

SUBJECT: Recommendation Report 4880 Valera Rezoning Application

TO: Planning and Development Committee

FROM: Department of City Building - Planning Building and

Culture

Report Number: PB-78-18

Wards Affected: 6

File Numbers: 520-18/17

Date to Committee: September 17, 2018

Date to Council: September 24, 2018

Recommendation:

Approve the application submitted by 4880 Valera Road LP to amend the City of Burlington Zoning By-law to site specifically rezone the lands at 4880 Valera Road, as modified by staff in department of city building report PB-78-18, to permit the construction of 414 residential units in the form of a 9 and 10 storey apartment building with commercial uses at grade, townhouses and back-to-back townhouses, on the basis that it is consistent with the Provincial Policy Statement, conforms to all applicable Provincial Plans, The Region of Halton Official Plan and the City of Burlington Official Plan, has regard for matters of Provincial interest and represents good planning for the reasons set out in department of city building report PB-78-18; and

Instruct planning staff to prepare the by-law to amend Zoning By-law 2020, as modified by staff in department of city building report PB-78-18, rezoning the lands at 4800 Valera Road from "CN1" to "RAL4-493" substantially in accordance with the draft regulations contained in Appendix B of department of city building report PB-78-18 and direct that the amending zoning by-law will not be enacted until the completion by the applicant of the following:

 a) Execution of a Residential Development Agreement including the conditions listed in Appendix C of department of city building report PB-78-18; and b) Deem that the proposed by-law will conform to the Official Plan of the City
of Burlington and that there are no applications to alter the Official Plan
with respect to the subject lands; and

Approve the proposal by 4880 Valera Road LP to remove 7 city-owned trees from the Valera Road right-of-way in front of the property at 4880 Valera, subject to the following:

- a) The Owner shall compensate the City of Burlington for the tree removal by providing compensation (replanting or cash-in-lieu, where opportunity for replanting is not available, in the amount of \$4,800); and
- b) All associated costs with respect to the removal of the trees will be the responsibility of the Owner and the contractor hired to remove the trees will be approved to the satisfaction of the Executive Director of Capital Works.

Purpose:

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

A City that Grows:

- Intensification
 - 1.2.d: New/transitioning neighbourhoods are being designed to promote easy access to amenities, services and employment areas with more opportunities for walking, cycling and using public transit.
- Smart Population Growth
 - 1.3.a: Burlington is an inclusive city that has a higher proportion of youth, newcomers and young families and offers a price range and mix of housing choices.

A City that Moves:

- Increased Transportation Flows and Connectivity
 - 2.1.g: Walkability has guided the development of new/transitioning neighbourhoods and the downtown so that people rely less on automobiles.

REPORT FACT SHEET

RECOMMENDATIONS: Modified Approval		val	Ward No.:	6	
Application Details	APPLICANT:		AJ Clarke and Associates Ltd.		
	OWNER:		4880 Valera Road LP		
	FILE NUMBERS:		520-18/17		
	TYPE OF APPLICATION:		Zoning By-law amendment		
	PROPOSED USE:		70 3-storey townhouse units and, one 9 storey and one 10 storey mixed use building providing residential uses and a commercial component at ground level.		
Property Details	PROPERTY LOCATION:		West of Appleby Line, south of Thomas Alton Blvd.		
	MUNICIPAL ADDRESSES:		4880 Valera Road.		
	PROPERTY AREA:		2.26 ha		
Pro	EXISTING USE:		Vacant		
	OFFICIAL PLAN Existing	y:	Residential – Higi	n Density	
ents	OFFICIAL PLAN Proposed:		Same. No amendment required.		
Documents	ZONING Existing:		CN1-332		
7	ZONING Proposed:		RAL4 with site specific exemption		
Processing Details	NEIGHBOURHOOD MEETING:		March 21, 2018		
	PUBLIC COMMENTS:		Staff have received 8 emails.		

Background and Discussion:

On February 5, 2018, the Department of City Building acknowledged that a complete application had been received for a Zoning By-law Amendment for 4880 Valera Road. The purpose of the Zoning By-law amendment application submitted by A. J. Clarke and Associates Ltd. on behalf of ADI Development Group (applicant) is to rezone the subject lands from "Neighbourhood Commercial with Site Specific Exception (CN1-332)" to "Alton Community Residential with Site Specific Exception (RAL4-493)." The rezoning would facilitate the development of a mixed-use building with one 8 storey and one 10 storey tower comprised of one commercial unit on the ground floor and residential units on the remainder of the ground floor and above; and 70 townhouse units, both standard and back to back. The mid-rise development will be accessed via underground parking, 56 of the proposed townhouse units will be accessed by a private condominium road, while 14 will be freehold units fronting onto Valera Road. The proposed development is proposed to have a density of 184.3 units per hectare.

Staff circulated the applications to the public and agencies/departments for comment February 2018 and held a neighbourhood meeting on March 21, 2018 at the Appleby Ice Centre. The neighbourhood meeting was attended by approximately 9 residents. The statutory public meeting took place at the Planning and Development Committee meeting held on June 5, 2018. Staff information report PB-51-18 was presented at this meeting and included the public comments received by the City Building Department regarding the proposed development. City Council received and filed report PB-51-18 on June 18, 2018. Additional public comments received since that report are attached as Appendix D to this report.

Subsequent to the statutory meeting and in light of all public and technical comments received, the applicant revised the application:

- to provide additional terracing on the westerly apartment building to provide compatibility with surrounding development, the height of the westerly apartment building was also increased from 8 storeys to 9 storeys;
- redesigned and expanded the commercial space proposed to provide increased visibility and enhanced connections to site;
- reconfigured the site to provide improved pedestrian connections and a consolidated amenity space; and
- to provide additional parking for the apartment uses and visitor parking for the street townhouses.

Staff recommend a modified approval to provide additional parking in line with the recommendations of the City Wide Parking Study. Parking rates are modified as follows:

 Designated parking for maintenance / service vehicles is required at a rate of 1.0 stall / 75 apartment units.

