



**SUBJECT: Official Plan and Zoning By-law Amendment applications for 784 Brant Street (Parcel A)**

**TO: Committee of the Whole**

**FROM: Community Planning Department**

Report Number: PL-59-24

Wards Affected: 2

Date to Committee: July 8, 2024

Date to Council: July 16, 2024

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**Recommendation:**

Approve the applications to amend the Official Plan and Zoning By-law only as they apply to the lands shown as Parcel A in Appendix B to community planning department report PL-59-24, to permit a mixed use development comprised of a 25-storey tower and an 18-storey tower (with ground floor commercial area) and 444 residential units; and

Defer making a decision on the remainder of the applications to amend the Official Plan and Zoning By-law (as they apply to the lands shown as Parcels B and C in Appendix B) until the Director of Community Planning advises that the remaining issues set out in community planning department report PL-59-24 have been resolved and provides a recommendation report regarding the remainder of the applications to a future Committee of the Whole meeting for consideration and a decision under the Planning Act; and

Approve Official Plan Amendment No. 149 to the City of Burlington Official Plan, as provided in Appendix D of community planning department report PL-59-24, to introduce new 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. 142 as contained in Appendix D of community planning department report PL-59-24 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 (505-06/21); and

Approve Zoning By-law 2020.481, attached as Appendix E of community planning department report PL-59-24, to rezone the lands located at 784 Brant Street from “H-MXG” (Mixed-Use Corridor – General with a Holding Prefix) to “MXG-X” (Mixed-Use Corridor – General with a site-specific exception X); and

Deem that the amending zoning by-law will conform to the Official Plan for the City of Burlington once Official Plan Amendment No. 149 is adopted; and

State that the amending zoning by-law will not come into effect until Official Plan Amendment No. 149 is adopted.

### **PURPOSE:**

The purpose of this report is to describe staff’s review of the subject applications and to recommend approval of the requested Official Plan Amendment and Zoning By-law Amendment contained in the appendices of this report.

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

(Select all areas that apply)

- Designing and delivering complete communities
- Providing the best services and experiences
- Protecting and improving the natural environment and taking action on climate change
- Driving organizational performance

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### **Executive Summary:**

The subject applications contemplate development at three of the four intersections created by the cross-streets: Brant Street and Ghent Avenue (excluding the south-west corner). The applications for Official Plan and Zoning By-law Amendment were originally submitted in July of 2021. Planning staff have reviewed applicable Provincial, Regional and Local policies and guidelines, and are satisfied that the proposal as it relates to Parcel A (northwest corner of Brant Street and Ghent Avenue) is consistent with and conforms to the policies that these documents provide. As such, planning staff are recommending approval of Parcel A and deferral of Parcels B and C.

It is important to note that over the course of the review, the City and Conservation Halton have completed work on the Phase 2 Flood Analysis, that was commissioned in order to investigate the nature of the hazard that exists throughout Burlington; but in the context of this report and project, along Brant Street. The Phase 2 Flood Study has concluded, and Conservation Halton has created regulations for the spill hazard that have been shown to exist along Brant Street in the vicinity of the subject lands. The proposed development has been shown to have an impact on the spill hazard, such that for a short period of time during a Regional Flood, the spill depth is expected to increase by 4-5 cm, and it also impact the lands shown as Parcels B and C. Conservation Halton has issued comments back to the City that this resulting change to the spill hazard can be accepted, as long as the City and the proponents signify their awareness and acknowledgement of the alteration.

With this resolution in place, planning staff recommend approval of the development shown for Parcel A (northwest corner of Brant Street and Ghent Avenue), but staff recommend that any decisions for Parcels B and C be deferred until all outstanding matters, including but not limited to, resolution of the altered spill hazard can be appropriately demonstrated.

**Background and Discussion:**

<b>RECOMMENDATION:</b>		Approve Parcel A only	<b>Ward:</b>	2
<b>Application Details</b>	<b>APPLICANT:</b>	Molinaro Group (% Ed Fothergill, Fothergill Planning & Development Inc.)		
	<b>OWNER:</b>	Brant Street Venture Inc.		
	<b>FILE NUMBERS:</b>	505-06/21 & 520-07/21		
	<b>TYPE OF APPLICATIONS:</b>	Official Plan Amendment & Zoning By-law Amendment		
	<b>PROPOSED USE:</b>	Mixed-Use Development (including, residential and ground floor commercial uses)		

<b>Property Details</b>	<b>PROPERTY LOCATION:</b>	Northwest corner of the intersection of Brant Street and Ghent Avenue.
	<b>MUNICIPAL ADDRESSES:</b>	784 Brant Street
	<b>PROPERTY AREA:</b>	0.67 hectares (1.66 acres)
	<b>EXISTING USES:</b>	Vacant lot
<b>Documents</b>	<b>OFFICIAL PLAN Existing:</b>	'Mixed Use Corridor - General' (Official Plan (1997))
	<b>OFFICIAL PLAN Proposed:</b>	'Mixed Use Corridor – General' with Special Policy
	<b>ZONING Existing:</b>	Mixed Use Corridor – General Holding ('HMXG') Zone;
	<b>ZONING Proposed:</b>	Mixed Use Corridor – General Exception ('MXG-X') Zone
<b>Processing Details</b>	<b>PRE-APPLICATION COMMUNITY CONSULTATION MEETING</b>	October 14, 2020
	<b>APPLICATION RECEIVED:</b>	July 8, 2021

	<p><b>STATUTORY DEADLINE:</b>  <i>(Section 22(7) &amp; Section 34(11) of Planning Act)</i></p>	<p>November 5, 2021 (120 days)</p>
	<p><b>PUBLIC COMMENTS</b></p>	<p>A total of 14 resident/property owner comments received in response to public circulation of application</p>

Applications for Official Plan Amendment and Zoning By-law Amendment (File Nos. 505-06/21 & 520-07-21) were received by the City of Burlington Community Planning Department on July 8, 2021. In accordance with the requirements of the *Planning Act* and the applicable policies of Part VI – Implementation of the City of Burlington Official Plan, the application was deemed complete on August 5, 2021, with the issuance of a Letter of Complete Application. A Notice of Complete Application was circulated on August 18, 2021, to all property owners/occupants within 120 metres of the subject property and to all boards and agencies requiring circulation pursuant to the *Planning Act*. A copy of the Notice of Complete Application was provided to the applicant/agent and uploaded to the City of Burlington website and notification signs were posted on the property.

A Notice of Public Meeting was circulated on September 21, 2021, to all property owners/occupants within 120 metres of the subject property as well as to those who expressed an interest to receive further notification. A copy of the Notice of Public Meeting was also circulated to all boards and agencies requiring circulation pursuant to the *Planning Act* on September 21, 2021. The Notice of Public Meeting was also published in the September 16, 2021, edition of the Burlington Post and posted on the City’s Development Projects Webpage at [www.burlington.ca/brantandghent](http://www.burlington.ca/brantandghent).

The City’s Development Projects webpage ([www.burlington.ca/brantandghent](http://www.burlington.ca/brantandghent)) was updated, accordingly, with the subsequent circulation of each public and agency notification. Several comments have been received to date in response to the circulation of the Notices of Complete Application and Public Meeting. These comments are summarized in later sections of this Report.

**Site Description**

The total landholding consists of multiple parcels (an assembly of 13 properties) with a total lot area of 1.71 hectares (4.23 acres) with lot frontages along Brant Street and Ghent Avenue. Existing land uses on the properties include a vacant lot (Parcel A); existing surface parking lot and two (2) single detached dwellings (located north of Ghent Avenue on the east side of Brant Street) and two (2) single detached dwellings (located on the

north side of Ghent Avenue, east of Brant Street). 2031-2033 Ghent Avenue includes a two-unit residential building (Parcel B); and, Parcel C is comprised of a two-storey office building and 14 unit apartment building.

Demolition of existing buildings is contemplated as a component of the overall redevelopment concept.

Adjacent and surrounding land uses include low and mid-rise residential land uses to the east (along Ghent Avenue); mid-rise and tall residential buildings located along Ghent Avenue (west of Brant Street) and commercial and employment-related land uses located further to the west (north side of Ghent Avenue); existing residential (and residential conversions); retail and commercial land uses located along Brant Street (north of Ghent Avenue); and, commercial (office) and retail land uses located along Brant Street (south of Ghent Avenue). Existing residential land uses also include low density residential (detached dwellings) and 'walk-up apartments' located further to the south. The location of the subject lands and overall site context is illustrated on Figure 1: Site Location and Context (below) and Attachment No. 1 (Location Plan (Aerial)).



Figure 1: 2021 Air Photo (Site Location & Context)

### Surrounding Land Uses

Surrounding and adjacent land uses are described below and the applicable zoning of these properties is illustrated on Attachment No. 2 (Existing Zoning):

North	Commercial/retail plaza; existing residential (and residential conversions) including lands zoned Mixed Use Corridor – General Exception ('MXG-148') Zone and Mixed Use Corridor – General ('MXG') Zone;
South	Mixed-use development; low-density residential; and, commercial/retail land uses on lands zoned Mixed Use Corridor – General Exception ('MXG-23') Zone; Mixed Use Corridor – General Exception ('MXG-180') Zone; and, Mixed Use Corridor – General ('MXG') Zone;
West	Townhouse development and apartment buildings; low density residential land uses on lands zoned Medium Density Residential ('RM2') Zone and High Density Residential ('RH5') Zone; and,
East	Townhouse development and low density residential land uses on lands zoned Medium Density Residential Exception ('RM4-124') Zone and Medium Density Residential ('RM1') Zone.

The subject lands are located within close proximity to bus stops associated with Routes 2 and 12. The closest bus stop is located approximately 55 metres south of the subject lands, and the other stop that is located on the west side of Brant Street is located 156 metres to the north. The Route 2 bus follows a path west along Cavendish Drive and then south along Brant Street towards the Downtown Terminal to the south. Route 12 travels north from the subject lands on Brant Street east on Mount Forest to eventually connect to Upper Middle Road, and then travels north on Appleby Line to the Smart Centers Burlington North plaza.

### **Description of the Application**

The proposal contemplates a multi-parcel, mixed use development comprised of a 25-storey and a 18-storey tower with ground floor commercial area and 444 residential units (Parcel A); a 25-storey tower with ground floor commercial area and 273 residential units (Parcel B); and, 8-storey mid-rise building with 120 residential units (Parcel C). Design elements also include a 3-storey podium along the building frontages. Proposed parking, including bicycle parking, for the redevelopment includes underground structured and limited surface parking spaces. Upon completion, the proposed development will comprise the northwest (Parcel A), northeast (Parcel B) and southeast (Parcel C) corners of Brant Street and Ghent Avenue. Appendix B (Detail Sketch) includes a development concept with the location, heights and footprint of the proposed buildings.

The application proposes Official Plan redesignation and implementing zoning by-law amendments to facilitate the development, as contemplated, which includes, but is not limited to, an increase in maximum permitted building height and residential density. The

proposed amendments to the Official Plan are summarized as pertaining to density and height; and the amendments to the zoning by-law are characterized as setbacks to the adjacent high density residential use, setbacks to Brant Street and Ghent Avenue, heights for each tower, floor area ratio and amenity area.

References in the notices, and in sections of the report acknowledge that the subject applications affect three of the four corners of the intersection of Brant and Ghent (northwest, north east, and south east; excluding south west). At this time however, the outcome of the analysis provided to Conservation Halton for their review, was such that the spill hazard that affects the properties identified as Parcels B and C are not eligible for development at this time. Potential solutions and mitigation strategies will need to be investigated further before a recommendation can be made for these properties. As such the intent of this report is to provide the planning analysis in support of the recommendations above, only for the lands shown as Parcel A. Planning staff are recommending that any decision relating to Parcels B and C be deferred until such time that the concerns with regard to the impacts of the spill hazard have been addressed for these properties.

### **Supporting Documents**

The following technical reports/plans/studies have been submitted in support of the development applications, and include:

- Arborist Report & Tree Protection Plan, as prepared by Terrastory Environmental Consulting Inc., June 2020;
- Landscape Plans & Sections (Parcel 1-3), as prepared by Seferian Design Group, June 30, 2021;
- Urban Design Brief, as prepared by Graziani + Corazza Architects, May 2021;
- Architectural Plans and Drawings, as prepared by Graziani + Corazza Architects, May 2021 (Rev. No. 1);
- 3D Models & Conceptual Building Renderings and Elevations;
- Planning Justification Report, as prepared by Fothergill Planning & Development Inc., June 2021;
- Sun Shadow Study, as prepared by Rowan Williams Davies & Irwin (RWDI), May 14, 2021;
- Updated Parcel One Environmental Site Assessment (Lot A), as prepared by Landtek Limited Consulting Engineers, October 9, 2020;
- Parcel One Environmental Site Assessment (Lot B), as prepared by Landtek Limited Consulting Engineers, October 2020;
- Parcel One Environmental Site Assessment (Lot C), as prepared by Landtek Limited Consulting Engineers, October 2020;

- Parcel Two Environmental Site Assessment (Lot B), as prepared by Landtek Limited Consulting Engineers, October 2020;
- Parcel Two Environmental Site Assessment (Lot C), as prepared by Landtek Limited Consulting Engineers, October 2020;
- Functional Servicing & Stormwater Management Report (Parcel 1 of 3), as prepared by S. Llewellyn & Associates Limited, June 2021;
- Functional Servicing & Stormwater Management Report (Parcel 2 of 3), as prepared by S. Llewellyn & Associates Limited, June 2021;
- Functional Servicing & Stormwater Management Report (Parcel 3 of 3), as prepared by S. Llewellyn & Associates Limited, June 2021;
- Hydrogeological Investigation (Parcel 1 – Lot A), as prepared by Landtek Limited Consulting Engineers, May 25, 2021;
- Hydrogeological Investigation (Parcel 2 – Lot B), as prepared by Landtek Limited Consulting Engineers, May 25, 2021;
- Hydrogeological Investigation (Parcel 3 – Lot C), as prepared by Landtek Limited Consulting Engineers, May 25, 2020;
- Geotechnical Investigation (Parcel 1 – Lot A), as prepared by Landtek Limited Consulting Engineers, May 28, 2021;
- Geotechnical Investigation (Parcel 2 – Lot B), as prepared by Landtek Limited Consulting Engineers, May 28, 2021;
- Geotechnical Investigation (Parcel 3 – Lot C), as prepared by Landtek Limited Consulting Engineers, May 28, 2021;
- Grading and Servicing Plans (Parcels 1 to 3)(C100-C105); as prepared by S. Llewellyn & Associates Limited, June 2018;
- Transportation Impact Assessment, as prepared by Paradigm Transportation Solutions Limited, May 2021;
- Noise Feasibility Study, as prepared by HGC Engineering, May 14, 2021;
- Pedestrian Wind Assessment, as prepared by Rowan Williams Davies & Irwin (RWDI), May 14, 2021;
- Waste Management Plan, as prepared by Graziani + Corazza Architects, May 2021; □ Topographical Surveys (Height Survey of Adjacent Buildings), as prepared by A.T. McLaren Limited, September 2020 and June 2021;
- Construction Management Report, as prepared by BA Consulting Group Ltd., August 13, 2021;
- Construction Management Plan, as prepared by BA Consulting Group Ltd., August 2021;
- Topographical Surveys (Lot A, Lot B, Lot C), as prepared by A.T. McLaren Limited, September 2020 and June 2021; and,
- Draft Reference Plans (20R-XXXX)

All of these supporting documents have been published on the City's Development Projects webpage related to this application at [www.burlington.ca/brantandghent](http://www.burlington.ca/brantandghent).

