



**SUBJECT: Official Plan and Zoning By-law Amendment Applications
for 4853 Thomas Alton Boulevard**

TO: Development and Infrastructure Committee

FROM: Planning and Building Department

Report Number: PB-100-16

Wards Affected: 6

File Numbers: 505-05/15 and 520-08/15

Date to Committee: December 13, 2016

Date to Council: December 19, 2016

Recommendation:

1. Approve Official Plan Amendment No. 99, as contained in Appendix 7 of Report PB-100-16, to modify the "Residential-High Density - Site Specific Policy" affecting 4853 Thomas Alton Boulevard to permit a residential development consisting of traditional townhouses, stacked townhouses, and apartments with a maximum density of 305 units per hectare and maximum height of 19 storeys;

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

Instruct the City Clerk to prepare the necessary by-law adopting Official Plan Amendment No. 99 as contained in Appendix 7 of Report PB-100-16. (File No. 505-05/15).

2. Approve Zoning By-law 2020.371, contained in Appendix 8 of Report PB-100-16, to rezone lands at 4853 Thomas Alton Boulevard from "RAL4-331" to "RAL4-464" to permit two (2) 19 storey apartment buildings, 21 traditional townhouses, and 150 stacked townhouse units;

Instruct the City Clerk to prepare the necessary by-law enacting the Zoning By-law No. 2020.371 as contained in Appendix 8 of Report PB-100-16 and direct that the amending zoning by-law will not be enacted until completion by the applicant of the following:

- (i) Execution of a Residential Development Agreement including the conditions listed in Appendix 11 of Report PB-100-16; and

- (ii) Execution of a Section 37 Agreement, in accordance with Section 37 of the Planning Act and Part VI, Section 2.3 of the City's Official Plan, as they relate to the request for increases in height and density on the subject property.

Deem that Zoning By-law 2020.371 conforms to the Official Plan for the City of Burlington, as amended by OPA No. 99; and

State that the amending zoning by-law will not come into effect until Official Plan Amendment No. 99 is adopted. (File No. 520-08/15)

Purpose:

The purpose of this report is to recommend approval of the Official Plan and Zoning By-law Amendment applications made by Adi Development Group, and as modified by Planning staff, to permit residential intensification at 4853 Thomas Alton Boulevard.

The development proposal aligns with the following objectives in Burlington's Strategic Plan 2015-2040:

A City that Grows

- Intensification
- Focused Population Growth

A Healthy and Greener City

- Healthy Lifestyles
-

Background and Discussion:

A public meeting was held by the Community and Corporate Services Committee (Council) on July 11, 2016, at which time the Planning staff Report PB-63-16 was presented and the following recommendations adopted:

- i. Direct the Director of Planning and Building to prepare an Official Plan Amendment for consideration by Committee and Council at a future meeting in accordance with the modifications proposed by Planning staff to the application submitted by Adi Development Group to amend the City of Burlington Official Plan from Residential-High Density to Residential-High Density - Site Specific Policy to permit a residential development consisting of traditional townhouses, stacked townhouses, and apartments as outlined in Report PB-63-16; and
- ii. Direct the Director of Planning and Building to prepare a Zoning By-law Amendment for consideration by Committee and Council at a future meeting in accordance with the modifications proposed by Planning staff

to the application submitted by Adi Development Group to rezone the lands at 4853 Thomas Alton Boulevard from “RAL4-331” to “RAL4-Exception” to permit 19 storey apartment building, traditional townhouse, and stacked townhouse units, and subject to Section 37 negotiations, as outlined in Report PB-63-16.

The Recommendation Report is available at: http://www.burlington.ca/en/services-for-you/resources/Planning_and_Development/Current_Development_Projects/Ward_6/Thomas_Alton/PB-63-16.pdf

Revised Development Proposal

In response to the Planning staff recommendations, as outlined in Report PB-63-16, the applicant has made several modifications to the proposed concept plan. The table below shows the reduction in number of units in relation to dwelling type from the original proposal to the current proposal.

Dwelling Type	Original Submission September 2015	Revised Submission September 2016	Unit Difference
Traditional Townhouse	21	21	0
Stacked Townhouse	160	150	-10
Apartment	498	441	-57
Back-to-Back Townhouse	12	0	-12
TOTAL	691	612	-79

Additional changes to the proposal, design of the tall buildings and site layout include:

- a reduction in the maximum density from 335 units per hectare to 305 units per hectare;
- a reduction in the Floor Area Ratio (FAR) from 2.54:1 to 2.5:1;
- a reduction in the number of vehicle parking spaces from 832 to 759 (1,059 spaces are required by the Zoning By-law);
- the realignment of the podium of the north building (street wall), fronting on Palladium Way, to respond to the curvature of Palladium Way;
- a reduction in the tower floor plates to less than 750 m²;
- a reduction in the maximum length of the tower walls from 40 m to 35 m;

- an increase in the minimum separation distance between towers from 21.5 m to 28.5 m;
- the introduction of tower step backs with a minimum step back distance of 3 m;
- the integration of an underground parking ramp within the apartment building;
- a reduction of the number of underground parking levels within the apartment building from 4 levels to 3 levels;
- the replacement of an internal block of stacked townhouse units with a surface parking lot, including highly-visible accessible, visitor and carshare parking spaces;
- an increase in the size of the shared private outdoor amenity area (common open space) from 1,700 m² to 1,875.8 m² and adding additional visitor parking spaces at grade adjacent to the traditional townhouses;
- an increase in minimum amenity area to 17 m² per dwelling unit; and
- Additional changes and modifications have been made to the site layout including the internal circulation, and interconnection of the underground parking garages, which will contribute to a better functioning site.

Staff are satisfied with the changes to the proposal, and therefore recommend that the applications be approved, as per Appendices 7 and 8.

Technical Review

The revised proposal including revised supporting documents was circulated to internal departments and external agencies for review. Staff have reviewed the comments received to date and considered them in the staff recommendations. Responses received have been used to assist in evaluating the applications.

