



SUBJECT: Official Plan and Zoning By-law amendment applications for 1396 Guelph Line

TO: Community Planning, Regulation & Mobility Cttee.

FROM: Community Planning Department

Report Number: PL-65-22

Wards Affected: 3

File Numbers: 505-03/22, 520-04/22

Date to Committee: September 13, 2022

Date to Council: September 20, 2022

Recommendation:

Receive and file community planning department report PL-65-22 regarding Official Plan and Zoning By-law amendment applications for 1396 Guelph Line.

PURPOSE:

The purpose of this report is to provide background information to the Committee and the public for a Statutory Public Meeting for the lands known as 1396 Guelph Line.

Vision to Focus Alignment:

The subject applications related 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

Executive Summary:

RECOMMENDATION:		Receive and file	Ward:	3
Applicant:	Bousfields Inc.			

	OWNER: FILE NUMBERS: TYPE OF APPLICATION: PROPOSED USE:	Infinity Development Group 505-03/22, 520-04/22 Official Plan Amendment, Zoning By-law Amendment Residential apartment building with 11 storeys of apartments plus a penthouse level comprising mechanical penthouse
Property Details	PROPERTY LOCATION: MUNICIPAL ADDRESS: PROPERTY AREA: EXISTING USE:	West side of Guelph Line between Palmer Drive and hydro corridor 1396 Guelph Line 0.4 hectares Vacant one-storey office building and surface parking lot
Documents	1997 OFFICIAL PLAN Existing: 1997 OFFICIAL PLAN Proposed: 2020 OFFICIAL PLAN Existing: ZONING Existing: ZONING Proposed:	Residential – Medium Density Residential – High Density (with site-specific policies for height and density) Infrastructure and Transportation Corridors S (Utility Services) RH5-XXX (Residential – High Density, with site-specific regulations)
Processing Details	APPLICATION MADE AND COMPLETE AS OF: STATUTORY DEADLINE: PRE-APPLICATION COMMUNITY MEETING: PUBLIC COMMENTS:	April 14, 2022 August 12, 2022 March 23, 2022 As of August 15, 2022, the Community Planning Department has received written comments via email from 26 residents. Notices were sent to 231 addresses within 120 metres of the subject property.

Background and Discussion:

The City has received a complete application from Bousfields Inc. on behalf of Infinity Development Group requesting Official Plan Amendments and Zoning By-law Amendments to permit a proposed 11-storey residential apartment building at 1396 Guelph Line. The submission timeline of this application is as follows:

- On January 19, 2022, a pre-consultation meeting was held with the applicant and staff from the City and Halton Region to determine the type of applications required and the necessary information, materials, and fees, for a proposal to redevelop the property known as 1396 Guelph Line. This meeting resulted in the creation of a pre-consultation package that identified application requirements, including the need for the applicant to consult the public at a Pre-Application Community Meeting and to consult the Burlington Urban Design (BUD) Advisory Panel prior to submitting formal applications.
- On March 15, 2022, the applicant submitted applications and fees to the City requesting amendments to the Official Plan and Zoning By-law for the subject property.
- On March 23, 2022, the applicant held a virtual Pre-Application Community Meeting that was attended by City staff, Ward 3 Councillor Rory Nisan, Mayor Marianne Meed Ward, and approximately 10 members of the public. The applicant sought feedback from the public on the proposed development.
- On April 11, 2022, Planning staff provided written notice to the applicant that the applications submitted on March 15 were not complete on the basis that not all of the required information and materials had been submitted in accordance with the pre-consultation package from January 2022.
- On April 21, 2022, the applicant attended the Burlington Urban Design (BUD) Advisory Panel to seek urban design feedback on the proposed development.
- On April 22, 2022 the applicant submitted a request to the Ontario Land Tribunal (OLT) for a motion date to determine the application complete.
- City staff reviewed the submitted materials and, with consideration for the Pre-Application Community Meeting and BUD Panel consultation that had occurred after submission of the application, deemed that the application had been made complete as of April 14, 2022.
- The applicant subsequently withdrew their request to the OLT concerning completeness of the application.

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.

Description of Subject Property and Surrounding Land Uses

The subject property is located on the west side of Guelph Line at the intersection of Guelph Line and Palmer Drive, as shown in Appendix A of this report. The property has an area of 0.4 hectares, with 76 metres of frontage on Guelph Line. The property has an irregular, roughly triangular shape with a depth of approximately 100 metres. The site is currently occupied by a vacant office building that was formerly a Canada Post office. The existing surface parking lot on the property encroaches beyond the western property boundary by approximately 12 metres onto the adjacent Hydro One corridor.

Surrounding uses are as follows:

- West: Hydro One corridor with a width of approximately 80 metres. Within the hydro corridor is the Crosstown Trail, a paved multi-use recreational trail. Beyond the hydro corridor to the west are low-density detached houses located on Brenner Crescent.
- Northeast: Guelph Line. On the opposite side of Guelph Line, at the northeast corner of Guelph Line and Palmer Drive, there is a two-storey place of worship (Glad Tidings Pentecostal Church) with a large surface parking lot. To the rear of the place of worship, on the same site there is a four-storey seniors' assisted-living home (Palmer Place). On the south side of Palmer Drive, east of Guelph Line, there is a medium-density, two-storey townhouse development.
- South: Adjacent to the subject property there is a medium-density, two-storey townhouse development fronting on Guelph Line. To the rear of these townhouses, there are low-density, two-storey detached and semi-detached houses fronting on Martin Court.

Peart Park is located on Colonsay Drive, approximately 300 metres to the south of the subject property via the Crosstown Trail. Peart Park consists of a woodlot and a playground.

470 metres to the northwest of the subject property is the intersection of Guelph Line and Upper Middle Road. Clustered around this intersection are MM Robinson High School, Angela Coughlan Pool, and two large commercial plazas with grocery stores.

200 metres to the southeast of the property, at the intersection of Guelph Line and Mount Forest Drive, there is a small neighbourhood retail plaza and a gas station.

Southbound and northbound bus stops are located directly in front of the subject property, served by Burlington Transit route 3 which provides connections to Downtown Burlington and the Burlington GO station.

Description of Applications

The applications request Official Plan amendments and Zoning By-law amendments to permit the development of a residential apartment building with 11 storeys of apartments plus a penthouse level comprising mechanical penthouse. The proposed development contains 236 dwelling units with a density of 566 units per hectare and a Floor Area Ratio of 4.02:1. Driveway access to the proposed development would be provided from Guelph Line at the north end of the site. The development would include a total of 236 vehicle parking spaces, consisting of 8 parking spaces at grade and 228 occupant parking spaces within three levels of underground parking. The development proposes 446 square metres of indoor amenity space and 1,807 square metres of private outdoor amenity space.

On August 17, 2022, the applicant appealed the subject applications to the Ontario Land Tribunal (OLT) on the basis that the City did not make a decision within the 120-day timeline outlined in the *Planning Act*. A future Case Management Conference will be held by the OLT concerning these appeals. Residents who wish to be notified when this conference is scheduled should contact Community Planning Department staff at Thomas.douglas@burlington.ca, providing their name and mailing address and indicating they wish to receive notice of the Case Management Conference.

Supporting Documents

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

1. [Architectural Plans](#) (March 2022)
2. [Building Renderings](#) (March 2022)
3. [Construction Management Plan](#) (March 2022)
4. [Cover Letter](#) (March 2022)
5. [D-6 Land Use Compatibility Air Quality Assessment](#) (March 2022)
6. [D-6 Land Use Compatibility Noise Guidelines Assessment](#) (March 2022)
7. [Draft Official Plan Amendment](#)
8. [Draft Zoning By-law Amendment](#)
9. [Engineering Plans \(Grading, Servicing\)](#) (March 2022)
10. [Environmental Noise Study – Letter of Reliance](#) (March 2022)
11. [Environmental Noise Study](#) (March 2022)
12. [Environmental Site Screening Questionnaire](#) (March 2022)
13. [Functional Servicing Report and Stormwater Management Report](#) (March 2022)
14. [Geotechnical Investigation](#) (March 2022)
15. [Height Survey](#)

16. [Housing Impact Statement](#) (March 2022)
17. [Hydrogeological Investigation](#) (March 2022)
18. [Landscape Concept Plan](#) (March 2022)
19. [Pedestrian Wind Study](#) (March 2022)
20. [Phase One and Two Environmental Site Assessment – Letter of Reliance](#) (March 2022)
21. [Phase One Environmental Site Assessment](#) (March 2022)
22. [Phase Two Environmental Site Assessment](#) (March 2022)
23. [Planning Justification Report and Urban Design Rationale](#) (March 2022)
24. [Shadow Study](#) (March 2022)
25. [Sustainability Checklist](#) (February 2022)
26. [Topographical Survey](#) (December 2021)
27. [Traffic Impact Study, Parking Justification Study and Transportation Demand Management Plan](#) (March 2022)
28. Tree Inventory and Preservation Plan ([Report](#), [Appendix A](#), [Table 1](#), and [Table 2](#)) (March 2022)
29. [Tree Protection Plan](#) (February 2022)
30. [Waste Management Plan](#) (March 2022)
31. GeoWarehouse Property Summary Summary
32. Title Search/PIN Report (August 2021)

Application materials are posted on the City's website at www.burlington.ca/1396guelp.