## **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, as they relate to Parcel A, are consistent with and conform to the applicable policy framework, as discussed below.

### **Provincial Policy Statement (2020)**

The Provincial Policy Statement (PPS) provides broad policy direction on land use planning and development matters of provincial interest. All planning decisions must be consistent with the PPS. The PPS promotes the achievement of healthy, livable, and safe communities through various means including by promoting efficient development and land use patterns; accommodating an appropriate and market-based mix of land uses; preparing for the regional and local impacts of a changing climate; and promoting the integration of land use planning, growth management, transit-supportive development, intensification, and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs.

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's 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 Parcel 1 and Parcel 2 Environmental Site Assessment (ESA) was required for the subject lands as the proposal is changing to a more sensitive land use (i.e. residential). These reports recommended that no further work was required to remediate the lands for Parcel A, and that recommendation is accepted by planning staff.

Section 3.0 of the PPS outlines the policies that are to be applied in order to ensure that public health and safety are protected, and more specific to this proposal, section 3.1 of contains direction relating to Natural Hazards. Policy 3.1.7 directs that development may be considered in accordance with: floodproofing, protection-works standards, and access standards; vehicles and pedestrians are able to safely enter and exit the site during a flood or other emergency; new hazards are not created and existing hazards are not aggravated; no adverse environmental impacts will result. Conservation Halton staff have advised that the design and access standards can be applied to the site in order to ensure that ingress and egress can be maintained in the event of a storm causing the regulated spill hazard. While it is acknowledged that spill depths will increase, this is only anticipated to happen on lands owned by the City or other lands owned by the Developer.

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.

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

The development of new housing supply in Burlington is recognized as needed in provincial, regional, and city policies. The provincial policy direction is for new growth to be focused in settlement areas with a particular emphasis on strategic growth areas, including Urban Growth Centres and Major Transit Station Areas (MTSAs), in close proximity to higher-order transit. The site is located within the Downtown Burlington Urban Growth Centre/Burlington GO MTSA, as shown in Regional Official Plan Amendment #48 (ROPA 48). The subsequent policy framework identifies the need for a minimum density of persons and jobs per hectare to be created through the redevelopment of the site. The minimum density is 200 persons and jobs combined within the entirety of the Urban Growth Centre, and this site contributes 662.7 persons and jobs toward the Urban Growth Centre aggregate total.

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 “Mixed Use Corridor General” 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 740 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.

### **Region of Halton Official Plan (‘ROP’)**

The subject lands are designated ‘Urban Area’ to Map No. 1 (Regional Structure) of the

Region of Halton Official Plan (ROP) and identified as an Intensification Area ('Urban Growth Centre' and in proximity to a 'Major Transit Station Area') as shown as an overlay to the current ROP.

The Region of Halton Official Plan states that the range of permitted uses within the 'Urban Area' shall be in accordance with local official plans and zoning by-laws.

All proposed development within Intensification Areas is subject to the policies of the Region of Halton Official Plan. Objectives of Intensification Areas include:

- to provide an urban form that is complementary to existing developed areas, uses 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;
- to provide opportunities for more cost-efficient and innovative urban design;
- to provide a range of employment opportunities, facilities and services in centralized locations that are readily accessible by public transit;
- to provide a diverse and compatible mix of land uses, including residential and employment uses to support neighbourhoods;
- to create a vibrant, diverse and pedestrian-oriented urban environment;
- to cumulatively attract a significant portion of population and employment growth;
- to provide high quality public open spaces with site design and urban design standards that create attractive and vibrant places;
- to support transit and active transportation for everyday activities;
- to generally achieve higher densities than the surrounding areas;
- to achieve an appropriate transition of built form to adjacent areas;
- For Major Transit Station Areas and Intensification Corridors:
  - To achieve increased residential and employment densities in order to ensure the viability of existing and planned transit infrastructure and service.
  - To achieve a mix of residential, office, institutional, commercial development, where appropriate.
  - For Major Transit Station Areas, to provide access from various transportation modes to the transit facility, including consideration of, but not limited to, pedestrians, bicycle routes and bicycle parking, commuter pick-up/drop-off areas, carpool parking, car share vehicles, and parking/recharging stations for electric vehicles.
  - For Intensification Corridors, to accommodate local services, including recreational, cultural and entertainment uses.

The subject lands are designated 'Urban Area' to Map No. 1 (Regional Structure) of the Region of Halton Official Plan (ROP) and identified as an Intensification Area ('Urban Growth Centre' and 'Major Transit Station Area') as shown as an overlay to the current ROP.

Regional Official Plan Amendment (ROPA) 48 was approved by the Minister of Municipal Affairs and Housing on November 10, 2021. The policies of ROPA 48 are in effect and not subject to appeal. ROPA 48 was 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. ROPA 48 also included policies for Major Transit Station Areas, Protected Major Transit Station Areas, and Proposed Major Transit Stations & Major Transit Station Areas.

In accordance with Map 1H "Regional Urban Structure" of the ROP, as amended by ROPA 48, as discussed previously, the subject lands are located within the Urban Growth Centre (UGC) and Major Transit Station Area (MTSA). The policies of the UGC and MTSA support a range and mix of transit-supportive uses, such as residential, retail, office and public uses, as well as public service facilities and parks and open spaces that support the area in a pedestrian-oriented urban environment.

Regional Official Plan Amendment (ROPA) 49 is the second amendment to be advanced as part of the Regional Official Plan Review. This was adopted by Regional Council on June 15, 2022 and approved by the Minister of Municipal Affairs and Housing with modifications on November 4, 2022. It is the second amendment to be advanced as part of the Regional Official Plan Review under Section 26 of the Planning Act. The amendment is to implement the results of the Region's Integrated Growth Management Strategy (IGMS), which considered how to accommodate growth in Halton to the 2051 planning horizon as part of the municipal comprehensive review process. The amendment also includes changes that support planning for growth in Halton and achieving conformity with the Provincial Growth Plan for the Greater Golden Horseshoe. ROPA 49 includes policy 84.1(5) which outlines that the approval of development applications within Strategic Growth Areas are not permitted prior to the adoption of an Area-Specific Plan. The City of Burlington's Official Plan (2020) though broadly appealed, reflects the community vision for the future of the City of Burlington and has area-specific policies for the Downtown Urban Centre. As shown in Official Plan Amendment 2, to the 2020 Official Plan, the subject property is within the Downtown Burlington Urban Growth Centre/Burlington GO MTSA and, more specifically, in the Upper Brant Precinct as identified on the amended Schedule F. The Upper Brant Precinct has area-specific policies that will accommodate developments with a variety of building heights proportional to parcel depth along Brant Street between Prospect Street and Blairholm Avenue, with the tallest developments in the Downtown located along the northside of Ghent Avenue. Developments in this area will generally achieve a height and density that

reflects the precinct's walking distance to higher-order transit at the Burlington GO Station and contributes to the creation of a transit, pedestrian and cycling oriented area while also achieving compatibility with adjacent residential low-density areas. The subject application is located at the northwest corner of the intersection of Brant Street and Ghent Avenue, and the proposed height contemplated in the Upper Brant Precinct aligns with the maximum building height for the subject lands as being 25 storeys. Staff are satisfied that the proposed development meets the intent of ROPA 48 and 49.

The Region of Halton was circulated the application and supporting materials and reviewed the proposed development in the context of applicable Regional policy. Region staff acknowledged that the proposal supports many of the goals and objectives of the Regional Urban Structure, however staff expressed concern regarding the potential loss of purpose built rental units that are proposed to be demolished in order to prepare the sites on Parcels B and C and a lack of affordable housing units to be offered for sale.

In collaboration with the Region and City staff, the proponents have agreed to replace the units that would be demolished to prepare Parcels B and C for development, and that these units would be installed in the development of Parcel A. The developers have also addressed the concerns raised by the Region regarding affordable housing by agreeing to offer a maximum of 5% of the total build-out at an affordable market rate.

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 are of the opinion that the proposal conforms to the policies of the Regional Official Plan.

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

The subject lands are designated 'Mixed Use Corridor – General' and 'Mixed Use Corridor – Employment' (Comprehensive Land Use Plan – Urban Planning Area) of the City of Burlington Official Plan (1997), as amended.

The proposed amendment to the Official Plan contemplates that the subject lands will receive a site specific 'Mixed Use Corridor – General' designation that would support the proposed development. Section 5.3.1 of the City of Burlington Official Plan (1997), as amended, states that among the objectives of the 'Mixed Use Corridor – General' designation is to provide locations along multi-purpose arterial or major arterial roads that will serve as areas of concentration for mixed use developments with high density residential, retail, service commercial, office, entertainment, community facilities and institutions, and open space uses.

The policies of the 'Mixed Use Corridor – General' designation also encourage higher intensity, transit-supportive and pedestrian-oriented mixed use development, including land in the vicinity of a major transit station area, such as a GO Transit station, in a compact urban form, while retaining compatibility with nearby land uses.

Section 5.3.2(a) (Permitted Uses) states that the following uses may be permitted in the Mixed Use Corridor – General designation:

- (i) a wide range of retail, service commercial and personal service uses; financial institutions and services; a broad range of office uses; employment, entertainment, recreation and other community facilities such as day care centres; and small scale motor vehicle dealerships;

Comment: The proposed Official Plan and Zoning By-law Amendments have been drafted in such a way as to support a design that at this time contemplates retail uses fronting towards Brant Street. Staff are satisfied that this criterion has been met.

- (ii) high density residential uses and a full range of office uses. Townhouses may only be permitted as a component of an overall development of mixed residential or residential/commercial building forms, where the townhouse portion of the mixed development does not abut the multi-purpose arterial or major arterial road and where the development of the townhouse component does not compromise the long-term objectives for the Mixed Use Corridor designation with respect to such matters as mix of uses, building form and intensity; and,

Comment: No Townhouse units are proposed for this project; high density residential units have been contemplated and designed for. Staff are satisfied that this criterion has been met.

- (iii) development and re-development of lands within a major transit station area, such as a GO transit commuter rail station, shall achieve a higher intensity of re-development and consist of transit supportive uses, as called for and defined in the Growth Plan.

Comment: The site is located within lands the City has identified for intensification that would be supported by public transit. Lands within this designation have been identified due to their proximity to essential services as well the transit opportunities that are available for residents. Staff are satisfied that this criterion has been met.

Section 5.3.2(d) (Zoning Regulations) states that Zoning By-law regulations affecting Mixed Use Corridors shall be based on the following factors:

- (i) the maximum floor area ratio of development at any site shall be 1.5:1. City Council may consider a higher floor area ratio in conjunction with a site-specific rezoning or variance application, subject to the considerations of various factors such as adequacy of services and infrastructure and the provision of compatibility with adjacent uses through measures such as terracing, a high quality building design, landscaping and streetscaping, and the provision of underground parking;

Comment: The proposed floor area ratio for the development shown for Parcel A is: 5.2:1. Staff have considered the factors outlined above and are satisfied that this criterion has been met.

- (ii) the minimum building height shall be two storeys and the maximum building height shall be six storeys. Where required to ensure compatibility, four to six storey buildings may be required to be terraced back from adjacent residential areas and/or the street;

Comment: this policy represents a disconnect between the in force Official Plan (1997) policies and the new Official Plan (2020). The proposed development aligns the Policies identified in the new Official Plan (2020), the maximum height permitted on the subject lands as identified in the New Official Plan is 25 storeys. Staff are satisfied that the buildings have been terraced appropriately, back from residential uses and the street. Staff are satisfied that this criterion has been met.

- (iii) the implementing zoning by-law shall identify a minimum portion of all buildings abutting the corridor street to be located in close proximity to the corridor street. These setbacks may be modified for specific corridors following the completion of Council-approved Corridor studies;

Comment: The proposed Zoning By-law Amendment contains provisions of this nature. Staff are satisfied that this criterion has been met.

- (iv) all buildings shall be required to have a building entrance from the building façade closest to the corridor street; and,

Comment: The proposed design shows an entrance from Brant Steet into the retail lobby, and the resident entrance is shown from Ghent Avenue. Staff are satisfied that this criterion has been met.

- (v) off-street parking needs may be reduced for sites with transit-supportive designs or shared parking arrangements.

Comment: Transportation staff have not raised any concerns at this time, therefore staff are satisfied that this criterion has been met.

### **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.

Parks Design and Construction staff reviewed the application and advised that with regard to the proposed Privately Owned Public Space, the applicant will be responsible for the design, construction and installation of the feature as part of the streetscape works. For the proposed concrete sidewalk, staff have requested that the applicants consider widening the to achieve a total of 2.4 metres of clear path of travel. Suggest that the applicants consider removing the sod in the proposed design and replacing it with hard surfacing. Staff also requested that the applicants consider adding trees and exploring the use of structural soil cells to promote healthy tree growth, and that these considerations account for the comments received from Forestry. Finally, streetscaping is expected to follow the Downtown Streetscape Design Guidelines and the City's Urban Design Guidelines.

Halton District School Board advise that students generated from this development are expected to be accommodated at Central (PS) and Burlington Central Elementary and Highschool, which are currently under capacity. Tom Thompson (PS) is projected to be over building capacity and portable capacity. Attendance at this school is not guaranteed for the existing and new students.

Halton Catholic District School Board students would be accommodated at St. John (B) (CES) 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 25 and 18 storey buildings and do not have concerns with the proposal.

The applicant is proposing a total of 153 parking spaces, for a rate of 1.1 parking spaces per unit (1 parking space per dwelling unit and 0.1 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.

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 25 and 18 storey development is expected to generate approximately 140 (37 inbound and 103 outbound) trips during the weekday a.m. peak hour and 186 two-way (109 inbound and 77 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.