Site Description:

The subject lands are located in the Alton Community, west of Appleby Line and south of Thomas Alton Boulevard. The 2.24 ha site is currently vacant with the exception of a temporary sales trailer. The site has frontage on Appleby Line, Thomas Alton Blvd and Valera Road.

Surrounding land uses are:

North of the subject lands, north of Thomas Alton Blvd., is zoned (Mixed Use Corridor) MXE-322 and is developed with a two storey office commercial development. Northwest of the site at 4853 Thomas Alton Blvd. there are OMB approved Official Plan and Zoning By-law amendments to permit two 17 storey apartment buildings, two 6 storey residential buildings, and traditional townhouse, and stacked townhouse units on the property.

West and southwest of the subject lands are designated for High Density Residential and Medium Density Residential uses and are zoned (Alton Residential) RAL4. The land is developed with a mix of single detached residential and townhouse dwellings.

Southeast of the subject lands is a hydro transmission corridor, beyond which is a site zoned (Regional Commercial) CR-261 and is developed with a variety of large format retail uses.

Lands east of Appleby Line are zoned (Regional Commercial) CR-408 and are developed with a variety of retail uses including a large home improvement and garden centre.

Discussion

Technical Reports

The following documentation and plans were submitted in support of the application. This information can also be accessed at: www.burlington.ca/4880Valera.

- Planning Justification Report, Prepared by A. J. Clarke and Associates Ltd., dated December 2017
- **Site Plan, Floor Plans and Elevations**, prepared by Core Architects Inc., dated December 2017.
- Functional Servicing Report, MTE Consultants Inc., dated December 2017
- Tree Inventory and Protection Plan, prepared by Adesso Design Inc., dated December 2017
- Transportation Impact Study and Parking Study, prepared by Paradigm Transportation Solutions Limited, dated December 2017

- Environmental Noise and Vibration Assessment, prepared by Novus Environmental Inc.
- Geotechnical Investigation, prepared by Landtek Limited, dated August, 2017
- Shadow Study, prepared by Core Architects Inc.

Updated Materials:

- **Planning Justification Update Letter**, prepared by A.J. Clarke and Associates Ltd., dated July 17th 2018;
- Site Plan, Floor Plans and Elevations, prepared by Core Architects Inc., dated June 29, 2018:
- Functional Servicing Report, MTE Consultants Inc., revised June 29, 2018;
- **Geotechnical Response Memo,** prepared by Landtek Limited, dated June 29, 2018:
- Environmental Noise and Vibration Assessment, prepared by Novus Environmental Inc, dated June 28, 2018;
- Phase One, Environmental Site Assessment, prepared by Landtek Ltd., dated April 2, 2018;
- Transportation Response Memo, prepared by Paradigm Transportation Solutions Limited, dated June 29, 2018;
- Roundabout Screening, prepared by Paradigm Transportation Solutions Limited, dated June 29, 2018;
- On-Street Parking Review Memo, prepared by Paradigm Transportation Solutions Limited, dated June 29, 2018;
- Transportation Response and Meeting Notes, prepared by Paradigm Transportation Solutions Limited, dated July 23, 2018; and
- Landscape Plans, adesso designs inc., dated June 29, 2018.

Technical Review

The Zoning By-law Amendment application and supporting documents were circulated for review to internal departments and external agencies. Transportation has reviewed the Parking Study submitted by the applicant and does not agree with the rates provided. Modified rates are proposed in the draft Zoning regulations staff recommend. The revised application addresses the remainder of the comments provided by review agencies.

Policy Framework:

The application is subject to the following policy framework: the *Planning Act*, the Provincial Policy Statement 2014, the Growth Plan for the Greater Golden Horseshoe, the Halton Region Official Plan, the City of Burlington Official Plan, the Alton Community Secondary Plan, and the City of Burlington Zoning By-law 2020. Listed below is an

overview of the land use designations and policy directions at the provincial, regional and local level.

Planning Act: Matters of Provincial Interest

Municipalities, when dealing with their responsibilities under the *Planning Act*, shall have regard to a wide range of matters of provincial interest. A number of these matters of provincial interest are relevant to this site-specific development application, key matters are highlighted below with further analysis discussed throughout the report.

Matter of Provincial Interest	Staff Analysis
The adequate provision and efficient use of communication, transportation, sewage and water services and waste management system.	The site can be adequately served by existing servicing infrastructure. Transportation and Halton Region indicate that surrounding roadways can accommodate the additional traffic generated by the development. However, it is the opinion of the Transportation Department that the parking rate provided by the applicant is not sufficient to accommodate off-street parking on the site. This will have impacts on the surrounding roadway infrastructure.
The orderly development of safe and healthy communities.	The Phase I Environmental Site Assessment (ESA) provided with the application does not indicate potential for contamination on the site.
The adequate provision of a full range of housing, including affordable housing.	The application provides a range of housing types, sizes and affordability. The apartment building includes 1, 2 and 3 bedroom units and there are a range of townhouse forms provided.
The adequate provision of employment opportunities.	The subject site is designated in the Official Plan for Residential – High Density uses with a site specific policy requiring a commercial component along Thomas Alton Blvd. The proposed commercial use will provide adequate employment opportunity with this development.
The protection of the financial and economic well-being of the Province and its municipalities.	The proposed development is located within an area well serviced by infrastructure and public service facilities and will not require significant public sector investment to support the development.

The appropriate location of growth and development.	The rezoning brings the zoning into conformity with the existing Official Plan designation on the site. Additionally, the site is in a location that is well served by commercial uses, and is in close proximity to parks and transit. As the proposal does not provide adequate off street parking the proposed development does not meet the residential intensification criteria of the Official Plan and as such, is not compatible with surrounding development.		
The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians.	The proposal represents an increase in density along a transit route. The proposed location also provides the opportunity for future residents to walk to schools, parks, and to meet their day-to-day and weekly commercial needs within a kilometer of the site. The proposal also provides pedestrian connections		
T	within the site and to existing roadways and trails.		
The promotion of built form that,	The revised submission incorporates comments from the Burlington Urban Design Advisory Panel related		
Is well-designed	to site design and terracing of the apartment buildings. If approved, through a future site plan application the applicant will continue working with		
Encourages a sense of place			
Provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.	the City to ensure that materials and treatment of the building at grade will provide a high level of design.		

