



Community Planning, Regulation and Mobility Committee Meeting Addendum

Date: October 31, 2023
Time: 9:30 a.m. and 6:30 p.m. (if required)
Location: Hybrid meeting- virtual and Council Chambers, City Hall
Contact: Committee Clerk, Jo-Anne.rudy@burlington.ca, 905-335-7600, x7413

Pages

2. Statutory Public Meetings:

2.1 Proposed Major Transit Station Area (MTSA) Official Plan Amendment and Draft Community Planning Permit (CPP) By-law public release (PL-59-23)

- | | | |
|----|--|---------|
| a. | <i>Staff presentation regarding proposed Major Transit Station Area (MTSA) Official Plan Amendment and Draft Community Planning Permit (CPP) By-law public release (PL-59-23)</i> | 1 - 42 |
| b. | <i>Delegation from Sean Hertel and Patrick Duffy, representing Sofina Foods, regarding proposed Major Transit Station Area (MTSA) Official Plan Amendment and Draft Community Planning Permit (CPP) By-law public release (PL-59-23)</i> | 43 - 54 |
| c. | <i>Delegation from Kellie McCormack, representing Conservation Halton, regarding proposed Major Transit Station Area (MTSA) Official Plan Amendment and Draft Community Planning Permit (CPP) By-law public release (PL-59-23)</i> | 55 - 81 |
| d. | <i>Delegation from Adam Layton, Evans Planning, regarding proposed Major Transit Station Area (MTSA) Official Plan Amendment and Draft Community Planning Permit (CPP) By-law public release (PL-59-23)</i> | |
| e. | <i>Delegation from Gerard Gervais, representing Gervais Development (Emery) Corp., regarding Proposed Major Transit Station Area (MTSA) Official Plan Amendment and Draft Community Planning Permit (CPP) By-law public release (PL-59-23)</i> | 82 - 94 |
| f. | <i>Delegation from Michelle Diplock representing West End Home Builders' Association regarding proposed Major Transit Station</i> | |

Area (MTSA) Official Plan Amendment and Draft Community Planning Permit (CPP) By-law public release (PL-59-23)

- | | | |
|----|--|-----------|
| g. | <i>Correspondence from Sarah Turney, Fasken Martineau DuMoulin LLP, regarding proposed Major Transit Station Area (MTSA) Official Plan Amendment and Draft Community Planning Permit (CPP) By-law public release (PL-59-23)</i> | 95 - 97 |
| h. | <i>Correspondence from Victoria Mortelliti, Building Industry and Land Development Association (BILD), regarding proposed Major Transit Station Area (MTSA) Official Plan Amendment and Draft Community Planning Permit (CPP) By-law public release (PL-59-23)</i> | 98 - 99 |
| i. | <i>Correspondence from James Liddycoat, Emshih Developments Inc., regarding proposed Major Transit Station Area (MTSA) Official Plan Amendment and Draft Community Planning Permit (CPP) By-law public release (PL-59-23)</i> | 100 - 102 |
| j. | <i>Correspondence from MHBC, on behalf of Halton Standard Condominium Corporation No. 416, regarding proposed Major Transit Station Area (MTSA) Official Plan Amendment and Draft Community Planning Permit (CPP) By-law public release (PL-59-23)</i> | 103 - 110 |
| k. | <i>Correspondence from Michelle Diplock, West End Home Builders Association, regarding proposed Major Transit Station Area (MTSA) Official Plan Amendment and Draft Community Planning Permit (CPP) By-law public release (PL-59-23)</i> | 111 - 116 |
| l. | <i>Correspondence from Ed Fothergill, on behalf of The Molinaro Group, regarding proposed Major Transit Station Area (MTSA) Official Plan Amendment and Draft Community Planning Permit (CPP) By-law public release (PL-59-23)</i> | 117 - 118 |
| m. | <i>Correspondence from Burlington Economic Development and Burlington Chamber of Commerce regarding proposed Major Transit Station Area (MTSA) Official Plan Amendment and Draft Community Planning Permit (CPP) By-law public release (PL-59-23)</i> | 119 - 120 |
| n. | <i>Correspondence from Elizabeth Howson, Macaulay Shiomi Howson Ltd., regarding proposed Major Transit Station Area (MTSA) Official Plan Amendment and Draft Community Planning Permit (CPP) By-law public release (PL-59-23)</i> | 121 - 148 |

5. Regular Items:

5.1	Integrated Mobility Plan final report (TS-07-23)	
	a. <i>Delegation from Amy Schnurr, representing BurlingtonGreen Environmental Association, regarding Integrated Mobility Plan final report (TS-07-23)</i>	
	b. <i>Delegation from Jesse Elders, representing Bay Area Climate Change Council, regarding Integrated Mobility Plan final report (TS-07-23)</i>	
	c. <i>Delegation from Tom Hayes, representing Burlington Integrated Transportation Advisory Committee, regarding Integrated Mobility Plan final report (TS-07-23)</i>	149 - 150
	d. <i>Delegation from Nick Morrison, representing Safe Streets Halton, regarding Integrated Mobility Plan final report (TS-07-23)</i>	151 - 153
	e. <i>Staff presentation regarding Integrated Mobility Plan final report (TS-07-23)</i>	154 - 169
5.2	Transit ridership data and preliminary analysis (TR-03-23)	
	a. <i>Staff presentation regarding Transit ridership data and preliminary analysis (TR-03-23)</i>	170 - 176
5.3	Heritage response to Bill 23 - shortlist of designation candidates (PL-35-23)	
	a. <i>Correspondence from James Liddycoat, Emshih Developments, regarding Heritage response to Bill 23 - shortlist of designation candidates (PL-35-23)</i>	177 - 177
	b. <i>Staff presentation regarding Heritage response to Bill 23 - shortlist of designation candidates (PL-35-23)</i>	178 - 201
5.4	Red Tape Red Carpet recommendations 2023 (ECDEV-05-23)	
	a. <i>Delegation from Joe Salemi, representing Landscape Ontario Horticultural Trades Association regarding Red Tape Red Carpet recommendations 2023 (ECDEV-05-23)</i>	
	b. <i>Staff presentation regarding Red Tape Red Carpet recommendations 2023 (ECDEV-05-23)</i>	202 - 212
5.5	City of Burlington's growth-related work and the joint best planning estimates (PL-64-23)	213 - 230

Direct the Director of Community Planning to forward any comments from Community Planning, Regulation and Mobility (CPRM) Committee regarding the Joint Best Planning Estimates and Allocation Program in discussion with regional staff and report back at the December 5, 2023, CPRM Committee meeting.

