



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

**TO: Planning and Development Committee**

**FROM: Department of City Building - Planning Building and Culture**

Report Number: PB-31-19

Wards Affected: 1

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

Date to Committee: July 9, 2019

Date to Council: July 15, 2019

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### **Recommendation:**

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

### **Purpose:**

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

A City that Grows:

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

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

- Focused Population Growth

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

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

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### **Executive Summary:**

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

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

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

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

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

## REPORT FACT SHEET

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

## **Background and Discussion:**

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

## **Site Description:**

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

Surrounding land uses:

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

## **Description of Application:**

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

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

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

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

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

### Technical Reports:

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

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

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

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

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

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

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

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

## Policy Framework:

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

## PROVINCIAL POLICY FRAMEWORK

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

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

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

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

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

## **Provincial Policy Statement (2014)**

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

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

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

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

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

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

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

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

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

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

**Staff Analysis:**

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

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

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

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

*Conclusion:*

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

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

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

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

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

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

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

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

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

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

Higher Order Transit is defined in the Growth Plan as:

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

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

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

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

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

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

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

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

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

**Staff Analysis:**

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

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

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

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

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

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

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

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

*Conclusion:*

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

## **Metrolinx 2041 Regional Transportation Plan**

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

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

*Conclusion:*

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

### **Ontario Transit-Supportive Guidelines**

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

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

### **Staff Analysis:**

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

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

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

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

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

**Staff Analysis:**

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

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

**Staff Analysis:**

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

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

**Staff Analysis:**

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

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

**Staff Analysis:**

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

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

**Staff Analysis:**

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

*Conclusion:*

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

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

## **REGIONAL POLICY FRAMEWORK**

### **Halton Region Official Plan**

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

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

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

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

### **Staff Analysis:**

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

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

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

*Conclusion:*

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

## **CITY OF BURLINGTON POLICY CONTEXT**

### **City of Burlington Official Plan**

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

### ***Housing Intensification***

Intensification is defined in the City's OP as:

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

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

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

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

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

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

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

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

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

**Staff Analysis:** This criterion has been met.

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

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

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

**Staff Analysis:** This criterion has been met.

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

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

**Staff Analysis:** This criterion has been met.

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

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

**Staff Analysis:** This criterion has been met.

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

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

### Scale

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

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

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

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

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

### Massing

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

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

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

### Height

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

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

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

### Siting

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

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

proposed development is similar to the approved building across the street, as at-grade residential patios are also proposed. However, the applicant has not situated the proposed building on the property to provide a sufficient privacy and landscaping buffer between the public realm on Masonry Court and the at-grade residential patios. Planning Staff feel that the increased separation of the at-grade residential patios in the approved development across the street results in a positive public and private realm interface along Masonry Court. The siting the proposed building 2.5 metres from Masonry Court does not provide enough separation between the public and private realm. The proposed development is not compatible with the approved apartment building on the opposite side of Masonry Court in terms of building siting.

### Setbacks

The property and surrounding established neighbourhood is zoned R2.1 in the City's Zoning By-law which requires an 11 metre front yard setback. The front yard setbacks of the existing dwellings at the north end of St. Matthew's Ave. are generally less than what is required through the Zoning By-law. The front yard setbacks of the existing dwellings along Clearview Ave. are generally consistent with the required setback. The proposed building setback along the east side is generally consistent with the existing front yard setbacks of the residential dwellings immediately to the south along St. Matthew's Ave. While no reductions to the required building setback for the RH1 zone are requested along the east side of the property, the accommodation of the site driveway and surface parking along this side of the building is not provided in way that is compatible with the existing neighbourhood character along Clearview Ave. The building setback to the rear property line allows the building to fit within a 45-degree angular plane. However, the proposed reduction to the required setbacks of the underground parking structure, surface parking area and hardscaped amenity area to the south property line limit the landscaping potential for a densely planted buffer and limits the ability to appropriately separate the on-site functions of the proposed development from the neighbouring properties. The underground parking structure is proposed to have a 1 metre setback to the lot lines adjacent to Clearview Ave. and St. Matthew's Ave. and a 3.2 metre setback to the property line shared with the dwellings to the south. For underground parking structures on lands zoned RH1, the Zoning By-law requires a 3 metre setback from all property lines and no encroachment into required landscape buffers (a 6 metre landscape buffer abutting the R2.1 zone is required). The proposed reduced setbacks for the underground parking structure restricts the maturation of larger vegetation along the property edges to provide screening and privacy.

With regard to the compatibility of the proposed building setbacks with the approved high-density apartment building across the street on Masonry Court, Planning Staff do

not feel that the proposed front yard setbacks provide the same degree of privacy and separation between the public and private realm uses at-grade. Discussion to this effect has been provided in the previous section related to building siting.

The proposed development is not compatible with the existing neighbourhood character in terms of setbacks.

### Coverage

The subject property and surrounding lands in the residential neighbourhood are zoned R2.1, which permits single detached dwellings on lots which are a minimum 700 m<sup>2</sup> in area. The lot areas in the immediate area around the site range in size from 460m<sup>2</sup> to 1080m<sup>2</sup>. The houses are generally modest in size and have significant greenspace and mature trees surrounding them. The R2.1 zone permits a maximum lot coverage between 25% to 40% in this area, depending on the number of storeys of a single detached dwelling. The intent of the lot coverage regulations in the Zoning By-law is to ensure there is adequate open space to provide a balance between built form and landscape features on a property. The proposed RH1 zone does not have a lot coverage requirement; however, lot coverage is controlled by built form regulations like required setbacks.

The proposed building represents a lot coverage of approximately 40%; however, the site needs to accommodate an acceptable amount of vehicle parking to support the number of units proposed. The applicant has provided one level of underground parking with 154 spaces and has provided 50 surface parking spaces behind the building. The proposed underground parking structure represents a lot coverage of approximately 87% of the site. The applicant has requested relief from required building setbacks, landscape areas and landscape buffers in order to develop the site as proposed. The extent of the underground parking structure to 1 metre from the side lot lines allows minimal vegetation be planted above it, resulting in an amenity area that is hardscaped. Aside from the 0.8 metre and 1.4 metre landscape areas on the sides of the property, the 1.4 metre landscape area in front of the building, and the 2.5 metre landscape buffer to the south, the property will be completely covered with hard surface. Planning Staff acknowledge that the existing site at 1085 Clearview Ave. is primarily an asphalt parking lot; however, this existing situation does not set the standard for what is acceptable for a redevelopment proposal that contemplates residential use. The redevelopment of the site should improve on the existing site conditions to enhance the characteristics of the established neighbourhood. Landscape areas and landscape buffers which meet the minimum requirements as provided in the Zoning By-law should be provided to compliment greenspace in the existing neighbourhood and screen the proposed development. Due to the amount of hardscaped and asphalt surface area proposed, the development does not achieve compatibility with the existing low-density residential neighbourhood character in terms of coverage.

### Parking

The parking rate for the site has been provided in accordance with the minimum parking rate for apartment buildings in the *Burlington-City Wide Parking Standards Review* prepared for the City by IBI Group Inc. Transportation Staff has reviewed the proposed parking rate and is supportive of the parking rate of 1 occupant space per unit and 0.25 visitor parking spaces per unit. The development is proposed to have internal bike parking on the first level and in the underground parking area which will help to encourage active transportation. The proposed development does achieve compatibility with the existing neighbourhood character in terms of parking.

### Amenity Area

The existing neighbourhood has been developed at a low density with large greenspaces around most homes as well as mature trees on private property and public rights-of-way. All residents have access to private amenity area behind their homes. The proposed development will have 506 square metre outdoor amenity area at-grade, and each unit will have access to a private outdoor amenity area in the form of a patio, balcony or terrace. The total amenity area for the site is proposed to be 2,621 square metres including the at-grade outdoor amenity area, private balconies and terraces, as well as indoor amenity space. The required amenity area for the proposed development is 5,275 square metres as per the City's Zoning By-law and the proposed amenity area represents a 50% reduction to this requirement. The limited amenity area for the future residents is not consistent with the amenity area provided in the existing neighbourhood. Furthermore, the at-grade, common outdoor amenity area is proposed to be hardscaped. A hardscaped amenity is not consistent with the landscaped amenity areas in the surrounding neighbourhood. The reduced landscape buffer along the R2.1 zone boundary limits the ability to provide a deep, densely planted area of trees, shrubs other landscaping to provide privacy screening between the properties. Due to the insufficient landscape buffer proposed, the occupants of the rear-facing units of the proposed building may be able to overlook from their balconies into the rear yard amenity areas of the adjacent residential properties. The proposed development does not achieve compatibility with the existing low-density neighbourhood character in terms of amenity area.

**Staff Analysis:** In consideration of whether compatibility with the existing neighbourhood character is achieved in terms of Scale, Massing, Height, Siting, Setbacks, Coverage, Parking and Amenity Area so that a transition between existing and proposed buildings is provided, overall this criterion has not been met.

Policy 2.5.2 a) vi) – *“effects on existing vegetation are minimized, and appropriate compensation is provided for significant loss of vegetation, if necessary to assist in maintaining neighbourhood character”*

The surrounding neighbourhood is characterized as having a mature tree canopy both on private lots and public rights-of-way. The applicant proposes to remove all 25 existing trees on the subject lands and 22 of 25 public trees located along Masonry Court. The extent of the underground parking structure limits the ability to replace the removed trees on-site. Any trees planted within the area of the underground parking structure will need to be removed in the future if maintenance is required to the parking structure. The removal of mature vegetation and the limited soil volumes of the landscape areas to plant replacement trees along the property lines does not assist in maintaining neighbourhood character.