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 52 metres south to the nearest Burlington Transit bus stop on Route 2/3 (Brant/Guelph) which runs along Brant Street, to Lakeshore, then travels Guelph Line towards Cavendish Drive to return to Brant.

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 25 and 18 storey residential building. In order to develop 444 units on the 0.60 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 83.2 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 25 storey building mass along Brant Street 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 stepped back 4 metres above the 3<sup>rd</sup> storey streetwall, except at the corner of the building where additional setback is provided to step the amenity area back to 6.7 metres from the 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 25 and 18 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 land uses. There are no low density residential uses that abut this site, therefore staff are of the opinion that the height and transition of the building is appropriate.

Setbacks

The subject lands are zoned “Holding - Mixed Use General” 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-X)”. The proposed development will require relief from the yards abutting Brant Street and Ghent Ave, Yards Abutting Residential Zones (neighbouring RH5 Zone to the west), Maximum Floor Area Ratio, Landscape Buffer Abutting Residential Zone, Maximum Height, Parking Requirements, and Amenity Area.

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 High Density 5” 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 west property line.

The property to the north is currently a flower shop and barber shop with apartments above and the property to the north west houses an employment use in a single storey building. Staff note that this area of Brant Street is in an area of transition. The new Official Plan (2020) designates the northern property as being within the Upper Brant Precinct, and the north west property 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 Brant Street 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 11 metres from the property line, buffering from the adjacent residential use will be provided by the driveway access for the underground parking facility. There is an opportunity for landscaping to provide further separation withing the 3 metre setback that is shown between the western extent of the driveway and the property line.

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 m<sup>2</sup> of amenity area per efficiency dwelling unit, 20 m<sup>2</sup> for a one-bedroom unit and 35 m<sup>2</sup> for a two or more bedroom unit for a total of 11,600 m<sup>2</sup>. The applicant is proposing approximately 19.32 m<sup>2</sup> per unit for a total of 8,576 m<sup>2</sup> 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 Report and Tree Protection Plan completed by Terrastory Environmental Consulting Inc. completed in June 2021 and Landscape Plans and Sections completed by Seferian Design Group on June 30, 2021.

The Arborist Report and Tree Preservation Plan inventoried identified 16 City-owned trees bordering the property that are proposed to be removed. Urban Forestry and Landscaping staff have requested that a revised Arborist Report and updated Tree Inventory be submitted review in order to provide more suitable justification for the removal of the privately and publicly owned trees. These revisions have not yet been submitted to the City for review.

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 permits would be required for this development around City trees and would need to be obtained through the City's Parks and Development & Construction Division at the Site Plan stage.

Urban Forestry and Landscaping staff have reviewed and commented on the proposal. Based on the documents provided, staff has requested revisions to the Arborist Report and Tree Inventory. These revised plans have not been submitted to date. These revisions will need to be included as part of the Site Plan Approval application, and subsequent review process for review and acceptance.

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

Comment: A Sun Shadow Analysis prepared by RWDI, dated November 7, 2022 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 Brant Street and Ghent Avenue, 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 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 Comfort Assessment prepared by RWDI, dated October 31, 2022. The Pedestrian Wind Comfort 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 corner of the site 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 Feasibility prepared by HGC Engineering, dated October 5, 2022 was submitted for staff review.

The study reviewed the acoustic requirements for the proposed development with respect to noise from vehicular traffic along Brant Street and Ghent Avenue. Based on the results of the Study, a 2.2 metre noise barrier will be required along the Brant facing 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.

- 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: The subject lands are located within an established mixed use neighbourhood with remaining intensification opportunities. There are two remaining parcels included in the proponent's vision for redevelopment (i.e. Parcels B & C as shown on Appendix B), once outstanding concerns are addressed with the Conservation Authority. They are located at the north- east and south-east quadrants of the intersection of Brant and Ghent. The development that is contemplated for these sites has been reviewed by staff and considered prior to a request of Staff to bring forward the recommendation regarding Parcel A. Staff are of the opinion that the proposed development provides adequate opportunity for the contemplated development to take place, and still leave appropriate setbacks and opportunities for development to take place on other sites in the future.

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

Comment: The subject lands are located within Conservation Halton's regulated area and are regulated due to spill hazard as shown in the recently completed Phase 2 Flood Study. This study has been finalized such that regulation limits have been defined and are now enforced by Halton Conservation. Spill hazards have been identified along the right-of-way for Brant Street, and the spill has been shown to cross the property boundary and exist on the subject lands (Parcel A).

Through the completion of a Floodplain Analysis, by S. Llewellyn & Associates, the impacts of the proposed development have been quantified. In short, the proposed development will alter the way that the spill will exist on the landscape in such a way that increased water levels can be expected on Brant Street, in the City's right-of-way, and on the additional lands owned by the developer (predominantly on the Parcel B lands). At this time, the increase in water depth in the event of a storm that causes the spill forecast in the modelling is not anticipated to interrupt safe access to the site, both pedestrian and vehicular. An increase is shown on the lands identified for Parcel B of the developer's overall vision for the lands they own, however at this time there has been no investigation into the impacts or mitigation measures that are available to be implemented on the site. Similarly, Parcel C has not been investigated with regard to the impacts that the spill hazards will have on the redevelopment potential for the site, or adjacent lands. For this reason, Staff has brought forward the recommendation to approve only Parcel A of the overall proposal. If approved, this would allow the developer the opportunity to continue with Parcel A to Site Plan Review, and while working with City and Conservation Authority Staff to determine how to advance the development of Parcel B and C in the future.

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: While the subject lands exist within the newly established regulated boundary for the Spill Hazard, they are not regulated as Floodplain. This is an important distinction to make; floodplain regulations are distinct from spill regulations and the opportunities for development are quite different between the two. For this reason, the subject site has not been considered for dedication of regulated lands.

Part II, subsection 2.11.3 m) does not apply to the subject lands either, 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 within an area that has been set aside for high density development in both the current and new Official Plans. 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 residential use.

### **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 Tall Buildings, which apply to the proposed development on the subject lands.

#### **2.8.1 Tall Building Guidelines (2017)**

The proposed development comprises two tall buildings in the form of rectangular towers on a U-shaped 3 storey podium, and connected by a 5 storey section of building that sits atop the podium, between the two towers.

##### **Podium Design**

The podium of a tall building anchors the tower and defines the pedestrian experience at the street. The proposed development complies with the guidelines with respect to podium design as follows:

- The buildings are located to anchor the corner formed by the intersection of Brant Street and Ghent Avenue.

- The building has a 3 storey podium which reinforces the 2-3 storey streetwall that has already been established by the existing mid-rise buildings to the immediate north on Brant Street.
- Non-residential uses are provided within the podium. These uses in will have an entrance on Brant Street.
- The residential entrance will be provided from Ghent Avenue.

#### Tower Design and Building Top

The tower is the most substantial and impactful component of a tall building. It should maximize sky views and access to sunlight through slender floorplates and spacious separations between towers. The proposed development complies with the guidelines with respect to tower design as follows:

- The towers provide a height transition to the surrounding area, with heights stepping down from the tallest tower with a height of 25 storeys down to 18 storeys where the proposed development will abut a 10 storey residential building.
- Towers are separated from each other by at least 32 metres, which exceeds the minimum 25 m separation outlined in the guidelines.
- Towers are slender with floorplates of 750 m<sup>2</sup>
- Tower balconies do not project more than 1.5 m from the building wall
- The design of the building top (mechanical penthouse) will be determined through detailed design at a future Site Plan application stage, but the current proposed design complies with the guidelines for building top.

Comment: Staff are of the opinion that the proposed development satisfies the intent of the Tall Building Guidelines.

#### **2.8.4 Sustainable Building and Development Guidelines (2021)**

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. 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 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. The applicant has identified that pedestrian connections are provided on site between and around buildings which connect to public sidewalks.

The Guidelines require the provision of bicycle parking spaces, and the location of bicycle parking within convenient, weather-protected spaces to encourage active transportation. The proponent have indicated that they intend to provide bicycle parking, and have not requested that relief be provided to this provision. Staff understand that the proponents will either meet or exceed the zoning standard, otherwise additional relief will be necessary if the number of bicycle parking spaces proposed is deficient.

Guideline 4.1 promotes sustainable stormwater management. Comments from Development Engineering staff indicate that the subject applications have addressed stormwater management matters for the purpose of the current applications. More detailed stormwater design will be reviewed through the future Site Plan application for Parcel A.

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 landscaped areas at ground level.

In accordance with Guideline 6.1 development proposals are required to provide and implement a waste management plan in accordance with Regional requirements. 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 Building and Development 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.

### **City of Burlington New Official Plan (2020)**

On November 30, 2020, the Region of Halton issued a Notice of Decision approving the new Burlington Official Plan. 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 December 22, 2020 for the new Burlington Official Plan. The appeal record submitted to the Ontario Land Tribunal (OLT) (formerly Local Planning Appeal Tribunal (LPAT)) by the Region of Halton indicates that a total of 48 appeals to various parts of the new Burlington Official Plan were received during the appeal period.

Although the City is preparing a working version of the new Official Plan, it is the OLT that will issue Orders throughout the appeal process to establish and confirm which portions of the Plan remain subject to appeal, and which portions are in effect. The City anticipates that these Orders will be issued by the OLT. At the appropriate time, City staff will also bring forward a repeal by-law(s) for the former Burlington Official Plan (1997, as amended).

As the OLT process advances, the working version of the Burlington Official Plan, 2020 is subject to change. Users of the document must satisfy themselves as to the legal status and applicability of the polices. Interested parties are encouraged to monitor the City of Burlington's website for updates regarding the OLT process, the Burlington Official Plan, 2020 and the Burlington Official Plan, 1997:

<https://www.burlington.ca/en/services-for-you/Official-Plan-Review.asp>.

The subject lands are designated 'Downtown Urban Centre' and 'Residential – Medium Density' to Schedule 'C' (Land Use – Urban Area) of the City of Burlington New Official Plan. Portions of the subject lands are further identified as located within the Upper Brant Precinct within the Downtown Urban Centre on Schedule 'D' (Land Use – Downtown Urban Centre) of the City of Burlington New Official Plan.

Section 8.1.1(3.8) of the City of Burlington New Official Plan states that the Upper Brant Precinct will accommodate developments with a variety of building heights proportional to parcel depth along Brant Street between Prospect Street and Blairholm Avenue, with the tallest developments in the Downtown located along and north of Ghent Avenue.

Section 8.1.1(3.8.1)(a) of the City of Burlington New Official Plan states that the following uses may be permitted within the Upper Brant Precinct of the 'Urban Centre' (Downtown) designation:

- (i) residential uses with the exception of single detached dwellings, semidetached dwellings and other forms of stand-alone, ground-oriented dwellings;
- (ii) office uses;
- (iii) retail and service commercial uses at grade;
- (iv) hotel uses; (v) entertainment uses; (vi) recreation uses.

Section 8.1.1(3.8.1)(d) of the City of Burlington New Official Plan provides criteria related to proposed development within the Upper Brant Precinct. Accordingly, new development shall generally be comprised of tall buildings at the northern end of the Precinct and mid-

rise buildings at the south according to the maximum heights set out in Schedule D-2 (Maximum Building Heights) of the New Official Plan. Maximum building heights shown on Schedule D-2 for the northwest and northeast corners of Brant Street and Ghent Avenue are 25 storeys and up to a maximum of 11 storeys for the southeast corner of the intersection of Brant Street and Ghent Avenue.

Planning staff are of the opinion that the proposed Official Plan Amendment conforms to the policy direction outlined by the in force, 1997 Official Plan, and the vision provided by the appealed 2020 Official Plan, which has been considered in the context of the vision that has been set forth by Council for the future. Planning staff support the proposed Official Plan Amendment.

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

The subject lands are zoned Mixed Use Corridor General – Holding ('H-MXG') Zone; Mixed Use Corridor General – Exception ('MXG-8') Zone; Mixed Use Corridor General ('MXG') Zone; and, Medium Density Residential ('RM1') Zone to Map Nos. 9 & 14 of the City of Burlington Zoning By-law 2020. The draft amending zoning by-law contemplates a site-specific Mixed Use Corridor General – Exception ('MXG-XX') Zone, with amendments that include, but may not be limited to, permitted uses, increases to maximum permitted building height and density (i.e. FAR); minimum required yards (including landscape buffers); required amenity area; and, minimum required parking.

Residential land uses (i.e. 'apartment buildings') are permitted in the 'MXG' Zone.

A comparison between the current and proposed zoning performance standards (and the applicable site-specific regulations) is illustrated on Table 1 (Zone Requirements), for Parcel A below. Where there are no site-specific exceptions otherwise noted in Table 1, the proposed development will be required to comply with the applicable zone provisions and regulations of the standard MXG Zone.

**Table 1: Parcel A**

Zone Regulation	Zone Requirement	
	<b>MXG Zone Section 4.0 (Table 5.4.1)</b>	<b>MXG-XX Zone (Proposed)</b>
Yard Abutting Any Street	Min. 3.0 metres Max. 4.5 metres	Yard abutting Brant Street: Floors 1 to 3: 3 metres Floors 4 to 18: 9.8 metres Floors 19 to 25: 9.8 metres  Yard abutting Ghent Avenue: 6 metres
Yard Abutting a Residential Zone	Floors 1 to 3: 12.0 metres Floors 4 and 5: 15.0 metres Floor 6: 18.0 metres	Floors 1 to 3: 11.6 metres Floors 4 to 18: 15.0 metres Floors 19 to 25: 66.0 metres
Maximum Floor Area Ratio	0.5:1 for Entertainment or Recreation Buildings NIL for Industrial Buildings 1.5:1 for Other Buildings	5.5:1
Landscape Buffer	Abutting a Residential Zone: 6.0 metres	Abutting a Residential Zone: 3.0 metres
Building Height  (floor area of the second, third and fourth storeys of a building containing more than one storey must be at least 50% of the floor area of the first storey)	Automotive Uses: 2 storeys (Max.) Other Uses: 2 storeys (Min.) and 6 storeys (Max.)	25 storeys

<p>Amenity Area</p>	<p>15.0 m<sup>2</sup> per efficiency dwelling unit; 20.0 m<sup>2</sup> per one bedroom dwelling unit; 35.0 m<sup>2</sup> per two or more bedroom dwelling unit; and 25.0 m<sup>2</sup> per dwelling unit (backback townhouse)</p>	<p>20 m<sup>2</sup> per unit</p>
<p>Parking</p>	<p>1.25 parking spaces per unit (inclusive of visitor parking)(Bylaw No. 2020.414) + minimum required parking for nonresidential uses (less a factor of 5%)(Part 1, Table 1.2.6)</p>	<p>Occupant: 1.09 spaces/unit                      Visitor: 0.1spaces/unit</p> <p>Notwithstanding Part 5, Section 4.6(b), (c) and (d) where a development is comprised of residential and non-residential uses, up to 100% of the required visitor parking located on the development site may be counted towards the required non-residential parking.</p>
<p>Balconies and Terrace:</p>		<p>A balcony can project a maximum of:</p> <ul style="list-style-type: none"> <li>(a) 1.5 m from the building wall facing/adjacent to a street or residential zone</li> <li>(b) 2.5 m into any other yard</li> </ul> <p>A rooftop terrace and/or common amenity terrace shall maintain the principal building yards of the storey below it.</p>
<p>Maximum Residential Units:</p>		<p>444 units</p>

<p>Minimum non-residential floor area on the ground floor:</p>		<p>709 metres<sup>2</sup></p>
<p>Landscape Area abutting a street:</p>	<p>3 metres</p>	<p>None required</p>
<p>Landscape Buffer abutting a residential zone:</p>	<p>6 metres</p>	<p>2 metres</p>
<p>Setbacks for a Below-grade parking structure</p> <p>Abutting Brant Street</p> <p>Abutting Ghent Avenue:</p> <p>Abutting a Residential zone:</p> <p>Abutting all other lot lines:</p>		<p>3 m</p> <p>6 m</p> <p>2 m</p> <p>3 m</p>

<p>Accessory Structures on a roof top terrace</p> <p>Maximum height from the roof top:</p>		<p>3.7 metres</p>
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Planning Staff have reviewed the proposed Zoning By-law Amendment, and are satisfied that the intent of the Zoning By-law is being maintained, and are therefore supportive of the amendment that has been requested.

