

## **Appendix F – Detailed Planning Analysis**

### **1.0 The Provincial Planning Statement, 2024 (PPS)**

The Provincial Planning Statement (the “PPS”) came into force and effect on October 20, 2024, and applies to decisions concerning planning matters occurring after this date. This replaces the Provincial Policy Statement (2020) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (The Growth Plan) (2019). The PPS provides broad policy direction on matters of provincial interest related to land use planning and development and supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

In accordance with Section 2.1. 6., Planning authorities should support the achievement of complete communities by:

- a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses, recreation, parks and open space, and other uses to meet long-term needs;
- b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and
- c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.

In accordance with Section 2.2.1, planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:

- b) permitting and facilitating
  - 1. all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and
  - 2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment;
- c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and
- d) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.

The PPS directs that growth and development be focused in ‘Settlement Areas’. Settlement Areas 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.

In accordance with Section 2.3.1 1. and 2., Settlement Areas shall be the focus of growth as well as development and should be based on densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) optimize existing and planned infrastructure and public service facilities;
- c) support active transportation;
- d) are transit-supportive, as appropriate; and
- e) are freight-supportive.

Settlement Areas also include Strategic Growth Areas such as Major Transit Station Areas (MTSAs), where growth should be mainly focused. The subject lands are found within the ‘Aldershot GO MTSA’ in accordance with the City’s Regional and Local Official Plans as later discussed in this analysis therefore are considered to be within a Strategic Growth Area. In accordance with Section 2.4. 2., in order support the achievement of complete communities, a range and mix of housing options, intensification and more mixed-use development, Strategic Growth Areas should be planned :

- a) to accommodate significant population and employment growth;
- b) as focal areas for education, commercial, recreational, and cultural uses;
- c) to accommodate and support the transit network and provide connection points for inter- and intra-regional transit; and
- d) to support affordable, accessible, and equitable housing.

The proposed development consists of residential intensification from the existing 6 units to 253 new units that would serve as additional housing options in the city, and which will be municipally serviced by nearby existing public transit routes. The subject lands are located approximately 40 metres from the two nearest Burlington Transit bus stops located along Plains Road which are part of Route 1 (Plains – Fairview East). This route runs along Plains Road East, loops at the City of Hamilton and runs into the Burlington GO and Appleby GO Train Stations. The proposed development is also located approximately 500m south from the Aldershot GO station and higher-order transit. As a result, staff are of the opinion that the proposed development is an efficient use of the land, resources, infrastructure and public service facilities which are planned and available.

In accordance with Section 2.4.1 3., planning authorities should identify the appropriate type and scale of development in Strategic Growth Areas and the transition of built form to adjacent areas as well as permit development and intensification within these to support the achievement of complete communities and a compact built form. The proposed development has considered transition to adjacent areas based on the applicable Official Plan design policies and associated design guidelines while providing for residential intensification as later discussed in this analysis.

In accordance with Section 2.4.2 2., within MTSA's on higher order transit corridors, planning authorities shall plan for a minimum density target of 160 residents and jobs combined per hectare for those that are served by light rail or bus rapid transit. Similarly, Section 2.4.3, describes that planning authorities shall plan for intensification on lands that are adjacent to existing and planned frequent transit corridors, where appropriate. The City's Integrated Mobility Plan (IMP) envisions Plains Road East as a future Bus Rapid Transit Corridor with dedicated lanes and as a 'MTSA Primary Connector' and 'Frequent Transit Corridor' under Schedule B-2 – Growth Framework and Long Term Frequent Transit Corridors of the Official Plan 2020. As such, the proposed development would contribute to meeting the City's density target.

In accordance with Section 2.4.2 3., planning authorities are encouraged to promote development and intensification within MTSA's, where appropriate, by planning for land uses and built form that supports the achievement of minimum density targets. Similarly, Section 2.4.2 6., all MTSA's should be planned and designed to be transit-supportive and to achieve multimodal access to stations and connections to nearby major trip generators by providing, where feasible: connections to local and regional transit services to support transit service integration; infrastructure that accommodates a range of mobility needs and supports active transportation, including sidewalks, bicycle lanes, and secure bicycle parking; and commuter pick-up/drop-off areas. The proposed redevelopment will provide compact intensification that contributes to the provincially mandated minimum density targets. Additionally, the proposed development promotes a multi-modal transportation split by providing for bicycle parking spaces, connecting internal proposed sidewalks to public sidewalks, bicycle paths and local transit.

In accordance with the energy conservation, air quality and climate change policies, Section 2.9 describes that Planning authorities shall plan to reduce greenhouse gas emissions and prepare for the impacts of a changing climate through approaches that:

- a) support the achievement of compact, transit-supportive, and complete communities;
- b) incorporate climate change considerations in planning for and the development of infrastructure, including stormwater management systems, and public service facilities;
- c) support energy conservation and efficiency;
- d) promote green infrastructure, low impact development, and active transportation, protect the environment and improve air quality; and
- e) take into consideration any additional approaches that help reduce greenhouse gas emissions and build community resilience to the impacts of a changing climate.

The proposed development contemplates redeveloping the subject lands from an underutilized property to a 12-storey mixed use building (inclusive of a 12<sup>th</sup> storey mechanical penthouse) with ground floor retail and service commercial uses as well as 253 residential units. which would be served by existing and planned servicing infrastructure as well as public service facilities that currently serve the surrounding

neighbourhood area. Additionally, as later discussed in this analysis, the applicant provided a checklist of the Sustainable Building Design Guidelines and demonstrated how these have been included as part of the development proposal through building design strategies. The guidelines ensure that negative impacts to air quality and climate change are minimized, that energy efficiency is promoted and prepare for the impacts of a changing climate.

In accordance with the Land Use Compatibility policies under Section 3.5 1., major facilities and sensitive land uses, such as residential uses, shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures. The applicant was requested to provide a Land Use Compatibility Study which was reviewed by external staff whom later requested revisions and have now identified there would be no concerns with the proposed development and related land use compatibility.

In accordance with the public spaces, recreation, parks, trails and open space policies under Section 3.9 1., the plan describes that healthy and active communities should be promoted by planning public streets, spaces and facilities to be safe, meet the needs of persons of all ages and abilities, including pedestrians, foster social interaction and facilitate active transportation and community connectivity; planning and providing for the needs of persons of all ages and abilities in the distribution of a full range of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources. The proposed development provides for access to private outdoor amenity areas as well as landscaped public boulevards along Plains Road East, Birchwood Avenue and Glenwood Avenue. The City's Engineering Services Accessibility staff have also reviewed the development application and have no comments on the proposed outdoor spaces.

As per the analysis provided, planning staff is of the opinion that the proposed Official Plan Amendment and Zoning By-law Amendment are consistent with the PPS.

### **3.0 Halton Region Official Plan (ROP)**

The Halton Region Official Plan (the "ROP") describes that it provides for "broad policy directions on strategic matters such as management of land and natural resources, growth strategies, housing, economic development, water and wastewater services, solid waste management, transportation, and health and social services". The Planning Act requires that Burlington's Official Plan and Zoning By-law be amended to conform with the ROP.

In accordance with Map 1H – Regional Urban Structure of the ROP, as amended, the subject lands are designated 'Urban Area', and considered a Strategic Growth Area as

they are found within a Protected Major Transit Station Area (MTSA) and are located along Plains Road East which is designated as Regional Intensification Corridor 'Plains-Fairview Corridor'. In accordance with Section 72, the Urban Area policies of the ROP identify that the goal of the Urban Area and the Regional Urban Structure is 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.

In accordance with Section 74, the Urban Area consists of areas designated within the Regional Urban Boundary as delineated on Map 1, where urban services are or will be made available to accommodate existing and future urban development and amenities. Furthermore, Section 75 describes that the Urban Area is planned to accommodate the distribution of population and employment for the Region and its local municipalities as shown in Table 1, the intensification and density targets as shown in Table 2 and the targets for Strategic Growth Areas as shown in Table 2b of the ROP. For the City of Burlington, these indicate a population target of 240,050 people as well as a density target of 20,500 Housing Units by 2041 and a minimum density target of 150 residents and jobs combined per hectare of which 80% would constitute residents and 20% would constitute jobs.

In accordance with Section 79.3 it is policy of the region to direct development with higher densities and mixed uses to Strategic Growth Areas. Similarly, Section 81 describes that some the objectives of the Major Transit Station Areas, are 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 and achieve multimodal access to stations while considering contextually appropriate intensification opportunities to ensure the protection of neighbourhood character. Similarly, in accordance with Section 82.3, some of the objectives of Regional Intensification Corridors are to recognize Strategic Growth Areas in the Region and accommodating higher-density mixed use development and/or a mix of employment uses appropriate to the existing local context as well as to achieve increased residential and employment densities to ensure the viability of existing and planned transit. The proposed development is intended to provide intensification of a mix of uses that support a pedestrian-oriented urban environment and existing as well as planned transit while ensuring the neighbourhood character is preserved. The proposed development has been reviewed against the applicable Official Plan design policies and associated Design Guidelines as later discussed in this analysis.

In accordance with Section 84, the goal for housing is to supply the people of Halton with an adequate mix and variety of housing to satisfy differing physical, social and economic needs. Section 85 further describes that some of the objectives of housing in the Region of Halton include:

- to make more efficient use of existing developed lands, housing stock and available services to increase the supply of housing while maintaining the physical character of existing neighbourhoods; and
- to encourage the Local Municipalities and the development industry to develop innovative housing designs that stress flexibility in use, mix of compatible land uses, good environmental practices, universal physical access, public safety and security needs, cost-efficiency, affordability and energy and natural resource conservation while maintaining sound engineering and planning principles.

Furthermore, Section 86 outlines it is the policy of the Region to permit intensification of land use for residential purposes such as infill, redevelopment, and conversion of existing structures provided that the physical character of existing neighbourhoods can be maintained as well as to promote residential intensification through the development or redevelopment of greyfield sites which would include vacant lands. The proposed development is intended to provide 253 new residential dwelling units instead of the existing three single detached dwellings with a total of 6 residential dwelling units while aligning with the planned character of the area as later discussed in this analysis.

In accordance with Section 86(19), local municipalities are required to use a rental housing vacancy rate of 3 per cent as the minimum threshold to permit the conversion of existing rental housing to ownership tenure or other uses or the demolition of such housing. In accordance with the submitted application materials, planning staff is of the understanding that the existing dwelling units on the subject lands are under private ownership and are being utilized as interim rental accommodations since the year 2023 as a transitional use that is intended to support and continue while the redevelopment process is undertaken. Planning staff is of the opinion that the existing rental units reflect a temporary form of occupancy that was not established as part of a purpose-built rental housing operation and rather as a temporary use.

In accordance with Section 89(3), all new development within the Urban Area is to be connected to the Region of Halton's municipal water and wastewater system. As part of the required materials for the application submission, the applicant provided a Functional Servicing Report (FSR) which was reviewed by Halton Region staff as well as Development Engineering staff. Regional staff have indicated no concerns or objections to the proposed development, and requested revisions to be provided at the subsequent Site Plan application stage. Development Engineering staff have indicated no concerns and have provided standard Site Plan review comments.

Section 147(17) of the ROP requires the applicant of a development proposal to determine whether there is any potential contamination on the site they wish to develop, and if there is, to undertake the steps necessary to bring the site to a condition suitable for its intended use. The applicant was required to submit an Environmental Site Screening Questionnaire (ESSQ), a Phase One and Phase Two Environmental Site

Assessment. The submitted materials have been reviewed by Development Engineering staff who have indicated no concerns as well as no further assessment required as no concerns have been raised in terms of potential site contamination.

As per the analysis provided, planning staff is of the opinion that the proposed Official Plan Amendment and Zoning By-law amendment conform to the ROP.

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

The City of Burlington Official Plan (the “OP 1997”) provides specific guidance on land use planning and development within the city. The Official Plan includes local principles, objectives and policies for the orderly growth and compatibility of different land uses.