UPDATED DEPARTMENTAL AND AGENCY COMMENTS

Transportation Services

This department is in receipt of a revised Transportation Impact Study, Parking Study & TDM Options Report (dated August 2016) prepared by Paradigm Transportation Solutions Limited, which has confirmed that the predicted future traffic volumes generated from the subject proposal can be accommodated within the existing surrounding road network.

However, based on a review of the submitted parking study, in conjunction with parking demand studies conducted by City staff, and in consideration of the recently accepted

reductions to the minimum parking requirements associated with other applications, staff are prepared to accept a reduced parking rate of 1.26 spaces per unit. Staff can support a parking reduction from 1,059 spaces to 759 spaces, a reduction of 300 spaces (equivalent to a 28% reduction from the current Zoning By-law requirement). Support for a reduced parking requirement of 759 spaces is dependent upon the applicant providing no less than 2 carshare vehicles on-site, dedicated carshare parking, and continued unbundling of parking costs from unit prices.

As currently proposed, a parking deficiency of 14 spaces is anticipated. This is acceptable to Transportation Services staff. In this regard, the draft amending by-law provides for a minimum parking rate of 1.24 spaces per unit.

Region of Halton

Regional staff have reviewed the revised Functional Servicing Report and note that there are no capacity related concerns with the development application at this time. The revised Transportation Impact Study, Parking Study & TDM Options Report (April 2006), prepared by Paradigm Transportation Solutions Limited along with the updated Environmental Noise Assessment (April 25, 2016) prepared by Valcoustics Canada Ltd. have been reviewed by Regional staff and they have no objections to the approval of the subject applications. Further detailed comments will be provided by Regional staff on the TIS through a forthcoming application for Site Plan Approval.

Region of Halton Waste Management requirements will continue to be pursued through Site Plan Approval.

Financial Matters:

Not applicable.

Public Engagement Matters:

A summary of the all public notifications, engagement initiatives and public comments are outlined in the Public Engagement Matters section of Report PB-63-16.

Between July and September 2016, staff received 3 emails and 1 letter. These emails and letter are included in Appendix 9 of Report PB-100-16.

Environmental Matters:

Comments from the Sustainable Development Committee (SDC) were included in Report PB-08-16 presented at the February 16, 2016 Statutory Public Meeting. Additional comments on the revised proposal are included in Appendix 10 of Report PB-100-16.

Conclusion:

Staff have worked diligently with the applicant toward a development proposal that will achieve a high-quality of urban design. In the previous Report PB-63-16, staff had developed and outlined a number of guiding design principles, which we feel promote a development that will fit harmoniously within the existing community. Staff have emphasized the creation of a built environment that relates and responds to the existing and planned lower-scale buildings and open space, and one that will have minimal impact on the proposed private spaces, public realm, and pedestrian environments.

The proposed Official Plan Amendment and Rezoning, modified as recommended by staff including a minimum (blended) parking rate of 1.24 spaces per unit, represents an appropriate form of development that makes efficient use of land, supports the construction of compact form, provides a mix of housing, and is compatible with the surrounding lands uses in terms of heights, transitions, site and urban design.

Respectfully submitted,

Todd Evershed

Planner II

905-335-7600 ext. 7870

Appendices:

Appendix 1: Location Sketch

Appendix 2: Location/Zoning Sketch

Appendix 3: Detail Sketch – Original Proposal

Appendix 4: Detail Sketch – Revised Proposal (April 26, 2016)

Appendix 5: Detail Sketch – Revised Proposal (September 6, 2016)

Appendix 6a: East & South Elevations

Appendix 6b: North & West Elevations

Appendix 7: Draft Official Plan Amendment

Appendix 8: Draft Zoning By-law Amendment

Appendix 9: Public Comments

Appendix 10: Sustainable Development Committee Comments

Appendix 11: Conditions of Zoning Approval

Notifications:

Brenda Khes (bkhes@gspgroup.ca)

Shane Cooney (shane@adidevelopments.com)

Report Approval:

All reports are reviewed and/or approved by Department Director, Director of Finance and Director of Legal. Final approval is by the City Manager.

Appendix 1 LOCATION SKETCH

Applications by ADI Development Group Inc. to amend the Official Plan and Zoning By-law of the city of Burlington to permit the development of 612 residential dwelling units,

