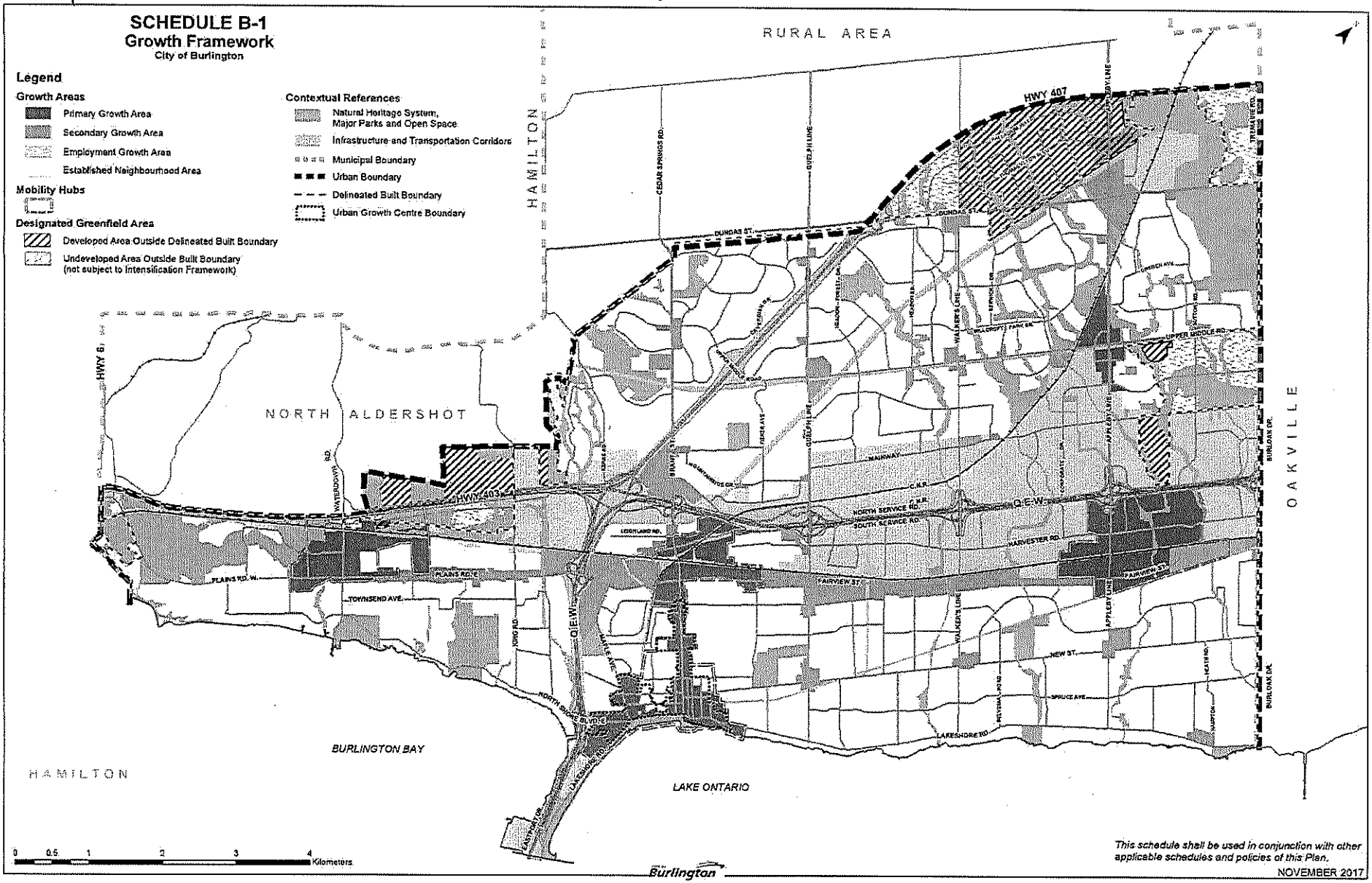


CITY of BURLINGTON

PROPOSED OFFICIAL PLAN - NOVEMBER 2017 - SCHEDULE B - DETAIL - NOT TO SCALE

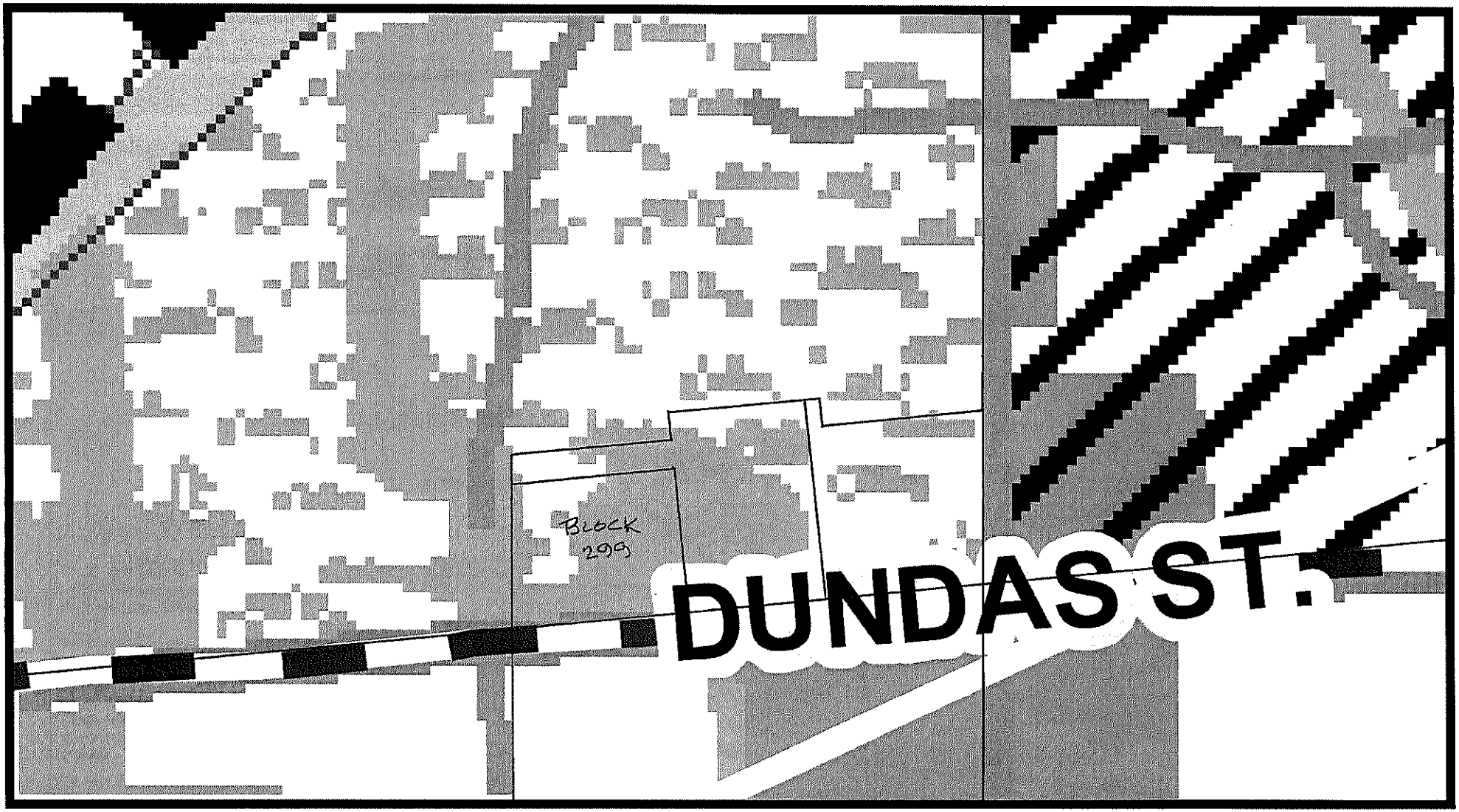


PROPOSED OFFICIAL PLAN - NOVEMBER 2017

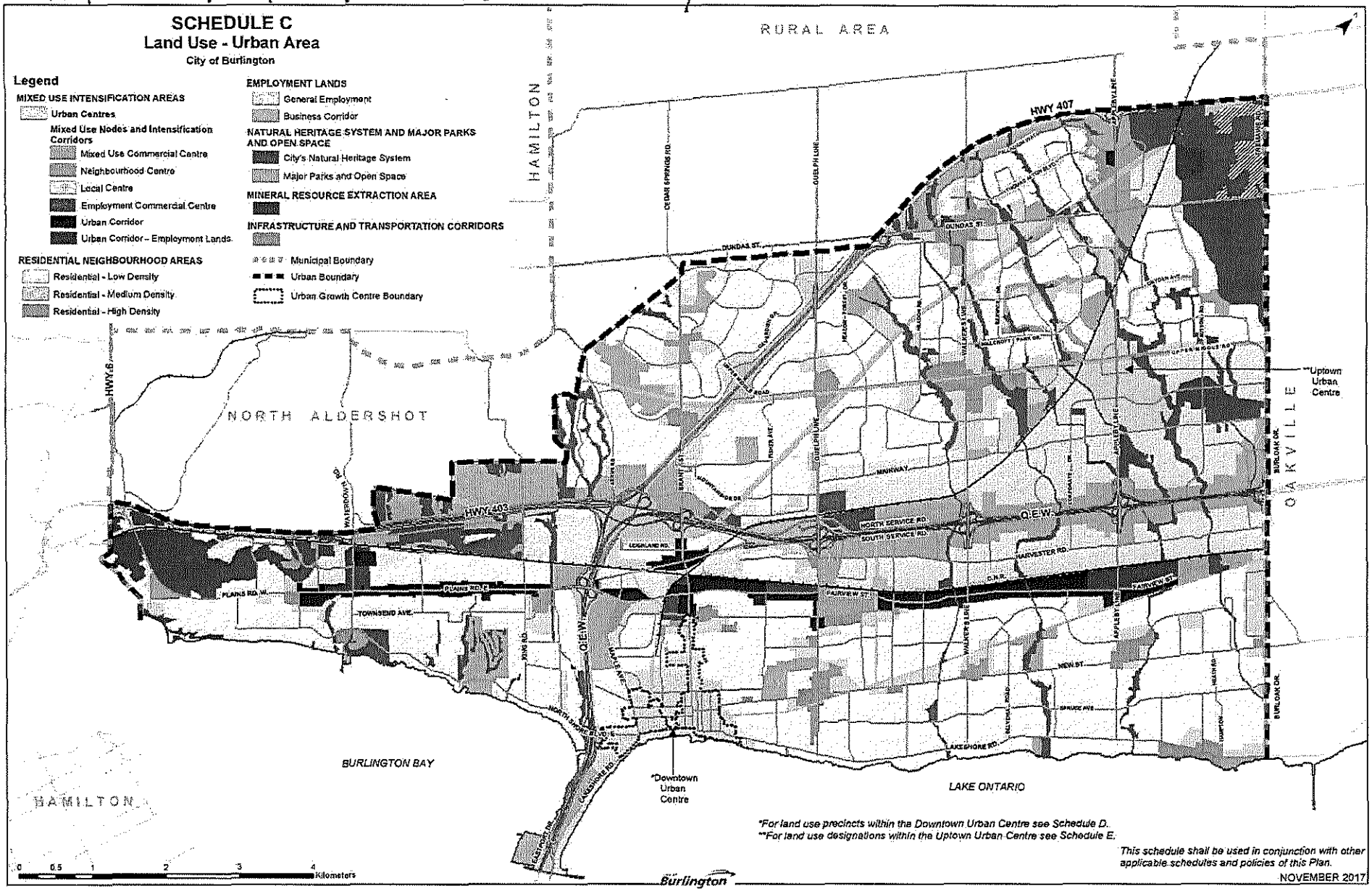


CITY of BURLINGTON

PROPOSED OFFICIAL PLAN - NOVEMBER 2017 - SCHEDULE B-1 - DETAIL - NOT TO SCALE

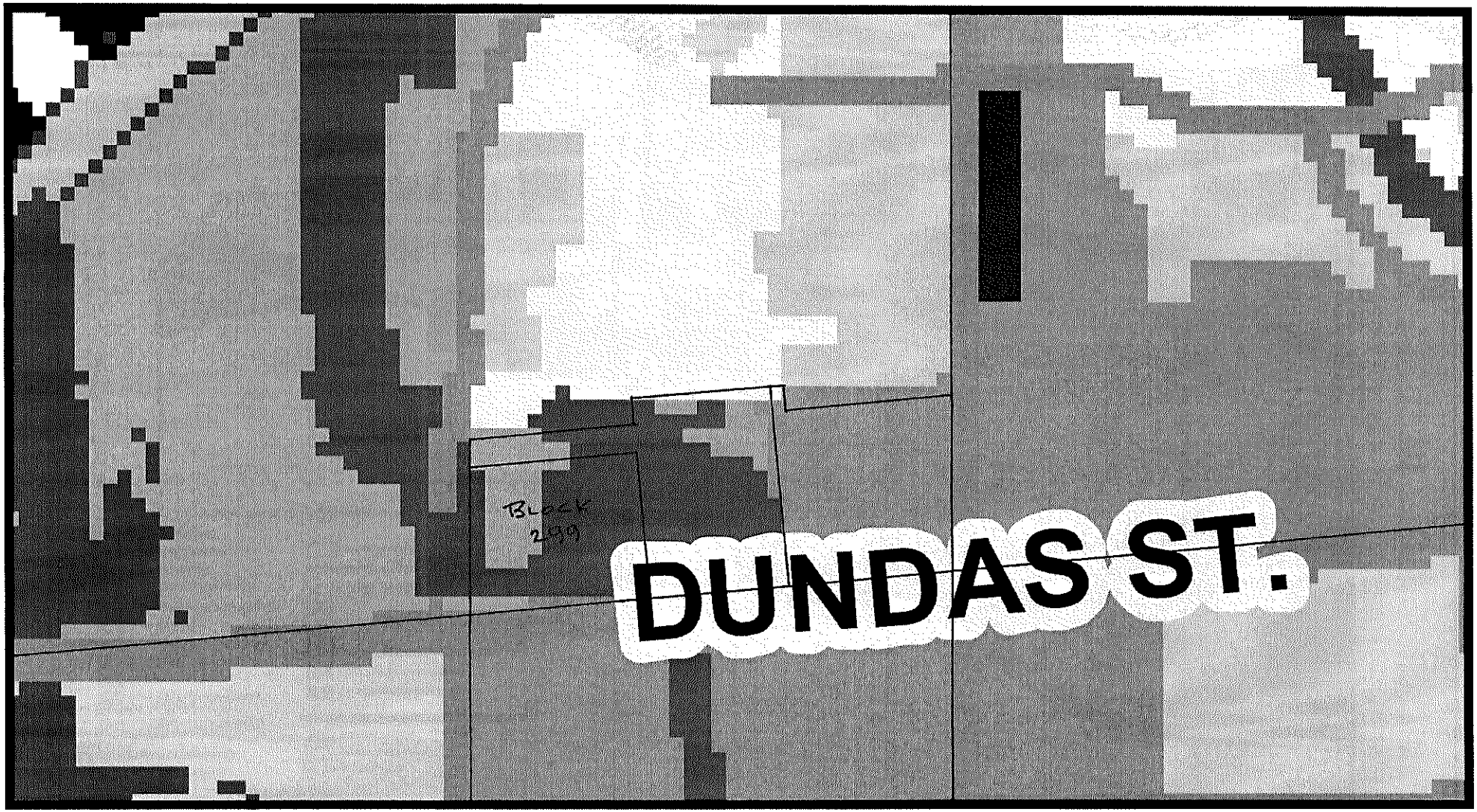


PROPOSED OFFICIAL PLAN - NOVEMBER 2017



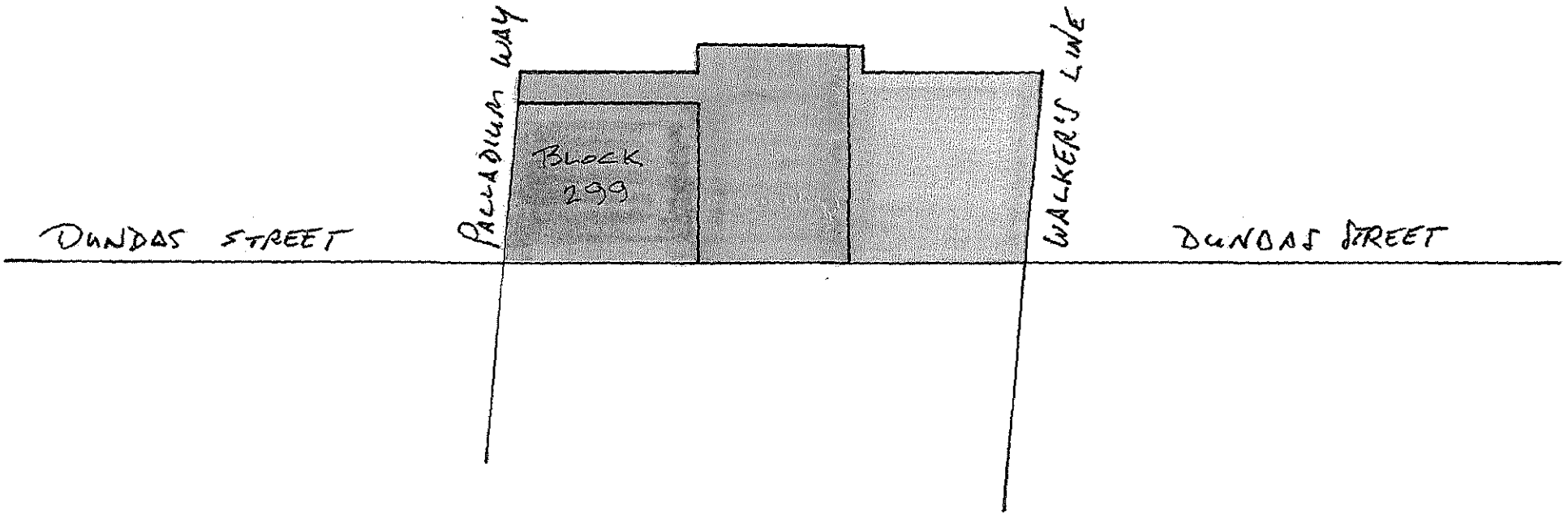
CITY of BURLINGTON

PROPOSED OFFICIAL PLAN - NOVEMBER 2017 - SCHEDULE C - DETAIL - NOT TO SCALE



CITY of BURLINGTON

PROPOSED OFFICIAL PLAN - NOVEMBER 2017 - SCHEDULES B (B-1) + C - DETAIL - NOT TO SCALE



PB-14-18
505-08
Public comments

MHBC
PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE

KITCHENER
WOODBRIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

February 21, 2018

Andrea Smith, MCIP, RPP
Manager of Policy and Research
Planning and Building Department
City of Burlington