The subject lands contain two separate designations under Schedule ‘A’ – Settlement Pattern of the OP 1997. The properties municipally known as “84 and 104 Plains Road East and 990 Glenwood Avenue” are within the ‘Residential Areas’ while property 92 Plains Road East is within the ‘Mixed Use Activity Areas’.

In accordance with Part III, Section 2.2.1 some of the objectives of the ‘Residential Areas’ designation are to encourage new residential development and residential intensification within the Urban Planning Area in accordance with Provincial growth management objectives, while recognizing that the amount and form of intensification must be balanced with other planning considerations, such as infrastructure capacity, compatibility and integration with existing residential neighbourhoods. Similarly, in accordance with Part III, Section 5.2.1, some of the objectives of the ‘Mixed Use Activity Areas’ designation are 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 as well as to ensure lands are developed in a compact urban form, are pedestrian-oriented and highly accessible by public transit, and foster community interaction.

Similarly, the subject lands contain two separate designations under Schedule ‘B’ – Comprehensive Land Use Plan – Urban Planning Area in OP 1997. The properties municipally known as 84 and 104 Plains Road East and 990 Glenwood Avenue are designated as ‘Residential – Medium Density’ while the property 92 Plains Road East is designated as ‘Mixed Use Corridor – General’.

In accordance with Part III Section 2.2.2 d) and g) (ii), in ‘Residential – Medium Density’ areas, either ground or non-ground-oriented housing units including detached and semi-detached homes, townhouses, street townhouses and stacked townhouses, back to back

townhouses, attached housing and walk-up apartments shall be permitted provided that these forms meet a density ranging between 26 and 50 units per net hectare.

In accordance with Part III, Section 5.3.2 a), the following uses may be permitted within 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; entertainment, recreation and other community facilities such as day care centres; and small scale motor vehicle dealerships;
- (ii) high density residential uses and a full range of office uses; and
- (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.

In accordance with Part III, Section 5.3.2 b) and c), Mixed Use Corridor lands are intended to provide for the day-to-day and weekly shopping needs of residents within and in close proximity to the Corridor, retail and service commercial uses are to be located at street level in office or residential buildings.

In accordance with Part III, Section 5.3.2 d), 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 consideration 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 of building design, landscaping and streetscaping, and the provision of underground parking;
- (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;
- (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;
- (iv) all buildings shall be required to have a building entrance from the building façade closest to the corridor street; and
- (v) off-street parking needs may be reduced for sites with transit supportive designs or shared parking arrangements.

The proposed development has considered various factors such as adequacy of services and infrastructure and the provision of compatibility with adjacent uses through building design measures and the provision of underground parking. Additionally, the proposal has been reviewed along with the applicable intensification policies under the OP 1997, the envisioned urban design policies of the OP 2020 and the urban design guidelines as later discussed in this analysis.

Part III, Section 5.3.2 s), also known as site specific policy 116, outlines that *notwithstanding the policies of Part III, Subsections 5.3.2 a) ii) and d) ii) of this Plan, for the lands described as 92 Plains Road East a mixed use building consisting of residential and at-grade office uses, with a maximum density of 234 units per hectare and a maximum building height of 7 storeys shall be permitted.*

The proposed development therefore requests an Official Plan Amendment to redesignate the properties municipally known as 84 and 104 Plains Road East, and 990 Glenwood Avenue, from 'Residential – Medium Density' to 'Mixed Use Corridor – General' as well as, for all the properties to permit increased height from existing permissions from 2- to 7-storeys range to 12 storeys (inclusive of the mechanical penthouse) as well as increased Floor Area Ratio (FAR) from the existing maximum 1.5:1 to 4.91:1.

The criteria listed under Part III, Section 2.5.2 a) shall be considered when evaluating proposals for housing intensification within established neighbourhoods, as follows:

*Part III, Section 2.5.2 a) (i):* adequate municipal services to accommodate the increased demands are provided, including such services as water, wastewater and storm sewers, school accommodation and parkland.

*Staff comment:* The City's Development Engineering staff, Halton Region staff, Halton District School Board staff and Halton Catholic District School Board staff have been circulated as part of the technical review process. Staff have indicated no concerns with the proposed development and existing servicing and school infrastructure.

*Part III, Section 2.5.2 a) (ii):* adequate off-street parking.

*Staff comment:* The proposed development contemplates a total of 249 vehicle parking spaces including 8 designated accessible spaces for the 253 residential units proposed as well as 36 vehicle parking spaces including 2 designated accessible spaces for the visitor and non-residential uses at grade. Bill 185 amended the Planning Act to restrict municipalities from mandating parking requirements in Provincial Major Transit Station Areas and around transit stations, except for bicycle parking. As such, Transportation Planning have reviewed the submitted application and related materials and have indicated no concerns with the proposed parking rates.

Similarly, the City's Engineering Services Accessibility staff have reviewed the submitted application and related materials and have indicated they are not in support of any reduction in the number of accessible parking spaces provided, the reduction in the width of the accessible parking spaces or the access aisle as per our zoning bylaw. Planning staff have therefore not included the requested amendments to the reduction in the width of the accessible parking spaces or the access aisle under the amending by-law as outlined under Appendix E – Zoning By-law Amendment. As a result, planning staff are of the opinion that with the modification to the applications the proposed parking rates are appropriate for the proposed development.

*Part III, Section 2.5.2 a) (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.

*Staff comment:* The City's Transportation Planning staff have reviewed the application as well as the associated materials submitted and have indicated support of the application and the proposed land-use and density as the transportation network can accommodate the increase without significant negative impact. Transportation planning staff have also indicated that the proposed driveway accesses on Glenwood Avenue and Birchwood Avenue are sufficient to meet the needs of the proposed development.

*Part III, Section 2.5.2 a) (iv):* the proposal is in close proximity to existing or future transit facilities.

*Part III, Section 2.5.2 a) (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 vehicular 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.

*Staff comment:* The proposed development fronts onto Plains Road East which is designated as a 'Multi-Purpose Arterial' under Schedule J – Classification of Transportation Facilities and contains pedestrian access to Plains Road East as well as pedestrian and vehicle access to the adjacent local streets Glenwood Avenue and Birchwood Avenue. The subject lands are located approximately 40 metres from the two nearest Burlington Transit bus stops located along Plains Road which are part of Route 1 (Plains – Fairview East). This route runs along Plains Road East, loops at the City of Hamilton and runs into the Burlington GO and Appleby GO Train Stations. The proposed development is also located approximately 500m south from the Aldershot GO station and higher-order transit. The built form, scale and profile of development is well integrated with the existing neighbourhood and provides for appropriate transition between existing

and proposed residential built form as later discussed under the analysis of the Zoning By-law and applicable Urban Design Guidelines including the Mid-Rise Building Guidelines, Pedestrian Level Wind Study Guidelines and Shadow Study Guidelines.

*Part III, Section 2.5.2 a) (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.

*Part III, Section 2.5.2 a) (ix):* capability exists to provide adequate buffering and other measures to minimize any identified impacts.

*Staff comment:* The applications intend to amend the existing site-specific policy 116 to permit an increased maximum building height of 12-storeys (inclusive of a mechanical penthouse) and an increased maximum floor area ratio of 4.91:1. Additionally, it proposes to amend the current MXG-498 zone with site-specific amendments as later discussed in the Zoning By-law 2020 section of this analysis. Staff is of the opinion that the proposed building maintains compatibility with the existing neighbourhood character in terms of scale, massing, height, siting, setbacks, coverage as later discussed under the analysis of the Zoning By-law and applicable Urban Design Guidelines including the Mid-Rise Building Guidelines, Pedestrian Level Wind Study Guidelines and Shadow Study Guidelines.

Additionally, as previously mentioned, Transportation Planning have reviewed the submitted application and related materials and have indicated no concerns with the proposed parking rates. Similarly, the City's Engineering Services Accessibility staff have reviewed the submitted application and related materials and have indicated they are not in support of any reduction in the number of accessible parking spaces provided, the reduction in the width of the accessible parking spaces or the access aisle as per our zoning bylaw. Planning staff have therefore not included the requested amendments to the reduction in the width of the accessible parking spaces or the access aisle under the amending by-law as outlined under Appendix E – Zoning By-law Amendment. As a result, planning staff are of the opinion that the proposed parking rates are appropriate for the proposed development.

*Part III, Section 2.5.2 a) (vi):* effects on existing vegetation from development proposals are to be minimized, and appropriate compensation is provided for significant loss of vegetation, if necessary to assist in maintaining neighbourhood character.

*Staff comment:* As previously mentioned, although Urban Forestry staff have indicated concerns with the removal of tree number 305 and 317, planning staff are of the opinion that replacement and compensation for the removal of existing trees is appropriate in the context of the site's location within a Major Transit Station Area.

*Part III, Section 2.5.2 a) (vii):* significant sun-shadowing for extended periods on adjacent properties from the proposed development, particularly outdoor amenity areas, is to be at an acceptable level.

*Staff comment:* The proposed development has been reviewed against the Shadow Study Guidelines and Terms of Reference (2020) and a Shadow Study has been submitted with the subject applications as later discussed in this analysis. Planning staff have no concerns with the proposed development and its potential sun-shadowing impacts as these would remain at an acceptable level.

*Part III, Section 2.5.2 a) (viii):* accessibility exists to community services and other neighbourhood conveniences such as community centres, neighbourhood shopping centres and health care.

*Staff comment:* The subject lands are intended to be designated and are within walking distance from 'Mixed Use Activity Areas' under Schedule 'A' – Settlement Pattern. As previously mentioned, these areas are planned for 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, and highly accessible by public transit. Staff are therefore of the opinion that the proposed development will be in close proximity to community services and other neighbourhood conveniences.

*Part III, Section 2.5.2 a) (x):* where intensification potential exists on more than one adjacent property, any re-development proposals on an individual property shall demonstrate that future re-development on adjacent properties will not be compromised.

*Staff comment:* Staff are of the opinion that based on the overall Official Plan policies and the associated applicable urban design guidelines, the proposed development would not compromise the development of the nearby and directly adjacent properties.

*Part III, Section 2.5.2 a) (xii)* where applicable, there is consideration of the policies of Part II, Subsection 2.11.3, g) and m). Part II, Subsection 2.11.3, m), describes that future re-development and intensification in the South Aldershot area may be restricted by limited storm sewer capacity and the potential for increased downstream flooding and/or erosion as a result of greater levels of storm water runoff due to development. The City may undertake one or more of the following measures to address this concern:

- (i) discouraging the reconstruction of existing streets with no curbs or gutters to an urban standard (curbs, gutters and storm sewers);
- (ii) where appropriate and feasible, requiring on-site storm water infiltration facilities and other storm water management techniques as part of the design of new development proposals;

- (iii) limiting the density or intensity of proposals for re-development and intensification in this area if required.

*Staff comment:* The proposed development constitutes intensification within the Aldershot area. Region of Halton staff as well as the City's Development Engineering staff have indicated no concerns with the development and its potential impact on stormwater management with design details to be addressed at the subsequent Site Plan application process.

As per the analysis provided, planning staff is of the opinion the proposed Official Plan Amendment (as outlined under Appendix D – Amendment No. 164 to the Official Plan of the City of Burlington) and the proposed Zoning By-law Amendment is consistent with the intent of the OP 1997.

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

On November 30, 2020, Halton Region issued a Notice of Decision approving a new City of Burlington Official Plan (2020) (the "OP 2020"). The OP 2020 is subject to appeals which are currently before the Ontario Land Tribunal (OLT). For up-to-date information on the status of the OP 2020 and relevant appeals, visit [www.burlington.ca/officialplan](http://www.burlington.ca/officialplan).