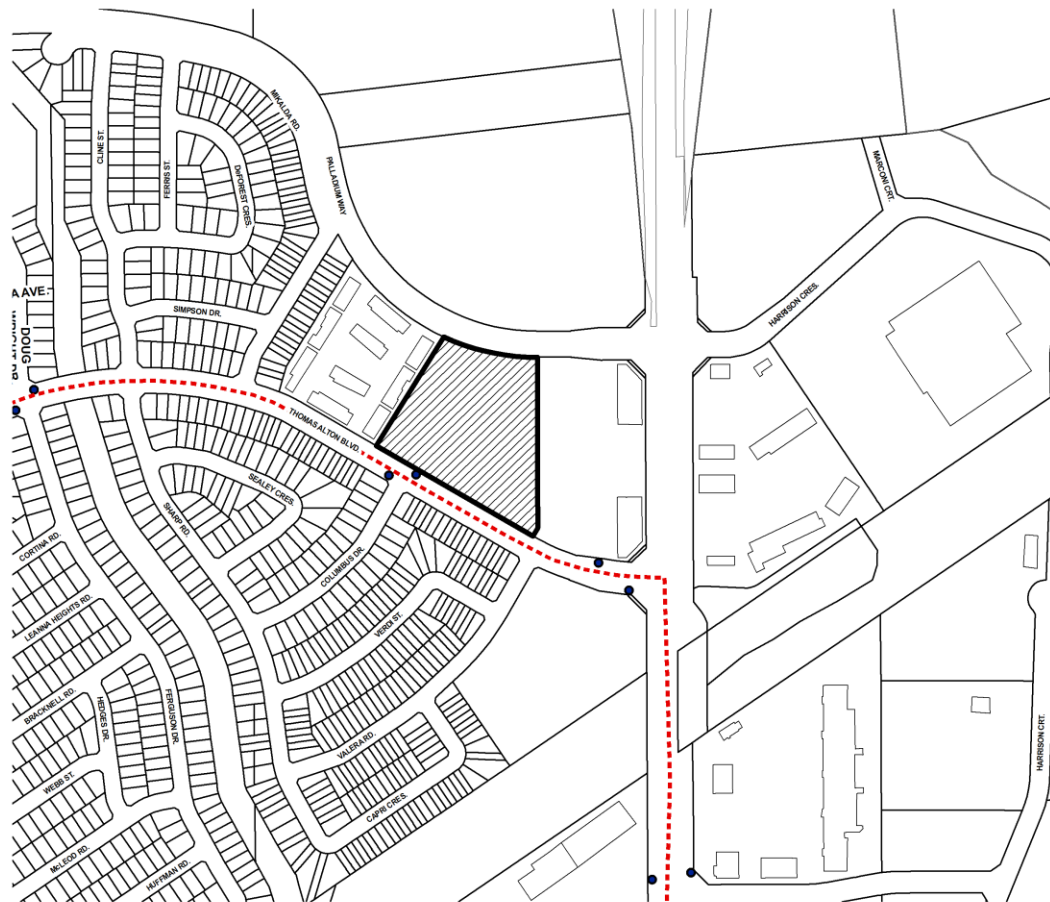


SUBJECT PROPERTY

Bus Routes

Bus Stops

FILE Nos. 505-05/15
520-08/15



Appendix 2 LOCATION / ZONING SKETCH



Applications by ADI Development Group Inc. to amend the Official Plan and Zoning By-law of the city of Burlington to permit the development of 612 residential dwelling units,

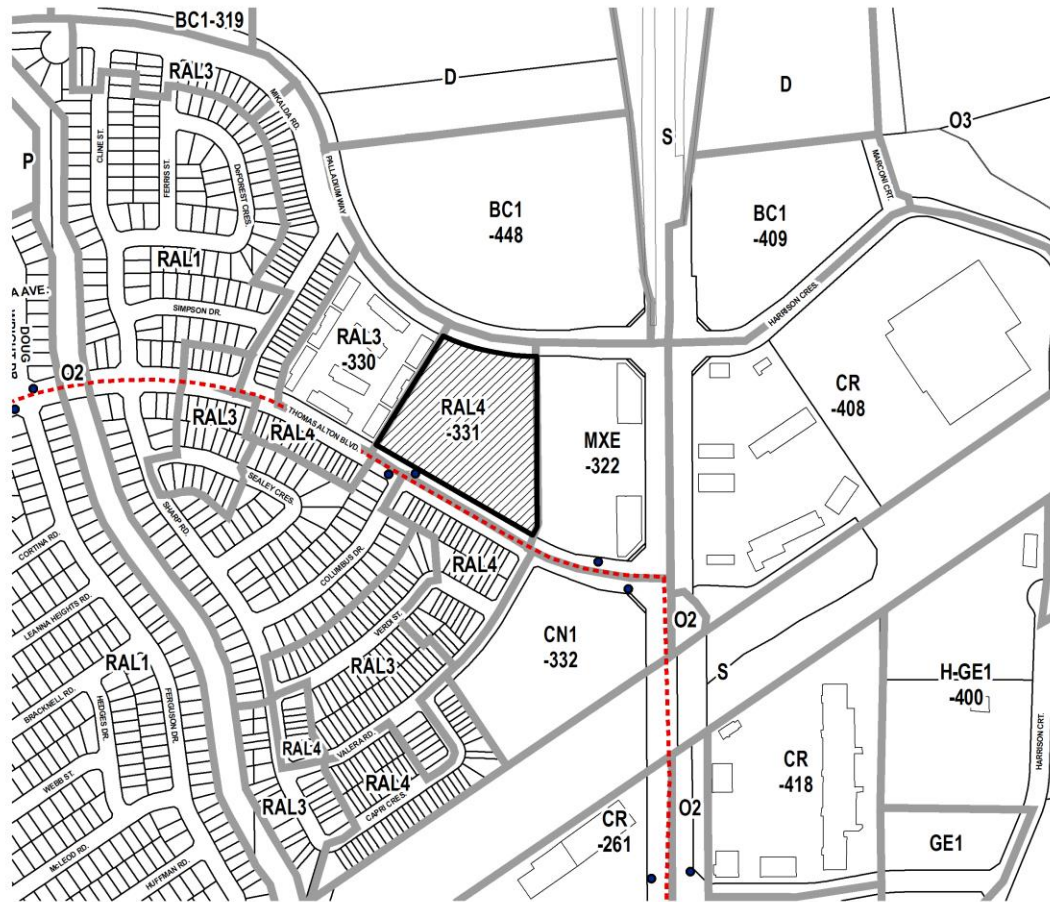


SUBJECT PROPERTY

..... Bus Routes

● Bus Stops

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520-08/15



GENERAL ZONING LEGEND

Low Density	Medium Density	High Density	Mixed Use	Commercial	Employment	Other
RAL1	RAL3	RAL4	MXE	CN1 CR	BC1 GE1	P D S O2

DATE: OCTOBER 17, 2016
Planning and Building Department
Development and Infrastructure Division



Appendix 3

DETAIL SKETCH - ORIGINAL PROPOSAL

The original proposal consisted of 12 back-to-back townhouse units, 21 (traditional) townhouse units, and 160 stacked townhouse units, and 498 apartment units. It included two (2) 19 storey apartment towers connected by a 5 storey podium.

