



**SUBJECT:** Statutory public meeting for applications to amend the official plan and zoning by-law for 40-70 Plains Rd E.

**TO:** Community Planning, Regulation & Mobility Cttee.-PM

**FROM:** Community Planning Department

Report Number: PL-34-21

Wards Affected: 1

File Numbers: 505-02/21, 520-03/21

Date to Committee: September 14, 2021

Date to Council: September 21, 2021

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### **Recommendation:**

Direct staff to continue to process the submitted official plan and zoning by-law amendments for 40-70 Plains Road East, including evaluating and incorporating any/all comments received by the Committee and public at the Statutory Public Meeting, as well as the comments received through the ongoing technical review of this application by agency partners and internal departments.

### **PURPOSE:**

The purpose of this report is to provide background information to the Committee and the public for a Statutory Public Meeting and to seek direction from Council to continue processing the applications in an effort to bring forward a subsequent recommendation report.

### **Vision to Focus Alignment:**

The subject application relates to the following focus areas of the 2018-2022 Burlington's Plan: From Vision to Focus:

- Increase economic prosperity and community responsive city growth
  - Improve integrated city mobility
  - Support sustainable infrastructure and a resilient environment
  - Building more citizen engagement, community health and culture
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**Executive Summary:**

<b>RECOMMENDATION:</b>		Continue to process application	<b>Ward:</b>	1
<b>Application Details</b>	<b>APPLICANT:</b>	Bousfields Inc.		
	<b>OWNER:</b>	Infinity (Plains Road) Corporation and Infinity (Aldershot) Developments Inc.		
	<b>FILE NUMBERS:</b>	505-02/21, 520-03/21		
	<b>TYPE OF APPLICATION:</b>	Official Plan Amendment, Zoning By-law Amendment		
	<b>PROPOSED USE:</b>	10-storey (including penthouse level) residential apartment building with 360 units		
<b>Property Details</b>	<b>PROPERTY LOCATION:</b>	South side of Plains Rd E, between Lasalle Park Rd and Birchwood Ave		
	<b>MUNICIPAL ADDRESSES:</b>	40, 46, 60, 56, 62, 66, and 70 Plains Rd E		
	<b>PROPERTY AREA:</b>	0.68 hectares		
	<b>EXISTING USE:</b>	Seven two-storey detached dwellings		
<b>Documents</b>	<b>1997 OFFICIAL PLAN Existing:</b>	Residential – Medium Density		
	<b>1997 OFFICIAL PLAN Proposed:</b>	Mixed-Use Corridor – General (with site-specific policies)		
	<b>ZONING Existing:</b>	RM1-346		
	<b>ZONING Proposed:</b>	MXG-XXX (Mixed Use Corridor – General with site-specific regulations)		
<b>Processing Details</b>	<b>APPLICATION RECEIVED:</b>	April 21, 2021		
	<b>STATUTORY DEADLINE:</b>	August 19, 2021		
	<b>COMMUNITY MEETING:</b>	January 22, 2020		
	<b>PUBLIC COMMENTS:</b>	22 residents submitted written comments; One resident submitted a petition signed by 59 residents and results of an online survey created by the resident and completed by 86 respondents.		

## Background and Discussion:

On April 21, 2021, the City received complete applications requesting amendments to the Official Plan and Zoning By-law to permit the development of a ten-storey (including mechanical penthouse level) apartment building on lands addressed as 40-70 Plains Road East.

The purpose of this report is to provide an overview of the applications, an outline of applicable policies and regulations, and a summary of technical and public comments received to date.

## Site Description & Surrounding Land Uses

The subject lands are located in the Aldershot community in the City of Burlington on the south side of Plains Road East, east of Lasalle Park Road, as shown in Figure 1 below.

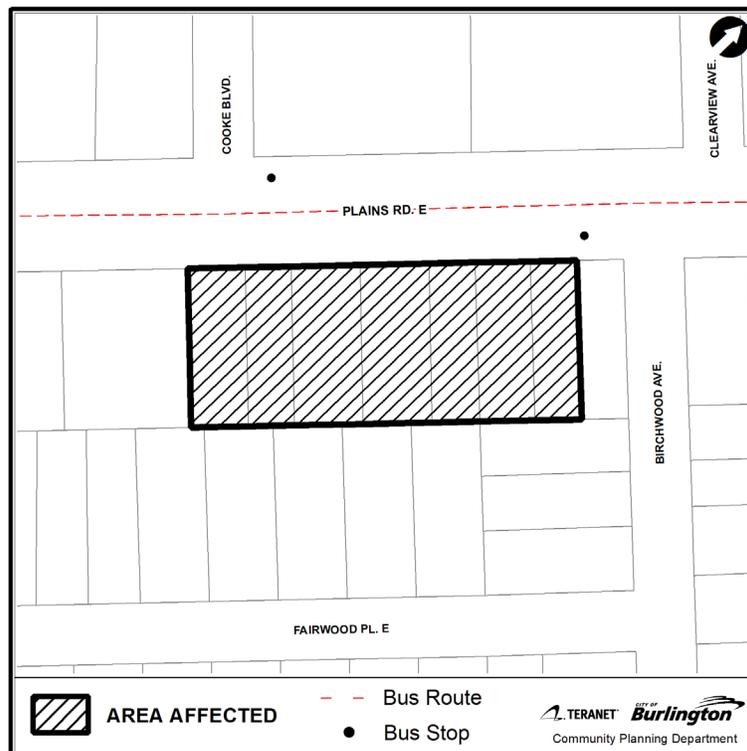


Figure 1: Location of subject lands (40-70 Plains Rd E)

The subject lands consist of seven properties known as 40, 46, 50, 56, 62, 66, and 70 Plains Road East, and have a combined area of approximately 0.68 hectares. These lands have a depth of approximately 50 metres and a combined frontage of approximately 128 metres on the south side of Plains Road East.

The existing uses on the site consist of seven detached dwellings of 1.5 to 2 storeys in height with individual driveways providing access from Plains Road East.

Surrounding uses are as follows:

- To the south: low-density detached dwellings fronting on Fairwood Place East and Birchwood Ave. Approximately 500 metres to the south is Lasalle Park.
- To the west: a six-storey mixed-use building with residential apartments and ground-floor commercial space (Halton Condo Plan 671). Beyond this are a two-storey restaurant with outdoor patio and surface parking, an automobile service station with surface parking and accessory retail (convenience store), and a six-storey mixed-use building at the southwest corner of Waterdown Road/Lasalle Park Road and Plains Road comprising a retirement home with ground-level retail and medical office.
- To the north: Plains Road East, across which are a vacant parcel at 35 Plains Road East, a one-storey building containing an adult entertainment establishment and motel with surface parking at 53 Plains Road East, and a vacant parcel at 71 Plains Road E. Beyond these are employment uses along Cooke Blvd and low-density residential uses on Clearview Ave. Approximately 650 metres north of the subject lands is the Aldershot rail station served by GO Transit and VIA Rail.

The Local Planning Appeal Tribunal (now called the Ontario Land Tribunal) has approved an Official Plan Amendment and Zoning By-law Amendment to permit a 9-storey residential building with 72 residential units and ground-floor commercial uses at 35 Plains Road East (PL171346). Information on this approval is available at [www.burlington.ca/35plains](http://www.burlington.ca/35plains).

The owner of 53-71 Plains Road E and 1025 Cooke Blvd has applied for Official Plan Amendment and Zoning By-law Amendment to permit development of 10-storey and 12-storey mixed-use buildings on these lands with 450 residential units and ground-level commercial uses. On May 12, 2021, these applications (file numbers 505-11/17 and 520-22/17) were appealed by the owner for non-decision. These appeals have been referred to the Ontario Land Tribunal (OLT). For more information, visit [www.burlington.ca/solidgold](http://www.burlington.ca/solidgold).

- To the east: a one-storey detached dwelling known as 992 Birchwood Avenue, at the southwest corner of Plains Rd E and Birchwood Ave. Beyond Birchwood Avenue are additional detached dwellings. 56m east of the subject lands, the property known as 92 Plains Road East has been approved by the Local Planning Appeal Tribunal (now called Ontario Land Tribunal) for development of a 7-storey apartment building with ground-floor office (PL180373).

The subject lands are located within the Aldershot GO Major Transit Station Area, as defined by Halton Region through Regional Official Plan Amendment #48.

### **Description of Applications**

The applications propose to develop a residential mid-rise building with a height of ten storeys (32.2 metres) and a gross floor area of 29,626 m<sup>2</sup>. The application describes the proposed building as 9 storeys plus rooftop mechanical penthouse level; however, in addition to mechanical space and outdoor rooftop amenity area, the penthouse level also includes approximately 730 m<sup>2</sup> of indoor amenity area. On this basis, the penthouse level is considered to be a storey in accordance with the City's Zoning By-law and the building height is considered to be 10 storeys.

The proposed building comprises 360 dwelling units and has a Floor Area Ratio (FAR) of 4.33:1. 424 parking spaces are proposed, including 14 visitor spaces at grade and 410 occupant spaces in two underground levels accessed via a ramp at the rear of the property. Driveway access to the property is proposed from Plains Road East in alignment with the signalized intersection of Plains Road East and Cooke Blvd.

As shown in the Detail Sketch in Appendix A of this report, the principal building mass is oriented along the Plains Road East frontage, with step-backs above the 6<sup>th</sup> and 9<sup>th</sup> storeys. At the rear of the building, the building massing divides into four wings, each of which extends southward toward the rear lot line, stepping down incrementally from the principal building mass to a height of 3 storeys. Outdoor amenity space is proposed on the rooftop and at grade at the rear of the property. Surface parking, driveway, loading space, and the underground ramp are proposed beneath and around the westernmost wing. The principal building entrance is proposed in the centre of the front elevation facing Plains Road East.

To facilitate the proposed development, the application requests to amend the Official Plan (1997, as amended) by redesignating the subject lands from "Residential – Medium Density" to "Mixed Use Corridor – General" with a site-specific exception. The application also requests to amend the Zoning By-law by rezoning the subject lands from RM1-346 (Residential Medium Density with site-specific exception) to MXG-XXX (Mixed Use Corridor General with site-specific exception). The proposed site-specific exceptions would be required to permit the proposed intensity of development, in particular building height and density.