5.6 Verbal update on Provincial updates

CPRM, October 31, 2023

PL-59-23

Staff Presentation



Major Transit Station Area (MTSA) Area-Specific Planning Project

**Official Plan Amendment and
Community Planning Permit System**

Statutory Public Meeting

October 31, 2023

[Getinvolvedburlington.ca/mtsa](https://getinvolvedburlington.ca/mtsa)

What is proposed?

Official Plan Amendment

- Sets the boundaries, density targets, Authorized uses and vision
- Identifies future transportation and infrastructure needs
- Provides the policies to implement a CPPS



Community Planning Permit System

- A land use planning tool available to municipalities through the *Planning Act*
- Replaces the Zoning By-law
- Sets up Community Planning Permit System



What is a Community Planning Permit System?

CURRENT PROCESS

Approvals

Zoning By-Law Amendments (ZBA) are approved by Council.

 **90 days**

Minor Variances (MV) are approved by Committee of Adjustment.

 **Generally ~90 days**

Site Plan Approval (SPA) delegated to staff*.

 **60 days**

Public Consultation and Appeals

ZBA has mandatory notification requirements, public meetings, and are subject to third-party appeals.

MV has mandatory public notice, public comments at hearing, no third-party appeals.

SPA no legislative public consultation/notices.

COMMUNITY PLANNING PERMIT

Include classes of approvals, e.g. Class 1 delegated to staff, Class 2 to Staff or Committee and Class 3 to Council.

 **45 days**

- **No mandatory public meetings/notice** as part of a development application.
- **Only the applicant has the right to appeal** a permit decision to the Ontario Land Tribunal (OLT).

*Unless a specific application is undelegated

Why use a CPPS for Burlington's MTSAs?

- Area Specific Plans identify the vision and core policies to guide development of the MTSAs
- CPPS provides a number of benefits to the City when implementing the ASPs:

Implementation concerns include the need for:

- Community services, facilities and parks
- Affordable and rental housing
- Employment in mixed use Precincts



Streamlines the development approvals;



Utilizes significant upfront community engagement undertaken as part of the ASPs;



More certainty in implementation and reduced likelihood of appeals;



Broader catchment of projects;



Provides a framework for delegation of approvals;



Flexibility with discretionary uses, ability to capture variations; and



Ability to obtain “services, facilities and matters” for height and density.

What is it intended to achieve?



- **A City that Grows:** Complete communities, mix of uses, housing forms, employment, infrastructure



- **A City that Moves:** Multi-modal transportation network, complete streets, active transportation, public realm