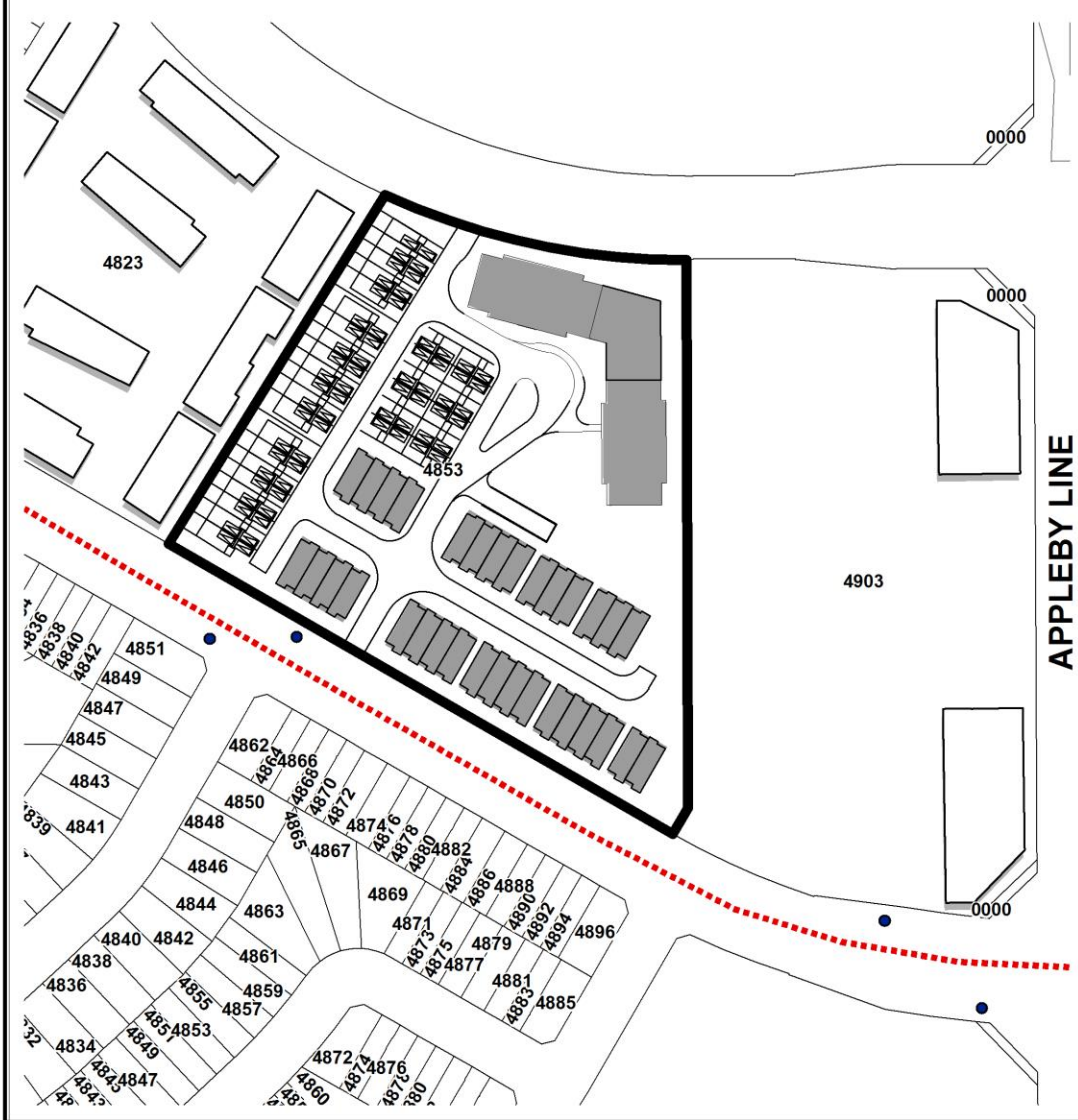


SUBJECT PROPERTY

Bus Routes

Bus Stops

FILE Nos. 505-05/15
520-08/15



DATE: JUNE 20, 2016
Planning and Building Department
Development and Infrastructure Division



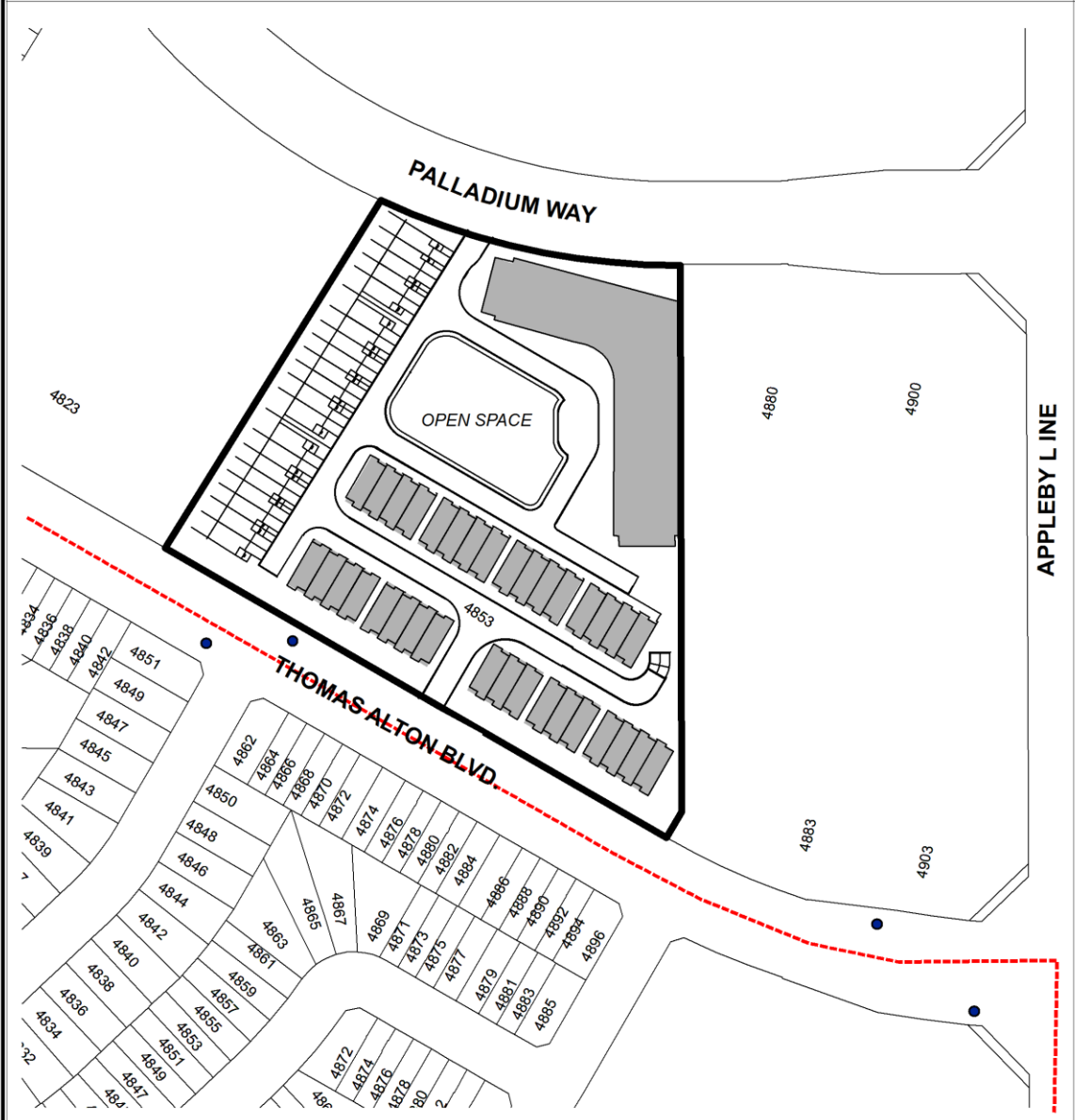
Appendix 4 DETAIL SKETCH - REVISED PROPOSAL (APRIL 26, 2016)