### **Supporting Documents**

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

1. Building Renderings, prepared by RAW Design, dated September 29, 2020;
2. 3-D Building Massing Perspectives, prepared by RAW Design, dated September 2, 2020;
3. Architectural Drawings (including Conceptual Drawings, Site Plan, and elevations), dated April 1, 2021, prepared by RAW Design;

4. Landscape Concept Plan prepared by Adesso Design Inc., dated April 2021;
5. Planning and Urban Design Rationale prepared by Bousfields, dated December 2020;
6. Planning Addendum Letter prepared by Bousfields Inc., dated April 20, 2021;
7. Shadow Study, prepared by RAW Design, dated Jan. 21, 2021;
8. Pedestrian Wind Study prepared by Gradient Wind, dated April 13, 2021;
9. Height Survey of Nearby Buildings, prepared by Bousfields and Mackay, Mackay, and Peters Ltd;
10. Tree Inventory and Preservation Plan, prepared by Nate Torenvliet, dated April 14, 2021;
11. Transportation Impact Assessment prepared by Paradigm Transportation Solutions Ltd, dated December 2020;
12. Draft Official Plan Amendment prepared by Bousfields;
13. Draft Zoning By-law Amendment, prepared by Bousfields;
14. Environmental Noise Feasibility Study, prepared by Gradient Wind, dated January 29, 2021;
15. Functional Servicing Report, prepared by S. Llewellyn and Associates, dated April 2021;
16. Grading, Drainage, and Servicing Plans, prepared by S. Llewellyn and Associates, dated April 2021;
17. Geotechnical Investigation, prepared by Fisher Engineering, dated April 16, 2021;
18. Hydrogeological Investigation, prepared by Fisher Engineering, dated April 7, 2021;
19. Shoring Layout Plan prepared by Quinn Dressel Associates;
20. Phase One Environmental Site Assessment prepared by Landtek Ltd, dated May 2020;
21. Limited Phase Two Environmental Site Assessment prepared by Landtek Ltd, dated Dec. 2019;
22. Environmental Site Screening Questionnaire/Checklist prepared by Bousfields, dated Dec. 2020;
23. Construction Management Plan, prepared by Infinity Developments, dated December 2020;
24. Updated Construction Management and Mobility Plan, dated March 2021;
25. Waste Management Plan, prepared by RAW Design;
26. Site Survey, prepared by Mackay, Mackay, and Peters, dated March 31, 2021;
27. Traffic Noise Cover Letter, prepared by Gradient Wind, dated January 29, 2021;
28. Comment response letter prepared by S. Llewellyn & Associates Ltd., dated April 14, 2021;
29. Reliance Letter for Environmental Site Assessments prepared by Landtek Ltd, dated February 2021;
30. Reliance letters to City and Region for Geotechnical and Hydrogeological reports, prepared by Fisher Engineering Ltd., dated April 13, 2021;
31. Land Assembly documents, prepared by the property owner;
32. Application forms prepared by Bousfields, dated April 21, 2021;
33. Cover letters prepared by Bousfields, dated Dec. 15, 2020, April 21, 2021, and May 20, 2021;
34. Burlington Urban Design (BUD) Advisory Panel meeting minutes and submission package, dated October 20, 2020;
35. Technical Preconsultation meeting minutes prepared by City of Burlington, dated Sept. 9, 2020.

Application materials are posted online at [www.burlington.ca/70plains](http://www.burlington.ca/70plains).

## **Strategy/process**

This section provides information on staff's ongoing review of the subject applications, including the applicable policy framework, and the comments received to date from technical reviewers and members of the public.

## **Policy Framework**

### *Provincial Policy Statement, 2020*

The Provincial Policy Statement (PPS) provides broad policy direction on land use planning and development matters of provincial interest. All planning decisions must be consistent with the PPS.

The PPS promotes the achievement of healthy, liveable, and safe communities through various means including by promoting efficient development and land use patterns; accommodating an appropriate and market-based mix of land uses; preparing for the regional and local impacts of a changing climate; and promoting the integration of land use planning, growth management, transit-supportive development, intensification, and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs.

### *A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)*

A Place to Grow: Growth Plan for the Greater Golden Horseshoe ("the Growth Plan") provides a policy framework for managing growth in an area that includes the City of Burlington. The 2019 Growth Plan took effect on May 16, 2019, and Amendment 1 to the 2019 Growth Plan took effect on August 28, 2020. All planning decisions within the Growth Plan area must conform to the Growth Plan (2020).

The Growth Plan requires Major Transit Station Areas (MTSAs) to be planned and designed to be transit-supportive, to provide a diverse mix of uses and housing options, to provide for a more compact built form and vibrant public realm, and to mitigate and adapt to climate change. Growth is directed to occur predominately through intensification of built-up areas, with a focus on growth in Strategic Growth Areas such as MTSAs.

### *Halton Region Official Plan*

The Halton Region Official Plan (ROP) outlines a long-term vision for Halton's physical form and community character. To pursue that vision, it sets forth goals and objectives, describes an urban structure for accommodating growth, and states the policies to be followed. All planning decisions in Halton Region, which includes the City of Burlington, must conform to the ROP.

The ROP identifies the subject lands as being located within the Urban Area. The Urban Area policies support a compact form of growth that is supportive of transit and non-motorized forms of transportation. The ROP also provides policy guidance for the proper integration of uses with the surrounding neighbourhoods through urban design. The ROP also promotes efficient use of serviced lands to increase the supply of housing and achieve an adequate mix of housing types in the Region.

On July 7, 2021, Halton Region adopted Regional Official Plan Amendment 48 (ROPA 48), which establishes a hierarchy of Strategic Growth Areas, including Major Transit Station Areas (MTSAs). ROPA 48 delineates a boundary for the Aldershot GO MTSA that includes the subject lands. ROPA48 also establishes a minimum density target of 150 people and jobs combined per hectare for the Aldershot GO MTSA, which Burlington is to plan for. Halton Region has forwarded the adopted ROPA48 to the Minister of Municipal Affairs and Housing (MMAH) for final approval.

*City of Burlington Official Plan (1997, as amended)*

The City of Burlington's Official Plan (1997, as amended) ("the OP") designates the subject lands as "Residential – Medium Density" with a site-specific Policy (Part III, section 2.2.3.h). The Medium Density designation permits residential development in either ground-oriented or non-ground-oriented built forms with a density of between 26 and 50 dwelling units per net hectare. The site-specific policy requires the protection of the existing character of the south side of Plains Road East between Cooke Blvd and Filmandale Road, and compatibility with the abutting neighbourhood to the south.

To permit the proposed development, the applicant has requested to amend the OP by redesignating the subject lands from "Residential – Medium Density" to "Mixed Use Corridor – General" with a site-specific policy to permit a maximum building height of 10 storeys and a maximum floor area ratio of 4.33:1. The site-specific policy would be needed because the "Mixed Use Corridor – General" designation permits a maximum building height of six storeys and maximum floor area ratio of 1.5:1. The OP notes that Council may consider higher floor area ratios through a Zoning By-law Amendment application subject to the consideration of various factors including the adequacy of services and infrastructure, the achievement of compatibility with adjacent uses, a high quality of building design, landscaping and streetscaping, and the provision of underground parking.

*Official Plan Amendment 119*

On January 30, 2020, City Council adopted Official Plan Amendment 119 (OPA 119) which amended the Official Plan (1997, as amended) by introducing new policies, including policies for transit-supportive development, urban design and compact built form, and Major Transit Station Areas (MTSAs). OPA 119 is subject to appeals and has not yet taken effect. For more information, visit [www.burlington.ca/icbl](http://www.burlington.ca/icbl).

*City of Burlington New Official Plan (2020)*

On November 30, 2020, Halton Region issued a Notice of Decision approving a new City of Burlington Official Plan (2020) (“the new OP”). The new OP is subject to appeals, including an appeal by Infinity Developments (the applicant) that specifically relates to policies applying to the subject lands. Appeals are currently before the Ontario Land Tribunal (OLT). For up-to-date information on the status of the new OP and relevant appeals, visit [www.burlington.ca/newop](http://www.burlington.ca/newop).

The new OP designates the subject lands as “Urban Corridor”. The Urban Corridor designation requires transit-supportive and pedestrian-oriented design and is intended to provide for the day-to-day goods and service needs of residents and employees within and in proximity to the corridor. Permitted uses include residential uses and mixed-use developments in buildings between 2-6 storeys in height. The maximum permitted Floor Area Ratio (FAR) is 2.0:1 but higher FAR may be permitted through a Zoning By-law Amendment without requiring an Official Plan amendment.

Schedule B-1 of the new OP identifies the subject lands as being located within a Primary Growth Area. Primary Growth Areas are recognized as distinct areas that will accommodate the majority of the City’s forecasted growth over the planning horizon of the new OP, and consequently will experience the greatest degree of change. Primary Growth Areas shall support the frequent transit corridors and accommodate development that is compact, mixed-use, and pedestrian-oriented in nature.

Schedules B-1 and G of the new OP also identify the subject lands as being located within an MTSA Special Planning Area. The new OP outlines the City’s intention to complete area-specific plans for MTSA Special Planning Areas and sets out policies to guide the consideration of development applications that precede the completion of an area-specific plan.

*Area-Specific Plan for the Aldershot GO MTSA*

The City of Burlington is currently developing an Area-Specific Plan (Secondary Plan) for the Aldershot GO MTSA, which includes the subject lands. Information on this Area-Specific Planning project (previously also referred to as the Mobility Hub Study), including information about how the public can get involved in this project, can be found online at <https://www.getinvolvedburlington.ca/mtsa>.

*City of Burlington Zoning By-law*

The City of Burlington’s Zoning By-law zones the subject lands as RM1-346. This is a Residential Medium Density zone with a site-specific exception. The base RM1 zone permits detached dwellings, semi-detached dwellings, duplex, triplex, retirement home, and a limited range of non-residential uses. Exception 346 prohibits townhouses and provides specific regulations for residential and office uses.