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

The subject applications are subject to the policy framework described below.

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, livable, 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 of Ontario that includes the City of Burlington. All planning decisions within the Growth Plan area must conform to the Growth Plan.

The Growth Plan is intended to support the achievement of complete communities with access to transit networks, protected employment zones, and an increase in the amount and variety of housing available. The Growth Plan also envisions a healthy natural environment and agricultural lands, which will contribute to the region’s resilience and our ability to adapt to a changing climate. To accomplish its vision, the Growth Plan establishes policies regarding how land is developed, resources are managed and protected, and public dollars are invested.

Halton Region Official Plan

The Halton Region Official Plan (ROP) outlines a long-term vision for Halton’s physical form and community character. To achieve that vision, the ROP identifies an Urban Area and a Regional Urban Structure that are intended to manage growth in a manner that fosters complete communities, enhances mobility across Halton, addresses climate change, and improves housing affordability, sustainability, and economic prosperity. As shown on Map 1H, “Regional Urban Structure”, of the ROP, the subject property is located within the Urban Area and is not located within a strategic growth area. All planning decisions in Halton Region, which includes the City of Burlington, must conform to the ROP.

City of Burlington Official Plan (1997, as amended)

The City’s Official Plan (1997, as amended) (the OP) outlines a long-term vision of the community and quality of life for Burlington residents and provides policy direction to the public and private sectors on land use, development and resource management matters to guide the future planning and development of the City towards the desired community vision.

The OP designates the subject property as Residential – Medium Density. This designation permits either ground- or non-ground-oriented housing units with a density ranging between 26 and 50 units per net hectare. Permitted residential building forms include detached and semi-detached, townhouses, street townhouses, stacked

townhouses, back-to-back townhouses, attached housing, and walk-up apartments, provided that these forms are within the permitted density. Other housing policies are applicable including the intensification criteria in Part III, section 2.5 of the Official Plan.

The applicant is proposing to amend the OP to redesignate the subject lands from “Residential – Medium Density” to “Residential – High Density”, with site-specific policies for the proposed height and density.

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 the owner of the subject property. 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/officialplan.

The new OP outlines a long-term vision of the community and quality of life for Burlington residents through statements of objectives and policies. The new OP provides policy direction to both the public and private sectors on land use, development, and resource management to guide the future planning and development of the City towards the desired community vision.

The new OP designates the subject property as Infrastructure and Transportation Corridors, as shown on Schedule C “Land Use – Urban Area”. The policies in section 6.3.2 of the new OP encourage applicants to consult with utility providers before proposing development in close proximity to utility corridors and facilities. The Infrastructure and Transportation Corridors designation may permit uses including, but not limited to, non-intensive recreation uses, bicycle and pedestrian path systems and multi-use trails, playing fields, parking lots, private rights-of-way and driveways, agricultural uses, golf courses and driving ranges, miniature golf, community gardens, the cultivation and storage of nursery stock for horticultural trade uses and garden centres, indoor and outdoor storage, and private services and utilities. These uses are permitted only where such uses are compatible with the primary utility function of these lands and are compatible with existing surrounding uses and the permitted uses in the land use designations of the adjacent lands.

Where abandoned or surplus utility lands are not required for public uses, the City may consider applications for rezoning. Evaluation of applications shall consider whether the proposed use is compatible with existing and proposed uses on nearby lands, and consistent with the policies of the new OP.

The Growth Framework policies in section 2.4 of the new OP recognize Primary Growth Areas and Secondary Growth Areas as the areas that will accommodate the majority of the City’s forecasted growth, and be the priority areas for investment in infrastructure improvements to accommodate growth. The subject property is not located within a

Primary or Secondary Growth Area. As shown on Schedule B-1, “Growth Framework”, of the new OP, the subject property is identified as “Infrastructure and Transportation Corridors”; these areas are not directly addressed in the Growth Framework policies. The lands adjacent to the subject property are identified as “Established Neighbourhood Area”. The Growth Framework policies recognize Established Neighbourhood Areas as a distinct area where intensification is generally discouraged.

Zoning By-law 2020

The City’s Zoning By-law zones the subject property as “S” (Utility Services). This zone permits transportation, communication, and utility uses, as well as open space and outdoor recreation uses and parking lots associated with such uses. Residential uses are not permitted.

The applicant is proposing to amend the Zoning By-law to rezone the property from S (Utility Services) to RH5 (Residential – High Density) to permit the development of an apartment building, and to create site-specific regulations for setbacks, density, landscaping, amenity area and parking.

Table 1 below summarizes the site-specific regulations that have been requested by the applicant, in comparison to the base requirements set out in the RH5 zone. The RH5 zone does not currently apply to the subject property but has been requested by the applicant in order to permit residential uses on the site, and to be the base zone from which site-specific regulations are created.

Table 1: Summary of site-specific regulations requested by applicant, compared to RH5 zone regulations

	RH5 zone requirements	Site-specific regulations requested by applicant
Maximum density	185 units per hectare	570 units per hectare
Minimum front yard	7.5 metres	3.8 metres
Minimum rear yard	9 metres	7.5 metres
Minimum side yard	4.5 metres	7.3 metres
Minimum amenity area	25 m ² per bedroom, 15 m ² per efficiency unit	9.5 m ² per unit
Minimum parking supply for occupants	1 space per one-bedroom unit; 1.25 spaces per two-bedroom unit 1.5 spaces per three or more bedroom unit	0.97 spaces per unit

Minimum parking supply for visitors	0.25 visitor spaces per unit, plus 1 additional space per 75 units for maintenance vehicles	0.03 spaces per unit
Minimum parking space dimensions	Minimum width: 2.75 m Minimum length: n/a Minimum area: 16.5 m ²	Minimum width: 2.6 m Minimum length: 5.6 m Minimum area: n/a
Landscape area abutting a street	6 metres	0 metres

As of the time of writing this report, Zoning staff have not yet completed their review of the subject applications. Through their ongoing review of the applications, Zoning staff will confirm the extent of zoning conformity issues and the detailed amendments to the Zoning By-law that would be required to permit the proposed development.

Urban Design Guidelines

The proposed development is subject to the following Council-approved urban design guidelines:

- Design Guidelines for Mixed-use and Residential Mid-Rise Buildings (2019)
- Shadow Study Guidelines and Terms of Reference (2020)
- Pedestrian-Level Wind Study Guidelines and Terms of Reference (2020)
- Stormwater Management Design Guidelines (2020)
- Sustainable Building and Development Guidelines (2021)

Planning staff will evaluate the subject applications in accordance with the applicable urban design guidelines.

Technical Comments

A requested for comments has been circulated to external agencies and relevant City departments. Planning staff will evaluate the subject applications with consideration to all technical comments received.

Public Comments

Members of the public who wish to provide comments on the subject applications should submit their written comments to the Planner on file, using the contact information provided at www.burlington.ca/1396guelph. Public input will be considered by staff in the review of the subject applications.

As of August 15, 2022, Planning staff have received written comments via email from 26 members of the public. These comments are appended in Appendix B of this report.

Concerns expressed in these comments are summarized in Table 2 below, organized in approximate order from most frequently to least frequently expressed themes.

Written submissions received after August 15, 2022 will also be considered in staff's ongoing review of the subject applications.