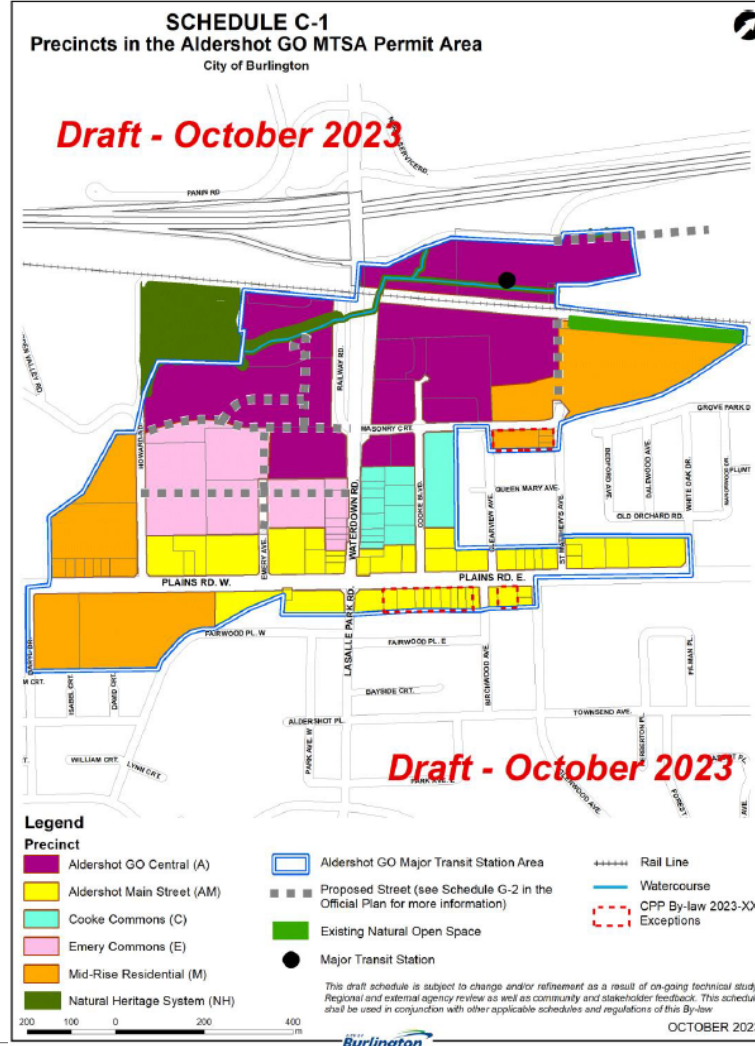
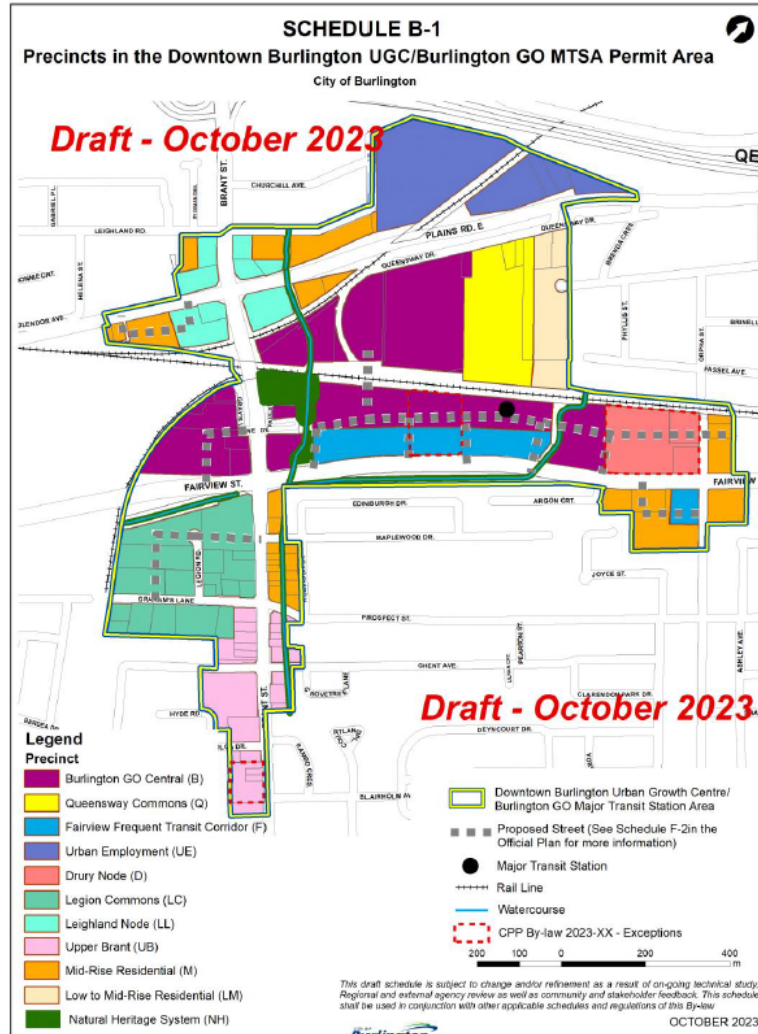


- **A Healthy & Greener City:** Long-term ecological integrity and biodiversity, public health and safety, natural hazards, sustainability, open spaces



- **An Engaging City:** Public service facilities, activated streets, built form transitions, design excellence, history, culture, collaboration and coordination

Overview of the 3 Permit Areas



Application Process

Step 1: Pre Application Process

Pre-Consultation with the City of Burlington and other Relevant Agencies to define if permit is required, class and complete application requirements

Step 2: Submission

Applicant submits Community Planning Permit Application (Class 1, Class 2, or Class 3) and support studies

Step 3: Application Review (45 Days)

Application is deemed “Complete” once all information requested through Step 1 is submitted, notice is posted on city website and application is reviewed by staff

Step 4: Decision

Decision on application is made: 1) approve with no conditions, 2) provisional approval with conditions, 3) approval with conditions or 4) refusal

Types of Applications

Class 1 Standards Met

- Meets all development standards of the by-law, no variation is required
- Includes Permitted Use
- Minimum size and type of units set out in the Burlington Housing Strategy

Staff approval

Class 2 Staff Variation

- Variation to a development standard within the staff variation threshold
- Includes a listed Discretionary Use
- Any Parking Variations
- Building Height within maximum Class 2 Threshold

Staff approval

Class 3 Council Variation

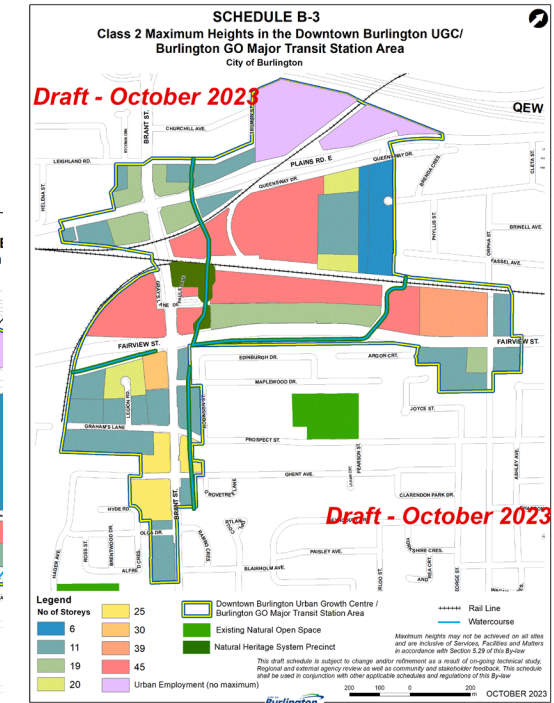
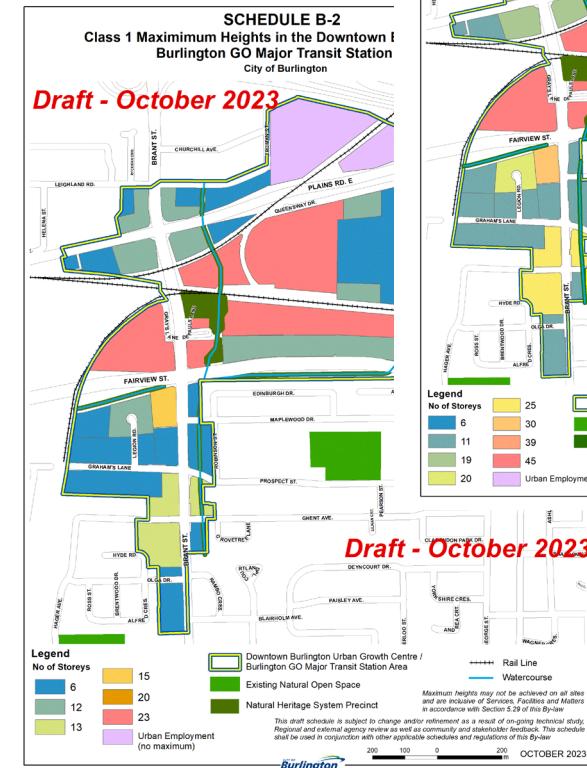
- Variation to development standard beyond the staff threshold
- Building Height above maximum Class 2 Threshold with no defined limit

