



Committee of the Whole
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Date: July 6, 2026
Time: 9:30 am
Location: Council Chambers, City Hall, second floor

Pages

13. Statutory Public Meetings

13.2 Official Plan and Zoning By-law Amendments for 198 and 206 Plains Road East (DGM-45-26)

a. *Appendix F regarding Official Plan and Zoning By-law Amendments for 198 and 206 Plains Road East (DGM-45-26)*

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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 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, 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 which are defined under the plan as nodes, corridors, and other areas that have been identified by municipalities to be the focus for accommodating intensification and higher density mixed uses in a more compact built form. The subject lands are found along Plains Road East which is designated as 'Regional Intensification Corridor' under the Regional Official Plan and envisioned as an 'MTSA Primary Connector' and 'Frequent Transit Corridor' under the Local Official Plan (2020, as amended) as later discussed in this analysis. Therefore, staff are of the opinion that the subject lands are 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 7 residential units to 66 new residential 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 approximately 130m west on Plains Road East from a Burlington Transit bus stop located on Route 4 (Central). This Route runs along the intersection of Plains Road East and Shadeland Avenue and between the Aldershot GO Station to the Downtown and Appleby GO Station. 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 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 the redevelopment of the subject lands from two (2) existing residential buildings containing a total of seven (7) dwelling units to a proposed seven-storey mixed-use building comprising ground-floor retail and service commercial uses and 66 residential units. The proposed development will be supported by existing and planned municipal servicing infrastructure, as well as public service facilities that currently serve the surrounding neighbourhood. 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. This included a Detailed Environmental Air Quality Assessment and an Environmental Noise Feasibility Assessment to assess the potential noise, dust, and odour impacts from nearby industrial and commercial operations on the subject lands, in accordance with the Ontario Ministry of Environment, Conservation and Parks requirements. The primary potential source of air quality and noise impacts were identified from the CN Rail Aldershot Yard, approximately 560m northwest from the subject lands. However, in the worse-case scenarios such as idling or slow-moving trains, the predicted concentrations fall below the Ministry of Environment, Conservation and Parks criteria, therefore no adverse impacts are anticipated. The primary road traffic noise source at the proposed development were determined to be from Plains Road East, which can be controlled through the installation

of central air conditioning and acoustic barriers on the rooftop terraces, as well as specific windows and doors. The study concludes that adverse effects from odour, dust, and noise are not expected at the proposed development from surrounding industrial/commercial operations. Staff is of the opinion that the proposed development, as modified, therefore maintains the intent of the outlined land use compatibility policies.

In accordance with the public spaces, recreation, parks, trails and open space policies under Section 3.9 1., 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. The proposed development provides access to landscaped public boulevards along Plains Road East which connect to the public realm.

In accordance with section 4.6.3, planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property unless the heritage attributes of the protected heritage property will be conserved. Directly abutting the subject lands to the west is the property 192 Plains Road East which contains a detached service commercial building. This property is recognized as a non-designated heritage property also known as the Scheer-Read Farmhouse. Heritage staff have reviewed the application materials, particularly the scoped Heritage Impact Assessment (HIA). The scoped HIA is complete and finds that the proposed development will have no negative impacts on 192 Plains Road East and thus no mitigation is required. Heritage Planning staff have no further comments on the submitted materials, however, may make additional comments at the Site Plan Control stage.

As per the analysis provided, planning staff is of the opinion that the proposed Official Plan Amendment and Zoning By-law Amendment, as modified by staff, 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 as ‘Urban Area’, and considered to be within a ‘Strategic Growth Area’ as they are located along Plains Road East which is a right-of-way that is designated as ‘Regional Intensification Corridor’ also referred to as the ‘Plains-Fairview

Corridor'. In accordance with Section 72, 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. Furthermore, 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.

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.

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 consists of housing intensification within underutilized parcels as it proposes a conversion from the two (2) residential buildings with a total of seven (7) residential units into a seven (7) storey (inclusive of a 7th storey outdoor amenity area) mixed use building consisting of 66 residential units and ground floor retail and service commercial uses while aligning with the planned character of the area as later discussed in this analysis.

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 and Stormwater Management Design Report which was reviewed by Halton Region staff as well as Development Engineering staff. Development Engineering and Regional staff have requested revisions to be provided by way of a holding provision required to be lifted ahead of the subsequent Site Plan application stage.

Section 147. (6) of the ROP describes that it is policy of the Region to promote the planting of new trees, and retain treescapes along major transportation corridors, replace trees cut down for public works and, wherever possible, develop new treescapes consistent with safe and aesthetically pleasing road or corridor design. Similarly, in accordance with the Sustainable design and compatibility policies under Part II, Section 2.7.3 of OP 1997, at the site planning stage, site plans will be reviewed for Sustainable Development considerations such as, but not limited to, the preservation of existing trees and other

vegetation. In accordance with Section 4.3.2 d) of the OP 2020, in order of priority, all development proposals and infrastructure projects, including City projects, should:

- (i) preserve existing healthy trees. The location of existing healthy trees shall be considered when establishing the location and building envelope of a proposed development;
- (ii) relocate healthy trees where feasible;
- (iii) plant replacement trees where trees are removed. Replacement planting requirements shall be established using an aggregate-caliper formula, to the satisfaction of the City. If replacement trees cannot be accommodated on-site, off-site compensation may be considered to maintain and enhance the neighbourhood canopy; and
- (iv) incorporate the planting of additional trees where appropriate.