426 Brant Street, Box 5013
Burlington, ON
L7R 3Z6

Rosa Bustamante, MCIP, RPP
Manager of Mobility Hubs
Planning and Building Department
City of Burlington
426 Brant Street, Box 5013
Burlington, ON
L7R 3Z6

Dear Ms. Smith and Ms. Bustamante:

RE: Comments on the City of Burlington New Official Plan (February 2018 Proposed Draft)
441 Maple Avenue, Burlington
OUR FILE: 16295A

MHBC is retained by Better Life Retirement Residence Inc. who is the owner of the property located at 441 Maple Avenue in the City of Burlington ("the Subject Lands"). The Subject Lands are 1.23ha in area and currently contain a two-storey, 93 bed, long-term care facility known as the Maple Villa Long Term Care Centre. This facility is proposed to be closed, with the residents relocated to a new, modern and accessible, facility in the next several years. Once the residents have been moved to the newly developed facility, it is the intent that the existing use on the site be redeveloped with a high-rise residential building with underground parking. A pre-consultation meeting with respect to the proposed redevelopment of the Subject Lands was held on May 17, 2017. We are currently working with our clients towards submitting a complete application for the proposed redevelopment.

History

In-force City of Burlington Official Plan

The Subject Lands are currently designated Downtown Residential- Medium and/or High Density Residential Precinct in the in-force City of Burlington Official Plan. The current policy framework permits ground or non-ground oriented housing units ranging between 26 and 185 units per net hectare with no height limit prescribed by the plan (height is to be implemented through the City's Zoning By-law).

Proposed New Official Plan (First Draft, April 2016)

Upon the release of the first draft of the City's proposed new Official Plan in April of 2017, our client's lands were identified as Downtown Residential- Medium and/or High Density Residential on Schedule D of the Official Plan, consistent with the in-force Official Plan.

On the basis of the continued Downtown Residential- Medium and/or High Density Residential designation of our client's lands, we proceeded to attend a pre-consultation meeting with City staff to discuss our client's development concept for a tall building on the site. We have noted staff's initial comments related to the proposed development concept and are currently working with our clients to finalize a submission to the City for both Official Plan and Zoning By-law Amendment applications to facilitate a revised plan for the site redevelopment.

Proposed New Official Plan (Second Draft, November 2017)

The second draft of the Official Plan was revised to include a policy framework for the Downtown Mobility Hub, including revised land use schedules. This draft placed a "Downtown Mid-Rise Residential Precinct" designation on the site, which allows for the development of buildings up to eleven (11) storeys.