**Staff Analysis:** This criterion has not been met.

Policy 2.5.2 a) vii) – *“significant sun-shadowing for extended periods on adjacent properties, particularly outdoor amenity areas, is at an acceptable level”*

The sun shadow study provided by the applicant has been reviewed by staff within the context of the established neighbourhood. The shadow study shows shadowing on the properties directly south of the development on the west side of St. Matthew’s Ave after 6:30pm in June. In March and September sun shadowing is shown on properties directly south of the subject lands on the west side of St. Matthew’s Ave. and properties on the east side of St. Matthew’s Ave. from 5:30pm and onwards. In December, properties on the east side of St. Matthew’s will be impacted by shadow from 2:30pm onwards. The sun shadow cast by the development on adjacent properties and their outdoor amenity areas is acceptable.

**Staff Analysis:** This criterion has been met.

Policy 2.5.2 a) viii) – *“accessibility exists to community services and other neighbourhood conveniences such as community centres, neighbourhood shopping centres and health care”*

The proposed development is in proximity to Plains Road and Waterdown Road, which is primarily designated as a mixed-use corridor in the City’s Official Plan where commercial development exists including retail, office, service commercial, and restaurants. Community gathering spaces such as St. Matthew’s-on-the-Plains Anglican Church, Aldershot Pool and Aldershot Arena are located within a reasonable distance from the site.

**Staff Analysis:** This criterion has been met.

Policy 2.5.2 a) ix) – *“capability exists to provide adequate buffering and other measures to minimize any identified impacts”*

A “landscape buffer” is defined in the City’s Zoning By-law as: *“The area of a lot which serves to provide separation and to partially obstruct the view of adjacent land uses by means of a dense landscape screen consisting of evergreen trees or a combination of solid screen fencing with evergreen or deciduous trees, shrubs or berms.”* The intention of requiring a landscape buffer between high and low density uses is to provide a respectful amount of separation between at-grade uses and to reduce the likelihood of privacy intrusion through overlook from occupants of taller residential buildings. As noted earlier in this report, the extent of development proposed on the site has resulted in a reduced landscape buffer abutting the residential lands to the south. A 6 metre landscape buffer is required by the City’s Zoning By-law and a 2.5 metre landscape buffer is proposed. Due to the lack of space remaining for large vegetation such as trees to mature and provide visual screening, the development’s massing will be highly visible from the lands located to the south, east, and west. Privacy in rear yard amenity areas may be compromised by overlook from occupants of the proposed building if a dense landscape buffer cannot be provided. The development’s at-grade outdoor amenity area and parking area will also not be adequately separated from adjacent properties due to this reduced landscape buffer.

**Staff Analysis:** This criterion has not been met.

Policy 2.5.2 a) x) – *“where intensification potential exists on more than one adjacent property, any re-development proposals on an individual property shall demonstrate that future re-development on adjacent properties will not be compromised, and this may require the submission of a tertiary plan, where appropriate”*

The applicant has assembled the parcels at 1086 and 1090 St. Matthew’s Avenue, and therefore the development does not compromise the potential redevelopment of adjacent lands.

**Staff Analysis:** This criterion has been met.

Policy 2.5.2 a) xi) – *“natural and cultural heritage features and areas of natural hazard are protected”*

There are no identified areas of natural hazard or cultural heritage features on the subject lands.

**Staff Analysis:** This criterion is not applicable to the subject lands.

Policy 2.5.2 a) xii) – *“where applicable, there is consideration of the policies of Part II, Subsection 2.11.3, g) and m)”*

Part II, subsection 2.11.3 g) does not apply to the subject lands as the lands do not contain part of a regulatory floodplain. Part II, subsection 2.11.3 m) applies to the lands due to their location in the South Aldershot Planning Area. The applicant's functional servicing report has indicated that capacity exists in the existing storm sewer to accommodate flows from the existing and proposed development. However, Planning Staff feel that the required landscape areas and buffers should be provided in order to allow for low-impact development techniques with regard to stormwater management.

**Staff Analysis:** This criterion has been met.

*Policy 2.5.2 a) xiii) – “proposals for non-ground oriented housing intensification shall be permitted only at the periphery of existing residential neighbourhoods on properties abutting, and having direct vehicular access to, major arterial, minor arterial or multi-purpose arterial roads and only provided that the built form, scale and profile of development is well integrated with the existing neighbourhood so that a transition between existing and proposed residential buildings is provided”*

The proposal is located at the periphery of the northern portion of the residential neighbourhood, having frontage on Masonry Court. However, it can also be considered located within the existing neighbourhood as it has frontage on the cul-de-sacs of both Clearview and St. Matthew's Ave. None of the three street frontages which abut the property are identified in Schedule J of the City's OP as either major arterial, minor arterial or multi-purpose arterial roads, and are therefore considered local roads. The development is proposed to have one vehicle driveway to Masonry Court, and no vehicle access to either Clearview Ave. or St. Matthew's Ave. Masonry Court, while considered as a local road, provides direct access to the Aldershot GO Station and must be considered as a roadway that accommodates more than just local traffic.

The situation of the lot in the context of this road network means that significant consideration must be given to ensure that the built form, scale and profile of any proposed development is context sensitive and transitions well to the existing residential neighbourhood. Official Plan policy 2.5.2 a) v) was reviewed earlier in this report, and Planning Staff determined that the proposed building and site design do not represent a compatible transition to the existing established neighbourhood. Planning Staff are therefore not satisfied that the built form, scale, and profile of the development adequately addresses the context of being located adjacent to these local roads.

**Staff Analysis:** This criterion has not been met.

*Conclusion:*

The subject lands are identified as being within an MTSA according to A Place to Grow: Growth Plan for the Greater Golden Horseshoe; therefore, Planning Staff are generally supportive of intensified residential development on the subject lands. However, the

built form and site design proposed through this application pose significant compatibility concerns with respect to the transition to the established residential neighbourhood located to the south, east, and west. Policy 4.7 of the PPS identifies that the official plan is the most important mechanism for the implementation of provincial policy, and Section 5.2.5.6 of the Growth Plan requires that municipalities develop and implement urban design and site design policies within their Official Plan and supporting documents that direct the development of a high quality public realm and compact built form. Planning Staff have reviewed the application in consideration of the City's OP policies for housing intensification. The proposed building does not successfully meet critical housing intensification evaluation criteria provided through these policies and is therefore not supported by Planning Staff.

### ***Urban Design***

With re-development and intensification being the dominant form of development in the City of Burlington, a thorough review of proposed building design and site designs is recognized as a critical component of the evaluation of development applications.

Part II, Section 6 of the City's Official Plan provides specific reference to ensuring that the design of the built environment strengthens and enhances the character of existing distinctive locations and neighbourhoods, and that proposals for intensification and infill within existing neighbourhoods are designed to be compatible and sympathetic to existing neighbourhood character. The objectives of this section of the OP also include a commitment to the achievement of high quality design within the public realm. Consideration of urban design is to be integrated into the full range of decision-making activities by Planning Staff.

The City has prepared design guidelines that relate to various building typologies. Part 2, Section 6.6 c) states: "...*Any City Council-approved design guidelines are considered City policy and shall be implemented for all public or private development proposals*". Planning staff refer to design guidelines throughout the development review process in order to critically examine the design performance of private development proposals in reference to the design objectives of the OP. Applicants are expected to adhere to the relevant design guidelines when preparing their development proposals. Burlington City Council has approved Design Guidelines for Mixed-Use and Mid-Rise Residential Development, which apply to the proposed development on the subject lands.

The City's OP Design policies also allow for the establishment of an outside body of design professionals to advise on issues of design (Part II, Section 6.6 d). The Burlington Urban Design Review Panel reviews development applications and provides urban design advice to Staff for applicants to consider before submitting a formal application. The proposed development was reviewed by the Burlington Urban Design

Review Panel prior to the application being submitted and comments from the panel have been included in the Technical Review section of this report.

Planning staff has completed the following review of the proposed development application in consideration of the Council approved Design Guidelines for Mixed-Use and Mid-Rise Residential Development.

### City of Burlington Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings

The City's Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings (herein after referred to as the "Mid-Rise Guidelines") were approved by Burlington City Council on March 5, 2019. The intent of the Mid-Rise Guidelines is to implement the City's Official Plan objectives and policies for Design (Part II, Section 6), specifically as they relate to buildings that are 5 to 11-storeys in height. The Mid-Rise Guidelines recognize that the built form of mid-rise developments can assist in transitioning from lower density neighbourhoods to more intense communities and create a vibrant public realm and comfortable pedestrian environment. The proposed development on the subject lands is a 6-storey residential building, and the Mid-Rise Guidelines shall apply. After the approval of the Mid-Rise Guidelines in March of 2019, they were discussed with the applicant, and the revised development proposal for this site was submitted on May 27, 2019.

The Mid-Rise Guidelines are broken down by main the components of a mid-rise building being the Lower Building and the Upper Building. Together, these components address all aspects of a building; however, not all guidelines will apply to every building. Staff has completed a review of the proposed mid-rise residential building regarding the applicable guidelines for building placement, height and massing, street level design, site design and built form transitions.

### **Building Placement**

The placement of the building on a site influences the building design and expression, how the rest of the site functions, and how the building relates to the surrounding context. The following guidelines relate to building placement for the proposed development:

*2.1.1. In general, buildings should be placed parallel to streets or public open spaces (within or along the edge of the site) to frame and define these spaces. This will also increase the amount of private open space behind the building and separation from neighbouring properties.*

The building is placed parallel to Masonry Court to frame this space as the dominant streetscape leading to the Aldershot GO Station. The location of the building

predominantly along Masonry court increases the amount of open space behind the building and provides separation between the proposed building and neighbouring properties.

*2.1.2 Consider the building's orientation to maximize south-facing walls for optimal access to sunlight to habitable rooms and other environmental benefits such as energy conservation, solar access to open spaces or areas for stormwater management and planting.*

The building's overall length and orientation results in limited solar access for units on the north side of the building. According to the applicant's Shadow Study, the building massing and placement will result in the private patios at the front of the building experiencing shadow impacts until 1:30pm in June, until 2:30pm in March and September, and until 3:30pm in December.

The building's orientation also impacts the solar access of the common outdoor amenity area at-grade for afternoon and evening users. The common at-grade outdoor amenity area will be in shadow from 4:30pm and onwards in June, 3:30pm and onwards in March and September, and from 2:30pm and onwards in December.