As described under report DGM-45-26, the proposed development is also contingent upon the removal of municipal tree 708 to facilitate the proposed development. Planning staff have reviewed the proposed tree removal in light of the City's tree canopy objectives as well as its housing supply objectives and is of the opinion that replacement and compensation for the removal of existing trees is appropriate.

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) and a Phase One Environmental Site Assessment. The submitted materials have been reviewed by Development Engineering staff and have requested that a Phase Two Environmental Site Assessment be provided, by way of a holding provision at required to be lifted ahead of the subsequent Site Plan application stage.

As per the analysis provided, planning staff is of the opinion that the proposed Official Plan Amendment and Zoning By-law amendment, as modified by staff, conforms 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 are designated as 'Residential Areas' under Schedule 'A' – Settlement Pattern of the OP 1997. 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.

The subject lands are further designated as 'Residential – Medium Density' under Schedule 'B' – Comprehensive Land Use Plan – Urban Planning Area in OP 1997. 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. Furthermore, notwithstanding the policies of Part III, Subsection 2.2.2 d), the lands designated "Residential Medium Density" on the south side of Plains Road, between Cooke Boulevard and Filmandale Road, shall be subject to site-specific zoning regulations designed to protect the existing character of this portion of Plains Road and provide compatibility with the abutting neighbourhood to the south. Any exterior alteration or addition to the property shall maintain the residential appearance and character of the property.

The proposed development therefore requires an Official Plan Amendment to redesignate the properties from 'Residential – Medium Density' to 'Mixed Use Corridor – General' with site-specific policies to permit increased height from existing permissions from 2- to 6-storeys as well as increased Floor Area Ratio (FAR) from the existing maximum 1.5:1 to 2.4:1.

In accordance with Part III, Section 5.3.2 a), the following uses may be permitted within the "Mixed Use Corridor-General" designation:

- (iii) 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; and
- (iii) high density residential uses and a full range of office uses

The proposed development will only permit an Apartment Building with Retail or Service Commercial uses on the ground floor through the site-specific regulations proposed under Appendix E – Draft Zoning By-law Amendment.

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 at-grade and underground parking as discussed in later sections of this analysis. 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.

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 subject to the inclusion of holding provisions for additional revised materials to be provided.

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

Staff comment: The proposed development contemplates a total of 94 vehicle parking. For the retail store use with a total retail Gross Floor Area (GFA) of 183 m², 10 parking spaces are required based on a rate of 5 spaces per 100 m² of GFA. The proposed development identifies a minimum of 6 parking spaces for the retail use, as outlined in the Planning Justification Report, representing a deficiency of 4 spaces. Additionally, the subject lands are within the 'Plains Road Corridor Residential Parking Exemption Area' in accordance with Diagram 1B under Zoning By-law 2020. As such, no minimum parking rates are required for the subject lands. Transportation Planning have reviewed the submitted application and related materials and have indicated no concerns with the proposed parking rates provided that 10 retail parking spaces are clearly labelled on the plans as part of a subsequent Site Plan application. The proposed development also includes a total of three (3) designated accessible parking spaces distributed between the at-grade and two (2) underground parking levels, provided in accordance with the required accessible parking rates under Zoning By-law 2020.

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 no concerns with the proposed driveway access on Plains Road and requested further detailed design information for a future Site Plan application.

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. The subject lands are located approximately 75m east on Plains Road East from two separate Burlington Transit bus stops located on Route 1 (Plains – Fairview East). This route runs along Plains Road East, loops at the City of Hamilton and into the Burlington GO and Appleby GO Stations. Additionally, the subject lands are approximately 130m west on Plains Road East from a Burlington Transit bus stop located on Route 4 (Central). This Route runs along the intersection of Plains Road East and Shadeland Avenue and between the Aldershot GO Station to the Downtown and Appleby GO Station. 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 165 to permit an increased maximum building height of 7-storeys and an increased maximum floor area ratio of 2.4:1. Additionally, it proposes rezone the property to an H-MXG-572 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. 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 discussed under report DGM-45-26, although Urban Forestry staff have indicated concerns with the removal of tree number 708, 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.

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. Additionally, directly across Plains Road is a commercial plaza with mixed use buildings including at-grade commercial uses. Staff are therefore of the opinion that the proposed development is near 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 applicable Official Plan policies and the associated applicable urban design guidelines 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, 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 m) which 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 proposed development and requested that a revised Functional Servicing and Stormwater Management report be submitted by way of a holding provision as set out under Appendix E- Draft Zoning By-law Amendment, as well as design details are 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 – Draft Official Plan Amendment) and the proposed Zoning By-law Amendment (as outlined under Appendix E – Draft Zoning By-law Amendment), as modified by staff, are 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.

