



SUBJECT: Zoning By-law Amendment application for 2071 Fairview Street

TO: Committee of the Whole

FROM: Community Planning Department

Report Number: PL-51-24

Wards Affected: 2

Date to Committee: July 9, 2024

Date to Council: July 16, 2024

Recommendation:

Approve the Zoning By-law Amendment application for the property located at 2071 Fairview Street (formerly 2085 & 2095 Fairview Street) to permit a reduction in the minimum required office space from the previously proposed 3,220 m² to 1,009 m² and accommodate 24 additional apartments to provide a total of 388 apartments instead of the previously proposed 364 apartments; and

Approve Zoning By-law 2020.479, attached as Appendix D to community planning department report PL-51-24, which amends the zoning Mixed Use Transit Station Area site-specific exception (MXT-386) for the lands located at 2071 Fairview (formerly 2085 & 2095 Fairview Street); and

Deem that the amending zoning by-law will conform to the Official Plan of the City of Burlington and that there are no applications to alter the Official Plan with respect to the subject lands.

PURPOSE:

Vision to Focus Alignment:

The subject application aligns with the following focus areas of the 2022-2026 Burlington's Plan:
From Vision to Focus:

- 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:

Fothergill Planning and Development on behalf of the landowner at 2071 Fairview Street (formerly 2085 & 2095 Fairview Street) (the “subject lands”) is proposing a reduction in the minimum required office space from the previously proposed 3,220 m² to 1,009 m² and proposing 24 additional apartments to provide a total of 388 apartments instead of the previously approved 364 apartments within two (2) 18-storey towers connected by a 6-storey podium fronting onto Fairview Street.

The subject lands are located northeast of the intersection of Brant Street and Fairview Street, more specifically directly north of Fairview Street and west of the Burlington GO Station. The subject lands have an area of approximately 0.8 ha (approximately 8,210 m²) and are currently vacant while undergoing construction. The immediate surrounding area consists of high-rise and low-rise residential as well as retail and service commercial uses. The subject lands are well connected to public transit with the Burlington GO station abutting the lands to the east, westbound and eastbound bus stops located along Fairview Street and across this street as well as bike lanes along Fairview Street.

The subject property is designated ‘Mixed Use Corridor – Commercial Corridor’ in the City’s Official Plan (1997, as amended) and ‘Urban Corridor’ in the City’s New Official Plan (2020). The proposal meets the policies of the Official Plan (1997, as amended). The City’s ‘Urban Corridor’ policies are not in force and effect at this time and are therefore informative, but not determinative.

Technical and public comments have been received and reviewed by the City’s Planning Staff. Technical agencies noted no concerns or comments that could be addressed during the Pre-Building Approval Application. There was one (1) public comment letter received by the City at the time of writing this report. The public comment letter indicated concerns that deal with unit size, private and public amenity space for each unit, number parking spaces, public transportation capacity, traffic congestion, as well as dust and noise pollution from the construction.

Planning Staff have reviewed the Zoning By-law Amendment application submitted for the lands located at 2071 Fairview and find that the application is consistent with and conforms to Provincial planning documents, as well as the Regional Official Plan, Burlington Official Plan, 1997. Staff are recommending approval of the Zoning By-law Amendment application.

Background and Discussion:

RECOMMENDATION:		Approval	Ward:	2
Application Details	APPLICANT:	Fothergill Planning and Development Inc.		
	OWNER:	Fairview Joint Venture Inc.		
	FILE NUMBERS:	520-03/24		
	TYPE OF APPLICATION:	Zoning By-law Amendment		
	PROPOSED USE:	Reduction in the minimum required office space from the previously proposed 3,220 m ² to 1,009 m ² and accommodate 24 additional apartments to provide a total of 388 apartments instead of the previously proposed 364 apartments.		
Property Details	PROPERTY LOCATION:	Northeast of the intersection of Brant Street and Fairview Street, more specifically directly west of the Burlington GO Station.		
	MUNICIPAL ADDRESSES:	2071 Fairview Street (formerly 2085 & 2095 Fairview Street)		
	PROPERTY AREA:	0.8 ha (approximately 8,210 m ²)		
	EXISTING USE:	Vacant (undergoing construction)		
Documents	1997 OFFICIAL PLAN Existing:	Mixed Use Corridor – Commercial Corridor		
	2020 OFFICIAL PLAN Existing:	Urban Corridor		
	ZONING Existing:	Mixed-Use Transit Station Area with site-specific exception (MXT-386)		
	ZONING Proposed:	Amended Mixed-Use Transit Station Area site-specific exception (MXT-386)		
Processing Details	APPLICATION MADE AND COMPLETE AS OF:	May 3, 2024		
	STATUTORY DEADLINE:	August 1, 2024		

<p>PRE-APPLICATION COMMUNITY NOTICE: PUBLIC COMMENTS:</p>	<p>March 1, 2024</p> <p>As of the drafting of this report, the City has received one (1) written comment from a member of the public on this application. Notices were sent to 351 addresses within 120 metres of the subject property as well as the required agencies.</p>
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On May 3, 2024 the City received a complete application from Fothergill Planning and Development Inc. requesting a Zoning By-law Amendment on behalf of the property owner Fairview Joint Venture to permit a development at 2071 Fairview Street (formerly 2085 & 2095 Fairview Street) (as seen on Figure 1) consisting of a reduction in the minimum required office space from the previously proposed 3,220 m² to 1,009 m² and 24 additional apartments to provide a total of 388 apartments instead of the previously proposed 364 apartments.



Figure 1

The purpose of this report is to provide an overview of the application, an outline of applicable policies and regulations, a summary of technical and public comments that have been received and staff's recommendation with respect to this application.