The subject lands are designated as 'Mixed Use Nodes and Intensification Corridors' and are within the 'Aldershot Major Transit Station Area (MTSA) Special Planning Area' boundary under Schedule B – Urban Structure. In accordance with Section 2.3.1 h) MTSA's are intended to serve as city-wide destinations and focal points for the provision of higher intensity and mixed-use land uses, transit supportive development that will accommodate the majority of the growth of the City's future population and employment. Furthermore, in accordance with Section 2.3.1 j) 'Mixed Use Nodes and Intensification Corridors' represent areas with a concentration of commercial, residential and employment uses with development intensities generally greater than surrounding areas. Lands identified as Intensification Corridors consist of areas of street oriented uses which incorporate a mix of commercial, residential and employment uses, including designated employment lands, developed at overall greater intensities, serving as important transportation routes along higher order transit corridors and selected arterial streets. These areas will also be a focus of reurbanization and vary widely and will be guided by the underlying land use designations of this Plan. Some areas will be planned to evolve with higher residential intensities and a full mix of uses, while others may permit a more limited range of employment-oriented permitted uses, both designed to achieve their planned function. These will support the frequent transit corridors and provide focal points of activity and a vibrant pedestrian environment and facilitate active transportation through careful attention to urban design, enhancing the opportunities for the location of public service facilities and institutional uses.

The subject lands are further designated as 'Urban Corridor' under Schedule C – Land Use – Urban Area. In accordance with Section 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 semidetached dwellings;
- (iv) office uses;
- (v) entertainment uses; and
- (vi) recreation uses.

Additionally, Section 8.1.3 (7.2) e) further describes that stand alone ground-oriented dwellings shall be prohibited in Urban Corridor lands located within MTSA's.

In accordance with Section 8.1.3 (7.2) j), the permitted retail and service commercial uses and other pedestrian-oriented uses shall be located on the ground floor of office or residential buildings and should be permitted above or below the first storey of buildings. Similarly, Section 8.1.3 (7.2) k) describes that mixed use buildings containing retail and service commercial uses at grade shall be required on sites located within MTSA Special Planning Areas, as shown on Schedule B – Urban Structure, and Schedule B-1 – Growth Framework, of this Plan. The subject lands are found within Aldershot GO MTSA, the proposed development includes a mix of retail at grade and residential in the above storeys with a limited number of residential units also proposed at grade and at the rear of the building.

In accordance with Section 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. Similarly, In accordance with Section 8.1.3 (7.2) g), the minimum building height shall be 2-storeys and the maximum building height shall not exceed 6-storeys. Where required to ensure compatibility, 4- to 6-storey buildings may be required to be terraced back from adjacent residential areas and/or the street. The Community Planning Permit (CPP) Bylaw envisions buildings of up to 6-storeys on the subject lands.

In accordance with Section 8.1.3 (7.2) m), any proposed development of sites designated Urban Corridor shall retain the planned commercial function of the site, in accordance with the objectives of Subsections 8.1.3 (7.1) b) and f), of this Plan, to the satisfaction of the City. Similarly, Section 8.1.3 (7.2) n), describes that the Zoning By-law shall establish a maximum floor area and a maximum floor area at grade per individual retail and service

commercial unit, based on such considerations as planned commercial function, built form, and contribution to achieving vibrant, active and walkable built environments in Urban Corridor lands. The existing zoning MXG-498 permits for a maximum of 183m<sup>2</sup> of office Floor Area within an apartment building and the underlying MXG zone also regulates a maximum Floor Area of 1800m<sup>2</sup> per retail or service commercial use of a building. The proposed MXG-498 zone as amended proposes a minimum requirement to 1,045m<sup>2</sup> for the proposed retail and service commercial uses at grade. Therefore, staff is of the opinion that the proposed development continues to meet the planned commercial function of the site as the proposed by-law is intended to maintain a minimum at-grade retail and service commercial uses.

The development application 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) (i):* the development shall be consistent with the land use compatibility policies contained in Section 4.6, Land Use Compatibility, of this Plan.

*Staff comment:*

In accordance with Section 4.6, the Land Use Compatibility policies describe that major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from vibration, noise, dust, odour or other contaminants and minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities, in accordance with provincial guidelines, standards and procedures.

The subject lands and the properties directly adjacent are designated as 'Urban Corridor' except for the properties abutting the south property line which are designated as 'Residential – Low Density'. The 'Urban Corridor' lands are envisioned to provide for a mix of uses in compact built form, including residential, retail, service commercial, office, entertainment, public service facilities and institutional uses, and open space uses while the 'Residential – Low Density' is envisioned to provide for single-detached and semi-detached dwellings as well as townhouses subject to specific criteria.

The proposed development on the subject lands aims to redevelop the existing three single detached dwellings into a 12-storey mixed use building (inclusive of a 12<sup>th</sup> storey mechanical penthouse) with ground floor retail and service commercial uses as well as 253 residential units, therefore the uses on the subject lands would remain residential along with a maximum of 1,045m<sup>2</sup> of retail and service commercial uses at grade. Additionally, as part of the required materials for the application submission, the applicant provided a Land Use Compatibility Study, a Noise Feasibility Study, an Environmental Site Screening Questionnaire (ESSQ) as well as a Phase One and Phase Two Environmental Assessments. These materials have been reviewed by external consultants and Development Engineering staff who have indicated no concerns with

respect to land use compatibility, site contamination and noise generated by the proposed development. Therefore, Planning staff is of the opinion that the proposed development conforms with the policies under Section 4.6 of the OP 2020.

*Section 12.1.2 (2.2) c) (iii):* the development shall be consistent with the intent of the Section 2.3 – The Urban Structure, of the Plan and maintain the land use vision established in the land use designations of this Plan.

*Staff comment:* The proposed development is in accordance with the ‘Mixed Use Nodes and Intensification Corridors’ policies outlined under Section 2.3.1 as previously discussed.

*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.

*Staff comment:* The subject lands are designated as ‘Primary Growth Area’ under Schedule B-1 – Growth Framework of the Plan. In accordance with Section 2.4.2.(1) b), Primary Growth Areas shall be recognized as a distinct area within the City’s Urban Area accommodating the majority of the city’s forecasted growth over and consequently will experience the greatest degree of change; shall be regarded as the most appropriate and predominant location for new tall buildings in accordance with the underlying land use designations, or of an area-specific plan; shall be identified as priority locations for City-initiated area-specific planning and for investments in transit as well as other types of infrastructure and public service facilities, including parks to support population and employment growth; and shall support the frequent transit corridors and accommodate development that is compact, mixed use, and pedestrian-oriented in nature. The subject lands are currently occupied by three single detached dwellings, the proposed development a mixed use building of 12-storey mixed use building (inclusive of a 12<sup>th</sup> storey mechanical penthouse) with ground floor retail and service commercial uses as well as 253 residential units which constitutes intensification in accordance with the general intent of the underlying land use designations under local, regional and provincial policy. The proposed development is intended to support existing and planned transit as well as pedestrian routes which in turn supports population growth.

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

*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) 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:*

In accordance with Section 7.3.2 (1) (i), 'Primary Growth Areas' are subject to the design policies of Subsection 7.3.2 a) of the OP 2020, where applicable and additional considerations such as, but not limited to:

- a. locating buildings generally parallel to the public street to define the street edge and along the edges of parks, urban squares and other open space features, and in close proximity to the street and transit services;
- b. providing appropriate transitions to adjacent land uses, particularly residential uses;
- c. massing new buildings to frame adjacent streets in a way that respects the existing and planned street width but also provides for a pedestrian-scale environment;
- d. locating building primary public entrances for uses located at grade towards a public right-of-way and visible and accessible from the public sidewalk;
- e. including direct pedestrian access, including barrier free access from grade level, to the primary public entrances located on the building façade;
- f. screening or integrating roof top mechanical equipment within the overall composition of the building;
- g. creating an attractive and connected interface between the private and the public realms;
- h. creating a continuous streetscape with emphasis on maintaining the continuity of grade-related activity areas, both inside and outside of buildings; and
- i. providing appropriate outdoor amenity areas and open spaces and promoting the incorporation of private open spaces to the open space network of the immediate community.

Staff is of the opinion that the proposed development continues to meet the general intent of this policy section. Policy review of these considerations has been conducted as part of later sections through the review of the applicable urban design guidelines.

*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.

*Staff comment:* Staff is of the opinion that the proposed development continues to meet the general intent of this policy section. Policy review of these considerations has been conducted as part of the OP 1997 Part III, Section 2.5.2 a) (viii) as previously mentioned in this analysis.

*Section 12.1.2 (2.2) c) (vii):* the development shall preserve and protect trees, consistent with the policies contained in Section 4.3, Urban Forestry.

*Staff comment:* Staff is of the opinion that the proposed development continues to meet the general intent of this policy section. Policy review of these considerations has been conducted as part of the OP 1997 Part III, Section 2.5.2 a) (vi) as previously mentioned in this analysis.

*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) (xvi):* the development considers the relationship to existing or planned transit facilities including a frequent transit corridor, higher order transit, bus routes and/or transit shelters.

*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 proposed development fronts onto Plains Road East which is designated as a 'Frequent Transit Corridor' and 'MTSA Primary Connector' under Schedule B-2 Growth Framework and Long Term Frequent Transit Corridor 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 proposed development contemplates pedestrian access to Plains Road East as well as pedestrian and vehicle access to the adjacent local streets, Glenwood Avenue and Birchwood Avenue. The proposed development also proposes 118 long-term and 28 short-term bicycle parking spaces and it is near public transit, pedestrian paths and higher order transit as previously mentioned. Therefore, staff are of the opinion that the proposed development has considered multi-modal transportation, has considered the relationship to existing or planned transit facilities along Plains Road East by providing for appropriate connectivity to the public realm.

*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 connections.

*Staff comment:* The proposed development is not intended to compromise future development on the adjacent properties, this has been reviewed along with the Urban Design Policies as later discussed under this analysis which speak to the related built

form impacts onto the adjacent properties. Additionally, the proposed development has been designed to facilitate future pedestrian, cycling and/or private street connections by way of sidewalks and entrances along Plains Road East, Glenwood Avenue and Birchwood Avenue as well as through their of the site as previously mentioned.

*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:* As part of the required materials for the application submission, the applicant provided a Functional Servicing and Storm Water Management Report. Development Engineering staff reviewed the submitted materials and did not indicate concerns with the proposed stormwater management.

Planning staff have reviewed the Official Plan Amendment and Zoning By-law Amendment application as well as the materials submitted and are of the opinion that the proposed development conforms to the general intent and purpose of OP 2020.

## 6.0 Zoning By-law 2020

The subject lands are currently zoned 'MXG-498' (Mixed Use General with site exception 498) and are also zoned as 'RM1-346' (Residential – Medium Density with site exception 346) under Zoning By-law 2020 as amended (as shown on Appendix A – Existing Zoning). The MXG zone permits for a range of retail and service commercial uses as well as office, community, automotive, entertainment and recreation uses while the RM1 zone permits detached, semi-detached, duplex and triplex buildings. Site exception 498 further permits a 6-storey mixed-use building (including a 7<sup>th</sup> storey rooftop terrace and mechanical penthouse) with approximately 183m<sup>2</sup> of ground floor office uses and 49 residential units above for the lands municipally known as 92 Plains Road East. Site exception 346 further permits townhouses and other site-specific provisions for the lands municipally known as 104 and 84 Plains Road East as well as 990 Glenwood Ave.

The application requests a Zoning By-law Amendment to rezone the subject lands from 'MXG-498' and 'RM1-346' to 'MXG-498' ('Mixed Use General' with site-specific regulations) with new regulations to facilitate the development of a 12-storey mixed use building (inclusive of a 12<sup>th</sup> storey mechanical penthouse) with ground floor retail and service commercial uses as well as 253 residential units.