*2.1.3 Placement should consider existing site conditions and look to retain and enhance certain features as assets such as mature trees and topography.*

The majority of the existing site is asphalt with most mature trees located on the residential lots along St. Matthew's Ave. and on the public right-of-way along Masonry Court. The development is proposed to have an underground parking structure that is 1.1 metres from the north property line, 1.0 metres from the east and west property lines, and 3.2 metres from the south property line. These extents require the removal of all 25 on-site trees, and 22 of 25 trees along the Masonry Court right-of-way. A modified development that retains more mature trees, notably City-owned trees along Masonry Court, is preferred by Planning Staff.

*2.1.6 Where there is no consistent pattern of street setbacks, the building should be set back to create a boulevard that can accommodate wider sidewalks, street trees, landscaping, and active uses to establish a more pedestrian oriented relationship between the building and the sidewalk.*

There is no consistent pattern of street setbacks established along the south side of Masonry Court. The shallow 2.5m building setback along Masonry Court and the narrow 1.4m landscape strip separating the private patios from the public realm does not provide enough room to create a boulevard that can accommodate wider sidewalks, street trees, landscaping, and active uses. The proposed building placement close to

this property line does not assist in achieving a more pedestrian oriented relationship between the building and the street.

*2.1.7 Where a building includes residential uses at grade, they should be differentiated from any active or non-residential uses through additional setbacks. Front yards should incorporate landscaping and enclosure to provide privacy to individual units.*

The proposed building has only residential uses at grade. While it is therefore not necessary for there to be a differentiation of uses along the building wall through additional setbacks, the whole building must be setback adequately to ensure privacy for the at-grade residential uses. The reduced building setback of 2.5 metres and 1.4 metre setback of the residential at-grade patios to the property line along Masonry Court does not allow for enough room to incorporate landscaping and enclosures to provide privacy screening for these units.

*2.1.9 All buildings should have a public front ("face") and private back. Buildings should not expose their back onto the front of a neighbouring building to minimize impacts such as "back of house" activities on adjacent properties*

The front of the proposed building is oriented to the public realm of Masonry Court. The back of the building and property is primarily designated for surface parking, garbage loading and removal, and common outdoor amenity space for the building occupants. However, the site is bound by local roads, Clearview Ave. and St. Matthew's Ave., and residents of these streets may be exposed to the "back of house" activities on the property if the development is not appropriately screened with fencing and dense vegetation. The landscape areas abutting Clearview Ave. and St. Matthew's Ave. are too narrow and encumbered by the underground parking structure to provide adequate room to plant dense vegetation to screen the views and sounds of back of house uses from the residents of these streets.

### **Built Form: Height & Massing**

The height and massing of a building are critical to determining the impact a building will have on adjacent properties. Therefore, mid-rise buildings like the one proposed in this development, must respond with sensitivity to the surrounding context.

*2.3.1 When deciding on lower building height and massing consider the following:*

- *the permitted minimum and maximum heights set out in the Official Plan and Zoning By-law;*

The maximum height for a dwelling in the existing R2.1 zoning is 2 storeys to a maximum of 10 metres. The proposed RH1 zoning provides a maximum height

of 6 storeys. The proposal represents a height increase of 3.5 storeys beyond what is currently permitted.

- *the physical character of the surrounding area including the height and scale of adjacent buildings and the immediate streetscape;*

The existing physical character to the south, east, and west of the site is low-rise residential with building heights ranging from one to two storeys. The proximity of the Aldershot GO Station and location within a MTSA requires that appropriate intensification in a compact built form be accommodated in the redevelopment of the property to encourage transit use. To the north, there is an approved high-density development at 101 Masonry Court which includes two 6-storey apartment buildings and a variety of townhouses. While the proposed 6-storey building height of the proposed development mirrors the height of the approved high-density development across the street, the proposed building is to be 3 metres taller. The proposed development does not provide a physical separation in the building to break up the length and massing, whereas this has been accomplished on the approved development across on the north side of Masonry Court. The proposed building also does not respond adequately to the existing low density neighbourhood to the south. While the 2-storey building base on the east side of the building assists in transitioning the massing to the context of St. Matthew's Ave., these height transitions have not been replicated along the west side of the building to relate to the context of Clearview Ave. The physical scale of the 6-storey building spans the length of a neighbourhood block and is significantly greater in massing than the existing low-rise residential uses in the surrounding context. On the north side of Queen Mary Ave., south of the site, there exists 7 residential dwellings along the length of the block. There needs to be a physical separation of the building massing on this site to have the proposed building better relate to the scale of the surrounding context.

- *the views into, out of, and through the site;*

The building length of 113 metres does not allow for views into the site from Masonry Court, except along the sides of the building wall. The building length limits views out of the site from the rear of the property, and the building height proposed, when combined with the overall length, does not allow sky views out of the site or from Masonry Court. Similarly, from adjacent properties to the south, east, and west, the building height and length proposed limits views through the site to the north and negatively impacts sky-views in this direction.

- *the potential shadowing impacts on neighbouring properties and adjacent public spaces – taller elements should be arranged accordingly;*

Shadowing impacts on neighbouring low-density residential properties are acceptable, however the placement of the 4 metre tall rooftop mechanical

penthouse close to the rear of the building causes more shadowing than necessary and impacts could be improved by moving it towards the centre of the building. The shadowing impacts on the public realm of Masonry Court caused by the building length of 113 metres, building setbacks, and proposed building height of 6-storeys are not acceptable. The public realm of Masonry Court, which will lead pedestrian traffic to the south side of the Aldershot GO Station, will be in shadow until 1:30pm in March and September, and until 3:30pm in December. The December shadow impacts are the most significant because the sun generally sets around 4:45pm which would result in solar access for only 1 hour and 15 minutes along the Masonry Court frontage at this time of year.

The private outdoor amenity area in the rear of the building is also negatively impacted by sun shadow cast by the proposed building in the afternoon and evening hours, notably 4:30pm and later in March and September, and 5:30 and later in June.

- *the micro-climate (particularly impacts created by wind); and*  
A wind impact study was not required for this development. The micro-climate of the public realm along Masonry Court will be impacted by the significant sun shadowing caused by the building length and height as described above.
- *the relationship of the building height to building depth and lot width. Use site characteristics such as width (narrow or wide), depth (deep or shallow) and number of frontages to inform an appropriate built form.*

The proposed building replicates the lot configuration of the subject lands which are shallow and wide. The proposed building height is 6 storeys and in order to achieve this height while respecting at 45-degree angular plane to the residential uses to the south, the building has been pushed towards the Masonry Court frontage, resulting in an insufficient setback between the public realm and the at-grade residential units and their outdoor patios. If the upper storeys of the proposed building were stepped back further on the south side, the building could be moved back onto the property while still respecting the 45-degree angular plane.

### 2.3.2 *Design buildings so that the massing reinforces the street edge.*

There is no defined street edge along the south side of Masonry Court, however through this proposal, the applicant is attempting to define this street edge. The proposed building setback to Masonry Court is not acceptable to define the street edge since there is not adequate space to provide privacy to the at-grade residential uses. The existing street edge along St. Matthew's Ave. has been reinforced by the 2-storey building height on the east side of the building at a setback that replicates the residential setbacks on this street. The existing street

edge for Clearview Ave has not been replicated through the massing on the west side of the building.

*2.3.3 In general, a building's form should reflect the existing and planned context in terms of street character (including the planned street function and right-of-way width), land use, and built form.*

The lands are located along Masonry Court close to the Aldershot GO Station, and therefore, a high priority is placed on accommodating active transportation uses including walking and cycling. The pedestrian experience along Masonry Court needs to be carefully considered in this context. The negative impact on the pedestrian realm from the proposed building's length and massing has been discussed above. The uses at-grade along Masonry Court are proposed to be individual residential units with at-grade patios between the building and the public realm of Masonry Court. However, private uses such as these should not be relied upon to animate a street. Rather, the intermediate space between the public realm sidewalk and the building should be generous enough to accommodate vegetative plantings and street furniture to enhance the pedestrian experience, while also providing sufficient area for privacy screening for the private at-grade uses. The building is proposed to be setback 2.5 metres from Masonry Court and the associated patios are proposed to be setback 1.4m from Masonry Court. The proposed building setback of 2.5 metres, including a landscape strip of 1.4 metres in front of the at-grade patios is too shallow to adequately separate the public realm from the private residential patios. The result of these setback deficiencies is that residential users may feel uncomfortable with the proximity of pedestrian traffic, and public users may feel a sense of intrusion into private residential spaces. Additionally, a lack multiple of common building entrances along the front façade does not encourage pedestrian access or building permeability.

*2.3.5 Where a streetwall is not established, the streetwall for new mid-rise buildings should be limited to a height of 80% of the street width (up to a maximum of 6-storeys) with additional storeys stepping-back a minimum of 3 metres above the streetwall to maintain a humanscale and minimize shadowing.*

The street width of Masonry Court 20 metres. Eighty percent of the street width at Masonry Court is therefore 16 metres. The top of the fifth-floor of the propose building is 16 metres in height. The building is proposed to have a stepback of 2.3 metres to the sixth-floor building wall which, while not providing the recommended 3 metres, adequately achieves the intent of this guideline in the context of the proposed building.

*2.3.6 In general, the building should not exceed a length of 60.0 metres apart from L-shaped building forms. Longer buildings, approaching and exceeding 60.0 metres, should either be broken up physically or visually using architectural and design elements that sufficiently differentiate the building mass to appear as separate building forms. This should include step-backs, colour and material variations, and unique building articulation. [and]*

*2.3.7 Pushing (projecting) and pulling (recessing) building volumes from the main building form is encouraged to help break down the mass of larger buildings.*

The metric of the 60 metre building length for mid-rise development is informed by best practices in urban design to ensure that building massing does not limit access to sunlight at the street level, that sky views are maintained, and that the buildings and sites have a high degree of physical permeability and visual interest for at-grade users in the public realm. The proposed building nearly doubles the maximum building length indicated by the City's Mid-Rise Guidelines. The applicant has indicated that they have incorporated additional architectural detailing and façade recessions to the building elevations to address the building length and reduce the overall massing (See Appendix C). However, the architectural treatments described by this guideline are expected on any mid-rise building, not just buildings which approach or exceed 60 metres in length. Planning Staff do not agree that the efforts made by the applicant to address the building length have mitigated the massing of the proposed building.

