



SUBJECT: Official Plan Amendment and Zoning By-law Amendment applications for 276, 284 and 292 Plains Road East

TO: Committee of the Whole

FROM: Community Planning Department

Report Number: PL-36-24

Wards Affected: 1

File Numbers: 505-07/21 and 520-08/21

Date to Committee: May 13, 2024

Date to Council: May 21, 2024

Recommendation:

Approve the applications for Official Plan Amendment and Zoning By-law Amendment at 276, 284 and 292 Plains Road East, as recommended by staff in community planning department report PL-36-24, to permit a 7 storey, 141 unit residential building; and

Approve Official Plan Amendment No. 132 to the City of Burlington Official Plan, as provided in Appendix D of Report community planning department report PL-36-24, to re-designate the lands located at 276, 284 and 292 Plains Road East from “Residential – Medium Density” to “Mixed Use Corridor – General” and to include site specific policies for the subject lands; and

Deem that Section 17(21) of The Planning Act has been met; and

Instruct the City Clerk to prepare the necessary by-law adopting Official Plan Amendment No. 132 as contained in Appendix D of community planning department report PL-36-24 to be presented for approval at the same time as the associated by-law to amend Zoning By-law 2020, as amended, for the development proposal (505-07/21); and

Approve Zoning By-law 2020.476, attached as Appendix E of community planning department report PL-36-24, to rezone the lands located at 276, 284 and 292 Plains Road East from “Residential – Medium Density (RM1-346) with site specific regulations to a site specific “Mixed Use General (H-MXG-542)” with a Holding “H” prefix as

provided in Appendix E to community planning department report PL-36-24 (File: 520-08/21); and

Deem that the amending zoning by-law will conform to the Official Plan for the City of Burlington once Official Plan Amendment No. 132 is adopted; and

State that the amending zoning by-law will not come into effect until Official Plan Amendment No. 132 is adopted.

PURPOSE:

The purpose of this report is to recommend approval of the Official Plan Amendment and Zoning By-law Amendment applications for 276, 284 and 292 Plains Road East to allow the development of a 7-storey residential building consisting of 141 dwelling units.

Vision to Focus Alignment:

- Promoting and supporting our community’s health and well-being
- Managing change and growth while maintaining the high quality of life experienced by our residents
- Creating and supporting neighbourhoods and communities that feel connected to each other
- Supporting diverse communities
- Aligning long-term plans and strategies so community solutions are holistic.

Executive Summary:

RECOMMENDATION:		Approval with Holding	Ward:	1
Application Details	APPLICANT:	Corley Developments Inc. (% Martin Quarcoopome, Weston Consulting)		
	OWNER:	284 Plains Road Development Inc. and Colin Wellum		
	FILE NUMBERS:	505-07/21 and 520-08/21		
	TYPE OF APPLICATION:	Official Plan Amendment and Zoning By-law Amendment		
	PROPOSED USE:	Seven storey apartment building containing 141 units and 153 parking spaces.		
Property Details	PROPERTY LOCATION:	South side of Plains Road East; east of Shadeland Avenue, and west of Filmandale Road		
	MUNICIPAL ADDRESSES:	276, 284 and 292 Plains Road East		

	<p>PROPERTY AREA: 0.50 ha</p> <p>EXISTING USE: Two (2) vacant dwelling conversions, a commercial land use (284 Plains Road East), office (292 Plains Road East) and a medical office (276 Plains Road East).</p>
Documents	<p>1997 OFFICIAL PLAN Existing: Residential – Medium Density</p> <p>1997 OFFICIAL PLAN Proposed: Mixed Use Corridor – General, with site-specific policy permitting a maximum FAR of 2.6:1 and a maximum building height of seven storeys.</p> <p>2020 OFFICIAL PLAN Proposed: Urban Corridor</p> <p>ZONING Existing: Residential Medium Density Exception (‘RM1-346’) Zone</p> <p>ZONING Proposed: Mixed Use Corridor – General Exception (‘H-MXG-542’) Zone</p>
Processing Details	<p>APPLICATION RECEIVED: October 15, 2021</p> <p>APPLICATION DEEMED COMPLETE November 12, 2021</p> <p>STATUTORY DEADLINE: February 12, 2022 (120 days)</p> <p>STATUTORY PUBLIC MEETING: February 1, 2022</p> <p>PRE-APPLICATION COMMUNITY MEETING: April 26, 2021</p> <p>PUBLIC COMMENTS: Notice of complete application was circulated on November 17, 2021, and the revised submission was circulated on September 27, 2023, to 349 addresses. Notice of the public meeting and recommendation report was circulated on April 19, 2024, to 349 addresses. To date, a total of thirteen (13) public comments have been received as a result of the public circulations.</p>

Background and Discussion:

On November 12, 2021, the City acknowledged that a complete application had been received for an Official Plan Amendment and Zoning By-law Amendment for 284 and 292 Plains Road East. The purpose of these applications is to amend the Official Plan and Zoning By-law in order to facilitate a residential development consisting of one 8 storey

residential building. A Statutory Public Meeting for the application was held on February 1, 2022, at which time a report was presented to the Community Planning, Regulation and Mobility Committee and the public for information purposes and to obtain feedback on the subject applications.

In September 2023, the applicant revised the proposal to incorporate 276 Plains Road East into the proposed development. The applications were revised to include a 7 storey residential building including mechanical penthouse and indoor and outdoor rooftop amenity areas with 141 dwelling units. The location of the subject lands is illustrated in “Appendix A”. A Detail Sketch of the development proposal is provided in “Appendix B”.

Site Description:

The subject properties are located on the south side of Plains Road East, between Filmandale Road and Shadeland Avenue. The properties have an area of 0.50 hectares (1.23 acres) with an approximate lot frontage of 96 metres along Plains Road East. Existing land uses on the properties consist of two vacant dwelling conversions which include a medical office (276 Plains Road East) a commercial land use (284 Plains Road East) and office (292 Plains Road East).

There are six bus stops within 500 metres of the subject lands with access to bus routes 1 (Plains/Fairview) and 4 (Central). The subject lands are within 1.1 kilometres of the Aldershot GO Station which provides connections to the Lakeshore West and Lakeshore East train and several bus options for the GTHA, Niagara, Brantford and Waterloo.

Bus Route 1 runs along Plains Road West and Fairview Street and continues into downtown Hamilton along York Boulevard, King Street West, and Cannon Street West. Bus Route 1 provides connections to the Burlington GO Station, Appleby GO Station and Hamilton GO Station. Bus Route 4 connects the Aldershot GO Station to the Appleby GO Station with frequent transit stops along the route including King Road, Joseph Brant Hospital, the Downtown Bus Terminal at John Street, the Senior’s Centre at New Street, Guelph Line, Walker’s Line and Pinedale Avenue.

Surrounding uses are as follows:

- North: institutional uses (Holy Rosary Catholic School and Holy Rosary Church) and Aldershot Park.
- East: a medical office at 300 Plains Road East and a dental office at 310 Plains Road East.
- South: low density residential consisting of one to two storey single detached dwellings.

- West: low density residential consisting of one to two storey single detached dwellings.

Description of Applications:

Weston Consulting on behalf of Corley Development Inc. has made applications to amend the Official Plan Designation and Zoning By-law for the subject properties located at 276, 284 and 292 Plains Road East.

These applications are proposing a 7 storey residential building including mechanical penthouse and indoor and outdoor rooftop amenity areas with a FAR of 2.6:1. The proposed development includes a total of 141 units including 89 one-bedroom units, 49 two-bedroom units and 3 three-bedroom units. A total of 153 parking spaces are proposed, with 100 parking spaces in one level of underground parking and 53 parking spaces located at the rear of the building. A total of 3,361.8 m² of amenity space (indoor and outdoor) is proposed.

Vehicular access is proposed from Plains Road East with a two-way driveway that will provide access to the underground and above ground parking area for residents, visitors, and delivery vehicles, and loading area for the building.

Supporting Documents:

The original application materials are listed in report PL-01-22 and are posted on the City's website at www.burlington.ca/284plains.

The applicant's second submission consists of the following revised application materials submitted to the City in October 2022:

- Architectural Plans and Shadow Study (Prepared by srm Architects Inc., dated October 10, 2022);
- Planning Justification Report (Prepared by Weston Consulting, dated September 2021);
- Housing Impact Statement (Prepared by Urban Metrics, dated September 16, 2021);
- Urban Design Brief (Prepared by Weston Consulting, dated September 2021);
- Functional Servicing Report and Stormwater Management Report (Prepared by The Odan/Detech Group Inc., dated October 12, 2022);
- Hydrogeology Study (Prepared by exp., dated August 24, 2022);
- Construction and Mobility Management Plan (Prepared by Lanhack Consultants Inc., dated September 14, 2022);

- Arborist Report and Tree Preservation Plan (Prepared by Terrastory Environmental Consulting Inc., dated September 9, 2022);
- Landscape Plan (Prepared by OMC Landscape Architecture, dated September 2022);
- Traffic Impact Study (Prepared by Paradigm Transportation Solutions Limited, revision dated October 2022);
- Pedestrian Wind Study (Prepared by Theakston Environmental, dated September 15, 2021);
- Phase I ESA (Prepared by exp, dated June 28, 2022);
- Phase I ESA Reliance Letter (Prepared by exp., dated September 15, 2019);
- Site Servicing and Grading Plan (Prepared by The Odan/Detech Group Inc., dated October 12, 2022);
- Geotechnical Report (Prepared by Soil Engineers Ltd., dated January 2018);
- Noise Feasibility Assessment (Prepared by dBA Accoustical Consultants Inc., dated October 2022);
- Waste Management Brief (Prepared by Weston Consulting, dated September 2022).

The applicant's resubmission that includes 276 Plains Road East consists of the following revised application materials submitted to the City in September 2023:

- Architectural Package (Prepared by Reinders + Law, dated June 20, 2023);
- Architectural Renderings and Digital 3D Mode (Prepared by Reinders + Law, dated August 15, 2023);
- Shadow Analysis Plan and Shadow Impact Analysis (Prepared by Reinders + Law, dated August 15, 2023);
- Housing Impact Statement Addendum (Prepared by Urban Metrics, dated August 2, 2023);
- Scoped Urban Design Brief Addendum (Prepared by Weston Consulting, dated August 2023);
- Functional Servicing Report and Stormwater Management Report (Prepared by The Odan/Detech Group Inc., dated August 23, 2023);
- Functional Servicing and Grading Plan (Prepared by The Odan/Detech Group Inc., dated August 23, 2023);
- Hydrogeology Study (Prepared by exp., dated July 12, 2023);
- Phase I ESA for 276 Plains Road East (Prepared by exp, dated July 12, 2023);

- Phase I ESA Reliance Letter for 276 Plains Road East (Prepared by exp., dated August 1, 2023);
- Geotechnical Report (Prepared by EXP., dated July 7, 2023);
- Soil Characterization Report (Prepared by exp., dated August 1, 2023);
- Topographic Survey (Prepared by DB Searles, dated August 8, 2023);
- Waste Management Brief (Prepared by Weston Consulting, dated August 2023);
- Construction and Mobility Management Plan (Prepared by Lanhack, dated August 8, 2023);
- Arborist Report and Tree Preservation Plan (Prepared by GLN Farm & Forest, dated July 21, 2023);
- Landscape Concept Plan and Rooftop Amenity Plan (Prepared by OMC Landscape Architecture, dated August 2023);
- Updated Traffic Count Data (Prepared by Paradigm Transportation Solutions Limited, revision dated August 14, 2023);
- Auto Turn Diagrams (Prepared by Paradigm Transportation Solutions Limited, revision dated August 14, 2023);
- Pedestrian Wind Study Addendum (Prepared by Theakston Environmental, dated August 21, 2023); and,
- Waste Management Brief (Prepared by Weston Consulting, dated August 2023).

In addition to the above, the applicant provided a further supplemental submission in February 2024 to address the remaining technical issues raised by technical reviewers, including:

- Architectural Package (Prepared by Reinders + Law, dated January 22, 2024);
- Sun Shadow Study (Prepared by Reinders + Law, dated January 22, 2024);
- Sun Factor Calculations (Prepared by Reinders + Law, dated January 23, 2024);
- Response to Public Comments (Prepared by Weston Consulting, dated January 31, 2024); and,
- Sightline Assessment Letter (Prepared by Paradigm Transportation Solutions Limited, revision dated January 23, 2024).

All of the above application materials have been reviewed by relevant technical staff at the City and/or external agencies.

Policy Framework:

The applications for an Official Plan Amendment and Zoning By-law Amendment are subject to the following policy framework: the Planning Act, Provincial Policy Statement (2020), A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020), the Halton Region Official Plan, the City of Burlington Official Plan (1997, as amended) and the City of Burlington New Official Plan (2020). Staff are of the opinion that the proposed applications are consistent with and conform to the applicable policy framework, as discussed below.

Provincial Policy Statement (PPS) 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.

The PPS requires municipalities to provide a range and mix of housing options through intensification and redevelopment of existing building stock or areas in policy 1.4, where appropriate. In accordance with policy 1.4.3 an appropriate range and mix of housing options and densities shall be provided to meet projected market-based and affordable housing needs of current and future residents of the regional market.

The PPS also encourages municipalities to develop performance standards to accommodate intensification and redevelopment while avoiding or mitigating risks to public health and safety.

The PPS identifies that the official plans are the most important mechanism for the implementation of provincial policy and shall establish appropriate land use designations and policies that direct development to suitable areas. The City of Burlington current Official Plan (1997, as amended) contains development standards to facilitate housing intensification through specific evaluation criteria. The development standards from the City's Official Plan are integrated in the City's Zoning By-law 2020 in the form of regulations to inform appropriate development. The City's Official Plan also considers built form in its policies for design and associated Council approved design guidelines.