Description of the Subject Property and Surrounding Land Uses

The property municipally known as 2071 Fairview Street (the “subject lands”) is located northeast of the intersection of Brant Street and Fairview Street, more specifically directly north of Fairview Street and west of the Burlington GO Station (as shown on Appendix A – Existing Zoning Plan). The subject lands have an area of approximately 0.8 ha (approximately 8,210 m²) and are currently vacant while undergoing construction.

The subject lands are surrounded by a mix of uses, including:

- To the north are the existing 20 and 22 storey towers previously approved which contain the same zoning as the subject lands (MXT-386).
- To the east is the Burlington GO station;
- To the south is Fairview Street and across this street is a low-rise residential neighbourhood;
- To the west is a retail commercial use.

The subject lands contain a bus stop immediately adjacent to the subject lands on Fairview Street which provide access to Route 1 (Plains) along Fairview Street. Additionally, the subject lands are also directly adjacent to the Burlington GO Station which connects Routes 1 (Plains), 4 (Central), 10 (New - Maple), 11 (Sutton - Alton), 25 (Walkers), 80 (Harvester) and 81 (North Service). These routes connect to all other GO stations within the City of Burlington including the Aldershot and Appleby Stations as well as the Downtown Terminal and the 407 Carpool Lot.

History of applications

Previous Official Plan and Zoning By-law Amendments have been established on the subject lands. In March of 2008, an appeal was submitted to the Ontario Municipal Board (OMB) (now known as the Ontario Lands Tribunal (OLT)) by the owner of the property on the City Initiated Official Plan Amendment number 59 (OPA 59) and Zoning By-law 2020.213 (Appeal File No. R060320). The OMB approved the minutes of Settlement, the revised OPA 59 and Zoning By-law 2020.213 as later discussed in this report.

A Site Plan Approval for Phase 2 of the 'Paradigm' Development, which includes the subject lands, was granted on March 1, 2023 (File. No: 535-015/20) for a development of two (2) 18-storey towers connected by a 6-storey podium fronting onto Fairview Street. This proposal included 364 residential units, approximately 3,220 m² of office space and 1,650m² of retail space, as well as 3 levels of below-grade parking and surface parking with 537 parking spaces. The total approved gross floor area (GFA) for the development was approximately 34,850 m².

Description of Applications

On May 7, 2024, Planning staff deemed complete the application that had been received as of May 3, 2024, for a Zoning By-law Amendment at the subject lands. The purpose of the application is to amend the Zoning By-law to facilitate the reduction in the minimum required office space from the previously proposed 3,220 m² to 1,009 m² and accommodate 24 additional apartments to provide a total of 388 apartments instead of the previously proposed 364 apartments within Phase 2 of the 'Paradigm' Development' (as shown on Appendix B – Concept Plan). The development also contemplates an

additional 32 m² of retail space within the previously proposed office space on the ground floor which is in accordance with the existing policies and regulations.

Additional parking spaces and amenity area are included as part of the new development proposal to reflect the increased number of units. The previous approval required 7,520 m² of amenity area based on the 364 units proposed, while the new development proposes 7,760 m² of amenity area.

The previous approval required 364 occupant parking spaces, 66 visitor parking spaces and 172 non-residential parking spaces. The new development proposes 432 occupant parking spaces, 111 non-residential parking spaces of which 70 are shared with visitor parking. This complies with the existing zoning regulations as the existing zoning no longer requires minimum parking spaces for residential uses within the Major Transit Station Area (MTSA).

Supporting Documents

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

- [Cover Letter](#) prepared by Fothergill Planning and Development Inc. dated May 2, 2024.
- [Complete Application Form](#) signed March 21, 2024.
- [Planning Justification Report](#) prepared by Landwise dated April 2024.
- [Site Survey](#) prepared by A.T McLaren Ltd. dated February 26, 2019.
- [Conceptual Site Plan \(including Floor Plans\)](#) prepared by Graziani + Corazza Architects Inc. dated March 21, 2024.
- [List of Changes](#) prepared by Graziani + Corazza Architects Inc. dated March 22, 2024.
- [Water & Wastewater Functional Servicing Memo](#) prepared by S. Llewellyn and Associates dated March 22, 2024.
- [Waste Management Plan](#) prepared by Graziani + Corazza Architects Inc. dated March 21, 2024.
- [Assessment of Past Uses](#) prepared by Landtek Ltd. dated April 2022.
- [Soil Characterization Report](#) prepared by Landtek Ltd. dated April 2022.
- [Traffic Impact Study, Transportation Demand Management Plan and Implementation Strategy, and Parking Justification Report](#) prepared by HDR Corporation dated April 12, 2024.
- [Environmental Site Screening Questionnaire](#) signed February 23, 2024.
- [Notes from Pre-consultation Meeting](#) signed March 14, 2024.
- [Fees Calculations](#) dated May 3, 2024.

The supporting documents have been uploaded on the City's website for the subject application which can be found on the following development webpage www.burlington.ca/2071fairview.

Policy Framework

The proposed Zoning By-law Amendment is subject to review against the Planning Act, Provincial Policy Statement (2020), A Place to Grow: The Growth Plan for the Greater Golden Horseshoe (2020), Region of Halton Official Plan, City of Burlington Official Plan (1997, as amended), City of Burlington New Official Plan (2020), and City of Burlington Zoning By-law 2020, as summarized below. A policy analysis has been provided to demonstrate the proposal is in keeping with the applicable framework.

Provincial Policy Statement (2020)

The Provincial Policy Statement (the "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 plan provides direction on managing and directing land uses to achieve efficient and resilient development and land use patterns. Section 1.1.1 describes that healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate affordable and market-based range and mix of residential types and other uses to meet long-term needs;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;
- e) 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;
- f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;
- g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;
- h) promoting development and land use patterns that conserve biodiversity; and
- i) preparing for the regional and local impacts of a changing climate.