The building does not propose adequate pushing and pulling of building volumes to break down the mass of the building. Architectural techniques such as these cannot adequately reduce massing along building walls that nearly double the recommended building length or compensate for the loss of sky views from the public realm on Masonry Court and the residential neighbourhood to the south. The applicant has not achieved the intent of this guideline with regard to building length, and the result is a building with massing that is incompatible with the surrounding context.

As an example of a preferred massing, the approved development at 101 Masonry Court, north of the subject lands, includes a 6-storey apartment building form along the street edge which is more in keeping with the intent of this guideline. The apartment building at 101 Masonry Court is a total of 112 metres in length, however the building has been physically divided by creating two 46.7 metre long residential buildings separated by a distance of 18.6 metres. Within the 18.6 metre separation is a 10 metre wide, 2-storey amenity area building with corridor connections to the adjacent apartment buildings at the first and third

storeys. This amenity area building is recessed from the front of the apartment building by 2.7 metres.

*2.3.10 Stepping back upper level building volumes is encouraged to assist with transitions between neighbouring buildings with lower heights.*

The east side of the building has been treated to relate to the 2-storey building heights along St. Matthew's Ave. A similar treatment has not been applied to the west side of the building along Clearview Ave. The majority of the rear of the building has been setback 21.7 metres from the property line abutting the R2.1 zone to the south and the sixth floor is setback 24 metres. The building fits within the 45-angular plane, however the minor building wall stepback on the sixth floor along the length of the building does not adequately reduce the overall building massing perception from the neighbouring residential properties. Building wall stepbacks combined with building separation would assist in achieving the intent of this guideline.

*2.3.11 A variety of scales, colours and textures should be used to create visual interest across the building façades.*

The applicant has used building material treatments such as a variety of scales, colours and textures to attempt to break up the massing of the building and create visual interest along the façades. While these measures do create visual interest, they are not adequate to break up the large building massing.

*2.3.12 The height and massing of the building should ensure a minimum of five hours of consecutive sunlight on the sidewalk across the street at the spring and fall equinoxes (approximately March 21 and September 21, respectively).*

The proposed building is able to provide 5 hours of sunlight on the north side of Masonry Court during March and September.

### **Street Level Design, Façade Articulation & Materials**

A positive relationship between the public and private realm adjacent to a mid-rise building is impacted by how the building addresses the street. The function and design of the ground floor spaces greatly influences how a building performs in this regard. The proposed building contemplates residential uses at grade along Masonry Court and a review of the applicable guidelines as they relate the ground floor residential uses is provided below:

*2.4.9 Design the main entrance to be clearly distinguishable from other entrances through its architectural design and treatment, high visibility, wayfinding and direct pedestrian access [and]*

*2.4.11 Emphasize grade-related entrances with high quality landscape design [and]*

*2.4.15 The location of building entrances should consider the location of adjacent transit stops.*

The building is proposed to have one main building entrance from the public realm of Masonry Court located at the eastern end of the building in close proximity to the Aldershot GO Station. This main building entrance is not readily distinguishable in terms of architectural treatment to give it a distinctive look compared to recessed patios for the residential units at-grade. The applicant has not provided detailed landscape plans to show how the main entrance would be enhanced with landscape design, however the reduced building setback proposed does not leave a sufficient area for enhanced landscaping around the main entrance.

*2.4.13 Where there are residential uses on the ground floor, design their principal entrance from the street. An elevated grade difference is appropriate to increase privacy for the building occupants, however, the change in grade from the public sidewalk to the front entrance should balance between privacy and maintaining an appropriate relationship to the street. Additionally, privacy should be considered through careful landscaping such as low fencing/walls, raised planters, railings and lighting to clearly define the public, semiprivate and private spaces.*

The building is proposed to have residential units at-grade. No grade change for the associated at-grade patios for these units has been depicted. The applicant's Soil Volume Plan has calculated soil volume areas for landscaping immediately in front of the at-grade private patios along Masonry Court by including lands which are located in the public right-of-way. The inclusion of public lands in the soil volume calculation for these landscape areas immediately next to the proposed at-grade residential patios demonstrates that the landscaping proposed in these areas cannot be supported within the reduced 1.4 metre landscape area along the Masonry Court frontage. Therefore, the proposed 1.4 metre landscape area in front of these at-grade patios is not sufficient to provide enhanced privacy measures such as those listed by this guideline and clear definition of the public and private realms.

As an example of a preferred relationship to the street, the approved 6-storey residential building north of the subject lands at 101 Masonry Court also provides at-grade outdoor patios abutting this street. This building is setback 5 metres from the front lot line along Masonry Court with the patios setback 3 metres. The

increased setback of these patios at 101 Masonry Court provides additional space for privacy screening for the patios and better executes the intent of this guideline.

## **Site Design**

The design of a site with a mid-rise building is imperative to its ability to fit within the surrounding area and enhance the public realm. The following guidelines have been reviewed with regard to the site design elements of the proposed development:

*2.5.2 Pedestrian access should always be prioritized for the safety and enjoyment of residents and visitors. [and]*

*2.5.3 Reduce the number and width of vehicle access points to avoid conflicts between pedestrian and vehicle traffic.*

In their revised proposal, the applicant has reduced the number of vehicle entrances from two to one and this represents a positive change to the site design since it reduces the potential for vehicle and pedestrian interaction. The building design is proposed to have one pedestrian entrance along the building frontage of Masonry Court. Multiple common entrances to the building along Masonry Court would improve pedestrian access to the building.

*2.5.9 Most on-site parking should be provided underground. In general underground or structured parking is encouraged before surface parking. [and]*

*2.5.10 Underground parking structures should not encroach into required landscape buffers to ensure the long-term viability of mature trees and vegetation. Where underground parking structures must unavoidably encroach beyond the building footprint or into a landscape buffer, provide a minimum depth of 1.0 metre of uncompacted soil below grade to support opportunities for tree planting and other landscaping along the streetscape.*

The development proposes 154 vehicle parking spaces in one level of underground parking and 50 surface parking spaces. The majority of the on-site parking is therefore provided underground. However, the surface parking provided requires landscape areas and buffers that are reduced from what is required by the Zoning By-law for the proposed RH1 zone. The reduced setbacks for the underground parking structure also significantly reduce the soil volumes for the landscape areas and buffers, and the resulting areas for landscaping such as mature trees and dense plantings are not sufficient to provide visual screening.

*2.5.12 Any surface parking areas visible from the street should be buffered and screened with high quality architectural elements, setbacks or landscaping.*

The proposed site design has placed parking along the west side of the property line visible from Clearview Ave. The setback to this parking area is 0.8m from the Clearview Ave. right-of-way. This reduced setback is not appropriate because it results in narrow landscaping area that is not sufficient to provide vegetative screening to obstruct the view of this parking area from Clearview Ave.

### **Built Form: Transitions**

Buildings should respond to their context to ensure high quality design outcomes. In situations where there is a transition between low-rise and mid-rise built forms, transitions should be used to address potential impacts related to building height and massing such as shadowing and overlook on neighbouring properties. This section of the Mid-Rise Guidelines is geared to design standards for the upper building. While the proposed building does not have a definitive upper and lower building, the applicable guidelines from this section have been reviewed as they relate to the proposed development. Guidelines 3.1.1 and 3.1.2 have been addressed in earlier analysis for Guidelines 2.3.1, 2.3.3, and 2.3.5. in this report.

*3.1.3 - Where the building is on a site that is transitioning to a low-rise residential neighbourhood area (including properties designated Residential – Low Density and – Medium Density, Natural Heritage System, Parks and Open Space) a 45-degree angular plane should be applied from the shared property line. The building form should fit entirely within this angular plane and utilize setbacks and step-backs to ensure any impacts related to the change in height, overlook, and shadowing are mitigated.*

The proposed building is situated 2.5 metres from Masonry Court in order to have the building fit within a 45-degree angular plane to the residential lot line to the south. However, as noted previously in this report, the front yard setback and landscape area abutting Masonry Court is not sufficient to separate the at-grade residential uses from the public realm. If the building were to be moved back on the site to improve the front yard setbacks, the 45-degree angular plane may be compromised and additional stepbacks on upper levels may be needed.

Overlook concerns remain, regardless of the success of the 45-degree angular plane for this site, due to the reduced landscape buffer abutting the low-density residential zone to the south.

*3.1.7 - Building tops and mechanical equipment should be designed to integrate with the overall architectural expression of the building. [and]*

3.1.10 - *Rooftop mechanical equipment should be architecturally screened from public view to protect or enhance views from other buildings and the public realm. [and]*

3.1.12 - *Rooftop mechanical equipment should be set back, on all sides, no less than 3.0 metres from the edge of the floor below, and where an angular plane applies, fit within all angular planes.*

While the mechanical penthouse located on the roof of the proposed building does fit within the 45-degree angular plane, it does not integrate into the overall architectural expression of the building because it has been treated with a uniform cladding. The mechanical penthouse is setback to not be visible from the public realm of Masonry Court, however it is only setback 1.5 metres from the edge of the floor below and will be highly visible from the surrounding residential neighbourhood.

