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May 13th, 2019

Mayor Meed Ward and Members of Council
City of Burlington
426 Brant St
Burlington, Ontario L7R 3Z6

Dear Mayor Meed Ward and Members of Council:

RE: Clarifications to Report PB-23-19 (Statutory Public Meeting- 441 Maple Avenue Official Plan and Zoning By-law Amendments)
441 MAPLE AVENUE
505-02/19 and 520-03/19
OUR FILE: 16295

We have reviewed a copy of the information report to Council for the upcoming statutory public meeting for 441 Maple Avenue and note that there are a few items within the report which require clarification as follows:

1. The date to Committee and Council is incorrect (April 1, 2019 and April 23, 2019)
2. Under the purpose subheading, the site has been identified as an "older neighbourhood". While this is an older part of the Downtown, it is within the Urban Growth Centre and primarily surrounded by an existing medium to high density residential typology
3. The statutory deadline identified on the fact sheet is incorrect (210 days for processing an Official Plan and Zoning By-law Amendment where an application is deemed to be complete as of January 11, 2019 would equate to an August 9, 2019 statutory deadline)
4. Under the "site description" subheading, the report is identifying that the proposed long-term care facility is proposed to be demolished. As noted in our Planning Justification Report, the proposed facility requires significant upgrades to meet Ministry standards which cannot be accommodated on-site. As a result, the existing facility will be relocated to another site in Burlington and no demolition or redevelopment will occur on this site until the new long-term care facility has been completed. There seems to be a significant amount of confusion surrounding this and concerns for the loss of long-term care beds. To clarify, it is our client's intent to maintain this resource for the

community and actually to expand the number of beds available in Burlington. This clarity needs to be properly communicated to Council and the community to ensure that the intent is clear.

5. On page 8 of the report, under the City of Burlington Official Plan subheading, it is identified that the designation allows for “ground-oriented housing units ranging between 26 and 185 units per hectare”. This is factually incorrect and misleading, as Policy 5.5.5 b) (ii) of the OP clearly identifies that non-ground oriented uses are permitted.
6. On page 8 of the report, under the City of Burlington Official Plan subheading, it has been identified that Section 2.5.2 of the Official Plan applies and that the proposal will be reviewed in accordance with these criteria. Section 2.5.2 of the Official Plan states that the criteria are to be considered when evaluating proposals for housing intensification **within established neighbourhood areas**. These policies are for assessment within an established neighbourhood and not within a Downtown Mixed Use Centre and the underlying Downtown Medium and/or High Density Residential Precinct where non-ground oriented development is permitted both in accordance with the OP and Zoning By-law. The closest “established” neighbourhood is currently surrounded by Medium and High density residential uses to the north and south. 441 Maple Avenue is located to the southeast. While we maintain that these policies do not apply to the Subject Lands, we have completed an assessment of the proposal against the criteria and note that the proposal meets all applicable criteria¹. We understand that planning staff are unable to provide analysis or comment on proposals due to the ICBL, however it should be clarified that the policies in fact do not apply as the proposal is not within an established neighbourhood area.
7. As noted in our report and supporting studies, pre-consultations for this project date back to 2017 where a 22 storey building was proposed on the site. We further met with staff in 2018 for a 19 storey proposal. Based on comments provided by staff and agencies at that time, as well as comments received from the community at the community meeting, we reduced the proposal to 11 storeys for submission, as recommended by staff in the Pre-Consultation minutes², to maintain alignment with the adopted official plan which **“represents the planning department’s current position on the most appropriate form of redevelopment in the downtown... while development applications will continue to be processed under the current Official Plan, 1994, staff is encouraging applicants to conform to the objectives of the Downtown Mobility Hub in the proposed Official Plan”**. We have worked with staff to significantly revise the development concept to provide for a redevelopment on the site which meets these objectives. This has not been acknowledged in your report.
8. Under the pre-application community meeting, the report identifies that changes have not been made to reflect these concerns. This is factually inaccurate and misleading. The proposal we provided at the pre-application meeting in November, 2018 proposed a 1.0 spaces/unit parking

¹ A copy of our assessment of the criteria is attached to this memo, and can be found at Appendix 1, for reference

² A copy of the pre-consultation minutes for this application (2017 and 2018) are provided with this memo, and can be found at Appendix 2 and Appendix 3, for reference

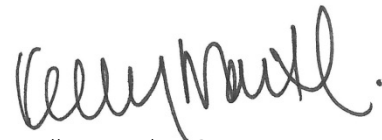
ratio and provided 163 residential units. The proposal submitted for review proposes 153 residential units and an increased parking of 164 spaces on site, plus an additional 15 spaces within the hydro lands, making for a parking ratio of 1.17 spaces per unit.

9. The report identifies that, following the Statutory Meeting, the application will be held in abeyance until the Interim Control By-law has been lifted. As acknowledged in the report, this application was deemed complete on January 11, 2019 after undergoing a rigorous pre-screening process which involved detailed review to determine the studies, reports, drawings, etc. submitted met specific requirements. To date, comments are still outstanding from a number of agencies including the City Transportation and City Landscaping (among others). Comments from the Region of Halton were received on May 10th, and are attached as an appendix to this letter, for information. While we understand that it is City planning staff's position that they are unable to provide comments on the application as a result of the ICBL, commenting agencies have had roughly four months to provide written comment. We would appreciate receipt of those outstanding comments in advance of the Statutory Public Meeting or clarification that these will be permitted to be provided to us following the Statutory Public Meeting.

Sincerely,



Dana Anderson, FCIP, RPP
Partner



Kelly Martel, MCIP, RPP
Associate

Cc: *Jo-Anne Rudy, Committee Clerk*
Melissa Morgan, MCIP, RPP, Planner II

Appendix 1:
441 Maple Avenue: Proposed 11 Storey Residential Redevelopment
Assessment of Intensification Evaluation Criteria set out in 2.5.2 of the Official Plan

- i. **Adequate municipal services to accommodate the increased demands are provided, including such services as water, waste water and storm sewers, school accommodation and parkland**
- The Functional Servicing Report prepared by GHD and submitted as part of this application demonstrates that the proposed development can be serviced by the existing municipal infrastructure in the vicinity of the Site without negatively impacting existing developments.
 - We have received comment from the Halton Catholic District School Board which indicates that they have no objection to the proposal. It also identifies that elementary students would be accommodated at St. John located at 653 Brant Street and secondary students would be accommodated at Assumption Catholic Secondary School located at 3230 Woodward Avenue.
 - To date, we have not been made aware of any comments provided by the Public School Board.
 - The site is well served by existing parks, including Spencer Smith Park. It is assumed that parkland dedication would be provided as part of this development
- ii. **Off-street parking is adequate**
- 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**
- iv. **The proposal is in proximity to existing or future transit facilities**
- The TIS and Parking Justification Report prepared by Crozier demonstrates the proposed development can be accommodated by the existing road infrastructure, access is provided directly from via Maple Avenue (Minor Arterial) and not a local road, the site contains adequate off-street parking and the area is well served by existing and future public transit facilities, meeting ii), iii) and iv) of this policy
- 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 Urban Design Brief prepared by MSAi demonstrates that the proposed development achieves compatibility with the existing character which is predominantly comprised of buildings of similar height and form as the one proposed. The Urban Design Brief also demonstrates that a 45 degree angular plane is achieved, setbacks are appropriate for the context, parking is screened from view and the amount of amenity space provided meets the requirements of the Zoning By-law.

Appendix 1:
441 Maple Avenue: Proposed 11 Storey Residential Redevelopment
Assessment of Intensification Evaluation Criteria set out in 2.5.2 of the Official Plan

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 Tree Inventory identifies that two trees will be preserved and eight will be removed. The trees inventoried were determined to have minor structural defects and minor damage and/or symptoms.
- 29.5% landscape open space will be provided at grade. Landscape area and landscape buffer requirements are met, except for along the south side which represents an existing condition (shared driveway access for existing buildings is to be maintained).
- The outdoor terrace created by stepping back floors 10 and 11 allows for a green roof cap
- The urban design brief demonstrates that there will be the provision of a consistent streetscape that is continuous with adjacent conditions, while enhancing the setback and landscape amenity along Maple Avenue

vii. Significant sun-shadowing for extended periods on adjacent properties, particularly outdoor amenity areas, is at an acceptable level

- The sun shadow study prepared by MSAi demonstrates that there are no negative impacts on the surrounding neighbourhood due to the increased shadow as a result of the proposal. No shadows fall onto low rise residential neighbourhoods, open spaces and pedestrian streets or other shadow sensitive spaces

viii. Accessibility exists to community services and other neighbourhood conveniences such as community centres, neighbourhood shopping centres and health care

- The Planning Justification Report includes a chart which identifies the proximity to nearby destinations via various modes of travel. The Subject Lands are located within close proximity to institutional facilities (schools, Joseph Brant Hospital, City Hall), cultural facilities (art gallery of Burlington, Burlington PAC), shopping centres (Mapleview Mall), and open space (Spencer Smith Park, Beachway Park)

ix. Capability exists to provide adequate buffering and other measures to minimize any identified impacts

- The planning report, in Appendix 9 and elsewhere, demonstrates that the proposal provides adequate buffers to adjacent buildings. The front, rear and side yard setbacks are appropriate for the site and surrounding area. Tree plantings, outdoor amenity space and the shared driveway assist in buffering the building from adjacent uses.

Appendix 1:
441 Maple Avenue: Proposed 11 Storey Residential Redevelopment
Assessment of Intensification Evaluation Criteria set out in 2.5.2 of the Official Plan

- 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 proposed development provides appropriate separation from existing buildings and would not preclude the future redevelopment of either adjacent property. The proposal exceeds the rear yard setback requirement. Redevelopment potential to the rear is limited as it is within the Hydro Corridor. The side yard setback (south) meets the requirement of the Zoning By-law, and while a reduced side yard setback is sought for the north side (4.0 metres whereas 6.0 metres is required), it would not preclude the adjacent property from redeveloping in the future.
- xi. **Natural and cultural heritage features and areas of natural hazard are protected**
- There are no natural or cultural heritage features or areas of natural hazard on the Subject Lands
 -
- xii. **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**
- Non-ground oriented development is permitted on the site in accordance with the Official Plan and Zoning By-law. The Subject Lands are located within a Mixed Use Centre and Urban Growth Centre and not a residential neighbourhood. Direct access is provided from Maple Avenue, which is a minor arterial road. Existing development surrounding the Subject Lands consists primarily of development of a similar height and form as that proposed. The Urban Design Brief and Planning Justification Report demonstrate that the proposal is appropriate for the neighbourhood.