Table 2: Summary of public comments received by Planning staff as of August 15, 2022

Row #	Public comment theme	Staff response
1	<u>Traffic congestion</u> Concerns were expressed that the proposed development would cause traffic congestion problems on Guelph Line and spill-over traffic congestion on local streets.	A Traffic Impact Study, Parking Justification Study, and Transportation Demand Management Plan was submitted with the applications and is available online at www.burlington.ca/1396guelph . This study is being reviewed by the City's Transportation Department.
2	<u>Height</u> Several comments expressed that the proposed building is too tall. Some commenters suggested alternative maximum heights, in the range of four to five storeys.	Comments will be considered by staff in the review of the applications.
3	<u>Privacy Impacts</u> Comments expressed concern that the proposed development will cause a loss of privacy for neighbouring residents, particularly for those on Brenner Crescent with back yards adjacent to the hydro corridor.	Comments will be considered by staff in the review of the applications. 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.
4	<u>Parking Impacts</u> Comments expressed concern that the proposed parking supply is insufficient for both occupants and visitors, and could lead to impacts on neighbouring properties from visitors to this development parking on side	A Traffic Impact Study, Parking Justification Study, and Transportation Demand Management Plan was submitted with the applications and is available online at www.burlington.ca/1396guelph . This study is being reviewed by the City's Transportation Department.

	streets or illegally parking on neighbouring properties.	
5	<u>Housing affordability, housing tenure, housing type</u> Comments questioned whether the proposed development would be rental or condominium tenure, and expressed concerns that it would not be affordable, and that the proposed unit mix did not provide sufficient options for households requiring multiple bedrooms.	A Housing Impact Statement was submitted with the subject applications and is available online at www.burlington.ca/1396guelph . The applications will be evaluated in the context of the applicable policy framework including housing policies at the Provincial, Regional, and City levels.
6	<u>Design and aesthetic impacts</u> Comments expressed concerns that the proposed building design was out of character with the predominantly residential area	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.
7	<u>Traffic safety</u> Comments identified specific concerns about traffic safety, particularly in relation to the location of the proposed driveway access to Guelph Line, and the ability to make safe left turns at this driveway.	Guelph Line is a Regional Road. Traffic safety will be a consideration in the review of transportation impacts by Transportation staff at both the City and Halton Region.
8	<u>Noise impacts</u> Comments expressed concern with noise impacts from the proposed development	An Environmental Noise Study has been submitted with the applications and is available online at www.burlington.ca/1396guelph . This study will be reviewed by staff in the review of the applications.
9	<u>Environmental impacts</u> Some comments identified concerns with loss of trees and wildlife habitat	A Tree Inventory and Preservation Plan, as well as a Tree Protection Plan, were submitted with the applications and are available online at www.burlington.ca/1396guelph . These studies will be reviewed by staff in the review of the applications.
10	<u>Location and Density</u> Some comments questioned whether the subject property	The subject applications will be evaluated in accordance with the applicable policy framework, including the Regional Urban

	is the appropriate location for the proposed level of density.	Structure and growth management policies of the Regional Official Plan.
11	<p><u>Land Use Compatibility</u></p> <p>Some comments raised concerns about whether the proposed multi-storey apartment building would be adversely affected by the existing Hydro One infrastructure adjacent to the subject property</p>	<p>Land Use Compatibility studies were submitted with the subject applications and are available online at www.burlington.ca/1396guelp. These studies will be considered by City and Regional staff in the review of the applications. The applications have also been circulated to Hydro One for their review. Comments from Hydro One will be considered by staff in the review of the applications.</p>
12	<p>Other concerns</p> <ul style="list-style-type: none"> a. Construction impacts (noise, dust, vibration) b. Shadow impacts c. School capacity d. Park capacity e. Grocery store capacity f. Climate impacts g. Impacts on property values 	<ul style="list-style-type: none"> a. A Construction Management Plan was submitted with the subject applications and is available online at www.burlington.ca/1396guelp. If the subject applications are approved, more detailed review of construction impacts, including vibration monitoring, will occur at the detailed design stage (Site Plan application). b. A Shadow Study was submitted with the applications and is available online at www.burlington.ca/1396guelp. The applications will be reviewed in accordance with the City's Shadow Study Guidelines and Terms of Reference. c. The subject applications have been circulated to the school boards for review and comment. d. The subject applications have been circulated to the City's Parks Design & Construction section. Availability of parkland will be considered in the review of the applications. e. 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". f. The applications will be evaluated in accordance with the City's Sustainable Building and Development Guidelines. The applicant submitted a sustainability

		checklist, which is available online at www.burlington.ca/1396guelph . g. Impacts to property values are not a planning consideration.
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Petition

In addition to the written comments summarized above and contained in Appendix B of this report, City staff also received a petition signed by 33 residents opposed to the subject 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:

“We disagree with the proposed building of an 11 storey high-rise at 1396 Guelph line for the following reasons and request that the area zone to remain designated as ‘S’ for Utility Services only.

- The area is not designated for residences, nor is it suitable in size, space or proximity to hydro towers
- Privacy will be lost for neighbouring residents
- The proposed building is far too high and is inconsistent with the character and scale of residential buildings in the neighbourhood
- It is too close to an already busy traffic light and will heavily increase traffic congestion on Guelph line
- There are not enough proposed parking spaces for residents
- Construction will be prolonged, loud and dusty and will disrupt local residents’ reasonable enjoyment of their living spaces
- Trees and local wildlife habitats will be eliminated or disrupted
- Proposed building units do not encourage multi person family or affordable housing

For the above reasons, we the undersigned, do not want this high-rise built, nor do we wish to have the land use designation changed from S to RH5. We respectfully request that the city deny the above-named proposal and zone change designations for the reasons given.”

City staff were not involved in the creation or promotion of the 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 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 2022, “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.”

Financial Matters:

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

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. The Plan identifies seven implementation programs, including programs to enhance energy performance for new and existing buildings; increase transit and active transportation mode shares; electrify City, personal and commercial vehicles and other currently gas-powered equipment; and support waste reduction and diversion. Planning staff will evaluate the subject applications with consideration of climate implications concerning the subject applications.

Engagement Matters:

A virtual Pre-Application Community Consultation Meeting was held by the applicant on March 23, 2022. This meeting was attended by approximately 10 members of the public as well as by City staff, Mayor Marianne Meed Ward, and ward 3 Councillor Rory Nisan. At this meeting, the applicant sought feedback from the public on the proposed development.

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 webpage with information about the subject applications was published on the City's website at www.burlington.ca/1396guelph;
- Notice signs were erected on the subject property in early July 2022;
- A notice was mailed to all property owners and tenants within 120 metres of the subject property (a total of 231 addressees) on June 29, 2022;
- A Statutory Public Meeting will be held on September 13, 2022. This report has provided information about the subject applications to inform discussion at the Statutory Public Meeting.
- Notice of the Statutory Public Meeting was published in the City Update section of the Burlington Post on August 18, 2022. Notice of the meeting was also posted on the website and sent by mail to owners and tenants within 120 metres of the subject property.

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.

Conclusion:

This report provides a description of the applications to amend the Official Plan and Zoning By-law for 1396 Guelph Line, an update on the technical review that is underway, and a summary of technical and public comments received to date.

Respectfully submitted,

Thomas Douglas MCIP RPP

Senior Planner

thomas.douglas@burlington.ca

(905) 335-7600 ext. 7811

Appendices:

- A. Location, Zoning, and Concept Plans
- B. Public Comments

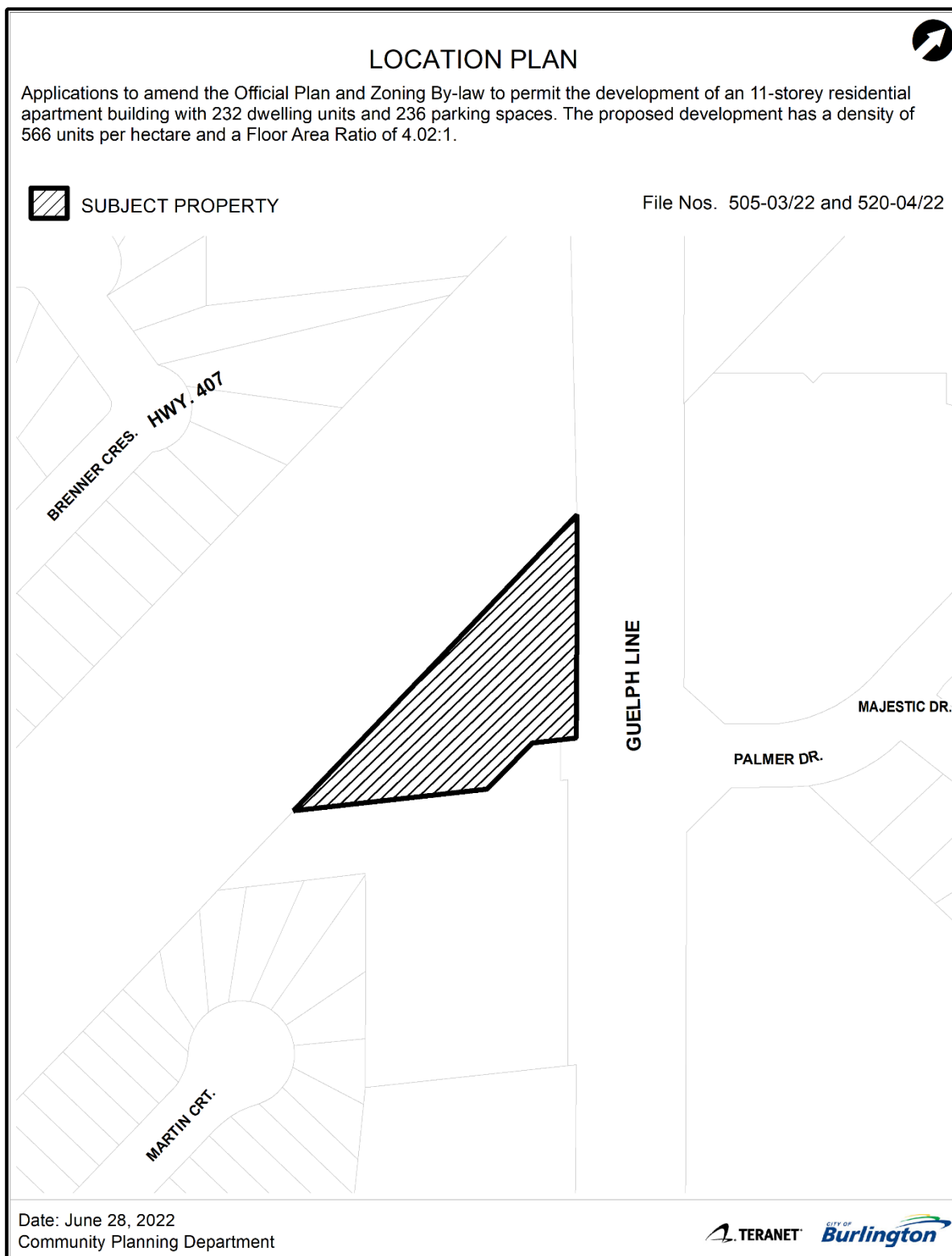
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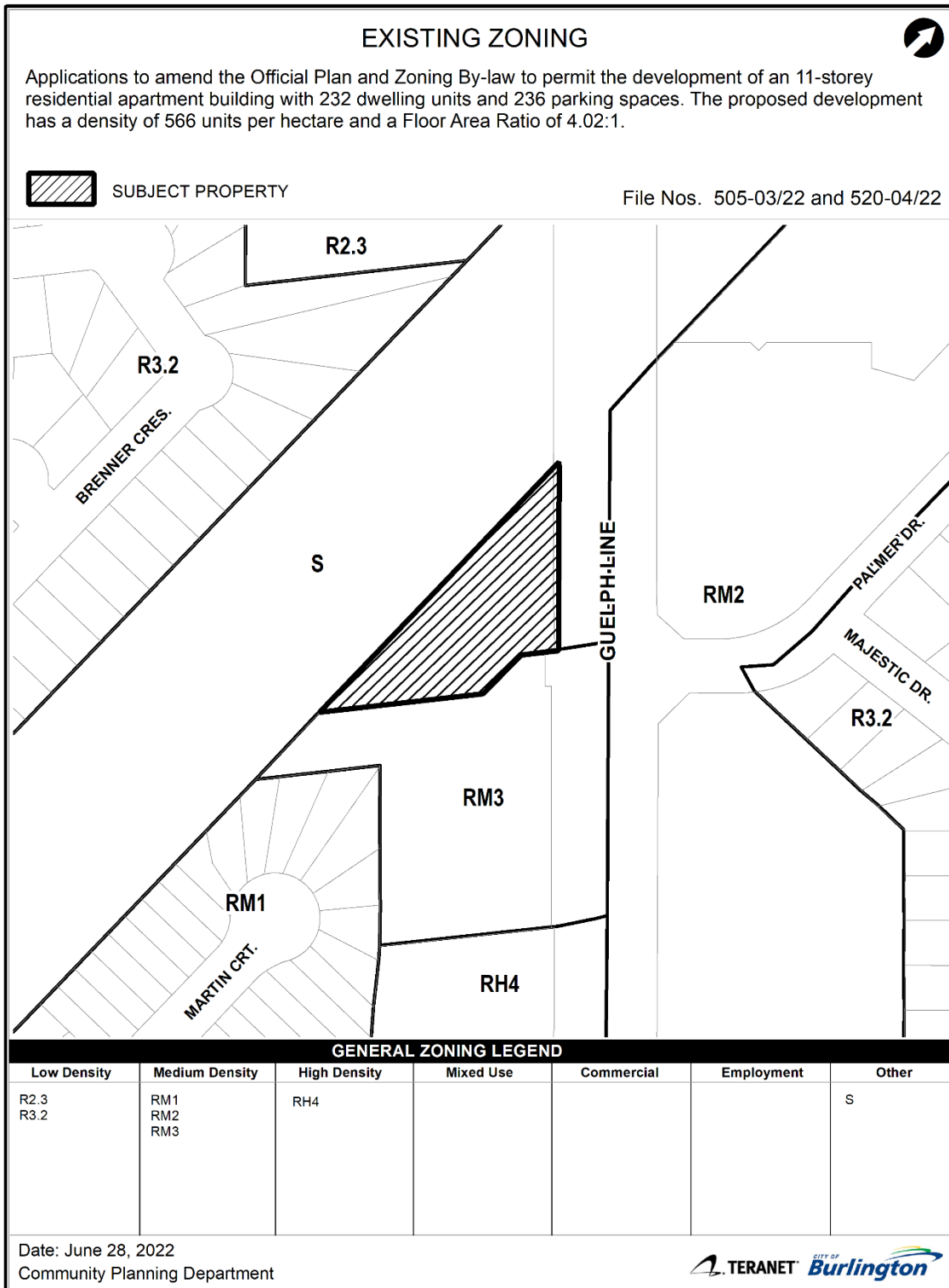
Bousfields Inc. c/o David Falletta

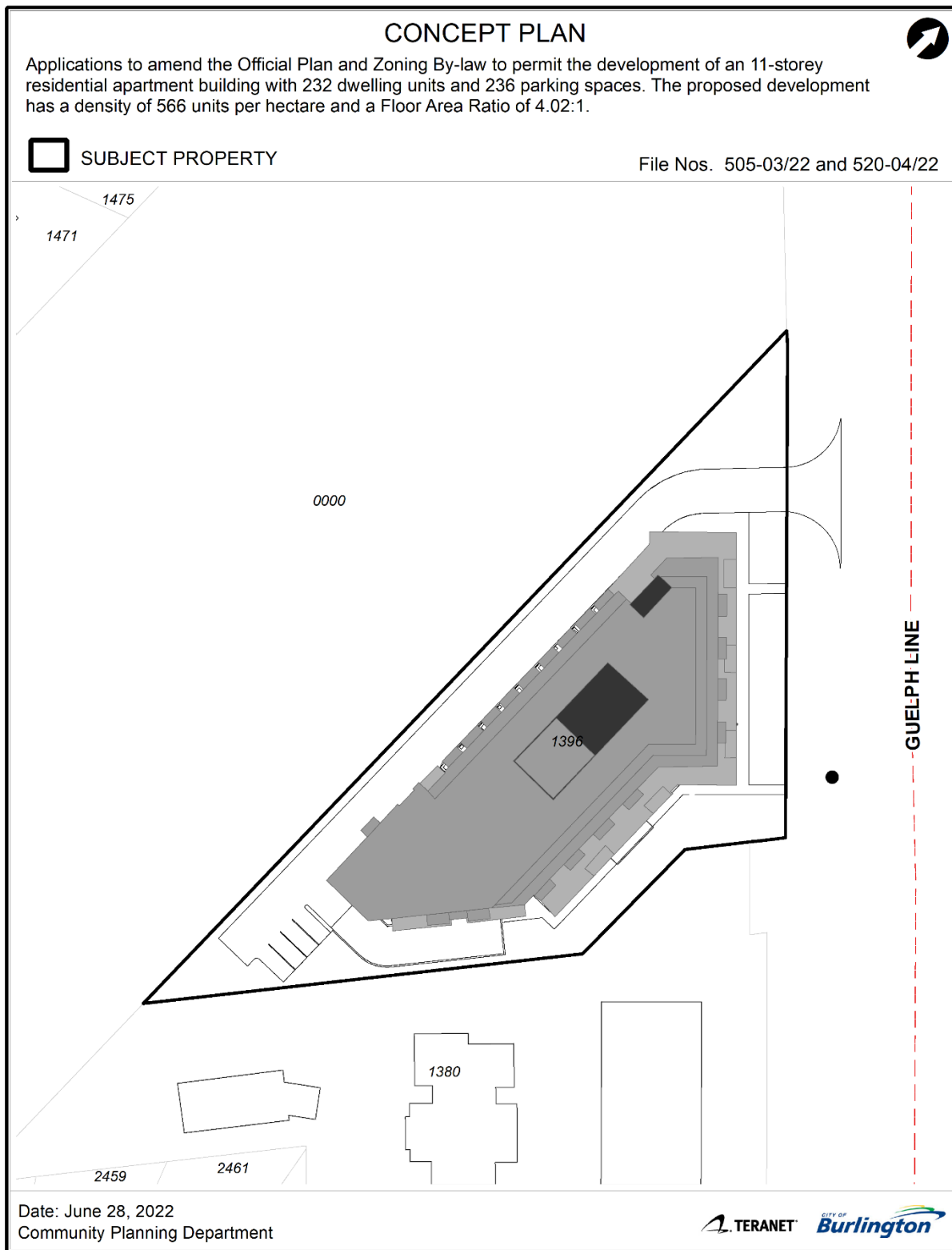
Report Approval:

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: Location, Zoning, and Concept Plans







Appendix B: Public Comments

Comment 1

From: Doug and Rosemary Biehn

Date: July 5, 2022

First of all it is not clear if the proposed units will be rental or owned. Certainly there is a need to create rental units in Burlington and this would be a good use of this land but ABSOLUTELY NOT AT THE DENSITY PROPOSED.

We see the following problems:

- 11 stories is totally out of line with most other multi unit residential buildings along this area of Guelph line. 5 stories max would be more appropriate.
- Lack of parking looks like a disaster waiting to happen. 8 outdoor parking spaces will be nowhere near sufficient to accommodate visitors to 232 dwelling units.
- Our observation is that the majority of family units in Burlington have more than 1 vehicle. 228 spaces for 236 units is unlikely to work well.
- There is little land that is not covered by the building. Reducing its land area covered should be considered to help solve the parking problems.

We are hopeful that some amendments can happen to prevent construction of something that will overwhelm the neighbourhood.

Doug and Rosemary Biehn

Comment 2

From: Gord Scott

Date: July 9, 2022

Hello Thomas, I am writing in regards to the Planning Application submitted by the Infidelity Development Group. To Develop 1396 Guelph Line.

My residence is [REDACTED], Burlington. My family has lived there for over 30 years. We purchased this house because of the wide open space and obviously the privacy of the back yard.

1396 Guelph Line is located directly behind us. If this proposal is passed we will have a 11 storey building peering into our backyard, as well as our bedroom windows. All these homes are designed with bedrooms facing the hydro field. I am strongly against this proposal.

I see many problems with this building design. Obviously 11 storeys high. Nothing in the area is close to this height. As far as fitting into the neighbourhood an enormous structure such as this would not. The parking entrance from Guelph Line with no traffic light would be a definite safety concern. It would also cause back ups in traffic flow on Guelph Line..

I also do not agree with 236 parking spaces for 232 dwellings? Our home has 3 adults living in it, we have 4 cars in our driveway. One parking space per unit? Where would the overflow parking end up? Parking in the Church across the street on Guelph Line or on the side streets around the neighborhood.

Again, we are strongly against this proposed plan. I am confident that this would have a negative impact on the value of my home.

Thank You

Gord Scott

Comment 3

From: Sue Thorpe

Date: July 20, 2022

Dear Mr. Douglas:

I am writing regarding the proposed development at the site of the former Canada Post letter carrier depot on Guelph Line. Apparently the developer intends to construct an 11-storey residential complex on this property.

While I understand and appreciate the City's desire to push forward with residential intensification, this is not the way to do it. Yes, the proposed building will house many people, but at what cost to the area? The developer's "Area Context & Height Survey" clearly indicates that the tallest structure in the area is 4-storey, so I don't know how they can use that data to support the reasonableness of an 11-storey structure. Anything higher than four storeys would be out of character in this area of Burlington. Please consider requiring such an amendment to the proposal.

Speaking of character, the design proposed for the building is horrendous. It is similar to the unattractive buildings that have been (and are being) erected on Fairview Street. They do not look homey or inviting. They certainly don't enhance the street, and their gaudiness can be seen for miles. I suppose that it was decided the blocking design of the buildings would be good enough for a street that is predominantly retail in nature, but such a design would not be appropriate for the Guelph Line area, which is predominantly residential. If the proposal were approved, I would hope that a warmer, more welcoming appearance would be required.

The proposal allows for just one parking spot per unit. What happens if some renters have multiple vehicles? Will that result in the excess vehicles being parked on side streets or in parking lots on other properties?

There is so much talk about the need for affordable housing, yet this proposal's Housing Impact Statement reveals that "Infinity is currently not committing to the development of affordable housing units on the subject site." The majority of people I've spoken to are

not thrilled about the prospect of of a such a development in the area, but would be more agreeable were it to ultimately provide affordable housing units.

In the "Immediate Surroundings" section of the proposal, it states " Also located within the hydro corridor on the east side of Guelph Line is a gravel bus loop for Burlington Transit, which provides a layover point for Burlington Transit buses. The loop also features a small bus shelter for passengers." I have lived in and walked around this area for years and the only gravel area that I know of on the east side of Guelph Line is a water station for trucks. It makes me wonder what else in their proposal may have been misrepresented.

Just last week, Oakville rejected a similar development proposal (9-storey) for Lakeshore Road. Clearly each municipality has some flexibility in terms of achieving Regional housing targets while still addressing public concerns. Please review Oakville's decision for relevance to the proposal currently on the table.

I know that the proposal process undergoes rigorous review and consideration. Please include my thoughts and concerns in that regard. Thank you.

Sue Thorpe

Comment 4

From: Barbara Jager

Date: July 21, 2022

Hello Thomas:

Living at [REDACTED], Burlington, Ontario for 25 years this project will completely leave us in Shade from 3:00 P.M. on.

This would definitely be an eyesore for this area.

I highly disagree on this project going forward. Living in Burlington 73 years I would like to continue enjoying the home I am living in without this obstruction.

Please note that my vote is not to have this building constructed.

Thank you.

Barbara Jager

Comment 5

From: Crystal Marshall

Date: July 24, 2022

As a neighbour in the area of this proposition, I would like you to consider my family's opinion.

11 storeys is significant. This would be the tallest building in the area and would certainly have an esthetic negative value on the neighbourhood. This is a mature, established community and 11 storeys of additional traffic and congestion, let alone people in our already stretched area would have a big impact.

I'd like you to consider reducing the height to a mere 4-5 storeys to better fit in the neighbourhood as well as the amount of pepper and traffic.

Perhaps the addition of common green space also around the building would help our only little park on Colonsay Drive.

Thank you for your consideration.

Crystal Marshall

Comment 6

From: Paul Semach

Date: July 24, 2022

Mr. Douglas

I received a notice yesterday that there has been an application made for an 11 storey building to be developed at 1396 Guelph Line in Burlington.

I'm am letting you know that I would be opposed to this. Simply put, this would have a significant increase for noise, traffic and congestion.

There no no buildings within a 2km radius of this height.

Sincerely,

Paul Semach

Comment 7

From: Jim Bell

Date: July 25, 2022

Dear Mr. Douglas:

I am a long time Burlington resident (address: [REDACTED]). I am writing to express my strong opposition to this proposed zoning revision application ("application"). A high rise, high density residential complex is completely unsuitable and inappropriate for this area of Burlington and will degrade the quality of life for area residents. Specifically, it will result in additional noise, traffic and congestion in the Palmer Dr. and Guelph Line area and will be an aesthetic eyesore, completely out of keeping with the low density, low rise residential and retail commercial character of the ambient neighbourhood. I urge you to recommend against the approval of this application. If you require any further information about my reasons for my objection to this application, please do not hesitate to contact me. Thank you.