The PPS directs that growth and development be focused in 'Settlement Areas' which include built-up urban areas where development is concentrated, and which have a mix of land uses and lands which have been designated in an Official Plan for development over the long-term planning horizon. The subject lands are therefore considered to be located within a Settlement Area.

In accordance with Section 1.1.3.1 and 1.1.3.2, Settlement Areas shall be the focus of growth and development and shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
- d) prepare for the impacts of a changing climate;
- e) support active transportation;
- f) are transit-supportive, where transit is planned, exists or may be developed; and
- g) are freight-supportive.

Land use patterns within Settlement Areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3. This policy section outlines that planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs. Similarly, Section 1.1.3.4 describes appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

In accordance with the housing policies under Section 1.4.1, the plan describes that developments are to provide an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area. This may be achieved by accommodating residential growth through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development. Similarly, Section 1.4.3 identifies planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents. This may be achieved by permitting and facilitating all types of residential intensification, including additional residential units, and redevelopment in

accordance with policy 1.1.3.3 as previously discussed in this report. This may also be achieved by: directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs; by promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; and by requiring transit-supportive development and prioritizing intensification in proximity to transit, including corridors and stations.

The subject lands are located within the 'Mixed Use Activity Areas' designation under Schedule A of the 1997 Official Plan (as amended) and are currently vacant while undergoing construction. The subject lands are envisioned as a Primary Growth Area' under Schedule B-1 – Growth Framework of Burlington New Official Plan (2020). The proposed Zoning By-law amendment will facilitate the reduction in the minimum required office space from the previously proposed 3,220 m² to 1,009 m² and accommodate 24 additional apartments to provide a total of 388 apartments instead of the previously proposed 364 apartments. The proposed uses are already permitted under the local Official Plan designations and are considered an efficient use of land and resources and are appropriate for the infrastructure that is available including servicing and existing transit routes.

In accordance with the public spaces, recreation, parks, trails and open space policies under Section 1.5.1, the plan describes healthy and active communities should be promoted by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity as well as by planning and providing for a full range and equitable distribution of publicly accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages.

In accordance with the energy conservation, air quality and climate change policies, Section 1.8.1, planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which promote the use of active transportation and transit in and between residential uses and other areas. Additionally, development is to encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion, promote design and orientation which maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation and green infrastructure; and maximize vegetation within settlement areas, where feasible.

The proposed development provides access to the public sidewalks along Fairview Street which connect to the proposed pedestrian pathways throughout the site. The City's

Engineering Services Accessibility staff and the City's Transportation Planning staff have also reviewed the development application and have demonstrated no concerns on the proposed development and associated amendments. The development encourages active transportation through the provision of bike parking in accordance with the Zoning By-law requirements and to the satisfaction of City Transportation Planning staff.

The proposed development would be served by existing servicing infrastructure and public service facilities that currently serve the surrounding neighbourhood area. The subject lands are also on existing public transit routes as they contain a bus stop directly south on the public right-of-way and across Fairview Street which run on Route 1 (Plains) along Fairview Street. Additionally, the subject lands are also directly adjacent to the Burlington GO Station which connects Routes 1 (Plains), 4 (Central), 10 (New - Maple), 11 (Sutton - Alton), 25 (Walkers), 80 (Harvester) and 81 (North Service). These Routes connect to all other GO stations within the City of Burlington including the Aldershot and Appleby Stations as well as the Downtown Terminal and the 407 Carpool Lot.

As per the analysis provided, planning staff have considered the policies of the PPS with regard to this Zoning By-law amendment application and are of the opinion that the proposal is consistent with the PPS.

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

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (the "Growth Plan") provides a policy framework for managing growth in an area of Ontario. All planning decisions within the Growth Plan area must conform to the Growth Plan.

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

The Growth Plan provides specific growth management policy direction and focuses development in the existing urban areas through intensification. In accordance with Section 2.2.1 (2), 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. Additionally, within Settlement Areas growth will be focused in: delineated built-up areas; strategic growth areas; locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and in areas with existing or planned public service facilities.

In accordance with subsection 2.2.1 4., applying the policies of this Plan will support the achievement of complete communities that feature a diverse mix of land uses and housing options with convenient access to: transportation options, including safe, comfortable and convenient and active transportation; local stores; services; public service facilities; an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and improve social equity and overall quality of life. These are also expected to provide for a more compact built form and a vibrant public realm, including public open spaces; mitigate and adapt to the impacts of a changing climate, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability; and integrate green infrastructure and appropriate low impact development.

The subject lands can be found within an Urban Growth Centre (UGC) and Major Transit Station Area (MTSA) boundaries. In accordance with the housing policies under Section 2.2.3 1. UGCs will be planned:

- as focal areas for investment in regional public service facilities, as well as commercial, recreational, cultural, and entertainment uses;
- to accommodate and support the transit network at the regional scale and provide connection points for inter- and intra-regional transit;
- to serve as high-density major employment centres that will attract provincially, nationally, or internationally significant employment uses; and
- to accommodate significant population and employment growth.

Section 2.2.3 2. and section 2.2.4 3. outlines UGCs and MTSA's will be planned to achieve, by 2031 or earlier for UGCs, a minimum density target of 200 residents and jobs combined per hectare.

The proposed development represents residential and employment intensification within the UGC which support the transit networks. The proposed reduction of leasable office space to be replaced with residential and retail space is not expected to impact the function of the MTSA in that office space will be protected while responding to the reduced market demand and needs.