*Conclusion:*

Planning Staff are supportive of residential intensification of this site due to the close proximity to the Aldershot GO Station, and a mid-rise building may be able to provide an appropriate transition to the existing low-rise residential neighbourhood and enhance the streetscape along Masonry Court. As stated previously, Policy 4.7 of the PPS identifies that the official plans are the most important mechanism for the implementation of provincial policy, and Section 5.2.5.6 of the Growth Plan requires that municipalities develop and implement urban design and site design policies within their Official Plan and supporting documents that direct the development of a high quality public realm and compact built form. The City's Official Plan provides implementation policy for Design which directs that any City Council-approved design guidelines are considered City policy and shall be implemented for all public or private development proposals. Therefore, any mid-rise mixed-use or residential building must adequately address the Council approved Mid-Rise Guidelines. Planning Staff are of the opinion that the proposed building does not adequately address critical elements of the City's Mid-Rise Guidelines and are not supportive of the development as proposed.

**City of Burlington Adopted Official Plan, 2018**

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

### **Aldershot GO Station Mobility Hub Area Specific Plan**

The subject lands are located within the proposed Aldershot Mobility Hub boundary. A pre-consultation meeting for the proposed development was held in May 2018 with the applicant and City staff. At this meeting, the applicants were advised of the draft Mobility Hub Study for Aldershot and that issues of height, density, and the planned function of the area were unknown. The pre-consultation notes state that the outstanding issues of height and density should be settled before site specific applications are considered for properties in the Mobility Hub.

On July 12, 2018 Mobility Hubs staff presented Report PB-65-18 to the City's Committee of the Whole (COW) which set out the draft precinct plans for the GO Station Hubs (Aldershot, Burlington and Appleby), and to receive Council feedback. The subject lands, with the exception of 1085 Clearview Ave., were identified as part of the Grove Park/St. Matthew's Neighbourhood Precinct which envisioned a low-rise built form. 1085 Clearview Ave. was identified as part of the Mid-Rise Residential Precinct. At the July 12, 2018 COW meeting, a motion was carried to direct staff to include both sides of Clearview Ave. in the Grove Park/St. Matthew's Neighbourhood, which would capture 1085 Clearview Ave. in this low-rise land use category. To date, the Mobility Hub Study and Area Specific Plan for the Aldershot GO Station area have not been completed.

### **City of Burlington Zoning By-law**

The subject property is zoned Low Density Residential (R2.1) in the City of Burlington's Zoning By-law No. 2020. The R2.1 zone permits detached dwellings, as well as one accessory dwelling unit per dwelling subject to certain provisions.

The Zoning By-law Amendment proposes to rezone the property to Residential High Density (RH1). The RH1 zone permits apartment buildings, stacked and back-to-back townhouse, street townhouses, retirement homes, community institutions, as well as a lodge, fraternity, or private club. The applicant has also proposed certain site-specific zoning regulations to the RH1 zone for the development. The table below details the zoning requirements and the site-specific modifications to the RH1 zone that have been requested to facilitate the development, as proposed. Planning Staff have provided comment on the requested amendments to the RH1 zone.

Table 1: RH1 Zone Requirements and Proposal

Regulation	Requirement of RH1 Zone	Requested through Revised Proposal	Amendment Required
Density	50-75 units/ha	258 units/ha	<b>Yes</b>
<b>Comment:</b> An increase in density may be appropriate on this site given the location within a MTSA, but it must be facilitated in a built form that provides a compatible transition to the adjacent R2.1 zone.			
Height	6 storeys max.	6 storeys	No
Lot Width (shortest side)	30m	45.7m	No
Lot Area	0.2ha	0.627 ha	No
Yard Abutting:			
Masonry Crt.	7.5m	L1-L4: 2.5m L5: 3m L6: 5m to wall, 3m to terrace	<b>Yes</b>
<b>Comment:</b> The reduced setback to Masonry Court does not provide enough separation between the at-grade residential units and their amenity areas to the public realm along Masonry Court. This reduction is <u>not</u> supported by Staff.			
Clearview Ave.	7.5m	L1-L4: 17m to wall, 15.3m to balconies L5: 22m to wall, 17m to terrace L6: 22 to wall, 20.6 to balconies	No
St. Matthew's Ave.	7.5m	L1-L2: 5.9m to wall, 5m to balconies L3-L4: 11m to wall, 7m to L3 terrace L5: 14.2m to wall, 11m to terrace L6: 19.5m to wall, 14.2m to terrace	<b>Yes</b>
<b>Comment:</b> The reduced setback to the yard abutting St. Matthew's Ave. for the two storey portion of the building is appropriate because it replicates established setbacks for existing dwellings on this side of the street. Balconies above the first storey are permitted in the front yard for detached residential buildings, and therefore, Planning Staff can support the request for second level balconies in this yard. The level 3 terrace setback represents a minor reduction to the required setback and is acceptable. These reductions are supported by Staff.			
R2.1 Zone	15m	L1: 13m	<b>Yes</b>

Regulation	Requirement of RH1 Zone	Requested through Revised Proposal	Amendment Required
		L2: 15m to wall, 13m to balcony L3: 21.8m to wall, 15m to terrace L4-L5: 21.7m L6: 24m to wall, 21.7m to balconies	
<p><b>Comment:</b> The requested reduction to the first storey is appropriate since it facilitates a building height that is compatible with the existing dwellings on St. Matthew's Ave. The requested reduction to the rear balcony for level two is not appropriate because balconies above the first storey are not permitted in the rear and side yards of detached residential buildings for privacy concerns. This portion of the building is not context sensitive to the detached residential buildings on St. Matthew's Ave. The reduced setback to level one is supported by Staff, but the reduced setback to the level two balcony is <u>not</u>.</p>			
Amenity Area	25m <sup>2</sup> per bedroom (113 1bdm x 25m <sup>2</sup> ) + (49 2bdm x 25m <sup>2</sup> x 2) = 5,275m <sup>2</sup>	16.1m <sup>2</sup> per unit = 2,621m <sup>2</sup>	<b>Yes</b>
<p><b>Comment:</b> The amenity area is proposed to be reduced by 50% from what is required by the Zoning By-law. Future residents of the proposed development should be provided with amenity area, notably outdoor amenity area, which is consistent with and compatible to the amenity areas of the surrounding neighbourhood. Planning Staff do <u>not</u> support the proposed reduction to the required amenity area.</p>			
Landscape Area Abutting a Street:			
Masonry Crt.	4.5m	1.4m	<b>Yes</b>
<p><b>Comment:</b> The reduction to the required landscape area abutting Masonry Court is not acceptable as it does not allow for adequate landscape screening and separation between the public realm along the street and the at-grade units and their respective private outdoor patios. Planning Staff do <u>not</u> support the reduced landscape area abutting Masonry Court.</p>			
Clearview Ave.	4.5m	0.8m	<b>Yes</b>
<p><b>Comment:</b> The proposed reduction to the landscape area abutting Clearview Ave. is not acceptable as this side of the property contains the main driving aisle into and out of the property, 10 vehicle parking spaces, the exhaust vent for the underground parking structure, a transformer, and the loading space for garbage trucks and other service vehicles. Planning Staff do <u>not</u> support the reduction to the landscape area abutting Clearview Ave.</p>			

Regulation	Requirement of RH1 Zone	Requested through Revised Proposal	Amendment Required
St. Matthew's Ave.	4.5m	1.4m	<b>Yes</b>
<p><b>Comment:</b> A reduction in the landscape area abutting St. Matthew's Ave. may be acceptable since this side of the building contains passive uses such as unit entrances and walkways. Planning Staff are prepared to support a reduction to the landscape area abutting St. Matthew's Ave. provided that the 1.4m landscape area is widened to include the amenity area strip east of the private walkway, resulting in landscape area 4 metres in width. A landscape area of 4 metres on this side of the property would replicate existing front yard setbacks for residential dwellings on this side of St. Matthew's Ave. As currently proposed, the reduced landscape area abutting St. Matthew's Ave. is <u>not</u> supported by Planning Staff.</p>			
Landscape Buffer Abutting a R2.1 Zone	6m	2.5m at grade 3.2m to underground parking structure	<b>Yes</b>
<p><b>Comment:</b> The landscape buffer abutting the R2.1 zone is a critical component of ensuring a compatible transition between a higher density residential use on the subject lands and the low density residential uses in the surrounding established neighbourhood. The proposed reductions to the landscape buffer do not assist in providing adequate separation between the at-grade uses of the subject lands and the adjacent low-density residential properties. The proposed landscape buffer reductions also do not assist in achieving a dense screening of tall trees and other vegetation to block views of the proposed building from the surrounding neighbourhood, and to address privacy concerns due to overlook into adjacent backyards. Planning Staff do <u>not</u> support the requested reductions to the landscape buffer at-grade and the location of the underground parking structure at the setback requested along the rear property line.</p>			
Underground Parking structure setback to street lines:			
Masonry Crt.	3m	1.1m	<b>Yes</b>
Clearview Ave.	3m	1.0m	<b>Yes</b>
St. Matthew's Ave.	3m	1.0m	<b>Yes</b>
<p><b>Comment:</b> The proposed reductions to the setback of the underground parking to these lot lines impacts the ability to provide landscape areas that could allow the long-term maturation of trees. Planning Staff do <u>not</u> support the reduced setbacks of the underground parking structure along Masonry Court, Clearview Ave. and St. Matthews's Ave.</p>			
Parking	1.25 per 1bdm 1.5 per 2bdm 0.35 visitor per unit 1 loading space	1.0 per unit 0.25 per unit – visitor	<b>Yes</b>