Jim Bell

Comment 8

From: T Johnson

Date: July 26, 2022

To Thomas Douglas,

I am writing to let you know that I COMPLETELY OBJECT to a high density residential apartment building proposed for 1396 Guelph Line.

There is absolutely no reason to build a super high building in the middle of a mostly low level residential area. The effect on traffic would be horrific. Also I understand that it is illegal to encroach on the hydro right of way.

Again, I couldn't be more adamantly AGAINST this proposal. Please DO NOT go any further with this travesty.

Thank you,

T Johnson

Comment 9

From: Harold Kirby

Date: July 27, 2022

Hello,

I am writing to you to express my feedback for the proposed change to the official plan by-law designations for the property located at 1396 Guelph Line. I do not think it is a good idea to grant a high occupancy designation for this site. I live in the community and already have problems with traffic on Guelph Line at both Mount forest drive and St. Frances drive. The two grocery stores, Fortino's and Food Basics are also too busy on the weekends now without extra building. Please do not create more congestion in our neighbourhood.

Thank-you,

Harold Kirby

Comment 10

From: Gloria Nardi-Bell

Date: July 28, 2022

Dear Mr. Douglas:

I am writing to register my opposition to the proposed zoning change and the construction of an 11-storey building on 3196 Guelph Line at Palmer, on the site of the former Post Office.

I have resided at [REDACTED], Burlington, for 31 years. My objections include the following:

1. An 11-storey building is disconsonant with the neighbourhood which is low-rise residential with a maximum height of 4 storeys. An 11-storey building will be an eye-sore and will make the neighbourhood unsightly.
2. The proposal is for 232 dwelling units with 228 parking spaces. Clearly, this is inadequate. The proposal fails to provide a minimum of 1 parking spot per residential unit.
3. The proposal allows for an additional 8 outdoor parking spaces. One presumes that these would be for visitor parking. The proposal is inadequate. A residential building with 232 units requires far more than 8 visitor parking spaces. This inadequate planning will likely mean that visitors will look for parking on the streets, causing more congestion, or will trespass onto other properties like neighbourhood churches, other residential sites, or the local malls. This will result in breaches of those owners' property rights.
4. The proposed building is on a busy thoroughfare. An 11-storey building will exponentially increase traffic at an already congested intersection.
5. The proposed building will loom over adjacent sites like the Shackleton townhomes and interfere with their privacy, tranquility, and general enjoyment of their homes.
6. The location of the proposed building will cast a long shadow over the adjacent sites, and interfere with the neighbours' enjoyment of sunlight especially for children who play outdoors.

I urge you to oppose the proposed plan. Nothing good can come of such a change in zoning and the proposed construction.

Thanks,

Gloria Nardi-Bell

Comment 11

From: Julija

Date: July 28, 2022

STOP the eleven stories of apartments on 1396 Guelph line from being built

It will be an abomination to look at

It will increase the heatwaves in Burlington to worsen

Look at the problems Toronto , Mississauga are having with the high rises

Look at the ugly downtown of our own city of burlington is having with the highrises in aldershot

Aldershot s human trafficking is disgusting as well as the prostitution there is awful

No highrises in ward three is my vote

Julija

Comment 12

From: Stephanie Bye

Date: July 29, 2022

Good afternoon Mr. Douglas,

Thank you for speaking to me and answering my questions the other day. As discussed, I have attached the petition and a letter from a neighbour, to this email. I appreciated you providing me with the information about the importance of neighbours contacting you directly with their concerns rather than simply signing a petition. I understand the importance of that advice but will reiterate again our reasons for the petition. Thank you again for your understanding.

Many of the individuals residing at 1380 Guelph Line have difficulty with email, and electronics in general so they wanted to have their voices heard but would have struggled to do so without reading and signing the petition. The good thing is that we are so close to the proposed site so all of them will continue to receive correspondence about it.

I wanted to share my concerns as well. They do echo that of the petition but I will repeat them here for your further consideration.

- The area is not designated for residences, nor is it suitable in size, space or proximity to hydro towers.
- Privacy will be lost for neighbouring residents
- The proposed building is far too high and is inconsistent with the character and scale of residential buildings in the neighbourhood
- It is too close to an already busy traffic light and will heavily increase traffic congestion on Guelph line. I will note here that this intersection is already quite unsafe. I have nearly been hit several times while walking and obeying pedestrian signals. There are also many
- There are not enough proposed parking spaces for residents
- Construction will be prolonged, loud and dusty and will disrupt local residents' reasonable enjoyment of their living spaces
- Trees and local wildlife habitats will be eliminated or disrupted
- Proposed building units do not encourage multi person family or affordable housing. To this final point I must note that the cost of rentals has gone way up. While working a good paying job, I myself cannot afford to rent an apartment on

my own nevermind being able to own one. I am sure that the apartments will likely be condos and sold at an extremely high cost.

I also noted when we spoke that the signs are not prominently displayed. Thank you for speaking to the developer about this. I will include my own photos of this. The sign between the bus shelter and the financing sign could be moved to the middle where the large patch of grass is. The second sign that is facing the Hydro path could be moved further toward the road so that pedestrians and vehicles can see it more easily.

Lastly, I noticed the other day that there is a "For Sale" sign up on the property. I did not understand this and I was wondering if you could tell me what that means?

Thank you again for your time. Have a wonderful long weekend.

Sincerely,

Stephanie Bye

Comment 13

From: Mariyana and Georgi Anodaliev

Date: July 27, 2022

Dear Mr. Douglas,

We are writing this note in response to planning application submitted by Infinity Development Group. We are concerned about the structural integrity of our aged building and underground parking lot. If there is deepground digging next door at 1396 Guelph Line then it may create structural damage to our underground parking structure as well as our homes. We are also very concerned about noise and dust that this construction site will bring upon us for multiple years. For these reasons, and the reasons included in the petition (that we signed), we are opposed to the Development Proposal at 1396 Guelph Line, Burlington ON.

Thank you for your time and consideration.

Sincerely,

Mariyana and Georgi Anodaliev

Comment 14

From: Alex Tinsley

Date: July 29, 2022

Good afternoon Mr. Douglas,

We received notification that an application has been made to change the official plan and zoning bylaw designation for the property at 1396 Guelph Line in Burlington.

As a resident within the Mountainside neighborhood, we strongly object to this proposed change.

This structure would very negatively affect both the Mountainside and Palmer neighborhoods equally.

We would all see a significant reduction in privacy within our yards which will also negatively affect our property values.

Furthermore, traffic on Guelph Line south of Upper Middle Road is already gridlock throughout the week. The addition of 232 dwellings would create a much larger problem than already exists. Our current infrastructure in this area is already taxed enough as is.

Structures of this size should be reserved for properties situated along the Fairview/GO train corridor.

I understand that housing needs to be constructed somewhere, however we feel that this lot would be better suited to low-rise condos instead (4-5 stories).

Thank you for the consideration.

Alex & Cynthia Tinsley

Comment 15

From: Cynthia Tinsley

Date: July 29, 2022

Good afternoon Mr. Douglas,

We received notification that an application has been made to change the official plan and zoning bylaw designation for the property at 1396 Guelph Line in Burlington.

As a resident within the Mountainside neighborhood, we strongly object to this proposed change.

We would lose out on all of our privacy that our neighbourhood is known for. Also, I do not believe there is the capacity at our local elementary schools and therefore kids would have to be bused causing more traffic. There is already gridlock on Guelph line at several different times of the day.

We are strongly opposed to this application.

Sincerely,

Cynthia and Alex Tinsley

Comment 16

From: Rachel Szplitgeiber

Date: July 29, 2022

Hi Thomas,

Hope you are well.

I just received a letter from my neighbour that Infinity Development Group has put forth an application to erect an 11 storey condo at 1396 Guelph Line?

I must say, after looking it up on the City of Burlington's website, I am shocked. I find it laughable that anyone would apply for that at that particular location.

From what I understand of my neighbour's letter, we have until or before August 16th to give our opinions on the matter.

Could you kindly direct me to the appropriate representative of the matter so I may help put a stop to this application?

I have been a resident of Burlington for 35 years and have watched it grow and I must say after viewing some of the applications put forth, developers are trying to squeeze the largest possible structure on the smallest bit of land scattered throughout the city. I feel that this is taking away from Burlington as a whole and what a lot of us have moved here for.