Council approval

Applicant is required to address **variation criteria** (e.g., Guiding Principles, complete communities, off-site impacts, other policies, regulations, standards and guidelines).

Securing Essential Community Needs

- All applications are required to:
 - Provide parkland dedication in accordance with Section 42 and additional monetary contribution for parkland to achieve the City's Park Provisioning Master Plan service level needs;
 - Provide a monetary contribution towards complete communities; and
 - Provide a portion of residential units as ownership or rental units that are affordable or attainable as set out in the by-law
- Additional requirements for applications involving a Class 2 or 3 height variation



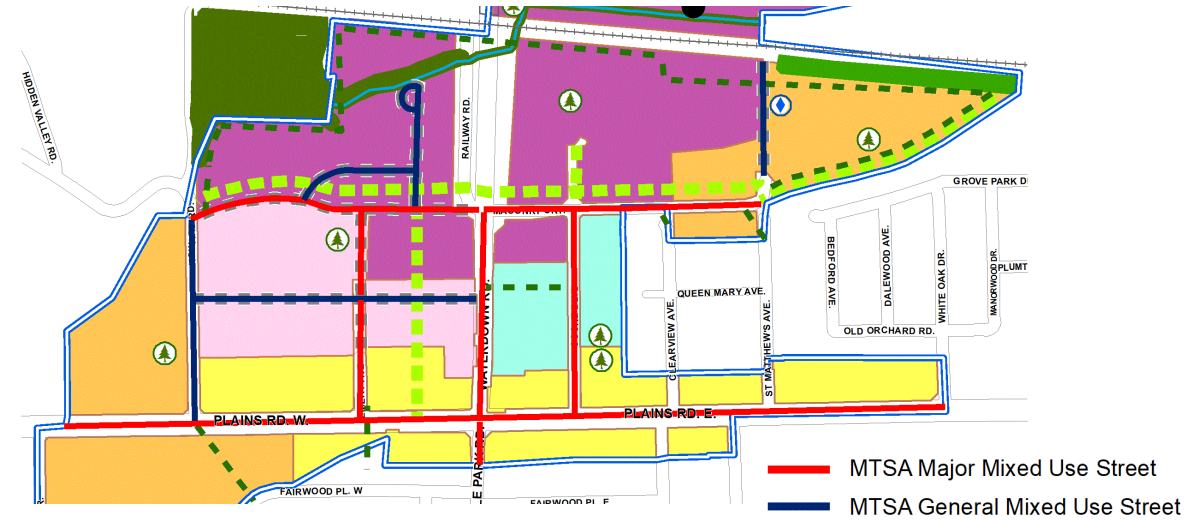
Attainable and Affordable Housing

All applications are required to:	Class 1 applications with <u>ownership units</u> are required to:	Class 1 application with <u>rental units</u> are required to:	Class 2 max height may be granted based on the applicant demonstrating:
• Minimum target of 3-bedroom units • Demonstrate housing strategy vision	• 2%+ of units deeply affordable, or • 7%+ of units moderately affordable, or • 15%+ of units as attainable	• 3%+ of rental units attainable	• Proposed development meets or exceeds one or more of the city-wide annual housing targets and provides: • Class 1 requirements plus ○ additional affordable ownership units, or ○ affordable rental units, or ○ contribution of land at or above service level target.

Mixed Use and Employment

- Retail, service commercial or office required continuously at grade fronting MTSA Major Mixed Use Streets
- Retaining ground floor/first 2 floors for non-residential for mixed use buildings
- Minimum two uses required in some Precincts
- Sensitive land uses (such as residential) are Discretionary Uses, subject to land use compatibility study

Activated Streets & Minimum Number of Uses



Employment Precincts & Land Use Compatibility



What we've Heard To Date

- **Clarity:** Affordable housing, flood hazard overlay, who is responsible for development approvals
- **Flexibility:** Option for applicants to go to Council if desired, flexible parking standards
- **General Concerns:** Parking requirements, behavior changes, land use compatibility, maximum heights are too low, how can be public be involved, use of new MTSA names, tertiary planning, requirements for services, facilities and matters
- **Some questions:**
 - Are the boundaries finalized for the Aldershot area?
 - How were the draft height limits determined in the MTSA areas?
 - How will essential services be accommodated as part of the CPP By-law?
 - How is climate change addressed?
 - How to provide feedback through this process?