The revised proposal consists of 21 (traditional) townhouse units, 170 stacked townhouse units, and 494 apartment units. It includes two (2) 19 storey apartment towers connected by a 6 storey podium.



 SUBJECT PROPERTY  Bus Routes • Bus Stops

FILE Nos. 505-05/15
520-08/15



DATE: JUNE 24, 2016
Planning and Building Department
Development and Infrastructure Division



Appendix 5

DETAIL SKETCH - REVISED PROPOSAL (SEPT. 6, 2016)

The revised proposal consists of 21 (traditional) townhouse units, 150 stacked townhouse units, and 441 apartment units. It includes two (2) 19 storey apartment towers connected by a 6 storey podium.



SUBJECT PROPERTY

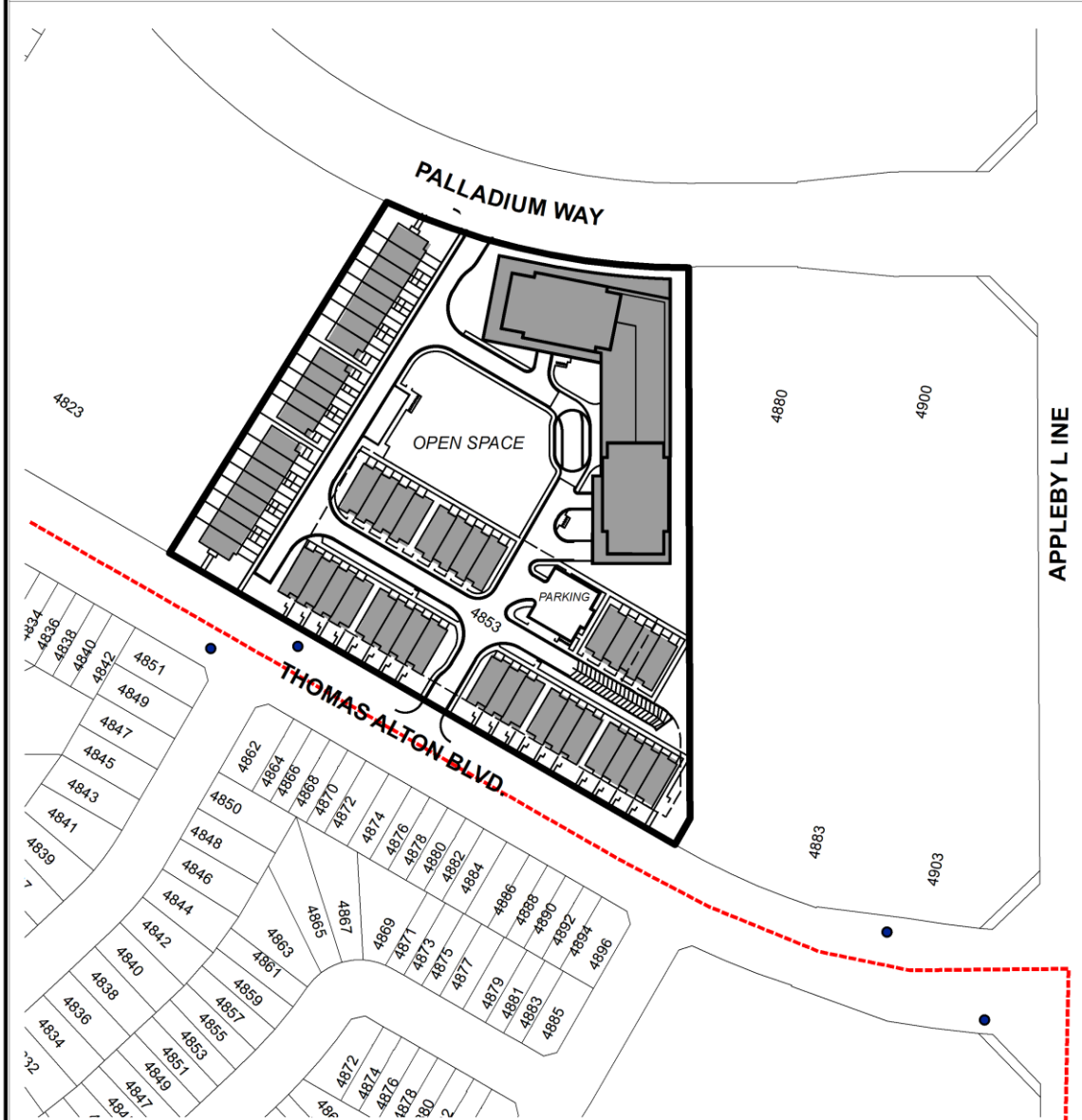


Bus Routes



Bus Stops

FILE Nos. 505-05/15
520-08/15



DATE: OCTOBER 17, 2016
Planning and Building Department
Development and Infrastructure Division