The following table outlines a comparative analysis of the requirements of the base 'MXG' zone, the existing 'MXG-498' and 'RM1-346' zones and the proposed 'MXG-498' zone:

Zoning Regulation	MXG	MXG-498	RM1-346	MXG-498 amended
Non-residential Floor Area	1800m <sup>2</sup> maximum per	183 m <sup>2</sup> minimum for office	not applicable	1,045m <sup>2</sup> minimum

	retail or service commercial use			
<p><b>Staff comment:</b> the proposed development includes an increase in the minimum area for non-residential uses at-grade. This amendment aims to ensure that non-residential uses are included at-grade as per the intent of the underlying Official Plans designations previously discussed.</p>				
<b>Zoning Regulation</b>	<b>MXG</b>	<b>MXG-498</b>	<b>RM1-346</b>	<b>MXG-498 amended</b>
Building Height and penthouse	2 storeys minimum  6 storeys maximum	7 storeys maximum	2 1/2 storeys maximum to 13m	12 storeys, including mechanical penthouse, up to 39.4m  Residential uses not permitted on the 12th storey
<p><b>Staff comment:</b> The amending by-law proposes an increased height from the base zoning of 6 storeys to 12 storeys, inclusive of the 12<sup>th</sup> storey mechanical penthouse. The intent of regulating height is to prevent overdevelopment of a property as well as mitigate any negative impact that may arise from this. Staff is of the opinion that all potential impacts of increased height have been considered through the analysis of the applicable Official Plan policies and design guidelines.</p>				
<b>Zoning Regulation</b>	<b>MXG</b>	<b>MXG-498</b>	<b>RM1-346</b>	<b>MXG-498 amended</b>
Number of Dwelling Units	63 units (minimum density of 30 units per hectare)	49 units maximum and not permitted on the 7 <sup>th</sup> storey	3 units maximum	253 units maximum and not permitted on the 12 <sup>th</sup> storey
<p><b>Staff comment:</b> The proposed development aims to increase the number of residential dwelling units from the underlying MXG regulations of 63 units to 253 units. In accordance with the policies set out under Provincial, Regional and Local policies for the Aldershot GO Major Transit Station Area as previously discussed, staff are of the opinion that the proposed residential intensification is appropriate for the subject lands.</p>				
<b>Zoning Regulation</b>	<b>MXG</b>	<b>MXG-498</b>	<b>RM1-346</b>	<b>MXG-498 amended</b>
Floor Area Ratio (FAR)	1.5:1 maximum  0.3:1 minimum	2.5:1 maximum	not applicable	4.91:1 maximum

**Staff comment:** The amending by-law proposes an increased Floor Area Ratio (FAR) from the underlying MXG regulations of 1.5:1 to 4.91:1 to reflect the increased number storeys. The intent of regulating FAR is to regulate building size and massing and prevent the overdevelopment of a property as well as mitigate any negative impact that may arise from this. Staff is of the opinion that all potential impacts of overdevelopment have been considered as previously discussed through this report. As a result, staff is of the opinion that the proposed FAR increase and associated development concept is appropriate for the subject lands.

Zoning Regulation	MXG	MXG-498	RM1-346	MXG-498 amended
Yards	<p><b>Yard Abutting Plains Road East:</b> 3 m minimum 4.5 m maximum</p> <p><b>Yard Abutting any other street:</b> 3 m minimum 4.5 m maximum</p> <p><b>Yard abutting a residential zone:</b> Floors 1 to 3: 12m Floors 4 and 5: 15m Floor 6: 18m</p>	<p><b>Yard Abutting Plains Road East:</b> ranges between 3m and 8m</p> <p><b>Abutting East Property Line:</b> ranges between 3m to 21m</p> <p><b>Abutting West Property Line:</b> ranges between 3m to 21m</p> <p><b>Abutting South Property Line:</b> ranges between 18m to 25m</p>	<p><b>Front Yard:</b> 12m</p> <p><b>Side Yard:</b> with attached garage or carport: 10% of actual lot width without attached garage or carport: 10% of actual lot width, 3m on one side</p> <p><b>Street Side Yard:</b> 9m</p>	<p><b>Yard Abutting Plains Road East:</b> ranges between 1.3m as well as 0 m to the main entrance structural projection to 4.3m</p> <p><b>Abutting Birchwood Avenue:</b> ranges between 0.9m to 18.7m</p> <p><b>Abutting Glenwood Avenue:</b> ranges between 0.8m to 18.5m</p> <p><b>Abutting a Residential Zone:</b> ranges between 14.9m to 28.5m</p> <p>Notwithstanding Part 5, Section 4.1, Table 5.4.1 the maximum yard abutting</p>

				any street shall not apply.
<p><b>Staff comment:</b> Detailed analysis of the proposed yards has been included under the applicable Urban Design Guidelines review, more specifically under the Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings. The proposed building includes a reduction to majority of the setbacks mainly along the lower building portion and increased setbacks in the storeys above due the proposed step-backs in the upper building portion. Additionally, the proposed setbacks along the rear property line are generally larger than those required under the underlying MXG zone to mitigate potential massing impacts onto the low-rise residential uses abutting the south yard. Staff are of the opinion that the proposed setback reductions and associated impacts of the increased building massing have been appropriately addressed by way of the submitted application materials.</p>				
<b>Zoning Regulation</b>	<b>MXG</b>	<b>MXG-498</b>	<b>RM1-346</b>	<b>MXG-498 amended</b>
Setbacks from the Hypotenuse of a Daylight Triangle (including building walls and balconies)	For any building or structure: 3m	same as MXG zone regulations	same as MXG zone regulations	<p><b>Abutting Plains Road East and Birchwood Avenue:</b> ranges between 1.0m to 2.8m</p> <p><b>Abutting Plains Road East and Glenwood Avenue:</b> ranges between 0.7m to 2.5m</p>
<p><b>Staff comment:</b> Daylight Triangles are defined under Zoning By-law 2020 as a triangular shaped area which if required, forms part of an intersecting street. The intent of the Daylight Triangles is to ensure that buildings, structures and landscaping are kept free of this area to maintain sight lines for safe turning movements or additional visibility. The proposed development includes a reduction to the existing setbacks from the Hypotenuse of a Daylight Triangle to permit for the proposed building layout. Planning staff as are of the opinion that the proposed reductions continue to meet the intent of the by-law and do not pose negative impact. Transportation planning staff have also reviewed the proposed reductions and have not indicated concerns.</p>				

Zoning Regulation	MXG	MXG-498	RM1-346	MXG-498 amended
Accessory Structures	<p><b>Accessory Building greater than 10m<sup>2</sup> in floor area and/or greater than 2.5m in height:</b></p> <p>Not permitted in a front yard, street side yard or required side yard and permitted in rear yard subject to specific setback, area and storey regulations</p>	same as MXG zone regulations	Accessory Buildings up to 10m <sup>2</sup> in floor area and 2.5m in height, subject to specific setback regulations.	<p><b>One accessory structure is permitted at grade with the following regulations:</b></p> <p>Yard abutting a Residential zone: 3.5m</p> <p>Height: one storey up to 4m</p> <p>Floor Area: 15 m<sup>2</sup></p>
<p><b>Staff comment:</b> Accessory structures are defined under Zoning By-law 2020 as a detached structure that is not used for human habitation, the use of which is subordinate to, or exclusively devoted to a principal use or building as well as located on the same lot and may include unenclosed gazebos and pergolas. The intent of regulating the floor area, height and location of accessory structures is to maintain this subordinate to the principal building as well as mitigate any related structure massing impacts. Planning staff is of the opinion that the proposed location, increased height and floor area continue to meet the intent of the mentioned regulations.</p>				
Zoning Regulation	MXG	MXG-498	RM1-346	MXG-498 amended
Driveways and Parking Space setbacks	parking spaces shall be set back at least 6m from an R1, R2, R3 zone	same as MXG zone regulations	same as MXG zone regulations	<p><b>From a Residential Zone: 3m</b></p> <p><b>From the window of a habitable room on the ground floor: 2m</b></p>
<p><b>Staff comment:</b> The proposed driveway and parking require a reduction from 6m to 3m. The intent of requiring a minimum distance from is to mitigate any potential impacts related to nearby traffic such as noise.</p>				

<b>Zoning Regulation</b>	<b>MXG</b>	<b>MXG-498</b>	<b>RM1-346</b>	<b>MXG-498 amended</b>
Below-grade parking garage yards	Any part of an enclosed parking structure that projects 1.6m or more above grade shall be subject to the yard requirements of the zone designation and may encroach into a required yard but shall not encroach into a required landscape buffer, provided that a minimum 3m setback shall be maintained from a street line or property line.	<b>Abutting Plains Road East:</b> 1.6m <b>Abutting west property line:</b> 1.8m <b>Abutting south property line:</b> 4.8m	same as MXG zone regulations	<b>Abutting Plains Road East:</b> 1.2m; 0m to the structural column foundation <b>Abutting a Residential Zone:</b> 2.8m <b>Abutting all other lot lines:</b> 0.7 m
<p><b>Staff comment:</b> the proposed development includes a reduction to the yards for the below-grade parking garage across all the property lines. The intent of minimum below-grade parking garage yards is to protect adjacent uses from encroachments as well as to protect for appropriately sized landscape buffers that are intended to include large trees and vegetation. As later discussed in the analysis of the applicable design guidelines, the proposed development includes a minor encroachment of 0.2m into the proposed landscape buffer at the rear property line. Staff is of the opinion that the proposed reductions for the below-grade parking garage continue to maintain an appropriate separation to other uses and the future long-term viability of proposed trees and vegetation within the landscape buffer.</p>				
<b>Zoning Regulation</b>	<b>MXG</b>	<b>MXG-498</b>	<b>RM1-346</b>	<b>MXG-498 amended</b>

Amenity Area	15 m <sup>2</sup> per efficiency dwelling unit  20 m <sup>2</sup> per one-bedroom dwelling unit  35 m <sup>2</sup> per two or more bedroom dwelling unit	same as MXG zone regulations	not applicable	15.3m <sup>2</sup> (approximately 3,870 m <sup>2</sup> )
<b>Staff comment:</b> The proposed development includes an amenity area rate of approximately 15.3m <sup>2</sup> per dwelling unit which results in approximately 3,870m <sup>2</sup> in total amenity area. Staff consider the proposed rate to be an appropriate amount of amenity to account for the proposed 253 residential units being proposed.				
<b>Zoning Regulation</b>	<b>MXG</b>	<b>MXG-498</b>	<b>RM1-346</b>	<b>MXG-498 amended</b>
Balconies and Terraces setbacks	<b>balcony projection into a required side yard:</b> 0.50m maximum  <b>balcony projection into any other required yard:</b> 1.6 m maximum  the sum of the length of these projections does not exceed one third of the permitted length of a building wall  the length of any one projection does not exceed 3 m.  <b>terrace encroachment into a required</b>	same as MXG zone regulations	same as MXG zone regulations	<b>Yard Abutting Plains Road East:</b> ranges between 0 to 4.2m  <b>Yard Abutting Birchwood Avenue:</b> ranges between 0.3m to 4.7m  <b>Yard Abutting Glenwood Avenue:</b> ranges between 0m to 4.2m  <b>Yard Abutting a Residential Zone:</b> ranges between 15.4m to 28.5m