The PPS requires sites with contaminants in land or water to be assessed and remediated as necessary prior to any activity on the site associated with the proposed such that there will be no adverse effects as per policy 3.2.2. A Phase I Environmental Site Assessment

(ESA) was required for the subject lands as the proposal is changing to a more sensitive land use (i.e. residential). Halton Region staff require a Record of Site Condition (RSC) be submitted and acknowledged by the Ministry of Environment, Conservation and Parks in order to confirm that the lands are suitable for the proposed use. Therefore, staff are recommending a Holding Provision to restrict the issuance of a building permit until such time as the RSC is acknowledged. With the recommended Hold, the proposed applications are consistent with the PPS as it pertains to site contamination.

The City of Burlington has established development standards for residential intensification through the Intensification Evaluation criteria in its Official Plan. These applications have been assessed against these criteria and a discussion is contained further in the report. In the opinion of staff, the development proposal is consistent with the PPS as it facilitates intensification in the built-up area, proposes to use existing infrastructure and promotes the protection of public health and safety. Therefore, it is staff's opinion that the development proposal is consistent with the policies of the PPS, with the inclusion of the recommended holding provision.

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

The Growth Plan provides a framework for managing growth and achieving complete communities in the Greater Golden Horseshoe. All planning decisions must conform to the Growth Plan. Subsection 2.2.1.2 a) of the Growth Plan states that *"the vast majority of growth will be directed to settlement areas that have a delineated built boundary; have existing or planned municipal water and wastewater systems; and can support the achievement of complete communities"*.

The subject lands are located within the delineated built boundary of the City of Burlington. The application proposes to intensify an existing property through the development of an underutilized lot within a previously developed area. The subject property is located in an area which is comprised of a mix of residential, commercial and office uses, and the proposed development would contribute to a complete community. The proposed development would use existing infrastructure and would be promoting growth and intensification within the urban area.

Part 2.2.2., Delineated Built-up Areas, Policy 4 states that *"all municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout the delineated built-up areas, which will identify the appropriate type and scale of development and transition of built form to adjacent areas"*.

The subject lands are identified as "Residential – Medium Density" within the city's current Official Plan (1997) and the applicant is proposing to redesignate the properties to a site specific "Mixed Use Corridor – General" land use designation. The "Mixed Use Corridor

– General” land use designation permits high density residential development with a maximum density of 185 units per net hectare. The proposed net density for the subject lands is 282 units per net hectare. While the Burlington Official Plan is supportive of potential growth and intensification, it must also be compatible with the character of the existing neighbourhood. It is the opinion of staff that the proposed development meets the evaluation criteria for intensification projects in the city and therefore conforms to the Growth Plan.

Halton Region Official Plan (ROP) 2006, as amended

The Halton Region Official Plan (the “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, enhance mobility across Halton, address climate change, and improve housing affordability, sustainability, and economic prosperity. All planning decisions in Halton Region, which includes the City of Burlington, must conform to the ROP.

Regional Official Plan Amendment (ROPA) 48 was approved by the Minister of Municipal Affairs and Housing on November 10, 2021. This amendment is the first amendment to be advanced as part of the Regional Official Plan Review under Section 26 of the Planning Act. ROPA 48 defines specific elements of a Regional Urban Structure including Strategic Growth Areas. The policies of ROPA 48 are in effect and not subject to appeal.

ROPA 49 is the second amendment to be advanced as part of the Regional Official Plan Review. ROPA 49 was adopted by Regional Council on June 15, 2022 and was approved by the Minister of Municipal Affairs and Housing with 45 modifications on November 4, 2022. ROPA 49 outlines a land use policy framework to guide growth and development within the Region to 2051, including policies and schedules that address housing and growth management and long-term planning for employment and infrastructure.

On December 6, 2023, Bill 150 “Planning Statute Law Amendment Act, 2023” received Royal Assent and implemented three modifications related to corridor protection policies and mapping (modifications# 18, 19 and 39 of the Halton Region Official Plan).

The subject lands are designated as Urban Area and are within the ‘Built-Up Area’ of the Regional Urban Structure as per Map 1 of the ROP. Urban Areas are locations where urban services (water and wastewater) are or will be made available to accommodate existing and future development. The ROP states that permitted uses shall be in accordance with local Official Plans and Zoning By-laws and other policies of the ROP.

Section 77(22) of the ROP requires Local Municipalities to include in their Official Plans development criteria to ensure that, outside of Employment Areas, the redevelopment of any employment lands will retain space for a similar number of jobs to remain accommodated on site.

The subject lands currently contain two vacant residential dwellings with former commercial and office uses and an active medical clinic. 284 Plains Road East contained a commercial use (hairdresser) until 2015 and 292 Plains Road East contained an office use (Ontario Professional Fire Fighters Non-Profit Realty Corp.) until 2017. 276 Plains Road East currently contains a medical office (Wellum Chiropractic Clinic) that has been operational since 1998.

The Burlington Official Plan (1997) defines an *Area of Employment* as an area of land designated for clusters of business and economic uses and considers lands designated as Business Corridor, General Employment, Mixed Use Corridor – Employment, Uptown Employment, Uptown General Employment and Uptown Office Business Park as Areas of Employment. Further, the Official Plan defines an *Employment Use* as “the use of lands within a designated Employment, Employment Commercial or Mixed Use Corridor-Employment Area for business and economic activities, including, but not limited to, manufacturing, warehousing, offices and accessory retail and ancillary facilities, but does not include retail and service commercial uses unless they are accessory to employment uses.”

The subject lands are designated Residential – Medium Density in the current Official Plan (1997) and Urban Corridor in the new Official Plan (2020) and are zoned Residential – Medium Density with site specific regulations. Zoning By-law 2020 contains zoning provisions that permit home-based businesses for office or personal service uses as a secondary use to the primary residential use of the dwelling. It also has provisions that permit office uses in single detached dwellings provided that the dwelling has existed for more than two years.

Although the Zoning By-law, proposed and future land use designations of the current Official Plan (1997) and new Official Plan (2020) permit commercial and office uses, staff do not consider the subject properties to be employment lands. Staff consider the subject properties to currently be residential lands and will eventually be recognized as mixed-use lands.

Therefore, based on the above, staff do not think that Section 77 (22) of the ROP applies to the subject lands as they are not located in an employment lands designation of the

Official Plan or recognized as an employment use under the Official Plan or Zoning By-law.

Section 147(17) of the ROP requires the applicant of a development proposal to determine whether there is any potential contamination on the site they wish to develop, and if there is, to undertake the steps necessary to bring the site to a condition suitable for its intended use. The applicant was required to submit an Environmental Site Screening Questionnaire (ESSQ), a Phase One Environmental Site Assessment and Record of Site Condition for each property. Halton Region has reviewed the materials and has no concerns, but notes that a Record of Site Condition for 276 Plains Road East is still outstanding and updates to the previous Phase 1 ESA for 284 and 292 Plains Road East may be required. Therefore, Halton Region staff are recommending a holding zone be placed on the property to require the Record of Site Condition and updated ESAs for the proposed development. Staff have added the holding zone to the draft Zoning By-law in Appendix E to address Halton Region's comments.

Objective 78(1) of the ROP is to *“provide an urban form that is complementary to existing developed areas, use space more economically, promotes live-work relationships, fosters social interaction, enhances public safety and security, reduces travel by private automobile, promotes active transportation and is environmentally more sustainable”*.

As previously mentioned, the City development evaluation criteria for intensification proposals are based on the above noted requirements, among others. A full analysis of the proposal in relation to the Evaluation Criteria is included in the current Official Plan (1997) section of this report.

Staff are of the opinion that the proposed development is in keeping with the policies of the ROP as it facilitates intensification and increased densities within the Built-Up Area, makes efficient use of space, and contributes to a more compact settlement pattern. Staff believe that the holding provision will adequately address the Region's comments and that the proposed development conforms to the Regional Official Plan.

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

The subject lands are designated as “Residential Areas” on Schedule A, Settlement Pattern, of the City's OP. The permitted uses in the Residential Areas designation include a broad range of housing types, ranging from single detached homes to high rise apartments. The subject lands are designated “Residential – Medium Density” as per Schedule “B” (Comprehensive Land Use Plan – Urban Planning Area) to the City of Burlington Official Plan.

The “Residential – Medium Density” designation permits ground or non-ground oriented housing units with a density ranging between 26 and 50 units per net hectare. Detached and semi-detached homes, townhouses, street townhouses and stacked townhouses, back to back townhouses, attached housing and walk-up apartments shall be permitted in Residential – Medium Density areas, provided that these forms meet the density as specified in Part III, Subsection 2.2.2 d).

The subject lands are also subject to site specific 2.2.3 h) that requires zoning regulations to protect the existing character of this portion of Plains Road and provide compatibility with the abutting neighbourhood to the south. Any exterior alteration or addition to the property shall maintain the residential appearance and character of the property.

Staff have reviewed the proposed development and determined that it is compatible with the abutting neighbourhood to the south and will maintain a residential appearance and character of the area. A further analysis of the proposed development’s compatibility with the neighbourhood is found below in the Housing Intensification Criteria Section.

Housing Intensification Criteria

Part III, section 2.5.2 (a) of the Official Plan provides criteria that shall be considered when evaluating proposals for housing intensification in established neighbourhoods. The following is an evaluation of the proposed development using these criteria.

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

Comment: The development application was circulated to Halton Region, the City’s Engineering Department, Halton District School Board and Halton Catholic District School Board for comment.

Development Engineering staff reviewed the application with respect to water, wastewater and storm sewers and note that while additional information will be required to be reviewed at the Site Plan approval stage, no further concerns remain with the proposed Official Plan and Zoning By-law Amendment. Halton Region has confirmed that adequate servicing will be available for the proposed development.

Halton District School Board advise that students generated from this development are expected to be accommodated at Maplehurst (PS) and Aldershot Elementary, which are currently under capacity. Glenview (PS) is projected to be over building

capacity and students generated from this development are expected to be accommodated in the respective schools with the addition of portables.

Halton Catholic District School Board students would be accommodated at Holy Rosary Elementary School and Assumption Catholic Secondary School. Neither of the school boards have objections to the proposal and will require conditions be added to any future agreements of purchase and sale or lease.

Staff is satisfied that this criterion is being met.

ii) Off-street parking is adequate

Comment: Transportation Planning staff reviewed the proposed 7 storey building and do not have concerns with the proposal.

The applicant is proposing a total of 153 parking spaces, for a rate of 1.08 parking spaces per unit (1 parking space per dwelling unit and 0.08 visitor parking spaces per unit).

Transportation Planning staff have advised that based on the data collected from the 2021 supplemental parking study of parking demands of residential uses in intensification areas, an occupant rate of 1.00 spaces per unit and 0.08 visitor spaces per unit for a combined rate of 1.08 is an appropriate minimum.

Although the proposed parking requirements are not meeting the zoning requirement, staff are satisfied that the proposed parking rate is appropriate.

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

Comment: Transportation Planning staff have advised that the proposed 7 storey development is expected to generate approximately 52 (12 inbound and 40 outbound) trips during the weekday a.m. peak hour and 55 two-way (34 inbound and 21 outbound) trips during the weekday p.m. peak hour. Staff have no concerns with the traffic that will be generated by the proposed development and agree with the conclusions of the submitted traffic impact study that the transportation network will not be adversely impacted.

The Applicant submitted a Sightline Assessment prepared by Paradigm Ltd., dated January 23, 2024 to evaluate whether the proposed access impacts the ability of drivers to access the lands at 300 Plains Road East.

300 Plains Road East is currently operating as a medical clinic and has 12 surface parking spaces. Vehicle access is facilitated by one driveway located at the west side of the property leading to the parking area behind the building. The Sightline Assessment concluded that the medical clinic generates approximately 5 vehicle trips during morning (AM) peak hours and 7 vehicle trips during evening (PM) peak hours. Both the existing driveway access at 300 Plains Road East and the proposed driveway access for 276, 284 and 292 Plains Rod East are considered low-volume driveways.

Transportation Planning staff agree with the traffic flow findings of the Sightline Assessment. The anticipated traffic flows are expected to be at their highest during the AM and PM peaks with vehicles exiting the subject site and vehicles entering the 300 Plains Road East during the AM peak and vehicles entering the subject site and vehicles exiting the 300 Plains Road East. In general, there is a small chance of vehicles exiting or entering the site from both driveways at the same time.

Left turns into the subject site and left turns into 300 Plains Road East are both accommodated by the existing centre two-way left-turn lane. Left turns in the opposite direction are not expected as there are no driveways located on the opposite side of Plans Road East. Transportation Staff note that there will be some drivers queued, that want to enter both properties at the same time, however there will not be any conflicts if vehicles wish to enter both sites at the same time.

Plains Road East has no drivers' sightline concerns as the road geometry is flat and straight. When vehicles are stopped on their respective driveways (subject site driveway and 300 Plains Road East driveway) simultaneously, the drivers can establish sightlines with the adjacent vehicle present. A vehicle stopped to exit the driveway at 300 Plains Road East and can see oncoming eastbound vehicles at a distance of up to 50 meters. Similarly, vehicles stopped to exit the subject site driveway can see westbound vehicles at a distance of up to 101 meters.

It is also noted that both eastbound and westbound traffic will stop on Plains Road East at a red light from the nearby signalized intersections at Gallagher Road / Shadeland Avenue to the west and Downsview Drive to the east. There is enough gap for drivers to make their turns from both driveways, including traffic turns from Filmandale Road during this time.