Two Chamber
of Commerce
Meetings
(August 16
and October
23, 2023)



Circulation of
**Preliminary
Draft CPP By-
law** to
Development
Industry
(August 2023)



One Virtual
Open House
(October 12,
2023)

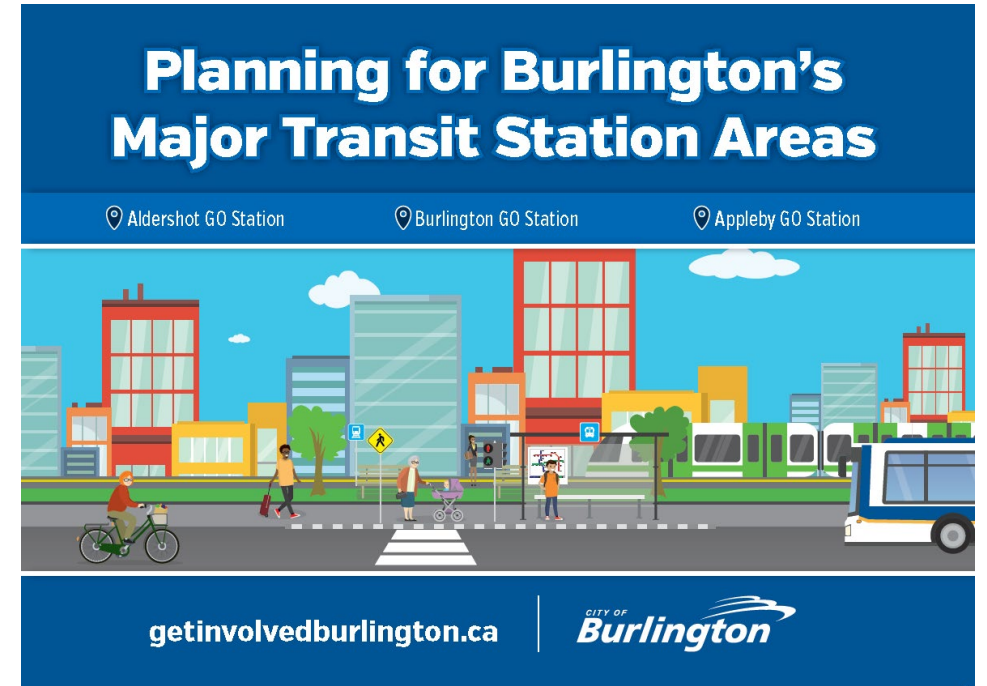


Two Drop-in
Sessions
(October 16 &
17, 2023)

Next Steps

Engagement Opportunities

- Email us at mtsa@burlington.ca
- Feedback to inform recommended versions by **December 4, 2023**
- Updates to Draft OPA and Draft CPP By-law based on what we heard



getinvolvedburlington.ca/mtsa

Reference Slides

Creating a CPP By-law for Burlington

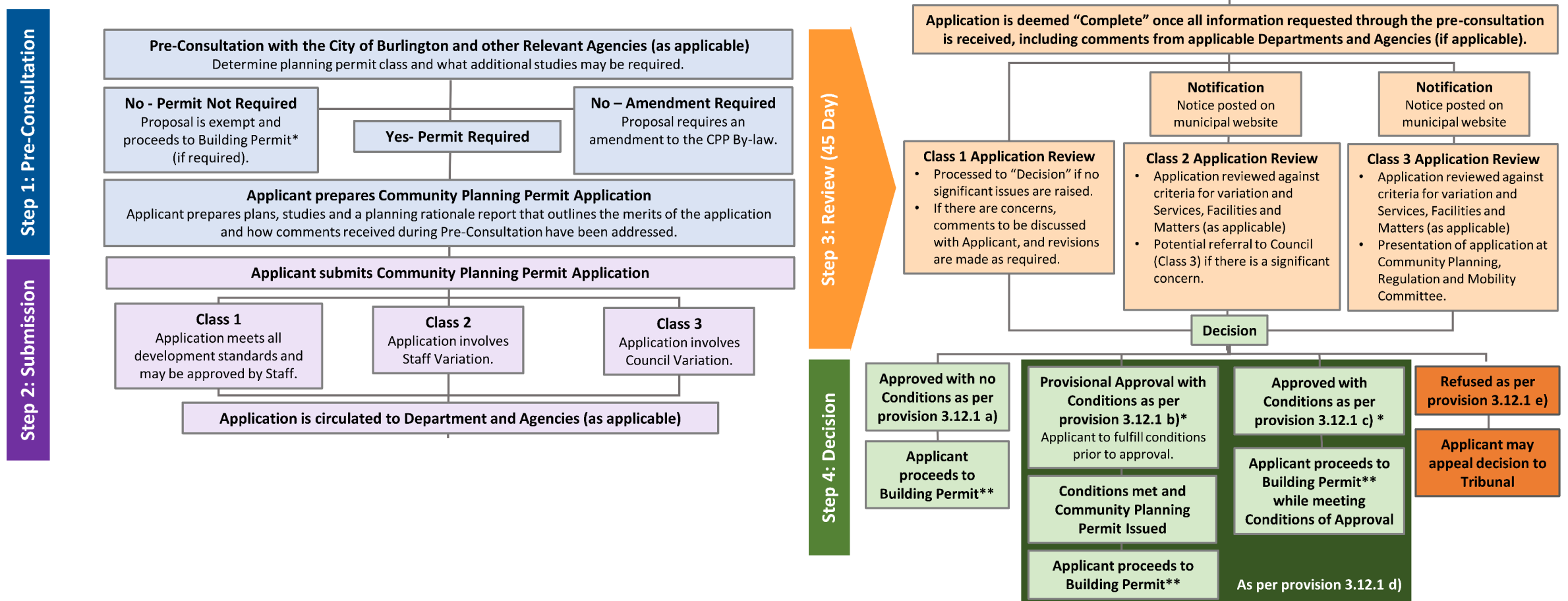
Introduction	• Introductory section includes community vision and goals, etc.
Definitions and Interpretation	• List of defined terms used throughout the by-law
Administration	• Defines how the by-law is to be administered and implemented, e.g. defining classes of permit
Other Administrative Matters	• Transitional provisions, Process for By-law Amendments, previous holding provisions
General Provisions	• Sets out provisions/regulations which apply to all classes of development and all geographic permit areas and specific use provisions
MTSA Permit Area Provisions	• Sets out provisions/regulations which apply to specific precincts in each MTSA
Site Specific Provisions	• Sets out provisions/regulations which apply to specific properties (likely due to integration of former zoning regulations)
Schedules and Appendices	• Mapping (geographic boundaries of the precincts) and Appendices (Conditions of approval, Conservation Halton regulatory mapping, affordability threshold values and previous Holding provisions)