	<b>yard:</b> 0.65m maximum			
<b>Staff comment:</b> The proposed amending by-law is intended to regulate balconies by way of setbacks instead of projections. The intent of regulating balcony projections is to ensure that these extensions preserve streetscape character, protect privacy between adjacent properties, and minimize impacts to the public realm as well as maintain sunlight access and sightlines. Staff is of the opinion that the proposed setbacks are appropriate for the proposed built form as later discussed under the analysis of the Mid-Rise Building Guidelines.				
<b>Zoning Regulation</b>	<b>MXG</b>	<b>MXG-498</b>	<b>RM1-346</b>	<b>MXG-498 amended</b>
Visibility Triangle	9m x 9m	same as MXG zone regulations	same as MXG zone regulations	6m x 6m
<b>Staff comment:</b> The proposed development includes a reduction for the required Visibility Triangle from the existing required 9m x 9m to 6m x 6m. The intent of visibility triangles is to enhance safety by ensuring visibility for drivers, cyclists and pedestrians at intersections. Transportation staff have reviewed the proposed reduction and have no concerns with the proposed reduction.				
<b>Zoning Regulation</b>	<b>MXG</b>	<b>MXG-498</b>	<b>RM1-346</b>	<b>MXG-498 amended</b>
Fencing	Fencing is permitted but not required	same as MXG zone regulations	same as MXG zone regulations	Fencing abutting a Residential Zone to be installed along the common property boundary with the Residential Zone with a minimum height of 3m
<b>Staff comment:</b> The proposed development directly abuts a low-rise residential zone to the rear of the subject lands along the south property line. A 3m tall fence is contemplated along the same property line as buffer to mitigate for potential overlook concerns. Staff are therefore including a regulation which dictates that a fence of 3m is required for the proposed development along the south property line.				
<b>Zoning Regulation</b>	<b>MXG</b>	<b>MXG-498</b>	<b>RM1-346</b>	<b>MXG-498 amended</b>
Landscape Area and Landscape Buffer	<u>Landscape Area:</u>	<u>Landscape Area</u>	<u>Landscape Buffer:</u> 6m	<u>Landscape Area</u>

	<p><b>Abutting a street: 3m</b></p> <p>An outdoor patio may encroach into a required landscape area abutting a street.</p> <p><b><u>Landscape Buffer:</u></b></p> <p><b>Abutting a residential zone: 6 m</b></p>	<p><b>Abutting a street: 0.9m</b></p> <p><b><u>Landscape Buffer</u></b></p> <p><b>Abutting East and West Property Line: 0.9m</b></p> <p><b>Abutting South Property Line: 6m</b></p> <p><b>Vent Encroachment into Landscape Buffer: 1.2m maximum</b></p> <p><b>Walkway Encroachment into East Landscape Buffer: 1.5m</b></p> <p>Retaining wall, transformer and utility box may encroach into landscape buffer</p>	<p>abutting an R2.1 and R5 zone</p>	<p><b>Abutting Plains Road East: 1.3m</b></p> <p><b>Abutting Birchwood Avenue: 0.9m</b></p> <p><b>Abutting Glenwood Avenue: 0.8m</b></p> <p>Snow storage, Hydro Transformer and pad, and a below grade parking structure may encroach</p> <p>A maximum of 15 m<sup>2</sup> Private Amenity Garden may encroach abutting Birchwood Avenue and Glenwood Avenue.</p> <p><b><u>Landscape Buffer</u></b></p> <p><b>Abutting a Residential Zone: 2.8m and a maximum of 32.18 m<sup>2</sup> for the enclosed dog run area may encroach</b></p>
<p><b>Staff comment:</b> A Landscape Area is defined under Zoning By-law 2020 as an area of land within a lot dedicated to the planting of trees, shrubs, flower beds, or a combination thereof and which may include other decorative landscape features. Similarly, a Landscape Buffer may be included in the calculation of Landscape Area. A Landscape Buffer is defined as the area of a lot which serves to provide separation and to partially obstruct the view of adjacent</p>				

land uses by means of a dense landscape screen consisting of evergreen trees or a combination of solid screen fencing and evergreen or deciduous trees.

The purpose of landscaped areas is to ensure adequate outdoor green space that supports trees and vegetation, helping to manage stormwater and enhance the local climate. Similarly, the intent of landscape buffers is to provide for visual and physical separation between the proposed uses and residential zones to prevent overlook and enhance privacy. The proposed driveway and parking spaces slightly encroach 0.2m into the proposed landscape buffer at the south property line while still maintaining future long-term viability of trees and vegetation. Impacts of potential overlook are mitigated by way of the proposed 2.8m landscape buffer and proposed 3m high fence as incorporated into the amending by-law as outlined under Appendix E – Zoning By-law Amendment. Staff is of the opinion that the proposed reductions are appropriate for the proposed development.

Zoning Regulation	MXG	MXG-498	RM1-346	MXG-498 amended
Non-Residential Vehicle Parking	<p><b>Retail Store uses:</b> 3.5 spaces per 100m<sup>2</sup> GFA</p> <p><b>Service Commercial uses:</b> 4 spaces per 100m<sup>2</sup> GFA</p>	16 spaces including 1 accessible parking space. May include Car Share and E/V spaces	not applicable	3.35 spaces per 100 m <sup>2</sup> GFA

**Staff comment:** The proposed development contemplates a total of 249 vehicle parking spaces including 8 designated accessible spaces for the 253 residential units proposed as well as 36 vehicle parking spaces including 2 designated accessible spaces for the visitor and non-residential uses at grade. Bill 185 amended the Planning Act to restrict municipalities from mandating parking requirements in Provincial Major Transit Station Areas and around transit stations, except for bicycle parking. As such, Transportation Planning have reviewed the submitted application and related materials and have indicated no concerns with the proposed parking rates.

Similarly, the City’s Engineering Services Accessibility staff have reviewed the submitted application and related materials and have indicated they are not in support of any reduction in the number of accessible parking spaces provided, the reduction in the width of the accessible parking spaces or the access aisle as per our zoning bylaw. Planning staff have therefore not included the requested amendments to the reduction in the width of the accessible parking spaces or the access aisle under the amending by-law as outlined under Appendix E – Zoning By-law Amendment. As a result, planning staff are of the opinion that the proposed parking rates are appropriate for the proposed development.

Zoning Regulation	MXG	MXG-498	RM1-346	MXG-498 amended
Bicycle Parking	2 spaces plus 1 space/1000m <sup>2</sup> Gross Floor Area of retail and service commercial	same as MXG zone regulations	not applicable	<b>Short-term spaces per unit: 0.1</b>  <b>Long-term spaces per unit: 0.46</b>
<p><b>Staff comment:</b> The underlying MXG zone and the existing MXG-470 zone both require 2 spaces plus 1 space per 1000m<sup>2</sup> Gross Floor Area for retail and service commercial uses. The proposed development includes 1,045m<sup>2</sup> of new ground floor retail and service commercial, therefore would require 4 bicycle parking spaces. The proposed development provides for a 118 long-term bicycle spaces within the underground parking structure, as well as 28 short-term bicycle spaces at-grade. This results in the approximate rates provided under the proposed amending by-law. Transportation staff have indicated no concerns with the proposed bicycle parking rates or their location and have also recommended that a portion of these spaces be located in a secure, weather-protected area accessible to retail employees and visitors</p>				

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 Zoning By-law and is appropriate for the subject lands.

## 7.0 Sustainable Building and Development Guidelines

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

In accordance with guideline 2.1, development proposals are required to provide pedestrian and cycling connections from on-site buildings to off-site public sidewalks, pedestrian paths, trails, open space, active transportation pathways, transit stops and adjacent buildings and sites in accordance with Official Plan policies. This guideline helps

to encourage active transportation and transit use to reduce the dependence on the automobile. The proposed development provides connection from the proposed private road and building to off-site public sidewalks that connect to nearby transit stops.

In accordance with guideline 2.3, development proposals are required to provide bicycle parking spaces in accordance with the Zoning By-law and Official Plan policies. This guideline helps ensure that sufficient bicycle parking spaces are provided in order to encourage a variety of active transportation modes. Additionally, guideline 2.5 encourages development proposals to locate occupant/employee bicycle parking near the main entrance or easy to identify area, in a weather protected area with controlled access or secure enclosures, at no extra charge to the occupant/employee. Similarly, guidelines 2.6 encourages the provision of visitor bicycle parking spaces in a weather protected area at grade near the main entrance or easy to identify area.

In accordance with the Zoning By-law 2020, the underlying MXG zone and the existing MXG-498 zone require 2 spaces plus 1 space per 1,000m<sup>2</sup> GFA for Retail and Service Commercial uses. The proposed development includes 1,045m<sup>2</sup> of new ground floor retail and service commercial, therefore would require 4 bicycle parking spaces. The proposed development provides for a 118 long-term bicycle spaces within the underground parking structure, as well as 28 short-term bicycle spaces at-grade. This results in the approximate rates provided under the proposed amending by-law. Transportation staff have indicated no concerns with the proposed bicycle parking rates or their location and have also recommended that a portion of these spaces be located in a secure, weather-protected area accessible to retail employees and visitors.

In accordance with guideline 2.4, development proposals are encouraged to provide a Transportation Demand Management Plan (TDM) for parking reductions and for Primary, Secondary and Employment Growth areas. This guideline helps to ensure that sustainable modes of transportation are encouraged as TDMs evaluate building transportation needs comprehensively and may consider measures such as the provision of transit passes, flexible work hours, unbundled parking, on site transit facilities, priority parking for carpooling and autoshare programs, etc. Similarly, guideline 2.9 also encourages for residential developments to provide for each unit a one-year Burlington Transit pass at no cost to resident to encourage transit ridership in intensification areas. The applicant provided a Traffic Impact Study which included TDM strategies as follows:

- **Unbundled parking:** parking spaces for residential units will be leased separately from residential units, providing residents the opportunity to opt out of having an assigned parking space.
- **Fee-based parking:** users of parking spaces on-site pay the cost of parking directly.

- **Bicycle parking areas:** organized structure for the short- and long-term parking of bicycles.
- **Transit schedules and route maps, trail maps, and cycling route maps:** these documents will be displayed in the lobby of the residential portion of the site.
- **Transit and Active Transportation Advocacy Initiatives:** media posted within the site highlighting the benefits of carpooling and travelling with public transit or active transportation.

In accordance with guideline 3.8, development proposals are encouraged to maintain existing on-site trees that are 30 cm or more DBH (diameter at breast height) or Maintain 75 per cent of healthy mature trees greater than 20 cm DBH. Tree preservation requirements are to be determined by Official Plan urban forestry policies. As part of the application submission, the applicant provided an Arborist Report, Tree Protection Plan and Landscape Concept Plans. As previously mentioned, although Urban Forestry staff have indicated concerns with the removal of tree number 305 and 317, planning staff are of the opinion that replacement and compensation for the removal of existing trees is appropriate in the context of the site's location within a Major Transit Station Area.

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

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

This guideline helps to ensure Low Impact Development strategies mitigate the impacts of increased urban runoff and stormwater pollution by managing it as close to its source as possible. It comprises a set of site design approaches and small scale stormwater management practices that promote the use of natural systems for infiltration and evapotranspiration, and rainwater harvesting. As part of the application submission, the applicant provided a Functional Servicing and Storm Water Management Report to acknowledge a level one enhanced stormwater treatment for all stormwater runoff. Development Engineering staff reviewed the submitted materials and did not indicate concerns with the proposed Storm Water Management.

In accordance with guideline 5.1, development proposals are required to provide vegetated landscape areas in hard surface areas as per the Zoning By-law. This guideline helps to provide vegetation that can reduce the urban heat island effect to improve human comfort and energy efficiency in the surrounding areas. The proposed development provides for landscaped areas which help to reduce potential urban heat island effects including majority of the proposed landscaping along Plains Road East as well as the south property line in the form of a landscape buffer to screen the adjacent low-rise residential uses.

In accordance with guideline 6.1, development proposals are required to provide and implement a waste management plan in accordance with Regional requirements as recycling and composting treats waste as a resource and reduces the need for landfill expansion. Halton Region staff have reviewed the submitted materials and have not indicated concerns with the proposed development and associated waste management.

Staff is of the opinion the proposed development proposal meets the intent of the required Sustainable Building and Development Guidelines, therefore the development considers the City of Burlington Climate Action Plan to support the City's climate implications.

### **8.0 Shadow Study Guidelines and Terms of Reference (2020)**

The purpose of the Shadow Study Guidelines is to provide a best practices approach to Shadow Studies to promote high-quality development proposals that ensure adequate access to sunlight is maintained for the enjoyment of public and private spaces alike throughout the city. The Shadow Study Guidelines indicate that a Shadow Study is required for development proposals with building heights of 5-storeys or more and in some cases when additional building height is requested and when a proposal is in close proximity to shadow sensitive uses, a Shadow study was therefore submitted with the subject applications.