Based on the above, Transportation Planning staff have reviewed the Sightline Assessment and determined that there are suitable sightlines available and that the existing driveway access at 300 Plains Road East will not be impacted by the

proposed driveway access for this development. Transportation Planning staff support the proposed driveway access.

Staff is satisfied that this criterion has been met.

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

Comment: The subject lands are approximately 120 metres north from the nearest Burlington Transit bus stop on Route 1 (Plains/Plains Express) which runs along Plains Road and Fairview Road and has 7 stops departing from Appleby GO Station and ending at James Street South in the City of Hamilton. They are also located within 1.5 kms of the Aldershot GO Station, which has frequent weekday and weekend train and bus services.

Staff are satisfied that the proposed development is in proximity to existing transit facilities.

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

Comment:

Scale and Massing

The proposal seeks to re-designate and rezone the subject lands to permit a 7-storey residential building. In order to develop 141 units on the 0.50 hectare property, the applicant is seeking relief from zoning regulations such as density, building height, setbacks, and landscape buffer.

The proposed building has a building length of 82.1 metres and incorporates various design features that assist in reducing the overall massing impacts of the building, including using different building materials and colours for the building façade at the front and rear of the building, a defined building entrance, recessing and projecting portions of the building mass and recessing and projecting some balconies within the streetwall.

The application proposes to locate the 7 storey building mass along Plains Road East with the portions of the building recessed to reduce impacts of the massing from the streetscape and create a more pedestrian scale. The indoor rooftop amenity area is setback 6 metres above the 6th storey streetwall, except at the center of the building

where it aligns with the building edge which is recessed from the front property line. The mechanical penthouse is setback approximately 12 metres from the 6th storey streetwall.

Staff are of the opinion that the scale and massing of the proposed building are appropriate for the subject lands as well as the surrounding area.

Height and Transition

The subject proposal requests a building height of 7 storeys including a mechanical penthouse, whereas the Zoning By-law permits a maximum height of 6 storeys. The proposed development has been designed to be compatible with and minimize impacts on the adjacent low density residential land uses.

The height of buildings directly abutting the site range in height from 1 to 2 storeys. The proposed development is fully contained within the 45 angular plane and incorporates a 6 metre stepback above the 6th storey streetwall to the indoor amenity area to reduce massing and provide a comfortable pedestrian scale. Further, the proposed building provides an appropriate transition to the low-density residential uses to the south by stepping down at the 6th, 5th and 4th storeys.

Given that the low-density residential buildings are approximately 11.4 metres from the subject lands at its closest point to the south, the existing use to the east of the development is an office use, and the property is located in an area of transition that contemplates mixed use developments up to 6 storeys in height, staff are satisfied that an appropriate height transition is provided and combined with the scale and massing points noted above, the building is appropriate for the lands.

Setbacks

The subject lands are zoned “Residential Medium Density Exception (RM1-346)” in accordance with Zoning By-law 2020, as amended. The applications seek to change the zoning of the properties to “Mixed Use Corridor – General with site specific exception (MXG-542)”. The proposed development will require relief from the east and west side yard setbacks and the rear yard setback for floors 1 to 3, but the remainder of the proposed setbacks will comply.

The Mixed Use Corridor – General (MXG) requires setbacks to a yard abutting a residential zone. The properties to the east and west of the development are zoned “Residential Medium Density Exception (RM1-346)” and would require the proposed development be setback 12 metres from Floors 1 to 3, 15 metres from Floors 4 to 5 and 18 metres for Floor 6. The applications are proposing a minimum 10.5 metres

setback to the east property line and a minimum setback of 3.0 metres setback to the west property line.

The property to the east is currently a medical office use and the property to the west is a single detached dwelling. Staff note that this area of Plains Road East is in an area of transition. The new Official Plan (2020) designates the east and west properties as Urban Corridor, which permits mixed use, mid rise developments with a maximum height of 6 storeys and the associated zoning would not require a minimum side yard setback to the east and west property lines. It is envisioned that this portion of Plains Road East will eventually develop into a more mixed use area with maximum building heights of up to 6 storeys.

The west side of the building will be setback 3 metres from the property line, have a 1.8 metre privacy fence and landscaping along the entirety of the property line to provide an appropriate separation between the proposed building and residential use to the west.

The rear of the building is setback 11.4 metres from the low density residential uses along the rear property line, whereas the Zoning by-law requires a 12 metre setback. The rear of the building is terraced and provides stepbacks above the 4th, 5th and 6th storey. The building is also fully contained within the 45 degree angular plane and does not have any adverse shadow impacts.

The siting and massing of the building have been discussed earlier in the report and staff are of the opinion that the incorporated terracing of the building provides appropriate transition to surrounding low density residential uses. The remaining setbacks are in keeping with the requirements for the Mixed Use Corridor – General Zone and will provide fencing and landscaping that will help screen the development from the surrounding uses. Staff are of the opinion that the proposed setbacks are appropriate for the site and the surrounding area.

Sun-shadowing

A discussion of the shadow impacts from the proposed development are provided below under criterion (vii). For the purposes of the subject Official Plan Amendment and Zoning By-law Amendment applications, staff are satisfied that the shadowing effects of the proposed development are compatible with the site's surroundings.

Parking

The parking requirements are discussed under criteria (ii). Staff are satisfied that the proposal is providing adequate parking.

Amenity Area

The Zoning By-law requires 15 m² of amenity area per efficiency dwelling unit, 20 m² for a one-bedroom unit and 35 m² for a two or more bedroom unit for a total of 3,550 m². The applicant is proposing 23.8 m² per unit for a total of 3,361.8 m² of amenity area.

The development proposes outdoor amenity area in the form of rooftop amenity space, private balconies and ground level indoor and outdoor amenity space located at the east and south of the building. Staff are of the opinion that the proposal includes an appropriate amount of amenity area.

Noise, Vibration, Dust, Odours, Safety and Potential for adverse health impacts

A discussion of the noise, dust, vibration, and odour impacts, and mitigation measures is provided below under Housing Intensification criterion (ix). Staff are satisfied that the proposed building can provide adequate buffering and other measures to minimize noise impacts.

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

Comment: The subject applications are supported by an Arborist Plan and a Tree Preservation Plan prepared by GLN Farm & Forest Research Co. Ltd., dated July 20, 2023, and a Landscape Concept Plan and Rooftop Amenity Plan, completed by OMC Landscape Architecture, dated August 2023.

The Arborist Report and Tree Preservation Plan inventoried a total of 73 trees on site and bordering the property. Of the 73 inventoried trees, 51 trees are privately owned and located on the subject lands, 17 are neighbour owned trees and 5 trees are shared/neighbouring trees that are situated on abutting properties along Plains Road East and Merle Avenue.

37 trees are recommended for removal to facilitate the construction of the building envelope and associated grading. The applicant is proposing to remove 5 neighboring/shared trees to implement the development. The applicant will be

required to consult and make the property owners aware of the proposed development and potential impacts to their trees and boundary trees and be requested to submit in writing that there are no concerns with proposed treatment of the existing trees.

In addition, the applicant is also proposing to injure 3 neighbouring/shared trees during the construction phase of the development. A qualified professional shall be retained to address the potential impacts on the neighbor's trees and/or boundary trees and provide a letter or report confirming any impacts to the boundary trees from proposed construction. The Arborist Report or letter of attestation shall also include the preservation methods, including pruning and fertilizing, that can be implemented by the owner to ensure the health of trees on neighboring properties.

Urban Forestry and Landscaping staff have advised that the tree removal and injury permissions from the neighbouring property owners will be required at the Site Plan stage. Staff note that if permission to remove the trees is not obtained, changes to the underground parking and building envelope may be required to implement the proposal.

Urban Forestry and Landscape staff also advise that tree removal permits would not be required for this development and all approvals for work around private and neighbouring trees would be obtained through the City's Parks and Development & Construction Division at the Site Plan stage.

The Arborist Report identified the requirement of 59 replacement trees to compensate for the removal of 37 trees on site. Replacement tree requirements including the number of trees, location and compensation will be determined at the Site Plan stage.

Urban Forestry and Landscaping staff have reviewed and commented on the proposal. Based on the documents provided, staff had no objection to the proposal, but note that remainder of the comments will need to be dealt with at the Site Plan stage.

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

Comment: A Shadow Study and Sun Access Factor Calculations prepared by Reinders + Law, dated January 22, 2024, and January 23, 2024 was submitted by the applicant in support of the proposal. The study shows proposed shadow impacts of the building in March, June and December on the surrounding properties, sidewalks, amenity areas and open space. While the shadow impact is greatest in the mornings in March and December, staff are of the opinion that the impact on neighbouring properties is acceptable.

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

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

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

Comment: The applicant submitted a Pedestrian Wind Assessment prepared by Theakston Environmental, dated September 15, 2021 and an Addendum Letter, dated August 22, 2023. The Pedestrian Wind Assessment concluded that most grade-level pedestrian sensitive locations, including sidewalks, laneways and parking areas do not require mitigation measures and wind comfort levels are acceptable. The southwestern façade of the building and rooftop amenity area will require mitigation measures to improve pedestrian wind comfort levels, which will be implemented at the Site Plan stage.

For the purposes of the subject Official Plan Amendment and Zoning By-law Amendment applications, staff are satisfied that the proposed development on the subject lands will not have adverse pedestrian-level wind impacts on the surrounding area. Staff note that additional review and refinements may be required at the Site Plan stage.

A Noise and Vibration Study and addendum was submitted in support of the applications. The Study was prepared by dBA Accoustical Consultants Inc, dated September 2021 and revised October 2022.

The study reviewed the acoustic requirements for the proposed development with respect to noise from vehicular traffic along Plains Road East. Based on the results of the Study, a 1.85 metre noise barrier will be required along the entire perimeter of the rooftop amenity area to achieve a noise limit of 55dBA. Noise warning clauses will be required in all agreements of purchase and sale, or lease and all rental agreements and specific building components will be required at the Site Plan stage.

The noise study was peer reviewed by Jade Acoustics on behalf of CN Rail. Jade Acoustics has reviewed the noise study and determined that it is acceptable for the Official Plan Amendment and Zoning By-law Amendment applications. To address the presence of the rail facilities, CN Rail recommends including air conditioning in all units and adding a warning clause in all agreements of purchase and sale or lease and all rental agreements that Aldershot rail yard is within 1000 m of the proposed development. These conditions will be implemented at the Site Plan stage.

Based on the above, staff is of the opinion that this criterion is being met.

- x) where intensification potential exists on more than one adjacent property, any redevelopment proposals on an individual property shall demonstrate that future redevelopment on adjacent properties will not be compromised, and this may require the submission of a tertiary plan, where appropriate;

Comment: To the south of the property, the site abuts an established low density neighbourhood with minimal intensification opportunities. The east and west properties adjacent to the subject lands are currently designated “Residential – Medium Density” in the current Official Plan (1997) and “Urban Corridor” in the new Official Plan (2020). These properties have intensification potential and can be redeveloped to a 6 storey mid-rise building under the new Official Plan designation.

Staff are of the opinion that the proposed development is providing appropriate setbacks to the adjacent properties and should the two adjacent properties to the east and west develop, they will not be compromised by the proposal.

- xi) natural and cultural heritage features and areas of natural hazard are protected;

Comment: The subject lands are outside of Conservation Halton’s regulated area and are not affected by erosion or flooding hazards. Therefore, the proposal meets this criterion.

The subject lands are not designated under the Ontario Heritage Act, listed on the Municipal Register of Cultural Heritage Resources, or located adjacent to any protected heritage resource. Therefore, there are no cultural heritage resources or features to protect and the proposal meets this criterion.

- xii) where applicable, there is consideration of the policies of Part II, subsection 2.11.3(g) and (m); and

Comment: Part II 2.11.3 (g) is not applicable to the proposal as the development is not adjacent to a floodplain or valley. Part II, subsection 2.11.3 m) applies to the

lands due to their location in the South Aldershot Planning Area. The applicant's functional servicing report has indicated that capacity exists in the existing storm sewer to accommodate flows from the existing and proposed development. Therefore, staff are satisfied that this criterion has been met.

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

Comment: The proposed development is located at the periphery of an existing neighbourhood with frontage along Plains Road East. Schedule J – Classification of Transportation Facilities identifies Plains Road East as a multi-purpose arterial road and is an appropriate area for intensification. Official Plan policy 2.5.2 a) v) was reviewed earlier in this report, and Planning Staff determined that the proposed building and site design represents a compatible transition to the existing established neighbourhood. Planning Staff are therefore satisfied that the built form, scale, and profile of the development adequately addresses the context of being located adjacent to the existing established neighbourhood along Merle Avenue.

Urban Design

Urban Design policies and objectives are contained in Part II, Section 6 of the Official Plan. This section provides specific reference to ensuring that the design of the built environment strengthens and enhances the character of existing distinctive locations and neighbourhoods, and that proposals for intensification and infill within existing neighbourhoods are designed to be compatible and sympathetic to existing neighbourhood character.

The City has prepared design guidelines for use within the Downtown and other neighbourhoods that relate to various building typologies. Burlington City Council has approved Design Guidelines for Mixed-Use and Mid-Rise Residential Development, which apply to the proposed development on the subject lands.