It is expected that the zoning regulations currently applying to the subject lands will be updated through the upcoming City-initiated Comprehensive Zoning By-law Review (multi-year project anticipated to begin later this year) to align with the new Official Plan. Through the subject applications, the applicant proposes to rezone the subject lands to MXG-XXX (“Mixed Use Corridor – General” with site-specific exception) to permit the proposed ten-storey building. The change from the “RM1” (Residential – Medium-Density) base zone to the “MXG (Mixed Use Corridor – General) zone is needed because the RM1 zone does not permit apartment buildings. The MXG zone currently applies to much of the Plains-Fairview corridor.

Table 1 below compares the MXG zone in the City’s Zoning By-law to the customized MXG-XXX that would be needed to permit the development being proposed through the subject applications. The RM1-346 zone that currently applies to the subject lands is not included in Table 1 because it does not include regulations for apartment buildings, so comparison is not possible.

In the below table, “per unit” means “for each of the proposed apartment dwelling units”.

**Table 1: Comparison of MXG zone with proposed customized MXG-XXX**

	Existing MXG	Proposed MXG-XXX	Complies with MXG?
Building Height (Maximum)	6 storeys	10 storeys/32.2 metres	No
Floor Area Ratio (Maximum)	1.5:1	4.33:1	No
Yard abutting Plains Road (Minimum)	3 metres	1.2 metres	No
Rear Yard (Minimum)	3 metres	3 metres	Yes
Landscape Area Abutting a Street (Minimum)	3 metres	0 metres (drawings show approximately 0-1.2 metres at grade, 0 metres below ground)	No
Landscape Buffer Abutting Residential Zone (Minimum)	6 metres	Unclear (approximately 0 m) (drawings show 0-3 metres at grade, approximately 0 metres below ground)	No
Parking Supply (Minimum)	450 spaces (for 360 units)	424 spaces (for 360 units)	No

	Existing MXG	Proposed MXG-XXX	Complies with MXG?
	(1.25 spaces per unit, inclusive of visitor parking*) (*new rate approved by Local Planning Appeal Tribunal on May 21, 2021, case no. PL190525)	(1.17 spaces per unit, inclusive of visitor parking)	
Parking Space Dimensions (Minimum)	width: 2.75m length: no minimum area: 16.5m <sup>2</sup>	width: 2.6m length: 5.6m area: 14.56m <sup>2</sup>	No
Amenity Area (Minimum)	15m <sup>2</sup> per efficiency unit 20m <sup>2</sup> per one-bedroom unit 35m <sup>2</sup> per ≥2-bedroom unit	5.83 m <sup>2</sup> per unit	No

### *Urban Design Guidelines*

The following City of Burlington Urban Design Guidelines will be referred to by staff in the review of the subject applications:

- Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings (March 2019) (“the Mid-Rise Building Guidelines”);
- Pedestrian-Level Wind Study Guidelines and Terms of Reference (June 2020);
- Shadow Study Guidelines and Terms of Reference (June 2020);
- Stormwater Management Design Guidelines (June 2020);
- Sustainable Building and Development Guidelines (April 2018);
- Lighting Design Guidelines (October 2008);
- Plains Road Urban Design Guidelines (June 2006).

### **Technical Comments**

A request for comments was circulated to external agencies and relevant City departments on June 4, 2021. As of the time of writing of this report, the following comments have been received:

#### *Site Engineering*

Comments from Site Engineering staff identified concerns with missing or unclear information, site grading and drainage, stormwater management, groundwater pumping

and discharge, encroachment of underground shoring onto the Plains Road East right-of-way and neighbouring properties, construction and mobility management, and noise levels in the proposed new outdoor living areas.

Site Engineering staff identified the need for additional and revised information in order to satisfy City requirements.

#### *Other agencies*

Submissions from the following reviewers indicated no objections and/or standard comments regarding the proposed development: Finance Department, Halton Region Police Service, Rogers, Union Gas/Enbridge, Halton District School Board, Halton Catholic District School Board, Conseil scolaire viamonde (French School Board), and Canada Post.

Additionally, Ministry of Transportation, Conservation Halton, and TransNorthern Pipeline Inc. confirmed that they have no comments as the subject lands are outside of their regulated area.

#### *Outstanding comments*

As of the time of writing of this report, comments are still awaited from various agencies and departments, including but not limited to:

- Halton Region
- City of Burlington
  - Transportation Department
  - Parks Design & Construction team
  - Landscaping and Forestry staff
  - Fire Department
  - Transit Department
- Burlington Hydro
- Aldershot Village BIA

### **Public Comments**

#### *Written Submissions*

Written comments on the subject applications have been received from 22 residents. Public input will be considered in the review of the subject applications. Table 2 below provides a summary of comments from residents, organized by theme in order from most frequently to least frequently expressed theme, along with a staff response.

**Table 2: Summary of Public Comments**

Row #	Public comment	Staff response
1	<p><u>Traffic congestion</u></p> <p>Traffic congestion was identified as an existing concern (both on Plains Road and on side streets that experience spill-over traffic from Plains Road) and there is concern that this will be exacerbated by the proposed development and the compound effect of multiple approved and proposed developments in the area.</p>	<p>A Transportation Impact Assessment was submitted with the applications and is available online at <a href="http://www.burlington.ca/70plains">www.burlington.ca/70plains</a>. This study considers the cumulative impacts of other developments in the area along with the proposed development. This study is being reviewed by the City's Transportation Department.</p>
2	<p><u>Building height, massing, and scale</u></p> <p>Many comments expressed objection to the proposed height, massing, and general scale of the proposed building.</p> <p>Some residents expressed that 6 storeys should be the maximum height permitted to be consistent with the existing six-storey buildings in the area, and in accordance with the new Official Plan.</p> <p>A few residents stated that low-rise (2-3 storeys) should be the maximum height permitted.</p> <p>Others expressed general support for intensification in the Aldershot GO MTSA but questioned the appropriateness of a ten-storey building in this location, in some cases suggesting that the north side of Plains Road may be better suited to tall buildings than the south side due to lot depth and context (detached homes adjacent to south).</p>	<p>Comments will be considered by staff in the review of the applications.</p> <p>It should be noted that the new Official Plan designates the subject lands as Urban Corridor, which permits development of up to 6 storeys, and up to a Floor Area Ratio (FAR) of 2.0:1, and allows for higher FARs to be considered through a Zoning By-law Amendment application.</p> <p>Comments about the appropriateness of different built forms (heights, etc.) in different parts of the Aldershot GO MTSA will be shared with the MTSA team, who are developing an Area-Specific Plan for the Aldershot GO MTSA. Residents interested in the Area-Specific Plan project can visit <a href="http://www.getinvolvedburlington.ca/mtsa">www.getinvolvedburlington.ca/mtsa</a> to find out how they can get involved.</p>
3	<p><u>Character and feel of Plains Road</u></p> <p>Several residents expressed concern that the proposed development, along with other approved and proposed developments in the area, would contribute to the gradual loss</p>	<p>It is acknowledged that Plains Road is an area in transition and is designated "Urban Corridor" in the new Official Plan, which permits mixed-use development up to 6 storeys in height. Comments about neighbourhood</p>

Row #	Public comment	Staff response
	of neighbourhood character in Aldershot and specifically along Plains Road.	character will be considered by staff in the review of this application for development exceeding the permissions of the Official Plan.
4	<p><u>Conflict with driveway of 34 Plains Rd E</u></p> <p>Several residents cited existing concerns with traffic safety conditions related to the existing driveway of 34 Plains Road East (six-storey building adjacent to the subject property), due to a combination of factors including the short block width between LaSalle Park Road and Cooke Blvd, the lack of turn lanes, and the proximity of the driveway to the intersection of Plains Rd E and Cooke Blvd. There is concern that the existing conditions require improvements, and that the proposed development could exacerbate the existing concerns.</p>	These comments will be considered by staff in the review of the applications and have also been forwarded to staff in the Transportation Department for their consideration.
5	<p><u>Traffic Safety</u></p> <p>In addition to the comments about the driveway for 34 Plains Road East, several residents also commented on general traffic safety conditions on Plains Road and surrounding side streets. These include concerns about vehicles speeding during off-peak hours, the number of driveways crossing the sidewalk, and pedestrian safety, especially for children walking to the nearby schools.</p>	These comments will be considered by staff in the review of the applications and have also been forwarded to staff in the Transportation Department for their consideration.
6	<p><u>Shadow Impacts</u></p> <p>Concern that the proposed development, in combination with other proposed and approved developments in the area, could cause unacceptable shadow impacts, in particular on back yards of homes</p>	A Shadow Impact Study was submitted with the applications and is available online at <a href="http://www.burlington.ca/70plains">www.burlington.ca/70plains</a> . This study will be reviewed by staff in accordance with the City's Shadow Study Guidelines and Terms of Reference, which were adopted by Council in June 2020.