Controlling what matters

- Update parking standards
- Focus on strategic development controls:
 - Setbacks
 - Landscape area
 - Residential amenity areas
 - Services, Facilities, and Matters to support complete communities
 - Permitted and Discretionary Uses
 - Building Height and Length
 - Gross Floor Area
 - Building in Proximity to Hazard Areas

Application Process

Figure 3.1: Community Planning Permit Review Process Diagram



Performance Standards

Building Podium Design



Built Form Transitions



Permitted and Discretionary Uses

Table 6.1: Permitted and Discretionary Uses in the Downtown Burlington UGC / Burlington GO MTSA Permit Area

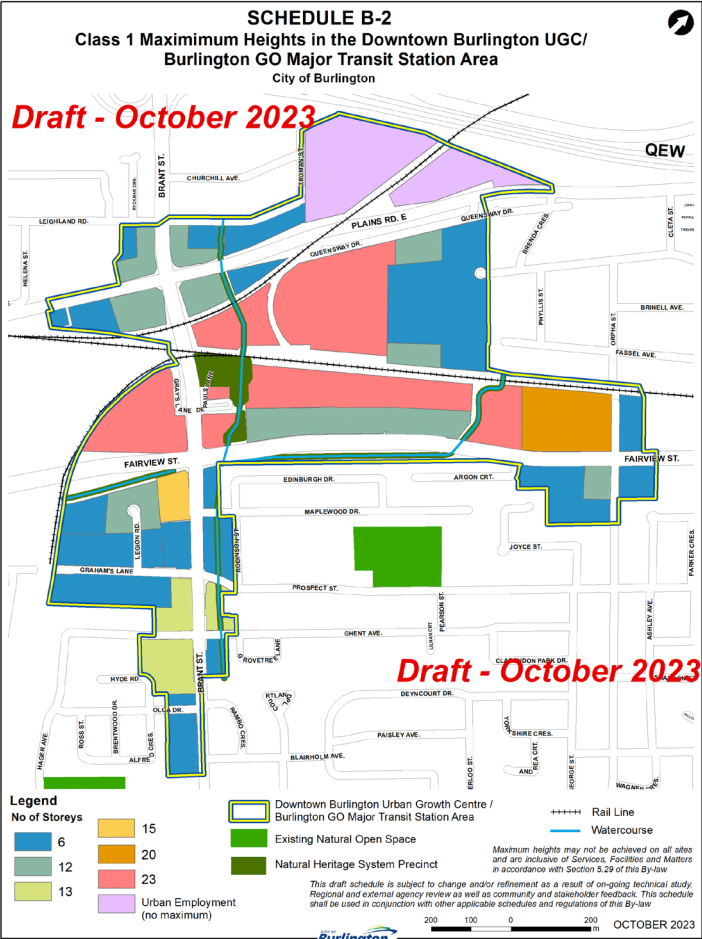
Permitted or Discretionary Use	Precincts									
	Burlington GO Central (B)	Queensway Commons (Q)	Fairview Frequent Transit Corridor (F)	Urban Employment (UE)	Drury Node (D)	Legion Commons (LC)	Leighland Node (LL)	Upper Brant (UB)	Mid-Rise Residential (M)	Low to Mid-Rise Residential (LM)
Rowhouse						D(b)		D(b)	D(b)	P
Dwelling units above the first two storeys in a mixed use building	D(c)	P	P		P	P	P	P	P	
Apartment building, single use		D(b)	D(b)			P	D(b)	D(b)	D	p
Office, single use building	P		P	P	P				D	
Office, mixed use building	P	P	P	P	P	P	P	P(a)	P	

Development Standards

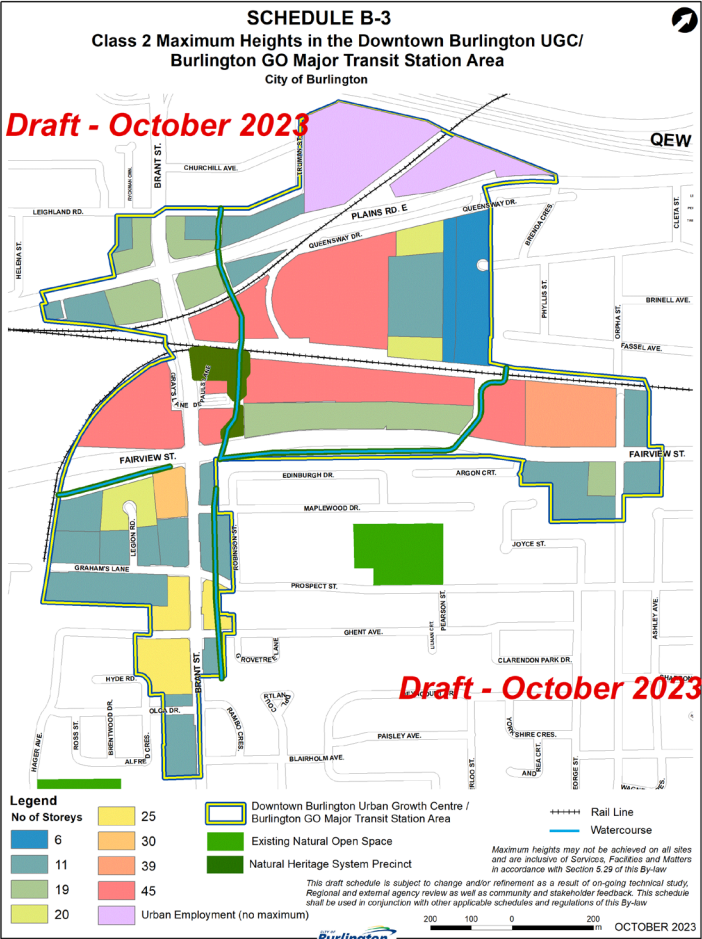
Table 6.2: Development Standards in the Downtown Burlington UGC / Burlington GO MTSA Permit Area