In accordance with the housing policies under Section 2.2.6 2., notwithstanding policy 1.4.1 of the PPS as previously discussed in the report, municipalities will support the achievement of complete communities by: planning to accommodate forecasted growth to the horizon of this Plan, planning to achieve the minimum intensification and density targets in this Plan, considering the range and mix of housing options and densities of the existing housing stock, and planning to diversify their overall housing stock across the municipality. Furthermore, as per Section 2.2.6 4., municipalities will need to maintain at all times where development is to occur, land with servicing capacity sufficient to provide

at least a three-year supply of residential units. This supply will include, and may exclusively consist of, lands suitably zoned for intensification and redevelopment.

The proposed Zoning By-law amendment will facilitate the reduction in the minimum required office space from the previously proposed 3,220 m² to 1,009 m² and accommodate 24 additional apartments to provide a total of 388 apartments instead of the previously proposed 364 apartments. The exterior of the building as well as the footprint are not proposed to change, the only changes are to the uses within a portion of the building (from office to residential). The proposed uses are already permitted under the local Official Plan designations and are intended to utilize the resources infrastructure that are currently available including servicing and existing transit routes.

As per the analysis provided, planning staff is of the opinion that the proposed Zoning By-law amendment on the subject land conforms with the policy direction provided by the Growth Plan.

Halton Region Official Plan (2009)

The Halton Region Official Plan (the "ROP") outlines a long-term vision for Halton's physical form and community character. To achieve that vision, the ROP identifies an Urban Area and a Regional Urban Structure that are intended to manage growth in a manner that fosters complete communities, enhances mobility across Halton, addresses climate change, and improves housing affordability, sustainability, and economic prosperity. All planning decisions in Halton Region, which includes the City of Burlington, must conform to the ROP.

In accordance with Map 1H – Regional Urban Structure of the ROP, as amended, the subject lands are designated 'Urban Area' and can be found within the 'Burlington GO / Downtown Urban Growth Centre (UGC) / Major Transit Station Area (MTSA)' which are considered Strategic Growth Areas. In accordance with Section 72.1, some of the goals of Urban Areas are to:

- To accommodate growth in accordance with the Region's desire to improve and maintain regional unity, retain local community identity, create healthy communities, promote economic prosperity, maintain a high quality, sustainable natural environment, and preserve certain landscapes permanently.
- To support a form of growth that is compact and supportive of transit usage and non-motorized modes of travel, reduces the dependence on the automobile, makes efficient use of space and services, promotes live-work relationships and fosters a strong and competitive economy.
- To provide a range of identifiable, inter-connected and complete communities of various sizes, types and characters, which afford maximum choices for residence, work and leisure.

- To ensure that growth takes place commensurately both within and outside the Built Boundary.
- To identify a Regional Urban Structure that directs growth to Strategic Growth Areas and protects Regional Employment Areas
- To plan and invest for a balance of jobs and housing in communities across the Region to reduce the need for long distance commuting and to increase the modal share for transit and active transportation.
- To facilitate and promote intensification and increased densities.
- To provide for an appropriate range and balance of employment uses including industrial, office and retail and institutional uses to meet long-term needs.
- To direct where employment uses should be located and to protect areas designated for such uses.

In accordance Section 80, the objectives of the Urban Growth Centre (UGC) as delineated on Map 1H, are:

- To serve as focal areas for investment in institutional and region-wide public services, as well as commercial, recreational, cultural and entertainment uses;
- To accommodate and support the transit network at the regional scale and provide connection points for inter- and intra-regional transit;
- To serve as high density major employment centres that will attract provincially nationally or internationally significant employment uses; and
- To function as the primary Strategic Growth Areas of the Regional Urban Structure hierarchy where a significant share of population and employment growth will be accommodated.

Furthermore, Section 80.2 (1) identifies that it is the policy of the Region to require UGCs to be planned to achieve a minimum development density target of 200 residents and jobs combined per gross hectare by 2031 or earlier, as identified in Table 2b. The subject lands are located within the UGC MTSA and can be found along a Priority Transit Corridor which means the minimum density target of Residents and Jobs Combined Per Hectare is 200.

Similarly, with Section 81, the objectives of the Major Transit Station Areas (MTSAs) are:

- to leverage infrastructure investments and the development of public service facilities to support a significant share of growth, and achieve transit support densities through existing or planned frequent transit service.
- to provide 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.

- to function as an important Strategic Growth Area component of the Regional Urban Structure and leverage infrastructure investment and frequent transit service to accommodate increased densities and transit-supportive growth.
- to achieve multimodal access to stations and support complete communities.
- to plan for a diverse mix of uses, including additional residential units and Affordable Housing, where appropriate.
- to protect existing employment uses within and adjacent to Major Transit Station Areas by ensuring land use compatibility with adjacent new development is achieved. New developments are required to meet the Provincial Policy Statement, 2020 requirements for land use compatibility.
- to maximize the number of potential transit users within walking distance of a station, while considering contextually appropriate intensification opportunities within stable residential neighbourhoods to ensure the protection of neighbourhood character, to be determined through the preparation of Area Specific Plans.

The proposed development represents residential and employment intensification within the UGC which support the transit networks. The proposed reduction of leasable office space to be replaced with residential and retail space is not expected to impact the function of the MTSA in that office space will be protected while responding to the reduced market demand and needs.

As per the analysis provided, planning staff is of the opinion the proposed Zoning By-law amendment conforms to the ROP.

City of Burlington Official Plan (1997, as amended)

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

The subject lands are designated as 'Mixed Use Activity Areas' in accordance with Schedule 'A' – Settlement Pattern. In accordance with Part III, Section 5.1 a), b) and c), 'Mixed Use Activity Areas' provide alternatives to low density, suburban development and encourage the efficient use of physical resources and municipal services as well as address the demand for higher intensity employment, shopping and residential areas within the City. Furthermore, the design and development of Mixed Use Activity Areas provide opportunities to create and/or maintain a special community identity and a focal point for a variety of City-wide, community and neighbourhood functions.