The subject lands are designated as 'Mixed Use Nodes and Intensification Corridors' under Schedule B – Urban Structure. 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 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 envisioned to be 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.

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.

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. In accordance with Section 8.1.3 (7.2) h), to ensure compatibility with adjacent residential areas the maximum 6-storey building height may not be permitted on sites that are small in size, have insufficient depth, are adjacent to areas designated Residential-Low Density, or front local streets.

In accordance with Section 8.1.3 (7.2) j), 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. A limited amount of office uses may also be permitted on the ground floor. 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 Sections 8.1.3 (7.1) b) and f). 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 proposed zoning H-MXG-572 includes maximum floor area in the underlying MXG zone regulates a maximum Floor Area of 1800m² per retail or service commercial use of a building. Therefore, staff is of the opinion that the proposed development meets the planned commercial function of the site.

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 envisioned to be designated as 'Urban Corridor' under OP 2020 except for the properties abutting the rear property line property line which are designated as 'Low Rise Neighbourhoods I'. The 'Urban Corridor' designation is 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 'Low Rise Neighbourhoods I' designation 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 2 residential detached dwellings into a seven (7) storey (inclusive of a 7th storey outdoor amenity area) mixed use building consisting of ground floor retail and service commercial uses and 66 residential units, therefore the uses on the subject lands would remain residential along with 183m² of retail and service commercial uses at grade. As part of the application submission, the applicant provided a Land Use Compatibility Study inclusive of a Noise Feasibility Study, which Planning staff deem to be appropriate for the subject lands. The applicant also provided a Phase One Environmental Site Assessment which has been reviewed by Development Engineering staff and have requested that a Phase Two Environmental Site Assessment be submitted through a holding provision (as included under Appendix E – Draft Zoning By-law Amendment). Overall, staff have not indicated 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 ‘Secondary Growth Area’ under Schedule B-1 – Growth Framework of the Plan. In accordance with Section 2.4.2 (2) a) (ii), (iv) and (v), Secondary Growth Areas shall be recognized as a distinct area within the city’s Urban Area accommodating growth in accordance with the permissions and densities of the current land use designations of this Plan, shall be limited to a maximum of mid-rise building form, unless otherwise permitted by the policies of this Plan; and where applicable, shall support the frequent transit corridors and accommodate development that is compact, mixed use and pedestrian-oriented in nature. The proposed development 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), ‘Secondary Growth Areas’ are subject to the design policies of Subsection 7.3.2 a) of 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) (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, as well as throughout the site.

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 and vehicular access to Plains Road East and proposes a total of 45 bicycle parking spaces, 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) (xiii): the development conserves cultural heritage resources, where applicable, in accordance with the policies in Section 3.5, Cultural Heritage Resources, of this Plan.

Staff comment: As previously mentioned, directly abutting the subject lands to the west is the property 192 Plains Road East which contains a detached service commercial building. This property is recognized as a non-designated heritage property also known as the Scheer-Read Farmhouse. Heritage staff have reviewed the application materials, particularly the scoped Heritage Impact Assessment (HIA). The scoped HIA is complete and finds that the proposed development will have no negative impacts on 192 Plains Road East and thus no mitigation is required. Heritage Planning staff have no further comments on the submitted materials, however, may make additional comments at the Site Plan Control stage. As such, planning staff is of the opinion that policies under Section 3.5 are met.

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 which was reviewed by Development Engineering staff, whom indicated no objections to the applications and requested that a revised version be submitted by way of a holding provision as set out under Appendix E- Draft Zoning By-law Amendment, as well as design details are addressed at the subsequent Site Plan application process.

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 'RM2-119' (Residential – Medium Density with site exception 119) 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 RM2 zone permits detached, semi-detached, duplex, triplex, fourplex and townhouse buildings as well as Retirement Homes specific institutional uses and Additional Residential Units (ARUs) subject to specific criteria. The RM1 zone permits detached, semi-detached, duplex and triplex buildings as well as Retirement Homes, specific institutional uses and Additional Residential Units (ARUs) subject to specific criteria. Site exception 119 further permits a 6-unit residential building subject to the RM2 zone regulations applying to a Fourplex with other site-specific provisions for the lands municipally known as 198 Plains Road East. Site exception 346 further permits townhouses and office uses with other site-specific provisions for the lands municipally known as 206 Plains Road East.

The application requests a Zoning By-law Amendment to rezone the subject lands from 'RM2-119' and 'RM1-346' to 'H-MXG-572' ('Mixed Use General' with site-specific regulations and associated holding provision) to facilitate the development of a seven (7)

storey (inclusive of a 7th storey outdoor amenity area) mixed use building consisting of ground floor retail and service commercial uses and 66 residential units in the storeys above.