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

The City's Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings (Mid-Rise Guidelines) were approved by Burlington City Council on March 5, 2019. The intent of the

Mid-Rise Guidelines is to implement the City's Official Plan objectives and policies for Design (Part II, Section 6) for buildings that are 5 to 11 storeys in height. The Mid-Rise Guidelines recognize that built form and scale are important considerations when transitioning from lower density neighbourhoods to more intense communities and can help create a vibrant public realm and comfortable pedestrian environment. The proposed development on the subject lands is a 7-storey residential building, and the Mid-Rise Guidelines apply.

Building Placement

2.1.4 Where there is a consistent pattern of street setbacks that is not planned to change, the building should be set back to align with its neighbours.

An established street line of 12 meters exists along this portion of Plains Road East between Shadeland Avenue and Filmandale Road, which is consistent with the requirements of the Residential Medium Density (RM1-346) zone regulations.

The applicant is proposing a building setback that is consistent with recent mid rise development proposals along Plains Road East and conforms to the front yard setback required by the Mixed Use Corridor – General (MXG) zone. Therefore, staff are of the opinion that although, it does not align with the existing streetline, the proposal will align and be consistent with future developments along this section of Plains Road East.

2.1.4.7 Where a building includes residential uses at grade, they should be differentiated from any active or non-residential uses through additional setbacks. Front yards should incorporate landscaping and enclosure to provide privacy to individual units (hedging and fencing should be no taller than 1.5 metres).

The applications are proposing dwelling units at grade adjacent to Plains Road East and along the west side of the building. The dwelling units fronting Plains Road East each have a private terrace that is screened by landscaping to provide privacy. The terraces along Plains Road East are located 3 metres from the front lot line and 6 meters from the public right of way. The proposed setbacks and landscaping will provide sufficient privacy to the individual units.

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

The proposed building abuts low residential uses at the rear, which are screened by fencing and mature trees. An outdoor amenity area is proposed at the rear of the building that is intended to be used by residents. The front of the building is designed in such a

way that includes a defined building entrance, a positive experience for pedestrians and privacy for the proposed units at the front. Staff are of the opinion that the proposed building successfully includes a public front and private back.

Built Form: Height & Massing

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

The building contains setbacks from the rear of the property to the front. At the rear, the proposed building is 3 storeys, however at the front of the site the proposed building is 7 storeys in height including the mechanical penthouse, with the top of the sixth floor proposed to be used as an amenity area.

Further, the front of the building has various recessing and projecting portions of the building to help alleviate the massing and add variation in the building façade. The front building entrance is recessed with a project canopy, signage and different building materials to make it the focal point of the front façade. There are alternating recessed and projecting walls on either side of the main entrance with inset and projecting balconies that further break down the massing of the building add vertical articulation along the street frontage.

2.3.8 Balconies are encouraged and should be integrated into the building design and massing with inset or Juliette balconies. Projecting balconies should not be within the streetwall to avoid negative impacts to the public realm including additional building massing and shadowing.

The proposed building provides private amenity area in the form of balconies, a ground floor amenity area and an outdoor rooftop amenity area.

The balconies located along the street frontage are both recessed and projecting, however the projecting balconies are located on portions of the building wall that have been recessed which helps alleviate the massing and breaks up the building. The balconies only project 1.2 metres passed the building façade and do not have a negative shadow impact, impact to the building massing or public realm.

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

Staff are of the opinion that the proposed building is appropriately sited and provides an appropriate transition to neighbouring uses. The building steps down toward the south side of the site which provides an appropriate built form transition to the low density uses located along Merle Avenue. The proposed building is also fully contained within the 45-degree angular plane and meets the zoning requirements for setbacks adjacent to a

residential use. Therefore, staff are of the opinion that appropriate setbacks are included.

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

The building incorporates a variety of colours and materials to create visual interest and help break up the massing of the building. There are dark masonry materials on the lower portion of the building to establish a base and the upper floors use lighter complimentary colours to create a balanced composition. The main entrance area incorporates wood panels into the design to create an accent area/focal point for the building and further breaks down the linear massing.

The top floor, along the roof edge, has a dark grey metal cap finishing that will create a defined edge that coincides with the dark colours used on the lower levels. Glazing is also incorporated into the building to preserve views and establish high visibility between the interior and exterior of the building.

Site Design

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

Pedestrian access is proposed from Plains Road East. A lobby is proposed at the middle of the building and pedestrian access is provided from the existing sidewalk to the building entrance and rear entrance. In the opinion of staff, the proposal provides adequate pedestrian access.

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

The development proposes one vehicular access to the site, on the east side of the property. The access leads to the underground parking structure entrance, loading area and surface parking area where vehicles can turn around and exit the site. The driveways do not impact the pedestrian walkways.

2.5.4 Access to parking, servicing, and loading should be provided at the rear of the building, or a laneway if possible. On corner sites, access should be provided from secondary streets provided the entrance facilities are well integrated into the rest of the frontage.

The proposed loading and parking areas are at the rear of the lands. As mentioned previously, these areas are accessed via one single driveway providing access from the front of the site to the rear. As such, staff are of the opinion that this guideline has been met.

2.5.7 Recess and screen garage doors and service openings from public view. When they face public streets, and public or private open spaces design them using high-quality doors and finishes that complement the architecture of the building. Avoid free-standing parking ramps.

The proposal includes access to the parking garage at the east side of the building. The entrance to the parking garage is setback approximately 21 metres from Plains Road East and will be screened from the public view by landscaping and a 1.8 metre privacy fence.

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

The applicant is proposing parking that is primarily located underground. Of the proposed 153 parking spaces, 53 parking spaces are located at the rear of the building. Overall, staff agree that most of the required parking is provided underground.

Built Form: Transitions

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

The proposed building is situated 3 metres from Plains Road East and fits entirely within the 45-degree angular plane. The proposal is located adjacent to a low residential neighbourhood to the south and provides appropriate transitions and stepbacks to these uses. Further, the development is providing a 6 metre landscape buffer between the low density residential uses and is setback 11.4 metres from the rear property line.

As noted earlier in the report, the east property contains a single detached dwelling that is currently being used for a medical office use and the west property is a single detached dwelling that is being used for residential purposes. The adjacent properties have been identified for future intensification through the new Official Plan (2020), with potential to develop a mid rise building on each property.

Given the existing uses, the potential for redevelopment of the east and west properties, and the proposed landscaping and privacy fencing along the east, west and rear property lines staff feel that an appropriate setback to these uses are achieved. Based on the above, staff are of the opinion that the proposed development mitigates the impacts of height, overlook and shadowing on the adjacent low density neighbourhood.

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

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

The proposed rooftop mechanical equipment is screened from the public view. It is fully enclosed and setback more than 3 metres from the edge of the north and south side of the building to not be visible from the public realm along Plains Road East and the existing residential uses to the south. The rooftop mechanical room is fully contained within the 45-degree angular plane and is incorporated into the building through architectural design.

Plains Road Urban Design Guidelines

The proposed development is subject to the Plains Road Urban Design Guidelines and is located in the Shadeland District. The Shadeland District is defined as the segment of the Plains Road corridor between Cooke Boulevard and Filmandale Road. This District is characterized by an eclectic mix of land uses on the north side of the corridor and primarily residential and home office uses on the south side.

Section 3.5 contains guidelines for new development in the Shadeland District. The following guidelines are applicable to the proposed development:

- Urban design objectives should concentrate on consolidating and infilling commercial/industrial uses and preserving and enhancing the residential and home commercial uses.
- Mature boulevard shade trees and existing landscaping along the corridor should be protected.

The proposed development consolidates two vacant dwelling conversions: a commercial land use (284 Plains Road East), office (292 Plains Road East) and an existing medical office use (276 Plains Road East). The proposal represents an infill development. The development will enhance the residential uses in this neighbourhood infilling three underutilized properties and achieving the vision of the new Official Plan for this area.

Currently, there are no shade trees or landscaping located along the corridor for these properties. The development is proposing to plant seven deciduous shade trees along the corridor, with additional landscaping at the front of building to help enhance the public realm. Staff believe that the Urban Design Guidelines for the Plains Road Corridor are being achieved.

City of Burlington New Official Plan (2020)

On Nov. 30, 2020, the Region of Halton issued a Notice of Decision approving the new Burlington Official Plan. The new Official Plan has been developed to reflect the opportunities and challenges facing the City as it continues to evolve.

Section 17(27) of the Planning Act (R.S.O. 1990, as amended) sets out that all parts of an approved official plan that are not the subject of an appeal will come into effect on the day after the last date for filing a notice of appeal- that date being Dec. 22, 2020, for the new Burlington Official Plan.

The lands are identified as being within a *Secondary Growth Area* in accordance with Schedule B-1 – Growth Framework of the new Official Plan. *Secondary Growth Areas* are recognized as distinct areas within the City’s Urban Area accommodating growth in accordance with the permissions and densities of the current land use designations of the new Official Plan. *Secondary Growth Areas* are areas expected to transition over the planning horizon and beyond and will not result in a significant relocation of planned growth outside the Primary Growth Areas. *Secondary Growth Areas* shall be limited to a maximum of mid-rise building form and shall support the frequent transit corridors and accommodate development that is compact, mixed use, and pedestrian-oriented in nature.

The lands are designated “Urban Corridor” in accordance with Schedule C – Land Use – Urban Area of the new Official Plan. 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 to 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.

Staff have reviewed the Official Plan Amendment and Zoning By-law Amendment application materials and are of the opinion that the proposed development conforms to the general intent of the City’s new Official Plan, 2020.

City of Burlington Zoning By-law 2020

The lands are currently zoned “Residential Medium Density Exception (RM1-346)” in accordance with Zoning By-law 2020. The RM1-346 Zone permits apartment buildings, retirement homes and offices within an existing building or on the ground floor of a residential building. Zoning Exception 346 prohibits townhouse uses and has site specific regulations for the remainder of the permitted uses.

The applications propose to change the zoning to a site specific “Mixed Use – General Zone (MXG-542)”. The proposed development does not comply with some regulations,

including setbacks, FAR, building height, parking, amenity area and landscape buffers. The following table outlines the requirements of the “Mixed Use – General (MXG) Zone” as well as what is being proposed.

Zoning Regulation	MXG	Proposed
Building Height	6 storeys	7 storeys including mechanical penthouse
<p>Staff comments:</p> <p>As discussed throughout this report, the proposed development provides appropriate massing, transitions, and compatibility to the surrounding low-density neighbourhood. The applicant is proposing a maximum building height of 7 storeys including the mechanical penthouse and indoor and outdoor amenity areas. The 7th floor will not have residential dwelling units and will be used for amenity space and contain mechanical penthouse equipment.</p> <p>Staff are of the opinion that the proposed 7 storey residential building is suitable for the site and are supportive of this modification.</p>		
Zoning Regulation	MXG	Proposed
FAR	1.5:1	2.6:1
<p>Staff comments:</p> <p>The applicant is proposing a FAR of 2.6:1 whereas the Zoning By-law requires a maximum FAR of 1.5:1. Staff are of the opinion that the proposed FAR is compatible with the surrounding area, provides appropriate massing and transition and the site can appropriately support the proposed use.</p> <p>Staff support the modification.</p>		
Zoning Regulation	MXG	Proposed
East Yard Setbacks (Floors 1 to 7)	Floors 1 to 3 – 12 m Floors 4 and 5 – 15 m Floor 6 – 18 m	10.5 m
<p>Staff comments:</p> <p>The subject lands abut a single detached dwelling on the east side of the property which is currently utilized for a medical office. The properties surrounding the subject lands to the east and west are zoned Residential – Medium Density and require a 12 metre setback to Floors 1 to 3, 15 metre setback to Floors 4 and 5 and an 18 metre setback to Floor 6.</p> <p>The area between Shadeland Avenue and Filmandale Road on Plains Road East has been identified as a <i>Secondary Growth Area</i> and designated “Urban Corridor” in the new Official Plan (2020). The new Official Plan (2020) envisions this area as a mixed use, midrise corridor with increased intensification and developments up to 6 storeys in height.</p> <p>The applicant is proposing an east yard setback of 10.5 metres, which includes the proposed access to the site, the underground parking access, a turnaround area, a</p>		

loading area, bicycle parking and landscaping. Balconies are proposed on the east side of the building but will be setback 9.3 metres from the property line and will not cause any overlook or privacy issues.

Staff are of the opinion that the proposed side yard setbacks are appropriate for the development and area given the existing adjacent use, the future redevelopment potential of the property to the east.

Staff are supportive of this modification.

Zoning Regulation	MXG	Proposed
West Yard Setbacks (Floors 1 to 7)	Floors 1 to 3 – 12 m Floors 4 and 5 – 15 m Floor 6 – 18 m	3 m

Staff comments:

As noted above, the Zoning By-law requires setbacks to a residential zone for Floors 1 to 3, Floors 4 and 5 and to Floor 6. The new Official Plan designates this area of Plains Road East as “Urban Corridor” which contemplates that the area will redevelop into a mixed-use, mid-rise corridor with building heights up to 6 storeys.

The applicant is proposing a 3 metre setback to the west side yard instead of the required terracing setbacks in the by-law. Staff note that the development proposal has removed the previously proposed patios for the ground floor units. This will help with potential privacy issues on the west side of the building.

The applicant is also proposing a 1.8 metre privacy fence along the entire west property line and a 3 meter landscaping buffer that will help with privacy and create an appropriate separation and transition to the property to the west.

Staff are supportive of the proposed side yard modification as it will provide an appropriate separation between the proposed building and the existing single detached dwelling to the west.

Zoning Regulation	MXG	Proposed
Rear Yard Setback	Floors 1 to 3 – 12 m	11.4 m

Staff comments:

The Mixed use Corridor – General Zone requires a 12 metre setback to Floors 1 to 3 for lands abutting a residential zone, whereas the applicant is proposing a 11.4 metre setback.