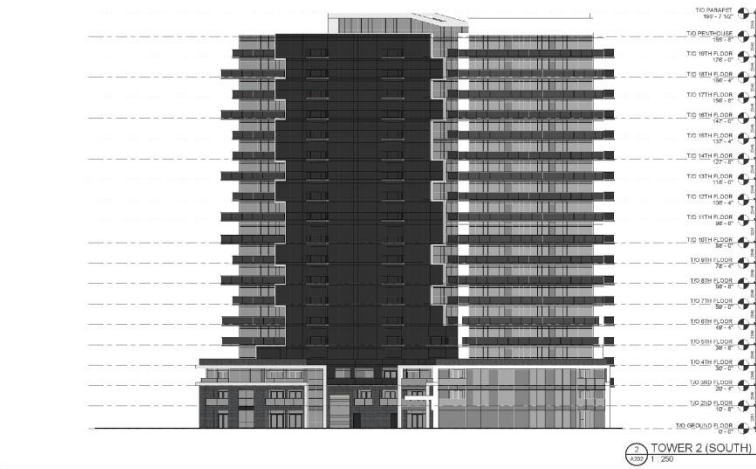


Appendix 6a ELEVATION SKETCH



Applications by ADI Development Group Inc. to amend the Official Plan and Zoning By-law of the city of Burlington to permit the development of 612 residential dwelling units, including two (2) 19 Storey apartment towers connected by a 6 storey podium.

FILE Nos. 505-05/15
520-08/15

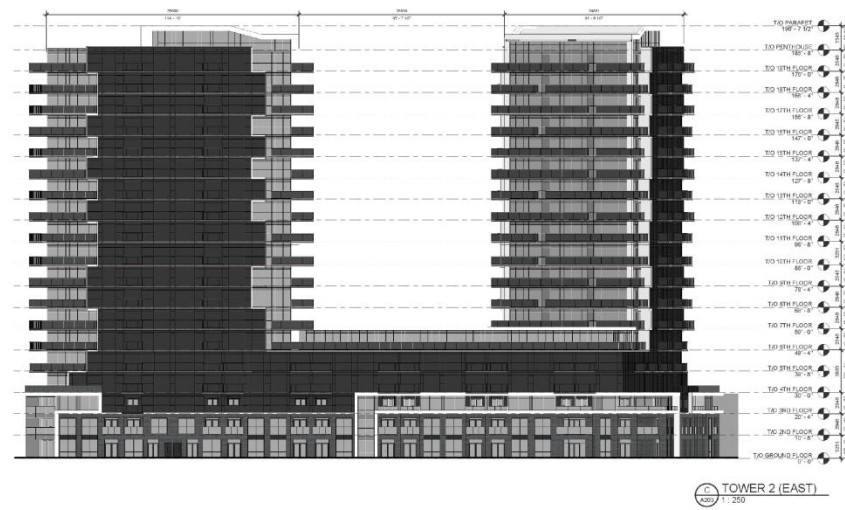


Appendix 6b ELEVATION SKETCH



Applications by ADI Development Group Inc. to amend the Official Plan and Zoning By-law of the city of Burlington to permit the development of 612 residential dwelling units, including two (2) 19 Storey apartment towers connected by a 6 storey podium.

FILE Nos. 505-05/15
520-08/15



DATE: OCTOBER 17, 2016
Planning and Building Department
Development and Infrastructure Division



Appendix 7

AMENDMENT NO. 99 TO THE OFFICIAL PLAN OF THE BURLINGTON PLANNING AREA

CONSTITUTIONAL STATEMENT

The details of the Amendment, as contained in Part B of this text, constitute Amendment No. 99 to the Official Plan of the Burlington Planning Area, as amended.

PART A – PREAMBLE

1. PURPOSE OF THE AMENDMENT

The purpose of this Amendment is to modify the current “Residential-High Density” designation to permit an increase in the maximum permitted density from 185 units per hectare to 305 units per hectare and maximum permitted height from 10 storeys to 19 storeys on the lands municipally know as 4853 Thomas Alton Boulevard. This site specific amendment will facilitate the development of 21 townhouse, 150 stacked townhouse and 441 apartment dwelling units as part of a comprehensive integrated development with frontage along both Thomas Alton Boulevard and Palladium Way.

2. SITE AND LOCATION

The subject lands are located on the north side of Thomas Alton Boulevard and the south side of Palladium way west of Appleby Line in the Alton Community. The site has an area of 2.02 hectares and is currently vacant.

Surrounding land uses include vacant employment lands to the north on the north side of Palladium Way, 2 storey street townhouses to the south fronting Thomas Alton Boulevard, 2 storey multi-unit mixed-use buildings to the east, and 3 storey townhouses to the west.

3. BASIS FOR THE AMENDMENT

- a) The subject application proposes intensification that is consistent with the Provincial Policy Statement (PPS). The PPS promotes densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of public transit.
- b) Directing intensification to areas in proximity to transit and intensification corridors and providing policies that identify the appropriate type and scale of development assist the City in achieving its intensification targets and meet

- the intent of the Provincial Places to Grow Growth Plan and the Region of Halton Official Plan.
- c) The site specific amendment of the site to permit a higher density including townhouses, stacked townhouses and apartments supports the city's residential objectives to broaden the range of housing forms to meet city needs and address compatibility with surrounding properties.
 - d) The applicant submitted technical studies and reports provide adequate and appropriate information to support the development.
 - e) The proposed development is located on lands with adequate infrastructure and in close proximity to transit routes, commercial uses and community amenities to meet Official Plan Policies to provide housing opportunities in locations that can reduce travel times and decrease dependence on the car.
 - f) The development is designed with access to both Palladium Way and Thomas Alton Boulevard which are both collector roads that can accommodate the traffic.