Regulation	Requirement of RH1 Zone	Requested through Revised Proposal	Amendment Required
	$1.25 \times 113 = 142$ $1.5 \times 49 = 74$ Occupant = 216 $0.35 \times 162 = 57$ Visitor = 57 Loading = 1  Total Required = 273 spaces	$1.0 \times 162 = 162$ Occupant $0.25 \times 162 = 41$ Visitor = 203  Total Proposed = 204 spaces	
<p><b>Comment:</b> The proposed parking rate is acceptable given the location of the property in close proximity of the Aldershot GO Station and the proposed Transportation Demand Management measures indicated by the applicant in their Transportation Impact, Parking, and TDM Study. Transportation Planning Staff are supportive of the reduced parking rate, therefore Planning Staff can support the requested parking reduction.</p>			
Accessible Parking	$216 \times 3\% = 7$ $57 \times 3\% = 2$ Required = 9 accessible spaces	$162 \times 3\% = 5$ $41 \times 3\% = 2$ 7 spaces	No (if parking rate is approved)
Setback from window of habitable room on first level to driveway or parking space	9m to driveway 6m to parking space	3.5m to driveway on west side	<b>Yes</b>
<p><b>Comment:</b> The proposed setback of unit windows to the driveway on the west side of the building is acceptable as the windows will be separated from the driveway by a landscape area and sidewalk. Planning Staff can support the requested setback reduction.</p>			
Driveway and Parking Spaces setback from R2.1 zone	6m	2.5m	<b>Yes</b>
<p><b>Comment:</b> The parking spaces along the south end of the property are proposed within an area which should be dedicated as a landscape buffer. The proximity of these parking spaces does not represent a compatible transition to the low-density residential properties to the south. Planning Staff do <u>not</u> support the requested setback reduction for parking spaces abutting the R2.1 zone.</p>			

Regulation	Requirement of RH1 Zone	Requested through Revised Proposal	Amendment Required
Parking lot setback abutting a street – Clearview Ave.	4.5m	0.8m	<b>Yes</b>
<b>Comment:</b> The parking spaces proposed along the west side of the property are proposed within an area that should be dedicated as a landscape area. Staff do not support the reduction of the landscape area along this property line and therefore do <u>not</u> support the reduced setback of these parking spaces to Clearview Ave.			
Number of Driveways	1	1	No

*Conclusion:*

Given the extent of the zoning modifications to the RH1 zone requested to facilitate the development as proposed, Planning Staff is not in support of the application for Zoning By-law Amendment for the subject lands.

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**Technical Review**

The supporting documents for the Official Plan Amendment and Zoning By-law Amendment application were circulated for review to internal departments and external agencies in February 2019 and in late May 2019. The following comments have been received with respect to this application:

**Canada Post**

Canada Post has provided no objections to the application and note that the building will be required to provide centralized, rear-loading mailboxes for delivery.

**Halton Catholic District School Board (HCDSB) and Halton District School Board (HDSB)**

The HCDSB and HDSB have provided no objections to the application and have indicated that students generated from the proposed development may be accommodated in schools within the catchment area. The HCDSB and HDSB have provided standard conditions for subsequent agreements such as Site Plan and Condominium.

**Finance**

The City's Finance Department has provided no objections to the application.

## **CN Rail**

CN Rail has provided comment on the development as the site is located within 300 metres of CN's principle main line and within 1,000 metres of the Aldershot yard. CN Rail provided a copy of their development standards for projects in proximity to their rail lines, which were forwarded to the applicant by City Staff. CN Rail has indicated that they will require the registration of a development agreement and environmental noise easement for the development. The noise study submitted by the applicant was reviewed by CN Rail's peer reviewer Jade Acoustics. The peer review indicates that, based on the study submitted, they cannot conclude that the sound level limits are being achieved for the proposed development without mitigative measures. The peer review document recommends that the noise study be updated to address the outstanding comments and concerns.

## **Ministry of Transportation (MTO)**

The Ministry of Transportation has reviewed the application and have indicated that the subject lands are outside of the Ministry's permit control area and MTO permits are not required.

## **Metrolinx**

Metrolinx has commented on the application and requires an update to the noise study to recognize use of diesel trains for GO Trains. The agency has also provided comment that the location of the proposed driveway access, Metrolinx access road, and multi-use path be coordinated between the applicant, the City and Metrolinx. The agency has required that a warning clause be inserted into all development agreements, offers to purchase and agreements of Purchase and Sale or Lease of each dwelling unit within 300 metres of the railway right of way.

Metrolinx has requested to review the applicant's Transportation Impact Study to ensure that the future access roads to Metrolinx property have been included in the analysis. The agency has required that the owner grant an environmental easement in favour of Metrolinx for operational emissions, registered on title against the subject property. The agency has noted that the subject lands are located within the Primary Mobility Hub Zone (within 250 metres) of Aldershot GO Station, as per the September 2011 *Metrolinx Mobility Hub Guidelines*. Given the proximity, Metrolinx has recommended that appropriate connections on Clearview Avenue and St. Matthews Avenue are established to enhance connectivity from the subject lands to Aldershot GO Station.

## **Halton Region**

Halton Region has reviewed the applications within the context of Provincial Planning documents and the Regional Official Plan. The Region finds that the applications are

generally consistent with, and conform to, Provincial planning policy documents. Region Staff note that the lands are located in proximity of the Aldershot MTSA on Map 1 of the Regional Official Plan; however, the boundary and growth target for the MTSA have not been established as the Regional Municipal Comprehensive Review has not been finalized in accordance with the A Place to Grow: Growth Plan for the Greater Golden Horseshoe requirements.

Regarding the noise study submitted by the applicant, the Region relies on the comments from the railway authorities to determine potential impacts and implementation measures from these agencies. Regional Staff will be satisfied that the ROP policy with regard to noise impacts from activity on the adjacent railway corridor has been addressed when the applicant has satisfied all comments and concerns from the railway authorities. The Region will require an Air Quality Assessment at an appropriate stage in the development process for these lands. Regional Staff will require a Ministry of the Environment, Conservation and Parks (MOECP) approved Record of Site Condition (RSC) for the subject lands and require that a Holding Zone be applied to the property until this is received. The Region has indicated that there may be adequate water and wastewater services to accommodate the development, however connection to trunk wastewater mains require special review and permission is not always guaranteed. The Region has provided comment with regard to solid waste management and encourage the applicant to update their plans to accommodate Regional Waste collection services.

Halton Region offer no objections to the proposed amendments provided the applicant addresses the comments from the railway authorities with regard to the potential noise impacts, and that a Holding Zone be placed on the property until such a time as the applicant has submitted a MOECP acknowledged RSC to their satisfaction.

### **Parks and Open Space**

The City's Parks and Open Space staff has reviewed the application and requested that cash-in-lieu of parkland dedication be applied for this development. Comments received indicate a preference for sidewalk placement within the municipal boulevard, not curbside, along Masonry Court. Parks and Open Space staff have commented that they have concerns that the underground parking structure limits the ability to provide an adequate buffer to the surrounding neighbours and the streetscape.

### **Accessibility Coordinator**

The City's Accessibility Coordinator has commented that the applicant must provide the required number of both "Type A – Van Accessible" and "Type B" Barrier Free parking spaces as per the Accessibility for Ontarians with Disabilities Act, Design of Public Spaces Standards. Comment has been provided that the applicant must ensure that

one of the required accessible spaces is a visitor parking space designed to be a Type A – Van Accessible space. The accessible parking spaces should be connected to the main entrance by a continuous walkway. Changes are needed to the parking layout as the applicant has not shown Type A – Van Accessible spaces, all access aisles are to be 2 metres in width, and a continuous walkway needs to be provided to the building entrances from all accessible parking spaces.

## **Building**

The City's Building Department Staff has reviewed the Building Code requirements as they relate to the location of the intake and exhaust locations for the underground parking area. The exhaust vent for the underground structure would be required to have a distance of 3 metres from any mechanical air intake system, window, door, or other opening into a residence that requires a natural ventilation system.

## **Fire**

The Fire Department has provided no concerns with respect to the proposed applications, however detailed drawings of the fire department connection placement will be needed at the site plan stage to determine the requirements of the fire access route.

## **Transportation**

Transportation Planning staff have reviewed the Transportation Impact, Parking and Transportation Demand Management (TDM) Study submitted by the applicant. Staff has provided comment that they are satisfied with the conclusions of the applicant's traffic impact analysis and are in support of the TDM initiatives suggested in the study. Transportation Planning Staff has made suggestions to increase active transportation use by establishing a pedestrian connection on Clearview Ave. and by providing a sidewalk connection to the existing sidewalk east of the site on the south side of Masonry Court. Transportation Planning Staff has recommended that the number of vehicle accesses be reduced from two to one, and this has been satisfied in the resubmission from May 27, 2019. Technical review of the submitted building design documents has resulted in the following comments from Transportation Planning Staff:

- Structural columns to be set back 0.5m on both sides of the driving aisle to provide for 7.0m clear (face of column to face of column).
- Maximum ramp grade is 12%; ramp grades 8% or more will require heating coils.
- A flat landing pad area of 6m in length with appropriate transitions is required at the top of ramps.

The proposed parking rate for the site of 1 space per unit and 0.25 spaces per unit for visitor parking has been reviewed by Transportation Staff. The proposed parking rate, while lower than the required rate in the City's Zoning By-law, is in line with the findings of the *Burlington-City Wide Parking Standards Review* prepared for the City by IBI Group Inc. Transportation Planning staff agree with the proposed parking rate for this development.

## **Site Engineering**

Site Engineering staff reviewed the application materials that were circulated and indicated that the following documents will be required for their review, prior to providing support for the applications:

- A Construction & Mobility Management Plan, for approval;
- Engineering details of the underground parking structure, for approval;
- An updated Environmental Noise Assessment, for approval;
- An updated P1 Level Parking Plan, for approval;
- An updated Existing Conditions, Removals, and ESC Plan, for approval;
- An updated Preliminary Grading Plan, for approval; and,
- An Updated Preliminary Servicing Plan for approval.

In the resubmission provided on May 27, 2019 the Construction & Mobility Management Plan, engineering details of the underground parking structure, and updated Environmental Noise Assessment documents were not provided by the applicant as requested by Site Engineering staff. As these documents were required by Site Engineering and not submitted, Site Engineering has not indicated support for the application at this time.

## **Urban Forestry and Landscaping**

The City's Urban Forestry and Landscaping staff has reviewed the application. The applicant proposes to remove 22 out of 25 surveyed city trees along Masonry Court for the development application. As per the City's Public Tree By-law 68-2013, the removal of City trees requires Council approval. Replacement of the public trees based on an aggregate caliper ratio or cash-in-lieu value determined by the Manager of Urban Forestry. Urban Forestry and Landscaping staff have commented that the applicant should consider whether it is possible to save additional trees along Masonry Court.