The proposed building fits entirely within the 45 degree angular plane and will not have an adverse shadow impact on the surrounding uses. Further, staff consider the setback reduction to be minor and will be mitigated by the proposed landscaping, building terracing and privacy fence. Staff are supportive of the modification.

Zoning Regulation	MXG	Proposed
Rear Yard Setbacks (Floors 4 to 5)	Floors 4 to 5 – 15 m	Floors 4 to 5 – 15 m, 11.4 m to 4 th floor rear terrace
<p>Staff comments:</p> <p>The Mixed use Corridor – General Zone requires a 12 metre setback to Floors 1 to 3, 15 metre setback to Floors 4 and 5 and an 18 metre setback to Floor 6 for lands abutting a residential zone. The rear part of the proposed development incorporates gradual terracing and increasing setbacks to the low residential land uses to the south.</p> <p>The edge of the building for Floors 4 to 5 are meeting the zoning setback requirement of 15 meters, however since the 4th floor terrace is located on top of the 3rd storey, it is considered an encroachment into the 3rd floor setback and encroaches 3.6 metres into the setback. Staff consider this be to be a minor modification as the intent of the setback is still being maintained by providing a 15 metre separation distance to the building for Floors 4 to 5 to the low density residential zone to the south, is fully contained within the 45 degree angular plane and does not extend passed the required 12 metres setback for Floors 1 to 3.</p> <p>Therefore, staff are supportive of the modification.</p>		
Zoning Regulation	MXG	Proposed
Rear Yard Setbacks (Floor 6)	Floor 6 – 18 m	Floor 6 – 18 m, 15 m to 6 th floor private terrace
<p>Staff comments:</p> <p>As with the modification above, the edge of the building for Floor 6 is meeting the zoning setback requirement of 18 meters, however since the 6th floor terrace is located on top of the 5th storey, it is considered an encroachment into the 5th floor setback and encroaches 3 metres into the setback. Staff consider this be to be a minor modification as the intent of the setback is still being maintained by providing an 18 metre separation distance to the building for Floor 6 to the low density residential zone to the south, is fully contained within the 45 degree angular plane and does not extend passed the required 15 metres setback for Floors 4 to 5.</p> <p>Staff are supportive of the modification.</p>		
Zoning Regulation	MXG	Proposed
Rear Yard Setbacks (Floor 7)	No requirement for 7 th storey	18 m
<p>Staff comments:</p> <p>The Mixed use Corridor – General Zone does not have a setback requirement to a yard abutting a residential zone for the 7th storey of a building. Staff have included an 18 m setback to the 7th storey to ensure that the mechanical penthouse and indoor</p>		

<p>amenity area is appropriately setback from the low-density residential uses to the south.</p> <p>Staff are supportive of this modification.</p>		
Zoning Regulation	MXG	Proposed
East and West Side Yard Encroachment	N/A	<p>East Side Yard – 9.3 m setback to balconies</p> <p>West Side Yard – 1.8 m setback to balconies</p>
<p>Staff comments:</p> <p>The applicant has proposed a balcony encroachment into the required east and west side yards of 1.2 metres from the edge of the building. The proposed development does not currently show balconies along the west side yard, but staff have included the provision to allow the applicant some design flexibility with residential units facing the west.</p> <p>Staff are supportive of this proposed amendment and do not foresee any negative impacts or privacy issues as there are adequate setbacks, landscaping and a privacy fencing along both side yards.</p> <p>Therefore, staff are recommending a 9.3 metre setback to balconies along the east side yard and a 1.8 metres setback to the west side yard.</p>		
Zoning Regulation	MXG	Proposed
Amenity Area	<p>15 m² per efficiency dwelling unit</p> <p>20 m² for a one-bedroom unit</p> <p>35 m² for a two or more bedroom unit</p> <p>= 3,550 m²</p>	<p>23.8 m² per unit</p> <p>= 3,355.8 m²</p>
<p>Staff comments:</p> <p>The Zoning By-law requires 15 m² of amenity area per efficiency dwelling unit, 20 m² for a one-bedroom unit and 35 m² for a two or more bedroom unit whereas the applicant is providing 23.8 m² per unit.</p>		

<p>The proposed development is providing both indoor and outdoor amenity space in the form of private balconies and terraces, rooftop amenity areas and a ground level outdoor amenity area.</p> <p>Staff consider the proposed amenity space to be an appropriate amount and are supportive of the modification.</p>		
Zoning Regulation	MXG	Proposed
Landscape Area abutting a street	3 m	3 m, patios may encroach 1.7 m and a transformer may encroach
<p>Staff comments:</p> <p>The proposed development is providing a 3 metre landscape area abutting Plains Road East, however portions of the front walkways for the residential units on the ground floor encroach into the required landscape area. The applicant has also asked that a transformer encroach into the landscape area.</p> <p>Staff consider these to be minor modifications as the intent of the landscape area is still being achieved and allowing the front patio encroachments and transformer will not negatively impact the building façade or streetscape. Further, the applicant has demonstrated through the Concept Landscape Plan that there is adequate space for street tree plantings, planters and other vegetation.</p> <p>Staff are supportive of this modification.</p>		
Zoning Regulation	MXG	Proposed
Landscape Buffer abutting a residential zone	6 m	East Yard – 4.2 metres West Yard – 3 metres
<p>Staff comments:</p> <p>The applicant is proposing a minimum 4.2 metres landscape buffer for the east property line and a 3 metres landscape buffer for the west property line whereas, the Zoning By-law requires a minimum 6 metre landscape buffer. The applicant has also requested that the driveway, below-grade parking structure and exhaust vent encroach into the required landscape buffers and that seasonal snow storage be permitted.</p> <p>Staff are of the opinion that the proposed landscape buffers are appropriate for the development given the future intensification potential of the adjacent properties and existing land uses. Similar to the above, the applicant has demonstrated through the Landscape Concept Plan that tree plantings and other vegetation can be accommodated in the landscape buffer. Staff note that the landscaping details will be refined at the Site Plan stage.</p>		

<p>Development Engineering and Urban Forestry and Landscaping staff have no concerns with the proposed encroachments. Urban Forestry and Landscape staff note that the below-grade parking structure encroachment is supportable provided that the minimum soil volumes for the proposed landscaping is achieved. This will be reviewed in greater detail at the Site Plan stage.</p> <p>Planning staff consider the inclusion of season snow storage within the landscape buffer to be a minor modification and do not foresee any adverse impacts.</p> <p>Staff are supportive of this modification.</p>		
Zoning Regulation	Part 1, Table 1.2.6	Proposed
Parking	Apartment Building: 1.25 spaces per unit, including visitor parking	<u>Apartment Building:</u> Resident: 1.00 per unit Visitor: 0.08 spaces per unit
<p>Staff Comments:</p> <p>The applicant is proposing 1.08 parking spaces per unit inclusive of visitor parking. Transportation Planning staff have advised that based on data collected from the 2021 supplemental parking study of parking demands of residential uses in intensification areas, an occupant rate of 1.00 spaces per unit and 0.08 visitor spaces per unit for a combined rate of 1.08 is an appropriate minimum.</p> <p>Staff are satisfied that the proposed parking rate is appropriate for the development and are supportive of the modification.</p>		
Zoning Regulation	Part 1, Subsection 2.26 (5 iii)	Proposed
Below-grade Parking Structure	Below-grade parking structures shall not extend into a required landscape buffer and shall be set back 3 m from all other property lines and street lines	East Yard – 0.2 m West Yard – 1 m
<p>Staff comments:</p> <p>The below-grade parking structure is setback 3.1 metres from the front property line, 6 metres from the south property line, 4.25 metres from the east property line and 3 metres from the west property line. The below-grade parking structure is meeting the zoning requirements except along the rear east and west side of the building where exhaust vents for the below-grade parking structure are located. Staff are supportive of this modification as the below-grade parking structure setbacks of the by-law are being met and minimally encroach into the required landscape buffers. The exhaust vent encroachments will not have an impact on any existing of neighbouring trees.</p>		
Zoning Regulation	MXG	Proposed

Habitable Room	For apartment buildings 4 storeys or more in height, driveways shall be set back 9 m and parking spaces 6 m from a window of a habitable room in a dwelling unit located on the ground floor or basement.	Parking spaces may be setback 0 m from a window of a habitable room in a dwelling unit located on the ground floor.
----------------	---	---

Staff comments:

There are four parking spaces proposed against the exterior wall of a ground floor unit at the southwest of the property. The applicant has advised that there are two small habitable windows within this wall. The intent of this provision is to reduce light transmission from car headlights into the dwelling unit. The proposed window is to be located high enough above the ground to not have light trespass from car headlights. Further, the applicant has committed to working with staff at the Site Plan stage to ensure that bedrooms and other sensitive uses would not be located within these windows.

Staff consider this to be supportive and believe that the proposed height of the window will mitigate any light trespass issues and that the detailed design of the unit at the Site Plan stage can further mitigate any light trespass concerns.

Zoning Regulation	Proposed	Modified by Staff
Bicycle Parking	0.5 bicycle parking spaces per unit	Residential Land Use: 0.5 long-term plus 0.05 short-term bicycle parking spaces per unit.

Staff Comment:

The City's Zoning By-law does not currently have zoning provisions for bicycle parking. Staff have included the minimum bicycle parking recommendations from the July 2017 Burlington City-wide Parking Standards Review to align with City standards.

Zoning Regulation	Proposed	Modified by Staff
Bicycle Parking Long Term and Short Term Definitions	N/A	Long term bicycle parking spaces are bicycle parking spaces for use by the occupants, employees or tenants of a building, and must be located in a building. Required long term bicycle parking spaces in apartment buildings may not be in a dwelling unit, on

		<p>a balcony or in a storage locker.</p> <p>Short term bicycle parking spaces are bicycle parking spaces for use by visitors to a building.</p> <p>Short-term bicycle parking spaces are to be located close to the main pedestrian entrance and sheltered from the elements.</p> <p>Each bicycle parking space shall be 60cm x 1.8m in size.</p>
<p>Staff Comment:</p> <p>As noted above, the City’s Zoning By-law does not currently have zoning provisions for bicycle parking. Staff have included regulations for bicycle parking including definitions of long term and short term bicycle parking, bicycle parking space location and bicycle parking space size. These regulations are in line with the recommendations of the July 2017 Burlington City-wide Parking Standards Review and other zoning by-laws.</p>		

Technical Review

The application resubmission was circulated to internal staff and external agencies on September 8, 2023, and February 1, 2024 for review. The following are the comments received that have been summarized below:

Accessibility Coordinator – No reduction in the accessible parking spaces or parking space size will be permitted. All other concerns are able to be addressed at the Site Plan stage.

Development Engineering –Development Engineering has indicated no objection to the application.

Finance - Taxes must be paid. This includes all outstanding balances plus current year taxes that have been billed but not yet due.

Transportation – Transportation planning staff have no objections to the traffic volumes, proposed driveway access and parking. The parking is supported for the proposed use.

Zoning – No concerns.

Landscape and Urban Forestry – have advised that there are no concerns with the proposed tree removal or injuries for the proposed development. Staff will require the applicant to inform neighbouring tree owners of the impacts of the development and obtain written permission to remove neighbouring/boundary trees.

Parks – Cash in lieu of parkland is required and charged at the rate in effect at the time of the building permit issuance.

Heritage – No objections.

Fire Department – Fire Department Staff have provided comments that are able to be addressed at the Site Plan stage.

Sustainable Development Committee – No comments have been received at this time; however, it is recommended that all objectives of the Sustainable Building and Development Guidelines are considered. The SDC will provide more in-depth comments at the Site Plan stage.

Police Department – No concerns.

Halton Region – Halton Region have no objections to the proposed Official Plan and Zoning By-law Amendment provided that a holding zone is implemented to address their comments regarding the Record of Site Condition and updated Phase One Environmental Reports. With the use of the holding zone, staff are of the opinion that the concerns from Halton Region have been addressed.

Halton Catholic District School Board – No objection; standard conditions will apply at the Site Plan stage.

Halton District School Board – No objection; standard conditions will apply at the Site Plan stage.

Hydro One – No objections.

Canada Post – No concerns at this time. Delivery to the proposed development will be received through a centralized mail room within the building.

Imperial Oil – No Imperial Oil infrastructure in the vicinity of this location.

Trans-Northern Pipelines Inc. – No infrastructure in the vicinity of this area.

Sun-Canadian Pipeline – No facilities in the described project area.

Financial Matters:

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

Climate Implications

In February 2020, City Council approved the City of Burlington Climate Action Plan to support the City's path towards 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.

As part of the Official Plan Amendment and Zoning By-law Amendment applications, the applicant was required to provide consideration to the Sustainable Building and Development Guidelines (2018) which provide an overview of the required and encouraged sustainable design measures for new development across the City. The applicant submitted a Sustainable Building and Development Guidelines Checklist which includes consideration to the guidelines.

Sustainable Building & Development Guidelines (2018)

The purpose of the Sustainable Building and Development Guidelines is to encourage sustainable design approaches through Planning Act applications, in keeping with the City's declaration as a sustainable community, and in alignment with Burlington's Strategic Plan 2015-2040. Burlington's Strategic Plan encourages energy efficient buildings and other on-site sustainable features, and sets a net carbon neutral goal for the community. Sustainable design is an integrated design process that helps to reduce infrastructure demands and costs, environmental impacts, greenhouse gas emissions, long-term building operating costs, and contributes to the City's goal of being a prosperous, livable and healthy community. The guidelines address sustainability approaches related to site design, transportation, the natural environment, water, energy and emissions, waste and building materials, and maintenance, monitoring, and communication.