The following table outlines a comparative analysis of the requirements of the base 'MXG' zone, the existing 'RM2-119' and 'RM1-346' zones and the proposed 'H-MXG-572' zone:

Zoning Regulation	MXG	RM2-119	RM1-346	H-MXG-572 as amended
Building Height	2 storeys minimum 6 storeys maximum	2 storeys maximum	2 ½ storey up to 13 m maximum	7 storeys, up to 26.4m maximum
Staff comment: The amending by-law proposes an increased height from the base MXG zone of 6 storeys to 7 storeys. 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 Urban Design Guidelines review, more specifically under the Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings				
Zoning Regulation	MXG	RM2-119	RM1-346	H-MXG-572 as amended
Number of Dwelling Units	8 units minimum (minimum density of 30 units per hectare)	6 units maximum (subject to the RM2 Fourplex regulations)	not applicable, density is subject to applicable Official Plan policies	66 units maximum
Staff comment: The proposed development aims to establish a maximum number of residential dwelling units of 66 units to reflect the proposed development layout. In accordance with the policies set out under Provincial, Regional and Local policies as previously discussed, staff are of the opinion that the proposed residential intensification is appropriate for the subject lands.				
Zoning Regulation	MXG	RM2-119	RM1-346	H-MXG-572 as amended
Floor Area Ratio (FAR)	1.5:1 maximum 0.3:1 minimum	not applicable	not applicable	2.4:1 maximum
Staff comment: The amending by-law proposes an increased Floor Area Ratio (FAR) from the underlying MXG regulations of 1.5:1 to 2.4:1 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 discussed throughout 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	RM2-119	RM1-346	H-MXG-572 as amended
Maximum Floor Area for retail or service commercial uses	Maximum of 1800 m ²	not applicable	not applicable	Minimum of 183 m ² for all non-residential uses
Staff comment: The proposed development includes 183 m ² of non-residential floor area, comprising of retail and service commercial uses. While the MXG Zone does not establish a minimum floor area requirement for these uses, the proposed H-MXG-572 Zone introduces a minimum non-residential floor area to support and protect the intent of the applicable and planned Official Plan policies by ensuring the provision of at-grade commercial uses.				
Zoning Regulation	MXG	RM2-119	RM1-346	H-MXG-572 as amended
Yards	<p>Yard Abutting Plains Road East:</p> <p>3 m minimum 23 m maximum</p> <p>Yard Abutting any other street:</p> <p>3 m minimum 4.5 m maximum</p> <p>Yard abutting a residential zone:</p> <p>Floors 1 to 3: 12m</p> <p>Floors 4 and 5: 15m</p> <p>Floor 6: 18m</p>	<p>Front Yard: ranges between 6 m to 9 m</p> <p>Rear Yard: 9 m</p> <p>Side Yard: 3 m</p> <p>Street Side Yard: 6 m</p>	<p>Front Yard: 12m</p> <p>Side Yard: 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>Street Side Yard: 9m</p>	<p>Yard Abutting south-west lot line:</p> <p>Floors 1 to 5: 4.1m</p> <p>Floors 6 to 7: 10.5m</p> <p>Yard Abutting north-east lot line:</p> <p>Floors 1 to 5: 4.3m</p> <p>Floors 6 to 7: 10.7m</p> <p>Yard Abutting rear lot line:</p> <p>Floors 1 to 6: 24 m</p> <p>Floor 7: 30 m</p> <p>Yard abutting any street:</p> <p>Notwithstanding Part 5, Section</p>

				4.1, Table 5.4.1 the maximum yard abutting any street shall not apply.
<p>Staff comment: The proposed building includes reduced yards along the south-west and north-east property lines, ranging from approximately 4 m to 10 m, and along the rear property line, ranging from approximately 24 m to 30 m. The rear yard setbacks exceed the existing minimum requirements of the underlying MXG Zone to mitigate potential massing impacts on adjacent low-rise designated properties and to accommodate the required 45-degree angular plane. Overall, the proposed setbacks are appropriate to support the building's design and built form, as discussed in the review of the Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings. Staff are of the opinion that the proposed setback reductions are appropriate for the subject lands and neighbouring uses.</p>				
Zoning Regulation	MXG	RM2-119	RM1-346	H-MXG-572 as amended
Amenity Area	<p>15 m² per efficiency dwelling unit</p> <p>20 m² per one-bedroom dwelling unit</p> <p>35 m² per two or more bedroom dwelling unit</p>	not applicable	not applicable	24m ² (approximately 1,638 m ²)
<p>Staff comment: The proposed development includes approximately 1,638 m² of amenity space (approximately 24 m² per unit), consisting of 226 m² of indoor amenity space at grade as well as 1,412.7 m² of outdoor amenity space in the form of private unit balconies (233 m²), private unit terraces (361 m²), private rooftop amenity (586 m²) and at-grade landscaped areas (231 m²). Staff consider the proposed rate to be an appropriate amount of amenity to account for the proposed 66 residential units being proposed.</p>				
Zoning Regulation	MXG	RM2-119	RM1-346	H-MXG-572 as amended
Balconies and Terraces setbacks	Must meet principal building setback with encroachment allowance as follows:	same as MXG zone regulations	same as MXG zone regulations	balconies and/or rooftop terraces shall maintain the principal building yards of the storey below it.