DEVELOPMENT APPLICATION PRE-CONSULTATION FORM

Meeting Date: May 17, 2017	Property Owner: 2435481 Ontario Inc.
Site Address: 441 Maple Avenue	Applicant / Address / Phone / Email Dana Anderson MHBC Planning 442 Brant St., Suite 204 Burlington, ON, L7R 2G4 905-639-8686 x226 danderson@mhbcplan.com
Site Area: 0.28 ha	

APPLICATION TYPE (check applicable applications):

Local Official Plan Amendment	<input checked="" type="checkbox"/>	Zoning By-law Amendment	<input checked="" type="checkbox"/>	Plan of Subdivision	<input type="checkbox"/>	Parkway Belt Amendment	<input type="checkbox"/>
Other Application	<input type="checkbox"/>						

1. Brief description of proposed development:

-22 storey, 203 unit residential apartment with underground parking
-existing long term care facility to be demolished

2. Conformity with Regional Official Plan Designation? YES ☒ NO ☐

Has an application been made to amend the Regional Official Plan: YES ☐ NO ☒

3. Existing Official Plan Designation: Downtown Mixed Use Centre, Medium & High Density Residential

Conformity with City Official Plan land use designation? YES ☐ NO ☒

If 'NO' what is the nature of the OP amendment needed? Increased density

4. Existing Zoning: DRH

Conformity with existing zoning? YES ☐ NO ☒

If 'NO' what is the nature of the zoning amendment needed? -site specific regulations including increased height and density

5. Design Guidelines in effect? YES ☒ NO ☐

Name of Design Guidelines Downtown Urban Design Guidelines, Interim Tall Building Guidelines

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

YES ☐ NO ☒

7. Fees Required at Time of Application

APPLICATION	CITY	REGION	CONSERVATION HALTON	PROVINCE
Official Plan Amendment:	15,605.00	8,055.00	-	-
Rezoning - Base Fee: (70%)	6,989.50	950.00	-	-
Rezoning - Variable Fee:	82,680.00			
Subdivision - Base Fee:	-	-	-	-
Subdivision - Variable Fee:				
Parkway Belt Amendment:	-	-	-	-
TOTAL	\$105,274.50	\$9,005.00	-	-

Separate cheques are payable to City, Region, Conservation Halton and Province (Ministry of Finance.)

8. Additional Agencies to be contacted: Burlington Hydro, Hydro One, TransNorthern Pipeline

9. Neighbourhood Meeting

Is a neighbourhood meeting required? (e.g. residential intensification / infill, increased height and/or density, abutting residential zone, other neighbourhood/community impacts).

YES ☒ NO ☐ TO BE DETERMINED ☐

If "YES" a Neighbourhood Meeting will be required

- The Neighbourhood meeting will be held after submission and public circulation of the application.
- Meeting logistics will be organized by the Planning and Building Department.
- The Ward Councillor, the applicant, City planner and other City staff as determined will attend the Neighbourhood Meeting. Presentations will be made by the City planner about the planning process and by the applicant about the development proposal.
- The meeting will be chaired by the City planner, or by the Ward Councillor.

10. Section 37 Agreement

Is this an application for increased height and/or density? YES ☒ NO ☐

If "YES" a Section 37 Agreement may be required.

11. Required Information for Complete Application

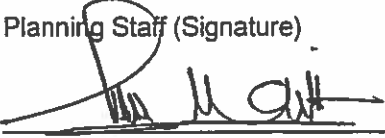
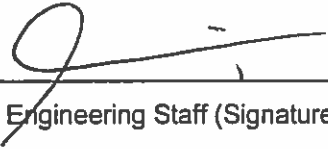


Reports, Studies, Plans * <i>(See Appendix for additional details)</i> All identified reports must be submitted in Accessible PDF form before an application is deemed complete.		Number of Paper Copies (plus one in PDF form) If Study is Required	Required Study (Yes/No)
6.1	Planning Justification Report	8	Yes
6.2	Conceptual Site Plan Layout & Site Survey	15	Yes
6.3	Draft Plan of Subdivision	15	No
6.4	Storm Water Management Report	9	Yes
6.5	Functional Servicing Report (Including Stormwater, Water & Wastewater)	9	Yes
6.6	Tree Inventory and Protection Plan	9	Yes
6.7	Traffic/Transportation Impact Study including Parking Justification Report	7	Yes Yes
6.8	Top-of-Bank Demarcation	6	No
6.9	Environmental Evaluation Report	7	No
6.10	Noise Feasibility Study	7	Yes
6.11	Shadow Analysis	3	Yes
6.12	Environmental Site Screening Checklist	5	Yes
6.13	Phase I or II Environmental Site Assessment/ Record of Site Condition Report	5	Phase 1
6.14	Land Assembly Documents	2	No
6.15	Height Survey of adjacent buildings	2	Yes
6.16	Heritage Impact Statement	3	No
6.17	Archaeological Report	3	No
6.18	Wind Impact Study	3	Yes
6.19	Sensitive Land Use (Risk Assessment) Report	6	No
6.22	Preliminary Waste Management Plan	5	Yes
6.21	Hydrogeology Study	7	No
6.22	Other (specify)		
	Urban Design Brief	5	Yes
	Grading, Drainage & Servicing Plans	12	Yes
	Geotechnical Report	4	Yes
	Draft Zoning By-law	2	Yes
	3D Model of Proposed Building(s)	1	Yes

12. **ADDITIONAL COMMENTS:** See attached notes

NOTES:

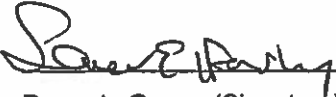

1. Notwithstanding the fees noted above, all fees are payable based on the rate in the fee schedule by-law in effect on the date the payment is made. Further fees, such as variable fees may be required at a later date as per the fee schedule by-law.
2. The purpose of this document is to identify the information required to commence processing a complete application as set out in the Planning Act. Pre-consultation does not imply or suggest any decision whatsoever on behalf of City staff or the Corporation of the City of Burlington to either support or refuse the application.
3. This document expires 120 days from the date of signing or at the discretion of the Director of Planning and Building. Please note that development application fees may change during this period and it is the applicant's responsibility to ensure that the correct fees are paid at time of application.
4. The City may require the peer review of a technical report submitted by the applicant. If this is required, the applicant will be advised and will be charged a fee equal to the cost of the peer review.
5. In the event this Pre-consultation Document expires prior to the application being accepted by the City, another document may be required.
6. An application submitted without the information identified in this Pre-consultation Document may be recommended for refusal based on insufficient information to properly evaluate the application.
7. **Acknowledgement of Public Information:**
The applicant acknowledges that the City considers the application forms and all supporting materials, including studies and drawings, filed with any application to be public information and to form part of the public record. With the filing of an application, the applicant consents to the City photocopying and releasing the application and any supporting materials either for its own use in processing the application or at the request of a third party, without further notification to or permission from the applicant. The applicant also hereby states that it has authority to bind its consultants to the terms of this acknowledgement.
8. It may be determined during the review of the application that additional studies or information will be required as a result of issues arising during the processing of the application.
9. The applicant must grant permission for municipal and agency staff to visit and access the property while the application is being processed.
10. There may also be financial requirements arising from the application, including, but not limited to, park dedication, development charges, payment of outstanding property taxes, deferred local improvement charges, costs for lifting 0.3-metre reserves, and reimbursement for road widening acquisition or road improvements.
11. All digital file submissions must be named using the following naming protocol:
"Address_StudyName_MM-DD-YYYY". If a document is revised and resubmitted the file name should indicate that it is a revised submission and the date of the revision should be noted:
"Address_StudyName_Revised_MM-DD-YYYY".
12. Digital plans submitted in Autocad and/or GIS Shapefile format must be geospatially positioned to match the City of Burlington's Geographic and Projected Coordinate Systems (Geographic Coordinate System: GCS_North_American_1983; Projected Coordinate System: NAD83_UTM_ZONE 17N).

Staff and Agency Signatures:

<u>Rosalind Miraji</u> Planning Staff	<u></u> Planning Staff (Signature)	<u>May 17, 17</u> Date
<u>UMAIR MALIK</u> Site Engineering Staff	<u></u> Site Engineering Staff (Signature)	<u>May 17/17</u> Date
<u>Annette Simpson</u> Site Engineering Staff	<u></u> Site Engineering Staff (Signature)	<u>May 17/17</u> Date
 Capital Works Staff	 Capital Works Staff (Signature)	 Date
<u>John Zaloznik</u> Transportation Staff	<u></u> Transportation Staff (Signature)	<u>May 17 /2017</u> Date
<u>Sarah Cranston</u> Regional Staff	<u></u> Regional Staff (Signature)	<u>May 17/17</u> Date
<u>John Cisneris</u> Regional Staff	<u></u> Regional Staff (Signature)	<u>May 17, 2017</u> Date
 Conservation Halton Staff	 Conservation Halton Staff (Signature)	 Date

Proponent Signatures:

In signing this agreement, I acknowledge that the drawings, reports and other requirements indicated above must be submitted, along with a completed application form, any information or materials required by statute, the required application fees and a copy of this agreement in order for the planning application to be considered complete. In addition, I have read and agreed to the Notes listed above.

<u>Samer ElFashay</u> Property Owner	<u></u> Property Owner (Signature)	<u>May 17, 2017</u> Date
<u>Dana Anderson</u> Agent (I have authority to bind the owner)	<u></u> Agent (Signature)	<u>May 17 /17</u> Date

APPENDIX—REQUIREMENTS FOR REPORTS/STUDIES AND PLANS

6.1 Planning Justification Report

A qualified planner (Registered Professional Planner) must submit a report providing planning justification for the proposed amendment in light of the principles, objectives and policies of the City's Official Plan and the technical studies accompanying the application. The goal of the report is to document how the proposed departure from the local policies and regulations represents good planning and is in the public interest. The report must: describe the site context; address applicable provincial and regional policy; describe the proposal in detail including preliminary site plan details if applicable; address applicable local Official Plan policies (e.g. policies relating to compatibility, intensification, redesignation criteria and conversion policies); describe how the proposal meets Council approved Design Guidelines, discuss findings of the technical studies in the context of the Part II Functional Policies of the Official Plan; and other Council policy.

6.2 Conceptual Site Plan Layout & Site Survey

General plan required showing proposed building envelopes, driveways, parking and landscape areas. Survey of site showing PINs, easements, property boundaries etc.

6.3 Draft Plan of Subdivision

The plan of subdivision map is to contain information required under Section 51(17) of the Planning Act, as well as: legend, map scale, boundary of property to be subdivided, north marker, address, registered plan number, lot and concession, date plan prepared and date of any revisions, name of person or firm who prepared the plan, all landowners names, signatures and date, and the Ontario land surveyor's name, signature and date.

6.4 Storm Water Management Report

Required in accordance with Part II, Section 2.11.3 subsections a) & d) of the Official Plan.

6.5 Functional Service Report

Required in accordance with Part II, Section 2.11.3 subsection e) of the Burlington Official Plan. Required for all applications in urban areas in accordance with Part III, Sections 87-89 of the Regional Official Plan. Municipal (Urban) Servicing Guidelines are available from the Region of Halton.

6.6 Tree Inventory and Protection Plan

Required when a property under application contains woodlots, tree stands or hedgerows, in accordance with Part II, Section 6.0 of the City's Official Plan and Part IV, Sections 146-147 of the Regional Official Plan. A tree survey must be prepared by a qualified professional, identifying all existing trees, their type, size and condition, those trees proposed to be removed and retained, and the methods to be used to ensure preservation and protection of those trees to be retained.