In accordance with Part III, Section 5.2.1 a), the objective of 'Mixed Use Activity Areas' is to encourage comprehensively planned mixed use employment, shopping and residential

areas that provide for the integration of uses such as retail stores, offices, hotels, institutional and entertainment uses with residential uses, community facilities, cultural facilities, institutions and open space in a compact urban form, while retaining compatibility with nearby land uses.

The subject lands are further designated as 'Mixed Use Corridor – Commercial Corridor' under Schedule 'B' – Comprehensive Land Use Plan – Urban Planning Area. In accordance with Part III, Section 5.3.3.1, lands designated as

In accordance with Part III, Section 5.3.3.2 b), lands designated as 'Mixed Use Corridor – Commercial Corridor' permit the following uses:

- (i) a range of retail, service commercial and personal service uses; financial institutions and services, a broad range of office uses; entertainment, recreation and other community facilities such as day care centres and motor vehicle dealerships;
- (ii) medium and high density residential uses subject to the policies of Part III, Subsection 5.3.2 a) (ii);
- (iii) a limited number and range of large-scale retail and service commercial uses such as retail uses up to 5,600 sq. m. in gross floor area where food products are not the principal goods retailed, and retail commercial uses that require either multitenant or freestanding buildings on sites that have significant needs for on-site storage and parking, such as garden centres, automotive commercial, furniture and home furnishing uses and home improvement stores.

Furthermore, Part III, Section 5.3.3.2 d) states industrial uses shall not be permitted in 'Mixed Use Corridor – Commercial Corridor' locations.

In accordance with Part III, Section 5.3.3.2 e), Zoning By-law regulations affecting Mixed Use Corridor - Commercial Corridor locations shall be based on the following factors:

- (i) the maximum floor area ratio 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 consideration of various factors such as adequacy of services and infrastructure; the provision of compatibility with adjacent uses through measures such as terracing; a high quality of building design, landscaping and streetscaping; and the provision of underground parking;
- (ii) the maximum building height shall be three storeys, except office and residential uses where the maximum building height shall be six storeys.

As a result of the previous Official Plan Amendments, the properties 2089 & 2095 Fairview Street (now known as 2071 Fairview Street) include the following site-specific policies as outlined under Part III, Section 5.3.3.2 l) of the Plan:

l) Notwithstanding the use, height, floor area ratio and design policies contained in Part III, Subsections 5.3.2 a), d) and g), and Part III, Subsections 5.3.3.2 b) and e) of this Plan, for the properties identified as 2089 and 2095 Fairview Street, the following policies shall apply:

- (i) townhouses shall be a permitted use;
- (ii) the maximum building height shall be 17 storeys. Additional height may be permitted if the proposed building is LEED certified (or equivalent to the satisfaction of the Director of Planning and Building).
- (iii) there shall be a total site (at full build out) minimum floor space index of approximately 0.5:1 and the maximum 1.5:1 floor space index shall not apply;
- (iv) any subsequent re-development of these properties, involving the demolition and replacement of previously constructed buildings, shall permit only those uses contained in Part III, Subsections 5.3.2 a) and 5.3.3.2 b) of this Plan.

A Zoning By-law Amendment is required to allow the proposed development which contemplates a reduction in the minimum required office space from the previously proposed 3,220 m² to 1,009 m² and accommodate 24 additional apartments to provide a total of 388 apartments instead of the previously proposed 364 apartments within Phase 2 of the 'Paradigm' Development' (as shown on Appendix B – Concept Plan). The exterior of the building as well as the footprint are not subject to any changes as part of the restructuring of the proposed development, there are only changes to the uses in a portion of the building (from office to residential). Furthermore, the proposed 18-storey buildings have been deemed environmentally sustainable to the satisfaction of the Director of Planning and Building in lieu of LEED certification through previous Site Plan Approval.

Planning staff have reviewed the Zoning By-law Amendment application and materials and are of the opinion that the proposed development conforms to the OP.

City of Burlington New Official Plan (2020)

On Nov. 30, 2020, the City's new Official Plan (Burlington Official Plan, 2020) was approved by Halton Region. All parts of the Burlington Official Plan, 2020 that were not appealed came into effect the day after the end of the appeal period, Dec. 22, 2020.

Until all broad appeals of the Burlington Official Plan, 2020 are resolved through the Ontario Land Tribunal (OLT) process, parts of the old Official Plan (Burlington Official Plan 1997, as amended) will be applicable. The current Zoning By-law will remain in effect until a new comprehensive Zoning By-law is enacted and comes into effect. Policies of the Burlington Official Plan, 2020 that are not in effect are relevant as an indication of City Council's vision but are not determinative.

The City is preparing an annotated "Burlington Official Plan, 2020 (Office Consolidation)" that reflects which policies are in effect and which are not, in accordance with all Decisions and Orders issued by the OLT under case no. OLT-22-002219 to date. When it is available, you will be able view this document by visiting the City's webpage for the Official Plan at Burlington.ca/newop.

As the OLT process continues, the Burlington Official Plan, 2020 is subject to change. Readers of the Plan must satisfy themselves as to the legal status and applicability of the policies by reviewing all Orders and Decisions from the OLT. You can view these

documents by visiting the [OLT's webpage](#) for case no. OLT-22-002219: "OP - New Official Plan – City of Burlington" at jus-olt-prod.powerappsportals.com/en/e-status/.

The subject lands are designated as 'Mixed Use Nodes and Intensification Corridors' under Schedule B – Urban Structure. The subject lands are further designated as 'Urban Corridor' under Schedule C – Land Use – Urban Area. In accordance with Subsection 8.1.3 (7.1) a) and f), the objective of this designation is to provide locations in the city along key Major Arterial or Multi-Purpose Arterial Streets that will serve as areas of concentration for mixed use development in a compact built form, with residential, retail, service commercial, office, entertainment, public service facilities and institutional uses, and open space uses as well as to protect the planned commercial function within Urban Corridors.