	<p>balcony projection into a required side yard: 0.50 m maximum</p> <p>balcony projection into any other required yard: 1.6 m maximum</p> <p>the sum of the length of these projections does not exceed one third of the permitted length of a building wall</p> <p>the length of any one projection does not exceed 3 m.</p> <p>terrace encroachment into a required yard: 0.65m maximum</p>			
<p>Staff comment: The proposed balconies and terraces do not project beyond the required yards, as previously described, and as included under the proposed H-MXG-572 regulations. The purpose of regulating balcony projections is to ensure that such features maintain the character of the streetscape, protect privacy between adjacent properties, minimize impacts on the public realm, and preserve access to sunlight and sightlines. Staff are satisfied that the proposed balconies comply with the established yard requirements and, as such, are appropriate for the subject lands. Furthermore, they are considered compatible with the surrounding built form and will not result in adverse impacts on adjacent properties or the public realm.</p>				
Zoning Regulation	MXG	RM2-119	RM1-346	H-MXG-572 as amended
Landscape Buffer	Abutting a residential zone: 6 m	Abutting R1, R2, R3, LN3, LN4, LN5, LN6 zones: 6 m	For office uses only abutting an R2.1, R5,	Abutting south-west Residential Zone: 2.5 m

			<p>LN5 and LN7 zone: 6m</p>	<p>adjacent to a building. Bicycle parking may encroach</p> <p>Abutting north-east Residential Zone: 2.8 m. Bicycle parking and sidewalk may encroach up to a maximum combined length of 10 m</p> <p>Abutting rear Residential Zone: 2.5 m</p>
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Staff comment:

The proposed development was initially received with landscape buffers ranging from 1.2 m to 2.8 m in width, with minor encroachments to accommodate the proposed bicycle parking. Under Zoning By-law 2020, a Landscape Buffer is defined as the area of a lot which serves to provide separation and to partially obstruct the view of adjacent 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. Snow storage and transformers are not permitted in a required landscape buffer. Additionally, the purpose of a landscape buffer helps to ensure visual and physical separation between proposed development and adjacent residential zones, thereby reducing overlook and enhancing privacy.

The proposed landscape buffers range from 2.5 m to 2.8 m along all property lines, except for the frontage along Plains Road which does not require a Landscape Buffer. This includes the staff recommendation to increase the rear yard landscape buffer from 1.2m to 2.5m. In addition, the landscape buffer along the south-west property line is proposed only adjacent to the portion of the site where the building is located. This reflects the proposed encroachments associated with the snow storage area, as well as the hydro transformer and pad at the rear of the site, which are necessary to support the overall functionality of the development.

The proposed landscape buffers will continue to provide adequate space to accommodate dense evergreen and/or deciduous plantings and maintain its future long-term viability while maintaining the intended screening function. In addition, fencing is required along all property lines abutting residential zones, that being all property lines for the subject lands except for the property line abutting Plains Road East, providing an additional layer of visual screening and privacy for neighbouring residential properties. Staff is therefore of the opinion that the proposed landscape buffer widths, along with the staff recommended modification to increase

the rear landscape buffer from the proposed 1.2 m to 2.5 m, are appropriate for the development.				
Zoning Regulation	MXG	RM2-119	RM1-346	H-MXG-572 as amended
Landscape Area	<p>Abutting a street: 3m</p> <p>An outdoor patio may encroach into a required landscape area abutting a street.</p>	6 m abutting a street having a deemed width greater than 26 m	<p>50% of the front yard area shall be maintained as landscape area.</p> <p>25% of the rear yard shall be maintained as landscape area.</p>	<p>Abutting Plains Road East: 1.5m</p> <p>Abutting southwest Residential Zone: 2.5m</p> <p>Snow storage, bicycle parking, Hydro Transformer and pad may encroach</p>
<p>Staff comment: The proposed development includes a landscape area reduction along Plains Road east from the required 3 m to 1.5 m. Under Zoning By-law 2020, a landscape area is defined 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. This area may be crossed by a driveway or walkway provided it is substantially perpendicular to the Landscape Area and may include a ground sign but can not include snow storage and transformers. A Landscape Buffer may be included in the calculation of Landscape Area. In this case, the intent of the required landscape area is to provide an appropriate landscaped edge along the public right-of-way through adequate outdoor green space that supports trees and vegetation, helping to manage stormwater and enhance the local climate. Staff are of the opinion that this intent has been achieved through the proposed landscaping within the boulevard along the Plains Road frontage.</p> <p>Additionally, staff have included a requirement for a 2.5 m landscape area along the southwest property line to reflect the landscaped area that would otherwise be required as a landscape buffer. This approach maintains landscaped space around the proposed snow storage area, hydro transformer and pad, while accommodating the infrastructure necessary to support the overall functionality of the site.</p>				
Zoning Regulation	MXG	RM2-119	RM1-346	H-MXG-572 as amended
Loading Space Yard	loading / unloading shall not take place	not applicable	not applicable	Loading / unloading may be permitted 4 m