Row #	Public comment	Staff response
	on Birchwood Ave and Fairwood Place East.	
7	<p><u>Parking</u></p> <p>Several expressed concern that the proposed amount of visitor parking is insufficient and will lead to impacts on neighbouring properties from visitors to this development parking on side streets or illegally parking on neighbouring properties.</p>	<p>The Transportation Impact Assessment submitted with the applications includes a Parking Justification section. This is available online for public review and will be reviewed by the City's Transportation Department.</p>
8	<p><u>Privacy and Overlook</u></p> <p>Residents on Fairwood Place East and Birchwood Ave expressed concern with loss of privacy from the introduction of a ten-storey building with apartments, balconies, and rooftop amenity area overlooking their back yards.</p>	<p>Comments will be considered by staff in the review of the applications.</p> <p>The City's Mid-Rise Building Guidelines provide guidance on mitigating privacy concerns where a mid-rise building is proposed adjacent to a low-rise neighbourhood.</p>
9	<p><u>Noise and Vibration</u></p> <p>Several expressed concern about noise pollution from the proposed development.</p> <p>One resident also expressed concern about vibration from construction causing damage to neighbouring building foundations.</p>	<p>An Environmental Noise Feasibility Study has been submitted with the applications and is available online at <a href="http://www.burlington.ca/70plains">www.burlington.ca/70plains</a>. This study will be reviewed by staff in the review of the applications.</p> <p>If the current applications are approved, vibration monitoring will be considered through a future Site Plan application.</p>
10	<p><u>Insufficient neighbourhood amenities/services</u></p> <p>Some expressed concern that there are insufficient neighbourhood amenities and services, in particular grocery stores, in the area to accommodate the proposed development as a single-use residential building. This related to traffic concerns, as it was felt that residents of the proposed development will have to drive to stores, contributing to traffic congestion.</p>	<p>The applications will be evaluated using the intensification criteria in the Official Plan. These criteria include access to "community services and other neighbourhood conveniences such as community centres, neighbourhood shopping centres, and health care".</p>

Row #	Public comment	Staff response
11	<p><u>Impacts on trees and the environment</u></p> <p>Some expressed concern with the loss of trees on the subject property, impacts to roots of trees on adjacent properties, and resultant loss of habitat for animals.</p>	<p>These comments will be considered by staff in the review of the applications.</p>
12	<p><u>Design</u></p> <p>Some residents expressed concerns about urban design and compatibility of the proposed development with the neighbourhood.</p>	<p>While the City does not control the architectural style of development, staff will review the application using the urban design and compatibility policies of the Official Plan as well as applicable urban design guidelines.</p>
13	<p><u>Setbacks and buffering</u></p> <p>Residents expressed the need for adequate landscape buffering at the rear of the property. Particular concern was expressed about the proposed east-side setback and the impacts on the adjacent property, 992 Birchwood Ave.</p>	<p>These comments will be considered by staff in the review of the applications.</p>
14	<p><u>Other concerns (less frequently mentioned)</u></p> <ul style="list-style-type: none"> <li>a) Impacts to property values</li> <li>b) Proposal is too dense/too many units</li> <li>c) Infrastructure capacity</li> <li>d) Flood risk</li> <li>e) Impacts to views</li> <li>f) Transition between different land uses</li> <li>g) Property standards on vacant lots in the area</li> <li>h) Construction management</li> <li>i) Condominium vs. rental apartments</li> <li>j) Planning process and consultation</li> </ul>	<ul style="list-style-type: none"> <li>a) Impacts to property values are not a planning consideration.</li> <li>b) The Official Plan (1997 as amended) designates the site for medium-density residential development; however, staff will also consider the new Official Plan (2020) which designates the site as Urban Corridor. The Urban Corridor designation regulates intensity of built form (height and Floor Area Ratio) rather than density (units per hectare).</li> <li>c) Technical comments from Halton Region and City departments will advise on infrastructure capacity.</li> <li>d) Engineering staff will advise on flooding and stormwater management considerations.</li> <li>e) Impacts to public views will be considered. Impacts to private</li> </ul>

Row #	Public comment	Staff response
		<p>views are not a planning consideration.</p> <p>f) Transition and compatibility will be considered in staff’s review, with guidance from the City’s urban design guidelines.</p> <p>g) Residents can contact <a href="mailto:building@burlington.ca">building@burlington.ca</a> if concerned about any property’s compliance with the City’s Property Standards By-law.</p> <p>h) Construction Management is reviewed by Engineering and Transportation staff</p> <p>i) The City’s Official Plan encourages development that contributes to providing a variety of housing options in the City, including rental housing and a variety of housing tenure types.</p> <p>j) Public consultation has occurred and continues to occur as described in the “Public Engagement” section below. For more information on the planning process in Burlington, visit <a href="http://www.burlington.ca/planningprocess">www.burlington.ca/planningprocess</a>.</p>

*Petition*

City staff received a petition signed by 59 residents who identify as “neighbouring residents who oppose application”. The majority of signatories listed their address as being within 120 metres of the subject lands. Some of the residents who signed the petition also submitted written comments directly to staff.

The text of the petition states:

“Reason for requesting denial of application: *Infinity Developments* formal application sent to the City of Burlington violates current zoning by-laws and devalues the neighbouring properties by tarnishing privacy and charming neighbourhood aesthetics. All other neighbouring developments abide by the 6-storey by-law. The additional 360 units will wreak havoc on Plains Rd E traffic and cause overflow ‘throughway traffic’ onto side streets, where children play, which is already a grave concern to parents.”

### *Online survey*

One resident created their own online survey about the subject applications. A link to the survey was provided to City staff along with the results of 86 respondents.

The introductory text at the beginning of the survey is identical to that in the related petition, quoted above.

The majority of survey respondents listed their address as being located in ward 1. Some of the survey respondents also signed the related petition and/or submitted written comments to staff. In response to the question “Do you urge the City of Burlington to decline the application and adhere to existing new development by-laws?”, the majority of respondents answered “yes”.

### *Use of Petition and Survey Results*

City staff were not involved in the creation or promotion of the petition or survey described above. The petition and survey will be considered by staff in the review of the subject applications; however, all interested residents are encouraged to submit their comments directly to the City through a written submission (emailed to [thomas.douglas@burlington.ca](mailto:thomas.douglas@burlington.ca) or mailed to the Community Planning Department, care of Thomas Douglas), or a verbal submission at a Statutory Public Meeting.

As stated in the Notice of Application that was mailed to neighbours within 120 metres of the subject lands in June 2021, “If a person or public body does not make oral submissions at a public meeting, or make written submissions to the City of Burlington before the proposed official plan amendment is adopted, and/or the zoning by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal [now called the Ontario Land Tribunal] unless, in the opinion of the Tribunal, there are reasonable grounds to do so. For more information about preserving your appeal rights, contact the Planner on file...”

Interested parties should also be aware when making a submission to the City that “Personal information is collected under the authority of the Planning Act, R.S.O. 1990, c. P. 13 and may be contained in an appendix of a staff report, published in the meeting agenda, delegation list and/or the minutes of the public meeting and made part of the public record. The City collects this information in order to make informed decisions on the relevant issues and to notify interested parties of Council’s decisions. It may also be used to serve notice of a Local Planning Appeal Tribunal [Ontario Land Tribunal] hearing. Names and addresses contained in submitted letters and other information will be available to the public, unless the individual expressly requests the City to remove their personal information. The disclosure of this information is governed by the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M. 56.”

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## **Financial Matters:**

All application fees have been received in accordance with the Development Application Fee Schedule.

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## **Climate Implications**

In February 2020, City Council approved the City of Burlington Climate Action Plan to support the City's path to a low-carbon future, focusing on mitigating greenhouse gases and reducing energy consumption. A future recommendation report will include a discussion of the climate implications of staff's recommendation concerning the subject applications.

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## **Engagement Matters:**

A pre-application Community Consultation Meeting was held by the applicant on January 22, 2020 at East Plains United Church (375 Plains Rd E). This meeting was attended by residents as well as by City staff, Mayor Meed Ward, and ward 1 Councillor Galbraith.

Since receiving a complete application for the subject lands, City staff have engaged members of the public through the City's standard public notification and consultation practices for an Official Plan Amendment and/or Zoning By-law Amendment application:

- A notice sign was erected on the subject lands in June 2021;
- A notice was mailed to all property owners and tenants within 120 metres of the subject lands in June 2021;
- A webpage with information about the subject applications was published on the City's website at [www.burlington.ca/70plains](http://www.burlington.ca/70plains);
- A Statutory Public Meeting was held on September 14, 2021. This report has provided information about the subject applications to facilitate discussion at the Statutory Public Meeting.

Interested members of the public can continue to provide written comments to City staff using the contact information provided on the webpage linked above or by contacting the Community Planning Department.

More information on the planning process in Burlington, including opportunities for public consultation, can be found at [www.burlington.ca/planningprocess](http://www.burlington.ca/planningprocess).

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## **Conclusion:**

This report provides a description of the subject applications, an update on the technical review that is underway, and a summary of technical and public comments received to date. Planning staff recommend that Council direct staff to continue to process the subject applications for 40-70 Plains Road East in an effort to bring forward a subsequent recommendation report.

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Respectfully submitted,

Thomas Douglas, MCIP, RPP

Senior Planner

[thomas.douglas@burlington.ca](mailto:thomas.douglas@burlington.ca)