In accordance with Subsection 8.1.3 (7.2) c), the following uses may be permitted on lands designated 'Urban Corridor':

- (i) retail and service commercial uses;
- (ii) automotive commercial uses, including large-scale motor vehicle dealerships existing on the date this Plan comes into effect;
- (iii) residential uses with the exception of single-detached and semi-detached dwellings;
- (iv) office uses;
- (v) entertainment uses; and
- (vi) recreation uses.

Other forms of ground-oriented dwellings may only be permitted subject to the criteria under Subsection 8.1.3 (7.2) d).

In accordance with Subsection 8.1.3 (7.2) f), a maximum floor area ratio of development of 2.0:1 is an appropriate built form in Urban Corridor lands. An increase to this floor area ratio may occur through a site-specific Zoning By-law amendment or minor variance application, without the need for an amendment to this Plan, provided that the objectives of the Urban Corridor designation are maintained. Furthermore, in accordance with Subsection 8.1.3 (7.2) g), the minimum building height shall be two (2) storeys and the maximum building height shall not exceed six (6) storeys. Where required to ensure compatibility, four (4) to six (6) storey buildings may be required to be terraced back from adjacent residential areas and/or the street.

The subject lands are designated as 'Primary Growth Area' under Schedule B-1 – Growth Framework, therefore Subsection 2.4.2(1) would be applicable as well as the urban design and built form policies for primary growth areas under Subsection 7.3.2(1). Fairview Street is designated a 'Transit Frequent Corridor' and as a 'MTSA Primary Connector' under Schedule B-2 Growth Framework and Long Term Frequent Transit Corridor, as well as a 'Multi Purpose Arterial' under Schedule O-1 – Classification of Transportation Facilities - Urban Area and as a 'Bike Lane' under Schedule P – Long Term Cycling Master Plan.

The subject site is also located within the Urban Growth Centre (UGC) a Major Transit Station Area (MTSA). This UGC / MTSA is the City's focal point for growth and intensification. It will have the greatest variety and intensity of uses in the City, from residential to commercial, major office, cultural, recreation, public service facilities and other employment uses. The UGC / MTSA will be a destination for residents both within and beyond the UGC / MTSA boundaries.

Within the UGC / MTSA, the subject site is located within the Fairview Frequent Transit Corridor Precinct. The Fairview Frequent Transit Corridor Precinct is envisioned to:

- Be a vibrant, lively, and people-oriented place, serviced by frequent and diverse modes of travel.
- Accommodate a significant concentration of residential, retail, employment and service commercial uses, with a main-street pedestrian experience along the frequent transit corridor of Fairview Street.
- Have building setback treatments that allow for patio spaces, public open space, and enhanced tree canopies.
- Have minimum building heights of 6-storeys

The criteria listed under Section 12.1.2 (2.2) c) shall be satisfied when evaluating all development applications, where applicable.

Section 12.1.2 (2.2) c) (iii): the development shall be consistent with the intent of the Urban Structure as outlined in Section 2.3, Urban Structure of this Plan and maintains the land use vision established in the land use designations of this Plan;

Staff comment: The subject lands are designated as 'Mixed Use Nodes and Intensification Corridors' under Schedule B – Urban Structure, therefore Subsection 2.3.1 – Mixed Use Intensification Areas would be applicable. In accordance with Section 2.3.1, lands identified as 'Mixed Use Intensification Areas' provide locations where a range and intensity of employment, shopping, public service facilities, residential uses and complementary uses such as open space and parks, institutional, and cultural uses will be developed with transit supportive densities in compact built form, these may include MTSA's and Mixed-Use Nodes and Intensification Corridors. The proposed development therefore continues to meet the intent of the Urban Structure as outlines in Section 2.3.

Section 12.1.2 (2.2) c) (ii): the development shall achieve built form compatibility.

Section 12.1.2 (2.2) c) (v): the development, where located outside the Established Neighbourhood Area as identified on Schedule B-1 – Growth Framework, constitutes intensification

Section 12.1.2 (2.2) c) (iv): the development shall achieve high quality urban design and is consistent with the policies contained in Chapter 7 – Design Excellence.

Section 12.1.2 (2.2) (vii): the development preserves and protects trees, consistent with the policies contained in Section 4.3, Urban Forestry, of this Plan;

Section 12.1.2 (2.2) c) (viii): the development shall provide buffering, setbacks and amenity area so that an appropriate transition between existing and proposed buildings are provided.

Staff comment: the development proposal is located outside of the 'Established Neighbourhood Area'. The exterior of the building as well as the footprint are not subject to any changes as part of the restructuring of the proposed development in comparison to the previously approved two (2) 18-storey towers connected by a 6-storey podium. There are only changes to the uses in a portion of the building (from office to residential). Additionally, the City's Urban Forestry and Landscaping staff have reviewed the submitted materials and have indicated no concerns with the proposed development and associated amendments in regard to the proposed landscape which is not subject to new changes.

Section 12.1.2 (2.2) c) (vi): the development shall be supported by available infrastructure and public service facilities.

Section 12.1.2 (2.2) c) (xi): the development where residential uses are proposed shall demonstrate the degree to which public service facilities and other neighbourhood conveniences, such as community centres, recreation, neighbourhood shopping centres and healthcare are located within walking distance or accessible by transit.

Section 12.1.2 (2.2) c) (xvi): the development shall consider the relationship to existing or planned transit facilities including a frequent transit corridor, higher order transit, bus routes and/or transit shelters.