Provincial Policy Statement (PPS) 2014

The Provincial Policy Statement (PPS) came into effect on April 30, 2014 and applies to decisions concerning planning matters made after this date. The PPS provides broad policy direction on matters of provincial interest related to land use planning and development to provide for healthy, liveable and safe communities. The PPS recognizes that Official Plans are the most important vehicle for implementation of the PPS), however all Council decisions affecting planning matters "shall be consistent with" the PPS.

The PPS directs growth to settlement areas and promotes densities and a mix of land uses which optimize use of land and resources; are appropriate for, and efficiently use,

the infrastructure and public service facilities; minimize negative impacts to air quality and climate change and promote energy efficiency; support active transportation and are transit-supportive, where transit is planned, exists or may be developed (PPS, 1.1.3.2). The PPS requires that sufficient land be made available through intensification and redevelopment (PPS, 1.1.2).

In addition, the PPS directs planning authorities to identify appropriate locations and opportunities for intensification and redevelopment and to promote appropriate development standards to facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety (PPS, 1.1.3.3, 1.1.3.4). The PPS directs planning authorities to establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions. The PPS notes that where a provincial target is established through a provincial plan that the provincial target shall represent the minimum target (PPS, 1.1.3.5) which in this case is the Places to Grow. New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities (PPS 1.1.3.6).

The PPS sets out that the Official Plan is the most important vehicle for implementation of the PPS (PPS, 4.7). Development standards to facilitate intensification are provided through evaluation criteria contained in the City's Official Plan and more specifically through the City's Zoning By-law 2020.

The housing policies of the PPS direct planning authorities to provide an appropriate range and mix of housing types and densities to meet the needs of current and future residents of the regional market area (PPS, 1.4.3). This is to be accommodated by promoting densities for new housing and establishing development standards for new residential intensification and redevelopment which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety. How densities should be allocated in the local context is defined through the policies of the Official Plan. This strategy has been further solidified through the Urban Structure, Growth Framework, and land use policies of the Council adopted Official Plan, Grow Bold.

The PPS promotes the creation of healthy, active communities by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity (PPS, 1.5.1).

The Provincial Policy Statement recognizes the diversity of Ontario and that local context is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. It also recognizes that some planning objectives need to be considered in the context of the municipality as a whole (PPS, Part III). Further, as mentioned above, the PPS identifies Official

plans as the vehicle to identify and protect provincial interests and set out appropriate land use designations and policies that direct development to suitable areas. The City's Official Plan provides this policy framework and includes evaluation criteria for intensification proposals.

Opinion:

The site is located within a settlement area and is considered to be a designated growth area as defined by the PPS as it is an undeveloped site designated for growth over the long-term planning horizon. The site is appropriate for intensification as it is located in a walkable, transit oriented location, located in proximity to schools, parks and amenities, and commercial sites to serve resident's day-to-day and weekly needs. The proposal facilitates active transportation by providing pedestrian links within and through the site, providing connectivity from the site to the hydro corridor; on-site amenity space; transit stops; as well as on-site and surrounding commercial space. The application aligns with policies supporting complete communities and fostering social interaction by promoting a range of housing types, providing commercial space on site, and incorporating a large outdoor amenity space along Valera Road. Additionally, there are no servicing related concerns identified.

As noted above, the Official Plan is the vehicle for implementing the policies of the Provincial Policy Statement. Although the proposed rezoning would bring the zoning into conformity with the land use designation on the site, it is the City's opinion that the development standards in the rezoning as proposed do not provide for adequate parking for the proposed apartment uses. The lack of parking is not compatible with surrounding land uses as it anticipated to have off-site impacts to the surrounding roadway system as there is an existing identified deficiency of on-street parking spaces in the Alton neighbourhood. As this application does not propose an efficient use of roadway infrastructure, the proposal as submitted is not consistent with the PPS. In order to mitigate off-site impacts, Staff's modified approval provides for maintenance parking spaces for the apartment uses, as per the recommendations of the draft City Wide Parking Study. With this modification to the required parking rates, Staff are satisfied that the application is consistent with the PPS.

Growth Plan for the Greater Golden Horseshoe

The Growth Plan for the Greater Golden Horseshoe (Growth Plan) came into effect on July 1, 2017 and provides a growth management policy direction for the defined growth plan area. The Growth Plan provides a framework for implementing the Province's vision for building stronger, prosperous complete communities by better managing growth. The guiding principles of the plan include supporting people's needs for daily living, prioritizing intensification and higher densities to ensure efficient use of land, infrastructure and supporting a range and mix of housing options that support transit viability. The policies support the achievement of complete communities that are

compact, transit-supportive, make effective use of investments in infrastructure and public service facilities, and accommodate people at all stages of life. This includes providing a mix of housing, a good range of jobs and easy access to stores and services to meet daily needs of residents (GP, 2.1).

New development taking place in designated Greenfield areas will be planned, designated, zoned and designed in a manner that supports the achievement of complete communities; supports active transportation; and encourages the integration and sustained viability of transit services (G.P. 2.2.7.1). While the Growth Plan establishes the planning framework to 2041 the policies acknowledge that many of the elements of the Growth Plan are formally implemented through the municipal comprehensive review, which may only be undertaken by the upper-tier or single-tier municipality. One such identified element is the minimum density targets established for designated greenfield areas. The policies articulate that where an approved upper-tier official plan includes a minimum density target, that target will continue to apply across the same area until the next municipal comprehensive review (GP, 2.2.7.4). The Region through its Official Plan allocates designated greenfield density targets to each of the lower-tier municipalities. The City of Burlington's minimum greenfield density target is 45 residents and jobs per hectare. Through the next municipal comprehensive review the density target across the entire Region of Halton will not be less than 60 residents and jobs combined per hectare. The minimum density targets in the Growth Plan are to be implemented through zoning all lands in a manner that would implement the official plan policies and the use of any applicable legislative and regulatory tools that may establish minimum densities, heights and other elements of site design (GP, 5.2.5.5, 5.2.5.6)

Opinion:

The subject site provides additional density in a location served by transit and commercial uses to serve day-to-day and weekly needs. The proposal provides a variety of housing types and sizes to accommodate people in all stages of their lives.