The applicant proposes the removal of all 25 trees located on the subject property. Urban Forestry and Landscaping staff have commented that while the City does not have a definitive requirement for replanting on private property, various City policy documents and guidelines refer to a 1:1 caliper replacement to maintain and grow the

urban tree canopy in the city. The approximate adjusted caliper replacement value is calculated at 350cm for the private trees. Urban Forestry and Landscaping staff have commented that the applicant should consider whether it is possible to save site trees close to the property lines.

No trees are permitted to be removed until an application for development has been approved.

Urban Forestry and Landscaping Staff have identified that thirty cubic metres (30cm<sup>3</sup>) of soil per tree is to be provided in a single planting environment, and fifteen cubic metres (15cm<sup>3</sup>) in a shared planting environment. Comment has been made that there is insufficient information available with regard to the proposed landscape plantings to determine if appropriate landscape buffering and screening can be provided in the landscape strips shown on the site plan. New tree planting that has the opportunity to grow to maturity will assist with compatibility with adjacent properties. Comment has also been made that there should be landscaping on site along Masonry Court to screen the residential patios and enhance the public realm. Similarly, staff have commented that the main entrance to the building along Masonry Court should receive an enhanced landscape treatment. Urban Forestry and Landscaping has requested updated plans and detailed information prior to providing support for the applications for Official Plan Amendment and Zoning By-law Amendment.

### **Burlington Urban Design Review Panel**

Prior to the development application being submitted to the City, the applicant was required to have the proposed building reviewed by the Burlington Urban Design Review Panel (BUD). The applicant and City Staff attended BUD on September 18, 2018 to hear feedback from the panel. The panel was asked to provide feedback to Staff on the proposed streetscaping and public realm along Masonry Court, the proposed site layout and outdoor amenity areas, and the building design as it relates to the surrounding context. The BUD panel members made the following comments with regard to the development:

- Area for street tree planting along Masonry Court needs to be accommodated
- The building should have multiple pedestrian entrances from Masonry Court
- The applicant should look at ways to break up the feeling of continuous asphalt between the rear parking area and the adjacent cul-de-sacs
- The amenity area should be consolidated into one larger outdoor space
- The extent of the underground parking will not allow for large vegetation to mature
- The east and west sides of the building could stepdown to relate to the nearby low-rise residential built form

- Ground level units along Masonry Court could be architecturally treated as two-storey townhouses to have them relate better to the proposed front yard, ground level patios
- Building is long and the panel asked the applicant to consider looking at a two building proposal or breaking up the building visually with architectural features to have it read as two buildings. An alternative design to consider would be to develop the base of the building with single loaded townhomes to address the built form context of Clearview Ave. and St. Matthews Ave.

The following changes were made to the proposal as a result of the feedback from BUD (changes provided in the May 27, 2019 submission are provided in italics):

- reduction in number of units from 169 to 160 units, with a floor area reduction from 12,657m<sup>2</sup> to 12,249m<sup>2</sup>  
*(May 27, 2019 submission has 162 units and floor area of 12,013m<sup>2</sup>)*
- reduction of surface parking from 51 vehicle spaces to 49 vehicle spaces  
*(May 27, 2019 submission has 50 surface vehicle parking spaces)*
- building setbacks on the east façade of the building in an effort to transition to the low-density residential uses on St. Matthew's Ave.  
*(May 27, 2019 submission incorporated additional setbacks on east side, and upper level setbacks on west side)*
- Consolidated outdoor amenity area in the centre of the rear yard, whereas the original proposal had a more linear outdoor amenity area alongside the rear of the building  
*(May 27, 2019 submission has amenity area consolidated as well but concentrated on the east side of the property)*
- Material and façade changes made to the middle of the building to visually break up the length and massing  
*(Additional architectural detailing and building material changes in May 27, 2019 submission)*
- Enhanced shadow study to provide modelling for the shadow cast during the fall equinox (September 21<sup>st</sup>)

Additional details from the applicant regarding how the proposal has addressed the comments from BUD are included in the Urban Design Brief that was submitted with the original application.

Planning Staff has reviewed the development proposal in consideration of the comments received from BUD and do not feel that the proposed building adequately addresses the comments for the following reasons:

- The applicant is proposing to remove street trees along Masonry Court and has not provided a sufficient landscape area between the front of the building and patios and the property line to allow for replacement street tree planting on the property.
- The building design does not provide additional entrances from Masonry Court, as requested by BUD. The building design has multiple entrances at the back and sides of the building, however these do not address the comments from BUD with respect to providing pedestrian permeability to the building from the front.
- The applicant has provided narrow landscape areas of 1.4 metres, 0.8 metres and 1.4m on the north, west, and east yards respectively, a large area of surface parking and a hardscaped at-grade amenity area, which are not sufficient to assist in breaking up the feeling of continuous asphalt around the site.
- The extents of the underground parking structure are proposed to be 1.1 metres, from the north lot line, 1 metre from the east and west lot lines, and 3.2 metres from the south lot line, resulting in narrow landscape strips on all sides of the property. These narrow areas for landscaping do not provide sufficient area for large vegetation like trees to mature in order to provide adequate screening between the development and adjacent properties or shade for the at-grade uses.
- While the at-grade amenity area has been consolidated into one larger space on the property, the applicant has provided a vehicle drop off area within the amenity area which is not desirable as it creates the potential for hazard for users of the space.
- The applicant has provided a lower building form and terracing to relate to the low-rise residential uses to the east, however similar treatment has not been provided on the west side of the building.
- The ground level units along Masonry Court have not been treated architecturally to appear as two storey townhouses, as suggested by BUD, and are not architecturally distinguishable from the rest of the building.
- The applicant has chosen to address the building length concerns from BUD by using architectural treatments such as material colour changes and recessions of portions of the building wall. Planning Staff believe that the architectural treatments proposed by the applicant do not adequately address the building length concerns raised by BUD, and that the building continues to read as one continuous building mass, not two buildings as suggested.

## **Financial Matters:**

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

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## **Public Engagement Matters:**

### **Public Circulation**

The application was subject to the standard circulation requirements. A public notice was circulated in February 2019 to surrounding property owners/tenants. A subsequent notice regarding the Statutory Public Meeting was circulated in March 2019 to surrounding property owners/tenants as well as to those who had provided written comments. A total of 89 households were circulated on the application. Three notice signs were also posted on the property, along the frontages on Clearview Ave., St. Matthew's Ave., and Masonry Court, which depicted the proposed development. All technical studies and supporting materials were posted on the City's website at [www.burlington.ca/1085Clearview](http://www.burlington.ca/1085Clearview).

### **Public Open House**

A pre-application neighbourhood open house was held on October 29, 2018 at the Aldershot Arena, hosted by the applicant. The City circulated notice of the open house meeting to all property owners located within 120 metres of the subject lands. The open house was attended by approximately 35 members of the public, the applicant and their consulting team, City planning staff, as well as the Ward 1 Councillor. The applicant provided panels showing the proposed site design, internal floor plans, as well as building cross sections and architectural renderings. A total of 25 comment sheets were received by the applicant. The applicant has synthesized the comments received on page 16 of their Planning Justification Report. The highlighted themes of the public concerns raised include matters of building design, vehicular access, potential traffic congestion and on-street parking issues, vegetated buffering needed at the rear, perceived reduction to property value, and the proposed scale of the building not being in keeping with the built form of the surrounding neighbourhood. Comment sheets were also received in support of the application, noting the proximity to the Aldershot GO Station, and a request to reduce parking requirements to encourage use of transit and reduce traffic.

## **Burlington Sustainable Development Committee**

Burlington's Sustainable Development Committee (SDC) is a citizen advisory committee. The SDC has made comments on the development proposal (Appendix D to this report). While the SDC generally supports the development because of the proximity to transit and the provision of bicycle storage and facilities, the following comments have been made with respect to the proposal:

- Applicant should conform with the Sustainable Building Guidelines and follow Net Zero Energy and Carbon approach
- Use of recycled building materials to reduce building waste
- Larger units should be considered for families, and provide a portion of units using principles of sustainable design
- Provision of affordable housing units
- Increase the amenity area provided on the site
- Inclusion of rooftop amenity space with green roof, garden and solar panels
- Design interior amenity spaces to improve sense of community
- Replace surface parking with greenspace with non-turf ground cover
- Public parking spaces underground
- Enhance Transportation Demand Management measures by having on-site car sharing, transit passes, and a front lay-by space for pick up and drop off on Masonry Court
- Trees removed from the site are to be adequately replaced on site or in the community with equivalent caliper trees

The applicant has made changes to their proposal which reflect some of the comments from the SDC:

- Widened landscape strips along the north and south property lines have been incorporated to increase the amount of greenspace;
- The applicant has also stated that they will use energy efficient appliances and fixtures in the development;
- The amenity area for the site has been increased by way of the indoor amenity area balconies (however the at-grade outdoor amenity area has reduced in size from the original proposal);
- The applicant has indicated they will properly dispose of their construction waste, and the building will be serviced by the Region of Halton for waste collection and will have recycling facilities;

- The applicant has identified that they will be reviewing the Region’s Comprehensive Housing Strategy and the Sustainable Building Guidelines in conjunction with the development; and,
- While the applicant has given consideration of a green-roof and rooftop garden, no design plans have been submitted showing use of the roof area for amenity or green space.

Planning Staff have considered the comments provided by the SDC in the review of this application. The extents of the underground parking structure continue to create site design challenges reflected in the SDC comments. The applicant has indicated that they will not be removing the surface parking for the site, and due to the underground parking garage under the majority of the site, they have chosen not to use water-permeable materials in the parking area and hardscaped amenity area. The reduced setbacks required to accommodate the underground parking and the surface parking have not left adequate area to provide functional greenspace and landscaping area. The impermeable surface to accommodate the parking infrastructure does not leave enough room for low impact development techniques for alternative treatment of surface water.