Staff comment: The subject lands are designated as 'Urban Corridor' under Schedule C – Land Use - Urban Area of the OP 2020 which permit a variety of retail and service commercial uses. The subject lands are also surrounded by a mix of uses including a retail / commercial use directly west of the site and a commercial plaza approximately 300m west of the site which are expected to serve the needs of the proposed future residential uses on the subject lands.

The subject lands contain a bus stop directly south on the public right-of-way and across Fairview Street which run on Route 1 (Plains) along Fairview Street. Additionally, the subject lands are also directly adjacent to the Burlington GO Station which connects Routes 1 (Plains), 4 (Central), 10 (New - Maple), 11 (Sutton - Alton), 25 (Walkers), 80 (Harvester) and 81 (North Service). These Routes connect to all other GO stations within the City of Burlington including the Aldershot and Appleby Stations as well as the Downtown Terminal and the 407 Carpool Lot. City Transit staff have reviewed the submitted materials and have indicated no concerns with the proposed development and associated amendments regarding transit availability and accessibility.

Section 12.1.2 (2.2) c) (ix): the development shall demonstrate that future development on the adjacent properties will not be compromised by the proposal and be designed to facilitate future pedestrian, cycling and/or private street.

Section 12.1.2 (2.2) c) (xii): the development shall address multi-modal transportation considerations and be consistent with the policies in Section 6.2: Multi-modal Transportation, including but not limited that the development shall mitigate potential impacts on the municipal transportation system to an acceptable level with regard to transportation flow and capacity and it shall accommodate sufficient off-street parking and transportation demand management measures in accordance with the policies in Subsection 6.2.10.

Section 12.1.2 (2.2) c) (xvii): the development complements and connects with the public realm, including walking and cycling facilities;

Staff comment: The exterior of the building as well as the footprint, pedestrian walkways and roads are not subject to changes as part of the restructuring of the proposed development, there are only changes to the uses in a portion of the building (from office to residential). City Transportation Planning staff have reviewed the submitted materials and have indicated no concerns with the proposed development and associated amendments in regard to the proposed parking and potential traffic generated by the proposed uses. Additionally, the proposed vehicle and bicycle parking has been provided in in accordance with the requirements under the existing Zoning By-law 2020 as later discussed in this report.

Section 12.1.2 (2.2) c) (xiv): the development shall provide stormwater management in accordance with the policies of Subsection 4.4.2(2) of this Plan.

Staff comment: Development Engineering staff have reviewed the submitted materials and have indicated no concerns with proposed development's stormwater management and associated amendments.

Planning staff have reviewed the Zoning By-law Amendment application and materials and are of the opinion that the proposed development conforms to the City's new Official Plan, 2020

Zoning By-law 2020

The subject lands are currently zoned 'Mixed-Use Transit Station Area' with site-specific exception 386 (MXT-386) (as shown on Appendix A). The MXT zone permits residential, a variety of retail and service commercial, office, hospitality, entertainment and recreation uses to a minimum height of two (2) storeys. Furthermore, site exception number 386 includes additional site-specific requirements including a minimum gross floor area requirement for office uses of 2991 m².

A Zoning By-law Amendment is required to permit the proposed development which contemplates a reduction in the minimum required office space from the previously proposed 3,220 m² to 1,009 m² and accommodate 24 additional apartments to provide a total of 388 apartments instead of the previously proposed 364 apartments within Phase 2 of the 'Paradigm' Development'. The development also contemplates an additional 32 m² of retail space within the previously proposed office space on the ground floor which is in accordance with the existing policies and regulations.

Additional parking spaces and amenity area are included as part of the new development proposal to reflect the increased number of units. The previous proposal required 7,520 m² of amenity area based on the 364 units proposed, while the new development proposes 7,760 m² of amenity area.

The previous proposal required 364 occupant parking spaces, 66 visitor parking spaces and 172 non-residential parking spaces. The new development proposes 432 occupant parking spaces, 111 non-residential parking spaces of which 70 are shared with visitor parking. This complies with the existing zoning regulations.

The proposed development therefore triggers an amendment through the site-specific exception 386 for a reduced minimum gross floor area requirement for office uses from 2991 m² to 1000 m². The intent of the minimum gross floor area for office uses is to encourage the integration of a mix of uses on site as described under the Official Plan policies previously discussed.

As per the analysis above staff is of the opinion that the proposed amendment to Zoning By-law 2020 complies with the general intent of the original zoning amendment, reflects current market conditions and is appropriate for the subject lands.

Technical Comments

A request for comments has been circulated to external agencies and relevant City departments.

The following are comments received to-date which are summarized below:

City of Burlington Finance – Taxes must be paid on parcels associated with this file. This includes all outstanding balances plus current year taxes that have been billed but not yet due.

City of Burlington Development Engineering – staff have reviewed the development application and have no concerns.

City of Burlington Transportation Planning – staff have reviewed the development application and have no concerns. Standard comments for Site Plan Approval have been provided to the applicant for consideration.

City of Burlington Urban Forestry and Landscaping – staff have reviewed the development application and have no concerns.

City of Burlington Parks – staff wishes to collect cash in lieu of parkland, with CILP charged at the rate in effect at the time of building permit issuance.

Halton Region – staff have no objection to the proposed Zoning Bylaw Amendment application and have provided standard comments for subsequent planning applications.

Halton Police – staff have no objections or concerns with the proposed Zoning Bylaw Amendment application as it does not interfere with the line-of-sight radio system.

Ministry of Transportation (MTO) – The site is outside of the MTO's permit control area so staff have no comments.

Metrolinx – Based on the understanding of the proposed request regarding changes to the internal layout, there are no concerns with the proposed Zoning By-law Amendment application.

Halton District School Board (HDSB) – staff have no comments.

Halton Catholic District School Board (HCDSB) – staff have no objections to the Zoning By-law Amendment application and have provided standard comments for subsequent planning applications.