The proposed Mid-Rise Residential Designation is essentially a "down designation" of this site from what is currently permitted (density cap is 185 units per hectare; however, there is no height cap). This designation imposes limitations for the redevelopment of our client's lands and is generally concerning given the surrounding context of the neighbourhood, where a mix of mid-rise and tall buildings can be observed. In fact, some of the tallest buildings in the Downtown are located within this area.

Summary of Previous Comments

Since the release of the first Official Plan in April 2016, we have provided **two formal written submission letters** (June 29, 2017 and November 29, 2017). **We have not received a formal response to our written requests.** We did meet with staff on February 16, 2018 at which time some responses were provided but we are still awaiting a complete response.

Comments on the Proposed New Official Plan (Third Draft, February 2018)

We have reviewed the February, 2018 Draft Official Plan and note that it continues to designate the Subject Lands as "Downtown Mid-Rise Residential Precinct".

1. **We continue to have concerns with the application of the Mid-Rise Residential Precinct designation on our client's lands. As noted in our previous submissions, this represents a down-designation of the site which, in our opinion, can accommodate an appropriately designed and sited tall building.** This is evidenced by our preliminary concept plan, provided to the City at pre-consultation, which provides terraces and stepbacks to a tower that is appropriately located and oriented to retain views and reduce impacts to existing surrounding buildings.

2. As noted in our previous submissions, the surrounding context consists of buildings between 12 and 20 storeys. In particular, a 15-storey building and a 14-storey building are located at the intersection of Maple Avenue and Elgin Street, opposite and adjacent to the Subject Lands. The adjacent lands, on the opposite side of the intersection of Maple and Elgin, are proposed to be designated Downtown Tall Residential Precinct, where a minimum height of 12 storeys is

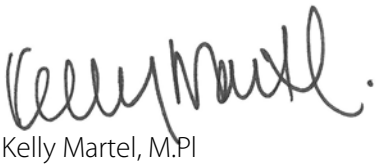
proposed. Given the existing context, we question the rationale for the down-designation of our clients site.

It remains our opinion that the Subject Lands should be designated Downtown Tall Residential Precinct and we request that the Draft Official Plan be revised such that our client's lands are designated Downtown Tall Residential Precinct or that the opportunity to increase height from 11 to 17 storeys is provided in the Downtown Mid-Rise Residential precinct, without the need for an OPA subject to criteria, similar to other locations in the downtown.

We appreciate the opportunity to comment on the proposed updated draft Official Plan and Downtown Mobility Hub plan and are available to discuss our comments further with staff. We look forward to working with the City moving forward to facilitate the redevelopment of this site.

Yours truly,

MHBC



Dana Anderson, MCIP, RPP
Partner

Kelly Martel, M.Pl
Planner

Cc: Sameer El-Fashny, Better Life Retirement Residence Inc.

For the OP file

Alternative policy language – February 23, 2018

CHAPTER 8 – LAND USE POLICIES – URBAN AREAS

8.2.4.(3) SITE-SPECIFIC POLICIES

a) 441, 501, 521, 538, 539, 559, 578, 598, 649, 801 & 891 North Service Road: 1450 King Road; 1549, 1550, 1569 & 1570 Yorkton Court and 538, 539, 559, 578 & 598 King Forest Court: Notwithstanding the other policies of this Plan, on the lands on the north side of the North Service Road, east and west of King Road, and identified as 441, 501, 521, 538, 539, 559, 578, 598, 649, 801 & 891 North Service Road, 1450 King Road, 1549, 1550, 1569 & 1570 Yorkton Court and 538, 539, 559, 578 & 598 King Forest Court, only lower *intensity development* may be permitted subject to the following:

(i) the open-space character of the area shall be maintained to the maximum possible degree;

(ii) outside storage of goods and materials is prohibited;

(iii) all uses except parking *shall* be enclosed;

(iv) parking facilities *shall* be landscaped and screened;

(v) landscaping, tree planting and berms *shall* be provided within landscape areas abutting North Service Road and King Road;

(vi) the *City's* Natural Heritage System and other wooded areas, hedgerows, and *trees shall* be protected to the maximum possible degree;

(vii) a maximum impervious coverage of forty (40) percent *shall* be provided for *lots* which front the North Service Road, save and except 1450 King Road, as permitted in the Zoning By-law;

(viii) the outside storage of finished brick materials is permitted on approximately 7.5 ha of land consisting of the southernmost 4.8 ha of 1570 Yorkton Court and approximately the westernmost 2.7 ha of 1570 Yorkton Court; and

(ix) notwithstanding Subsections 8.2.4.(2)a) and e) of this Plan, a *large-scale motor vehicle dealership* is permitted on land identified as 441 North Service Road. A limited amount of outside storage of motor vehicles is permitted, provided the storage area is screened from the North Service Road with landscaping and decorative features. Waste and refuse containers are permitted, provided they are screened from the North Service Road. Additional uses that are supportive of and accessory to the large-scale motor vehicle dealership, that may not be located on the same lot as 441 North

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Service Road, including the outside storage of motor vehicles and parking, may also be permitted on lands identified under (a).

PB-14-18
505-08
Public comments

Please find attached letter re: OP intensification

February 26, 2018

Attention: LETTERS@THESPEC.COM

Dear The Hamilton Spectator Editor:

Re: Reaching New Heights in Burlington

Thank you to the Hamilton Spectator and Carmela Fragomeni for bringing forward, on February 24, 2018, the informative article *Reaching New Heights in Burlington*. Although it may make sense for intensification to occur in appropriate areas, such as those adjacent to the three GO stations or in new growth areas, it will only be worthwhile if few of the new condo residents drive vehicles. As suggested by the City's "New Directions" transportation plan, these residents are going to take the available public transit, car share, walk or bike to jobs, services/stores etc. from these new towering residences. Is this likely to happen in the 'growing' downtown given the changing dynamics of the various generations over time, their state of health unless the employment lands and stores are close by? Not all future jobs, in the short-term, will be home-based tech jobs so impacts are going to occur due to the intensification.