In accordance with Section 4.3, to maximize the usability of private outdoor amenity areas such as rear yards, decks, and (rooftop) patios, including common outdoor amenity areas, shadows from proposed developments should not exceed 2 hours in duration, between 9:00am and 6:00pm on March 21st. Additionally, the criterion is met if the Sun Access Factor (SAF) is at least 0.22 on the test date. Through the submitted Shadow Study, a test date of March 21st between the times of 9:00am and 6:00pm hours was analyzed for shadow impact on private outdoor amenity spaces generated by the proposed development onto surrounding properties. It was observed that the proposed development does not cast shadows on the rear yards of private residential properties for more than 2 hours in duration except for the property 991 Glenwood Avenue. The SAF is calculated to be 0.83 for these times exceeding the minimum desired rate of 0.22. Planning staff are therefore of the opinion that the shadow impacts to the private outdoor

amenity areas are minor due to the duration and locations of the cast and overall meet the Shadow Study criteria.

In accordance with Section 4.4, shadows cast by all existing buildings and proposed developments onto lands designated or used for Parks and Open Spaces must allow for either: full sunlight 50 per cent of the time or 50 per cent sun coverage at all times during March 21<sup>st</sup> (9:00am to 6:00pm), September 21<sup>st</sup> (9:00am to 6:00pm), and December 21<sup>st</sup> (11:00am to 3:00pm). These test dates were analyzed under the submitted Shadow Study for shadow impact on private outdoor amenity spaces by the proposed development. Given no parks or open spaces are located within the test area, or area within the shadow catchment of the proposal, no parks or open spaces are shown to be affected.

In accordance with Section 4.5, shadows cast by all existing buildings and proposed developments onto places where children play including but not limited to school yards, playgrounds, and park features such as wading pools or other outdoor shadow-sensitive activity areas as identified by the City of Burlington, must allow for either full sunlight 50 per cent of the time or 50 per cent sun coverage at all times during March 21<sup>st</sup> (9:00am to 6:00pm) and September 21<sup>st</sup> (9:00am to 6:00pm) as well as December 21<sup>st</sup> (11:00am to 3:00pm) for school yards and playground areas only. The subject lands are in proximity to Glenview Public School, at approximately 75m from the north-west boundary of the school yard. As per the submitted Shadow Study, during the hour of 6:00pm on March 21<sup>st</sup> and the hour of 6:00pm on September 21<sup>st</sup> minor shadows will be casted onto the north-west corner of the school yard. Planning staff are therefore of the opinion that the shadow impacts onto the school yard is minor due to the duration and location of the cast and overall meet the Shadow Study criteria.

In accordance with Section 4.6, shadows cast by all existing buildings and proposed developments onto the full extents of the boulevard and sidewalk on the opposite side of the adjacent right-of-way, must allow for either full sunlight 50 per cent of the time or 50 per cent sun coverage at all times between 9:00am and 6:00pm on March 21<sup>st</sup>. Additionally, the criterion is met if the SAF is at least 0.50 on the test date. As per the submitted Shadow Study, on March 21<sup>st</sup> shadows cast on Plains Road East and onto the properties on the opposite side of Plains Road East at 9:00am. The shadows move gradually in a clockwise direction, as a result, from 1:00 pm to 6:00 pm, shadows cast on Plains Road East and begin to cast on the public realm along Glenwood Avenue by 2:00pm.

Along Glenwood Avenue, existing buildings and the proposed development contribute to shadows on the public realm in the afternoon, for a SAF of 0.63. Similarly, along Birchwood Avenue, the proposed development contributes no shadows on the public realm with only limited shadows cast by existing buildings in the afternoon. Both Glenwood Avenue and Birchwood Avenue result in a SAF of 0.67, exceeding the minimum desired SAF of 0.5. Differently, along Plains Road East, the proposed

development contributes shadows on the public realm in the morning and early afternoon, with some shadows being cast by existing buildings later in the afternoon for a SAF of 0.41, being slightly below the minimum desired SAF of 0.5.

The proposed development casts shadows on the public realm on the opposite side of Plains Road East until 1:00pm with no shadows from 2:00pm and onward. The shadowing cast by the adjacent buildings from 2:00pm onwards serves as a contributing factor towards the SAF calculation being below minimum desired 0.5 rate. Additionally, the proposed development and amending by-law consider building massing design strategies such as setbacks at specific storeys to reflect for the proposed stepbacks of the building that help mitigate the impact of shadows. The proposed development is strategically sited along the edge of the Plains Road East, maintaining a minimum 1.2m at-grade setback, which although contribute to the Shadows along Plains Road East also ensure that a desirable interface between the public and private realm can be achieved. The proposed development and amending by-law provide for a minimum setback at-grade of 14.9m to the south property line which further increased as part of the building's above-grade stepbacks. Planning staff are therefore of the opinion that the shadow impacts are minor in nature.

Staff are therefore of the opinion that the proposed development continues to maintain the purpose and intent of the Shadow Study Guidelines.

### **9.0 Pedestrian Level Wind Study Guidelines and Terms of Reference (2020)**

Pedestrian Level Wind Studies ('Wind Study') are conducted to predict and assess the wind impacts of proposed buildings and site designs on surrounding public and private spaces in addition to on-site wind conditions to ensure pedestrian comfort and safety is maintained. In accordance with Section 2.1 of the guidelines, a development of 12-storeys or more is required to submit a Quantitative Wins Assessment ('Wind Tunnel Test'). Given the proposed development consists of a 12-storey mixed use building (inclusive of a 12<sup>th</sup> storey mechanical penthouse), the applicant was required to submit a 'Wind Tunnel Test'.

In accordance with Section 4.2 of the guidelines, the study defines five comfort categories with a Gust Equivalent Mean (GEM) wind speed for each as follows:

1. Sitting –wind speed below 10 km/h (i.e. 0 – 10 km/h) would be considered acceptable for sedentary activities, including sitting.
2. Standing – wind speed below 14 km/h (i.e. 10 km/h – 14 km/h) is acceptable for activities such as standing.
3. Leisurely Walking (Strolling) – wind speed below 17 km/h (i.e. 14 km/h – 17 km/h) is acceptable for activities such as strolling.
4. Fast Walking (Walking)– wind speed below 20 km/h (i.e. 17 km/h – 20 km/h) is acceptable for walking or more vigorous activities.

5. Uncomfortable – wind speed over 20 km/h is classified as uncomfortable from a pedestrian comfort standpoint. Brisk walking and exercise, such as jogging, would be acceptable for moderate excesses of this criterion.

The GEM should be evaluated as a comparison between the existing wind condition and the wind condition resulting from the proposed development. A criterion is met if the predicted wind speeds and frequencies occur at least four out of five days below the respective threshold.

The submitted Wind study identifies that out of the five comfort categories, with the addition of the proposed project, wind conditions at all locations are predicted to be similar conditions in the existing configuration and remain comfortable for sitting, standing or leisurely walking throughout the year which is suitable for the intended usage of the areas. The main entrance to the proposed residential uses is located on Plains Road which is recessed into the middle of the north façade, depicts wind speeds predicted to be comfortable for sitting throughout the year. Similarly, it is generally desirable for wind conditions on terraces intended for passive activities to be comfortable for sitting more than 80% of the time. Wind speeds on the Level 6 amenity areas are expected to be comfortable for sitting throughout the year which is appropriate for passive patron activities.

The study further notes that after wind tunnel testing, RWDI received an updated site plan on May 5, 2025. Changes include the relocation of the outdoor amenity space at grade from the north side of the building to the south side of the building as well as the addition of a commercial entrance at the northeast corner of the building. The study indicates that relocation of the amenity space to the south side of the building is not expected to have a significant impact from a wind perspective and the wind conditions in the new location are predicted to be similar to the findings of this report. With the addition of the entrance at the northeast building corner, wind speeds during the winter are expected to be comfortable for leisurely walking which is higher than desired for an entrance location. As part of the Site Plan detailed design, tall wind screens or planters on either side of the door to provide a sheltered space may be incorporated.

Staff are therefore of the opinion that the proposed development continues to maintain the purpose and intent of the Pedestrian Level Wind Study Guidelines and Terms of Reference.

#### **10.0 Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings (2019)**

The City of Burlington Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings are applicable across the City, wherever mid-rise building forms are permitted by the Official Plan and Zoning Bylaw (with the exception of Employment Lands), and for the purposes of the guidelines, include any buildings between 5- to 11-storeys in height.

The guidelines are grouped by the main components of a mid-rise building, including the Lower and Upper building. The Lower building represents the first few storeys, including

the ground floor and any additional floors with direct relationship to the street and public realm. Generally, this would include those storeys forming the streetwall and not those stepped back from the streetwall. The Upper building is that portion of a mid-rise building above the Lower building, designed to fit with and achieve an appropriate relationship with the Lower building, the public realm, and neighbouring properties. Additionally, all street facing building façades should be divided into three horizontal parts: a bottom, middle, and top to organize a complete façade expression and be arranged in a way that ensures harmonious proportion.

### *2.1 Building Placement*

- 1. In general, buildings should be placed parallel to streets or public open spaces (within or along the edge of the site) to frame and define these spaces. This will also increase the amount of private open space behind the building and separation from neighbouring properties.*
- 2. Consider the building's orientation to maximize south-facing walls for optimal access to sunlight to habitable rooms and other environmental benefits such as energy conservation, solar access to open spaces or areas for stormwater management and planting.*
- 3. Placement should consider existing site conditions and look to retain and enhance certain features as assets such as mature trees and topography.*
- 6. Where there is no consistent pattern of street setbacks, the building should be set back to create a boulevard that can accommodate wider sidewalks, street trees, landscaping, and active uses to establish a more pedestrian oriented relationship between the building and the sidewalk. On streets where commercial or retail uses are required at the ground floor level, a minimum 6.0 metre boulevard is preferred, except where existing conditions preclude. The intent is that a road widening will not be required to specifically achieve this guideline.*
- 7. Where a building includes residential uses at grade, they should be differentiated from any active or non-residential uses through additional setbacks (Fig. 2.4). Front yards should incorporate landscaping and enclosure to provide privacy to individual units (hedges and fencing should be no taller than 1.5 metres).*
- 8. On corner sites, the building should frame both streets. The placement of corner buildings may be subject to a daylight triangle.*
- 9. All buildings should have a public front ('face') and private back. Buildings should not expose their back onto the front of a neighbouring building to minimize impacts such as "back of house" activities on adjacent properties.*

The subject lands are located along Plains Road East, the lower portion of the building fronts onto this corridor which provides for a public front and private back as well as appropriate separation to the south property line along the rear of the building which abuts

low-rise residential uses. Additionally, two daylight triangles of 5m by 5m are also proposed along the corner of Birchwood Avenue and Glenwood Avenue to frame the streets.

Although a continuous streetwall has not been established on Plains Road East, a continuous streetwall is desirable along this street as they are intended to provide for continuous at grade floor retail and service commercial uses. The proposed development contemplates a 1.3m setback for the first storey abutting Plains Road East. This has been included under the amending by-law as a minimum required setback of 1.3m along Plains Road East. Additionally, the proposed development also provides for an approximate 9.5m wide streetscape from the street curb to the property line abutting Plains Road East. Therefore, the proposed development provides for a total boulevard width of approximately 10.8m along Plains Road East. The boulevard is intended to accommodate pedestrians, street trees and landscaping, and active at-grade uses. As previously mentioned, the proposed development has considered the existing site conditions and features a such as mature trees and topography.