The site is designated for Residential-High Density uses in the City's Official Plan which allows for a density ranging between 51 and 185 units per net hectare. These densities support the achievement of 45 residents and jobs per hectare across Burlington's Greenfield. The application proposes a density of approximately 184 units per hectare. As stated above, densities are to be achieved through implementing zoning bylaws that may regulate heights and other elements of site design. While uses, location, design and heights of buildings are consistent with the policies of the City's Official Plan, it is City Staff's opinion that the parking rates proposed by the applicant are insufficient and will have off-site impacts on the surrounding roadway network. Based on the above, it is the opinion of staff that the application as submitted is inconsistent with the policies of the Growth Plan. As a result, Staff have recommended a modified approval which

increases the proposed parking rate with the goal of providing an appropriate number of spaces for residents and visitors, while encouraging alternate modes of travel.

Halton Region Official Plan

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

City of Burlington Official Plan

The subject lands are designated "Residential – High Density" within the City's Official Plan. This designation allows ground or non-ground oriented residential development with a density ranging between 51 and 185 units per net hectare. Residential High-Density uses in the Alton community may have a maximum height of 10 storeys. Official Plan Amendment 102 was passed in 2016 which re-designated the lands from "Neighbourhood Commercial" to Residential – "High Density". A site-specific provision was added, which stated the following:

Notwithstanding the policies of Part III, Subsection 2.2.2 a) of this Plan, commercial land uses in the form of mixed use or stand alone buildings shall be provided fronting on Thomas Alton Boulevard. Residential building height shall be transitioned to provide for a lower height fronting Valera Road and existing residential development to the south.

The residential policies in the Burlington Official Plan identify a number of objectives related to encouraging residential intensification within the Urban Planning Area, providing housing opportunities that encourage the use of public transit and active transportation and decrease dependence on the car, providing a range of housing forms and tenure, and requiring new residential development to be compatible with surrounding properties. In assessing intensification proposals, Part III, Section 2.2.1 of the Plan states that "the amount and form of intensification must be balanced with other planning considerations, such as infrastructure capacity, compatibility and integration with existing residential neighbourhoods." Part III, Section 2.5.2 then provides evaluation criteria to be considered when evaluating proposals for housing intensification in established neighbourhoods. Staff assessment of these criteria for the subject applications is discussed below.

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

As already identified there is adequate water, wastewater and storm sewer capacity to handle the proposed increase in residential units. Further, the Halton District and Halton

Catholic District School Boards have indicated that they have no objections to the application. Lastly, staff have highlighted the proximity of several parks.

(ii) off-street parking is adequate;

The City is in the midst of a parking study to update parking standards in the Zoning Bylaw. The City of Burlington's current parking standards are more than 30 years old. As the City of Burlington continues to evolve into an increasingly urban place with greater land use intensity, the City has recognized the need to review its parking standards. The goal of this study is to "right size" the parking requirements of Zoning Bylaw 2020 in order to provide an appropriate number of spaces for employees, residents and visitors while encouraging alternate modes of travel. It is noted that adjusting parking standards in response to development applications, on a site by site basis, can have a major impact on parking operation within the targeted area. If too little parking is provided, a parking shortage may result. When reducing parking standards, a conservative reduction (as recommended through the City-Wide Parking Standards Review) followed by a monitoring and evaluation period is considered best practice. If justified, further reductions after the evaluation period has passed can be implemented with minimal negative impacts to parking operations. However, the opposite is not true. If the parking reductions are too great, parking supply expansions (i.e. provision of additional on-site parking via underground parking lot expansions) cannot be enforced for approved and existing developments. The City is taking a conservative approach by applying the standards recommended as part of the City-Wide Parking Standard Review study and is exercising proper due diligence.

Parking is a long-standing issue within the Alton Community. With respect to parking infractions, a review of parking ticket data (January 2017 – present) has confirmed that 759 tickets have been issued on the streets south of Thomas Alton Boulevard, directly within proximity of the proposed development. The level of effort required to enforce parking regulations within the Alton Community is significant. Multiple creative solutions have been implemented within the Alton Community, with limited success, in attempts to mitigate the existing parking issues that directly stem from the inability for residents to accommodate their parking needs on-site. Several parking programs have been trialed including the Neighbourhood On-street Parking Program (NOSPP), On-Street Parking Permit (currently under pilot) as well as other operational modifications such as permitting vehicles to overhang onto the roadway, permitting parking within the boulevard apron, and permitting overnight parking within City parks. Yet, Parking Services staff continue to receive requests to implement on-street parking prohibitions due to congested roadways, complaints of "overflow parking" as a result of intensification, and the imminent removal of NOSPP program due to misuse. Given the context presented above, it is the ascertain of staff that the lack of available on-street

parking and experience of excessive parking demands within the Alton Community is a significant operational concern and warrants detailed consideration when evaluating development proposals within the community.

Transportation Staff have reviewed the Parking Study and Meeting Notes dated July 23, 2018 submitted by the applicant, and have regard for the draft City Wide Parking Study. Taking into account the matters discussed above, staff cannot support the requested reduction in parking rates for the apartment uses. The applicant's original proposal for 581 parking spaces is deficient by 63 stalls. It is not feasible to assume that this parking shortfall can be accommodated off-site in the neighbourhood. Staff and the applicant have worked together, and the applicant has agreed to provide the requested parking rate for the occupant and visitor spaces for the occupant uses. However, the provision of maintenance spaces for the apartment uses is still at issue. Based on the above, Staff recommends a modified rate consistent with the maintenance space requirements of the draft City Wide Parking Study to address this deficit. Below is a table which outlines the requirements of Zoning Bylaw 2020, and the Staff recommended parking rate.