	within 7.5 m of a residential zone			from abutting Residential Zone.
<p>Staff comment: The intent of regulating the separation between loading spaces and residential zones is to promote land use compatibility by minimizing conflicts between commercial or industrial loading activities and adjacent residential areas. Staff is of the opinion that the proposed reduction is minor as well as appropriate, as the proposed development incorporates buffering measures to this, including landscaped buffers and required fencing along all property lines abutting a residential zone. These features are expected to mitigate potential impacts associated with loading and unloading activities and maintain compatibility with adjacent residential uses.</p>				
Zoning Regulation	MXG	RM2-119	RM1-346	H-MXG-572 as amended
Bicycle Parking	2 spaces plus 1 space/1000m ² Gross Floor Area of retail and service commercial	not applicable	not applicable	<p><u>Retail</u> Short-term: 3 spaces plus 1 space/1000 m² GFA Long-term: 2 spaces plus 1 space/1000 m² GFA</p> <p><u>Residential:</u> Short-term spaces per unit: 0.05 Long-term spaces per unit: 0.5</p>
<p>Staff comment: The underlying MXG zone requires 2 spaces plus 1 space per 1000 m² Gross Floor Area for retail and service commercial uses. The proposed development includes 183m² of new ground floor retail and service commercial, therefore would require 2 bicycle parking spaces. The proposed development provides for a total of 45 bicycle parking spaces including 36 long-term spaces and 9 short-term spaces at-grade. 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, which may be addressed by way of a future Site Plan application. Additionally, the proposed rates under the by-law include the minimum recommended rates as established under the 2017 Burlington City-Wide Parking Standards Review. Planning staff is</p>				

therefore of the opinion that the proposed bicycle parking rates are appropriate for the subject lands.

As per the analysis above, staff is of the opinion that the proposed amendment to Zoning By-law 2020 as modified 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. As part of the application, the applicant submitted a review of the proposed development in relation to the Sustainable Building and Development Guidelines.

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 access point along Plains Road to off-site public sidewalks that connect to nearby transit stops and transportation networks.

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 requires 2 spaces plus 1 space per 1,000m² Gross Floor Area for Retail and Service Commercial uses. The proposed development includes 183m² of new ground floor retail and service commercial uses, therefore would require 2 bicycle parking spaces. The proposed development provides for 36 long-term bicycle spaces as well as 9 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, which may be addressed by way of a future Site Plan application. Additionally, the proposed amending by-law includes regulations for ensure that the minimum meets the requirement in the 2017 Burlington City-Wide Parking Standards Review, as outlined under Appendix E – Draft Zoning By-law Amendment.

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. The applicant provided a Traffic Impact Study which considered and included TDM strategies.

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 708, planning staff are of the opinion that replacement and compensation for the removal of existing trees is appropriate.

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/bioretenion 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 have indicated no objection to the applications provided that a holding provision be included under the amending by-law for a revised Functional Servicing and Stormwater Management Design Report.

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. As previously described, the proposed development provides for landscaped areas which help to the reduce potential urban heat island effects including majority of the proposed landscaping along Plains Road East as well as all the property lines in the form of a landscape buffer to screen the adjacent low-rise residential uses and landscape areas.

In accordance with guideline 6.1, development proposals are required to provide and implement a waste management plan in accordance with Regional neighborhoods 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 indicated that the residential portion of the proposed development is eligible for Regional waste collection, subject to conformity with the Region's Development Design Guidelines for Source Separation of Solid Waste which is to be demonstrated through the submission of a Waste Management Plan at the Site Plan stage.

Staff is of the opinion the proposed development as modified 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 4.2, 4.4 and 4.5, shadows cast by all existing buildings and proposed developments onto Key Civic and Cultural Spaces, lands designated or used for Parks and Open Spaces and 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, must be analyzed in the study. Given none of these spaces are located within the test area, or area within the shadow catchment of the proposal, these spaces are not shown to be affected.

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 dates. Through the submitted Shadow Study and additional Shadow Study information as requested by Planning staff, 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 rear yard of two properties directly abutting the subject lands, including 212 Plains Road East which shadows cast mainly on paved parking space for approximately 4 hours and 218 Plains Road East which shadow cast mainly on the rear yard of two (2) townhouse units for approximately 3 hours. Through the additional information submitted, the applicant confirmed that the SAF is calculated to be approximately 0.5 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 4.6, 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 21st, the criterion is met if the SAF is at least 0.50 on the test date. As per the submitted Shadow

Study, on March 21st shadows cast on Plains Road East and onto the properties on the opposite side of Plains Road East at 9:00am and 10:00am for a SAF higher than 0.5. Additionally, shadows from the proposed development at the identified times and across Plains Road East, cast only onto the parking spaces of the mixed-use properties.

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, development proposals with building heights of 5- to 11-storeys are required to submit a Qualitative Wind Assessment. Given the proposed development consists of a seven (7) storey mixed use building, the applicant was required to submit a 'Qualitative Wind Assessment'.