**Technical Comments**

The circulation of the application for comment occurred on August 17, 2021, and November 17, 2022, with the distribution of a Request for Comments Memo to Internal Departments and External Agencies. The purpose of this circulation is to obtain technical comments with respect to various aspects of the proposed development that would assist in the review and determination of the need for additional information or for clarification of a concern. Technical comments also provide an opportunity for the applicant to provide further detail to a development proposal and/or to adjust a development concept to respond to a particular item.

Burlington Transit, Niagara Escarpment Commission (outside Urban Area), Trans-Northern Pipelines Inc., Conseil Scolaire Viamonde, CP Rail, Halton Regional Police Service, and Ontario Parks have expressed no comment/concern with the proposed development.

The following is a summary of comments received:

**Development Engineering:** Daylight triangles would need to be dedicated to the City at the intersection of Brant Street and Ghent Avenue. No objection to the proposed development for Parcel A.

**Parks Design and Construction:** Parks Design and Construction staff reviewed the application and advised that with regard to the proposed Privately Owned Public Space, the application will be responsible for the design, construction and installation of the feature as part of the streetscape works. Staff have requested that the applicants

consider widening the proposed concrete sidewalk to achieve a total of 2.4 metres of clear path of travel. Staff also request that the applicants consider adding trees and exploring the use of structural soil cells to promote healthy tree growth, and that these considerations account for the comments received from Forestry. Finally, streetscaping is expected to follow the Downtown Streetscape Design Guidelines and the City's Urban Design Guidelines.

**Forestry:** A revised Arborist report with updated tree inventory chart is required for Site Plan Review. Reconsider removing all of the trees as has been proposed. Confirm locations of public trees. Removal of public trees will require replacement in accordance with the City's aggregate caliper method. Discuss how the excavation associated with the underground parking will impact the preservation of the existing trees, and ensure sufficient soil volume for any plantings proposed directly above any underground structures. A tree permit will be required for any work around public trees, in accordance with Public Tree By-law 68-2013. Incorporate the recommendations of the wind and shadow studies into the design of outdoor amenity and pedestrian spaces. Further review of the tree removals, and design elements will be considered during the site plan review.

**Transportation:** Comments have been addressed by resubmission details, no concerns with proposed development for Parcel A.

**Accessibility:** No objections to proposed development for Parcel A

**Conservation Halton:** if the proponents and the City acknowledge that there will be increased spill depths on surrounding lands in the vicinity of Parcel A, the Conservation Authority will have no objections to the proposed development on Parcel A.

**Halton District School Board** - no objection to the proposed application, as submitted. HDSB has requested future circulation of notification of adoption/passing of the proposed amendment(s) and future applications (i.e. Site Plan Control Approval). HDSB provided standard conditions of approval of development to be incorporated into future agreements (i.e. clauses of purchase and sale, submission of a phasing plan, posting of signage advising prospective purchasers that pupils may be directed to schools outside of the area, copy of approved sidewalk plan, and the submission of a lot/block plan as determined by a draft M-Plan. Educational Development Charges pursuant to the Education Development Charge By-law are payable.

**Rogers Communications Canada Inc.** – no objection to the proposed application, as submitted subject to approval of conditions (if applicable) related to registration of Plan of Subdivision/Condominium and/or approval of conditions of draft approval.

### **Strategy/process/risk**

The Phase 2 Flood Analysis, as completed and accepted by Conservation Halton, showed that the subject lands would experience flooding due to the spill hazard, that was investigated through this work. The proposed development for Parcel A would have an effect on the spill hazard and the way it would appear on Brant Street, and some of the adjacent properties. In short, the spill hazard would end up being 4-5 cm deeper on a section of Brant Street, and the spill would also cross the property boundaries of lands owned by the developer. This is anticipated to only take place during the Regional Storm event, and last for approximately 30 minutes until the spill waters begin to recede.

Conservation Halton has provided their comments, which can be summarized to the points that: if these applications are approved, they would have no objection given their understanding of the spill conditions in a pre and post development context. Conservation Halton has requested that both the City and the proponents indicate their acceptance of this increase in spill depth, through written notification.

Planning staff have confirmed with Emergency Services, that they would continue to provide emergency service through this section of Brant Street if necessary during this sequence of events.

### **Options Considered**

The alternative actions that may be considered are deferring a decision for Parcel A, pending a revised proposal that addresses the impact of the spill hazard on site, or to refuse the application due to the impact of the spill hazard off site. Both of these options would require a near-complete redesign of the entire proposal, that would not be necessary given Conservation Halton and City Staff acceptance of the proposed and its impacts on the spill hazard for Brant Street.

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### **Financial Matters:**

Not applicable

**Total Financial Impact**

Not applicable

**Source of Funding**

Not Applicable

**Other Resource Impacts**

Not applicable

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**Climate Implications:**

In February 2020, City Council approved the City of Burlington Climate Action Plan to support the City’s path 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. Planning staff are of the opinion that the proposed development is located within proximity of two bus routes, and the subject lands are located within an area of the City which has been selected for its proximity to a GO station. Access to public transit, and the connections to existing active transportation networks, will reduce the dependence on fossil-fuel powered vehicles. Planning staff believe that the proposed development aligns with the direction proposed within the Climate Action Plan.

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**Engagement Matters:**

A Pre-Consultation Meeting was held on June 17, 2020. In addition to the proponent (and consultant team), meeting attendees included staff of the City of Burlington, Region of Halton, and Conservation Halton.

The purpose of the Pre-Consultation Meeting was to provide the proponent with initial comments related to the development concept and to advise on the technical and supporting submission requirements needed at the time of a complete application (i.e. plans/studies/reports).

A Burlington Urban Design (BUD) Advisory Panel Meeting was held on October 20, 2020 to review the design aspects of the proposed development, with particular focus on the proposed building placement/streetwall (i.e. public realm); relationship to intersection (i.e.

Brant Street & Ghent Avenue) and public park space; and, building design and architectural expression.

The applicant hosted a Virtual Pre-Application Community Consultation Meeting on October 14, 2020 (7:00 PM to 9:00 PM). A Notice of the Pre-Application Community Consultation Meeting was circulated to residents and landowners within 120 metres of the subject property in accordance with City Guidelines, and posted on the City's website. A total of 907 residents/property owners were circulated the Notice to attend the Virtual Pre-Application Community Consultation Meeting.

A Current Development Projects webpage ([burlington.ca/brantandghent](http://burlington.ca/brantandghent)) was created to update the public on the proposal and the subject application, including date(s) of public meetings, links to submitted technical reports, studies and plans, and recent staff reports and correspondence. Contact information for the applicant's representative and Community Planning Department staff are also available. There is a 'subscribe' button included on the webpage which provides an option to receive automatic email notifications any time there is an update on the proposal, including revised technical reports, studies, plans; tracking the status of the applications; and, the scheduling of future Committee and Council Meetings.

The purpose of the Pre-Application Community Meeting was to provide the proponent an opportunity to present details about the proposed redevelopment and to gather feedback from the community at an early stage in the process. Community Planning Department staff prepared a presentation outlining the development planning review process and next steps upon receipt of development application(s).

The Meeting was attended by 15 participants from within the neighbouring community as well as the applicants, representatives of the applicant's consultant team, and City Community Planning Department staff. The Mayor and Ward 2 Councillor were also in attendance.

Several questions with respect to the proposed development were directed to the applicant for a response. In general, the primary comments raised at the meeting centred on the following theme areas:

1. Building Height and Massing (and microclimate impacts such as shadow/wind)
2. Building Design and issues related to privacy concerns, noise and light pollution
3. Affordability of proposed units and the removal of existing rental supply

4. Proposed parking (on-site and off-street), particularly related to retail uses
5. Site Access
6. Viability of proposed retail uses
7. Property values
8. Park Space (i.e. on-site and impact on surrounding parks)
9. Construction Management Plan and timing of project/construction schedule

A section of the applicant's Planning Justification Report has been dedicated to summarizing the comments received at the Virtual Pre-Application Community Consultation Meeting in October 2020.

### **Public Comments**

Public comments have been received in response to the circulation of the application; including, Notices of Complete Application and Public Meeting (including sign and newspaper notification) and from information provided on the City's Development Projects webpage. Approximately 1,008 area residents/property owners were circulated for input.

A summary of the general theme areas of comments is provided below. A total of 14 resident/property owner comments have been received in response to the public circulation as of the writing of this report; copies of which are included as Appendix 'C'.

- Compatibility of proposed building heights with other existing development in the immediate area (including low-density residential), including, impacts of building height and density on micro-climate (i.e. shadow and wind) and loss of view corridors;
  - *Planning Comment.* Staff have reviewed the supporting documents, and hold the opinion that the impacts to neighbouring properties will be mitigated where necessary and are considered minor in nature.
- Loss of existing neighbourhood 'character' and congestion that may result with the development of taller buildings characterized in larger cities (i.e. Mississauga, Toronto);
  - *Planning Comment.* The supporting documents have been prepared in consideration of the Urban Design Guidelines and Tall Building Guidelines that have been endorsed by Council. These documents provide guidance for design projects so that the visual impacts can be reduced, and the existing character of the area can be preserved while change is taking place.

- Impacts of traffic (i.e. volume, safety, noise) and access, and the anticipation of parking capacity issues in neighbourhoods surrounding the site of the proposed development;
    - *Planning Comment:* The proponents have submitted a Traffic Impact Study, that has been accepted by technical staff. The impacts are expected to be minor, and accounted for where possible. The subject lands are located in an area of the City that is recognized in Local, Regional, and Provincial policies for its connections to public transit opportunities. Staff believe that these opportunities will help to reduce the number of vehicles that would otherwise be anticipated for a development of this nature.
  - Loss of quality of life (i.e. 'quaintness') with potential for additional congestion and impacts to the provision of community services and maintenance of existing infrastructure; need for housing affordability and green space;
    - *Planning Comment:* The proponents have identified that there will be Retail space provided on the ground floor of the proposed building. The developers have also identified the need for affordable units and rental units, and have agreed to replace the rental units that would be lost through the demolition of the buildings for future phases. They have agreed to set aside 5% of the total units for affordable units as well.
  - Concerns arising from multiple years of construction staging (Parcel development) (i.e. parking within the adjacent residential neighbourhoods and impacts to businesses); and,
    - *Planning Comment:* A Construction Mobility Plan has been submitted in support of the subject application, and staff have reviewed these documents and related studies to ensure that impacts on adjacent properties are accounted for and mitigated against.
  - Importance of maintaining existing zoning on lands in the vicinity of the proposed development site; particularly those zoning categories that involved public consultation with neighbours, staff and Council for properties along Brant Street (i.e. 'MXG-180' Zone).
    - *Planning Comment:* *Planning Act* Applications are not precedent setting, and every *Planning Act* Application is reviewed on its own merits, within the context of the policy framework that is in force when the application is submitted. Any future changes in the neighbourhood would need to be justified and the applications would need to be supported by the appropriate technical studies.
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## **Conclusion:**

Planning staff have reviewed the Official Plan and Zoning By-law Amendment applications submitted for the lands located at 784 Brant Street and find that for Parcel A, 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 Parcel A portion of the original application. Staff recommend that Council defer making a decision on Parcels B and C until such time that the concerns that have been raised regarding the spill hazard by Conservation Halton and City staff, have been addressed for these remaining parcels.