The article mentions that the City of Burlington's current Official Plan ("OP") allows for four-storey towers. With an amendment through a vote by a majority or four of seven Council members, all who also make up the Planning and Development Committee, a tower can be raised to 12-storeys. The new OP is supposed to allow only for 17-storey buildings. It seems counterintuitive to then approve a 23-storey building across from City Hall as the next precedent, while under the previous OP, has already been set through the City's approval, without the new OP even being approved. Seems odd for there to then be a concern expressed that the former Ontario Municipal Board ("OMB") (now or soon to be the Local Planning Appeals Tribunal ("LPAT")) would allow for a higher tower on Martha Street or for that number of stories or number of future towers of 27 to be only it when the next higher bar has already been set. Yet, as noted, Oakville has been able to keep the towers away, for the most part, from its' downtown. Why? - is it the adjacent heritage buildings, the Town's strong support of their OP and zoning by-law or the pull of their citizens?

Change has been going on in Burlington's downtown since the 1800s. As has been noted by a Council member "it is no longer a village." Yet, that 'village' is trying to fix its' future. There is no use asking the question when or how tall or even where will the towers be built in the downtown, but why did it happen, can this multi-level vision be changed/slowed down and how is the downtown going to work in this new future with this concentration of storied residences. When you add thousands to the population in a small area, where are the existing services (doctors, insurance offices etc.) and stores going to go that were on these newly developed properties? Internal in expensive commercial lobby areas? On other pricey possible developable downtown lands? Why would residents, not currently living in the downtown or those close to the downtown, come to the Brant Street corridor once the character, heritage, jobs and the services/stores are gone altogether or gone elsewhere. The only grocery store in the downtown is a busy No Frills in a dated but bustling plaza which also happens to be a proposed tower location. Will there be vacant decaying storefronts while developers put together developable parcels or development proposals? This can already be seen with the former Elizabeth

Interiors store east of City Hall, another tower location. Then there is the traffic congestion as there is bound to be more vehicles from the towers. It is already a destination we stay away from during some festivals. The downtown streets are too narrow for an LRT and there is only a small bus station.

We strived for affordable and walkable communities yet are deluding ourselves if the downtown will be vibrant with a diversity of uses when most employment lands and services/stores will be farther away. As current apartments age they too might be replaced by taller towers with a view to the lake blocked by the next tallest tower. Intensification also does not stop in the downtown. This intensification is happening elsewhere in non-primary intensification areas. Any developable parcels east and north of the downtown are being opened to intensification. Unless changes are made, as is noted below, this intensification will not stop for these neighbourhoods as they age and developers, given the chance, start buying up existing aging buildings, places of worship etc. Who would not want to buy into marketing of higher density homes within a 'quiet established neighbourhood' though once the development goes in the established neighbourhood will no longer be a quiet given the density of new homes and the vehicles that come with it.

Maybe it is time to bring about some other changes:

– to fix the Province's policies on intensification to ensure it is clearer on the characteristics of appropriateness by also considering cumulative impacts with each new intensification project while truly respecting the character of existing neighbourhoods;

- more support is given to residents' concerns and the enhancement of the opportunity for residents to have a position at the OMB/LPAT (ie. remove threat of an awarding of costs against residents, need for expensive experts paid by residents' groups);

- for the OMB/LPAT and municipalities to support approved planning documents; and,

- bring knowledgeable objective views by having members of the public on Planning and Development Committees.

The type of intensification that is happening and will continue to happen will only be limited when Provincial policies are revised, and more support is given to the appropriateness of it. This support is necessary to protect the values of existing neighbourhoods and within communities that bring affordable businesses to its residents and allow residents to enjoy their downtowns and neighbourhoods while communities grow.

Thank you for your consideration of my comments.

Regards,

M. Paley, Burlington
Ph. No. 905-299-9924

PB-14-18
505-08
Public comments

Please find attached letter re: OP intensification

February 26, 2018

Attention: LETTERS@THESPEC.COM

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Thank you to the Hamilton Spectator and Carmela Fragomeni for bringing forward, on February 24, 2018, the informative article *Reaching New Heights in Burlington*. Although it may make sense for intensification to occur in appropriate areas, such as those adjacent to the three GO stations or in new growth areas, it will only be worthwhile if few of the new condo residents drive vehicles. As suggested by the City's "New Directions" transportation plan, these residents are going to take the available public transit, car share, walk or bike to jobs, services/stores etc. from these new towering residences. Is this likely to happen in the 'growing' downtown given the changing dynamics of the various generations over time, their state of health unless the employment lands and stores are close by? Not all future jobs, in the short-term, will be home-based tech jobs so impacts are going to occur due to the intensification.