## **Appendices:**

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

## **Notifications:**

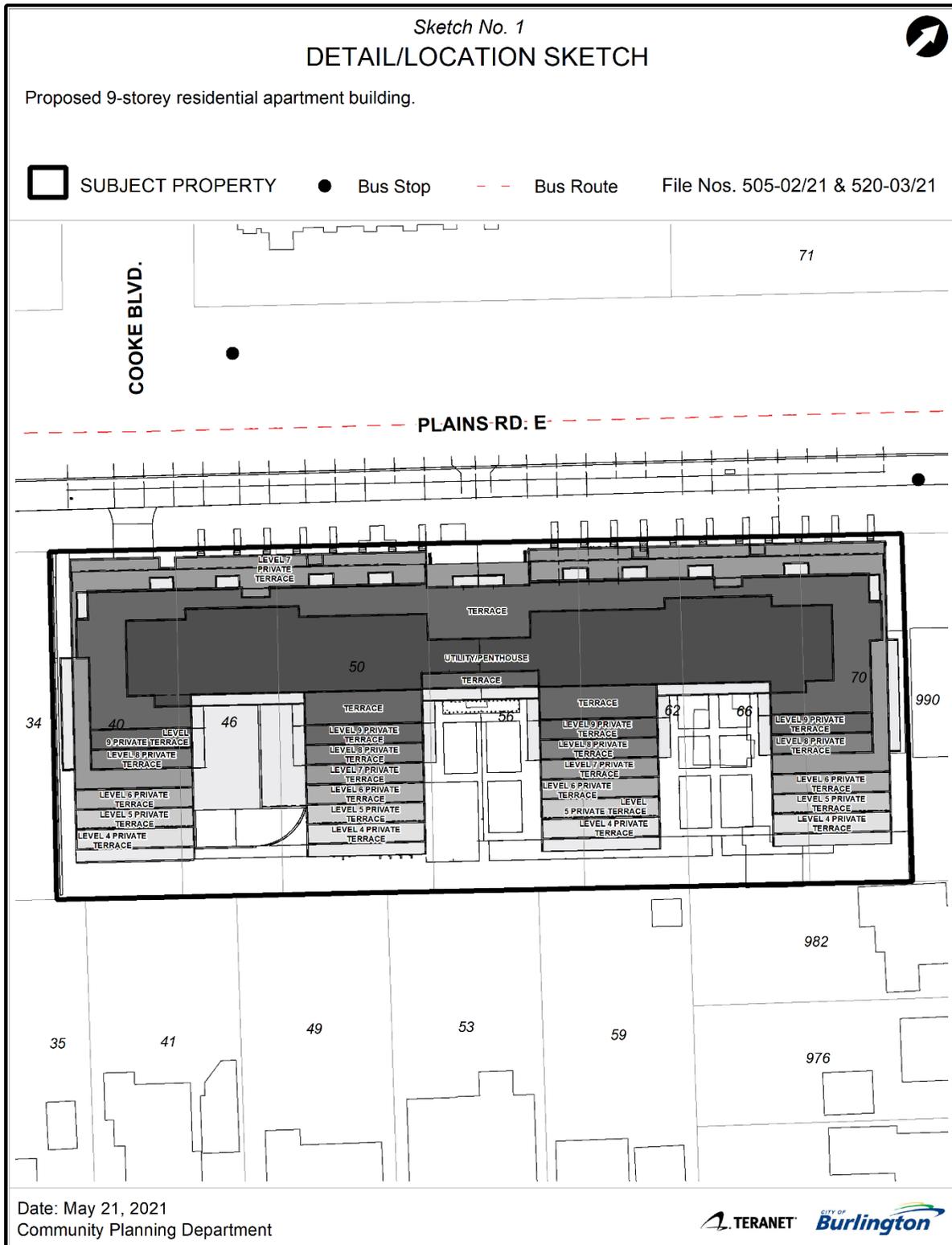
Bousfields Inc. c/o David Falletta

1 Main Street East, Suite 200, Hamilton ON L8N 1E7

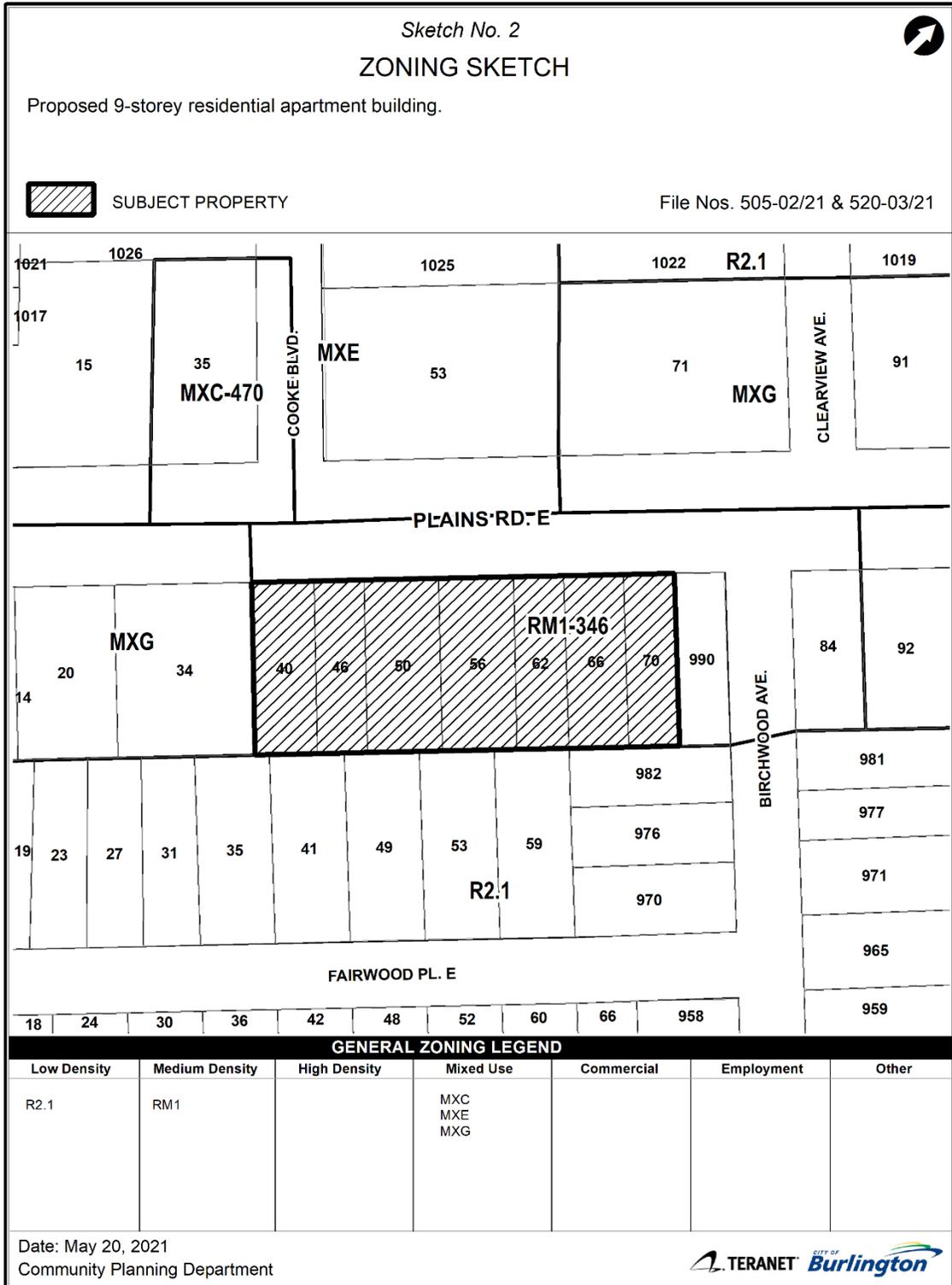
## **Report Approval:**

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.

Appendix A to Report PL-34-21: Detail/Location Sketch



**Appendix B to Report PL-34-21: Zoning Sketch**



## **Appendix C: Public Comments**

### ***Comment 1***

From: Mace Hoover

Date: June 8, 2021

Thomas,

Good Afternoon, I am a resident of Aldershot on Eagle Drive and am quite concerned about such a large building being proposed to be directly on Plains Road. I understand that all of Plains is slotted for intensification and our lovely Plains Road is destined to become a version of Dundas St. in North Burlington. I do object though to the height and the scope of the proposed structure. The 3 or 4 story development currently in place along Plains is what keeps Plains Road a functional manageable street to drive on and shop on.

Again, I would like to lodge a formal concern and look forward to the review process in hopes that we can keep Plains Road manageable. Please keep me posted on any future correspondence or live meetings that may occur on this and other Plains Road developments.

Regards,

Mace Hoover

### ***Comment 1 follow-up***

From: Mace Hoover

Date: June 16, 2021

Hello Thomas,

Thanks for the quick reply, I appreciate that.

When I refer to manageable I refer to a couple things.

1/ Traffic congestion on Plains Rd, based on the possibility of several 100 more cars ( assuming 2 cars per family per unit) coming and going on Plains at the rush hours and Saturdays and Sundays for general shopping. Based on the increase of residents of a 5 story building versus a 9 story building.

2/ The extra residents brought to the area also create a higher demand for parking at the local shops and restaurants. Obviously considered good for the shop owners but will definitely reflect on my access of those shops most likely leading to myself and fellow residents to patronize shops with traditional parking lots outside of the radius of the development. A negative financial impact for the barber shops , dry cleaners , bakeries etc.

3/ The Skyline visibility is also a factor tall buildings obscuring existing views and creating shadows on the streets that we walk / run and shop in.

This tall 9 story development would in my mind would be better suited for a Walkers line or Appleby Line north of Plains area where there is more of a thoroughfare and other similar style large developments already in place .

I am a big advocate for quality of life in Aldershot as that was what brought me here from Mississauga years ago. Mississauga had just filled up to the point where it was unmanageable to get from A to B in a timely basis.

In jest I can say though, that the loss of the strip club would not be a bad thing for us in Aldershot if indeed this will effect that land as well.

Regards,

Mace Hoover

### ***Comment 2***

From: Bruno D'Aloisio

Date: June 15, 2021

Hello Thomas,

I write to express my concerns on the development to the above said address. I live on Fairwood place East and have these concerns:

1. This building does not fit at all with the theme and it surrounding buildings. Not only does this impose traffic issues on Plains Rd. it also adds to the noise levels already exceeding what I consider as a compatible noise level. The city should consider those who are hearing disabled with noise sensitivity. This I see is a blatant disregard for those with noise sensitivity.
2. This will also impact the natural inhabitants that live within the very matured trees.

I trust & hope that the city does not approve this development.

Warm Regards,

Bruno D'Aloisio

### ***Comment 3***

From: Alicia Butson

Date: June 15, 2021

Hello Mr. Douglas,

I would appreciate information please about traffic control strategies which might be used to manage the increased traffic which could result from this 10 storey building and its parking facilities once completed. I have lived in Seasons Condominium, next door at ■ Plains Rd E for a little over a year, having moved here in January 2020. Many residents including me have found the "exit" lane from Plains Rd, to our driveway into our parking lot difficult to manoeuver because of the confusing turn arrows and the

traffic east and west, south from Waterdown and , eastbound vehicles turning left or north off Plains onto Cooke.

When a person is waiting to exit in passing or turning lane other drivers going west often become impatient as there is another apparent turning lane adjacent which is east bound. However it is illegal to use that lane I believe, This choice can be dangerous as well if an east bound car makes turn from there to passing lane.

My concern relates to adding more traffic to an already busy confusing intersection which is only slightly modified by the stoplight at Cooke and Plains Rd.