		Zoning By-Law Rate		City Recommendation	
Land Use	Units	Rate	Req'd	Rate	Req'd
Regular Towns	30	2.50	75	2.25	68
Back-to-Back Towns	26	2.35	61	2.25	59
Street Towns	14	2.00	28	2.25	32
Apartment 1 bedroom	118	1.60	189	1.20	142
Apartment 2 bedroom	192	1.85	355	1.45	278
Apartment 3 bedroom	34	2.10	71	1.70	58
Retail	195m ²	4/100m ²	8	3.5/100m ²	shared
Maintenance / Service	344	N/A	N/A	1/75 units	5
Total Parking			788		640
Reduction from ZBL			N/A		19%

(iii) the capacity of the municipal transportation system can accommodate any increased traffic flows, and the orientation of ingress and egress and potential increased traffic volumes to multi-purpose, minor and major arterial roads and collector streets rather than local residential streets;

Two accesses to the site are proposed. A full access off of Valera Road is proposed as a well as a right-in-right out access to Appleby Line. As Appleby Line is a Regional Road, both Halton Region and the City's Transportation Department have reviewed the materials submitted in support of this application.

The development is anticipated to generate a total of 127 new trips during the morning peak hour and 169 new vehicular trips in the evening peak hour. Halton Region has indicated that Appleby Line can adequately accommodate additional traffic generated as a result of this application, and have no objections to the application. City of Burlington Transportation staff have reviewed the materials submitted by the applicant and are satisfied that additional traffic can be accommodated by surrounding local roadways and support the roadway improvements recommended by the applicant. These include:

- An additional westbound left turn lane on Thomas Alton Blvd to Valera Road:
- Extension of the left turn lane at the intersection of Thomas Alton and Appleby Line.

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

The proximity of the site to an existing transit route and transit stop is highlighted in Appendix A, which shows the approximate locations of the transit stop and routes within the Thomas Alton Blvd. road allowance (dot and line adjacent to property).

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

Scale, Massing & Height

Scale refers to the apparent size or massing of a building as created by the placement and size of the building in its setting in comparison with the size of adjacent buildings and as perceived from the street in relation to human scale. People tend to evaluate the physical size and massing of built elements in relationship to their perception of objects that are the approximate height and size of other people.

The City's Official Plan defines massing as the overall bulk, size, physical volume, or magnitude of a structure or project.

The application was brought to the Burlington Urban Design Advisory Panel. The Panel felt that the apartment building lengths were too long, creating a heavier more massive building. It was suggested that the structures need to read as two separate buildings. The revised submission addresses these comments by providing terracing on the westerly portion of the apartment building abutting Valera Road, reducing the size and bulk of the building as a whole. The lobby and commercial areas have also been redesigned, providing an open walkway through the site and glassed in lobby areas on either side of the walkway with the commercial unit abutting the easterly lobby, these features will provide further transparency and separation between the two buildings. The walkway provided is a minimum of 3 m wide, the Urban Design section has reviewed the plans and recommended that this walkway be widened to provide better sightlines and an increased sense of building separation. This is an issue that can be addressed through the future site plan application. Additionally, as recommended by the

Burlington Urban Design Advisory Panel, building materials, colours and balcony placement will be reviewed at the future site plan stage.

The application proposes heights consistent with the expectations of the Official Plan. The heights of the apartment buildings are appropriate for the site context. It is a best management practice for mid-rise buildings to maintain a 1:1 ratio with the street width in order to maintain skyviews and provide pedestrian comfort. Thomas Alton Boulevard has a 26 m right-of-way and Appleby Line has a deemed width of 42 m. With the setbacks provided, both buildings are less than the width of the street. In alignment with the site specific Official Plan policy, the proposal transitions from the tallest height of 10 storeys along Appleby Line to a 3 storey height along Valera Road. As discussed in more detail below, no impacts are anticipated as a result of the building heights.

Siting/Setbacks

The proposed buildings are appropriately sited to provide for a pleasing public realm, mitigate perceived impacts to surrounding uses and create a sense of community.

The apartment buildings are oriented to be parallel to Thomas Alton Blvd in order to frame the street and create a pleasant pedestrian realm. The apartment buildings fronting on Thomas Alton Blvd and Appleby Line, provide minimum 8 m setbacks in order to provide generous landscaping and buffer from residential units to Appleby Line. In order to minimize the bulk of the building and overlook on existing residential uses, fronting on Valera, the apartment provides ample setbacks and terracing, exceeding the 45 degree angular plane. This provides an appropriate transition to existing townhouses on Valera Road.

The applicant has provided townhouses around the remainder of the perimeter of the site in order to provide compatibility with existing uses. Fronting onto Valera Road, south of the private roadway, 14 street townhouses are proposed. Street towns are a use that is prevalent throughout the Alton neighbourhood. The applicant has proposed decreased lot sizes and widths. Sufficient landscaping and street trees can be provided along Valera Road ensuring that there are no impacts. However, as there is insufficient space for on street visitor parking between the proposed lots, visitor parking has been provided on the condo site to ensure that there are no impacts to surrounding roadways. Condominium townhouses have been proposed backing on to the existing townhouse dwellings to the south. The rear yard setback requirements of Zoning Bylaw 2020 have been maintained so no impacts are anticipated.

The configuration of the site as a whole has been developed to create an attractive and pedestrian oriented community. A commercial space has been provided along Thomas Alton Blvd and Appleby Line, which has the opportunity to become a walkable, and transit oriented destination for the day-to-day needs of Alton residents. The location at a

prominent intersection also provides a 'placemaking' opportunity through outdoor patio space, landscaping and signage. The site design also provides pedestrian connections to the commercial site from the parking spaces internal to the site and from the multi-use path along the hydro-corridor. A significant private outdoor amenity space has been provided at Valera Road north of the private roadway. This space provides a transition to existing residential uses and creates an opportunity for social interaction in the neighbourhood.

Amenity Area

No reduction in the Zoning bylaw requirement of 20 m² per unit of amenity space for the townhouse and back to back townhouse units has been proposed. A reduction to 25m² per unit for the apartment uses has been requested. Staff find this to be acceptable as the site design provides for a large green space at grade as well as private balconies, communal terraces and indoor amenity area. Additionally the site is adjacent to the hydro corridor which contains a multi-use trail and is in close proximity to city parks.