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 – wind speed below 17 km/h (i.e. 14 km/h – 17 km/h) is acceptable for activities such as strolling.
4. Fast 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, the proposed development results in winds at-grade which remain at sitting and standing levels during the summer, and generally at leisure walking and standing levels during the winter with isolated areas of fast walking levels at

the rear of the site where the loading space is proposed as well at the north-east corner of the site along Plains Road.

At the proposed rooftop outdoor amenity space, the development is expected to provide wind conditions suitable for standing during the summer months. In the winter, wind conditions are more variable, ranging from standing to leisure walking and fast walking. The outdoor rooftop areas facing Plains Road are anticipated to experience mainly fast walking conditions, with some areas suitable for leisure walking, while the rear portions facing the neighbouring properties are expected to experience primarily leisure walking and standing conditions. The proposed rooftop outdoor amenity space includes modular planters along the perimeter of the storey, particularly in areas where higher wind speeds are anticipated, as well as seating elements that may help improve user comfort. In addition, further wind mitigation measures may be explored and refined through the future Site Plan application process, as appropriate.

Staff are therefore of the opinion that the proposed development as modified 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.*
8. *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, with the building's principal façade oriented toward this corridor. This arrangement establishes a clear public frontage while creating a more private rear condition that accommodates outdoor amenity space and provides appropriate separation from the abutting residential properties to the south.

Although a continuous streetwall has not yet been established along Plains Road, its implementation is desirable to support the long-term vision for the corridor, including a consistent streetscape and active at-grade retail and service commercial uses. The proposed building has also been strategically positioned to minimize shadow impacts, with most shadows casting onto Plains Road at acceptable levels while maximizing access to natural sunlight for the proposed outdoor amenity areas, including the at-grade and rooftop amenity spaces.

The proposed development provides a 3.0 m front yard setback from the Plains Road East property line for the 1st through 6th storeys. This setback is reflected in the proposed amending zoning by-law as the minimum required front yard. In addition, the development contributes to an approximately 12.7 m wide streetscape between the curb and the property line, resulting in a combined boulevard width of approximately 15.7 m along Plains Road. This generous public realm is intended to accommodate pedestrian movement, street trees, landscaping, and active at-grade uses. As noted previously, the site design taken into consideration existing site conditions, including the retention of mature trees where feasible and consideration of the site's 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.*

Mid-rise buildings typically range from 5 to 11 storeys. Given the proposed development is of 7 storeys, it represents the lower end of the mid-rise building typology. The intent of the 15 m separation distance between buildings with facing windows is to protect privacy for residential units and minimize overlook.

As previously noted in Report DGM-45-26, the subject lands abut the residential properties at 212 and 218 Plains Road East along the northeast property line, and 198 Plains Road East along the southwest property line. The proposed building will be separated by approximately 10 m from the existing 2-storey detached dwelling at 212 Plains Road East, 9.3 m from the existing 2-storey townhouses at 218 Plains Road East, and 14 m from the existing 2-storey detached dwelling at 198 Plains Road East. The properties at 218 Plains Road East primarily interface with the rear portion of the subject lands, where the proposed parking area and outdoor amenity space are located.

The proposed building includes windows on the northeast and southwest elevations from the second storey upwards, with terraces located at the 6th and 7th storeys. These elevations do not include balconies, therefore, this reduces impacts of direct overlook into adjacent residential properties. Given the location of the windows, the absence of balconies on the side elevations, and the separation distances provided, staff is satisfied that the proposal ensures privacy and provides an appropriate separation with the neighbouring residential uses.

Similarly, the 1 and 2-storey buildings to the rear of the subject lands at 958 and 960 Filman Place include a separation of approximately 40 m. In addition, angular plane study submitted from the rear property line, in accordance with Section 3.1(3) of the Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings. As discussed later in this report, the proposed development satisfies the intent of the angular plane provisions, which are intended to reduce overlook and maintain an appropriate transition to adjacent residential properties.

Additionally, while a continuous mid-rise streetwall has not yet been established along this portion of Plains Road East, it remains a desirable long-term planning objective. Staff is therefore of the opinion that the proposed development achieves an appropriate balance between maintaining the planned built form along the corridor and providing sufficient separation to adjacent residential properties to mitigate privacy impacts.

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 current Official Plan (1997, as amended) policies for 'Residential – Medium Density' permits for building heights up to 2 storeys and the envisioned Official Plan (2020, as amended) for heights ranging between 2 and 6-storeys. Similarly, the existing RM2-119 zone permits a maximum height of 2-storeys and the existing RM1-346 zone permits a maximum height of 2 and a half storeys. The proposed development proposes a building of 7-storeys.

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 limited to 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

northeast and southwest property lines at the 6-storey to accommodate private terraces as well as at the Plains Road East and rear property lines at the 7th storey to accommodate common outdoor amenity space. The overall building height is 26.5 m.

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 is appropriate and continues to meet the intent of the guidelines mentioned.

- 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 45.5m 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 Plains Road. As previously mentioned, the proposed building includes step-backs at the 6th and 7th storeys for the provision of amenity space. These have been included under the amending by-law by way of minimum yards to building walls. Balconies are also inset into the building elevations 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.