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Respectfully submitted,

Benjamin Kissner, RPP MCIP

Senior Planner, Development Review

905 335 7777 ext. 7913

## **Appendices:**

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

## **Notifications:**

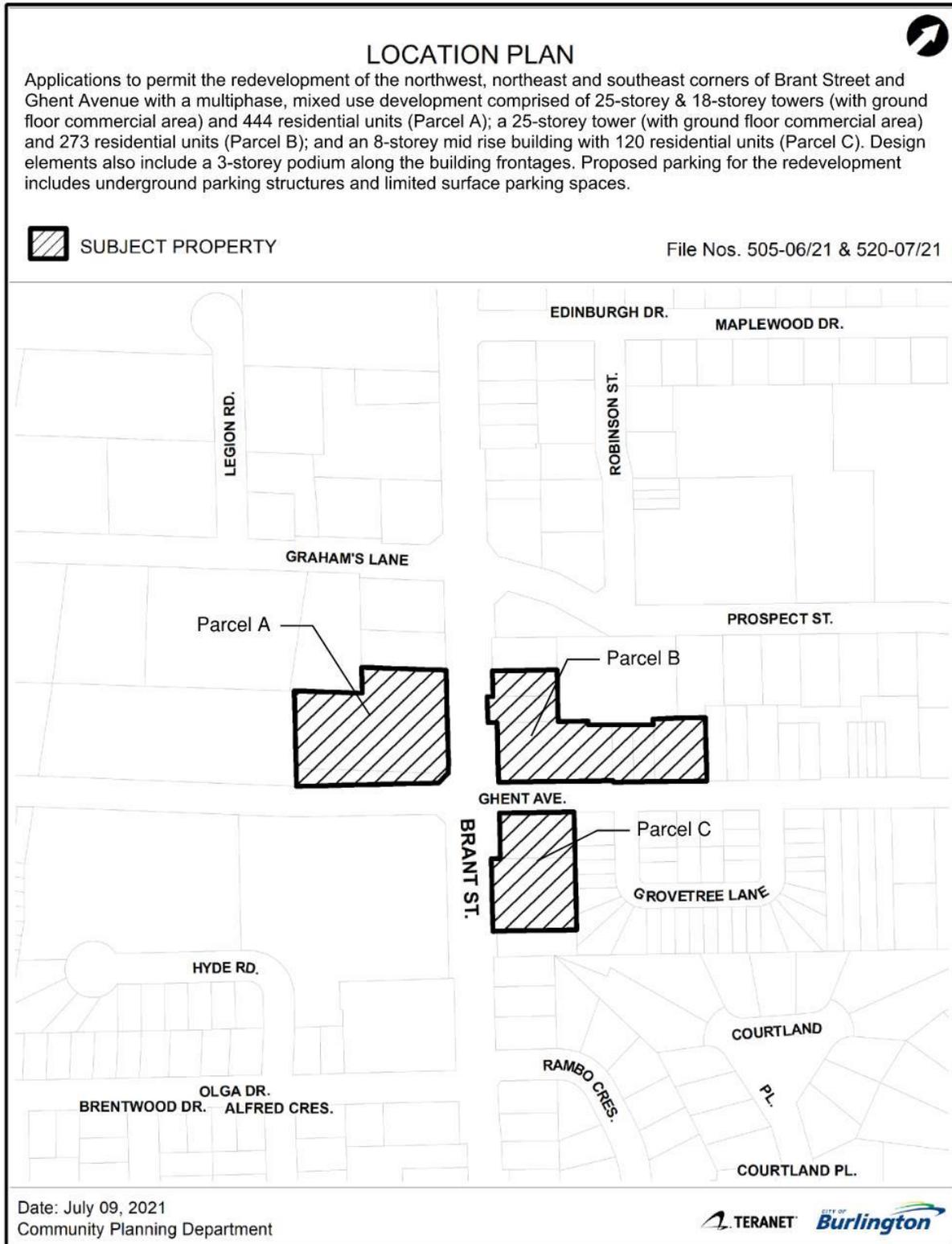
Ed Fothergill

[Ed@fothergillplanning.ca](mailto:Ed@fothergillplanning.ca)

## **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 Plan

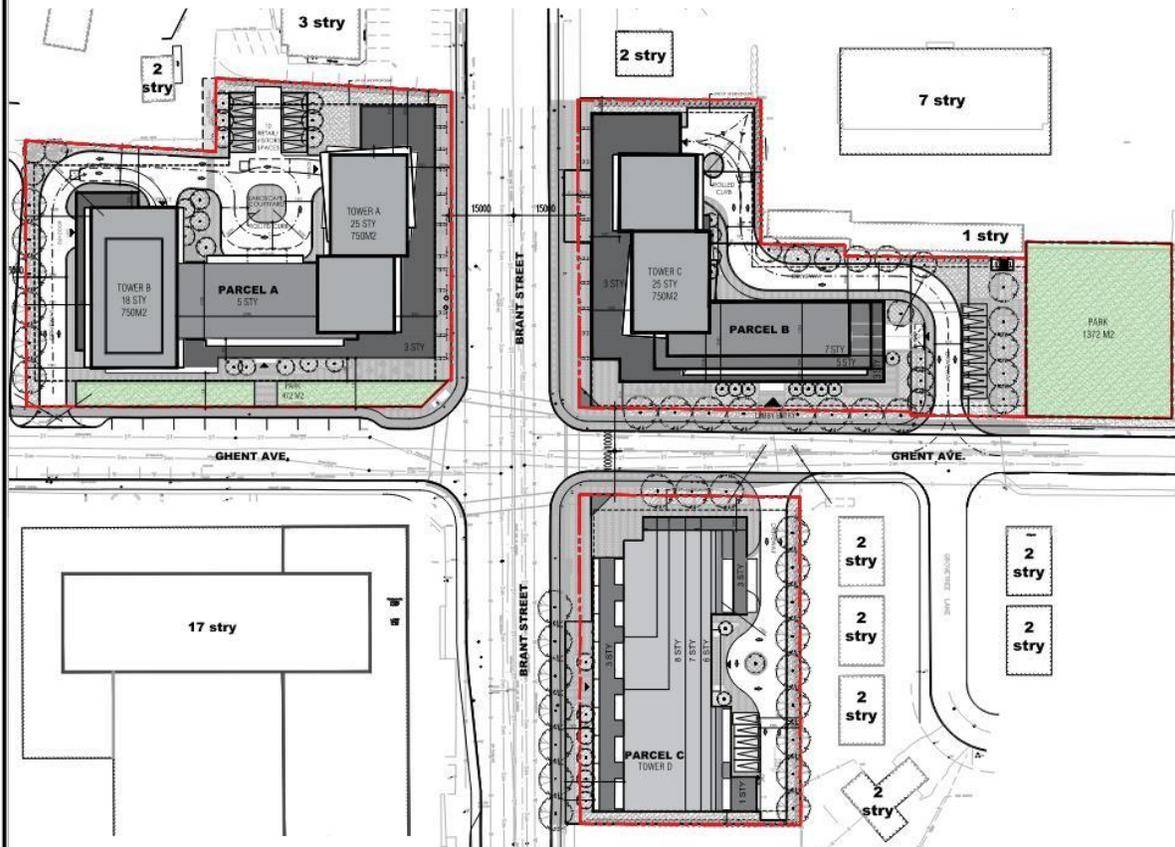


### Appendix B – Concept Plan

#### CONCEPT PLAN



Applications to permit the redevelopment of the northwest, northeast and southeast corners of Brant Street and Ghent Avenue with a multiphase, mixed use development comprised of 25-storey & 18-storey towers (with ground floor commercial area) and 444 residential units (Parcel A); a 25-storey tower (with ground floor commercial area) and 273 residential units (Parcel B); and an 8-storey mid rise building with 120 residential units (Parcel C). Design elements also include a 3-storey podium along the building frontages. Proposed parking for the redevelopment includes underground parking structures and limited surface parking spaces.



Date: July 09, 2021  
Community Planning Department

### Appendix C – Public Comments

#	Contact Information	Comments	Date Received
1	Cathy Ghent	<p>I received a mailing outlining the proposed above development and the City's request for public input. I am writing to let you know I am totally opposed to this development. I live at 1425 Ghent Avenue.</p> <p>My concerns are:</p> <ul style="list-style-type: none"> <li>- the increase in population density in such a small area.</li> <li>- the total blockage .of light to my building this will cause.</li> <li>- the wind tunnel effect this will cause.</li> <li>- the parking nightmares this will cause. There is not enough room in these developments to provide visitor and tenant outdoor parking and parking on side streets will be chaotic.</li> <li>- the traffic nightmare this will cause. Brant Street already has very heavy traffic, combined with the close proximity of Fairview/Brant intersection which is extremely busy especially during rush hours. This is a huge safety concern for an increase in vehicular accidents and will also promote road rage events.</li> </ul> <p>I have lived in Burlington all my life, I am 60 years old. I do not want to see Burlington become another Mississauga or Toronto. Burlington still has the feel of a smaller community that is a safe place to live. I don't want to see jutting highrises all over, they are an eyesore and there are enough already in the downtown area and the newer development on Fairview Street beside Walmart.</p> <p>I really hope that this development does not occur. Council needs to take the citizens' concerns seriously and show they are providing services that Burlington citizens truly want.</p>	8/21/2021
2	Lori Burlington, ON	<p>Concerns include:</p> <ul style="list-style-type: none"> <li>Infrastructure</li> <li>Light, shadows</li> <li>Traffic impact</li> <li>Foreign investors</li> </ul> <p>Downtown is already congested. Our downtown is no longer quaint, it's turned into concrete jungle</p>	8/24/2021
3	Alan Ghent Avenue	<p>I am a property owner at 1415 Ghent avenue. The proposal for development on the corner of Ghent and Brant is unbelievable. I am not in favour of this and would expect to be notified when a public hearing regarding this proposal takes place.</p>	8/24/2021
4	Bob Rambo Cres.	<p>I have reviewed the information provided in the project update dated July 9, 2021 and have the following thoughts for your consideration:</p> <ul style="list-style-type: none"> <li>•The Molinaro Group are significant contributors to community life and causes in Burlington. Their proposal, by satisfying the height limits set out in the new Official Plan, demonstrates respect for the community.</li> <li>•I am concerned about the potential impact of many years of construction staging and trades parking on the established businesses and residential neighbourhoods in the area.</li> <li>•Proper shadowing studies should be completed as part of the planning process. These should include a calculation of hours of sunlight lost at various points in the neighbourhood.</li> <li>•Care should be taken not to inadvertently amend zoning by-law MXG-180 which was approved by Council in 2000. This by-law was the result of discussions involving neighbours, staff and Council in the late 1990s in response to zoning changes affecting properties on Brant Street</li> </ul> <p>Please add me to the email distribution for information about this proposal.</p>	8/24/2021
5	Jeff Ghent Avenue	<p>This is in regards to the proposal for zoning amendment for PARCEL A (774, 778, 780 and 782 Brant Street).</p> <p>We reside in the apartment building at 1460 Ghent Avenue on the 18th floor facing this parcel. With all of our day-to-day activities coupled with the headaches and hassles we have to deal with ongoing here in this residence, the one thing we have to look forward to every evening is relaxing on our balcony and watching the sunset.</p> <p>We STRONGLY OPPOSE this plan to erect 14-storey and 25-storey towers on PARCEL A which will completely block our view which was the selling point for this apartment!</p> <p>The north side of this building has had this view for decades and the residents here rely on this view remaining unobstructed. Please do not allow the proposal for PARCEL A to be granted, thus destroying the view our building's residents have lived here expecting.</p>	8/25/2021
6	Francine Burlington, ON	<p>I am writing to respond to Molinaro Group's application for development of the three parcels of land at the corners of Brant Street and Ghent Avenue. I recognize that this is in an area targeted for development as part of the downtown urban centre. However, as you outlined in the information pamphlet, the proposal is greatly in excess of what is allowed in both the existing zoning by-laws and the Official Plan. As a resident in this area, I would rather see buildings that fit into the current Official Plan and existing zoning permits (i.e., with a maximum of six stories). This would still create significant additional density on the corners without negatively impacting traffic congestion, the environment, etc.</p>	8/25/2021

#	Contact Information	Comments	Date Received
7	Helen Ghent Avenue	<p>I am a retiree and a resident at 1425 Ghent ave. I received the information about the zoning request and plan for high-density projects for my corner of Ghent and Brant. Are you seriously considering this?</p> <p>I realize that housing is an issue everywhere but why would you think it should all land on this corner. This is not community progress. Such high-density adding almost 900 residential units is crazy. There are already high rise buildings in this area. I would be happy with 6 story buildings catering to families and retired folks. The proposed buildings cannot possibly be conducive to families.</p> <p>Traffic! The traffic along Brant street is already very busy so how much would 900 residential units add to that along with commercial businesses.</p> <p>Parking! Oh my, oh my! Parking along Ghent is at a maximum with cars double parked trying to access the medical business and Hasty Market. The current high rise has no underground parking due to structural issues! As a retiree, I take my life into my hands pulling out onto Ghent and into Brant traffic.</p> <p>I really don't want a "ghetto" in my lovely community! Please reconsider the density of this project</p>	8/26/2021
8	Glynis Ghent Avenue	<p>Unfortunately Molinaro's plans will create additional incredible gridlock at Ghent on top of the current traffic congestion from vehicles pouring into the downtown Core. And let's not kid ourselves. These drivers aren't stopping to shop. The majority then clog up Lakeshore as they look for a shortcut to get to the QEW. The city needs to take strong measures to substantially divert much of the through-traffic from the narrower streets in the Core ( those north /south two lane routes below Fairview that were once mainly residential). There also must be some concerted effort to expand the Service Road network around the perimeters of the core.</p> <p>The traffic on Brant appears relatively light these days compared to pre pandemic times, but once we get over the COVID situation, look out! We need to face reality. Burlington residents LOVE their private means of transportation no matter how much the city tries to persuade residents that walking is a good thing. Even the bike lanes are not used much as bikers seem to prefer the safety of the sidewalks. So traffic congestion also is a hindrance to those who would prefer walking.</p> <p>This development project calls for a total of 881 residential units which likely means an equivalent number of cars that will spew onto Ghent from underground parking lots. Now add that number to the already existing number of cars from the garages of 1415, 1425 Ghent and the 1460 Ghent and 760 Brant complex, along with the 57 units from the Ghent and Hyde townhouse complex that exit onto Hyde. The majority of those vehicles are trying to merge onto Brant. And Ghent to the west of Brant, which turns into Hagar already is used as a busy overflow route for traffic that wants to avoid the Brant Street shuffle.</p> <p>In addition, many residents know that the Landlord of the rental complex located at 1460 Ghent &amp; 760/ 730 Brant is also trying to get its proposal approved to increase rental capacity on its existing site. Recently there was an issue with its underground garage ( now seemingly resolved) but the additional congestion caused from parked cars on the adjacent streets due to the lack of underground parking access made driving in that area risky due to lack of proper visibility.</p> <p>Before Molinaro or any more intensification projects by other developers get the green light to go forward with their proposals, the city MUST address the existing traffic congestion problem by diverting traffic from the main north- south corridors and also solve existing issues about lack of available parking.</p> <p>The city owns plenty of parking lots in the Core. Why not convert them into high rise garages? Also, rather than turning the Core into a massive traffic jam that is uninviting to businesses or residents, the city needs to encourage a vibrant commercial/residential area by deterring excessive vehicle traffic congestion. The city must divert vehicle traffic flows in the Core and should seriously consider transforming the area from Brock to Lakeshore to Pearl and Elgin into a walking area, similar to Ottawa's Spark Street. That would go a long way to turning the Core back into a vibrant community for small businesses, residents and visitors.</p> <p>These problems of traffic congestion and lack of parking go hand in hand. The solutions to these outstanding problems require close coordination between city officials and the developers of intensification projects. The problems created cannot be resolved by treating them as separate issues.</p>	8/26/2021
9	Pat Prospect Street	<p>This email is regarding the application submitted by Molinaro Group.</p> <p>I have lived in Burlington since 1959. I have seen many changes to our city over the years some bad and many good.</p> <p>I am against this building of apartments on Brant Street and Ghent Ave. as it is going to cause a lot of problems for traffic. Brant Street is very busy now especially between Prospect and Ghent as traffic has to start moving into one lane. I live at 2022 Prospect St. In an apartment on the 3rd floor which faces the lake. I hear the noise of the traffic all night and hear the screeching of tires and just wait for the bang which then means another accident. Having these apartments at each corner is going to cause much more problems.</p> <p>Another thing on my side which would be parcel B, I don't understand how they can build a 25 floor building shown on the map as right now there are houses and I don't think it is wide enough for a building sidewalk and a road!!!</p> <p>They are also showing building of 5-10 storey parking garage. I'm sorry but I like the sun and all the trees and they will be gone with no view at all other than high rise buildings.</p> <p>Another thing is does Burlington on Brant want to the next condo alley!!!! With what that has been building further down Brant by City Hall was totally not what the citizens wanted!!!! I am sure that there are other areas to build these apartments that won't affect residential areas.</p> <p>I don't this is what we need in this area. Rents are high enough and with newer buildings the rents will increase to the point that people will have to move away from Burlington. I am a senior and have lived in my apartment for 11 years. I love the area as it has everything that I need and I feel very safe in this area.</p> <p>Please think wisely on this plan as we don't need high rise buildings on every corner.</p>	8/27/2021