Precinct	Burlington GO Central (B)	Queensway Commons (Q)	Fairview Frequent Transit Corridor (F)	Urban Employment (UE)	Drury Node (D)	Legion Commons (LC)	Leighland Node (LL)	Upper Brant (UB)	Mid-Rise Residential (M)	Low to Mid-Rise Residential (LM)	Class 2 Variation Limit
Front yard setback (minimum)	1.5m for retail at grade	1.5m for retail at grade	1.5m for retail at grade	3.0m	1.5m for retail at grade	1.5m for retail at grade	1.5m for retail at grade	1.5m for retail at grade	3.0m for retail at grade	4.5m	Up to 20%
	3.0m for residential (if permitted)	3.0m for residential (if permitted)	3.0m for residential (if permitted)		3.0m for residential (if permitted)	3.0m for residential (if permitted)	3.0m for residential (if permitted)	3.0m for residential (if permitted)	3.0m for residential (if permitted)		
Front yard setback (maximum)	3.0m(a)	3.0m(a)	3.0m(a)	--	3.0m(a)	3.0m(a)	3.0m(a)	3.0m(a)	7.0m	7.0m	Up to 20%

Building Heights



Class 1 Maximum Heights



Class 2 Maximum Heights

Class 3: No Maximum Height

Considerations related to height include:

- City urban design guidelines
- Variation Criteria if heights beyond Class 1 max are proposed (s. 3.5)
- Provision of services, facilities and matters (s. 5.29)
- Building transitions

Clarity in Maximum Height While Obtaining Essential “Services, Facilities and Matters”

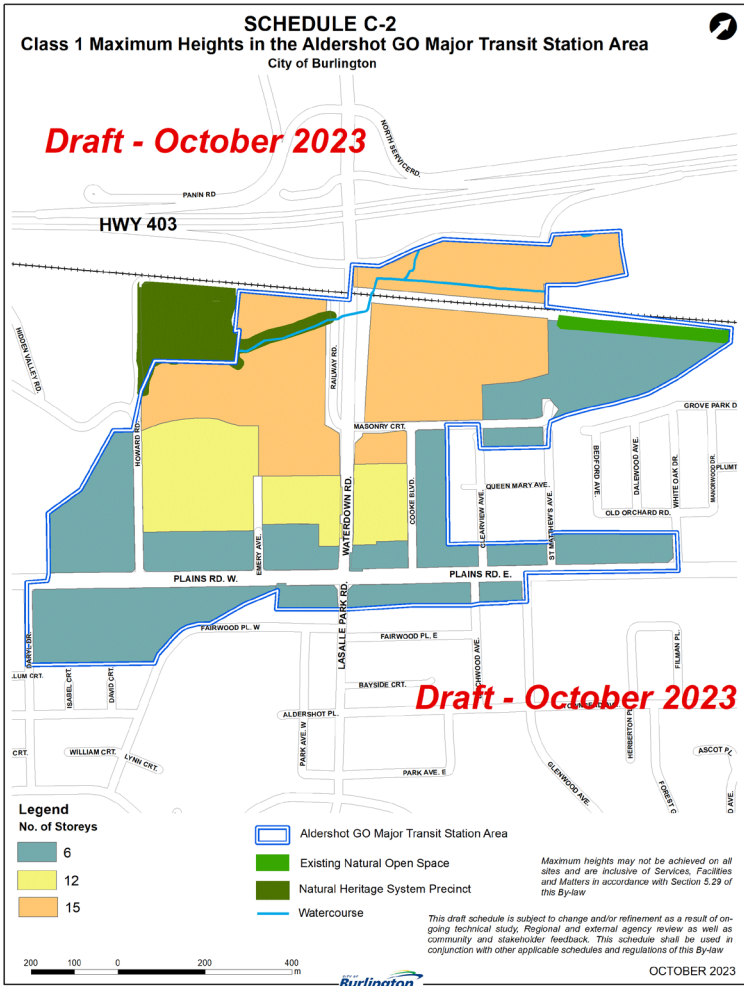
- Under a CPPS, a CBC does not apply, therefore the CPP By-law needs to identify where services, facilities and matters are required.
- **Class 1:** parkland dedication (Sec 42 and Park Provisioning Master Plan service level needs) + Contribution towards complete communities + affordable ownership units or affordable rental units
- **Class 2:** Class 1 requirements plus additional affordable ownership units, or affordable rental units or contribution of land at or above service level target

Class 3 Variation for Height

5.29.6 The **City** may require the provision of additional services, facilities and matters when applying the provisions of 5.29.3:

- a) Land to be conveyed to the **City** for municipal purposes;
- b) **Residential units** comprised of 3 or more bedrooms, beyond those required in Section 5.28;
- c) Accessible **dwelling units**;
- d) Purpose-built rental;
- e) Additional affordable housing units, beyond those required for a Class 2 permit;
- f) **Dwelling units** to be disposed of land to Halton Region or a not-for-profit housing provider for use as part of their housing portfolio;
- g) Community or institutional facilities;
- h) Public transportation infrastructure, facilities and services;
- i) **Active transportation infrastructure** and facilities;
- j) Public parking and improvements to existing public parking;
- k) Improvements to off-site streetscaping, beyond the City's streetscape guidelines;
- l) Public art;
- m) Urban forestry;
- n) Parkland and improvements to existing parks in excess of what is otherwise required in Table 5.4; and
- o) **Conservation**, protection and preservation of **cultural heritage resources** or **natural heritage features** and systems.