Another issue which I would like to understand is the result of an environmental assessment of that property with regard to risk of flooding because of multiple people in buildings close together.

Thank you for your assistance.

Sincerely, Alicia E. Butson

**Comment 4**

From: Sarah England

Date: June 15, 2021

Hello Thomas,

I wanted to provide feedback about the application for the 9-storey residential apartment building at 40-70 Plains Rd E.

It is a real concern to me that a building of that size and number of units would be considered within the Aldershot area. The traffic along Plains Road is an terrible at peak times and really causes a bottle neck. I don't think adding another 500 or so units really makes sense. I understand we can't stop all development but I think something more modest (2-3 stories) would make the most sense for the neighbourhood and the current facilities and infrastructure, especially given all residents need to travel to get to their nearest Grocery store etc.

My children's school isn't far from that area and we quite often ride our bikes to school and the extra traffic in that area is a concern with small children being on the roads.

I appreciate you taking these concerns into account.

Please let me know if there is anything further I can do to have these concerns taken into consideration.

Thank you

Sarah

**Comment 5**

From: Jeanette Pieczonka

Date: June 16, 2021

Hello, and thanks for the opportunity to comment. I am an owner at [REDACTED] Plains Rd. E.

. In the event the developer is successful in this application, there needs to be a solution to the serious ongoing traffic hazard when making a left west-bound turn from Plains Rd. into [REDACTED] and into the proposed property. Ideally this should be remedied immediately. There have been collisions at this site.

. There should be clear demarcation between the proposed building and [REDACTED] Plains Rd. e.g., fence, trees, or other barriers. Please no shared driveway, an idea that has been floated.

. Hopefully, to maintain a cohesive community aesthetic, the developer has an architectural design plan that would be compatible with other area buildings... [REDACTED] Plains Rd. and the LaSalle Park Retirement Home on the southwest corner of Plains and Waterdown Rd.

Jeanette Pieczonka

### **Comment 6**

From: Greg Tregunno

Date: June 18, 2021

Good Afternoon Marianne and Kelvin,

I am writing to the two of you today in complete sadness about the potential development which will be taking place in my backyard.

About 9 years ago I moved to Fairwood Place East from [REDACTED] in Aldershot. I grew up in Aldershot ([REDACTED], where my parents live to this day) and my kids are attending all the same schools I did. When I purchased my most recent home we inquired heavily with the city about the zoning and plans for plains road knowing there was potential for development because of it being a main road. 9 years ago the zone was for 3 stories max. 6 months after I moved in they approved 6 stories beside Russel Williams and I was left feeling regretful of my purchase. We now have seen that the plans for directly behind my house are looking to build 9-10 stories. Which will be the tallest and largest populated building between Waterdown road and king road. My wife is in tears, thinking of our children enjoying the backyard and pool with hundreds of people looking at them from hidden bird's eye view point's creates anxiety. We already see residents smoking off their balcony watching my kids skate on the backyard rink or swim in the pool from the condo beside Russel Williams.

The go station development has a 6 story building surrounded by 2-3 story towns. We could have put an 80 story building there and it wouldn't have impacts to nearby residences like this potential 9 story does. When the solid gold development gets going we are going to have 12 stories on one side of the street and 10 stories on the other. What an intimidating corridor as you approach Waterdown road. Plains rd. is 4 lanes with a turning lane. But it's not that wide like a Guelph line or Appleby line. Buildings on those streets have larger setbacks. This is going to create chaos. The traffic is another problem entirely. Good luck getting through the lights at Waterdown road after parents drop off kids at Aldershot and 1000 new people are scrambling around the same intersection. They will not be walking to the go station

sorry. Buses are empty and nothing is walkable. Remember Aldershot is large and plains Rd West residences aren't walking 3km to fortinos for groceries. I know of people living in new condos in Aldershot. They all drive to work. They choose to live in those places because it's the only cheap alternative because housing is so expensive. So what we are creating is more low income housing. Everyone rents. Few own and live. The idea of elderly people downsizing into 600 square feet on the 8<sup>th</sup> floor is appalling. People like my parents say "We are going to die in my house" as I know you can imagine other elderly people saying. What's being created is not the Burlington I was born into and it sure isn't the Aldershot I signed up for and invested heavily into. I really feel like I'm being forced out of the only city I have ever lived in. If we want to build high density skyscrapers we have lovely fields and areas in Aldershot which you can put 10,000 people in with better access to main arteries and on and off ramps to service roads and highways. All the sites that don't back onto residential are not being utilized nearly enough but the properties that impact the existing and long standing residences are exploding with height.

It was amazing that we put a 1 floor retirement home and 1 story plaza beside the fitness firm which backs onto King Construction but then across the street we put 6, 12 story rentals backing onto prime Aldershot real estate. That plan could have been flipped North to South and no one would care or at least argue less. The owner of the homes behind us laughed at us when we built a fence and planted trees in our back yard and said we were wasting money because he will have all the trees roots torn out and the fence destroyed when they dig the parking garage, he was taunting us and telling us we should move and not to invest in the 29 trees we planted in backyard. He said although the city told him to leave some of his trees up that he will take down anyways and a small fine is easier than fighting the city. This is the type of person who is developing our and your Aldershot.

My business is in Burlington and although small I employ 5 people and have worked with the entire community for 20 years professionally. The fact that I feel I'm being forced out of my beautiful home to make way for 350, 600 sq foot condo or rental apartments is crushing my desire to invest further in this city. My family voted for both of you in the last elections because I felt our values were aligned. I went to school with Kelvin's brother. I feel we want the same for Burlington with smart growth. Aldershot already has some challenges other communities in Burlington do not. 1. Being a neighbor to the struggling downtown Hamilton corridor, the motels which are contracted with the court system to be used as halfway houses and Surry lanes highly over populated low income and subsidized residences.

Can you please help us keep Aldershot great. Keep it Aldershot Village. Help us protect our privacy and protect our justification for our property taxes through property values.

--

Regards,  
Greg Tregunno

**Comment 7**

From: Ron Moore

Date: June 21, 2021

Thomas Douglas – Mayor Marianne Meed Ward

I am **opposed** to this new development at 40-70 Plains Rd E , Burlington Ward 1 . This development should be zoned for “ Residential – Medium Density “ **ONLY** . Do not amend or rezone this space as ( Mixed used Corridor ) . Single – detached or Triplex residential housing should be the only option for this land space. Currently there are residential housing of single dwelling units on this site now, adding a 9 Storey apartment with underground parking will cause major environmental issues , traffic – parking congestion along Plains rd and adjoining residential side streets , Noise pollution , sunlight disruption for adjacent housing , underground parking construction will cause foundation cracking of the residential homes within 2000 meters of this site. Traffic congestion in this small area will increase significantly with the other development projects already approved ( Clearview , 1120 Cooke , 35 Plains rd E , Vrancor group and others )

**Mayor Marianne Meed Ward** : Your election promise was no high rise “new” construction till year 2030 ... Please honor this promise and reject this application for a 9 Storey apartment at 40-70 Plains Rd E . Thank you.

Regards

Ron Moore

**Comment 8**

From: Jenny Rawlins

Date: June 22, 2021

Department of Community Planning

Attn : Thomas Douglas

Planning Application for 40 - 70 Plains Road East Files : 505-02/21 and 520 - 03/21

I wish to raise my concerns regarding the request by Infinity Corporation to change the official plan to increase the Condo development plan to 10 stories.

I strongly believe that this should not be permitted, all development along the Plains Road corridor on the south side has remained at six floors and they should be held to the official plan.

Given the increased lot allocation, there is no need to increase the height allowance.

Such a large building would effect the homes on the south end of the building, create additional traffic along the Plains Road Corridor.

I also have concerns about the amount of parking spaces allocated to this proposed development.

I live at [REDACTED] Plains Road East, our requirement for a forty one unit building is 15 visitor spaces.

Under this Infinity request, they allocate 14 visitor spaces which is woefully inadequate.

There is not enough resident parking as well as many units will potentially have two cars per unit.

There is potential that visitors, may try and use our building parking spaces and would create a monitoring issue for Seasons Condominium and we will have to incur costs to do so.

The placement of the planned driveway.

In the drawings it shows the driveway within the Cooke Blvd/ Plains Road intersection.

I do not think this will work and should not be allowed.

If it is the intent of infinity to first gain approval from the City and then try and negotiate a shared driveway with Seasons, this will not be approved by the residents of Seasons.

This means that we will have two driveways alongside each other, how can we have traffic entering and leaving within the intersection without creating an issue.

We already have four driveways between Waterdown Road and Cooke Blvd without a dedicated turn lane.

There are several near misses on a regular basis, to add another driveway within the intersection will create chaos.

I hope my concerns will be taken into account and the request for more than six levels will be denied.

Jenny Rawlins

**Comment 9**

From: Alain

Date: June 22, 2021

Dear Thomas Douglas,

We are in receipt of the City of Burlington notice for proposed developmental plan for 40-70 Plains Road.

After long search and careful considerations in 2018 we purchased a property in the La Salle neighbourhood directly backing onto [REDACTED] Plains Road at Fairwood PL E. We were happy to find a large, PRIVATE lot in a quiet family friendly neighbourhood. All necessary research was personally completed by visiting Burlington City Hall two separate times in regards future development of Plains Road that is in immediate approximation to the houses backing onto our private backyard to ensure there was no plans to change the neighbourhood structure. Both times we were assured there were

NO plans to develop/change/"improve" the south side of Plains Road (40-50), instead we were advised that plans applied only to the North side of Plains Road.

Now, only months later, we received (along the other residents on Fairview PL E) a notice containing plans for 40-50 Plains Road to build a monstrous 10-story building that would significantly change the neighbourhood, and NOT for the better. We are in absolute shock of such plans, as how would anyone have such idea to place this type of building in a single unit residential neighbourhood that will destroy the privacy, the beautiful sky and landscaping views, intensify the air and noise pollution, not to mention the increase of traffic that Plains Road was not built nor will it be able to handle.