#	Contact Information	Comments	Date Received
10	Agost Burlington, ON	I am sure you will agree that the proposal from Molinaro is completely out of context with the community. A 25 storey building is WAY to big for this neighborhood. I can tell you that all of the residents if have spoken to (and I have spoken with several) are ALL furious at the idea for a number of reasons not the least of which is that congestion at that corner already exists without the additional residents/businesses, and the height is completely ridiculous. Many people in this community have been here a long time and already furious with the pace of development downtown, and this takes it to another level . I am not sure how many residents you have heard from, but I can tell you that 100% of the residents I have spoken to are absolutely not onside with this proposal. Please advise on your thoughts. Thanks.	8/27/2021
11	John Burlington, ON	This is regarding the proposed development at Brant St. and Ghent Ave. I feel that this project should not be approved and especially the high rise at the northwest corner of Ghent and Brant. The reasons are many. More density, more cars, more pollution and a lot more noise. And the quality of life in Burlington deteriorates. It seems that the biggest winners every time, are the developers. When ever an empty lot becomes available. In many cases, they not need wait for an empty lot. Such was the case of the high rise still under construction across from city hall, where some retailers were displace and had move elsewhere or close down. There have been far too many condo projects approved in this city already. And this seems to be the biggest growth industry, far outstripping anything else. So please, lets hold back on some of these large developments.	8/31/2021
12	Christine Burlington, ON	Wondering if you have ever driven down Brant St. After Ghent it is one lane. When the skyway bridge or the 403 close due to accidents you can not move up or down these streets. The city has several towers under construction closer to city hall, once these are completed try and imagine the congestion! Recently the parking garage at 1460 Ghent was shut down by the city. Try to imagine 200 plus vehicles trying to park on the surface with roughly 50 spots. It seems there is no way to widen Brant St. Pray that if you live in this area you don't need any emergency services, as right now the few arteries to downtown are clogged. Stop the corporate greed!!!!	9/5/2021
13	Thomas Ghent Avenue	Thank you for the opportunity to reply about the proposed buildings on the corner of Ghent and Brant. I am very much opposed to this plan because two 25 storey buildings will completely ruin the almost rural setting which we have now. I don't see any place where trees could be planted, and I doubt very much that there will be any grass lawns to speak of. Perhaps the most alarming thing of all is the prospect of over 1000 cars in this district. Ghent Avenue is not designed for this amount of traffic. I hope that you will give serious thought to both sides of the problem before changing the by-law.	9/7/2021

#	Contact Information	Comments	Date Received
1	Lesley Burlington	<p>We spoke on the phone about this Gordon and I am sorry it took me so long to send you this message. I really feel that it doesn't matter what we feel it will go ahead anyway, but this is a development that once again, will drastically change the flavour of Burlington and I am so opposed to it.</p> <p>Nothing should be 25 stories and I am not sure where the traffic from these 3 new buildings will go on Brant Street. It is not like you can widen Brant Street.</p> <p>I am not sure why developers keep asking for variances for height restrictions but if my opinion matters, I vehemently am opposed to any development of these heights.</p> <p>Good luck in keeping Burlington a nice community and I appreciate your work.</p>	09/15/21
2	Diane Ghent Avenue	<p>We live @ 1425 Ghent Avenue, beside parcel A of this HUGE development plan.</p> <p>We object to the heights of the 14 story &amp; 25 story towers. Our building &amp; our twin building at 1415 Ghent are 10 stories high. The new towers should not be higher than 10 stories as to fit into the present neighbourhood. The building at 1460 Ghent across the road from our building appears to have 2 floors for commercial &amp; 13 apartment floors which is too tall for this neighbourhood. The existing building heights are 6 storeys as you are aware. The developer should be satisfied with a maximum of 10 storeys total.</p> <p>The planned development will create a HUGE increase in local traffic. The section of Ghent between Brant Street &amp; Hagar Street is already very very busy due to the parking meter spaces across from &amp; in front of the commercial businesses at 1460 Ghent and the residents &amp; visitors who frequent the apartments in that building. There is also a great use of on street parking in front of the townhouses across the road from 1425 &amp; 1415 Ghent Avenue. Wellington Care Centre employees &amp; visitors use this on street parking. This desire for parking spaces will certainly increase with the commercial businesses in 1460 Ghent &amp; commercial area in Parcel A.</p> <p>The driveway entrance to Parcel A is too close to the corner of Brant Street. There is a lot of traffic at this corner turning onto Ghent, slowing down, looking for a parking space, creating dangerous situations for pedestrians &amp; drivers.</p>	09/15/21
3	Robert Ghent Avenue	<p>This letter is in response to the letter recently sent out by the City to neighbourhood residents, concerning three 'development proposals' by Molinaro Group at Brant St and Ghent Ave (per the letter: Files 505-06/21 and 520-07/21). I am writing in response, from my west-facing home in the 1460 Ghent Ave apartment building, which overlooks the lot that is currently being used by the Burlington Food Bank to grow food and combat food insecurity (Parcel A).</p> <p>Put simply, the 'proposal' is outrageous. It will permanently negatively impact the quality of life for the hundreds of people who already live in this area and it must be shut down outright, before the developer starts entertaining the idea that it is acceptable to damage an entire neighbourhood just to benefit themselves.</p> <p>First: traffic. Brant St is only two lanes in each direction as far east as Ghent, then it narrows. Ghent Ave itself is only one lane in each direction. Traffic during morning and afternoon rush is already considerable. This 'proposal' seeks to add nearly nine hundred residential units, all at the same intersection. This means that a small intersection's traffic load will be increased to an utterly unsustainable level. I cannot even imagine how gridlocked this small intersection will become with an additional thousand (or more, if multi-vehicle families were to occupy the proposed residences) vehicles suddenly flooding the area--to say nothing of the noise and environmental pollution that this will create.</p> <p>Noise and dust are also major problems with this 'proposal.' It is already unbelievably loud when City workers spend just half a day with chainsaws trimming the trees in the lot opposite, forcing me to keep my balcony shut just to keep (some of!) the noise out. I have lived in Burlington for a long time, I am very familiar with how long construction projects take here. The construction noise that this 'proposal' would lead to would render my balcony unusable for years. Construction dust will also render that part of my living space completely unusable. Whether from digging or work with concrete, any proposed development is going to kick up enormous amounts of dust. Even if there were no noise at all, the dust alone would still render my balcony completely unusable for years on end, as well as forcing me to keep my balcony shut to keep the dust out, denying me fresh air in my own home.</p> <p>Molinaro's 'proposal' seeks to take away a significant usable portion of my home for the years that any potential construction project would take--are they planning on reimbursing a significant percentage of the rents and mortgages being paid by all the people who would be adversely affected by their greed if this 'proposal' is allowed to proceed? Doubtful, at best.</p> <p>Finally (for now) a complaint about how this will affect quality of life: privacy and a view. At present, my home offers a nice, pleasant westward view that goes on for kilometres. This 'proposal' aims to steal that from me, taking away one of the more valuable benefits of where I live and effectively telling me I get to look at a wall instead. And as there is currently no building opposite me, any such development will also mean that there will be hundreds of people opposite me, robbing me of the privacy that I currently have. If this 'proposal' is allowed to move forward, it will significantly and permanently damage the quality of life of every west-facing resident of 1460 Ghent.</p> <p>This is not a 'development proposal,' this is a planned assault on the quality of life of the hundreds of people who already live in this neighbourhood. This nonsense must be stopped in its tracks before another greedy developer can be permitted to ruin another neighbourhood just to line their pockets at the expense of the locals.</p> <p>Under NO circumstances should the lot be permitted to be turned into yet another monstrosity of a downtown construction project. It is currently being used for humanitarian purposes to help the less fortunate, it is simply stunning that the City would consider allowing both the actual harm caused by taking that away, as well as the optics of turning over what is effectively a charitable space, in order that a private company can pad their profit margins even more. The lot should remain as-is, serving the needs of the community. Even if Burlington Food Bank chooses to end whatever contract they have with the City over the property, at the absolute minimum, the lot should be converted into a park--something that the people of this neighbourhood can make use of and enjoy.</p> <p>Developments must serve the community--not the bank balances of already-wealthy developers.</p> <p>This 'proposal' should not be altered or amended -- it must be rejected out of hand for the outrage that it is.</p>	09/17/21

#	Contact Information	Comments	Date Received
4	Jeff	<p>Please find my high level comments for the proposal. I will be happy to elaborate on these at the meeting.</p> <p>The proposal greatly harms and negatively impacts:</p> <ul style="list-style-type: none"> <li>-residents and business tenants of the proposed development</li> <li>-near neighbors (residential and commercial) to the proposed</li> <li>-Burlington users in general</li> </ul> <p>The negative impact will come as a result of:</p> <ul style="list-style-type: none"> <li>-significant and dangerous increase in traffic and traffic speeds to cars and pedestrians</li> <li>-Decreased liveability at street level</li> </ul> <p>Simply put: there is not near enough room in those spaces and in the intersection to put one of the those towers let alone 3.</p> <p>The current zoning should remain unchanged.</p>	09/20/21
5	Grace Asper Burlington	<p>I am writing in response to the proposed plan from the Molinaro group to build 4 residential towers, which includes ground commercial areas.</p> <ul style="list-style-type: none"> <li>&gt; -2-25 storey tower</li> <li>&gt; -1-14 storey tower</li> <li>&gt; -1-8 storey tower</li> </ul> <p>&gt; In the initial letter sent out to residents that would be affected, it looked like the city had proposed that these builders would only be permitted to have buildings that are 6 storeys high.</p> <p>&gt; Being a resident in the area, the major thing that concerns me about having buildings being built in the area is the sheer volume of traffic that it will create for the area vs. proposing single homes.</p> <p>&gt; Brant St. in that corner becomes a single lane. With a high rise building already at the southwest corner of Ghent and Brant, the traffic would be a huge concern. There would also be a need to put a traffic light at the corner of Olga and Brant, which is just one street south of Ghent as it will be impossible to go north from Olga with increased volumes of cars.</p> <p>&gt; There is a surface paid parking lot at the northeast corner of Ghent and Brant. What happens to availability of parking for neighbouring areas if this gets converted to a residential building?</p> <p>&gt; Recently, the high rise residential building at the corner of Ghent and Brant had problems with their underground parking. 400 cars were displaced for several weeks, which put a strain to neighbouring areas. It involved residents parking illegally in neighbouring areas, causing hazards to public safety in some areas due to poor visibility of oncoming cars. It also meant less availability of street parking for visitors of neighbouring areas. If these type of circumstances were to occur in the proposed buildings, there would be chaos in the area.</p> <p>&gt; Having driven through areas where buildings are being erected, I know how traffic can be disrupted in the area for quite some time. As Brant is the main road to access downtown Burlington, in its current state, it will not be able to handle the potential traffic from having residential towers being concentrated at that intersection. As it is, it can get very busy during rush hours on weekdays and weekends.</p> <p>&gt; It is obvious that as a resident of the area, I have major concerns about residential towers being built in the area. Traffic, parking and public safety are the major issues. The other thing that it will affect is just the overall "feel" of the street of being quaint and "small town vibe" to being more metropolitan.</p> <p>&gt; I would appreciate to know whether there has been discussion regarding the issues I have raised above.</p> <p>&gt; Thanks for the opportunity to provide feedback and input into this proposed plan.</p>	09/24/21
6	Lori Montcalm Ghent Avenue	<p>I am writing about the application of the Molinaro Group Planning Application 774, 778, 780 and 782 Brant St. My concerns and questions are the following:</p> <ol style="list-style-type: none"> <li>1) the height of the buildings. Would these be the tallest building in the downtown core? I personally think they are too tall and would seriously look out of place and dwarf the existing buildings. If they are the tallest, wouldn't this then set precedence for future applications?</li> <li>2) Are they including any "accessible residences" and "geared to income" residences in their application? If not, why?</li> <li>3) Are all entrances/exits wheelchair accessible? Braille? High contrast colour in areas of varying levels? Any business areas included do they meet all accessible criteria? Accessible bathrooms?</li> <li>4) Are any "green spaces" planned?</li> <li>5) I am concerned about the density and increased traffic and parking required in the area.</li> </ol> <p>I am disabled and use a wheelchair and am very concerned about accessibility for all people with any type of disability. I recently had a terrible experience with Medisen the cardiologist clinic located at Upper Canada Place on Brant St. That building recently underwent some accessibility upgrades but failed to install accessible bathrooms. (I'd like to know how this happened!!!) It ended with me having to call 911 after falling in another business's washroom, the outcome could have been much worse with hospitalization but it just ended with personal humiliation. And I want ALL new buildings to exceed present code to meet future needs. For example I'd like someone to recommend "universal entrances (like those at Home Depot, Lowes, Canadian Tire) that open as you approach them instead of having to press a button to open doors to the Molinaro group although it exceeds present code apparently.</p> <p>I would really like for Burlington to work towards being the most inclusive city in Ontario and Canada. People with disabilities are the biggest minority group, we have BIPOC, LGBTQ+ people in our group, we are truly an inclusive group!</p>	09/25/21