The article mentions that the City of Burlington's current Official Plan ("OP") allows for four-storey towers. With an amendment through a vote by a majority or four of seven Council members, all who also make up the Planning and Development Committee, a tower can be raised to 12-storeys. The new OP is supposed to allow only for 17-storey buildings. It seems counterintuitive to then approve a 23-storey building across from City Hall as the next precedent, while under the previous OP, has already been set through the City's approval, without the new OP even being approved. Seems odd for there to then be a concern expressed that the former Ontario Municipal Board ("OMB") (now or soon to be the Local Planning Appeals Tribunal ("LPAT")) would allow for a higher tower on Martha Street or for that number of stories or number of future towers of 27 to be only it when the next higher bar has already been set. Yet, as noted, Oakville has been able to keep the towers away, for the most part, from its' downtown. Why? - is it the adjacent heritage buildings, the Town's strong support of their OP and zoning by-law or the pull of their citizens?

Change has been going on in Burlington's downtown since the 1800s. As has been noted by a Council member "it is no longer a village." Yet, that 'village' is trying to fix its' future. There is no use asking the question when or how tall or even where will the towers be built in the downtown, but why did it happen, can this multi-level vision be changed/slowed down and how is the downtown going to work in this new future with this concentration of storied residences. When you add thousands to the population in a small area, where are the existing services (doctors, insurance offices etc.) and stores going to go that were on these newly developed properties? Internal in expensive commercial lobby areas? On other pricey possible developable downtown lands? Why would residents, not currently living in the downtown or those close to the downtown, come to the Brant Street corridor once the character, heritage, jobs and the services/stores are gone altogether or gone elsewhere. The only grocery store in the downtown is a busy No Frills in a dated but bustling plaza which also happens to be a proposed tower location. Will there be vacant decaying storefronts while developers put together developable parcels or development proposals? This can already be seen with the former Elizabeth

Interiors store east of City Hall, another tower location. Then there is the traffic congestion as there is bound to be more vehicles from the towers. It is already a destination we stay away from during some festivals. The downtown streets are too narrow for an LRT and there is only a small bus station.

We strived for affordable and walkable communities yet are deluding ourselves if the downtown will be vibrant with a diversity of uses when most employment lands and services/stores will be farther away. As current apartments age they too might be replaced by taller towers with a view to the lake blocked by the next tallest tower. Intensification also does not stop in the downtown. This intensification is happening elsewhere in non-primary intensification areas. Any developable parcels east and north of the downtown are being opened to intensification. Unless changes are made, as is noted below, this intensification will not stop for these neighbourhoods as they age and developers, given the chance, start buying up existing aging buildings, places of worship etc. Who would not want to buy into marketing of higher density homes within a 'quiet established neighbourhood' though once the development goes in the established neighbourhood will no longer be a quiet given the density of new homes and the vehicles that come with it.

Maybe it is time to bring about some other changes:

– to fix the Province's policies on intensification to ensure it is clearer on the characteristics of appropriateness by also considering cumulative impacts with each new intensification project while truly respecting the character of existing neighbourhoods;

- more support is given to residents' concerns and the enhancement of the opportunity for residents to have a position at the OMB/LPAT (ie. remove threat of an awarding of costs against residents, need for expensive experts paid by residents' groups);

- for the OMB/LPAT and municipalities to support approved planning documents; and,

- bring knowledgeable objective views by having members of the public on Planning and Development Committees.

The type of intensification that is happening and will continue to happen will only be limited when Provincial policies are revised, and more support is given to the appropriateness of it. This support is necessary to protect the values of existing neighbourhoods and within communities that bring affordable businesses to its residents and allow residents to enjoy their downtowns and neighbourhoods while communities grow.

Thank you for your consideration of my comments.

Regards,

M. Paley, Burlington
[redacted]

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Public comments

FPD

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November 29, 2017

Ms. Angela Morgan
City Clerk
City of Burlington
426 Brant Street P.O. Box 5013
Burlington, ON L7R 3Z6

Dear Ms. Morgan:

Re: City of Burlington Official Plan
Public Meeting - Thursday November 30, 2017

Please accept this submission on behalf of the Molinaro Group and its associated companies with respect to three sets of property holdings within the limits of the Urban Growth Centre. Staff are to be congratulated for producing a comprehensive planning document that, for the most part, has been able to respond to a variety of competing interests in the Urban Growth Centre.

1. Cannery Precinct

The Molinaro Group supports the intent to establish tall buildings in the precinct and agrees with the identification of the north-east corner of Brant and Lakeshore as a node which deserves special attention. They would, however, like to propose a change to the plan to allow for a range of heights between 22-27 storeys. This would allow for an appropriate degree of flexibility in terms of design options for the site which would take into account the need to provide significant public space that is being contemplated in the plan. While we agree with the principles associated with the establishment of a public space on this site, we would suggest that the extent of the open space as shown on page 9 in the documentation included in the Mobility Hub Workbook Study should be reviewed as a conceptual illustration and not used to precisely define the extent of open space that might also be established on this site. The size, shape, and function of this space should be left to a later date at which time very detailed site assessment and building design can be undertaken.

The request for flexibility is important to ensure that the planning process which will lead to the creation of a specific development project on this site achieves the best possible outcome for the City and the proponent. The flexibility of additional height allows for better consideration of achieving more affordable limits, minimizing impacts on abutting properties, and accommodating the significant loss in building area associated with the public space objectives. It also allows for more creative design alternatives to be considered and a greater ability to achieve the design objectives of the Urban Design Guidelines. The presence of two heritage buildings in this block also contributes to the need to consider additional height to be able to properly accommodate the limitations and restrictions that may arise out of design efforts to respond to heritage matters.