6.7 Traffic/Transportation Impact Study

Required for applications as set out in Part II, Subsection 3.2.2 d) of the City's Official Plan and Part IV, Sections 171-173 of the Regional Official Plan. Contact City Transportation Planning staff (City roads) or Regional Public Works staff (Regional roads) for background information and to discuss TIS assumptions. For Regional roads, applicants are referred to the "Guidelines for the Preparation of Traffic Impact Studies". MTO must be contacted for lands near provincial highways

6.8 Top-of-Bank Demarcation

Required for applications on any property containing, or abutting a creek or valley feature, Lake Ontario or Burlington Bay shoreline, in accordance with Part II, Section 9.2.2 subsection b) and Part III, Section 6.4.2, subsections d) and e) of the City's Official Plan. Applicant's surveyor must meet on-site with representatives of the City Engineering Department and Conservation Halton to survey the top of bank and/or floodline, and this surveyed line shall be incorporated into the applicant's subdivision or site plan. A geotechnical report may be required to identify stable top-of-bank.

6.9 Environmental Evaluation Report

Required for applications as set out in Part II, Section 2.5 of the City's Official Plan, the Regional Official Plan and the Region's Environmental Impact Assessment guidelines. These assessments will be reviewed by the Halton Ecological and Environmental Advisory Committee (EEAC).

6.10 Noise Feasibility and Vibration Study

Required for applications as set out in Part II, Section 3.3.2, subsections r), s) and t), and Part II, Section 3.7.2, subsections d), e) and f) of the City's Official Plan, Part IV, Sections 142-143 of the Regional Official Plan, and for all properties abutting arterial roads. In the case of Regional roads, applicants shall refer to the Region's "Noise Attenuation Policy for Regional Roads," dated October 2000.

6.11 Shadow Analysis

Required for all applications where, in the opinion of the Planning and Building Department, the proposal may result in impacts on adjacent properties from sun shadowing, in accordance with Part III, Section 2.5.2, subsection (vii) of the City's Official Plan. Guidelines for this analysis are contained in the City's Site Plan Application Guidelines.

6.12 Environmental Site Screening Checklist

Required for all applications as set out in the "Protocol for Reviewing Development Applications with respect to Contaminated Sites," dated March 2003. Applicants should contact the Region of Halton for historical data and any environmental records.

6.13 Phase I or II Environmental Site Assessment/Record of Site Condition Report

Required when the Phase I site assessment identifies the possibility of site contamination and in accordance with Part II, Section 2.4, subsections i) and j) of the City's Official Plan and the protocol for contaminated sites. All requirements of the protocol must be met for Phase II studies and required Records of Site Condition (RSCs). A letter of reliance from the Environmental Consultant/Qualified Person, confirming the City of Burlington and the Region of Halton can rely on the information contained in the report(s) is required.

6.14 Land Assembly Documents

Required for applications where, in the opinion of the Planning and Building Department, the assembly of additional lands is required to facilitate orderly development of the area. Applicants are required to submit documentation demonstrating that a reasonable, bona fide offer has been made to acquire such lands.

6.15 Height Survey of adjacent buildings

Required for all residential infill and intensification rezoning applications, in accordance with City Council policy. A surveyor's report must identify the highest points of the existing adjoining roofs measured from the existing average grade of the shared property line.

6.16 Heritage Impact Statement

Required as determined by Planning staff for any property designated pursuant to the Ontario Heritage Act, identified on the City's Inventory of Heritage Resources, or for any property located adjacent to a designated or otherwise inventoried property.

6.17 Archaeological Report

Required for all applications in or near areas of archaeological potential, as determined by the Region of Halton. Reports must be completed in accordance with Provincial requirements and the Regional Archaeological Master Plan.

6.18 Wind Impact Study

May be required, as determined by Planning staff, for any building over 6 storeys in height. The report will provide information related to wind comfort conditions for pedestrians both on and around the development.

6.19 Sensitive Land Use (Risk Assessment) Report

Required for applications proposing sensitive land uses in proximity to existing industrial uses, or proposing industrial uses in proximity to existing sensitive uses, in accordance with Part II, Section 2.7.3 subsections n) & o) and Part II, Section 4.3 subsection d) of the City's Official Plan, Part IV, Sections 146-147 of the Regional Official Plan, and the Ministry of the Environment D-6 series guidelines.

6.20 Agricultural Impact Assessment Report

Required for applications as set out in Part II, Subsection 13.3 e) of the City's Official Plan and for certain proposals in certain designations in the Regional Official Plan. Guidelines for these assessments are available from the Region of Halton, and these assessments will be reviewed by the Halton Agricultural Advisory Committee (HAAC).

6.21 Hydrogeology Study

Required for all applications in areas subject to private water and septic services, as set out in Part IV, Subsection 2.1.3 b) and Part IV, Subsection 3.3 d) of the City's Official Plan, the Regional Official Plan and the Region's "Guidelines for Hydrogeological Studies and Standards for Private Services, revised June 2000. Applicants should contact the Halton Health Department for more details regarding site-specific studies, which must be approved by the Region following a peer review.

6.22 Other

Any other studies as determined to be necessary to facilitate proper consideration of the application.

Preconsultation Meeting Notes

441 Maple Avenue - May 17, 2017

Attendees:

Agencies: Rosalind Minaji, John Kisneris, Annette Simpson, John Zaloznik, Sam Gagchene, Sarah Cranston, Umar Malik

Applicant: Dana Anderson, Arash Oturkar, Kelly Martel –MHBC
Sam Badawi, Samer Elflashny –property owner
Michael Spaziani -architect

Description of Development Concept:

- Want to reconsider landuse in the context of the downtown mobility hub and the work being done by the City
- Existing long term care facility must be replaced prior to demolition
- 22 storey, 203 unit residential apartment with underground parking
- Total GFA = 16,750m² FAR = 7.23
- Preliminary diagrams to show the approach for this site
- Surrounding context of 11 to 15 storeys – proposed building is stepped back from Maple Ave. in order to maintain views for surrounding lower rise buildings. Mid-rise height has been cut back and added to the storeys at the eastern side of the building.
- Looking at tower separation between new and existing buildings.
- Four levels of underground parking -253 spaces

Planning Comments:

- The lands are located within the Downtown Urban Growth Centre and the Downtown Mobility Hub Study Area. Area Specific Plans for the City's four Mobility Hubs are currently underway. These Plans will identify how the population assigned to Burlington by Halton Region's future Best Planning Estimates will be allocated among the City's intensification areas. We encourage you to contact our Mobility Hubs Team to discuss their workplan and how it may impact the review your proposal.
- The current Official Plan designation of Downtown Mixed Use Centre Medium and/or High Density permits residential development up to 185 units per hectare. All development must be compatible with the existing character of the surrounding precinct.
- The DRH zone has a maximum height of 22m and density of 185uph
- A Planning Justification Report is required:
 - to discuss the impact of Provincial, Regional and local planning policy on the proposed development;
 - to explain why the requested change to higher intensity and taller residential use is desirable and represents good planning;
 - to discuss how the results of required technical studies have been used to refine the redevelopment proposal; and
 - to explain how the proposed development is compatible with surrounding land uses including height, setbacks, massing, design and community features.
- Sun shadowing and height survey will be required. An angular plane should show how terracing can address pedestrian comfort.
- A wind study is required to address ground level wind conditions.
- Consider how additional landscaping may be included on the site.

- An Urban Design Brief will be required to explain how the interim Tall Building Design Guidelines adopted by Council in October 2016 have been addressed.
- Generally design of tall buildings should include the following:
 - avoidance of heavy massing and floor plates along street frontages –instead provision of articulated base buildings with a plenty of pedestrian interest and wide sidewalks;
 - provision of slender towers with approximately 750m² floor plates which are separated from other towers by at least 25m;
 - consideration of scale of the podium in relation to the tower;
 - orientation of buildings to consider impacts on surrounding development by providing appropriate setbacks, transitions in scale, terracing, and height limits to retain access to sunlight and privacy
- A 3D model of the proposed building is required with the submission to assist with public engagement.
- Section 37 Benefits may be required.
- Would be interested in seeing Section 37 funds to go toward public art within or around the development. Would like to be involved early in the process so that the art work does not come as an afterthought. Angela Papparizzo would be happy to collaborate with the applicant on this issue.
- Consider parking for visitors, as well as temporary drop off parking for part time workers (housekeeping, home care, etc.)

Region of Halton Planning Comments:

- S.76 of the 2009 ROP directs that the range of uses and the creation of new lots in the Urban Area will be in accordance with Local Official Plan and Zoning By-laws. All development however, shall be subject to the policies of this plan.
- Within the Built Boundary, in the Urban Growth Centre
- In accordance with S.147(17) of the Region's Official Plan states that a property is to be free of contamination prior to any development/change of use taking place.
 - Submission of a Regional Site Screening Questionnaire (SSQ) is required, for information purposes
 - Recommend a Phase 1 ESA be submitted up front with the application, with a letter of reliance
- S.156(1) require proponents of development applications to have regard for Healthy Community Guidelines.
- It is recommended that a preliminary Waste Management Plan be submitted as site specific zoning may be affected. Refer to the Region's Guidelines for Source Separation of Solid Waste

Required Plans/Studies:

- Planning Justification (include review of Healthy Communities)
- FSR (Site Servicing Plan)
- Environmental Site Screening Questionnaire, & Phase 1, Phase 2 ESA if existing
- Waste Management Plan
- Regional Review Fee's

Region of Halton Servicing Comments:

- There is a Halton Region local watermain, and a trunk watermain, within Maple Avenue adjacent to the proposed development. Any proposed trunk watermain service connection lateral requires special review and Regional permission to connect into, and it should be noted that permission is not always guaranteed.
- There is a Halton Region trunk wastewater main (sanitary sewer) within Maple Avenue adjacent to the proposed development. Any proposed trunk wastewater main service connection lateral requires special review and Regional permission to connect into, and it should be noted that permission is not always guaranteed.
- The developer should undertake to locate the size and location of all watermain, water services, water meters, wastewater mains (sanitary sewers), wastewater (sanitary) services, stormwater mains and stormwater services that exist within the road right-of-ways, to the property and within the property and place them on an Existing Site Servicing Plan drawings within their reports. Public and private utility companies can be utilized for this purpose.