### Public Comments

Since the development application was submitted in January 2019, Planning Staff has received 23 written comments from 21 correspondents with regard to this application which have been included as Appendix E to this report. A Statutory Public Meeting for this development application was held on April 2, 2019. At the meeting, six delegations were made by members of the public. The following table provides a summary of all public comments that were received and how they were considered by Planning Staff in the development of this recommendation report.

Public Comment	Staff Response
<p>Built Form:</p> <ul style="list-style-type: none"> <li>• Building height of 6-storeys does not transition well to the low-density neighbourhood and needs to be reduced</li> <li>• Preference for low-rise, townhouse development on the subject lands</li> </ul>	<p>The proposed building fits within the 45-degree angular plane in the current location. Building stepbacks are proposed on the third, fifth, and sixth floors on the east side of the building, and on the fifth floor of the building on the west. Planning Staff are of the opinion that the stepbacks on the east side transition well to the low-rise built form, but the west side setbacks do not. The building length does not assist in transitioning to the low rise neighbourhood since the continuous wall</p>

<ul style="list-style-type: none"> <li>• Proposed density is too high</li> <li>• Building needs to step-down on both sides to relate to neighbourhood form</li> </ul>	<p>length, when combined with the proposed height, creates a large building massing which limits sky views across the city block.</p> <p>The lands are located within 250 metres of the Aldershot GO Station entrance and are therefore an appropriate location for intensification, possibly in a mid-rise form, that is compatible with the surrounding low rise residential uses.</p>
<p>Site Design:</p> <ul style="list-style-type: none"> <li>• Narrow landscape strips will not support larger vegetation for screening</li> <li>• Snow storage overflow onto side streets</li> <li>• Underground parking area comes too close to the lot lines</li> <li>• Too much paved and hardscaped surface, and not enough greenspace/outdoor amenity area</li> <li>• Tree removal impacts on ecosystem</li> <li>• Rear drop off area is not capable of being adequately buffered by the landscape strips proposed</li> <li>• Location of exhaust fans from underground parking area close to dwelling</li> <li>• Ground water impacts on proposed underground parking</li> <li>• Apartment building should have greater setbacks and more landscaping</li> </ul>	<p>The landscape areas and buffer are significantly reduced from the requirements of the Zoning By-law. Staff do not support the extent of the reduction to these landscaping requirements. Greater landscape areas along the property lines will assist in providing a dense landscape planting area in the rear landscape buffer for privacy, assist in separating the public and private uses at-grade along the building frontage along Masonry Court, and will allow for greater separation and screening of on-site uses like parking and drop off areas from the neighboring properties.</p> <p>The underground parking structure setbacks are reduced from the requirements of the Zoning By-law and impact the availability of landscaping around the property perimeter. Staff do not support the extent of the reduced setbacks for the underground parking structure.</p> <p>The applicant has not shown snow storage areas on their site plan, and long-term storage on the narrow landscape areas will not be sufficient. Staff are not concerned about snow storage overflow onto the adjacent cul-de-sacs, as fencing will be required along the property line, however there is not enough information about snow storage to determine if it can be adequately accommodated on site.</p> <p>The proposed development requires the removal of 22 City owned street trees, and</p>

	<p>all 25 on-site trees. Some trees are noted to be in poor health on the arborist's report submitted and are proposed to be removed, however, efforts to retain additional trees in fair to good condition should be made to assist in maintenance of the urban tree canopy. The underground parking structure extents should be modified to assist in retention of on-site trees.</p> <p>The proposed exhaust vent from the underground parking structure has been moved from the south-east corner of the site to the north-west corner of the site, therefore Staff do not have concerns with its proximity to existing residential buildings.</p> <p>The proposed underground parking structure is proposed to be one-storey in depth, above the high-groundwater level. Additional levels of underground parking would enter into the ground water levels, and would require long-term pumping.</p> <p>While the majority of the apartment building is within the required setback abutting a low-density residential zone, Level 1 is situated 13 metres from the zone boundary as well as the balcony for Level 2, and these require site-specific amendments to the requested zoning. Required building setbacks abutting Clearview Ave. have been met, however landscaping requirements have not and this side of the site will be used for parking and driving. The building is setback 5.9 metres to St. Matthew's Ave. at Level 1 and 2 and requires site-specific amendments to the requested zoning, however, this setback is consistent with existing building setbacks along this side of St. Matthew's Ave.</p>
<p>Neighbourhood Impacts:</p> <ul style="list-style-type: none"> <li>• Loss of privacy from over-look into yards from balconies</li> </ul>	<p>The landscape concept plan does not depict a dense landscape planting area along the yard abutting the R2.1 zone. The landscape buffer should support</p>

<ul style="list-style-type: none"> <li>• Construction activity spillover onto adjacent streets (equipment staging, construction office, worker parking, street closures)</li> <li>• Potential noise impacts from residential and service vehicle movement in the rear of the property</li> <li>• Not enough local commercial and retail amenities in the area to support increased population</li> <li>• Increased vehicle traffic on nearby streets</li> <li>• Potential visitor parking overflow on side streets</li> <li>• Sun shadow impact on adjacent properties</li> <li>• Public realm on adjacent streets will be negatively affected</li> </ul>	<p>dense, mature landscaping to screen uses on adjacent lands and reduce privacy concerns from over-look. Insufficient information has been provided to establish if a dense planting environment of taller vegetation like trees can be accommodated in the 2.5 metre buffer. Staff do not support this reduced landscape buffer since it could negatively impact privacy for adjacent landowners.</p> <p>The applicant has not supplied a Construction and Mobility Management Plan, as requested by Site Engineering Staff. Staff continue to have concerns about construction activity spillover onto adjacent municipal roads due to the extents of the underground parking structure.</p> <p>The applicant has located the service vehicle loading area on the rear of the building at the west side and have reduced the number of vehicle entrances to one. Noise impacts on adjacent properties from service vehicles should be minimal. Noise impacts from resident and visitor vehicles parking at grade could be reduced if the rear landscape buffer requirements were met, resulting in increased separation of vehicles from the rear property line.</p> <p>While west Aldershot may be missing access to a local grocery store within walking distance, increased density permissions on this site will assist in achieving population figures which may assist in attracting grocery and other commercial amenities.</p> <p>The site is not proposed to have access from Clearview Ave. or St. Matthew's Ave., and the development has proposed a parking rate that is acceptable to Transportation Staff. Planning Staff believe that there will be minimal impact</p>
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	<p>on these streets in terms of parking or traffic.</p> <p>Sun shadow on surrounding residential properties will be limited to after 5:30pm in March/September, after 6:30pm in June, and after 2:30pm in December. While the December shadows are the longest, few properties are impacted. Planning Staff believe the sun-shadow impact on these properties is minimal. More adverse sun shadow impact is present on Masonry Court and in the proposed amenity are on the site.</p> <p>The applicant has not addressed the interface of the property with the public realm along Clearview Ave. and St. Matthew's Ave. adequately. Narrow landscape areas provide limited area for tree planting adjacent to the cul-de-sacs. The narrow landscape areas proposed and lack of information about tree plantings and beautification does not satisfy Planning Staff that the public realm of the cul-de-sacs will be enhanced by this development, as currently proposed.</p>
<p>Planning Process:</p> <ul style="list-style-type: none"> <li>• Uncertainty about Aldershot Mobility Hub planning while the 2018 Council adopted Official Plan is under review</li> <li>• Amount of development happening in Aldershot</li> <li>• Concern that the information provided by the applicant at the neighbourhood meeting did not provide enough detailed information about the proposal for residents to comment</li> <li>• Preference for Aldershot Mobility hub not to include these lands</li> </ul>	<p>The Aldershot Mobility Hub planning process is on hold until the Official Plan Review is completed later this year. The subject lands continue to be located in an area recognized as an MTSA by the Province. Transit supportive densities are encouraged within MTSA's and may be appropriate for this property, provided the form of development is compatible with surrounding uses.</p> <p>The future Aldershot Mobility Hub precinct plan will be required to be consistent with and conform to all relevant Provincial policy and plans.</p> <p>Plains Road in Aldershot is primarily designated for mixed use, commercial and some medium density residential development. The Aldershot GO Station MTSA is also a driver for development.</p>

	<p>The City's Official Plan review process will provide further direction on how and where development should occur in Aldershot.</p> <p>The applicant-led pre-application neighbourhood meeting involved a series of conceptual renderings of the development for public review. When the concept was finalized, and the application submitted to the City, all plans and studies have been posted on the City's webpage for the development for public review and comment. Notice letters in February and March advised that the materials were available online for public review.</p>
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**Conclusion:**

The Official Plan Amendment and Zoning By-law Amendment applications submitted for the lands located at 1085 Clearview Ave., and 1082, 1086, and 1090 St. Matthew's Ave. have been reviewed by Planning Staff and are recommended for refusal. While the application is generally consistent with the PPS and generally conforms to the Growth Plan, it does not adequately address the City's Official Plan policies for housing intensification compatibility and urban design. The proposal has been reviewed and assessed through the evaluation criteria for housing intensification contained in the City's Official Plan and Planning Staff have concluded that it does not meet critical criteria for compatibility. The proposal has been assessed for consistency with the City's Council approved Guidelines for Mixed-Use and Mid-Rise Residential Buildings and Planning Staff have concluded that the building and site design fail to achieve a high level of urban design. For these reasons, Planning Staff are recommending refusal of the application.

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Respectfully submitted,

Lauren Vraets MCIP RPP

Planner II, Development Review

905-335-7600 ext. 7536

**Appendices:**

- A. Location and Zoning Sketch
- B. Detail Sketch
- C. Building Elevations
- D. Sustainable Development Committee Comments
- E. Public Comments

**Notifications:**

Dana Anderson, MHBC Planning Ltd.

[danderson@mhbcplan.com](mailto:danderson@mhbcplan.com)

Katherine Rauscher, LIV Development Ltd.

[KRauscher@livhere.ca](mailto:KRauscher@livhere.ca)

**Report Approval:**

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