## *2.2 Building Separation & Spacing*

- 1. In general, taller buildings should provide greater separation distances. Separation distances should generally range between 15.0-20.0 metres.*
- 2. Where windows are proposed within the lower building, a minimum separation distance of 15.0 metres should be provided between adjacent buildings.*
- 3. Where a continuous streetwall is desirable, side-yard setbacks are usually not required. Continuous streetwalls are generally desirable within areas designated for mixed use, except where special site or block conditions require breaks to access mid-block connections, public courtyards, or other open spaces.*

The proposed development is generally a taller mid-rise building and includes windows and balconies on all elevations. The subject lands directly abut the properties 982 Glenwood Avenue and 981 Birchwood Avenue to the south property line which include low-rise detached dwellings facing both sides of Glenwood Avenue and Birchwood Avenue. The combined setback between the proposed lower building portion and the single detached dwellings is approximately 14.9m. The proposed development also includes projections into the south yard on the 2<sup>nd</sup> storey. The intent of a 15m separation distance between neighbouring buildings with windows is to protect for privacy within residential units and discourage overlook. Similarly, an angular plane study was also submitted along with the application materials in accordance with Section 3.1 3) of the Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings. As later discussed in this analysis, the angular plane also aims to mitigate potential overlook impacts. Overall, staff is of the opinion that the proposed development includes an appropriate

separation between the proposed building and neighbouring dwellings to mitigate privacy concerns.

The subject lands also directly abut Birchwood Avenue to the west and Glenwood Avenue to the east. Across Glenwood Avenue are low-rise detached dwellings of approximately 2-storeys in height, including the properties 116 Plains Road East and 991 Glenwood Avenue. Across Birchwood Avenue are low-rise detached dwellings of approximately 1- to 2-storeys in height, including the property 990 Birchwood Avenue. The dwellings to the west and east of the subject lands are more than 20m away from the subject lands. The properties to the east and west of the subject lands are envisioned as 'Urban Corridor' under Official Plan 2020. The properties to the west across Birchwood Avenue are also located within the 'Aldershot Main Street' precinct under the proposed Aldershot GO Major Transit Station Area (MTSA). As a result, the adjacent properties to the east and west are envisioned to contain mid-rise buildings with heights of up to 6-storeys. As previously mentioned, although a continuous streetwall has not been established on Plains Road East, it would be desirable. Staff is therefore of the opinion that an appropriate separation between the proposed building and neighbouring dwellings to mitigate privacy concerns and maintain a continuous streetwall.

### *2.3 Built Form: Height & Massing*

1. *When deciding on lower building height and massing consider the following:*
  - *the permitted minimum and maximum heights set out in the Official Plan and Zoning By-law;*
  - *the physical character of the surrounding area including the height and scale of adjacent buildings and the immediate streetscape;*
  - *the views into, out of, and through the site;*
  - *the potential shadowing impacts on neighbouring properties and adjacent public spaces – taller elements should be arranged accordingly;*
  - *the micro-climate (particularly pedestrian level wind impacts created by wind); and*
  - *the relationship of the building height to building depth and lot width. Use site characteristics such as width (narrow or wide), depth (deep or shallow) and number of frontages to inform an appropriate built form*
2. *Design buildings so that the massing reinforces the street edge.*
3. *In general, a building's form should reflect the existing and planned context in terms of street character (including the planned street function and right-of-way width), land use, and built form.*
5. *Where a streetwall is not established, the streetwall for new mid-rise buildings should be limited to a height of 80% of the street width (up to a maximum of 6-storeys) with additional storeys stepping-back a minimum of 3 metres above the streetwall to maintain a humanscale and minimize shadowing. On streets with a*

*planned right-of-way width of 26 metres or more, new mid-rise buildings up to 6-storeys do not require an upper building step-back.*

As previously mentioned, the proposed development includes amendments to both the existing zoning and Official Plan designations for increased heights. The existing RM1-346 zone permits for 2 and a half storeys maximum and the existing MXG-498 zone permits for heights of up to 7 storeys. The proposed development proposes a building of 12 storeys (inclusive of a 12<sup>th</sup> storey mechanical penthouse).

Plains Road East does not currently have an established streetwall and has a deemed width right-of-way of 36m. Therefore, the maximum building height of the lower portion or podium along Plains Road East should be approximately 28.8m. Plains Road East is intended to host mix use buildings with mid-rise built forms with gradually taller buildings towards the Aldershot GO station. The intent of regulating maximum heights for the lower portion of mid-rise buildings is to achieve human scale and pedestrian feel along the streetscape. The proposed lower building portion includes step-backs along the west, east and south elevations at the 6<sup>th</sup>, 8<sup>th</sup> and 10<sup>th</sup> storeys, at approximately 16.8m, 22.8m and 28.8m in height measured from fixed grade, to provide for building design articulation. Specifically, along Plains Road, the building contains step-backs at the 6<sup>th</sup> storey, at approximately 16.8m in height measured from fixed grade, with step-backs of approximately 0.9 meters to 4 meters wide to reinforces the street edge.

As previously discussed, the proposed development is in accordance with the Shadow Study Guidelines and Terms of Reference as well as the Pedestrian Level Wind Study Guidelines and Terms of References which consider the size of shadows and wind impact onsite and onto the surrounding streetscape.

As a result, staff is of the opinion that the proposed height and massing of the lower building portion is appropriate and continues to meet the intent of the mentioned guidelines.

- 6. In general, the building should not exceed a length of 60.0 metres apart from L-shaped building forms. Longer buildings, approaching and exceeding 60.0 metres, should either be broken up physically or visually using architectural and design elements that sufficiently differentiate the building mass to appear as separate building forms. This should include step-backs, colour and material variations, and unique building articulation*
- 7. Pushing (projecting) and pulling (recessing) building volumes from the main building form is encouraged to help break down the mass of larger buildings.*
- 8. Balconies are encouraged and should be integrated into the building design and massing with inset or Juliette balconies. Projecting balconies should not be within*

*the streetwall to avoid negative impacts to the public realm including additional building massing and shadowing.*

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

The proposed building is approximately 96.5m in length from east to west given the lot configuration. The proposed building design includes a broken up built form by way of inset main entrances along the middle portion of the building façade along both Plains Road and the rear. The proposed lower building portion includes step-backs along the west, east and south elevations at the 6<sup>th</sup>, 8<sup>th</sup> and 10<sup>th</sup> storeys which provide for private outdoor amenity area. These have been included under the amending by-law by way of setbacks to building wall as well as setbacks to the proposed terraces and balconies. Additionally, balconies cantilever from the 2<sup>nd</sup> storey to provide for weather protective design for pedestrian at grade. Balconies are also generally inset into the building elevations in the lower building portion and do not encroach into the streetwall. Staff is of the opinion that the proposed development continues to meet the intent of the mentioned guidelines.

- 12. The height and massing of the building should ensure a minimum of five hours of consecutive sunlight on the sidewalk across the street at the spring and fall equinoxes (approximately March 21 and September 21, respectively).*

As previously discussed, the proposed development meets the intent of the Shadow Study Guidelines and Terms of Reference as discussed under this analysis.

#### *2.4 Street Level Design, Façade Articulation & Materials*

- 2. Where ground floor commercial / retail uses are required, the ground floor should be a minimum floor-to-floor height of 4.5 metres to accommodate internal servicing and loading areas, and active uses.*
- 8. Use architectural elements and expressions such as canopies, doors, windows, lively colours and the highest quality materials at street level to highlight individual units, differentiate between residential and nonresidential entrances in mixed-use buildings, and engage the street.*
- 9. Design the main entrance to be clearly distinguishable from other entrances through its architectural design and treatment, high visibility, wayfinding and direct pedestrian access.*
- 10. Ensure that all main entrances are barrier free from the public sidewalk and on-site parking areas. Level access is preferred, where possible.*
- 11. Emphasize grade-related entrances with high quality landscape design.*
- 13. Where there are residential uses on the ground floor, design their principal entrance from the street. An elevated grade difference is appropriate to increase*

*privacy for the building occupants, however, the change in grade from the public sidewalk to the front entrance should balance between privacy and maintaining an appropriate relationship to the street. Additionally, privacy should be considered through careful landscaping such as low fencing/walls, raised planters, railings and lighting to clearly define the public, semiprivate and private spaces.*

- 14. The main building entrance should be designed to be pedestrian- and cycle-friendly with convenient, well-lit, and safe access. The main entrance should also provide for shelter from wind and rain through well integrated weather protection elements such as canopies, extended eaves and overhangs. Canopies should be located above the ground floor and provide a width of at least 1.5 metres.*
- 15. The location of building entrances should consider the location of adjacent transit stops.*
- 16. On corner sites, the main entrance should be located at the corner. Where this is not possible, the building should address the street corner, both streets, and prioritize the primary street for the main pedestrian access.*

The first storey includes a minimum building height of 4.5m as well as structural overhangs of balconies and building walls of approximately a 1.7m on the second storey which provide for weather protective entrances along Plains Road East, Glenwood Avenue, Birchwood Avenue and the rear of the building.

The Proposed Development contains multiple grade related entrances comprising of one (1) primary entrance to the building's residential uses along Plains Road East, and seven (7) commercial entrances which are oriented along Plains Road East and Birchwood Avenue and the corner of Plains Road East and Glenwood Avenue. The primary pedestrian access is provided from Plains Road East to the residential lobby with barrier-free design. Additionally, six (6) independent entrances are provided to each of the at-grade residential units at the rear of the building which are located along the rear corners abutting Glenwood Avenue and Birchwood Avenue. To the rear of the building loading and servicing that are accessible via the driveway and will be appropriately screened from adjacent properties and public realm.

As previously mentioned, the main building entrance to the residential uses is proposed to be recessed into the middle of the north façade along Plains Road East which provides for distinguishable design in comparison to the commercial entrances at grade. The entrance and walkways are proposed to be accompanied by signage designed in compliance with universal design principles and standards set by the Accessibility for Ontarians with Disabilities Act ("AODA") as well as proposed landscaped areas.

The entrances to the at grade residential uses are proposed along the rear of the building along with private gardens and planters to provide for additional privacy from the main

entrances to the residential lobby and at grade commercial uses along Plains Road East, Glenwood Avenue and Birchwood Avenue.

The main residential entrance of the building is proposed along the middle portion of the building on Plains Road East. Additionally, 7 distinct commercial entrances which are oriented along Plains Road East and Birchwood Avenue as well as 6 independent entrances are provided to each of the at-grade residential units, which are oriented along the Birchwood Avenue, Glenwood Avenue, and the building's south main wall. To the rear of the building loading and servicing that are accessible via the driveway and will be appropriately screened from adjacent properties and public realm.

Staff is of the opinion that the proposed development continues to meet the intent of the mentioned guidelines.

### *2.5 Site Design, Open Space & Streetscaping*

- 1. All access points to the site should be located and designed to respond to the street and existing mobility networks beyond the site.*
- 2. Pedestrian access should always be prioritized for the safety and enjoyment of residents and visitors.*
- 3. Reduce the number and width of vehicle access points to avoid conflicts between pedestrian and vehicle traffic.*
- 4. Access to parking, servicing and loading should be provided at the rear of the building, or a laneway if possible. On corner sites, access should be provided from secondary streets provided the entrance facilities are well integrated into the rest of the frontage.*
- 6. Servicing and loading should be accommodated internally within the building.*
- 7. Recess and screen garage doors and service openings from public view*
- 8. Limit the extent of site area dedicated to servicing by using shared infrastructure and efficient layouts.*

The proposed development has been designed to incorporate multi-modal movement and therefore will support existing local and regional transit services within walking distance, particularly the Aldershot GO Station, through the provision of high-density development and improved pedestrian connections. The proposed development will result in a more pedestrian-oriented, walkable, enjoyable, and safe street experience along Plains Road East and in the Aldershot MTSA by way of a well-connected and enhance the public realm.

The proposed at grade parking, underground parking access ramp, servicing and loading dock at the rear of the site are proposed to be screened from both Glenwood Avenue and Birchwood Avenue by proposed landscaped areas along the east and west property lines as well as by a landscaped buffer along the rear property line. Loading spaces are also

proposed away from the subject lands abutting streets at approximately 17.7m from Glenwood Avenue and Birchwood Avenue. Vehicular access to these has been incorporated via a 6m driveway with access to Glenwood Avenue and Birchwood Avenue.