(vi) effects on existing vegetation are minimized, and appropriate compensation is provided for significant loss of vegetation, if necessary to assist in maintaining neighbourhood character;

The subject lands have been previously graded for future development; as such there are only three private trees proposed to be removed as a part of the application. The draft landscaping plan provided proposes more than enough compensatory trees as replacement.

There are 30 city trees adjacent to this site. Species include Honey Locust, Hackberry, Flowering Pear, Red Maple, Japanese Lilac, and Flowering Crabapple (along Appleby Line). The average size of the trees is 7cm. These trees were planted as part of the Subdivision development and are in varying degrees of condition. When we consider the preservation of trees adjacent to or directly impacted by any development, we must consider the appropriateness of the effort required to save said trees. Location, species, condition, age, disease, and ability to endure direct and indirect stress throughout the construction process are all important considerations when determining suitability for preservation. As per the City's Public Tree Bylaw 68-2013, all city trees (with the exception of those trees listed in Schedule A, I.e. Flowering Crabapple) that are proposed to be removed (adjacent a site for which a development application has been submitted) require council approval. The applicant has proposed removing 14 City trees. Of these, several are dead or in poor condition, or are on Schedule 'A' of the City of Burlington Public Tree By-law 68-2013 and can be removed without Council Approval. Seven trees require council approval for their removal and compensatory tree planting. The majority of removals will occur along Valera Rd where conflicts with proposed driveways are expected. Staff support the removals, as tree for tree

compensatory planting is expected. The setbacks provided with the rezoning allow for ample landscaping within and surrounding the site. If approved, a landscaping plan will be a requirement of a future site plan application.

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

The applicant has submitted a Shadow Impact Assessment for the proposed development and staff is satisfied that there will be no impacts as a result of the development. As the tallest buildings are located adjacent to Thomas Alton Blvd., there are no shadow impacts on surrounding residential properties in any season.

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

There are a range of facilities such as City parks, several elementary schools and a secondary school, and neighbourhood commercial areas within a 1.5 km radius. As mentioned above, Capital Works, Halton District School Board and the Halton Catholic District School Board have indicated that they have no objections to the application.

Additionally, the applicant has provided approximately 1600 m² of private outdoor amenity space on the site to provide opportunities for passive recreation for future residents on the site.

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

No impacts are anticipated to the north, east or south as the site is bounded by Thomas Alton Blvd and 6 storey commercial/office developments, Appleby Line and the hydro corridor, respectively. As discussed above, appropriate transitioning and buffering has been incorporated into the development where it abuts existing residential uses to the west and south.

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

The site is located on the periphery of the Alton neighbourhood and the site has direct access to Appleby Line which is a major arterial roadway. The proposed built form aligns with the height and building types envisioned in the Official Plan designation. As discussed above, transitions between existing and proposed development have been well considered and no impacts are anticipated.

Staff note that there are additional intensification policies under 2.5.2 a) (x) to (xii) that are not applicable to this application, and therefore are not discussed in this report.

Opinion:

Staff have considered the Official Plan policies and objectives for the Alton Community and the evaluation criteria for housing intensification discussed above. Staff find that the proposal satisfies the City's objectives to develop Alton as a mixed use community, provides a diverse range of housing forms, provides housing opportunities that encourage use of public transit and active transportation, and provides appropriate and well designed transitions to surrounding development. However, as insufficient on-site parking has been proposed, it is the opinion of staff that the application as submitted will have an undue impact on the parking supply on surrounding roadways and the Alton community. In order to satisfy the policies of the Official Plan to ensure that compatibility is achieved, Staff recommend a modified parking rate to include short term maintenance spaces for the apartment uses as discussed above.

Alton Community Secondary Plan/Alton Central East Design Guidelines

Alton Central East Community is envisioned as a visually attractive, 'urbanized', and pedestrian oriented community consisting of a number of distinct neighbourhoods whose focus is the interconnected system of parks and open space. Commercial amenity areas will provide secondary focal points for the neighbourhoods at its edges.

The Alton Central East Design Guidelines envisions Thomas Alton Blvd. as the primary residential avenue, characterized by medium density housing forms, urbanized street edges and a sequence of pedestrian nodes where enhanced housing forms and landscaping combine to create unique 'places' and visual landmarks within the urban fabric.

The intersection of Appleby Line and Thomas Alton Blvd. is considered a Neighbourhood Node in the Design Guidelines. The Neighbourhood Nodes would achieve the following objectives:

- Provide opportunities for 'placemaking' -enhancing the character and identity of the community.
- Create landmarks to assist orientation and wayfinding.
- Provide opportunities for community social interaction

The Design Study also sets out the following objectives for High Density Residential Areas:

 To ensure the siting of built form along the street edge is balanced between forming a strong edge to the street and providing a visual foreground to the structure;

- To design built form that creates a consistent and attractive edge to the street.
- To design interfaces between high density residential areas and adjacent land uses which are visually attractive;
- To minimize the visual impact of parking, garbage storage and equipment storage areas on the streetscape;
- To encourage variety and alternatives in the design of built form; and
- To ensure that the design of private outdoor amenity areas are visually attractive from the street.

Opinion:

It is the opinion of staff that the application supports the vision of the Alton Community Secondary Plan and Design Guidelines.

The proposal provides commercial space at the corner of Thomas Alton Blvd., and Appleby Line which provides a 'neighbourhood node function.' Through the provision of patio space, landscaping and signage, this can be an attractive destination for residents within the Alton neighbourhood to obtain their day-to-day needs.

The buildings are sited to provide a pleasant streetscape, where development abuts existing residential uses appropriate transitions have been provided. The buildings are sited parallel to surrounding roadways and provide large setbacks to provide for attractive landscaping. The site has been designed to minimize at grade parking, garbage storage for the apartment uses has been located inside the buildings and away from the street frontage. The at grade amenity area is well located to provide a gateway into the site, the landscaping and design of the space will be further refined at the site plan stage.