PART B – THE AMENDMENT

1. DETAILS OF THE AMENDMENT

Text Change:

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

By adding the following Alton Community policies (iv) and (v) to Part III, Land Use Policies – Urban Planning Area, Section 2.0 Residential Areas, Subsection 2.2.3 Site Specific Policies, clause f):

- | | |
|--------------------------------|--|
| 4853 Thomas
Alton Boulevard | (iv) Notwithstanding the General Policies of Part III, Subsection 2.2.2 e) of this plan, a maximum density of 305 units per hectare shall be permitted on the property at 4853 Thomas Alton Boulevard; and |
| | (v) Notwithstanding the Alton Community policies of Part III, Subsection 2.2.2 f) (iii) of this plan, a maximum height of 19 storeys shall be permitted on the property at 4853 Thomas Alton Boulevard. |

2. INTERPRETATION

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

3. IMPLEMENTATION

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

Appendix 8

BY-LAW NUMBER 2020.371, SCHEDULE 'A' AND EXPLANATORY NOTE

THE CORPORATION OF THE CITY OF BURLINGTON

BY-LAW NUMBER 2020.371

A By-law to amend By-law 2020, as amended; 4853 Thomas Alton Boulevard

File No.: 505-05/15 and 520-08/15

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

WHEREAS the Council of the Corporation of the City of Burlington approved Recommendation PB-100-16 on December 19, 2016, to amend the City's existing Zoning By-law 2020, as amended, to permit a residential development consisting of traditional townhouses, stacked townhouse, and apartments;

THE COUNCIL OF THE CORPORATION OF THE CITY OF BURLINGTON HEREBY ENACTS AS FOLLOWS:

1. Zoning Map Number 25 of PART 15 to By-law 2020, as amended, is hereby amended as shown on Schedule "A" attached to this By-law.
2. The lands designated as "A" on Schedule "A" attached hereto are hereby rezoned from RAL4-331 to RAL4-464 and that the RAL4-331 Zone regulations be repealed in their entirety.
3. PART 14 of By-law 2020, as amended, Exceptions to Zone Classifications, is amended by deleting Exception 331 and adding Exception 464 as follows:

Exception 464	Zone RAL4	Map 25	Amendment 2020.371	Enacted
1. <u>Permitted Uses</u> Only the following uses shall be permitted:			Apartment building, stacked townhouse and townhouse	

Exception 464	Zone RAL4	Map 25	Amendment 2020.371	Enacted
2. <u>Regulations applying to entire development site:</u>				
a) Density:				
(i) Minimum			100 units per hectare	
(ii) Maximum			305 units per hectare	
b) Maximum floor area ratio: 2.5:1				
c) Landscaped area:				
(i) abutting Palladium Way (northerly lot line)			3 m	
(ii) abutting Thomas Alton Blvd. (southerly lot line)			3 m	
(iii) abutting a MXE zone (easterly lot line)			3 m	
d) Amenity area: 10,404 m ²				
e) Walkways may encroach into a required landscape area;				
f) Minimum percentage of below grade enclosed occupant parking for the apartment buildings and stacked townhouses: 100%				
g) Underground parking structure less than 1.6 m above grade:				
(i) abutting Palladium Way (northerly lot line)			0 m	
(ii) abutting Thomas Alton Blvd. (southerly lot line)			5.75 m	
(iii) abutting the a MXE zone (easterly lot line)			0 m	
(iv) abutting a residential zone (westerly lot line)			24 m	
h) Loading spaces: 2				
3. <u>Regulations for the apartment buildings, including a north and south tower on a shared podium:</u>				
a) Maximum number of apartment units: 441				
b) Yard abutting Palladium Way (northerly lot line): 3 m				
c) Yard abutting a MXE zone (easterly lot line): 6 m				
d) Building height: Maximum 19 storeys up to 60 m, measured from fixed grade at the midpoint of Palladium Way (northerly lot line).				

Exception 464	Zone RAL4	Map 25	Amendment 2020.371	Enacted
e)	All rooftop mechanical equipment, which exceed 2 m in height, must be setback a minimum of 3 m from all edges of the roof unless enclosed;			
f)	Maximum tower building length, excluding balconies, above the sixth storey (for each tower):		35 m	
g)	Maximum floor area for each tower: Floors 7-19		750 m ²	
h)	Minimum setback from edge of the podium below (Floors 1-3): North tower (Floors 4-19)			
	(i) from north podium edge		3 m	
	(ii) from south podium edge		3 m	
	(iii) from west podium edge		5 m	
	South tower (Floors 4-19)			
	(iv) from south podium edge		3 m	
	(v) from east podium edge		0 m	
	(vi) from west podium edge		3 m	
i)	Minimum horizontal distance:			
	(i) between apartment buildings above 6 storeys		28 m	
	(ii) to a stacked townhouse		12 m	
	(iii) to a townhouse		22 m	
j)	A balcony may project into a required building setback up to a maximum of 2.5 m;			
k)	A balcony may project into the required horizontal distance up to a maximum of 2 m;			
l)	The northwest corner of the south tower may encroach into a required building setback up to a maximum of 3 m for a maximum building length of 11 m;			
m)	Driveway and parking spaces setback from windows of habitable rooms:		1.5 m	
n)	Required parking:		1.05 occupant spaces per unit plus 0.15 visitor spaces per unit	

Exception 464	Zone RAL4	Map 25	Amendment 2020.371	Enacted
4. <u>Regulations for townhouses:</u>				
a)	Maximum number of townhouse units:		21	
b)	Yard abutting Palladium Way (northerly lot line):		4 m	
c)	Yard abutting Thomas Alton Blvd. (southerly lot line):		6 m	
d)	Yard abutting a residential zone (westerly lot line):		6 m	
e)	Building height:		Maximum 3 storeys up to 11.5 m	
f)	A balcony, patio, porch or open stairway/stairs may encroach or project into a required yard abutting a street up to a maximum of 1.5 m;			
g)	A balcony may project into a required yard abutting a residential zone (westerly lot line) up to a maximum of 1.5 m provided that the length of any one projection does not exceed 3.4 m;			
h)	Required parking:		2.00 occupant spaces per unit plus 0.35 visitor spaces per unit	
5. <u>Regulations for stacked townhouses:</u>				
a)	Maximum number of stacked townhouse units:		150	
b)	Yard abutting Thomas Alton Blvd. (southerly lot line):		5.75 m	
c)	Yard abutting a MXE zone (easterly lot line):		4 m	
d)	Building height:		Maximum 4 storeys up to 14.5 m	
e)	A balcony patio, porch or open stairway/stairs may encroach or project into a required yard up to a maximum of 2.5 m;			
f)	Driveway and parking spaces setback from windows of habitable rooms:		1.5 m	
g)	A privacy screen may have a minimum height of 1 m;			
h)	Minimum privacy area:			
	(i) units located in a basement or cellar		1.7 m ²	
	(ii) units located in first storey		3 m ²	
	(iii) units located above first storey		10 m ²	