Staff is of the opinion that the proposed development continues to meet the intent of the mentioned guidelines.

9. *Most on-site parking should be provided underground. In general underground or structured parking is encouraged before surface parking.*
10. *Underground parking structures should not encroach into required landscape buffers to ensure the long-term viability of mature trees and vegetation. Where underground parking structures must unavoidably encroach beyond the building footprint or into a landscape buffer, provide a minimum depth of 1.0 metre of uncompacted soil below grade to support opportunities for tree planting and other landscaping along the streetscape.*
11. *Where parking is provided within an above ground structure, it should be wrapped with retail / commercial or residential units along the street frontage.*
12. *Surface parking should be limited to visitor and retail / commercial parking and located at the rear of the building to be hidden from public view. Whenever possible, provide visitor parking in a convenient underground parking area adjacent to an elevator.*
13. *Any surface parking areas visible from the street should be buffered and screened with high quality architectural elements, setbacks or landscaping. On larger sites with surface parking areas, incorporate landscaped islands and high-quality landscaping to create comfortable and safe pedestrian walkways and amenity areas.*
14. *Provide for safe pedestrian and cyclist access to underground parking by using clearly visible, well-lit, convenient, and easily accessible access points from the street. Signage should indicate the barrier free path of travel.*

Majority of residential parking is proposed underground with some residential parking at grade allocated for the proposed at-grade residential units at the rear of the site. As previously mentioned, the proposed at grade parking, underground parking access ramp, servicing and loading dock at the rear of the site are proposed to be screened from adjacent streets and neighbouring properties. The proposed driveway and parking spaces as well as underground parking structure slightly encroach 0.2m into the proposed landscape buffer at the south property line while still maintaining future long-term viability of trees and vegetation. Staff is of the opinion that the proposed development continues to meet the intent of the mentioned guidelines.

15. In general, maximize outdoor amenity areas at grade. The width to depth proportion of this area should not exceed 4:1 and it should be provided in one contiguous area to ensure the space is functional.
16. When outdoor amenity area is provided at grade, design it to:
  - be in a highly visible area to enhance the sense and perceptions of personal safety and minimize potential for crime and vandalism through natural surveillance;
  - have consideration for micro-climatic conditions such as access to sky-views and sunlight as well as shade in the summer;
  - be animated and framed by buildings with active uses such as at grade cafés;
  - include multiple activities and functions such as a play area, dog run, seating, shade structure, or water features;
  - incorporate high-quality landscaping to define areas and screen them from surface parking, mechanical equipment and other servicing areas to minimize noise and air quality impacts; and
  - where possible connect to abutting open spaces
18. *Common outdoor amenity areas should be located next to interior amenity facilities with direct physical and visual access between these spaces through doors and windows.*
19. *All common outdoor amenity areas should apply the principles of universal design and must comply with the City's Accessible Design Standards.*
20. *The roof of a lower building can be landscaped and used as common and private outdoor amenity area for the residents of a development. Where possible utilize building rooftops as green roofs and/or usable private and shared outdoor amenity areas such as gardens.*
21. *Locate private outdoor amenity areas for family-sized units so that they have views and access to outdoor play areas, where possible.*

As previously mentioned, the proposed development includes an appropriate amount and location of indoor and outdoor amenity space as well as landscaping. The City's Engineering Services Accessibility staff have also reviewed the development application and have no comments on the proposed outdoor spaces. Staff is of the opinion that the proposed development continues to meet the intent of the mentioned guidelines.

### *3.1 Built Form: Transitions*

1. *When deciding on overall and upper building height and massing consider the following:*
  - *the permitted minimum and maximum heights set out in the Official Plan and Zoning By-law;*

- *the physical character of the surrounding area including the height and scale of adjacent buildings; and*
  - *the potential shadowing and pedestrian level wind impacts on neighbouring properties and private and public open spaces – taller elements should be arranged accordingly.*
2. *Where the building fronts a street, step-back the upper floors a minimum of 3.0 metres above the streetwall to protect access to sunlight and sky view for streets while limiting shadowing. An additional step-back should be considered for buildings taller than seven (7) storeys in height. This additional step-back may be a minimum of 1.5 metres.*
  3. *Where the building is on a site that is transitioning to a low-rise residential neighbourhood area (including properties designated Residential – Low Density and – Medium Density) a 45-degree angular plane should be applied from the shared property line. The building form should fit entirely within this angular plane and utilize setbacks and step-backs to ensure any impacts related to the change in height, overlook, and shadowing, and pedestrian level wind impacts are mitigated.*
  5. *Above the streetwall, or the sixth storey for taller buildings, a minimum building separation distance of 20.0 metres should be provided to reduce impacts such as overlook and shadowing.*
  6. *Design the upper building to clearly distinguish it from the lower building and to further reduce the upper level building massing. This should include step-backs, colour and material variations, and unique articulation.*
  7. *The design and placement of upper storeys should be carefully considered to minimize the size of shadows on neighbouring properties. A shadow study should be provided with mid-rise building applications in compliance with the Shadow Study Guidelines and Terms of Reference.*

Similarly to the previously analysis of the proposed building height and massing, staff is of the opinion that the proposed upper building portion meets the intent of the Zoning By-law and Official Plan. The proposed lower building portion includes step-backs along the west, east and south elevations at the 6th, 8th and 10th storeys, at approximately 16.8m, 22.8m and 28.8m in height measured from fixed grade, to provide for building design articulation. Specifically, along Plains Road, the building contains step-backs at the 6th storey, at approximately 6.8m in height measured from fixed grade, with step-backs of approximately 0.9m to 4m to reinforce the street edge. Similarly, the step-backs along Glenwood Avenue and Birchwood Avenue are of approximately 0.8m at the 6<sup>th</sup> storey and approximately 2m at the 10<sup>th</sup> storey. Staff are of the opinion that, given the building length of the façade along Glenwood Avenue and Birchwood Avenue being of approximately 16.5m each, the impact of a step-back less of those prescribed under the guideline would not negatively impact access to sunlight and sky view for the public realm. As previously

mentioned, the proposed building meets the general intent of the submitted Pedestrian Level Wind and Shadow Study Guidelines.

The proposed development also abuts a low-rise residential neighbourhood uses to the rear property line. As previously mentioned, the initial application submission the applicant provided a 45-degree Angular Plane diagram measured from the top of the fence along the rear property line. Subsequently, staff requested that the applicant provide a revised Angular Plane diagram measured from fixed grade from the rear property line. Staff were able to confirm that the proposed building is generally found within the 45-degree Angular Plane. Staff is of the opinion that although sections of the building encroach into the 45-degree angular plane, impacts of potential overlook into the neighbouring properties to the rear are mitigated by way of the proposed 2.8m landscape buffer and proposed 3m high fence which have been incorporated into the Zoning By-law.

Staff is of the opinion that the proposed development continues to meet the intent of the mentioned guidelines.

#### *Upper Façade / Roof Design, Articulation & Materials*

- 3. Use architectural elements and expressions such as balconies, windows, and recesses and projections to highlight individual units and reinforce a variety of scales and textures within each component of the building.*
- 4. Balconies are encouraged within the upper building to provide private outdoor amenity areas and additional articulation. They may be inset or project but should have a minimum depth of 1.5 metres to provide functional space. Generally, balconies should be sized according to the number of residents the unit is intended to house.*
- 5. Balconies and other projections should be contained within all angular planes and setbacks and shall not protrude into the public realm (over sidewalks).*
- 6. Design the building top to clearly distinguish it from the lower portions and to further reduce the building massing. This should include additional physical building setbacks, stepbacks, colour and material variations, and unique articulation.*

Balconies are proposed along all building elevations, generally include a width of more than 1.5m to provide for functional space and do not protrude onto the public realm sidewalks while providing for weather protective at-grade spaces. As previously mentioned, staff requested that the applicant provide a revised Angular Plane diagram measured from fixed grade from the rear property line. Staff were able to confirm that the proposed building is generally found within the 45-degree Angular Plane. Staff is of the opinion that although sections of the building encroach into the 45-degree angular plane, impacts of potential overlook are mitigated by way of the proposed 2.8m landscape buffer and proposed 3m high fence which have been incorporated into the Zoning By-law. Staff is of the opinion that the proposed development continues to meet the intent of the mentioned guidelines.

7. *Building tops and mechanical equipment should be designed to integrate with the overall architectural expression of the building.*
10. *Rooftop mechanical equipment should be architecturally screened from public view to protect or enhance views from other buildings and the public realm.*
11. *Where possible, rooftop mechanical equipment should be wrapped by residential units, or other occupiable space such as outdoor amenity areas.*
12. *Rooftop mechanical equipment should be set back, on all sides, no less than 3.0 metres from the edge of the floor below, and where an angular plane applies, fit within all angular planes.*

The proposed development includes a 12<sup>th</sup> storey mechanical penthouse of approximately 636m<sup>2</sup> in size. The building portion of the 12<sup>th</sup> storey is step-back approximately 6m from the edge of the floor below along the south yard as well as 14m from the edge of the floor below along the east and west yards with minimal encroachments for stair enclosures. These setbacks have been included under the amending by-law. Staff is of the opinion that the proposed development continues to meet the intent of the mentioned guidelines.

As per the analysis provided, staff is of the opinion the proposed development proposal meets the overall objectives and guidelines of the Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings.

### **11.0 Plains Road Corridor Urban Design Guidelines (2006)**

The purpose of the Plains Road Corridor Urban Design Study is to refine the vision that the Plains Road Village Vision had been advocating and to create design guidelines to assist the City to direct future redevelopment of the roadway and adjacent lands. Plains Road has evolved from its original function as a toll road, to a Provincial Highway, to its present role as a municipal major arterial road.

The subject property is located within the Shadeland District which is defined as the segment of the Plains Road corridor between Cooke Boulevard and Filmandale Road. This District is characterized by an eclectic mix of land uses on the north side of the corridor and primarily residential and home office uses on the south side. Urban design objective should concentrate on consolidating and infilling commercial/industrial uses and preserving and enhancing the residential and home commercial uses. Mature boulevard shade trees and existing landscaping along the corridor should be protected. The underutilized sites at Cooke Boulevards and Plains Road could be redeveloped to provide an improved gateway/entry point to the industrial park. Redevelopment should capitalize on the attractive landscaping along Cooke Boulevard. At-grade parking along the frontage of commercial properties should be screened with low growing vegetation to improve the appearance of the corridor.

Section 5.2.5.2 indicates that existing street trees should be retained and interplanted with new trees spaced at 8 metres to “green” the corridor and to assist in traffic calming. Recommended species include Oak, Maple, and Ash. The landscape treatment on private property should be harmonious with the existing character of the streetscape and should reflect and complement the existing residential properties. Similarly, Section 5.2.5.4 indicates that at the intersection of Plains Road and Glenview Avenue a pedestrian node should be created that accentuates and supports St. Matthews Church. This node should have intensified use of the streetscape elements and should be themed to reflect the history and contributions of St. Matthews Church on Plains Road.

The proposed development provides for a mix of uses including approximately 1,045m<sup>2</sup> of new ground floor retail and service commercial as well as 253 new residential units in the storeys above which provides for the envisioned uses under the guidelines. The proposed development is also contingent upon the removal of municipal trees 305 and 317 to facilitate the proposed development. As previously mentioned, planning staff is therefore recommending approval of the proposed development inclusive of the removal of the municipal trees. Furthermore, planning staff is also of the opinion that the requested consent letter to injure or remove neighbouring trees can be appropriately addressed as part of the subsequent Site Plan application process.

Overall, Planning Staff are of the opinion that the proposal along with the Holding provision meets the objectives and intent of the Plains Road Design Guidelines (2006).