- A Functional Servicing Report is required to be prepared by the developer's civil engineering consultant (watermains, water services, fire hydrants, sanitary sewer mains, sanitary sewer services, stormwater mains and stormwater services) to show options for how the property is proposed to be serviced according to City of Burlington and Halton Region standards. Local watermain and wastewater main (sanitary sewer) hydraulic analysis should be completed by the developer's consultant as well for the local sewers and the drainage area down to the nearest trunk sewer. The consultant should include details about other developments/properties in the drainage area in their analysis of the local sewers (if any). The report should speak to the number/type of units proposed and the phasing of the development with respect to the impacts on the Region's water distribution system and wastewater collection system. Phasing, timing of the development, and required/available capacity shall be detailed in the report. The consultant will include details about potential external main upsizing or main extensions to accommodate the development.
- The FSR report should incorporate Fire Flow Rate Testing. The proponent should undertake fireflow rate testing of representative Regional fire hydrants in the area, with the proponent's fireflow contractor and Region forces present. Include within the Report a copy of the fireflow rate testing results. This information will help to assist in informing the watermain design and watermain hydraulic modeling analysis that is being undertaken by the proponent's consultants.
- Further to the formal hydraulic analysis requirement, the developer's consultant can utilize the Region's current water and wastewater models (if required). The developer's civil consulting engineering firm will be required to enter into a Data License Agreement prior to obtaining any digital information from the Region.
- The FSR should include information related to all other Utilities infrastructure in the area and potential conflicts.
- The FSR should show the existing site services and note how they are proposed to be decommissioned to make way for the development.
- New development must be on the basis of full municipal services.
- The developer should be aware of the Region's Multi-Unit Servicing Policy with respect to the number and location of water meters.
- Regional policies state that water and sanitary services cannot cross lot lines, the owner will ensure this throughout the process.
- Any major servicing works required for this project would fall under the Regional Subdivision Agreement process or Regional Servicing Agreement process, including securities, Agreement registration, developer's liability insurance and the payment of Agreement fees.
- Servicing of a standard nature is required to go through the Regional Services Permit process.
- The size and scope of, utility trench and road cut, road restoration shall be to the satisfaction of the City of Burlington.
- Watermain and wastewater main (sanitary) servicing capacity is not guaranteed at the LOPA and Rezoning stage. Servicing of development in the Burlington area of Halton Region is on a first-come-first-serve basis. The owner can pre-consult about servicing capacity with the Region at any time in the future going forward. This current development proposal capacity will be reviewed closely and commented upon at the time of Planning application receipt. Should a servicing capacity issue be identified at that time then it will have to be dealt with, working through it with the Region. Servicing capacity is deemed to be in hand at the issuance of a Regional Services Permit, which is reviewed and obtained toward the end of the City's Site Plan approval process, or Regional Subdivision Agreement or Regional Servicing Agreement. On some occasions a Regional Subdivision Agreement may not be required, the developer will just have to fulfill all the requirements of the City and the Region prior to registering a plan of subdivision.
- The Region has initiated a Burlington Water Servicing Strategy Review and it is forecast to be completed this year. Please feel free to contact the Region at any time regarding the status of the review.
- As always, acquiring land for development purposes and hiring consultants, at this time, is at the risk of the developer.
- Any water services and sanitary services that currently exist to the property that will not be utilized for any reason will be required to be disconnected right at the respective main by the developer.

- The developer's site servicing consultant can preconsult with the Region at any time regarding their proposed draft site servicing water design, wastewater design and identified utility conflicts (including storm).
- The Region would like to receive confirmation in writing when any required formal land assembly has taken place at the LOPA and ReZoning, Subdivision or Site Plan stage, in order for servicing to conform with Regional Policies, that water and wastewater services do not and will not cross lot lines for different property owners.
- The developer should prepare a Solid Waste Management Plan to the satisfaction of the Region. The Plan shall have regard for the Region's Solid Waste Management Guidelines. The Solid Waste Management Guidelines are available on-line at <http://www.halton.ca>, Regional Official Plan (ROP) Guidelines, Development Design Guidelines for Source Separation of Solid Waste.
- The developer will inform the City, and the Region, whether they will be submitting a Site Plan application at the same time as the LOPA and ReZoning applications for timing purposes and issues identification and resolution purposes.

Capital Works Comments:

- Stormwater Controls
 - Quality Control - Enhanced quality Control achieving 80% Total Suspended Solids Removal
 - Quantity Control - Post development flows controlled to pre development flow levels by providing on-site storage for all storm events up to and including 100 year.
 - Erosion Control - Not Applicable
- Drainage Issues / Concerns
 - External Flows - Engineer to confirm any external flows entering the site under the existing conditions. All identified external flows must be routed safely under the developed conditions without causing any flooding or ponding.
 - Existing Infrastructure - A 1050 mm diameter storm sewer runs along Maple Avenue
 - Drainage Patterns - Details of the existing drainage arrangement is requested
- Functional Servicing Report
 - Grading and Servicing Plans
 - Major and Minor Flows
 - Internal stormwater servicing details
 - Control Structures and their location with cross sectional details
 - Storage Details and Locations
- Recommendations
 - Best Stormwater Management Practices
 - Apply Low Impact Development techniques and features
 - All construction to be completed in an environmentally friendly manner

Site Engineering Comments:

- The deemed Right of Way (ROW) of Maple Avenue is 26m, deemed ROW is 26m, City of Burlington owned, no widening required.
- There is a project noted in our Capital Works 2017 – 2026 Budget and Forecast to resurface Maple Avenue in 2018, subject to change. Information on future Capital Works projects are available on our website www.burlington.ca. We are advising of the project so that if it moves forward, to try to coordinate with Capital Works to avoid digging into a recently re-paved roadway.
- From our GIS mapping it does not appear as though the property is within Conservation Halton regulated area, however, we would defer to Conservation to confirm.
- There is a Trans-Northern pipeline adjacent to the rear of the property, please contact Trans-Northern Pipelines Inc to determine any requirements they may have when constructing in close proximity to their utility.
- Hydro One is adjacent to the site (east), please contact them to determine any requirements they may have when constructing in close proximity to their utility

- 455 Maple is higher than 441 Maple, there is an existing retaining wall along the shared property line – this will need to be looked at closely during the design stage.
- There are two hydro vaults at the front of the property – need to consult with Burlington Hydro early on
- Existing south driveway is shared with 421 Maple, as noted on the draft site plan as “subject to right of way”.
- Please incorporate at-grade bicycle parking for residents and guests, and consider bike parking at underground residential vehicle parking spaces, i.e. on the wall at the space, maybe the spaces are a bit deeper to incorporate?
- When designing the underground parking please consider pedestrian movements, i.e. safe/delineated areas at exits to stairwells and elevators, strategic placement of barrier free parking and access aisles to the elevators, etc.
- Please consider electric car charging stations in the underground parking, and consider ductwork for future electric car charging stations at individual parking spaces, if residents want to install in the future.
- Phase One Environmental Site Assessment required – there is an existing monitoring well on site – please ensure the Phase 1 ESA includes information regarding the well, i.e. when was it installed, is it still active, well records, etc.
- Stormwater Management Report:
 - There is an existing storm system on site – a catch basin in the rear parking lot (that appears to be on Hydro One lands). The existing system will need to be shown on the drawings. If the system is to be reused or maintained we will need videos of the existing system to see the condition. If no, please note on the drawings what is to be removed. Typically we require removal to the mainline, i.e. not just abandoned.
 - Confirm if there is permanent dewatering required for underground parking – and incorporate into design
 - We encourage Low Impact Development Stormwater Management techniques, such as rainwater harvesting for irrigation, use of treatment train approach of quality control by using bio and infiltration swales, etc., currently we look to the CVC/TRCA LID guidelines and/or in the future MOECC guidelines.
- Geotechnical Report - underground parking, groundwater conditions – is any permanent dewatering required for underground parking, & to support possible LID for SWM
- Trees:
 - There appear to be two City Trees along the Maple Ave. frontage, to be verified by the survey.
 - We will require a tree inventory study for all trees greater than 100mm dbh, and a tree protection and removal plan for the Official Plan Amendment/Rezoning application. The applicant is advised that trees within 3.0m of the property line are protected under the Provincial Forestry Act (RSO 1990) Section 10. The adjacent property owner(s) shall be consulted and made aware of the proposed development and potential effects to the boundary trees and requested to submit in writing that there are no concerns with proposed treatment of the existing tree(s) or a certified arborist (as defined in the City of Burlington's Tree protection and preservation specifications SS12A) shall be retained to address the potential impacts on the existing boundary trees and provide a letter or report confirming in their opinion that the boundary trees will survive the construction. The arborist letter or report shall also include the preservation methods, including pruning and fertilizing, that can be implemented by the owner in order to ensure boundary tree saving along mutual lot lines both within and adjacent lots.
 - It may be required to have an Certified Arborist (as defined in the City of Burlington's Tree protection and Preservation specifications (SS12A)) to be retained to address potential impact on the existing boundary trees and on site during excavation operations to ensure no damage to the protected trees or their root systems, to be determined at the Site Plan stage.
 - We ask that no trees be removed from site until after the Official Plan Subdivision/Rezoning has been completed/approved
 - Any proposed City Tree removal will require Council Approval. Removal of City trees should be avoided wherever possible. City trees proposed for removal will require an arborist's assessment of health and structural condition prior to the request being accepted.

- Please refer to the City of Burlington Tree Preservation and Protection Specification SS12A for further tree protection details.
- Underground parking should be sure to provide sufficient soil volumes to support trees in landscaping areas.
- Detailed Grading and servicing plans, also including:
- City trees to be shown on drawing and boundary trees over 100mm in diameter within 3m of the property line), indicate which trees are proposed to be removed.
- Need to include grades on adjacent properties enough to determine existing drainage patterns.
- Noise Feasibility Study – for the development itself and need to see if there are any negative impacts on surrounding existing and proposed residential. Please note that adjacent to the site the existing high-rise buildings, and adjacent developments with underground parking may be stationary sources that will need to be assessed in the report
- Summary for RZ/OPA:
 - Stormwater Management Report (Can be a section in the FSR)
 - Detailed Servicing, Grading & Drainage drawings
 - Noise Feasibility Study
 - Geotechnical Report (if LID proposed)
 - Phase One ESA
 - Tree preservation (and removal) plan
- At the Site Plan Stage:
 - Erosion control plan
 - Construction Management Plan
 - Utility coordination plan
 - Landscape plans
 - Would like to see at grade and underground bike racks incorporated
 - Clearly show pedestrian connections
 - Lighting/Photometrics details/drawing, as per City of Burlington Accessibility Design Standards and City of Burlington Outdoor Lighting Guidelines, available on our website
 - Snow storage – preferred on a soft surface, i.e. grass, as a pretreatment for quality control.
 - Precondition survey of surrounding properties as well as vibration monitoring during construction will be required.

Transportation Services Comments:

- A Traffic Impact Study (TIS) is required
- A Transportation Demand Management (TDM) section is required as part of the TIS
- Bicycle parking is required (at-grade for visitors and secured bike parking for residents)
- A Parking Justification Report will be required if a parking deficiency is proposed, based on the parking rates outlined in the Zoning Bylaw
- The applicant is encouraged to refer to the City's Site Plan Application Guidelines early in the design process (ramp grades, stall dimensions, walls, columns etc.)



DEVELOPMENT APPLICATION PRE-CONSULTATION FORM

Meeting Date: March 14, 2018	Property Owner: 2435481 Ontario Inc.
Site Address: 441 Maple Avenue	Applicant / Address / Phone / Email Kelly Martel MHBC Planning 442 Brant St., Suite 240 Burlington, ON, L7R 2G4 905-639-8686 x230 kmartel@mhbcplan.com
Site Area: 0.28 ha	

APPLICATION TYPE (check applicable applications):

Local Official Plan Amendment	<input checked="" type="checkbox"/>	Zoning By-law Amendment	<input checked="" type="checkbox"/>	Plan of Subdivision	<input type="checkbox"/>	Parkway Belt Amendment	<input type="checkbox"/>
Other Application	<input type="checkbox"/>						

1. Brief description of proposed development:

-19 storey, 163 unit residential apartment with underground parking

-existing long term care facility to be demolished

2. Conformity with Regional Official Plan Designation? YES ☒ NO ☐

Has an application been made to amend the Regional Official Plan: YES ☐ NO ☒

3. Existing Official Plan Designation: Downtown Mixed Use Centre, Medium & High Density Residential

Conformity with City Official Plan land use designation? YES ☐ NO ☒

If 'NO' what is the nature of the OP amendment needed? Increased density

4. Existing Zoning: DRH

Conformity with existing zoning? YES ☐ NO ☒

If 'NO' what is the nature of the zoning amendment needed? -site specific regulations including increased height and density

5. **Design Guidelines in effect?** YES x NO

Name of Design Guidelines Downtown Urban Design Guidelines, Tall Building Design Guidelines

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

YES NO x

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

APPLICATION	CITY	REGION	CONSERVATION HALTON	PROVINCE
Official Plan Amendment:	21,119.00	8,215.64	-	-
Rezoning - Base Fee:	13,933.50	969.08	-	-
(70%)	71,633.00			
Rezoning - Variable Fee:				
Subdivision - Base Fee:		-	-	-
Subdivision - Variable Fee:				
Parkway Belt Amendment:		-	-	-
TOTAL	\$106,685.50	\$9,184.72	-	-

Separate cheques are payable to City, Region, Conservation Halton and Province (Ministry of Finance.)