Council Adopted Official Plan: Grow Bold

On April 26, 2018 Council adopted Grow Bold: Burlington's New Official Plan. The Plan has not yet been approved by Halton Region and is not in force and effect at this time. However, it is used as an informative document in the review of development applications.

The Grow Bold identifies the subject properties on the following schedules:

- Urban Area on Schedule A, City System
- Mixed Use Nodes and Intensification Corridor on Schedule B, Urban Structure
- Secondary Growth Area on Schedule B-1, Growth Framework
- High Density Residential on Schedule C, Land Use Urban Planning Area.

Mixed Use Nodes and Intensification Corridors:

Lands identified as Mixed Use Nodes represent areas with a concentration of commercial, residential and employment uses with development intensities generally

greater than surrounding areas. Nodes are generally located at points where two or more transit routes intersect. Mixed Use Nodes and Intensification Corridors will be a focus of reurbanization. These areas vary widely and will be guided by the underlying land use designations of this Plan. Some areas will be planned to evolve with higher residential intensities and a full mix of uses, while others may permit a more limited range of employment-oriented permitted uses, both designed to achieve their planned function. These areas will support the frequent transit corridors and provide focal points of activity and a vibrant pedestrian environment and facilitate active transportation through careful attention to urban design, enhancing the opportunities for the location of public service facilities and institutional uses.

The City will ensure that the development of Mixed Use Nodes and Intensification Corridors lands is compatible with adjacent uses, mainly residential. The design and development of these lands will create and maintain a special community identity and locations for a variety of city-wide, community and neighbourhood functions, generally within mid-rise and tall building forms, as described by the applicable land use designations.

Opinion:

The proposal supports the policies and objectives of the Mixed Use Nodes and intensification corridors by providing a mid-rise building form that is compatible with surrounding residential development in a location that is well served by transit, community amenities and a variety of commercial options.

Secondary Growth Area:

Secondary Growth Areas shall be recognized as a distinct area within the city's Urban Area accommodating growth in accordance with the permissions and densities of the current land use designations of the Plan. These are areas expected to transition over the planning horizon and beyond and will not result in a significant relocation of planned growth outside of the Primary Growth Areas. Secondary Growth Areas shall be limited to a maximum of mid-rise building form, unless otherwise permitted by the policies of the Plan.

Opinion:

The proposal maintains the intent of the Secondary Growth Area policies by proposing development in accordance with the permissions and densities of Grow Bold.

Residential - High Density:

It is an objective of Grow Bold to encourage new residential development and residential intensification within the Residential Neighbourhood Area in accordance with Provincial, Regional and City growth management objectives, while recognizing that the density and form of new development must be balanced with other planning

considerations, such as the availability of infrastructure and public service facilities, and also ensuring that new development achieves compatibility and integration within existing residential neighbourhoods. Also, new development within the Residential Neighbourhood Area should be compatible with surrounding properties, while providing housing in a form and location that supports the existing, and the expansion of, the city's transportation network, with emphasis on public transit and active transportation.

On lands designated for Residential - High Density uses a density of 76 units per hectare up to 185 units per hectare may be permitted. However, densities exceeding 185 units per hectare may be considered if the following criteria are met:

- A significant reduction of at grade parking;
- The development should be located within 400m of a frequent transit corridor;
- The development shall conform with minimum and maximum height requirements as stated in the implementing Zoning Bylaw.

In the Alton Community, a maximum of 10 storeys may be permitted. The site specific requirements for transition from lower heights adjacent to existing development and commercial uses to be provided along Thomas Alton Blvd. are maintained in Grow Bold.

Opinion:

The proposal maintains the height and density expectations of the land use designation. As discussed above, the proposed design utilizes built forms that fit in harmony with surrounding land uses and creates an attractive public realm. However, the deficiency of on-site parking for the apartment uses does not provide development that integrates into the surrounding community without unacceptable impacts to surrounding roadways.

City of Burlington Zoning By-law 2020

The subject lands are currently zoned "Neighbourhood Commercial with Site Specific Exception (CN1-332)" in accordance with Zoning By-law 2020. This zone permits various retail, service commercial, office, community, automotive, entertainment/recreation and residential uses. Permitted residential uses include dwellings units on second and third floors only.

The applicant has proposed to rezone the site to "Alton Community Residential with Site Specific Exception (RAL4-493)." The RAL4 zone permits a variety of residential uses including townhouses, stacked townhouses and apartments with heights up to 10 storeys. The applicant has proposed site specific exceptions to allow:

- A minimum of 197m² of commercial uses along Thomas Alton Blvd.
- Back-to-back townhouse uses.
- Decreased resident and visitor parking requirements for the apartment uses.
- Decreased visitor parking requirements for the townhouse uses.
- Decreased amenity area for the apartment uses.

• Decreased lot width and area for the street townhouses.

In light of public and technical comments received, as well as the analysis above, it is the opinion of staff that zoning exceptions to the RAL4 zone are appropriate for the site.

The table below outlines the amendments requested:

Regulation	RAL4	Proposed	Comment		
Regulations for Apartment Buildings:					
Commercial	None Permitted	197m ² of commercial space required along Thomas Alton Blvd.	Provides the opportunity for one commercial unit on site. This unit will provide residents the opportunity to obtain their day-to-day needs and will provide a place making function		
Yards	Buildings over 6 storeys: ½ the height of the building for building wall of 30m or less (approximately 14 m along Valera Road) ½ the height of the building plus 1 m for each 5 m of wall length that exceeds 30m (Approximately 25.5 m along Thomas Alton Blvd and 21.5 along Appleby Line)	2.89 m to the hypotenuse of a daylight triangle 8 m to Appleby Line 8 m to Thomas Alton Boulevard Valera Road: 6 m 11.9 m Above the 3 rd storey 17.8 above the 4 th storey 23.7 m above the 5 storey 26.3m above the 8 th storey 8 m to Hydro Corridor	As discussed above, the setbacks are appropriate to provide sufficient landscaped area adjacent to external roadways and to ensure that a comfortable pedestrian environment is created in relation to building heights.		
Amenity Area	25m ² per bedroom 15m ² per efficiency 6,936 m ²	25m ² per unit	The site and surrounding area are well served by		