I have several issues with the current application. Growth, traffic, transit, amenities, location, size, schools, esthetics, etc.

Please let me know at your earliest.

Thank you,

Rachel

Comment 17

From: Corrie Smid

Date: July 29, 2022

Thomas Douglas,

I saw a picture of the building that would be built if the application is accepted.

I have lived on [REDACTED] for 42 years and have so enjoyed living here.

I am not keen on this development.

It is going to create more traffic near me and be more challenging driving.

More people in the neighborhood. The major grocery stores, Fortinos and Food Basics will become much busier. Other smaller stores will become much busier.

I don't like the height of the building. It is too high.

There are already townhouses nearby and a large church and smaller church. A retirement home near which will make it harder for the elderly residents to walk, drive vehicles, scooters.

Are these units for buying or for rental? If rental are the prices going to be so that people can afford to live there. Lower cost housing is so needed. People are struggling to make ends meet with the increase in gas, grocery and most other commodity prices.

I hope that the Mayor and her council will not approve this application.

Lets keep this neighborhood the way it is. My street and surroundings are peaceful.

Corrie Smid

Comment 18

From: Mary Hamilton

Date: July 31, 2022

Dear Sir,

I am a resident of [REDACTED] and I would like to express my disappointment at the possibility of an 11 storey condo being considered.

I believe a high rise takes up unnecessary vertical space for something that can be achieved with much less height. A low rise is better suited for this

area as it may offer more affordable housing, which is greatly needed in Burlington and keep in specs with the neighbourhood. With a high rise there is also the loss of privacy, increased noise as well as an increase in traffic congestion. As you are most certainly aware of congestion in Burlington is an issue in itself, more on

Guelph Line is not needed.

I along with, I have no doubts, other residents in this area feel the same about this proposed high rise & strongly hope it will be reconsidered & our

voices will be heard & listened to.

Mary

Comment 19

From: Nick Sun

Date: August 7, 2022

Hello,

As a resident next door, I'm sure I'm not the first to inform you of how terrible this idea is.

This intersection is already bad enough at Palmer with the day care not adjacent to an intersection just south of us, there is no way in hell you can expect to put another

hundred plus cars just north of the intersection, not adjacent, without the problem getting any worse.

I saw your traffic counters at the intersection but what they failed to account for is the abundance of cars just south of the intersection turning into the daycare.

And don't forget the hundred or so cars you plan on adding just north of this intersection. They won't be using the intersection; they'll be turning straight onto the street.

Maybe you should inquire with the former tenants, the postal service, and ask them why they moved (spoiler alert; it's because it was impossible to turn in or out of the driveway during rush hour).

Honestly, it's stupid that this proposal even made it this far. It should've been shut down long ago.

It's funny; Halton shuts down an old folks home down the road from a brand new hospital; but says sure, squeeze in more housing next to the poor people!

If this goes any further I'll be sure to show up with hundreds of neighbours who agree how horrible this idea is.

Keep in mind, we're poor and angry and have nothing to lose :)

A concerned citizen,

Nick

Comment 20

From: Clori Ley

Date: August 8, 2022

Dear Mr. Douglas,

I live on [REDACTED] along the Hydro right-of-way very close to Guelph Line. Across from my back yard is the former Canada Post distribution building that the developer is planning to demolish and replace with an eleven storey condominium building. I bought my house many years ago to live in the eastern side of the Mountainside residential subdivision that is generally made up of 1 to 2 storey houses. I value the privacy I have in my back yard, looking out on natural grasslands with a community bike/walking path through the neighbourhood of low rise residences.

There is no history of high buildings in this area of Guelph Line north of the QEW and that is appreciated by all residents. The residential buildings on Guelph Line are no more than four storeys in height. I see residents in these buildings having problems getting out of or into their building's driveway during the busy times on this major regional road, so I can't imagine how new residents in an eleven storey building would

deal with the traffic issues on Guelph Line. They would often be stuck in a line-up waiting to get out on Guelph Line. Trying to turn left would often be a dangerous task.

The height itself would of course be right in my face whenever I looked out my windows or attempted to use my back yard. That represents a total loss of privacy that I have appreciated all these years. I am not against a residential building here, but only if it complements the neighbourhood with a height of no more than four storeys. That of course would help with the traffic issue too with fewer cars.

Thank you,

Clori Ley

Comment 21

From: Matthew Ferencich

Date: August 8, 2022

To Thomas Douglas and all council members

As a life long resident on [REDACTED] I would like to take this opportunity to express my concerns and opposition to the proposal in the application stages at 1396 Guelph Line and Palmer Dr.

Myself and many of the neighbours which I have spoken with, feel this building at this height of 11 stories is way too tall and not suited for this very tight space. I always thought that if the lot was designated and developed for residential use it would reflect the neighbouring townhouse complex on the immediate lots to the south of this proposal. This proposal will be a major eyesore on the surrounding area at the proposed height of 11 stories and there is nothing currently at this height that I can think of north of the Q.E.W. from Brant street to the Tansley community east of Walkers line. Reasonably I would think something in the 4 story range might be better suited like the low-rise condo tower opposite the Guelph Line on Palmer Drive.

There is already a major issue with traffic in the area which is already a nightmare at most times of day. Making a left turn onto Palmer dr. from south bound Guelph Line is already near impossible in the morning and afternoon rush. Another driveway onto Guelph line in this area would be a traffic disaster.

I understand the want and need to have the City of Burlington grow and the amount of space to do so is getting scarce but a development of this size is not fair to the surrounding community. To drop this on a neighbourhood that has come to love and cherish the peacefulness and privacy of living on these hydro right of ways is wrong and, in the end, only hurts the charm and desirability of living in Burlington. I for one would not want to live in one of these proposed dwelling spaces in this proposed tower and it makes living on the surrounding properties less appealing as well. We should strive for better here in Burlington.

Thank you for taking the time to read my concerns on this matter and hopefully it will conclude in a mutually beneficial compromise that will help the City of Burlington reach its needs and goals and be something that all parties involved can appreciate. Let's continue to make Burlington a great and desired place to live for everyone.

Sincerely,

Matthew Ferencich

Comment 22

From: Zoltan Wagner

Date: August 9, 2022

Dear Mr. Douglas,

It came to my attention that an 11 storey condo development is planned near Guelph Line and Mt. Forest Dr.

I strongly oppose this development due to concerns over extra traffic, population density in a neighborhood that lacks the infrastructure for a large influx of residents and lack of recreational space in the neighborhood (especially for children).

If you aren't the best person to deal with this matter, please forward my message to the most appropriate person(s).

Sincerely,

Zoltan Wagner

Comment 23

From: Lynda Wright

Date: August 9, 2022

I am concerned about the proposed construction of an 11 storey apartment building in my neighbourhood. In reality, it is 12 levels. It will bring unwanted vehicle traffic in our area. The proposed exit on to Guelph Line, close to St. Francis is unsafe. The hydro right of way which is very close to the north boundary of the lot is used by bikers, walkers, and children. Having traffic exiting near there would be unsafe.

I have concerns about the environmental use of 3 levels of underground parking.

The term "1,807 square metres of private outdoor amenity space" is vague and open to many interpretations' there is the possibility of noise and safety issues.

With a total of 232 dwellings and 236 parking spaces, there is the probability of extra cars parking on the streets in the immediate area. Many would also ignore parking limits.

There should be consideration given to the ability of Clarksdale and Rolling Meadows to handle increased enrollment.

The request for Residential - High Density is detrimental to my neighbourhood.

Thank you for returning my call.

Lynda Wright

Comment 24

From: Alan and Patricia Sanders

Date: August 10, 2022

We realize that we have missed the official cut off date for comments on the above proposal. However we would like to express our observations and objections to the proposal even though it is too late.

What will happen to the existing business that now occupies the building? Guess the building will be torn down. Seems to be a lot of work and renovation for a short term stay. Or was this a ruse by the developer that enabled them to acquire the property?

If the zoning is changed will this open up the opportunity for more high rise on Guelph Line?

The traffic volume on Guelph Line is bad now with all the gravel truck traffic and more to come with the proposal to expand the Mount Nemo quarry. An additional 236 parking spaces will certainly add to the congestion at the intersection of Guelph Line and Palmer.

We are 43 year residents on the St Frances. Cut through traffic on our part of St Frances has increased greatly in the last few years. We can imagine how this project will add to it!