8. **Additional Agencies to be contacted:** Burlington Hydro, Hydro One, TransNorthern Pipeline

9. **Neighbourhood Meeting**

Is a neighbourhood meeting required? (e.g. residential intensification / infill, increased height and/or density, abutting residential zone, other neighbourhood/community impacts).

YES x NO TO BE DETERMINED

If "YES" a Neighbourhood Meeting **will be** required

- The Neighbourhood meeting will be held after submission and public circulation of the application.
- Meeting logistics will be organized by the City Building Department.
- The Ward Councillor, the applicant, City planner and other City staff as determined will attend the Neighbourhood Meeting. Presentations will be made by the City planner about the planning process and by the applicant about the development proposal.
- The meeting will be chaired by the City planner, or by the Ward Councillor.

10. **Section 37 Agreement**

Is this an application for increased height and/or density? YES x NO

If "YES" a Section 37 Agreement **may be** required.

11. Required Information for Complete Application

Reports, Studies, Plans * <i>(See Appendix for additional details)</i> All identified reports must be submitted in Accessible PDF form before an application is deemed complete.		Number of Paper Copies (plus one in PDF form) If Study is Required	Required Study (Yes/No)
6.1	Planning Justification Report	8	Yes
6.2	Conceptual Site Plan Layout & Site Survey	15	Yes
6.3	Draft Plan of Subdivision	15	No
6.4	Storm Water Management Report	9	FSR
6.5	Functional Servicing Report (Including Stormwater, Water & Wastewater)	9	Yes
6.6	Tree Inventory and Protection Plan	9	Yes
6.7	Traffic/Transportation Impact Study including Parking Justification Report	7	Yes Yes
6.8	Top-of-Bank Demarcation	6	No
6.9	Environmental Evaluation Report	7	No
6.10	Noise Feasibility Study	7	Yes
6.11	Shadow Analysis	3	Yes
6.12	Environmental Site Screening Checklist	5	Yes
6.13	Phase One or Two Environmental Site Assessment/ Record of Site Condition Report	5	Phase One TBD
6.14	Land Assembly Documents	2	No
6.15	Height Survey of adjacent buildings	2	Yes
6.16	Heritage Impact Statement	3	No
6.17	Archaeological Report	3	No
6.18	Wind Impact Study	3	Yes
6.19	Sensitive Land Use (Risk Assessment) Report	6	No
6.20	Burlington Urban Design Advisory Panel Meeting Minutes	4	Yes
6.22	Other (specify)		
	Urban Design Brief	5	Yes
	Grading, Drainage & Servicing Plans	12	Yes
	Geotechnical Report	4	Yes
	Draft Zoning By-law	2	Yes
	3D Model of Proposed Building(s)	1	Yes

12. **ADDITIONAL COMMENTS:** See attached notes

NOTES:

1. Notwithstanding the fees noted above, all fees are payable based on the rate in the fee schedule by-law in effect on the date the payment is made. Further fees, such as variable fees may be required at a later date as per the fee schedule by-law.
2. The purpose of this document is to identify the information required to commence processing a complete application as set out in the Planning Act. Pre-consultation does not imply or suggest any decision whatsoever on behalf of City staff or the Corporation of the City of Burlington to either support or refuse the application.
3. This document expires 120 days from the date of signing or at the discretion of the Director of City Building. Please note that development application fees may change during this period and it is the applicant's responsibility to ensure that the correct fees are paid at time of application.
4. The City may require the peer review of a technical report submitted by the applicant. If this is required, the applicant will be advised and will be charged a fee equal to the cost of the peer review.
5. In the event this Pre-consultation Document expires prior to the application being accepted by the City, another document may be required.
6. An application submitted without the information identified in this Pre-consultation Document may be recommended for refusal based on insufficient information to properly evaluate the application.
7. **Acknowledgement of Public Information:**
The applicant acknowledges that the City considers the application forms and all supporting materials, including studies and drawings, filed with any application to be public information and to form part of the public record. With the filing of an application, the applicant consents to the City photocopying and releasing the application and any supporting materials either for its own use in processing the application or at the request of a third party, without further notification to or permission from the applicant. The applicant also hereby states that it has authority to bind its consultants to the terms of this acknowledgement.
8. It may be determined during the review of the application that additional studies or information will be required as a result of issues arising during the processing of the application.
9. The applicant must grant permission for municipal and agency staff to visit and access the property while the application is being processed.
10. There may also be financial requirements arising from the application, including, but not limited to, park dedication, development charges, payment of outstanding property taxes, deferred local improvement charges, costs for lifting 0.3-metre reserves, and reimbursement for road widening acquisition or road improvements.
11. All electronic file submissions must be named using the following naming protocol:
"Address_StudyName_MM-DD-YYYY". If a document is revised and resubmitted the file name should indicate that it is a revised submission and the date of the revision should be noted:
"Address_StudyName_Revised_MM-DD-YYYY".
12. Digital copies of all plans are required along with paper copies. Digital plans must be submitted in Autocad and/or GIS Shapefile format that must be geospatially positioned to match the City of Burlington's Geographic and Projected Coordinate Systems (Geographic Coordinate System: GCS_North_American_1983; Projected Coordinate System: NAD83_UTM_ZONE 17N).
13. Personal information contained in this form is collected under the authority of the Planning Act, R.S.O. 1990, cP.13, as amended. The information will be used for the purpose of administering the City of Burlington's pre-consultation process on development applications. Questions about this collection can be directed to the Manager of Development Planning, City of Burlington, 426 Brant Street, Burlington, Ontario, L7R 3Z6, 905-335-7600, ex 7638.
14. The applicant requests that the information submitted on this pre-consultation form and associated documents be kept confidential. It is understood; however, that an access request may be filed under the Municipal Freedom of Information and Protection of Privacy Act, and information may be subject to release, notwithstanding the request to keep information confidential.

Staff and Agency Signatures:

Rosalind Onyiah
Planning Staff

Rosalind Onyiah
Planning Staff (Signature)

March 14 2018
Date

Amette Simpson
Site Engineering Staff

Amette Simpson
Site Engineering Staff (Signature)

March 14/18
Date

Site Engineering Staff

Site Engineering Staff (Signature)

Date

Capital Works Staff

Capital Works Staff (Signature)

Date

DAN OLIMKOVIC
Transportation Staff

DAN OLIMKOVIC
Transportation Staff (Signature)

3/14/2018
Date

Sarah Cranston
Regional Staff

Sarah Cranston
Regional Staff (Signature)

March 14/18
Date

John Kisner's
Regional Staff

John Kisner's
Regional Staff (Signature)

March 14, 2018
Date

Conservation Halton Staff

Conservation Halton Staff (Signature)

Date

Proponent Signatures:

In signing this agreement, I acknowledge that the drawings, reports and other requirements indicated above must be submitted, along with a completed application form, any information or materials required by statute, the required application fees and a copy of this agreement in order for the planning application to be considered complete. In addition, I have read and agreed to the Notes listed above.

Property Owner

Property Owner (Signature)

Date

Kelly Martel
Agent
(I have authority to bind the owner)

Kelly Martel
Agent (Signature)

mar. 14/2018
Date

APPENDIX—REQUIREMENTS FOR REPORTS/STUDIES AND PLANS

6.1 Planning Justification Report

A qualified planner (Registered Professional Planner) must submit a report providing planning justification for the proposed amendment in light of the principles, objectives and policies of the City's Official Plan and the technical studies accompanying the application. The goal of the report is to document how the proposed departure from the local policies and regulations represents good planning and is in the public interest. The report must: describe the site context; address applicable provincial and regional policy; describe the proposal in detail including preliminary site plan details if applicable; address applicable local Official Plan policies (e.g. policies relating to compatibility, intensification, redesignation criteria and conversion policies); describe how the proposal meets Council approved Design Guidelines, discuss findings of the technical studies in the context of the Part II Functional Policies of the Official Plan; and other Council policy.

6.2 Conceptual Site Plan Layout & Site Survey

General plan required showing proposed building envelopes, driveways, parking and landscape areas. Survey of site showing PINs, easements, property boundaries etc.

6.3 Draft Plan of Subdivision

The plan of subdivision map is to contain information required under Section 51(17) of the Planning Act, as well as: legend, map scale, boundary of property to be subdivided, north marker, address, registered plan number, lot and concession, date plan prepared and date of any revisions, name of person or firm who prepared the plan, all landowners names, signatures and date, and the Ontario land surveyor's name, signature and date.

6.4 Storm Water Management Report

Required in accordance with Part II, Section 2.11.3 subsections a) & d) of the Official Plan.

6.5 Functional Service Report

Required in accordance with Part II, Section 2.11.3 subsection e) of the Burlington Official Plan. Required for all applications in urban areas in accordance with Part III, Sections 87-89 of the Regional Official Plan. Municipal (Urban) Servicing Guidelines are available from the Region of Halton.

6.6 Tree Inventory and Protection Plan

Required when a property under application contains woodlots, tree stands or hedgerows, in accordance with Part II, Section 6.0 of the City's Official Plan and Part IV, Sections 146-147 of the Regional Official Plan. A tree survey must be prepared by a qualified professional, identifying all existing trees, their type, size and condition, those trees proposed to be removed and retained, and the methods to be used to ensure preservation and protection of those trees to be retained.

6.7 Traffic/Transportation Impact Study

Required for applications as set out in Part II, Subsection 3.2.2 d) of the City's Official Plan and Part IV, Sections 171-173 of the Regional Official Plan. Contact City Transportation Planning staff (City roads) or Regional Public Works staff (Regional roads) for background information and to discuss TIS assumptions. For Regional roads, applicants are referred to the "Guidelines for the Preparation of Traffic Impact Studies". MTO must be contacted for lands near provincial highways

6.8 Top-of-Bank Demarcation

Required for applications on any property containing, or abutting a creek or valley feature, Lake Ontario or Burlington Bay shoreline, in accordance with Part II, Section 9.2.2 subsection b) and Part III, Section 6.4.2, subsections d) and e) of the City's Official Plan. Applicant's surveyor must meet on-site with representatives of the City Capital Works Department and Conservation Halton to survey the top of bank and/or floodline, and this surveyed line shall be incorporated into the applicant's subdivision or site plan. A geotechnical report may be required to identify stable top-of-bank.

6.9 Environmental Evaluation Report

Required for applications as set out in Part II, Section 2.5 of the City's Official Plan, the Regional Official Plan and the Region's Environmental Impact Assessment guidelines. These assessments will be reviewed by the Halton Ecological and Environmental Advisory Committee (EEAC).