In accordance with Guideline 1.6, development proposals on greenfield sites are encouraged to limit site disturbance including earthwork and clearing of vegetation to 12 metres beyond the building perimeter, 1.5 m beyond primary roadway curbs, walkways, and main utility branch trenches, and 7.5 m beyond constructed areas with permeable surfaces (such as pervious paving areas) that require additional staging areas in order to limit compaction in the constructed area. Alternately on previously developed sites, proposals should restore a minimum of 50% of the site area (excluding the building footprint) by replacing impervious surfaces with native or adapted vegetation. This guideline helps maintain the local landscape and ensure soils and vegetation remain undisturbed.

The applicant has specified that due to the site configuration, building layout and parking requirements this is not possible to comply with this guideline. However, landscaping will be provided along the street frontage, south, east and west property lines and the first floor and 6th floor amenity areas.

In accordance with Guideline 2.1, development proposals require pedestrian and cycling connections from on-site buildings to off-site public sidewalks, pedestrian paths, trails, open space, active transportation pathways, transit stops and adjacent buildings and sites in accordance with Official Plan policies. The applicant has identified that pedestrian connections are provided on site and connect to public sidewalks.

In accordance with Guideline 2.3, development proposals require bicycle parking spaces in accordance with the Zoning Bylaw and Official Plan Policies in order to reduce greenhouse gas emissions, reduce traffic congestion and improves health as well as convenient bicycle parking to encourage the use of active transportation. Similarly, Guideline 2.5 and 2.6 encourages development proposals to locate occupant/employee bicycle parking near the main entrance or easy to identify area, in a weather protected area with controlled access or secure enclosures, at no extra charge to the occupant/employee. Applicants are encouraged to improve upon the required bicycle parking requirements in the Zoning By-law to further encourage cycling as a viable transportation option. The development proposal is meeting the zoning requirement minimums for bicycle parking spaces. They are provided on the ground floor and the below grade parking structure.

Guideline 2.4 encourages the provision and implementation of a Transportation Demand Management Plan as part of development proposals. This would be required for parking reductions and required in Primary, Secondary and Employment Growth areas as per Official Plan policy. Transportation Demand Management Plans are plans that encourage sustainable modes of transportation. TDM plans evaluate building transportation needs comprehensively and may consider measures such as the provision of transit passes, flexible work hours, unbundled parking, on site transit facilities, priority parking for carpooling and autoshare programs, etc. As part of the application materials, a Transportation Demand Management review has been provided under the Transportation Impact Study submitted. Transportation have reviewed the submitted Transportation Demand Management and determined that they are sufficient for the proposed development.

In accordance with Guideline 3.8 encourages to maintain existing on-site trees that are 30 cm or more DBH (diameter at breast height) OR Maintain 75% of healthy mature trees greater than 20 cm DBH. Additionally, tree preservation requirements are determined by Official Plan urban forestry policies. Preserving trees provides numerous benefits and services, including the reduction of air pollution, water attenuation, moderation of the urban heat island effect, carbon sequestration, shade, habitat for urban adapted wildlife,

neighbourhood character and mental health benefits. 73 trees were surveyed on/in the vicinity of the Subject Lands. Of these, 36 are intended to be preserved. City forestry staff have reviewed the proposed development and have no objections to the proposed forestry changes.

In accordance with Guideline 4.1, development proposals require achievement of a level one/enhanced stormwater treatment for all stormwater runoff. Stormwater quality treatment reduces the total suspended solids in runoff to ensure the protection of receiving watercourses and Lake Ontario. Similarly, in accordance with guideline 4.3, development proposals are encouraged to minimize of impervious surfaces and stormwater runoff through the use of Low Impact Development (LID) measures, such as:

- permeable pavements;
- bioswales;
- infiltration trenches/bioretention areas;
- rain gardens;
- draining roofs to pervious areas, and;
- other innovative stormwater management strategies

Low Impact Development strategies mitigate the impacts of increased urban runoff and stormwater pollution by managing it as close to its source as possible. It comprises a set of site design approaches and small-scale stormwater management practices that promote the use of natural systems for infiltration and evapotranspiration, and rainwater harvesting. Water quality will be accomplished through an oil/grit separator. Additional opportunities for LID measures are to be explored at the stie plan stage. Technical review of the stormwater management will be reviewed at the site plan stage and development engineering staff have no concerns regarding the official plan and zoning amendment.

In accordance with guideline 5.1, development proposals require vegetated landscape areas in hard surface areas as per the Zoning By-law. Vegetation can reduce the urban heat island effect to improve human comfort and energy efficiency in the surrounding areas. The development proposal includes landscape areas along all property lines. Landscape areas have also been provided in the outdoor amenity areas on the ground floor and 6th floor.

In accordance with Guideline 6.1 development proposals are required to provide and implement a waste management plan in accordance with Regional requirements. Recycling and composting treats waste as a resource and reduces the need for landfill expansion. Waste will be collected privately on the site and further waste management specifications will be addressed at the Site Plan Review stage.

Staff is of the opinion the proposed development proposal complies with the required Sustainable and Design Guidelines and considers some voluntary guidelines. Additional sustainability measures will be established in more detail at the Site Plan approval stage to ensure the sustainability objectives of the City of Burlington are met.

Engagement Matters:

Public Circulation

Original Application for 284 and 292 Plains Road East – October 2021

The subject applications were received by the City of Burlington on October 15, 2021 and deemed complete on November 12, 2021. The applicant posted the public notice sign on the property to reflect their submission on November 13, 2021. The application was subject to the standard circulation requirements for Official Plan and Zoning By-law Amendment applications. A public notice with a request for comments was circulated to surrounding property owners on November 17, 2021.

Revised Application for 276, 284 and 292 Plains Road East – September 2023

In September 2023, 276 Plains Road East was incorporated into the development which prompted a revised public circulation notifying the public of the proposed changes to the development.

A revised notice sign was posted on the subject lands on October 26, 2023. The revised public notice was mailed to 349 members of the public on September 27, 2023 and included all property owners and tenants within 120 metres of the subject land.

A webpage was created on the City of Burlington website, accessible at burlington.ca/284plains. This webpage provides information about the subject application including dates of public meetings, links to supporting studies, and contact information for the applicant's representative and Community Planning Department.

Pre-Application Consultation Meeting

The applicant held a virtual Pre-Application Community Consultation Meeting on April 26, 2021, prior to the submission of the applications. There were 42 public attendees at the meeting. The applicant, Mayor Marianne Meed Ward, Councilor Galbraith, and City Planning staff were also in attendance.

The Pre-application Community Meeting identified four areas of concern including height, density, traffic and tree removal. In response to comments received from the public, the following changes were made to the proposal:

<ul style="list-style-type: none">• The proposed development provides inadequate setbacks to the east, west and south property lines.• There will be privacy and overlook issues to the surrounding properties.	<p>3, 15 metres from Floors 4 to 5 and 18 metres for Floor 6. The building is fully contained within the 45 degree angular plane and there is a 6 metre landscape buffer and 1.8 metre privacy fence located along the rear property line.</p> <p>The properties to the east and west of the development are zoned “Residential Medium Density Exception (RM1-346)” and would require the setbacks referenced above. Staff note that this area of Plains Road East is in an area of transition. The new Official Plan (2020) designates the east and west properties as Urban Corridor, which permits mixed use, mid rise developments with a maximum height of 6 storeys and the associated zoning would not require a minimum side yard setback to the east and west property lines. It is envisioned that this portion of Plains Road East will eventually develop into a more mixed use area with maximum building heights of up to 6 storeys.</p> <p>The property to the east is currently a medical office use and the applicant is proposing a 10.5 metre setback to the property line and the balconies will be setback 9.3 metres from the property line. The setback will include the driveway access, a 4.2 metre landscape buffer and 1.8 metre privacy fence.</p> <p>The property to the west is a single detached dwelling. The west side of the building will be setback 3 metres from the property line, have a 1.8 metre privacy fence and landscaping along the entirety of the property line to provide an appropriate separation between the proposed building and residential use to the west.</p> <p>The properties to the rear are single detached dwellings. The rear of the building will be setback 11.4 metres for Floors 1 to 3, 15 metres for Floors 4 and 5 and 18 metres for Floor 6. The rear of the building will be terraced and provide stepbacks above the 4th, 5th and 6th storey which helps break up the rear massing of</p>
--	--

	<p>the building. Staff consider the modification from 12 metres to 11.4 metres to be minor and will be mitigated by the proposed 6 metre landscape buffer, building terracing and privacy fencing.</p> <p>Staff are of the opinion that the proposed setbacks are appropriate for the site and any privacy or overlook issues will be mitigated by the proposed setbacks, landscaping and privacy fence.</p>
<p>Removal of Trees</p> <ul style="list-style-type: none"> • Concern about tree removal and damage to trees located on the property boundaries. 	<p>The development proposal has been revised to include a 6 metres setback to the underground parking structure to protect the critical root zones of the shared/neighbouring trees located along the rear property line.</p> <p>To further protect the trees, a tree protection fence will be installed prior to site preparation and construction and inspected by a qualified arborist. No development, site alteration (e.g., grading, excavation, soil stockpiling), machinery movement, or storage of equipment or material will occur within any area isolated by tree protection fence.</p> <p>The applicant is proposing to remove 37 trees, including 5 shared trees. 4 shared trees are located on the west property line and 1 shared tree is located on the south property line. The proposal will require 59 replacement trees to compensate for the tree removal. The applicant will be required to get written permission from the neighbouring property owners to remove the trees. This will be required at the Site Plan stage.</p> <p>Landscape and Forestry staff have reviewed the revised Arborist Report, Tree Protection Plan and Landscape Plan and are supportive of the proposed recommendations. They note that further details will be required at the Site Plan Stage regarding tree compensation.</p>

<p>Increased Traffic and Insufficient Number of Parking Spaces</p> <ul style="list-style-type: none"> • Redevelopment will result in increased vehicular traffic and traffic congestion. • The proposed development will only have 153 parking spaces for 141 dwelling units. There is not enough parking provided for individuals to have two parking spaces per unit. • There is not enough visitor parking provided. 	<p>Transportation staff have reviewed the applications and noted that the local transportation network is anticipated to satisfactorily accommodate the level of traffic generated by the proposed development.</p> <p>They have also determined the proposed parking rate and determine that it is sufficient and will provide an adequate amount of parking spaces for the proposed development.</p>
<p>Petition Regarding Proposed Driveway Access</p> <ul style="list-style-type: none"> • Vehicular access to the site is inadequate 	<p>Transportation Planning staff required the submission of a Sightline Assessment to determine if there were any sightline issues with the proposed driveway and existing driveway at 300 Plains Road East.</p> <p>Transportation Planning staff have reviewed the Sightline Assessment and determined that there are suitable sightlines available and that the existing driveway access at 300 Plains Road East will not be impacted by the proposed driveway access for this development. Transportation Planning staff are supportive of the proposed driveway access.</p>
<p>Increased Noise, Dust and Air Pollution During Construction</p>	<p>The applicant submitted a preliminary Construction Mobility Management Plan (CMMP) that was reviewed by Development Engineering staff. The CMMP evaluates the construction impact of the proposed development on the public road allowance and neighbouring properties to ensure that the development does not adversely impact public health, safety, amenity traffic of the environment in the surrounding area.</p> <p>Development Engineering will require a revised CMMP at the Site Plan stage in accordance with the Construction Mobility Management Plan Guidelines to ensure that the development</p>

	<p>has no adverse impact on the surrounding properties and public road allowance.</p>
<p>Seismic Activity</p> <ul style="list-style-type: none"> The construction of the building will have an impact on the neighbouring property and have concerns about seismic activity. 	<p>As noted above, the applicant will be required to submit a revised Construction Mobility Management Plan at the Site Plan stage. This Plan will include a vibration study prepared by a professional engineer that will evaluate the following:</p> <ul style="list-style-type: none"> The anticipated vibration generated by the proposed construction on adjacent lands; The anticipated vibration generated by the proposed construction itself; and, Details of the measures proposed to mitigate or reduce the anticipated negative vibration impacts. <p>The applicant will also be required to submit a Public Communication Plan as part of the Construction Mobility Management Plan which will include:</p> <ul style="list-style-type: none"> A preconstruction written notice to be sent out to all adjacent properties, An onsite supervisor shall be appointed, and a phone number shall be posted, All project information on signs surrounding the project site (including but not limited to phone number, email address, fax, website, etc.). Additionally, include project schedule (anticipated completion date) and general working hours; 48 hours of written notice shall be provided to adjacent properties should any construction operations produce impacts beyond the normal day-to-day operations of the site (including but not limited to excessive noise and/or vibration, unanticipated construction traffic including large-type deliveries. <p>The CMMP will be reviewed by Development Engineering staff at the Site Plan stage to ensure that the submitted study is in compliance with the City's Guidelines.</p>

<p>Lack of Amenity Space</p> <ul style="list-style-type: none"> The proposed development is not providing enough amenity space. 	<p>The applications were revised to increase the amount of amenity space from 15.8 m² per dwelling unit to 23.8 m² per dwelling unit for a total of 3,361.8 m² of indoor and outdoor amenity space. The proposed development will provide amenity space in the form of private balconies and terraces and both indoor and outdoor spaces.</p> <p>Staff consider the amount of amenity space appropriate for the development and are supportive of the modification.</p>
<p>Insufficient Infrastructure</p> <ul style="list-style-type: none"> The development will put additional stress on the current resources / infrastructure in place such as sewage waste, water removal, electrical, technical support. 	<p>Development Engineering and Halton Region have reviewed the Functional Servicing Report and Stormwater Management Report that was submitted with the applications and determined that there is adequate servicing available for the proposed development.</p> <p>The applicant will be required to make refinements to the submitted FSR and SWM reports. Hydro One, Bell Canada and Canada Post have indicated no concerns with the proposed development and the applicant will need to address the remainder of their comments at the Site Plan stage.</p>

Conclusion:

Planning staff have reviewed the Official Plan and Zoning By-law Amendment applications submitted for the lands located at 276, 284 and 292 Plains Road East and find that the applications are consistent with and conform to Provincial planning documents, as well as the Regional Official Plan and Burlington Official Plan. Staff are recommending approval of the applications, subject to a holding provision.