Madame Mayor, Mr. Warden and City of Burlington - this is a complete outrageous and atrocious plan to destroy this part of the city and our quiet neighborhood. We live in a beautiful, older neighbourhood in a part of Burlington where neighbours look after each other, highly value neighbourhood relationships and our surrounding nature, and we are proud to call this city home. We have second and third generations families living on our street at Fairwood PL E with who all are against changing the neighbourhood into a monstrous city centre. We value our community, environment, and the peaceful surroundings we have; we are an established part of the city with single unit, family oriented, QUIET part of town filled with nature and want to keep it this way. We do not want to change our neighbourhood into a "city centre". This is **our home and with all due respect to everyone - you must respect us and our homes.** If we desired to live in a crowded city centre such as Mississauga (or Toronto) neighborhoods, we would've certainly chosen a very different type of neighbourhood and town than Burlington, Aldershot and what our part of city represents.

Also, further questions arise such as if anyone has truly considered the impact; i.e. that the **value of our properties will very likely diminish significantly due to losing the privacy?** Is this a concern to anyone?

I have also attached a link regarding Mid-Rise Building Guidelines (Nov, 2018) by City of Burlington publication below, that clearly speaks for itself that directly applies to the 50 Plains Rd planning that specifically speaks about the issues we have re. 50 Plains Road development creating shadowing, destroying views and privacy of surrounding residents, as well as clearly not being appropriate and sensitive to its surroundings in the area:

**According to City of Burlington publication file "Mid-Rise\_Building\_Guidelines\_November\_2018\_**

**|Where do the Mid-Rise Building Guidelines apply?;**

**1. the suitability of a property to accommodate this building type should be considered on a site by-site basis, to ensure the intent of these guidelines can be met. Sites that are too small to permit the setbacks outlined in these guidelines, or transitions to adjacent uses, may not be appropriate for mid-rise buildings as permitting this building type on 'small sites' creates shadowing and privacy concerns, and limits the development potential of adjacent properties**

**2. a careful consideration must be given to the space between buildings to protect for privacy, sunlight, and views.**

**3.the building form MUST respond sensitively to its context to the physical character of the surrounding area including the height and scale of adjacent buildings and the immediate streetscape;**

While city improvements are needed, it is **important to remain sensitive AND RESPECTFUL with the city planning that directly and negatively impact the quality of life on residents and the value of their properties.** There are many areas in Burlington that would happily welcome such plans for development (downtown, GO Station areas). We do not welcome this absurd proposed plan, and as this is a second proposal nearly identical to the initial 10-story building it seems there is a significant lack of concern of the negative impact this type of change would force upon the residents. The City of Burlington must stand for its residents and behind its own building codes (above items #1, 2 and 3) to ensure it will not allow builders to destroy our lovely neighborhoods in the name of greed.

Sincerely,

Alain.

***Comment 10***

From: Diana Bullard

Date: June 24, 2021

***Not in My Backyard ( Birchwood Ave)***

A proposal for 10-storey condo is completely out of scope with the current vision of this section of Aldershot village. It is a mere parasite, interfering by it's height and bulk with the free circulation of air and monopolizing the rays of the sun which otherwise would fall upon the private homes, and bringing, the disturbing noises incident to increased traffic and business until, finally, the residential character of the neighborhood and its desirability as a place of detached residences are utterly destroyed.

Private Home owners have invested in this year alone, over millions of dollars and now you want to build a 10-storey condo in their backyard? Moreover, the coming of one condo is followed by others, as we have already seen in this section of Aldershot Village.

It is the responsibility of city of Burlington to establish and promote neighborhood stability through rational land use planning and the establishment of spacing/buffering requirements between land uses of different intensity.

Single detached or multi-triplex should be the only acceptable replacement for this location. There are numerous applications in Ward 1 for the proposal of more condos, we don't need another one that is clearly not a fit and will negatively impact the lives of the surrounding private home owners.

I **reject** the application by Infinity (Plains Road) corporation and Infinity (Aldershot) developments Inc. to change the Official Plan and Zoning By-law Designations for the property located at 40-70 Plains Road East.

Regards,

Diana Bullard

**Comment 11**

From: Suzanne Gunn

Date: June 24, 2021

[Comments provided through phone call. Resident has been encouraged to submit written comments or speak at statutory public meeting]

**Comment 12**

From: David Willms

Date: June 25, 2021

Dear Mr. Douglas,

My family has lived at the same address in Aldershot for 22 years. We have been actively involved in watching the proposed developments in the area and assessing their appropriateness for the area.

I want to express how important it is that the city adhere to the current zoning and by-laws for the Plains Rd. E. corridor. and reject the amendment requests by Infinity Developments. There is already a precedent set for a maximum of 6-storey development and buildings of that height are already very controversial in what is otherwise a primarily residential neighbourhood. The existing building can be seen from the back yards of multiple properties on Fairwood Pl. E, much to the concern of homeowners who feel they've lost their privacy. Additionally, this problem lowers the property value of these homes.

The 9-storey building being proposed for 40-70 Plains Rd. E. is in direct violation of the 6-storey norm and would cause a myriad of problems with traffic congestion on Plains (already a major concern WITHOUT this new development), access into and out of the building's parking facilities, etc. The shadow cast from a building that height would cause problems for neighbours mainly to the east and southeast. The enormous monolithic size of this building is so out of character with the surrounding neighbourhood that it will simply be an eyesore in most people's minds.

Please know that I'm not opposed to new development. People in the neighbourhood realize that something needs to happen along this stretch of Plains E. We realize that single family homes or townhouses, although ideal in my mind, are not being considered for this area. However, low-medium density development makes sense. Medium-high density does NOT.

If this development is approved as is, the city managers, mayor and city councillors will never hear the end of it. That's how unpopular this proposal is on the local level. If six storeys get approved, it won't be ideal, but it'll keep the public backlash to a minimum.

Thank you for your time!

David Willms

**Comment 13**

From: Judith Varga

Date: June 28, 2021

Zoning for Plains Road East is 6 storeys

I live at [REDACTED] Plains Road East, in a 6 storey 40 unit boutique condo building,

The traffic on Plains road is terribly congested already.

This area is so over populated; without having any much needed amenities such as grocery stores, LCBO, a lack of shopping in general.

We cannot accommodate further densification in this area.

It is outrageous that this proposal is being considered from the city for a 10 storey 360 unit building in an already over populated area.

As a resident, trying to turn onto Plains road either turning east or west leaving my building and/ or returning can be impossible at times, not to mention extremely dangerous, since we do not have any "official" access from Plains Road into our building. (This issue has been addressed to the City.)

This proposal from Infinity should definitely not be given any green light.

The builder and the city needs to alter the plan significantly so as not to create any more unnecessary congestion and densification to this area.

Sincerely,

Judith Varga

**Comment 14**

From: Sean Haggerty

Date: June 29, 2021

I am corresponding with you today as a homeowner on Fairwood Place East who is deeply concerned about the application to build a 9-story apartment complex on the south side of Plains Rd E, and furthermore, that there has been no formal consultation on this proposed development.

I believe there is general support for intensification and in particular around the transport hubs. That said, the south side of Plains Rd E is NOT conducive to buildings the height of what is being proposed in the footprint that is available to the builder, backing directly

onto established neighbourhoods. This project as proposed is an affront to every homeowner on Fairwood Place East and Birchwood. The result of proceeding will change the fabric of the community and reduce property values significantly. In addition, although there will be more traffic and noise resulting from further development in the area, the City should share with the entire Aldershot community how it intends to address critical infrastructure needs since traffic on Plains (in more normal times, and even during COVID) is an absolute disaster, causing many speeding drivers to find alternate routes, such as Birchwood and Fairwood Place East, among other routes.

Since the area in question is currently zoned for residential, and since it is the desire of the City to support intensification near transit hubs, the people on Council who represent us (and this isn't just "Aldershot" at risk) should not allow any builder to get away with anything more than 6 stories. AND this should still allow for appropriate clearances and privacy so as not to disturb the families that have spent a lot of money on the homes that will be affected.

The following are just a few alternatives to consider. I am sure there are more.

Option 1) Allow development, but limit the height to our own City zoning any current laws. That is 6 stories once you allow for rezoning.

Option 2) Allow for greater heights where zoning permits, and/or where residential is unaffected (there are many plots north of Plains for this to occur)

There are other properties on the North side of Plains much more suitable for this kind of development without having as great an impact on neighbourhoods (albeit, traffic and other infrastructure remains an issue to be solved).

Option 3) don't rezone and don't allow for anything other than a townhome community, much like other areas along Plains Rd E, which creates more intensification and is more suitable to the character of the community.

Option 4) If for some strange reason the other available options are not considered, or not followed through, then the builder should be required to compensate every homeowner on Fairwood PI E and Birchwood. This is by far the least desirable option. However, since it remains a possibility, there is a breach of trust to contend with. That is, that anyone who purchased a home in the affected area, did so with full understanding of current zoning with all the expectations that come with that, and which have an undeniably direct correlation to the value of our homes and properties.

Quite frankly, I would never have bought this house had I known the City might cave into developers and overbuild on Plains Rd E. Again, there should be limits to intensification based on location, and this is the wrong location to build what is being put forward.

To be clear this is NOT a case of NIMBY. It is a case of right sizing for the area. As one small example, the City made an exception for the apartment buildings just West of this location, on the south side. HOWEVER, it was a former plaza, and the setbacks are much more acceptable to the surrounding neighbourhood with significantly less intrusion and impact on families.

Allowing this to proceed as is is nothing short of negligence of duty. This petition and suggested options are not unreasonable concerning the need and desire to build, but rather, is intended to hold the City accountable for representing its citizens in a balanced way.

Please advise how else we might get our collective voices heard. Although not unanimous, a vast majority of all citizens affected are steadfast in our desire to see this application, as is, rejected.

Kind regards,

Sean Haggerty

***Comment 15***

From: Ruth Roberts

Date: July 5, 2021

Hello Thomas,

Re: Files 505-02/21 and 520-03/21

As a resident of Clearview Avenue near to Plains Road I would like to make some comments on the proposed development of the properties located at 40-70 Plains Road East.