6.10 Noise Feasibility and Vibration Study

Required for applications as set out in Part II, Section 3.3.2, subsections r), s) and t), and Part II, Section 3.7.2, subsections d), e) and f) of the City's Official Plan, Part IV, Sections 142-143 of the Regional Official Plan, and for all properties abutting arterial roads. In the case of Regional roads, applicants shall refer to the Region's "Noise Attenuation Policy for Regional Roads," dated October 2000.

6.11 Shadow Analysis

Required for all applications where, in the opinion of the City Building Department, the proposal may result in impacts on adjacent properties from sun shadowing, in accordance with Part III, Section 2.5.2, subsection (vii) of the City's Official Plan. Guidelines for this analysis are contained in the City's Site Plan Application Guidelines.

6.12 Environmental Site Screening Checklist

Required for all applications as set out in the "Protocol for Reviewing Development Applications with respect to Contaminated Sites," dated March 2003. Applicants should contact the Region of Halton for historical data and any environmental records.

6.13 Phase One or Two Environmental Site Assessment/Record of Site Condition Report (prepared in accordance with O.Reg. 153/04)

Required to assess site contamination in accordance with Part II, Section 2.4, subsections i) and j) of the City's Official Plan. All requirements of O. Reg. 153/04 must be met for Phase One and Two studies and required Records of Site Condition (RSCs). A letter of reliance from the Environmental Consultant/Qualified Person, confirming the City of Burlington and the Region of Halton can rely on the information contained in the report(s) is required. All reports must be signed by a Qualified Person as defined under O.Reg. 153/04.

6.14 Land Assembly Documents

Required for applications where, in the opinion of the City Building Department, the assembly of additional lands is required to facilitate orderly development of the area. Applicants are required to submit documentation demonstrating that a reasonable, bona fide offer has been made to acquire such lands.

6.15 Height Survey of adjacent buildings

Required for all residential infill and intensification rezoning applications, in accordance with City Council policy. A surveyor's report must identify the highest points of the existing adjoining roofs measured from the existing average grade of the shared property line.

6.16 Heritage Impact Statement

Required as determined by Planning staff for any property designated pursuant to the Ontario Heritage Act, identified on the City's Inventory of Heritage Resources, or for any property located adjacent to a designated or otherwise inventoried property.

6.17 Archaeological Report

Required for all applications in or near areas of archaeological potential, as determined by the Region of Halton. Reports must be completed in accordance with Provincial requirements and the Regional Archaeological Master Plan.

6.18 Wind Impact Study

May be required, as determined by Planning staff, for any building over 6 storeys in height. The report will provide information related to wind comfort conditions for pedestrians both on and around the development.

6.19 Sensitive Land Use (Risk Assessment) Report

Required for applications proposing sensitive land uses in proximity to existing industrial uses, or proposing industrial uses in proximity to existing sensitive uses, in accordance with Part II, Section 2.7.3 subsections n) & o) and Part II, Section 4.3 subsection d) of the City's Official Plan, Part IV, Sections 146-147 of the Regional Official Plan, and the Ministry of the Environment D-6 series guidelines.

6.20 Agricultural Impact Assessment Report

Required for applications as set out in Part II, Subsection 13.3 e) of the City's Official Plan and for certain proposals in certain designations in the Regional Official Plan. Guidelines for these assessments are available from the Region of Halton, and these assessments will be reviewed by the Halton Agricultural Advisory Committee (HAAC).

6.20 Burlington Urban Design Advisory Panel Meeting Minutes

The Burlington Urban Design Advisory Panel (BUD) is an independent advisory body comprised of design professionals that provides urban design advice to the City Building Department on all tall and mid rise buildings (5 storeys or greater) and all public development projects. Advice from BUD will be integrated early in the review process to reinforce the City's expectation for a high standard of design excellence resulting in a more efficient and effective municipal development review. A copy of BUD meeting minutes must be submitted with the application along with a Design Brief explaining how their advice has been incorporated into the development proposal.

6.21 Hydrogeology Study

Required for all applications in areas subject to private water and septic services, as set out in Part IV, Subsection 2.1.3 b) and Part IV, Subsection 3.3 d) of the City's Official Plan, the Regional Official Plan and the Region's "Guidelines for Hydrogeological Studies and Standards for Private Services, revised June 2000. Applicants should contact the Halton Health Department for more details regarding site-specific studies, which must be approved by the Region following a peer review.

6.22 Other

Any other studies as determined to be necessary to facilitate proper consideration of the application.

Preconsultation Meeting Notes

441 Maple Avenue - March 14, 2018

Attendees:

Agencies: Rosalind Minaji, John Kisneris, Annette Simpson, Dan Ozimkovic, Sarah Cranston

Applicant: Kelly Martel –MHBC

Description of Development Concept:

- Want to reconsider landuse in the context of the downtown mobility hub and the work being done by the City
- Existing long term care facility must be replaced prior to demolition
- 19 storey, 163 unit residential apartment with underground parking
- Parking for 162 cars
- Preliminary diagrams to show the approach for this site
- Surrounding context of 11 to 15 storeys – proposed building is stepped back from Maple Ave. in order to maintain views for surrounding lower rise buildings. Mid-rise height has been cut back and added to the storeys at the eastern side of the building.
- Looking at tower separation between new and existing buildings.
- Two levels of underground parking, & four levels above ground

Planning Comments:

- The current Official Plan designation of Downtown Mixed Use Centre Medium and/or High Density permits residential development up to 185 units per hectare. All development must be compatible with the existing character of the surrounding precinct.
- The DRH zone has a maximum height of 22m and density of 185uph
- The lands are located within the Downtown Urban Growth Centre and the Downtown Mobility Hub Study Area. Area Specific Plans for the City's four Mobility Hubs are currently underway. Designations for the Downtown Mobility Hub are expected to be adopted by Council in April 2018.
- This property has been designated as "Downtown Mid-Rise Residential Precinct" in the draft Official Plan. This Precinct will primarily accommodate existing residential development consisting of eleven storeys or less, in predominantly residential areas of the downtown. Limited development opportunities existing within the precinct will be expected to transition to, as well as achieve compatibility with the St. Luke's and Emerald Neighbourhood Precinct as well as other established residential neighbourhoods outside of the Downtown.
- The draft new Official Plan policies represent the Planning Department's current position on the most appropriate form of redevelopment in the downtown. Additional height and density will not be supported. However, through the ongoing Downtown Mobility Hub Area Specific Plan process, proposed height and or density permissions may be subject to change prior to the approval of the final Area Specific Plan.
- Planning policy for downtown Burlington is in flux. While development applications will continue to be processed under the current Official Plan 1994, staff is encouraging applicants to conform to the objectives of the Downtown Mobility Hub in the proposed new Official Plan.
- The applicant is therefore strongly advised to conform to the 11 storey height limit in any future redevelopment proposal.
- A Planning Justification Report is required:
 - to discuss the impact of Provincial, Regional and local planning policy on the proposed development;
 - to explain why the requested change to higher intensity and taller residential use is desirable and represents good planning;
 - to discuss how the results of required technical studies have been used to refine the redevelopment proposal; and

- to explain how the proposed development is compatible with surrounding land uses including height, setbacks, massing, design and community features.
- Sun shadowing and height survey will be required. An angular plane should show how terracing can address pedestrian comfort.
- A wind study is required to address ground level wind conditions.
- Consider how additional landscaping may be included on the site.
- Prior to submitting the application, consultation with the Burlington Urban Design Panel will be required. An Urban Design Brief will be required to explain how the Tall Building Design Guidelines have been addressed and how the comments of BUD have been taken into account. A copy of the BUD meeting minutes must be submitted with the application. BUD Terms of Reference provided.
- Generally design of tall buildings should include the following:
 - avoidance of heavy massing and floor plates along street frontages –instead provision of articulated base buildings with a plenty of pedestrian interest and wide sidewalks;
 - provision of slender towers with approximately 750m² floor plates which are separated from other towers by at least 30m;
 - consideration of scale of the podium in relation to the tower;
 - orientation of buildings to consider impacts on surrounding development by providing appropriate setbacks, transitions in scale, terracing, and height limits to retain access to sunlight and privacy
- A 3D model of the proposed building is required with the submission to assist with public engagement. Model specifications provided.
- Section 37 Benefits may be required.
- Consider parking for visitors, as well as temporary drop off parking for part time workers (housekeeping, home care, etc.)

Region of Halton Planning Comments:

- The subject lands are located within the Urban Area and within the Urban Growth Centre as per the 2009 ROP
 - S. 76 of the ROP directs that the range of permitted uses and creation of lots within in the Urban Area is to be in accordance with local official plans and zoning bylaws.
 - S.81(1) directs development with higher densities and mixed uses to Intensification Areas
- All development within the Urban Area to be on full municipal services, as per Section 89(3)
- S.156(1) of the ROP requires proponents of development applications to have regard for the Region's Healthy Community Guidelines. A review the Healthy Community Guidelines should be included as part of the Planning Justification Report.
- Planning Justification Report will need to identify compliance with Provincial Legislation with respect to the conversion of a long term care facility to a freehold residential building
 - Please reference the Region's State of Housing Report 2016 and include a comprehensive analysis of the availability of long term beds in Halton.
- In accordance with S.147(17) of the Region's Official Plan, a property is to be free of contamination prior to any development taking place
 - Regional Environmental Site Screening Questionnaire to be submitted with the application
 - Phase One ESA at the time of application (prepared to O.Reg 153-04 standards and with a Letter of Reliance), further studies may be required depending on the results of the ESA
 - Hydro vaults on private property will trigger need for Phase Two during process.
- Waste Management:
 - Concept plan shows internal Regional waste collection is proposed
 - Recommended a waste management plan be submitted with the application, as site-specific zoning may be affected
 - Please reference the Region's Development Design Guidelines for Source Separation of Solid Waste (Section 2.3) for design requirements
 - Region requires 9m overhead truck clearance and 13m truck turning radius
- Required Plans/Studies:
 - All submitted materials on a USB stick/CD

- Planning Justification Report (to include analysis of Region's Healthy Community Guidelines)
- Functional Servicing Report, Site Servicing Plan (part of FSR)
- Environmental Site Screening Questionnaire & Phase One ESA (prepared to O.Reg 153/04 standards and with a Letter of Reliance)
- Waste Management Plan recommended
- Regional review fees

Region of Halton Servicing Comments:

- There is a Halton Region local watermain, and a trunk watermain, within Maple Avenue adjacent to the proposed development. Any proposed trunk watermain service connection lateral requires special review and Regional permission to connect into, and it should be noted that permission is not always guaranteed.
- There is a Halton Region trunk wastewater main (sanitary sewer) within Maple Avenue adjacent to the proposed development. Any proposed trunk wastewater main service connection lateral requires special review and Regional permission to connect into, and it should be noted that permission is not always guaranteed.
- The Region forecasts a future capital works project for the replacement of the wastewater main within Maple Avenue tentatively for 2018-2020.
- The developer should undertake to locate the size and location of all watermains, water services, water meters, wastewater mains (sanitary sewers), wastewater (sanitary) services, stormwater mains and stormwater services that exist within the road right-of-way, to the property and within the property and place them on an Existing Site Servicing Plan drawings within their reports. Public and private utility companies can be utilized for this purpose.
- A Functional Servicing Report is required to be prepared by the developer's civil engineering consultant (watermains, water services, fire hydrants, sanitary sewer mains, sanitary sewer services, stormwater mains and stormwater services) to show options for how the property is proposed to be serviced according to City of Burlington and Halton Region standards. Local watermain and wastewater main (sanitary sewer) hydraulic analysis should be completed by the developer's consultant as well for the local sewers and the drainage area down to the nearest trunk sewer. The consultant should include details about other developments properties in the drainage area in their analysis of the local sewers (if any). The report should speak to the number/type of units proposed and the phasing of the development with respect to the impacts on the Region's water distribution system and wastewater collection system. Phasing, timing of the development and required/available capacity shall be detailed in the report. The consultant will include details about potential external main upsizing or main extensions to accommodate the development, etc.
- The FSR report should incorporate Fire Flow Rate Testing. The proponent should undertake fireflow rate testing of representative Regional fire hydrants in the area, with the proponent's fireflow contractor and Region forces present. Include within the Report a copy of the fireflow rate testing results, and the Fire Underwriters Survey (FUS) requirements for the development. This information will help to assist in informing the watermain design and watermain hydraulic modelling analysis that is being undertaken by the proponent's consultants.
- Further to the formal hydraulic analysis requirement, the developer's consultant can utilize the Region's current water and wastewater models (if required). The developer's civil consulting engineering firm will be required to enter into a Data License Agreement prior to obtaining any digital information from the Region.
- The FSR should include information related to all other utilities infrastructure in the area and potential conflicts.
- The FSR should show the existing site services and note how they are proposed to be decommissioned to make way for the development.
- New development must be on the basis of full municipal services.
- The developer should be aware of the Region's Multi-Unit Servicing Policy with respect to the number and location of water meters.
- Regional policies state that water and sanitary services cannot cross lot lines, the owner will ensure this throughout the process. Each lot must be independently serviced if it is proposed to be a separate lot.

- Any major servicing works required for this project would fall under the Regional Servicing Agreement process, including securities, Agreement registration, developer's liability insurance and the payment of Agreement fees.
- Servicing of a standard nature is required to go through the Regional Services Permit process.
- The size and scope of, utility trench and road cut, road restoration shall be to the satisfaction of the City of Burlington for local roads.
- Watermain and wastewater main (sanitary) servicing capacity is not guaranteed at the LOPA and ReZoning stage. Servicing of development in the Burlington area of Halton Region is on a first-come-first-serve basis. The owner can pre-consult about servicing capacity with the Region at any time in the future going forward. This current development proposal capacity will be reviewed closely and commented upon at the time of Planning application receipt. Should a servicing capacity issue be identified at that time then it will have to be dealt with, working through it with the Region. Servicing capacity is deemed to be in hand at the issuance of a Regional Services Permit, which is reviewed and obtained toward the end of the City's Site Plan approval process, or Regional Servicing Agreement.
- The Region has initiated a Burlington Water Servicing Strategy Review and it is forecast to be completed this year. Please feel free to contact the Region at any time regarding the status of the review.
- As always, acquiring land for development purposes and hiring consultants, at this time, is at the risk of the developer.
- Any water services and sanitary services that currently exist to the property that will not be utilized for any reason will be required to be disconnected right at the respective main by the developer.
- The developer's site servicing consultant can preconsult with the Region at any time regarding their proposed draft site servicing water design, wastewater design and identified utility conflicts (including storm).
- The Region would like to receive confirmation in writing when any required formal land assembly has taken place at the LOPA and ReZoning stage in order for servicing to conform to Regional Policies, that water and wastewater services do not and will not cross lot lines for different property owners.
- The developer should prepare a Solid Waste Management Plan to the satisfaction of the Region. The Plan shall have regard for the Region's Solid Waste Management Guidelines. The Solid Waste Management Guidelines are available on-line at <http://www.halton.ca> , Regional Official Plan (ROP) Guidelines, Development Design Guidelines for Source Separation of Solid Waste.
- The developer will inform the City, and the Region, whether they will be submitting a Site Plan application at the same time as the LOPA and ReZoning applications for timing purposes and issues identification and resolution purposes.

Site Engineering Comments:

- The deemed Right of Way (ROW) of Maple Avenue is 26m, City of Burlington owned, no widening required.
- There is a project noted in our Capital Works 2018 – 2027 Budget and Forecast to resurface Maple Avenue in 2018, subject to change. Information on future Capital Works projects are available on our website www.burlington.ca . We are advising of the project to advise the applicant that a new Standard is in effect as of July 12, 2017, S-114-B, requiring any disturbance to the municipally owned ROW asphalt to be restored curb to curb for the entire frontage(s) of the property, it may also mean that a City contractor will complete the works, and the costs borne by the Applicant.
- From our GIS mapping it does not appear as though the property is within Conservation Halton regulated area, however, we would defer to Conservation to confirm.
- There is a Trans-Northern pipeline adjacent to the rear of the property, please contact Trans-Northern Pipelines Inc to determine any requirements they may have when constructing in close proximity to their utility.
- Hydro One is adjacent to the site (east), please contact them to determine any requirements they may have when constructing in close proximity to their utility
- 455 Maple is higher than 441 Maple, there is an existing retaining wall along the shared property line – this will need to be looked at closely during the design stage. We wouldn't want to see a narrow gap between

an existing retaining wall and the new wall of the building, the applicant will have to work with the adjacent landowner to appropriately address the grading between properties.

- There are two hydro vaults at the front of the property - need to consult with Burlington Hydro early on
- Streetscaping will likely be required, i.e. benches, coloured concrete, decorative lighting, etc. Please consult with our Planning and/or Landscape Architect for details.
- Existing south driveway is shared with 421 Maple, as noted on the draft site plan as “subject to right of way”. This will need to be looked at carefully for access during construction, we will need know that it is feasible (i.e. 421 Maple will still have access during construction) to construct the building at the rezoning stage
- We appreciate the provision of at-grade and under/above ground bicycle parking for residents and guests
- We appreciate the design of the underground parking, consideration of pedestrian movements, i.e. safe/delineated areas at exits to stairwells and elevators, please ensure strategic placement of barrier free parking so that there is clear access aisles to the elevators, the accessible spaces are not labeled on the plan yet. We would also ask that the entrance to the elevator/stair area connect with the 2.0m pathway along the center of the parking.
- Please consider electric car charging stations in the underground parking, and consider ductwork for future electric car charging stations at individual parking spaces, if residents want to install in the future.
- Remedial work to the Hydro One owned parcel at the rear that the current property uses may be required, to be determined.
- Consider bird migratory routes and mitigation measures to avoid bird strikes.
- Trees: we defer to Vanessa Aykroyd to comment
- Phase One Environmental Site Assessment required – there is an existing monitoring well on site – please ensure the Phase ONE ESA includes information regarding the well, i.e. when was it installed, is it still active, well records, etc. The Phase One ESA needs to be completed in accordance with O. Reg. 153/04, including a letter of reliance stating the City (and Region) may rely on the information provided. Please note that depending on the results of the Phase One ESA, further environmental investigation may be required, up to and possibly including a Record of Site Condition.
- Stormwater Management Report:
 - Umar Malik has provided the following SWM criteria:
 - Enhanced Quality Control achieving 80% Total Suspended Solids Removal. We ask that a treatment train approach be utilized that incorporates Low Impact Development techniques. OGS units providing 80% TSS removal will be credited at 50%,
 - Quantity Control – post development flows controlled to pre development flow levels by providing on site storage for all storm events including the 2 to 100 year storm.
 - Provide storage details and location
 - Report to include servicing & grading plan
 - There is an existing storm system on site – a catch basin in the rear parking lot (that appears to be on Hydro One lands). The existing system will need to be shown on the drawings. If the system is to be reused or maintained we will need videos of the existing system to see the condition. If not, please note on the drawings what is to be removed. Typically we require removal to the mainline, i.e. not just abandoned.
 - Confirm if there is permanent dewatering required for underground parking – and incorporate into design
 - Please note that there should be no surface ponding in accessible parking spaces, and no surface ponding in a 5 year storm.
 - Landscape areas over underground parking will be considered 0.9 runoff coefficient.
 - Please clearly show the overland flow route for this address and neighbouring properties to ensure existing drainage patterns are maintained.
 - Quantity controls must use an orifice tube (not plates).
 - Need to confirm capacity of receiving system
 - Need to confirm condition of receiving system (i.e. video inspection)
 - Rooftop storage will not count towards the storage requirements
 - Control structures and their location with cross sectional details

- It's important to determine storage requirements as we need to ensure any tanks in the underground parking are sized correctly at the RZ/OPA stage to avoid having to use up parking spaces later on for an increase in tank size.
- If you have any questions regarding SWM criteria please contact us (umar.malik@burlington.ca or annette.simpson@burlington.ca)
- We encourage Low Impact Development Stormwater Management techniques, such as rainwater harvesting for irrigation, use of treatment train approach of quality control by using bio and infiltration swales, etc., currently we look to the CVC/TRCA LID guidelines and/or in the future MOECC guidelines.
- Geotechnical Report - underground parking, groundwater conditions – is any permanent dewatering required for underground parking, & to support possible LID for SWM
- Construction Management Plan – to show how the site can be constructed while maintaining access for 421 Brant (ex. easement) and ensure that the excavation/shoring/tiebacks/etc. are within the limits of the subject property. If it is proposed to use the back (un-owned) property during construction please note on the plan and obtain written permission/permit from the Owner, Hydro One, and include with submission. Additional details will be required at the Site Plan stage.
- Detailed Grading and servicing plans, also including:
 - city trees to be shown on drawing and boundary trees over 100mm in diameter within 3m of the property line), indicate which trees are proposed to be removed.
 - Need to include grades on adjacent properties enough to determine existing drainage patterns.
 - Show existing retaining walls (including existing walls on neighbouring property), need to see how grades will interface, may need to remove adjacent wall (With owner permission)
 - 100 year storm elevation
 - Catch basins in landscape areas to be sumpless
 - Show neighboring driveway/access/easement for 421 Brant – and show how it will remain accessible for the duration of construction.
 - We would strongly encourage the Applicant's Civil Engineer to daylight the area of the proposed service connections to accurately locate the existing infrastructure (sewers, water, bell, hydro, cable, etc.) and determine inverts before completing detailed design work. This will be a requirement before Site Plan approval (if application proceeds)
 - Although a site plan issue, we need to ensure there is room for snow storage. The ground floor plan does not look to have any "spare" room where snow could be stored. Stating that snow will be removed will not be accepted at the site plan stage. Our strong preference is to have snow stored on a landscaped (grass) area and then intercepted by catchbasins, this would allow for pretreatment of salty/sandy snow prior to entering the storm system.
 - Another site plan issue, however we ask that the architect and other consultants consider placement of utility meters/piping/vaults/etc. please ensure they do not block walkways or be placed near the main entrances, ensure there is enough room at the design stage of the building.
- Noise Feasibility Study – for the development itself and need to see if there are any negative impacts on surrounding residential.
 - Please note that adjacent to the site the existing high-rise buildings and adjacent developments with underground parking may be stationary sources that will need to be assessed in the report.
 - Please have the noise engineer consult with the architect and structural engineer as to the optimal placement of vents and fans for the underground parking
 - Please advise the noise consultant that reflective surface should be used in Stamson calculations
 - Please also advise the noise consultant that although NPC-300 tables indicate 60dBA in the OLA with warning clauses, it is not acceptable to the City, we request that all possible measures be taken to control the noise in the OLA to 55dBA or less, if not feasible, then we request calculations to confirm what levels could be achieved, i.e. 60dBA would require a 3m noise barrier, 59 a 3.5m, 58dBA a 4.0m, etc. all the way to 55dBA.
 - All STAMSON calculations should be included in the brief
 - Copies of correspondence from the City of Burlington confirming traffic counts must be included in the brief.