#	Contact Information	Comments	Date Received
7	Unnamed Burlington	<p>The proposal of wanting to build 3 residential buildings at this intersection is an extremely bad idea. It is already a very busy intersection in downtown with cars and residents such as myself, it would only cause more congestion in this part of town.</p> <p>There is no visitor parking at 1460 Ghent Avenue and if the 3 buildings are built then there would be even more cars on the road. Not to mention, where would one park their car if they needed to go to an appointment at 760 Brant? There's a dentist and Ultrasound centre there. There's even a hair salon in the building.</p> <p>There is already so much traffic with cars and people in the neighborhood. It will be noisy and unpleasant with the constant amount of cars that will be in the area.</p> <p>i chose to live here because i didn't want to live in a crowded city like Toronto or any other similar cities in the GTA. i like the convenience of being in town where there's so many stores to choose from without having to go to Toronto. The odd time i want something specific i know i can go to Hamilton to get it.</p> <p>I love going to the Pier and not feel congested with a lot of people and i like being able to enjoy my days and evenings to a semi quiet neighborhood. With an additional 1, 2 or 3 residential buildings potentially being built here i feel my quality of life enjoyment will quickly be snuffed out by the crowdedness of more people living in this area that i call home.</p>	09/26/21
8	Kimberly Hyde Road	<p>Thank you for the communication by mail and the offer to be consulted on the proposed planning application by the Molinaro Group, affecting sites around Brant and Ghent Sts.</p> <p>I am a homeowner living at 755 Hyde Road, where I live with my 6yr old son. He attends Tom Thomson school and twice daily we walk/scoot to school on a path that crosses across two of the three proposed changes. I feel lucky to live in this location in Burlington, with its proximity to transit, to the lake and downtown, and I am generally supportive of options that provide more housing and more density. I am writing because I both support increased density and new housing at this site and have concerns about the proposed heights of these buildings, which at 25 stories is far in excess of current standards and of the existing 'high rise' at Burlington Square.</p> <p>I have recently lived in a community (on Merton St in Davisville, Toronto) that saw the construction of different 'condo towers' in the last 4-6 years, including one that was 14 stories and one that was 28, in an area that had previously not seen much above 5 stories. I can tell you, the impact of a super-high (20+ story) tower is very different in a neighbourhood than one of a more moderate height (10-14 stories). I estimate the current Burlington Square building (which is in my backyard) to be at moderate height; having 3 towers constructed to its scale would affect the neighbourhood, but would be in line with what we already have on one corner. I welcome new development, but am concerned about the introduction of multiple 25-story towers in such a small area. It's unclear why this is necessary or advisable, other than maximizing individual profit. I wish to express strong concern over the proposed heights and request the City consider restricting development of towers to more reasonable heights, such as that of Burlington Square.</p> <p>I welcome new development in Burlington and in this area specifically, and look forward to the amenities and new neighbours it will bring. I appreciate you and others' work and oversight to ensure that such development is appropriate and balances concerns of all stakeholders.</p> <p>This is another item for later in the process - but I would like to register concerns about safety related to the wind assessment - which currently has unsafe conditions marked in places where we, and other families, walk young children to school. My son has a physical disability and is attending Tom Thomson (rather than Central) because it is a school without stairs. Wind tunnels on his way to school, especially at Brant Street with its busy rush hour traffic, are dangerous. I would encourage you to please pay close attention to issues associated with wind, in an area that is a pathway for many families and elders (and many more to come). I also appreciate your consideration and attention to safety issues relating to construction, which I know we'll deal with at a later date. I would appreciate being added to lists of residents who will receive information on future meetings and consultations.</p>	10/1/2021
9	Heather Grovetree Lane	<p>I would like to raise my concerns with respect to the development proposal for Brant Street at Ghent Avenue. I have reviewed the Transportation Impact Assessment and find it extremely lacking.</p> <p>The Executive Summary correctly identifies the current traffic operational constraints in this area. The additional units proposed will certainly further compound the problem. Signal timing optimization and slightly longer turning lanes will not solve the problem.</p> <p>Looking further into the report, the background traffic volumes are inadequate with the weekday counts from 2018 and the weekend count from 2020. The City has approved many new developments that need to be included in the background traffic volumes</p> <ul style="list-style-type: none"> <li>o2 new towers at Lakeshore between Elizabeth and Pearl</li> <li>oNew tower currently under construction at Brant and James</li> <li>oNew tower currently under construction at Brock and Ontario</li> <li>oNew tower currently under construction at Lakeshore and Martha</li> <li>oThere may be others as well that the City has approved</li> </ul> <p>With current operational constraints, these additional developments need to be included in the baseline data, otherwise Burlington's downtown will be crippled well before this development proposal opens. The Developer claims the 2020 COVID volumes used are conservative with more people working from home and adjusting their hours. However, we are already seeing Brant Street bottlenecked regularly, these assumptions and resulting traffic volumes are grossly underestimated.</p> <p>The traffic projections all result in Level of Service (LOS) failures at E and F for traffic signals and identify insufficient turn lane storage capacity. This will result in long delays and people seeking other routes through the community ie infiltrating the residential streets. This will send a lot of additional vehicles past residential homes and Tom Thompson Public School creating operational and safety problems in the entire community.</p> <p>All the accesses to the proposed buildings are very close to Brant Street. This will result in detrimental impacts to both Ghent Ave. and Brant St. as people determined to turn will sit there and block the road.</p> <p>I don't see anything regarding parking. We know people will be parking in our neighbourhood. How will the City ensure we as residents will be able to park on our streets? Will the City implement parking bans but give us</p>	10/3/2021

#	Contact Information	Comments	Date Received
		<p>permits for our use and our visitors? With the number of units planned, they will overwhelm our local streets. Grovetree Lane current experiences significant traffic including commercial trucks, using the road as a turn around. How will the City protect the street from the extra volume and high speeds the additional units proposed will bring? How will the City ensure the safety of the residents and young children?</p> <p>I would like to understand the construction staging impacts on traffic also as these are typically significant with lane closures. The City needs to ensure there will not be any lane and road closures further impacting the local residents.</p> <p>In summary, the Transportation Impact Assessment does not adequately address the traffic challenges associated with the application to amend the Official Plan designation and zoning. The application needs to be rejected and the zoning maintained at 2.5-6 stories.</p> <p>I would like to be kept informed of all issues arising on this matter.</p>	
10	Deborah Grovetree Lane	<p>I am a resident of the Brant Street and Ghent Avenue community affected by the Official Plan Amendment and Zoning By-law Amendment Application submitted by Molinaro Group (Files: 505-06/21 &amp; 520-07/21). I wish to remain informed about this development and upcoming meetings.</p> <p>Let this letter stand as my objection to the application. I object on the following grounds:</p> <p><b>Traffic and Parking</b></p> <ul style="list-style-type: none"> <li>Traffic originating from the proposed development and surrounding areas will gravitate to overflow on to ancillary residential streets as a means to avoid congestion at the intersections north and south on Brant Street, creating noise, residential street congestion, and hazards for pedestrians including children travelling to Tom Thomson Public School and neighbouring parks</li> <li>Overflow of parking from the proposed residential and commercial development will create congestion and hazardous right-of-way passage on neighbouring residential streets</li> </ul> <p><b>Noise and Light Pollution</b></p> <ul style="list-style-type: none"> <li>The noise feasibility study forewarns that sound levels at the proposed development will exceed MECP guidelines, and goes so far as to recommend that mitigation efforts be circumvented through the inclusion of a warning clause alerting potential residents to the existence of noise pollution exceeding MECP guidelines. The study fails to consider the adverse impact and contribution of the development to the same above-guideline noise pollution on the residents of the existing neighbourhood</li> <li>The proposed development creates an ambient 'wall of noise' generating from residential units, commercial units, lobbies, residential parking, publicly accessible private outdoor park space, urban design 'event space', waste management and service traffic, HVAC, and mechanical infrastructure, intruding upon the current neighbourhood residents' right to quiet enjoyment of their properties</li> <li>The proposed development creates a 'wall of light' generating from residential units, commercial units, lobbies, residential parking, urban design 'event space' and publicly accessible private outdoor park space, intruding upon the current neighbourhood residents' right to quiet enjoyment of their properties as well as creating a hazard to the flight path of birds including those transiting the boundaries of the Cootes to Escarpment EcoPark System corridor to Lake Ontario</li> </ul> <p><b>Micro-climate impact</b></p> <ul style="list-style-type: none"> <li>The pedestrian wind assessment forewarns of increased wind activity around tower corners and along the sidewalks surrounding the immediate proximity of the development. The study fails to consider the adverse impact of increased wind tunneling and snow drifting on the residents of the existing neighbourhood</li> <li>The shadow study illustrates the adverse impact of increased shading and the subsequent risk to investment of existing neighbouring residential properties that have established gardens and trees</li> </ul> <p><b>Community context</b></p> <p>The proposed development is disrespectful of, and incompatible with, the existing character of the surrounding neighbourhood by:</p> <ul style="list-style-type: none"> <li>exceeding Burlington's Tall Buildings Guidelines and is oversized and out of scale for this portion of the Brant Street corridor consisting of low-rise, detached and semi-detached residential neighbourhoods, thereby setting a negative precedent for further and larger high rise development in the future</li> <li>exceeding current intensification zoning restrictions and over-densifies the area by adding a predicted 2,640 residential population headcount density (as per Functional Servicing and Stormwater Management reports) to the neighbourhood</li> <li>exceeding current intensification zoning restrictions and over-densifies the area by adding a predicted 348 commercial population headcount density (as per Functional Servicing and Stormwater Management reports) to the neighbourhood</li> <li>The magnitude of the over-densification factors described above represent a greater level of intensification than permitted as-of-right and will detrimentally impact the existing community context and low-rise, detached and semi-detached neighbourhood landscape of the surrounding residential streets and the right of existing residents to quiet enjoyment of their properties</li> <li>The sightlines from the balconies of the proposed residential units intrudes upon the surrounding low-rise, detached and semi-detached residents' right to privacy and right to quiet enjoyment of their properties</li> </ul> <p>Missing report</p> <ul style="list-style-type: none"> <li>The City of Burlington website dedicated to this proposal does not supply a Geotechnical Investigation Report for Phase 2</li> </ul>	10/4/2021

#	Contact Information	Comments	Date Received
11	Melita Grovetree Lane	<p>I live at 2028 Grovetree Ln, Burlington, ON L7R 4V5, a home into which I moved just over seven years ago. At the time, the neighbourhood housed a surprising amount of older seniors (surprising because most of the homes involve a number of stairs) who were so happy in their homes that they were reluctant to move. In the past couple of years, however, some these long-time residents, mostly original owners, have made other arrangements and some homes have changed hands. We are now a beautifully mixed street of both elder people, young families as well as single people and couples. This past summer we have enjoyed the sounds of children playing on our safe and quiet street.</p> <p>My street is one with only semi-detached homes, although the blocks around the area include detached homes and townhouses as well as low rise buildings, both individually- situated and grouped together. On the south side of Ghent and Brant there is also an older highrise. It is an electric mix of housing with something for everyone. The proposal for rezoning for an area that is less than a minute's walk from my home is a great concern for all of us currently living in this neighborhood. The presence of THREE 25 STOREY TOWERS, not to mention the additional 9 storey building, is absolutely unreasonable as it will entirely change the nature of our neighbourhood. Considering there are current zoning laws in place, I appeal to you to stop this bid to ruin what we love.</p> <p>There are several ugly ramifications of a rezoning. I have attempted to list a few below:</p> <ol style="list-style-type: none"> <li>1.First of all, the inevitably large number of vehicles accompanying this dramatic increase in residents, will affect not only our immediate area but also contribute to the gridlock that is already a problem on Brant Street. Just south of our street, Brant narrows to two lanes and is already extremely busy, especially at certain key times in the day. This situation would be untenable given a tremendous rise in the number of vehicles.</li> <li>2.The increased need for parking, for both the new residents and their guests, would make our little street quite crowded as well as it is bound to be used for any overflow. It would also make it far less safe for young children who constantly use it to play. With parks at a considerable distance, it is important that especially small children are able to enjoy the outdoors as easily as possible in the safety of their immediate surroundings.</li> <li>3.This area is currently prized for its "walkability" to the downtown core and adding such an unreasonable influx of people is surely going to detract from the experience of walking to favourite spots including the lake. The sheer number of residents will contribute to much increased foot traffic that is far less conducive to enjoying these walks.</li> <li>4.There are residents who are going to be even more greatly affected due to their proximity to the proposed buildings which will directly affect both light and privacy, especially in their outdoor spaces. The problem of shadowing is a serious one.</li> <li>5.Our neighbourhood is a vibrant mixture of residents who really feel as though they are a part of something worthwhile. Adding such a ridiculous increase of residents to the area is completely reckless and a blatant disregard to those of us already here as it will detract from the strong sense of community that has been in place since these homes were constructed over two decades ago.</li> <li>6.You must be aware that many residents in Burlington are afraid of losing the charm of our core. While development has its place to further beautify the city, we also pride ourselves in being a unique community offering much to those who want to discover it on foot. A concentration of three massive towers in a very small area is certainly a giant step away from the goal of preserving the uniqueness for which Burlington is currently known.</li> <li>7.There are a number of very tall residential buildings both constructed and in the process of being constructed on Fairview, in close proximity to the Go Station. There have been complaints from nearby single home dwellers about the negative impact of these buildings. The answer to the grievances that I have heard most is that the situation is not in the hands of our municipal government but part of a provincial mandate. It has been frustrating for us in the vicinity to have had no voice in that project which impacts our wider neighbourhood and it is imperative that our voice is heard in terms of this proposal. Most of us voted for a council that campaigned on a platform of reducing aggressive growth, especially of tall towers. The idea that Burlington might become a city of high rises is really unpalatable for many of us, especially those who moved from congested areas. We expect the City Council to put a stop to appeasing developers at the cost of residents who, given our current zoning, thought they knew what they were getting when they bought into this neighbourhood. It is unfair to change the rules at this stage.</li> </ol> <p>I emphatically implore Burlington City Council to Stick to the Plan and to do right by your constituents.</p>	10/5/2021
12	Jeff Grovetree Lane	<p>I hope this email finds you well. Thank you for your public service. We at 'stick to the plan Burlington' are a group of your residents who oppose the quite laughable proposal put forward by the developer for the brant and Ghent corners. We are ready to be a strong voice but hope also that it is not really needed for such a silly proposal. As our representative on city council please confirm we can count on your voice Oct 12 to amplify the voice of your constituents that Burlington should 'stick to the plan' and maintain the existing zoning rules. I am but one of many who feel strongly in this view and that the developers who would propose such poorly crafted gambles should be sent a clear message that their real estate speculation is not how you create and maintain the vibrant, diverse and liveable communities that you and the other dedicated public servants work towards every day.</p>	10/5/2021