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 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.*
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.*

The first storey features a minimum height of 5.8 m and incorporates recessed building walls of approximately 1.7m in width along Plains Road East, creating weather-protected entrances. The proposed development provides multiple grade-related entrances, including one (1) primary residential entrance along the middle of the building with distinct design features and four (4) commercial entrances fronting onto Plains Road East. In addition, four (4) additional grade-related entrances are provided along the sides of the building, enhancing accessibility and pedestrian connectivity to the 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, through the provision of high-density development and improved pedestrian connections. The proposed development will result in a more pedestrian-oriented street along Plains Road East 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 the adjacent uses by way of proposed landscape buffers and landscape areas. Loading spaces are also proposed hidden from Plains Road East as it is located at the rear of the proposed building as well as away from adjacent uses, approximately 4 m from the south-east property line and screened by landscaped areas and required fencing. Vehicular access to these areas located at the rear of the proposal has been incorporated via a 7 m driveway access point along Plains Road East.

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.*

The majority of residential parking is proposed underground with some residential parking at grade. 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 neighbouring uses through the use of required fencing and landscaped buffers and areas. The proposed underground parking structure does not encroach into the proposed landscape buffers and landscape areas ensuring the 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.

24. Locate all utilities within the building, at the back of the building (rear yard) or underground. When not located within the building or underground, ensure these elements are away from public view, organized neatly in discreet areas, and screened with high-quality architectural elements and landscape design. Options include recessing into the building façade, fencing, screening with landscaping or low walls.

28. Design outdoor bicycle parking areas to be consistent with the overall building and landscape design.

As previously mentioned, the proposed development includes an appropriate amount and location of indoor and outdoor amenity space as well as landscaping. The main functional common amenity space on site includes the proposed outdoor patio at the rear of the site consisting of landscape buffer and paved patio as well as the rooftop outdoor terrace with areas for seating and leisure. Additionally, utility infrastructure such as the proposed transformer is proposed at the rear of the property and will be appropriately screened to minimize visual impacts. Planning staff are of the opinion that the proposed development continues to meet the intent of the mentioned guidelines.

29. All mid-rise developments should respect and be sensitive to cultural heritage resources including on-site resources and/or neighbouring resources.

33. When a proposed mid-rise building is near a heritage property it should be designed to respect the materials, proportions, scale, setbacks, topography and views of the historic context.

As previously mentioned, Heritage Planning staff have reviewed the proposed development, including its potential impacts on the adjacent listed heritage property, and have raised no concerns.

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.*
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 building includes step-backs along the side property lines at the 6th storey to differentiate the upper and lower portions of the proposed building. Staff are of the opinion that given the building layout, including stepbacks, would not negatively impact access to sunlight and sky view for the public realm. Additionally, as previously mentioned, the proposed building meets the general intent of the submitted Pedestrian Level Wind and Shadow Study Guidelines.

The subject lands abut properties along the side lot lines that are envisioned to be designated 'Urban Corridor' and properties along the rear lot line that are envisioned to be designated Low-Rise Neighbourhoods II under the Official Plan (2020, as amended). Accordingly, as part of the application submission, the applicant provided a 45-degree Angular Plane analysis measured from the fixed grade at the rear lot line. Planning staff are satisfied that the proposed building complies with the 45-degree Angular Plane requirement and adequately demonstrates that potential overlook impacts on the abutting rear properties have been appropriately mitigated. In addition, the proposed building envelope has been secured through the implementing Zoning By-law by establishing appropriate minimum yards. Staff are of the opinion that the proposed development continues to conform to the intent of the applicable 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.*

As previously mentioned, all balconies proposed do not project beyond the building wall below and inset approximately 1.6 m with a total area ranging between 3.9 m² to 4.5m². Staff are of the opinion that the proposed development continues to meet the intent of the guidelines mentioned.

7. *Building tops and mechanical equipment should be designed to integrate with the overall architectural expression of the building.*
8. *Where possible, rooftop amenity areas are recommended to create activity at the upper storeys of the building and be appropriately set back from the roof edge.*
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 7th storey outdoor amenity space which wraps around the proposed mechanical uses. The outdoor rooftop terrace is approximately 586 m² in size. The building portion of the 7th storey is step-back approximately 9.7 m from the edge of the floor below along the front yard as well as 6.9 m from the edge of the floor below along the rear. Staff are of the opinion that the proposed development continues to meet the intent of the guidelines mentioned.

As per the analysis provided, staff is of the opinion the proposed development as modified 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 shad 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. Furthermore, the design guidelines under Section 5.2.5.2, indicate 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.

The proposed development provides for a mix of uses including approximately 183 m² of new ground floor retail and service commercial as well as 66 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 tree 708 to facilitate the proposed development, as previously mentioned, planning staff is recommending approval of the proposed development inclusive of the removal of this tree. 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. Planning Staff are therefore of the opinion that the proposal as modified meets the objectives and intent of the Plains Road Design Guidelines (2006).