- Site plan to be included in the report
- Key plan showing points of reception to be included & a chart referencing the key plan, detailing the estimated noise levels, allowable levels, and mitigated noise levels
- Area context plan to be included showing potential sources of noise
- Summary for RZ/OPA:
 - Stormwater Management Report (Can be a section in the FSR)
 - Detailed Servicing, Grading & Drainage drawings
 - Noise Feasibility Study
 - Geotechnical Report (for underground parking & if LID proposed)
 - Phase One ESA (in accordance with O. Reg. 153/04 & letter of reliance)
 - Tree preservation (and removal) plan
 - Preliminary construction management plan
- At the Site Plan Stage:
 - Erosion control plan
 - Construction Management Plan – will need to be detailed to ensure access to 421 Maple is maintained for the duration of construction and to ensure all excavation/shoring/tie backs/etc. are within the limits of the subject property). As well as show trades parking, truck staging, sanitary facilities, site trailer, material storage, hoarding, etc. No trade's parking will be allowed on City streets. No Truck Staging will be allowed on City streets, unless permission/permit is obtained from Transportation. After hours emergency number to be posted on front gate. Solid wood hoarding (with concreted-in posts) around the site will be required.
 - Utility coordination plan, please no meters/valves/piping/vaults at the front of the building or near main entrances or blocking/encroaching into walkways.
 - Landscape plans – street-scaping will be required.
 - Clearly show pedestrian connections
 - Lighting/Photometrics details/drawing, as per City of Burlington Accessibility Design Standards and City of Burlington Outdoor Lighting Guidelines, available on our website
 - Snow storage – preferred on a soft surface, i.e. grass, as a pretreatment for quality control.
 - Precondition survey of surrounding properties as well as vibration monitoring during construction will be required.
 - Mechanical Engineer will need to confirm that they have reviewed the SWM and have designed the internal pipes accordingly.
 - Applicant is advised that a new Standard is in effect as of July 12, 2017, S-114-B, requiring any disturbance to the municipally owned ROW asphalt to be restored curb to curb for the entire frontage(s) of the property, it may also mean that a City contractor will complete the works, and the costs borne by the Applicant

Urban Forestry Comments:

- There are two City Trees listed in the City's Tree Inventory along the Maple Ave frontage, exact location and ownership to be verified by OLS survey.
- Tree Inventory and Preservation Plan for all trees within the right of way, and all trees greater than 10cm DBH on site, and within 3m of any property line. The applicant is advised that trees whose trunks are located on a property line are protected under the Forestry Act of Ontario. Should there be impacted trees along property lines protected by the Forestry Act, the adjacent property owner(s) must provide informed consent in writing as to the proposed treatment of trees.
- We ask that no trees be removed from site until after the Official Plan Subdivision/Rezoning has been completed/ approved.
- Any proposed City Tree removal will require Council Approval. Removal of City trees should be avoided wherever possible. City trees proposed for removal will require an arborist's assessment of health and structural condition prior to the request being accepted.
- Please refer to the City of Burlington Tree Preservation and Protection Specification SS12A for further tree protection details.

Transportation Services Comments:

- A Traffic Impact Study (TIS) is required
- A Transportation Demand Management (TDM) section is required as part of the TIS
- Bicycle parking is required (at-grade for visitors and secured bike parking for residents)
- A Parking Justification Report will be required since a parking deficiency is proposed, based on the parking rates outlined in the Zoning Bylaw
- The applicant is encouraged to refer to the City's Site Plan Application Guidelines early in the design process (ramp grades, stall dimensions, walls, columns etc.)
- Consider electric vehicle charging stations for the proposed development.



May 10, 2019

Ms. Melissa Morgan
Planning and Building Department – Planning Division
City of Burlington
426 Brant Street Po Box 5013
Burlington, ON L7R 3Z6

Legislative & Planning Services
Community Planning
1151 Bronte Road
Oakville ON L6M 3L1
Fax: (905) 825-0267

Dear Ms. Morgan:

**RE: Official Plan Amendment & Zoning By-law Amendment – 1st Submission Regional Comments
441 Maple Avenue
Better Life Retirement Residences
City of Burlington – 505-02/19 & 520-03/19**

Better Life Retirement Residences have submitted a Local Official Plan Amendment (LOPA) and Zoning By-law Amendment (ZBA) application to permit the redevelopment of 441 Maple Avenue (**Subject Lands**) as follows (**Development Proposal**):

- To permit the redevelopment of the subject lands to permit development of an 11-storey, 253 unit residential apartment building.

The following amendments are proposed to facilitate this Development Proposal:

- To amend the City of Burlington's Official Plan from a 'Downtown Mixed Use Centre – Downtown Residential Medium and/or High Density Precinct' designation to add site specific policies to permit the proposed development; and,
- To rezone the subject lands from a 'Downtown Residential High Density (DRH)' zone to add site specific provisions to permit the proposed development.

Regional Planning Staff have reviewed the subject applications within the context of Provincial planning documents and Regional Official Plan (ROP) and offer **no objection** to the proposed amendments based upon the following comments.

Matters of Provincial & Regional Interest:

Regional Staff has considered the LOPA and ZBA applications in the context of the Provincial Policy Statement, 2014 (PPS) and advises that subject to the comments contained herein, it is the Region's opinion that these applications are generally consistent with the PPS. Regional Staff have also considered the applications in the context of the 2017 Places to Grow Plan (P2G) and are of the opinion that this application will assist in achieving the managing growth and Urban Growth Centres policy directions of this Plan and generally conform to the policies of the P2G Plan.

Regional Municipality of Halton

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In considering the proposed LOPA and ZBA applications, Regional Staff have also completed an initial review of the proposed new Growth Plan (A Place to Grow: The Growth Plan for the Greater Golden Horseshoe, 2019). While it would appear as though the proposed LOPA and ZBA applications would conform to this proposed plan, a fulsome review of this plan, once approved and in force, will need to be undertaken to confirm conformity or not.

The subject lands are designated as 'Urban Area' and within the Urban Growth Centre for the City of Burlington in the 2009 Official Plan (ROP). The policies of Urban Area designation support a form of growth that is compact and supportive of transit, the development of vibrant and healthy mixed use communities which afford maximum choices for residence, work and leisure. Sections 77, 78 and 81 of the ROP further supports providing opportunities for live/ work relationships, and achieving higher densities and mix of uses as defined and prescribed by Local Official Plan policies. Section 81 of the ROP provides policy direction with respect to Urban Growth Centres (UGC) wherein these defined areas are to serve as a focal point for intensification and redevelopment. The ROP further directs that UGC's are to achieve a minimum density target of 200 residents and jobs combined per grow hectare by 2031.

Subject to the following technical comments, the proposed LOPA and ZBA generally conforms to the Urban Area, *Intensification Area* and UGC policies of the ROP.

Site Contamination:

Section 147(17) of the ROP requires that prior to the Region considering any development application proposals, the proponent must identify whether there is any potential for soils on the site to be contaminated. Regional Staff are in receipt of a Phase 1 Environmental Site Assessment for the subject lands. This Phase 1 ESA indicates that a Record of Site Condition (RSC) in accordance with O.Reg. 153/04 is not required at this time. Regional Staff are generally satisfied with the conclusions of this report and the supplementary information provided by the author of this report, and is satisfied that this ROP policy direction has been addressed.

Municipal Services:

Policy 58 (1.1) of 2009 ROP permits development provided that "adequate supply of water and treatment of wastewater for the proposed use has been secured to the satisfaction of the Region". Further, and as noted above, Policy 89(3) of the 2009 ROP requires that all new development within the Urban Area be on the basis of connection to Halton's municipal water and wastewater system.

A Functional Servicing Report, prepared by GHD, dated November 15, 2018, was received with the LOPA and ZBA applications. This report makes reference to the Region's watermain and wastewater mains (sanitary sewers) located within the municipal right-of-ways adjacent to the property. This report also makes reference to how the owner's Professional Engineer foresees the property and the building being serviced. A draft Preliminary Site Servicing Plan drawing and other drawings were provided. The owner's Professional Engineer should generally be aware of the following. Water and wastewater services cannot cross lot lines. The FSR, as provided, is satisfactory for the purposes of considering the LOPA and ZBA applications.

Some general comments on the Functional Servicing Report, for the owner's Professional Engineer, are as follows:

- The proposed new water service connection lateral may require a precast concrete valve chamber with three valves installed on the existing watermain, as per Halton Region's Water and Wastewater Linear Design Manual.
- The developer's technical designers have committed to/and shall undertake fire flow rate testing of representative Regional fire hydrants in the area, in order to obtain all the background information that

they require with respect to available water pressure and flow, to adequately design the domestic water supply and fire systems.

- All existing water and sanitary service connection laterals will be required to be disconnected, right at their respective mains.
- The existing wastewater main within Maple Avenue is a trunk wastewater main. Please note that any proposed trunk wastewater main connection requires special review and Regional permission to connect into, and it should be noted that permission is not always guaranteed.

While Regional Staff acknowledge that this report is satisfactory for the purposes of the identifying how they site can be services and any capacity constraints (downstream or otherwise), capacity within the Region's system to accommodate growth does not imply support for a particular level of growth, intensification/redevelopment of uses.

Solid Waste Management:

Based upon the materials provided to date, Regional Staff are unable to confirm if Regional Waste collection can be provided to the proposed development. While Regional Waste Collection is not a requirement to be addressed as part of the consideration of a LOPA and ZBA application, Regional Staff recommends that the following additional information should be considered to assist the City and the proponent in assessing solid waste collection for this site/development.

- The proponent provides a Waste Management Plan, in accordance with Regional Guidelines that details how waste collection for the building is to be provided.
- It would appear as though the entrance to the loading area does not meet regional design guidelines. The width of the entrance to the loading area is 3.5 m, while the Region's guidelines require a width of 6 m.
- It does not appear as though the internal height clearance for the loading area has been provided. Please confirm this clearance height.
- Please provide a site plan of the waste room showing the orientation of the compactor and other associated waste equipment.

Regional Staff further encourage the proponent to revised/update their plans to accommodate Regional Waste collection.

Conclusion:

As outlined herein, Regional Staff are of the opinion that the proposed Local Official Plan Amendment and Zoning By-law Amendment applications for the site specific High Density Residential uses are consistent with and conform to the relevant planning documents.

In accordance with Halton Region By-law 17-99 and the above noted review of the proposed official plan amendment application, it appears that this application may be exempt from Halton Region approval. Regional Staff have considered the proposed amendments in accordance with Regional By-law 17-99 and have determined that although the proposed amendments may be exempt for Regional approval, a formal review of the LOPA for exemption from Regional approval would be provided under separate cover.

I trust these comments are of assistance to you. Should you have any questions or require additional information, please do not hesitate to contact me directly.

Yours truly,

A handwritten signature in black ink, appearing to read 'Adam Huycke', written in a cursive style.

Adam Huycke, MCIP, RPP, CPT
Senior Planner, Community Planning