Exception 464	Zone RAL4	Map 25	Amendment 2020.371	Enacted
i) Required parking:				1.00 occupant space per unit plus 0.20 visitor spaces per unit
6. <u>Community Benefits pursuant to Section 37 of the <i>Planning Act</i>.</u>				
a) Provide public access to the private outdoor amenity area by way of an easement registered on title;				
b) Provide 20 dwelling units of affordable housing; and				
c) Provide \$60,000 for Parks and Open Space improvements in Doug Wright Park.				
Except as amended herein, all other provisions of this By-law, as amended, shall apply				

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

5 b) If one or more appeals are filed pursuant to the provisions of the Planning Act, as amended, this By-law does not come into force until all appeals have been finally disposed of, and except for such parts as are repealed or amended in accordance with an order of the Ontario Municipal Board this By-law shall be deemed to have come into force on the day it was passed.

ENACTED AND PASSED this.....day of2016.

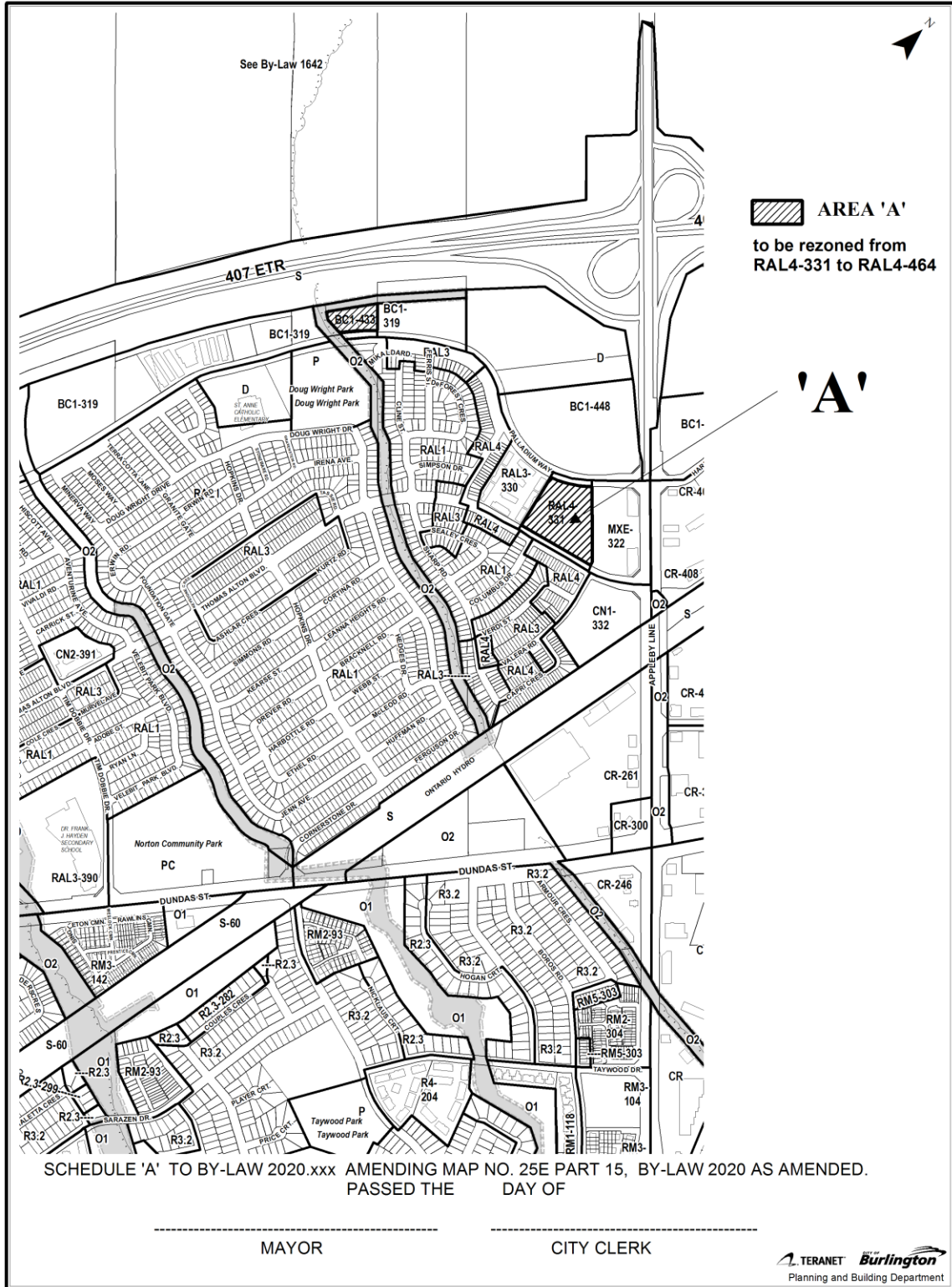
_____MAYOR

_____CITY CLERK

EXPLANATION OF PURPOSE AND EFFECT OF BY-LAW 2020.371

By-law 2020.371 rezones lands at 4853 Thomas Alton Boulevard, to permit a residential development consisting of traditional townhouse, stacked townhouse, and apartments.

For further information regarding By-law 2020.371, please contact Todd Evershed of the City of Burlington Planning & Building Department at (905) 335-7600, extension 7870.



SCHEDULE 'A' TO BY-LAW 2020.xxx AMENDING MAP NO. 25E PART 15, BY-LAW 2020 AS AMENDED.
 PASSED THE DAY OF

 MAYOR

 CITY CLERK