Respectfully submitted,
 Elyse Meneray MCIP RPP
 Planner, Development Review
 905-335-7600 ext. 7462

Appendices:

- A. Location and Zoning Sketch
- B. Detail Sketch
- C. Public Comments
- D. Draft Official Plan Amendment
- E. Draft Zoning By-law Amendment

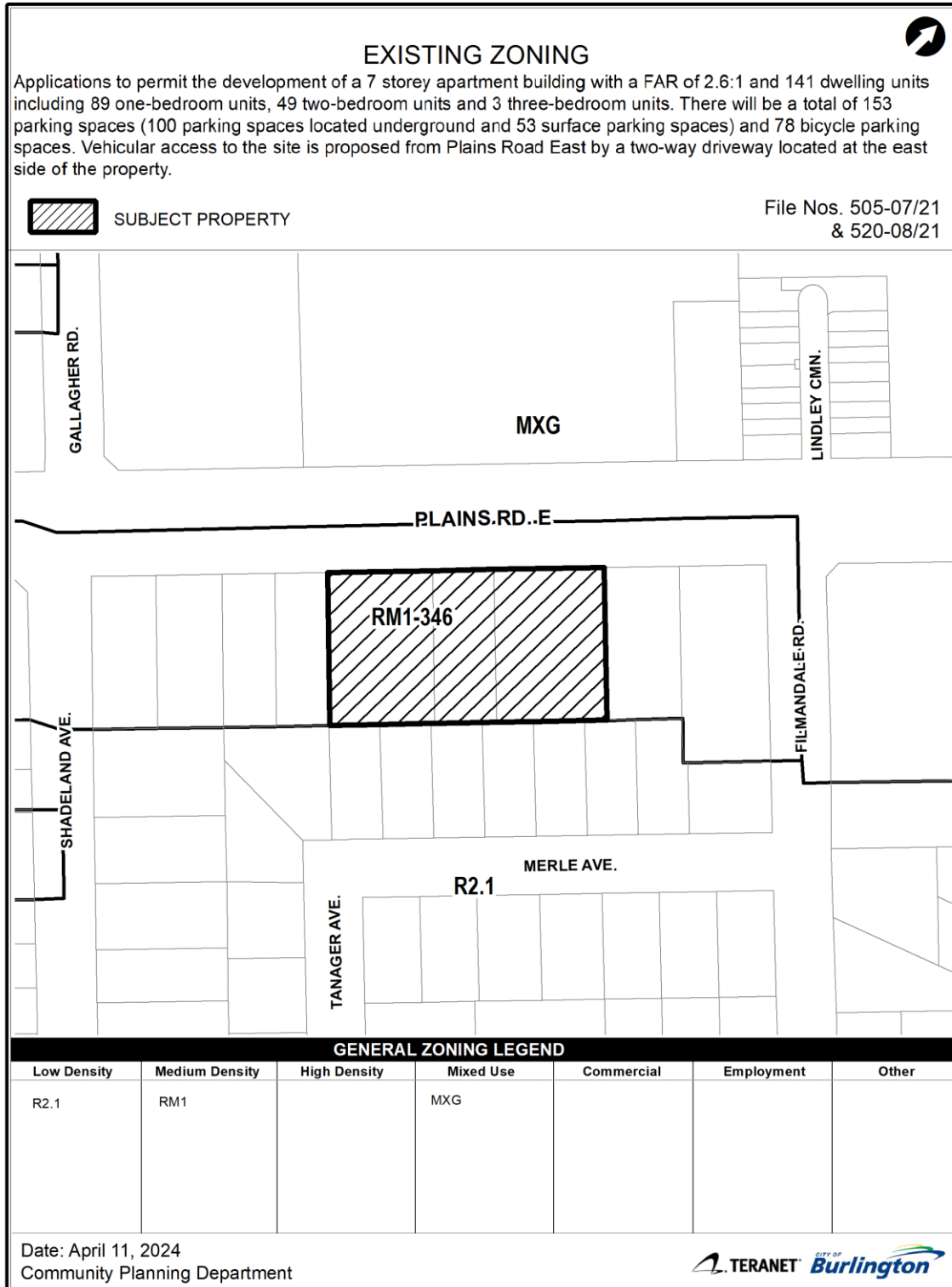
Notifications:

Martin Quarcoopome, Weston Consulting
mquarcoopome@westonconsulting.com

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 and Zoning Sketch



Appendix C – Public Comments

#	Comments
1	<p>I am writing you today regarding an urgent, time sensitive matter pertaining to the protection of a large number of mature trees in Aldershot from being destroyed. I am a resident of Aldershot, residing at [REDACTED] Merle Avenue. My home backs onto the property of the proposed development by Corley Developments located at 284-292 Plains Road East. Information about this project can be found on the City of Burlington website at https://www.burlington.ca/en/services-for-you/284-plains-road-development-inc-284-292-plains-rd-e.asp.</p> <p>In Aldershot, we love and value our trees. Some of the oldest and healthiest trees in Burlington grow and thrive in the yards, gardens, parks, and boulevards of our neighbourhood. More species of trees grow in Aldershot than anywhere in the city: Maple, Oak, Elm, Gingko, Beech, Pine, and Cedar, all of which provide shade and shelter to the people, birds, and animals that live among them. They also provide a great deal of beauty to our community, as well as the numerous environmental benefits. At the centre of our community is the 30-ft Aldershot Christmas tree: some 400 people from all over Burlington kicked off the holiday season recently with the annual tree lighting this past November. You, too, were in attendance at this wonderful community event along with Councillor Galbraith. It is a very positive community initiative that Burlington is proactive in protecting our tree canopy. Burlington's private and public tree protection bylaws are considered the most rigorous in the GTA for safeguarding the green canopy from haphazard cutting and urban development. I am writing you today because I have trees that are in urgent need of the City's protection.</p> <p>My house was built in the 1950s. It's a small house, but like many of my neighbours, I bought it largely for the beautiful property and the trees. My backyard is a beautiful oasis in the city, which is one of the major reasons I purchased my home. Along the rear of my back property, I have a long row of mature Norway Spruce trees that create a natural fence. These beautiful trees provide a great deal of privacy for my yard and also serve as a sound barrier against traffic noise on Plains Road - for myself and others residing on Merle Avenue. My neighbour also has a row of mature Norway Spruce along the rear of her back yard as well. They truly are magnificent trees, 16 in total, reaching at least 40-60 feet in height. These trees are very important to me, my neighbour, and our neighbourhood.</p> <p>I attended the meeting with the developer, represented by Weston Consulting, seeking public input about the proposed development several months ago. You were also in attendance at that meeting, as was Ward 1 Councillor Kelvin Galbraith. During that meeting, several of my neighbours and myself all raised concerns about the invasion of privacy this building would be on our properties. The developer reassured us numerous times at this meeting that the row of Norway Spruce along the rear of my property were being left intact, and in fact,</p>

were essential to the project and had been incorporated into their landscape plan to preserve the privacy of the neighbouring properties. This was told to us many, many times during this meeting.

I would like to direct your attention to the arborist report for the proposed development that is posted on the City of Burlington's website. The report can be found at this link:

https://www.burlington.ca/en/services-for-you/resources/Planning_and_Development/Current_Development_Projects/Ward_1/284-Plains-East/supporting-documents/Arborist_Report_and_Tree_Inventory_and_Preservation_Plan.pdf

Of particular concern, the arborist report specifically states the following, pertaining to my Norway Spruce trees, and those of my neighbour:

"Without modifications to the development plan, it is expected that most of the shared/neighbouring trees could experience root loss/injury, possibly to such an extent that removal will be necessary to mitigate structural concerns and expected decline post- construction. Per Appendix 1, a total of 21 trees have shared ownership with (or are entirely owned by) 300 Plains Road East, 287 Merle Avenue, or 291 Merle Avenue. As further shown on Figure 1, the dripline of certain trees occurring about 3 m beyond property lines of 295 Merle Avenue and 276 Plains Road East also extend into the proposed areas of disturbance and could experience root injury. Per case law in Ontario, a tree is considered shared if any portion of its trunk (i.e., area between the root collar and lowest canopy branch) extends across a property line. Section 10(3) of the Forestry Act prohibits the injury or destruction of a tree growing on the boundary of adjoining properties (or neighbouring properties) without the adjacent landowners' consent.

As such, the following measure is recommended to address any necessary removal of shared/neighbouring trees:

The Applicant must secure approval to remove/impact all shared/neighbouring trees from relevant property owners prior to construction."

-Terrastory Environmental Consulting Inc. Arborist Report, Project No. 2066, p. 4

This certainly is not in alignment with what was represented to the neighbouring property owners at the meeting you attended. To paraphrase the professional opinion of the arborist, a Tree Protection Plan and hoarding fence can't save our Norway Spruce trees located on our property: only a change to the development plan will. Since the Norway Spruce are not shared assets with the developer, the developer does not have the legal right to decide their fate. In fact, the Tree Preservation contained within the arborist report specifically recommends the removal of all of the Norway Spruces.

These trees belong to me and my neighbour and are an integral part of our property. They are NOT in the property owned by the developer. Removal of these trees is out of the question as it would severely impair my own enjoyment

	<p>of my yard, along with destroying the private sanctuary that I purchased and pay property taxes to enjoy. As noted by the arborist, I draw your attention to Section 10(3) of the Forestry Act which prohibits the developer from injuring or destroying my trees without my consent.</p> <p>Herein, I would like to formally state that I do not consent to having my trees removed, nor am I accepting of any possibility that any development on the adjacent property behind me damage my property. This is in alignment with the Forestry Act as noted by the arborist. This letter is also being sent to the representative for the builder, Martin Quarcoopome from Weston Consulting so they have been formally notified of my objection as well.</p> <p>Our City has a mandate to preserve our trees and protect them from being destroyed in favour of development. I am requesting your help to advise of next steps that need to be taken to protect our trees. My request also aligns with the spirit of the tree protection bylaw, and in the interest of protecting my own property. It is unacceptable that a developer is permitted to make decisions about destroying property they do not own.</p> <p>Madame Mayor, I voted for you based on your environmental record and your desire to protect the integrity of our neighbourhoods in our City. I need your help. I have also copied Ward 1 Councillor Kelvin Galbraith in hopes that he will reach out to you to discuss next steps. I would like to request a meeting with both of you to discuss this matter as soon as possible. I look forward to hearing back from you at your earliest convenience.</p>
2	<p>This is just a note to let you know about my family's extreme disappointment in the height of the new condo developments in Aldershot, Ward 1. I have completed the city's surveys for feedback but feel like completing them has been a waste of time. I know that many of my neighbours in Garden Trails feel the same way. We do NOT have the infrastructure to support the growth - I can't even imagine how horrible driving will be on Plains Road. We are still not seeing plans for another grocery store or even restaurants in the west end.</p> <p>I'm very disappointed in Kevin's apparent lack of support - not listening to the constituents' comments. He's more interested in photo opportunities and making a ton of money by selling Fitness Firm for development.</p> <p>All this to say I can only hope someone is listening and maybe this letter will make a difference.</p>
3	<p>With respect to the above-noted development application –</p> <p>It's good that the proposed height has been reduced to 6 storeys since the Apr 26/21 Pre-Application Community Consultation Meeting, which I understand the Official Plan permits (8.1.3(7.2) h)).</p>

	<p>Little else has changed however and, despite lopping off the 3 top storeys, the proposed floor area ratio (FAR) remains at 2.96 which far exceeds the Official Plan maximum FAR of 2.0:1 intended as appropriate built form for this site. This is not appropriate built form for the adjoining +65-year-old neighbourhood of single-family homes.</p> <p>We have lived on neighbouring Filmandale Road for 35 years and have observed the changing community. The empty nesters of 1986 have now been increasingly replaced by young families with children who use the neighbourhood streets for walking, cycling, and scootering. This has been greatly added to by residents of the 6-storey Affinity Condominium at 318-384 Plains Road, many of whom walk with their dogs. At the same time, motorists increasingly exceeding the 40 km/h speed limit on our street, sometimes reaching 70-80 km/h. This is an accident waiting to happen. I've reported it to both the City and the Halton Police (see attached email) but have achieved nothing rather than being issued a plastic "Please Slow Down" sign. This proposed development will only add to the problem, proportionately increasing with the density. Traffic control measures in the neighbourhood should be part of any densification development along Plains Road.</p> <p>Perhaps the City could consider one of those illuminated signs advising drivers of their speed. Other options include –</p> <ul style="list-style-type: none">• Speed bumps• 3-way stop at Filmandale Road/Mallard Ave• 3-way stop at Filmandale Road/Merle Ave (currently completely uncontrolled). <p>Trusting these comments to be fair and reasonable, I sincerely hope the applicant reconsiders what they propose for this development.</p>
4.	<p>My name is [REDACTED] and I co-own a home in Burlington.</p> <p>As mentioned in my previous email to you, dated December 6, 2021, I am a member of the Law Society of Ontario and I act on behalf of the City of Burlington in some matters. I am writing today only on behalf of myself as a concerned resident of Burlington.</p> <p>Thank you for the opportunity to provide feedback and submit comments to the Community Planning, Regulation and Mobility Committee of Council regarding the proposed redevelopment of 284 and 292 Plains Road East.</p> <p>As a resident of Aldershot, I am concerned that the proposed redevelopment of 284 and 292 Plains Road East does not constitute good planning for the following reasons:</p>