Conservation Halton – the subject lands are not regulated by Conservation Halton (CH) and given the small size of the site, they defer stormwater management review to the City. As such, they will not review or provide formal comments on this Zoning By-law Amendment application.

Canada Post – staff have reviewed the development application and have no comments. Mail delivery will be centralized through lock box assembly.

Trans-Northern Pipelines Inc. – staff confirmed there is no infrastructure in the mentioned area.

Enbridge Inc. – staff do not object to the proposed application(s) however, they reserve the right to amend or remove development conditions.

Imperial Oil / ExxonMobil Hungary Kit – There is no Imperial infrastructure in the vicinity of this location, and there is no need for further engagement.

Financial Matters:

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

Climate Implications:

In February 2020, City Council approved the City of Burlington Climate Action Plan to support the City's path towards a low-carbon future, focusing on mitigating greenhouse gases and reducing energy consumption. The Plan identifies seven implementation programs, including, programs to enhance energy performance for new and existing buildings; increase transit and active transportation mode shares; electrify City, personal and commercial vehicles and other currently gas-powered equipment; and, support waste reduction and diversion.

Sustainable Building & Development Guidelines (2018)

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

The Sustainable Building & Development Guidelines have been incorporated into previous iterations of the development design more specifically the latest Site Plan Approval from the year 2023, as part of this application no exterior structural changes are proposed. Staff is of the opinion the proposed development continues to comply with the required sustainable building and development guidelines.

Given the above information, planning staff is of the opinion the development considers the City of Burlington Climate Action Plan to support the City's climate implications.

Engagement Matters:

As part of the pre-application community engagement, a public letter was prepared by the applicant to present the initial concept to the public and gather feedback. The notice letter detailed a summary of the development proposal and applications required, reference to the dedicated project webpage for this proposal (www.burlington.ca/2071fairview) and the proponent's contact information. While the application was not made until May 3, 2024, both the developer and City staff have been available to respond to any questions on the initial proposal since it was released publicly on March 1, 2024.

This application was submitted on May 3, 2024 and deemed complete on May 7, 2024. City staff began the commenting period later on May 10, 2024 which included a direct mailing to all properties within 120 metres of the subject property; circulating to internal departments and external agencies; the posting of a notice sign on the subject property with pertinent application details; and updating a dedicated project webpage (www.burlington.ca/2071fairview) with application details. In order to meet the legislated timelines of *The Planning Act*, this notice identified a public commenting window of three weeks. This allowed any comments received to be included in this recommendation report.

Lastly, a newspaper notice was posted in The Hamilton Spectator and a Statutory Public Meeting Notice was mailed to residents within 120m of the property on June 7, 2024 to provide information on the scheduled Statutory Public Meeting happening on July 9, 2024.

This is a list of the past and upcoming engagement opportunities for the public on this file:

- March 1, 2024 – Pre-Application Community Notice was mailed as an opportunity for the public to read about the proposed development and provide initial feedback to the proponents.
- March 1, 2024 – Present – Dedicated project webpage was created which allowed the public to view the initial proposal and provide feedback directly to the developer.
- May 1, 2024 – May 31, 2024 – Members of the public can submit comments to City planning staff or their elected representatives.
- July 9, 2024 – Members of the public can delegate directly to Committee at the Committee of the Whole meeting;
- July 16, 2024 – Members of the public can delegate directly to City Council.

A webpage was created on the City of Burlington website, accessible at www.burlington.ca/2071fairview. This webpage provides information about the subject application including dates of public meetings, links to supporting studies, and contact information for the applicant's representative and Community Planning Department.

Public Comments

Since the formal public circulation was issued on May 10, 2024, Planning Staff have received one (1) public written comment regarding the requested Zoning By-law Amendment. The public comment letter received has been included as Appendix C to this report, the letter is in opposition to the development and general themes pertain to the following:

- Additional housing units will not be of an appropriate size and will not have appropriate and sufficient private and public amenities, public transportation and parking.
 - Staff response: the additional proposed apartment units are composed of 1- and 2- bedrooms units ranging from approximately 124m² to 46m². The proposed development includes private amenity and parking in accordance with the current Zoning requirements. Additionally, transportation and transit planning staff have indicated no concerns with the proposed development and associated amendments regarding potential public transportation concerns.
- Increased traffic congestion due to additional housing units
 - Staff response: transportation staff have reviewed the development application and have indicated no concerns with the proposed amendments and traffic congestion impacts.
- Dust and noise pollution from the construction will disrupt nearby residential uses and the environment utilized as leisure.
 - Staff response: development engineering staff have reviewed the development application and have indicated no concerns with the proposed amendments and the associated noise impact. Excessive and persistent noise and light issues caused by construction can be reported to Burlington bylaw enforcement by phone at 905-335-7731 or by email at bylaw@burlington.ca.

Conclusion:

Staff's analysis of the application for the proposed Zoning By-law amendment has considered the applicable policy framework and the comments submitted by technical agencies and the public. Staff find that the application is consistent with the Provincial Policy Statement and conforms to the Provincial Growth Plan, the Regional and City Official Plans, and the Zoning By-law 2020.

It is therefore recommended that the proposed zoning by-law amendment to facilitate a reduction in the minimum required office space for the two (2) 18-storey towers be approved.

Respectfully submitted,

Mariana Da Silva

Planner – Development Review

(905) 335-7600 ext. 7536

Appendices:

- A. Existing Zoning
- B. Concept Plan
- C. Public Comments
- D. Amending Zoning By-law

Notifications:

Fothergill Planning and Development (c/o Ed Fothergill) (via e-mail)

edf@nas.net

Molinaro Group (c/o Vince Molinaro) (via e-mail)

vincemol@molinaro.ca

Fairview Joint Venture Inc. (via mail)

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.