			amenities and trails, this reduction is appropriate.
Parking Pagulations for Town	1 bedroom - 1.25/ unit 2 bedroom - 1.5/unit 3 bedroom - 1.75/unit Visitor - 0.35/unit Loading - 1	1 bedroom – 1 unit 2 bedroom - 1.25 unit 3 bedroom - 1.5 unit Visitor - 0.2 unit Maintenance -1/75 units Loading - 2	As discussed above, staff has requested a modified parking rate to include maintenance spaces.
Regulations for Towr	inouse onits.		
Visitor Parking	0.5 spaces/unit	0.25 spaces/unit	Transportation has reviewed this reduction and does not anticipate any off site impacts.
Side Yard	4.5 m	3.05m (hydro corridor, east) 1.77 (street townhouses, west)	
Regulations for Street	et Townhouses:		
Lot Width	6.5 m	4.8 m	The lot widths proposed are consistent with the condo townhouse built form on the remainder of the development. Lot widths are sufficient to provide front yards and tree planting to ensure compatibility with surrounding development.
Lot Area	160 m ²	120 m ²	The lots maintain a minimum of 20m² of privacy area (back yard space), this is consistent with the condo townhouse built form.

Rear Yard	7 m	6 m	Regulations are consistent with condominium townhouses.
Visitor Parking	Not required	0.25 spaces/unit	As the narrow lots preclude on street parking between two driveways, additional visitor spaces were required to ensure that impacts to surrounding roadways are mitigated.
Regulations for Back	-to Back Townhouses	:	
Minimum Amenity Area	25 m²/unit	20m ² /unit	This minor reduction is appropriate as the site is well served by amenity space.
Privacy Area	5.5 m ² balcony with a maximum projection of 1.8 metres from front wall.	5.5 m ² balcony with a maximum projection of 2.4 metres from front wall.	The additional projection will not jeopardize the ability for tree planting in front of the units.
Height	3 storeys (11.5 m)	3 storeys (11.5 m)	No amendment requested.

Financial Matters:

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

Public Engagement Matters:

Applicant Initiated Open Houses

Prior to submission, the applicant held an Open House at the Haber Community Centre on November 29, 2017. The applicant advises that approximately 6 residents were in attendance.

The applicant held a second Open House on June 27th, 2018, at the Haber Community Centre, prior to their resubmission. There were 5 residents and the Ward Councillor in attendance. Questions were related to parking and traffic, there was concern that there will be over flow traffic in the neighbourhood due to lack of parking on the site.

Public Circulation

The application was subject to the standard circulation requirements. A public notice and request for comments were circulated in February 2018 to surrounding property owners / tenants. Notice signs were also posted on the property, which depicted the proposed development. All technical studies and supporting materials were posted on the City's website at www.burlington.ca/4880Valera.

Neighbourhood Meeting

A neighbourhood meeting was held on March 21, 2018 at Appleby Ice Centre and was attended by approximately 9 members of the public, Councillor Meed Ward and the Ward Councillor.

Public Comments

Since the subject applications were submitted in December 2017, staff have received correspondence from members of the public regarding the proposed development. To date, staff have received 7 emails. The public comments received prior to the Statutory Public Meeting were included in report PB-51-18. After the Statutory Public Meeting, one email was received which is attached as Appendix C.

The comments heard were:

- This proposal will increase traffic congestion in the neighbourhood to unacceptable levels.
 - Transportation has reviewed the transportation impact assessment submitted in support of the application and agrees with the findings that increases in traffic as a result of development will be at acceptable levels.
- Parks and Schools in the neighbourhood are already over crowded.
 - The applicant has provided a private open space on site for the residents of the development. Additionally, the Parks section of Capital Works provided comment and indicated that there is sufficient park space in the Alton neighbourhood. As such, no impacts are anticipated.
- There is a lack of on-street parking in the Alton neighbourhood, additional development will exacerbate the issue.

- Staff agree that on-street parking is an issue in the Alton neighbourhood,
 Staff's modified approval which increases parking for the apartment uses provides adequate on-site parking for the proposed development.
- Sidewalks internal to the site do no provide efficient connections to and from the site.
 - The applicant's revised proposal rationalizes the sidewalk connections.
 Sidewalks are now provided on one side of all roadways, and provide direct connections to the commercial space, community mailboxes, external sidewalks and the multi-use path.
- There is only one connection to the multi-use pathway and no additional connections to the commercial site are proposed.
 - The revised proposal provides a second connection to multi-use pathway in the hydro-corridor. Through the previous Official Plan amendment process, connections directly to the commercial site were examined with the property owner of the site. The connections was determined to be undesirable for the owner of the commercial site as it would formalize pedestrian connections in the loading area for the site which has potential to cause conflicts with large trucks.
- The intersection at Verdi/Valera/the proposed private condo road will create pedestrian conflicts.
 - Transportation has reviewed the connection and does not anticipate any conflicts at this location as the private condo road will be signed as a stop.

Conclusion:

The applicant has made changes to the proposed mixed-use development which have improved its compatibility with the existing neighbourhood. Staff have proposed a further modification to the parking rate.

Staff's analysis of the application for a Zoning By-law amendment considered the applicable policy framework and the comments submitted by technical agencies and the public. It is the opinion of staff that the proposal meets the requirements of the Provincial Policy Statement, the Places to Grow Act and the Regional Official Plan in that it proposes compact and efficient development, uses existing infrastructure and has regard for public health and safety. Further, the proposed building meets the City's evaluation criteria for intensification, which were created as a tool to meet the intensification requirements of the upper-tier policy documents. It is recommended that Council approve Zoning By-law 2020.XXX, as modified by staff, in Appendix B to facilitate the development of this property.

Respectfully submitted,

Lisa Stern, RPP MCIP Senior Planner – Development Review 905-335-7600 ext. 7824

Appendices:

- A. Location Sketch
- B. Draft Bylaw
- C. Draft Conditions of Zoning Approval
- D. Public Comments

Report Approval:

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

APPENDIX A - LOCATION SKETCH