	<ol style="list-style-type: none">1. The land is not suitable for the proposed purpose. The two lots under review are too small to accommodate the scale of the proposed redevelopment;2. The proposed redevelopment is incompatible with adjacent land uses. Given the small size of the two lots, the proposed redevelopment will impose upon the homes directly behind the new structures as well as the one and two story commercial buildings on either side of the proposed new structures;3. Vehicular access to the redeveloped site is inadequate. The proposal includes parking facilities for 147 vehicles. The proposed redevelopment will result in increased vehicular traffic and traffic congestion which the relevant section of Plains Road East was not designed to accommodate. In particular, there is no intersection or traffic light in front of the proposed redevelopment to safely manage increased traffic;4. The zoning changes required to approve the proposed redevelopment as set out in the Notice of Complete Application released by the City of Burlington are comprehensive and amount to creating site-specific zoning that conflicts with the City's Official Plan as well as the zoned permitted building type/use, minimum floor area, landscape buffer, amenity size, and required parking of all the surrounding structures in this part of the neighborhood. Given the number and extent of the zoning changes required for the proposed redevelopment plan, it is difficult to see how the general intent and purpose of the area's zoning by-law and of the City's Official Plan can be maintained. <p>In my opinion, Council should refuse this plan for the proposed redevelopment of 284 and 292 Plains Road East.</p> <p>Please treat this letter as written submissions to Council for the purposes of obtaining standing to appeal to the Ontario Land Tribunal under section 34 (or any other relevant section) of the Planning Act, R.S.O. 1990, c. P.13 (or as amended).</p>
5.	<p>I'm sure you have received a significant amount of backlash regarding this redevelopment. In my previous career I worked with builders and understood that development is a necessity for our community to help clean up the area and make it a more desirable place to live. Aldershot not too long ago, was a community that started to decline and I do agree that some of the new development has helped increase the values in the area! My husband grew up in the area and we have now chosen to raise our family here. After moving into our home we found out a building will be looking into our backyard and our privacy will be taken away. I have to say it is very disappointing to think that we will have so many eyeballs looking</p>

	<p>into our backyard. Burlington as a whole has grown so much and that has been great for the city as it has increased the income. But in all honesty what has also not been taken into account is the amount of traffic and congestion as we just don't have the infrastructure or land to cope with it. After working with builders for years, I understand that Cities love this type of growth and the concept of working and living in the same area exists in Mississauga and Toronto but lets be realistic.....that just doesn't exist here for most. I hope you would consider just allowing for Townhomes as having so many people moving in on the north and south side of plains just doesn't make sense.</p>
6.	<p>I have a medical office building (house) at [REDACTED] Plains Rd E adjacent to the proposed development at 284 and 292 Plains Rd E.</p> <p>I am concerned that the development will negatively affect the well-being of my patients, many of whom are vulnerable, as well as the physical domains of the property itself through seismic impact. I am concerned about the implications for excessive motor vehicle traffic as the run-off capacity (road) will not increase.</p> <p>This will lead to added travel stress for vulnerable individuals.</p> <p>I empathize with the families in the area going through this.</p> <p>As a consequence I am listing my office for sale and planning on moving to a rental location in a more serene setting.</p>
7.	<p>I am a physician practicing at my office which is located at [REDACTED] Plains Rd E adjacent to the east of 292 Plains Rd E/ 284 Plains Rd E proposed development.</p> <p>I communicated my concerns about the proposed development to the City Planner on File Gordon Dickson and those City members he selected to attend a Microsoft Teams meeting held on February 23, 2022.</p> <p>My concerns are as follows:</p> <ol style="list-style-type: none">1. There is inadequate setbacks from my property lines. Currently, the excavation extends to the property line. This does not take into account that there are 10 healthy trees including two mature blue spruce which they have located just to my side of the property line and would die with this occurring. <p>I also worry about ground instability too, caused to my lot by such an excavation. THERE IS A VERTICAL LOOP GEOTHERMAL HEATING-COOLING SYSTEM under the parking lot on my property which could be damaged by the excavation and seismic activity.</p>

	<p>The set-back permitted for 292/284 Plains Rd E must not exclude the future comparable development of 300 Plains Rd E from a comparable set back (i.e. do you want vertically of two six-storey building 4 metres apart?).</p> <ol style="list-style-type: none">2. There is not accounting for the fate of 10 healthy trees just inside my property line near Plains Rd E in the Planning Application. I provided independent arborist verification that they are healthy to Gordon Dickson (Zammit Trees, attached file). Their root systems need protecting (incompatible with digging to the property line) and provisions made from them including legal/fiscal responsibility for developer (or their designate) to have them removed at their cost should they die within 5-years of development.3. Fencing between the properties must be included in the plan for privacy at my medical office and to avoid transfer of snow cleared from the proposed development to my property.4. The driveway for the proposed development should be moved centrally to its north property line (currently is it justified to their east property line near the driveway to my office). This is for both driver's safety, and to reduce obstruction that existing cars (147 cars/lot) from proposed development will have on patients travelling from the east trying to make a left-hand turn into my office building. Moving the proposed driveway centrally in their lots would also move it westward away from the nearby intersection at Filmandale. This was what was done at 320 Plains Rd E where a traffic light was also added.5. I am concerned about seismic activity and vibrations origination from the proposed development will have on the integrity of my office building, premises (geothermal HVAC) and ability to practice medicine with the noise pollution while trying to interview and examine patients. <p>I would like to speak at the Council Meeting regarding this proposed development as it negatively impacts my practice, property and patient accessibility/privacy.</p>
8.	<p>In particular, the placement of the main driveway is justified to the east of the planned development. This is adjacent to the driveway that patients use to access my medical office and will serve as an obstruction. Many of these individuals are elderly and frail.</p>

	<p>The driveway of the planned development should be moved centrally on its lot to avoid this, and also to move it away from the main intersection, Filmandale.</p>
9.	<p>My name is [REDACTED] I am the eldest of 5 children and I am writing this letter on behalf of my father, [REDACTED] My Dad is 92 years old, and lives at [REDACTED] Plains Rd E and has lived there for over 25 years.</p> <p>He recently received a letter stating that there is a proposal to build a 7 story building on the property adjacent to his property. It said that there will be parking for 153 vehicles. What are your plans for all these cars getting onto and off of Plains Road? Do you realize that there is a school and a church across the street from this proposed building?</p> <p>Have you ever tried to get onto Plains Road when the parents are dropping off or picking up from school? Or at rush hour which seems to be all day now, or when the church is having a service or special event? It already takes a very frustrating and long time and now you want to add to the problem by allowing a 7 story building to be built! Imagine the constant noise and dust that he will have to endure during all the construction!</p> <p>And what about cutting down 52 beautiful, mature trees, that house countless bird, squirrels, raccoons etc and are providing shade and oxygen? And the other trees that will be damaged and likely end up dying. And wasn't it so thoughtful of Colin Wellum to come over and offer to cut down the beautiful, big, evergreens that are between his property and my Dad's, without saying a word about these plans?</p> <p>What about having parking for 153 vehicles? For 141 units?? Do you really think that only 12 people will need parking for a second vehicle?? Will there be compensation for long-standing local residents impacted by the project? i.e. for disruption (during construction), distortion of this neighbourhood, the value of private property?</p> <p>How long will this build take? What will happen to my Dad's private and quiet backyard and all the other properties west of my Dad's and on Merle Ave and the others south of Plains Rd. During the building process they won't be able to sit outside and enjoy the peace and quiet and the breeze. My Dad doesn't have air conditioning, so he enjoys sitting on his back deck daily and watching the birds and squirrels and taking in the fresh air.</p> <p>This building will tower over his property and many of the units will look directly into his back yard and into the yards of many of the homes south of Plains Rd.</p>

	<p>This area was zoned for medium density and this unit will be anything but!! Or do we just change zoning so it works for the rich and greedy?</p> <p>The traffic problems will become even worse. The safety of the children and pedestrians that use the sidewalks in this area will become more dangerous. There is a lot of foot traffic here, have you done any studies to count the foot and vehicular traffic? We have a school and a church directly across the street. Will you be installing more traffic lights?</p> <p>My Dad just wants his quiet little property to stay as it is and he wanted you to know that he strongly opposes such a huge monstrosity overlooking his home!</p>
10.	<p>I saw the notice in the mail about the planned development at 276, 284 and 292 Plains Rd E. I live in the Affinity building nearby (320 Plains Rd E). I think the new development looks totally fine, we need more missing-middle style places for people to live, and a project like this, which is medium-density, 7-stories, seems completely reasonable. I know sometimes these sorts of plans only attract opponents, so I thought I would write in and contribute some feedback from the yes-in-my-backyard side. Ideally there would be some 3-bedroom units to accommodate families, and not just a bunch of 1-bedroom place</p>
11.	<p>My name is [REDACTED] and I have lived at [REDACTED] Merle Avenue for the last 25 years. My home is directly behind 284 Plains Road, so I will be most directly effected by any new development at this site. I know of no one in the neighbourhood who approves of Corley Development's plans for 284 Plains Road. All of the neighbours I speak to oppose it, as do I. Simply put, it is too big.</p> <p>I object to the rezoning of this site that would permit construction of a 7 storey apartment building with a density and footprint far too big for the property and location. No thoughtfully planned community would ever be layed out with a development of this size crowded (and I do mean crowded) up against detached single family home.</p> <p>Nobody, and I mean nobody, not my neighbours not the people at Corley Developments, or the people considering Corley's application, nobody wants to look out the window on the single family home that they worked, saved and sacrificed for and see the sky blocked out by a 7 storey building. That's 7 stories of balconies looking down on our backyards. It would be like living in a fish bowl.</p> <p>Please, do not permit the requested amendment to the Official Plan to allow for a redevelopment that is too tall, with too great a density and too large a footprint for the size of the property and its location next to single family homes.</p>
12.	<p>We live on Merle ave, behind the 3 properties for development on plains road. In previous city plans there was going to be a fence added on the between plains rd</p>

	<p>& Merle ave properties. With the updated plans, we don't see any such fences. Is there going to be any sound reduction device such as a fence or berm(s) to help with the noise at car parking ?</p>
<p>13.</p>	<p>I would like to provide my public comment on the 284-292 Plains Rd E development 505-07/21 & 520-08/21 for consideration.</p> <p>I am not in support of the Development (Corley Development Inc applicant) and against their application for an Official Plan Amendment and a Zoning By-Law Amendment on the property, City of Burlington, Ward 1. I do NOT support the applicant's amendment to the Official Plan and I do NOT support the applicant's amendment to the Zoning Bylaw.</p> <p>The developer/applicant should be adhering to the MXG Zone Requirements and Compliance. I want to limit the maximum building height to 6 storeys or less. I want to limit the floor area ratio to 1.5:1 and limit the density of the development. Additionally, I want to ensure there is enough/substantial parking and amenities for all of the people that will be residing in the units within the proposed development, 1.25 occupancy spaces per unit. Additionally, I want to ensure that the parking structure is setback 3 m from all property lines. Further note that the proposed development is outside of the Major Transit Station Areas (MTSA).</p> <p>I am concerned that the applicant/proposed development will have a significant negative effect on my neighbourhood and family. I have 2 small children and we moved to this neighbourhood 10 years ago, wanting a quiet and not dense neighbourhood. There will also be increased traffic along Plains Rd and in our quiet neighbourhood. Additionally, the development is located steps away from two elementary schools, the increased traffic and construction put the walking children at risk. One of the close elementary school, Glenview has already had to have the school boundaries re-done to accommodate for the increase of children in the neighbourhood. There are not enough elementary schools in the Zone 1 to accommodate the increased population.</p> <p>With the increase in population, this also means an increase in the chances of having fires in the development and the need for police services. To my knowledge, there is no plan to increase the emergency services in Ward 1 such as EMS, Fire or Police services. This puts everyone in the Ward 1 community at risk, as they may have to wait longer to have a response to an emergency by EMS, Fire or Police.</p> <p>The development will increase noise pollution, environmental pollution and the removal of large mature trees. The development will put additional stress on the current resources/infrastructure in place such as sewage waste, water removal, electrical, technical support etc.</p>

So many amenities have been removed in zone 1 with no appropriate replacement. The small retail units that have been introduced at the ground level of all the new development does not adequately support the community, the community needs larger retail space and amenities.

There will be much disturbance to our neighbourhood during the construction phase of the development. A large height and dense development will take a very long time to complete, especially with the supply issues that the construction industry is dealing with. There will be an increased amount of noise, dirt, traffic congestion, additional cars parked in the neighbourhood as well as the potential for the side-walk traffic to be re-routed, posing a risk to children walking to school that are forced to cross a busy road to get to school.

Overall, I want to state that I want the least impact to our neighbourhood. This would include limiting the floor height, density, floor area ratio to the zoning requirements set out in the MXG zoning and requirements in the Official Plan

(1997). I do not support the applicant/Corley Developers in applying for an amendment to the Official Plan and Zoning By-Law. Additionally, the applicant needs to provide adequate/sufficient parking requirements and amenities space requirements for the proposed development.