Alan & Patricia Sanders

Comment 25

From: Gary Scobie

Date: August 11, 2022

We have lived on [REDACTED] for over 42 years, raising our family with a back yard left visible to the Hydro right-of-way and pedestrian/bicycle path. We appreciate the openness behind us and the privacy afforded to us with distant back yard neighbours, as do our neighbours up the street backing onto the field. We have only a chain link fence across the back with a gate to the field.

We've lived with a Canada Post distribution centre all that time at 1396 Guelph Line until a few years ago when the operation was moved elsewhere and the building vacated. We assumed a different warehouse/distribution operation would move in to

use the current low-rise building. You can imagine our astonishment when the new owners decided this small, irregular plot of land should be turned into an eleven storey condo tower with 232 units and 236 parking spaces.

This building as applied for holds far too many units for the neighbourhood and for the traffic safety of the future residents.

To start, the City has absolutely no obligation to grant a residential zoning here. It could be left as is. There is no growth corridor here for residential intensification either. That said, at first glance I think my neighbours on Brenner Crescent who back on to the Hydro right of way northwest of the site could see a four storey building here as a negotiated possibility, but not any higher.

One reason for the height reduction is to keep the building within the height context of the one to two storey houses along the right of way and the three and four storey townhouses/apartment condos south of the site all the way down Guelph Line to the QEW. This building would be totally out of character with our neighbourhood, something this Council said they intended to protect. **The main reason however is traffic safety.**

The Traffic Study submitted by the developer should be used in future as a template for how **not** to support a development in teaching situations in university. The key deficiency is that after acknowledging there would be problems with left turns out and left turns in to the 11 storey building during peak traffic hours, the solution is to create a different traffic problem rather than acknowledge that there will be too many cars at the site because of its height and unit count of 232 suites and 236 cars.

The "solution" proposed to the difficulty with left turns during peak hours is to ban and prevent them completely at all hours and 1) have residents wishing to go north on Guelph Line instead go south (right turn) and quickly accelerate over two lanes of traffic to the left turning lane at the Palmer/Guelph Line signalized intersection (all within less than 50 metres of room), then they are supposed to pull a U-turn into oncoming traffic and go north on Guelph Line and 2) have residents wishing to turn into the site from the south on Guelph Line continue past the site up to Upper Middle Road and make a left U-turn there at the signalized intersection against oncoming traffic (or maybe during the advanced green), then head back south so they can turn into the site with a safer right hand turn. See the **Appendix** below for details on this dangerous proposal.

This is a solution? I see it as a major problem telling residents to make often dangerous U-turns (for themselves as well as other drivers) in order to get where they want to go near their home, particularly but not limited to during higher traffic volume times. I don't think Burlington encourages U-turns at intersections and it certainly creates potential accidents for those that try it as well as anger and frustration for anyone behind simply wanting to do a straight forward and easier left turn there. I see it as a non-solution and

a non-starter for an 11 storey building. I would think the City Planning Department, notably Traffic Planning, would see it the same way.

Therefore, I could only see a justified recommendation from your department as either to forget about a new building and usage here at all for traffic reasons or else put up a lower height and density set of townhouses here so that there will be less chance of accidents leaving or entering the driveway and no recommended U-turns.

Think of the backups in the morning as frustrated condo owner drivers get in line to get to Guelph Line, waiting for those in front to make their right turn moves onto Guelph Line. What a way to start their day. Remember that each accident from a U-turn gone wrong will be traced back to the City or the Ontario Land Tribunal, if either ends up authorizing this building in the future and it goes ahead as proposed.

After further study and research I have come to the conclusion that even a four storey building with Right Turn Only plus U-turn rules would still encourage too many accident possibilities. Only a smaller development of six to eight townhouses, similar to those south of Centennial Drive on the west side of Guelph Line would ever make sense here without RIRO & U-turn restrictions. So that is my recommendation if you do go forward with zoning & OP changes to allow residential units here. But I urge you to reject it.

Thank you for your consideration.

Gary Scobie

Cc: Burlington Council

Appendix

Please reference the Traffic Impact Study on this file produced March 14, 2022, particularly Pages 10 to 12 of the 24 page report.

I did a drive north on Guelph Line after peak hours and measured from the site driveway to the Upper Middle Road intersection stop light and waited at the left hand turn lane. It is 0.5 kilometres. Therefore doing a U-turn and returning south on Guelph Line to turn right into the site driveway is another 0.5 kilometres, for a total 1 kilometre extra drive plus U-turn just to get home when coming north on Guelph Line as suggested in the study. You'd do this every time you're coming up Guelph Line homeward bound.

I had a green light at the St. Frances Drive intersection and arrived at the red light at Upper Middle Road as first car in the left turn lane. A good size SUV pulled up behind me. The driver would be expecting me to drive smoothly left with the advance green, not do a more difficult U-turn. I drive a compact car. Looking left, I realized a U-turn done well would take me over to the right hand lane south and thought I could do it smoothly without impeding the following SUV too much. I did so, but also realized that a car going east on Upper Middle Road was going to take advantage of the right turn curved lane to join me in the same lane near the same time and would also not be expecting me to pull a U-turn toward him/her. Luckily, he/she realized what I was doing,

was a little behind my timing and slowed enough to let me pass first before joining the same lane going south behind me. I wondered if everyone would be so lucky in timing and consideration as I was in doing this study-recommended manoeuvre. And this was in non-peak traffic with an advanced green, supposedly the best time to safely try it. This would not always be the case during the more dangerous peak hours when I might be waiting after the advance green to U-turn against approaching traffic from the north if/when I could detect a break in traffic. I did not feel comfortable with this thought. I also felt that bigger vehicle like SUVs and pickup trucks with a larger turning radius would likely have problems executing a U-turn smoothly and safely within the curb and lane limits.

Looking at the other study-suggested U-turn north on Guelph Line at the Palmer Drive signalized intersection, I felt it would be even less secure and safe. That intersection does not have a right turn curved right turn lane at Palmer at the light. It only has a straight through/right turn lane. This requires a full stop at a red light at Guelph Line. If turning right, it requires careful checking of north-bound traffic before attempting a right turn on a red. A driver doing this would not be expecting a south-bound vehicle in the non-advance turning lane to do anything to jeopardize his/her right hand turn north on Guelph Line, but here comes this vehicle doing a U-turn into my outer lane going north! Accident time, folks. There are even more dangerous possibilities here than at Upper Middle Road, an intersection well-known for accidents already.

I have to ask myself 1) how many drivers feel confident in general on the road in their vehicles? 2) How many drivers feel confident in doing U-turns at intersections every day in the normal course of their trips out to work, pleasure or shopping chores? And 3) how many drivers know they have to not only consider the risks of on-coming traffic doing U-turns and intersections but also the possibility that a driver coming from the street on the left with a red light might just want to turn right into the same lane you want at the same time? U-turns at signalized intersections are dangerous manoeuvres. They should never be recommended procedures, period. And certainly not on a daily basis just to get on or off the road from/to your home in the direction you want to travel.

I am glad I had the time and the impetus to do this research “on the road”, not sitting at a desk as the study author must have done. I could consider all of the dangers lurking out there for the possible future residents and their visitors if a multi-storey building with dangerous driving recommendations was built. I am not an expert in traffic studies, but I am now better-informed in real world driving situations than I was. This building or any lower height multi-storey building should not be built on this site. The traffic danger is simply too high.

This is a case of a building proposed for the wrong site at the wrong location.

Comment 26

From: Kandise MacLeod

Date: August 12, 2022

Hello Thomas,

I'm writing you in regards to the proposal of a building at 1396 Guelph line. I wanted to make sure you know I highly object to this proposal. I feel like it is a developer just trying to squeeze a building into this small awkwardly positioned piece of land. The only thing I can think to compare it to, is if we were to build a high rise on to every awkward piece of green space in the middle of highway on ramps. These pieces of land aren't built for this purpose and I don't think we are at that desperate point to Re-zone them either.

This land is way too close to hydro corridor for construction of a large building. The limits of approach to a hydro line for a crane the size they would need to build a building this size is Dangerous. It was only two days ago that a crane hit a hydro line in Toronto and shut the whole city down.

Also the non-ionizing radiation from the electromagnetic fields the hydro lines will also create more of a problem to the families living floors adjacent to them. The field strength drops off with distance. Because of the height of the wires it isn't as much of a concern for most of us with the distance it creates. However the people living in the building on the parallel floors will lose that distance.

Thank you so much for taking the time to read through my concerns. Please let me know if you have any other questions or concerns.

All the best,

Kandise Macleod