#	Contact Information	Comments	Date Received
1	Tanvir Ghent Ave,	<p>I am Tanvir Chowdhury, the current tenant of 1103-1460 Ghent Ave, Burlington, L7S1X7. I am writing to formally express my concerns regarding the proposed construction of Parcel A - Tower B, an 18-story building, which I believe will significantly impact the living conditions for current residents.</p> <p>The proposed Parcel A - Tower B will likely obstruct both the view and air circulation for the residents of 1460 Ghent Ave. The north-facing units, including mine, currently receive limited sun only in the evening. The new structure will further reduce this already minimal natural light exposure, potentially depriving us of sunlight entirely. Lack of natural light can contribute to numerous health issues, including Vitamin D deficiency and Seasonal Affective Disorder (SAD), which could adversely affect the mental and physical health of residents, including my newborn baby boy. We chose this apartment specifically for its good air circulation and pleasant view, which are crucial for our comfort and health. Urban planning should prioritize the well-being of existing residents. The obstruction of sunlight and reduction in air quality due to high-density developments can have far-reaching effects on mental health. The connection between environmental quality and mental health is well-documented, and city planning decisions should reflect a commitment to preserving the mental and physical health of the community.</p> <p>In addition to the above, I am deeply concerned about the impact of this large development on local traffic and road safety. The existing road geometry may not be designed to handle the significant increase in traffic volume resulting from the new development. I trust that the developer has conducted a comprehensive traffic impact assessment and submitted it to the city for review, including dynamic and stochastic modelling analysis, to evaluate the potential operational impacts. These models should consider peak period traffic flow, queuing, and delays. Currently, southbound traffic sometimes experiences queue spillbacks, and this situation could worsen with the new development. A detailed analysis beyond static Synchro results is necessary to fully understand the dynamic interactions and potential bottlenecks in the surrounding traffic network. I am not looking for the operational impact assessment report. I believe the city has reviewed it in detail.</p> <p>Furthermore, the substantial increase in residential units will undoubtedly place additional pressure on local primary and elementary schools, as well as daycare facilities. It is essential to ensure that these educational institutions have the capacity to accommodate the influx of children from the new development. Overcrowding in schools and daycares can detrimentally affect the quality of education and care, thereby impacting child development and community satisfaction. Based on my recent communication with daycare facility, I have learned that they don't have enough room for new kids.</p> <p>I have full confidence in the city's transportation planning unit and decision-makers. I believe they have considered these significant issues and strive to make decisions that protect and enhance the quality of life for current residents too. I respectfully urge you to reconsider the approval of the project, specially Parcel A - Tower B project, taking into account the potential negative impacts on air circulation, sunlight, traffic congestion, and educational institution.</p> <p>Thank you for considering my concerns. I look forward to your response and hope that the city will take the necessary actions to address these critical issues.</p>	6/12/2024

**Appendix D – Draft Official Plan Amendment**

**OFFICIAL PLAN AMENDMENT  
AMENDMENT NO. 149 TO THE OFFICIAL PLAN  
OF THE BURLINGTON PLANNING AREA**

**CONSTITUTIONAL STATEMENT**

The details of the Amendment, as contained in Part B of this text, constitute Amendment No. 149 to the Official Plan of the Burlington Planning Area, as amended.

**PART A – PREAMBLE**

**1. PURPOSE OF THE AMENDMENT**

The Amendment will provide policy support for the proposed development consisting of a 25 storey tower and a 18 storey tower, which will include a total of 444 residential units, with non-residential uses permitted at grade on the lands identified as 784 Brant Street.

**2. SITE AND LOCATION**

The subject lands are located on the north side of Ghent Avenue, in the northwest corner of the intersection of Brant Street and Ghent Avenue and identified municipally as 784 Brant Street. The subject lands have an area of approximately 0.67 ha, and are currently vacant.

**3. BASIS FOR THE AMENDMENT**

1. The application proposes intensification that is consistent with Provincial Policy Statement (PPS). The PPS promotes densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and supports the use of public transit.
2. Supports the achievement of complete communities through the provision of a mix of uses within a compact built form, and by directing intensification to areas in proximity to transit and within intensification corridors assists the City in achieving its intensification targets and housing supply targets and meet the intent of the Provincial "A Place to Grow" Growth Plan and the Region of Halton Official Plan.
3. The proposed development to permit higher density residential development supports the City's Official Plan objective to encourage residential intensification as a means of increasing the available housing stock in a manner that is compatible with surrounding properties and uses.

4. The proposed development is located on lands with adequate infrastructure and in close proximity to transit routes, commercial uses and community amenities so satisfies Official Plan policies to provide housing opportunities in locations that can reduce travel times, decrease dependence on the car and promote transit and active transportation.
5. The applicant submitted technical studies that provide adequate and appropriate information to support the development.

## **PART B – THE AMENDMENT**

### **1. DETAILS OF THE AMENDMENT**

#### **Map Change:**

1. None proposed

#### **Text Change:**

The text of the City of Burlington Official Plan, as amended, is hereby amended as follows:

By adding the following site-specific policy (af) to Part III, Subsection 5.3.2 as follows for the subject lands located at 784 Brant Street:

784 Brant Street	af) Notwithstanding the policies of Part III, Subsection 5.3.2d(i), (ii) and (v) of this Plan, on the lands designated “Mixed-Use Corridor-General” and identified as 784 Brant Street, 2 mixed use buildings <i>shall</i> be permitted with ground floor commercial with a maximum density of 662.7 units per hectare and a maximum building height of 18 and 25 storeys for each tower. The building <i>abutting</i> Brant Street <i>shall</i> incorporate a setback above the third storey to provide a low-rise feel for pedestrians along Brant Street.
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### **2. INTERPRETATION**

This Official Plan Amendment shall be interpreted in accordance with Section 3.0, Interpretation policies of Part VI, Implementation, of the Official Plan of the Burlington Planning Area.

### **3. IMPLEMENTATION**

This Official Plan Amendment will be implemented in accordance with the appropriate “Implementation” policies of Part VI of the Official Plan of the Burlington Planning Area.

**Appendix E**

**BY-LAW NUMBER 2020.481, SCHEDULE 'A' AND EXPLANATORY NOTE**

**THE CORPORATION OF THE CITY OF BURLINGTON**

**BY-LAW NUMBER 2020.481**

A By-law to amend By-law 2020, as amended; 784 Brant Street

File Nos.: 505-06/21 & 520-07/21 (PL-59-24)

WHEREAS Section 34(1) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, states that Zoning By-laws may be passed by the councils of local municipalities; and

WHEREAS the Council of the Corporation of the City of Burlington approved Recommendation PL-59-24 on DATE, to amend the City's existing Zoning By-law 2020, as amended, to permit the redevelopment of the lands located at 784 Brant Street which will include two towers of 25 and 18 storeys, connected by a 3-storey podium.

**THE COUNCIL OF THE CORPORATION OF THE CITY OF BURLINGTON**

**HEREBY ENACTS AS FOLLOWS:**

1. Zoning Map Number 9 - E of PART 15 to By-law 2020, as amended, is hereby amended as shown on Schedule "A" attached to this By-law.
2. The lands designated on Schedule "A" attached hereto are hereby rezoned from H-MXG (Mixed Use Corridor - General - Holding) zone to the MXG-544 (Mixed Use Corridor - General - Holding) zone with special exception 544.
3. PART 14 of By-law 2020, as amended, Exceptions to Zone Classifications, is amended by adding Exception MXG-544 as follows:

<b>Exception</b>	<b>Zone</b>	<b>Map</b>	<b>Amendment</b>	<b>Enacted</b>
<b>544</b>	<b>MXG</b>	<b>3</b>	<b>2020.X</b>	<b>XXXXXXX</b>

<p>1. <u>Permitted uses:</u></p> <p>a) Only the following uses shall be permitted:</p> <p>i) Apartment Building with associated amenity, lobby and service areas, including non-residential uses that are permitted in Part 5, Section 2, Table 5.2.1 on the ground floor.</p>
--

<b>2. Regulations for an Apartment Building:</b>	
b) Notwithstanding Part 5, Section 4.1, Table 5.4.1 the maximum yard abutting any other street shall not apply.	
c) Yard abutting Brant Street:	
i) Floors 1 to 3:	3 m
ii) Floors 4 to 18:	9.8 m
iii) Floors 19 to 25:	9.8 m
d) Yard abutting Ghent Avenue:	6 m
e) Side Yard:	3.6 m
f) Rear Yard:	11.6 m
g) Yard abutting a residential zone:	
i) Floors 1 to 3:	11.6 m
ii) Floors 4 to 18:	15 m
iii) Floors 19 to 25:	66 m
h) Balconies and Terrace:	
i) A balcony can project a maximum of:	
(a) 1.5 m from the building wall facing/adjacent to a street or residential zone	
(b) 2.5 m into any other yard	
ii) A rooftop terrace and/or common amenity terrace shall maintain the principal building yards of the storey below it.	
i) Maximum height:	
i) Tower A:	25 storeys
ii) Tower B:	18 storeys
j) Maximum Floor Area Ratio:	5.5:1
k) Maximum Residential Units:	444 units
l) Non-residential floor area on the ground floor:	709 m <sup>2</sup>
m) Landscape Area abutting a street:	None required
n) Landscape Buffer abutting a residential zone:	2 m
o) Setbacks for a Below-grade parking structure:	
i) Abutting Brant Street	

ii) Abutting Ghent Avenue: iii) Abutting a Residential zone iv) Abutting all other lot lines	3 m 6 m 2 m 3 m
p) Amenity Area:	20 m <sup>2</sup> per unit
q) Accessory Structures on a roof top terrace: i) Maximum height from the roof top:	3.7 m
Except as amended herein, all other provisions of this By-law, as amended, shall apply.	

1. When no notice of appeal is filed pursuant to the provisions of the Planning Act, R.S.O. 1990, c. P. 13, as amended, this By-law shall be deemed to have come into force on the day it was passed.

2. If one or more appeals are filed pursuant to the provisions of the Planning Act, R.S.O. 1990, c. P. 13, as amended, this By-law does not come into force until all appeals have been finally disposed of, and except for such parts as are repealed or amended in accordance with an order of the Local Planning Appeals Tribunal this By-law shall be deemed to have come into force on the day it was passed.

ENACTED AND PASSED this \_\_\_\_\_ day of \_\_\_\_\_,  
 2024

\_\_\_\_\_  
 MAYOR

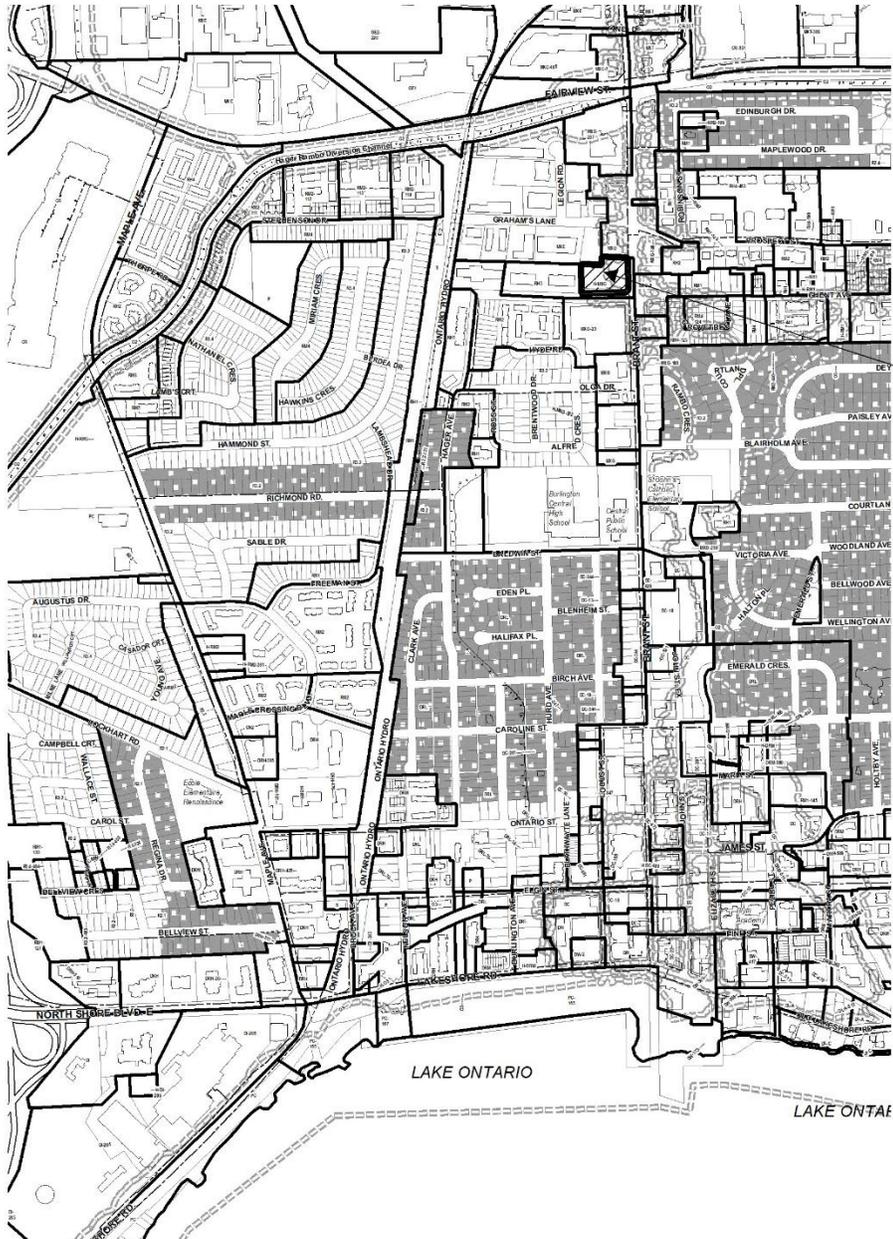
\_\_\_\_\_  
 CITY CLERK

#### EXPLANATION OF PURPOSE AND EFFECT OF BY-LAW 2020.481

By-law 2020.476 rezones lands on 784 Brant Street, to permit a 25 storey and an 18 storey tower, exclusive of a mechanical penthouse, on a 3 storey podium. Non-residential uses are permitted on the ground floor, and residential uses are restricted to floors 2-25 and 2-18 respectively.

For further information regarding By-law 2020.481, please contact Benjamin Kissner of the Burlington Community Planning Department at (905) 335-7777, extension 7913.

### SCHEDULE "A"



Area 'A'

To be rezoned from H-MXG to MXG-544

Area 'A'

SCHEDULE 'A' TO BY-LAW 2020.481 AMENDING MAP NOS. 9E & 14W PART 15, BY-LAW 2020 AS AMENDED.  
PASSED THE 16th DAY OF JULY, 2024

MAYOR

CITY CLERK