My first concern is about the height of this proposed building. My understanding is that the limit is 6 stories. Increasing the height will make this part of Plains Road like a tunnel – not a good outcome. The height of six stories is the desire of the community and is consistent with the height of the neighbouring buildings.

Secondly, my concern is the timing of the work should approval be given. -How soon would it begin and when would it be completed? At the present time there are 4 properties between Waterdown Road and St. Matthew's Ave that have been vacant and unkempt for many years. I believe that one of the properties has been vacant for about 30 years, the other 2 at least 10 years. The maintenance on these lots is disgusting. The latest home to be torn down in the recent past has one of those ugly orange fences around it. This short section of Plains Road is disgraceful. I do hope that the plans – if they are approved do not add to this disgrace.

Thirdly, the congestion this proposal will cause is very concerning. Immediately to the west are three driveways – Seasons, Russell Williams and the Esso Station. Cars existing eastbound will add to the interruption of traffic flow and cars turning out of the proposed driveway will add to the existing gridlock that already often occurs between Cooke Blvd and Waterdown Road. Visitor parking is also a concern.

Although I have not seen any draft renderings of the proposed building I am extremely concerned about the look. The ADI development of barrack-looking townhouses on Masonary Court is an embarrassment as a first view into Aldershot. And the “warehouse” looking apartments on the former Canadian Tire site have added nothing to enhance the street.

These are some of my initial concerns about the rate, type and look of proposed development.

Ruth Roberts

**Comment 16**

From: Joseph Paribello

Date: July 6, 2021

I object to anything being built on Plains road over six stories , period. I do not want to drive down a canyon road. The only reason for increasing the number of levels is profit. That is not an acceptable reason.

Rules for height restriction on Plains rd. are in place, why do we always have to test them.

The building on Lasalle and Plains is 6 story ,the apartment next to Russel Williams is 6 story, the apartment across from Downsvew dr. is 6 stories, Aldershot Village Residence is 6 stories.

All buildings on Plains rd. with minimal set back are 6 stories or less and should remain that way.

Joseph Paribello

**Comment 17**

From: Linda Nie

Date: July 18, 2021

This correspondence is to acknowledge my displeasure in receiving your notice of application submitted by Infinity Developments.

I have been a Burlington property taxpayer since 1977 when I moved here from the states. I became a Canadian citizen in 1990, I love our country and I love this city. I can't image living anywhere else even though all my family lives in the USA.

After my husband passed away I sold my house on \_\_\_\_\_ and bought into a new development called Seasons at ■■■ Plains Rd E. I was told at that time in 2014 that the three houses east of me were slated to be developed as townhouses.

That sounded ok with me as purchasing a unit on the third floor with eastern exposure having new townhouses next door would be fine.

Then about 2 years later after I took occupancy we were told the 3 houses east were now to be a 6-8 floor condo. At that time the official plan was 6 stories and they wanted 8. Now they want 10! You can tell our mayor Marianne Mead Ward she lied to us to get elected. In fact please forward her this email.

1. Plains Rd cannot accommodate the traffic. It's a total zoo here now.

The traffic has increased substantially since I moved here Oct 2016. You also need to take into consideration that when there's a accident on the QEW or 403 the alternate route is Plains Rd.

I cannot make a legal left hand turn into my building if I'm driving westbound. I advised my prior City Councillor Rick Craven of this in 2016, he reported it to the traffic department. They were not concerned.

2. We were told in 2016 this development was to be condos and your notice of application states " Residential Apartments" ?

3. My condo Seasons has 40 units ( 6 stories) & approx 12 visitor parking. Infinity is proposing 424 vehicle parking with 14 visitor parking. That's insane.

4. With the proposed Infinity development increase in lot allocation in no way should the city approve more than 6 stories.

Concerned Burlington Taxpayer

Linda Nie

**Comment 18**

From: Troy Guyatt

Date: July 19, 2021

Hello Mayor Meed Ward, Councillor Galbraith, and Thomas Douglas,

I saw the announcement for development at 40-70 Plains Rd E. last month and wanted to share my comments regarding it.

I'm very concerned about the size of the building. 10 floors (including the mechanical floor) is a bit much for this area. I believe the current zoning is near half of that? Our yard will no longer be a private area for our family.

We live on Fairwood Pl. E. directly behind this development. This building will tower over our yard and block our evening sun throughout the summer. The shadow study [Jan 2021] submitted to the city plan demonstrates this perfectly.

I understand something will be built eventually - but a reasonable building (in size and design) for this area of Aldershot would be preferred. The developer appears to be maximizing space and units and not concerned about the overall neighborhood. This will give Plains Rd. a narrow look, and set a precedent for future buildings and proposals. There are many other buildings and townhouses along Plains Rd. that have reasonable heights and designs which adds positive character to the neighborhood.

I would hope that you and your colleagues on Council will vote to send this back for a new (and reasonable) proposal that fits with the zoning height of this area of Aldershot.

Thank you,

-Troy

**Comment 19**

From: Alison Warren and Jason Rumford

Date: July 19, 2021

Hi Thomas, Kelvin and Marianne,

I've been a resident of Aldershot for over 10 years now writing in concern regarding the application Infinity Developments has submitted for 40-70 Plains Road East.

**Main Concerns:**

- Extremely large trees along Plains Rd will be taken down. Aldershots charm is mainly due to the trees that have been here long before any of us. The removal of these will create a "concrete jungle" many of us moved here to get away from. Also, where is the tree by-law protection when you need it?
- Traffic on Plains Rd & neighbouring streets. I find it somewhat humorous that traffic surveys have been underway all since the pandemic hit. These surveys are NOT conclusive in the least bit, as most had been organized to WFH during such timeframes. Plains Rd was a mess during rush hours before the pandemic and this will surely reinstate itself in time.
- Throughway traffic on Birchwood and Fairwood will also become even more of an issue than what we already deal with on a daily basis from those trying to avoid Plains Rd. lights/traffic. I personally have a 2.5 year old + another baby due any day now and it's horrible that they cannot play safely in front of our house in what is supposed to be a nice quiet neighbourhood.
- Privacy is also a concern for my neighbours specifically. The application submitted looks right down into people's backyards.
- No retail outlets on the main floor. You hear the residents of Aldershot state that there are no retail outlets over and over again. This giant apartment building will not help the situation at all.
- Previous proposals were to have TWO buildings, not one large giant building. What happened to this? It's also very sneaky of the developer to submit this application without a public meeting.
- The land was zoned for R1 originally. While I understand that some development along here on Plains needs to be done, changing it to an R2 and then completely ignoring the 6-storey limitation is completely ridiculous. What is the point of having zones at all if we're not going to enforce them amongst developers?
- With the proposed development across the street where Solid Gold currently stands, there will be a tunnel of apartments with limited sun and completely exasperating Aldershot "villages" charm.
- I understand there is a mobility hub near the GO train station. What I don't understand is why you're allowing townhouses to be built there and condo-alley to be built along Plains, looking into existing residents' backyards and decreasing everyone's housing value!

If this application gets approved, you'll very likely be hearing from residents on Birchwood to close the street off of right turn lane traffic from Plains. No one can even make a left turn out of the street anymore because it's too dangerous, so it won't cause any impacts except for a decrease in dangerous speeding throughway traffic on side streets.

Overall, we're very frustrated this is happening. Our street is already busy and this is going to make matters MUCH worse. I honestly fear for our little ones safety when out for a walk, or myself even! This is really getting to be out of control and I really hope the City does something about it.

Please let me know if you require any clarification on the above.

Thank you,

Alison Warren & Jason Rumford

***Comment 20***

From: Andrea Gillespie

Date: July 19, 2021

Hello, Mr. Douglas.

I appreciate the opportunity to submit comments for your review and consideration with respect to the above-mentioned file.

I live at [REDACTED] Plains Road East, in the condominium property adjacent to the 40-70 Plains Road East site, on the west side.

Having lived within this community since December 2016, I consider proximity to the Aldershot GO Station a distinct benefit. It's one of the many reasons I chose to live where I do.

I am a proponent of the Aldershot MTSA project, the concept of 15-minute neighbourhoods, and a real plan to lower carbon emissions. I appreciate being able to walk to local shops.

To this end, I welcome future retail and residential development. I understand this translates to increased density.

Here are my comments, please, for your consideration.

- The Plains Road East intersections at Cooke Boulevard and Waterdown Road will require significant overhauls to handle the increased traffic. These intersections are currently overburdened, as density in the area has increased during the last five years. The Cooke Boulevard intersection is unsafe today, let alone with this further planned increase in density.
- Ten storeys will eclipse every element of Aldershot village on the south side of Plains Road East. I understand, accept, and embrace an increase in density—it's how we can create a sustainable business model for retail development, yet in order to keep the neighbourhood Village culture, six storeys would be more in

line with the existing aesthetic on this side of the road. The feeling of a village community is another important reason why I selected my home.

Thank you again for the opportunity to voice my thoughts, Mr. Douglas.

Best wishes with this project.

Andrea

**Comment 21**

From: Rob Commisso

Date: July 20, 2021

We are very concerned that the above proposed development does not have the required set back from our neighboring property at [REDACTED] Birchwood Ave.

Our property is medium density residential as you know. It's non conforming use as a dental office is no longer and we are returning it to a home.

Please be respectful and mindful of the neighbors.

**Comment 22**

From: Lesley Crichton

Date: July 23, 2021

Hello Thomas,

My neighbour forwarded your email to me tonight...Just wanted to let you know that we already have a huge traffic ordeal here, coming in and out of [REDACTED] Plains Road East. We have submitted a report with everyone's signature, that it is so dangerous getting in and out of our building, as there is no turn lane addressed yet. You can find this issue on file with the city, as numerous people have had near misses in doing so.

Don't know how having that sized building beside us would not make it even more dangerous. The city has told us that they were going to track this issue, but we have yet to hear about it!

Thanks for the info, but please add me to your info receipt on the meetings that will happen over the "Huge Requirement "for this builder....not sure how any of us would get in or out of our very small parking entrance, as we are already having a great deal of difficulty with this!!

Lesley