From the extensive experience of the developer and the City with respect to creating successful and innovative tall buildings, it has become evident that the design exercise associated with a successful project must be carefully crafted with input from the City. This will ensure that the variety of often conflicting objectives of both the City and the developer are taken into account to achieve a well designed, well balanced project that responds to not only the site opportunities and limitations, but also contributes to the enhancement of the design of the downtown core. Until this design exercise is completed, it is difficult to pre-determine with any great precision all the design outcomes of that process, including building height. As a result, strategic sites such as this should be provided with a range of height options that allow for bringing forward a built form which is the best possible fit for this site.

We would therefore suggest that the Official Plan add flexibility by providing a 22-storey limit as of right with the possibility of up to 27 storeys in this strategic location subject to the assessment of criteria which could include the provision of public open space, and the consideration of potential impacts on abutting properties, building separation, creative urban design and other matters.

2. Lakeshore Road between John Street and Elizabeth Street

The Molinaro Group agrees that the expectations with respect to this site are different than those of the property to the west located at the corner of Brant Street and Lakeshore Road. However, for the same reasons as articulated above, it is recommended that the Official Plan contain flexibility in terms of ultimate building height and for this site would suggest a range from 17-23 storeys as being appropriate with additional height being provided based on the same criteria as noted above.

3. Brant and Ghent Avenue

The Molinaro Group has purchased properties at the north-west, north-east and south-east corners of Ghent Avenue and are considering an integrated development project that would meet the objectives of the Upper Brant Precinct and establish a desirable precedent for future development within this Precinct.

The Molinaro Group supports the 25 storey height limit for the properties located at the north-west and north-east corners of Brant and Ghent Avenue. However, it is recommended that the Official Plan contain a policy to permit flexibility to allow for a different distribution of height between the two sites. This would allow for the consideration of differing heights of one or more buildings on each site which could improve the architectural context of the two sites in a manner similar to that successfully implemented in the award-winning Paradigm project. In that case, design excellence was achieved through the creative distribution of height on the site to create a more architecturally pleasing project without exceeding overall development limits.

In the same fashion, there may be an opportunity, for example, to add some height to the north-east corner which is adjacent to a more high-rise context, and perhaps a somewhat lower height on the north-east corner on a site which is closer to lower-rise residential development. If an absolute height limit is required for the north-east corner, it is suggested it be set at 30 storeys.

The Molinaro Group does not disagree with the direction of reducing building heights on the south-east corner given the proximity of low-rise residential uses to the east. Our background studies for this site would confirm that the recommendation from staff of 11 storeys in this location is appropriate. However, for the same reasons outlined earlier, we believe this is a site that could also warrant additional height if special design considerations were undertaken.

As an example, from preliminary work undertaken by the Molinaro Group, we believe that a tower feature on the site of up to 15 storeys would be appropriate with the impact on the neighbourhood being minimized by lower rise, i.e. 4-storey buildings north and south of the proposed tower. We believe this would have less of an overall impact on the community, would better assist in achieving some of the objectives of the Urban Design Guidelines. It would also result in a much more integrated urban design that would tie in better to the anticipated built form on the north-east and/or the west corners. Given these design details have not been finalized and there has not been an opportunity for full input to this form of development which could very well end up resulting in a superior design that is better accepted by the community, we believe the Official Plan policy for this site should include a provision to allow up to 15 storeys subject to a further design exercise and consideration of the matters addressed earlier.

We believe that the changes we are proposing can be accommodated within the plan in a manner that will complement and not adversely affect any other policies or designations within the Urban Growth Centre. More importantly, we believe these changes are necessary to ensure the enhanced standard of urban design that is expected to be generated through the implementation of these Official Plan policies can be achieved.

The success of the Molinaro Group in terms of both creating and implementing award winning design projects and playing a key role in the transformation of the Burlington downtown has been attributed in part to their ability to work with the City and staff in a creative fashion to generate projects which not only establish the highest architectural precedents in the City, but also have been functional and have contributed significantly to attracting new residents to the downtown area. The amendments being proposed will allow that process of dialogue and collaboration to continue and believe that the changes being proposed will result in a much better outcome for the City and establish an even higher standard of excellence for subsequent development projects.

We note that in some of the background documents, one of the objectives of the downtown Mobility Hub is: ***"where possible, establishing maximum building heights which are consistent with existing development precedent"***.

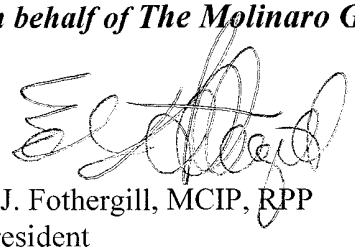
We would suggest that this objective be modified to replace the word "consistent" with "compatible". Pursuing building heights which are compatible with existing development precedent but may not be necessarily consistent with existing development. Given that the intent of the Official Plan review is to "grow bold", this objective could be seen as a contradiction if the template for the consideration of building heights is limited to that of existing development. The use of the word "compatible" provides more flexibility and does not tie future design elements of new and exciting built form to the downtown to existing development, some of which has existed for more than 50 years. If the intent is to truly break from past practices and precedents, limiting new development to current standards should not be an impediment to "growing bold".

We thank you for the opportunity to have input to the new Official Plan and look forward to continuing our ongoing dialogue with staff.

Thank you very much.

Sincerely,

FOTHERGILL PLANNING & DEVELOPMENT INC.
on behalf of The Molinaro Group



E.J. Fothergill, MCIP, RPP
President

cc. Vince Molinaro
Sam DiSanto
Rob Molinaro
Kristen Baugaard
Amdrea Smith
Mary Lou Tanner

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