Building Heights (Aldershot)



Class 1 Maximum Heights

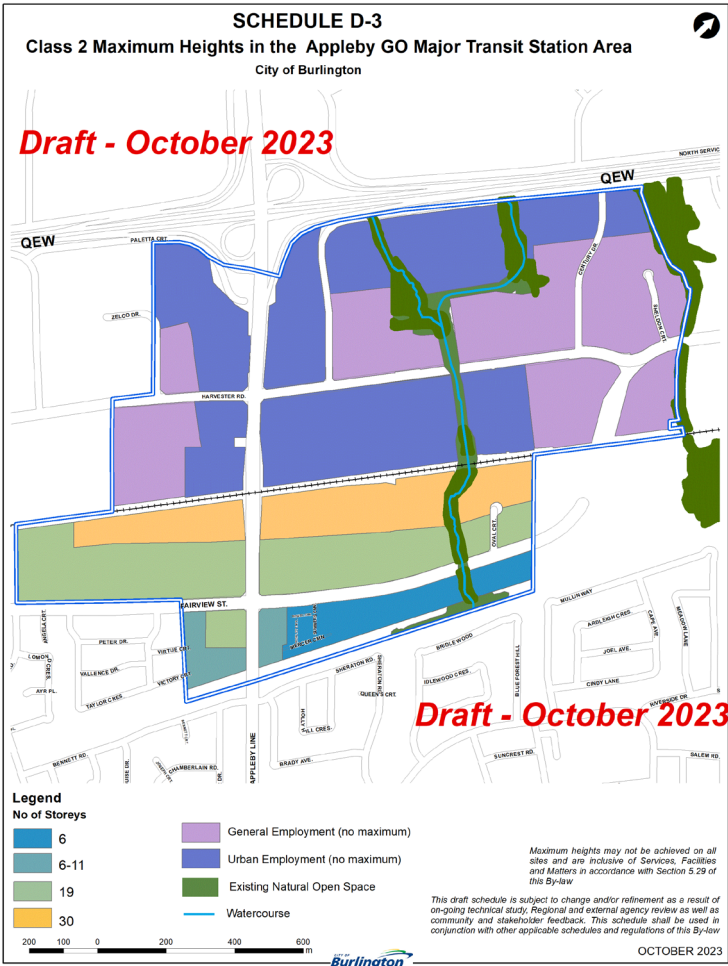


Class 2 Maximum Heights

Building Heights (Appleby)



Class 1 Maximum Heights



Class 2 Maximum Heights

Class 1 Services, Facilities and Matters

Services, Facilities and Matter Element	Contribution Requirement
Parkland Dedication	Contribution of Planning Act Section 42 Parkland Dedication as per City of Burlington Parkland Dedication By-law 55-2023 in addition to the following as required to meet the needs of the Park Provisioning Master Plan: • 3.3% of land value for low density*** • \$22,090 per unit for medium density*** and • \$15,610 per unit for 51 units/net hectare and more***
AND	
Contribution towards Complete Communities	• \$488 per unit for apartment 2 bedrooms or more • \$362 per unit for apartment bachelor and 1 bedroom
AND	
Residential Units, Ownership**	One of the following shall be provided: • At least 2% of units exceed the affordability threshold for low-income deciles on average or; • At least 7% of units are affordable dwelling units to moderate income deciles* (5% required to be within 4th and 5th deciles on average) or; • At least 15% of units are attainable to low-to moderate income deciles (10% required to be within 2nd, 3rd, 4th deciles on average).
OR	
Residential Units, Rental**	At least 3% of units are attainable to low-to-moderate income deciles on average (1% required to be within 1 st , 2 nd , 3 rd deciles on average).

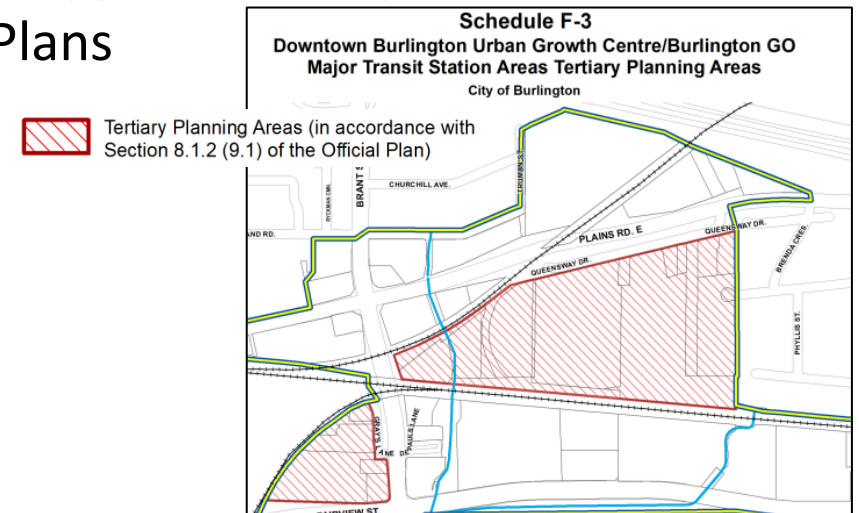
Community Services and Facilities

Official Plan Amendment

- Conceptual locations for new parks, potential linear parks and greenways
- Public service facilities and institutional uses permitted in all precincts with some exceptions
- CPPS Monitoring Report to monitor tool and inform future adjustments as needed
- Tertiary planning requirements
- Allows the CPP By-law to outline requirements for services, facilities and matters

Community Planning Permit By-law

- Public Realm Figures 1a, 2a, 3a
- Permitted, discretionary uses and development standards
- Complete application requirements –
Tertiary Plans



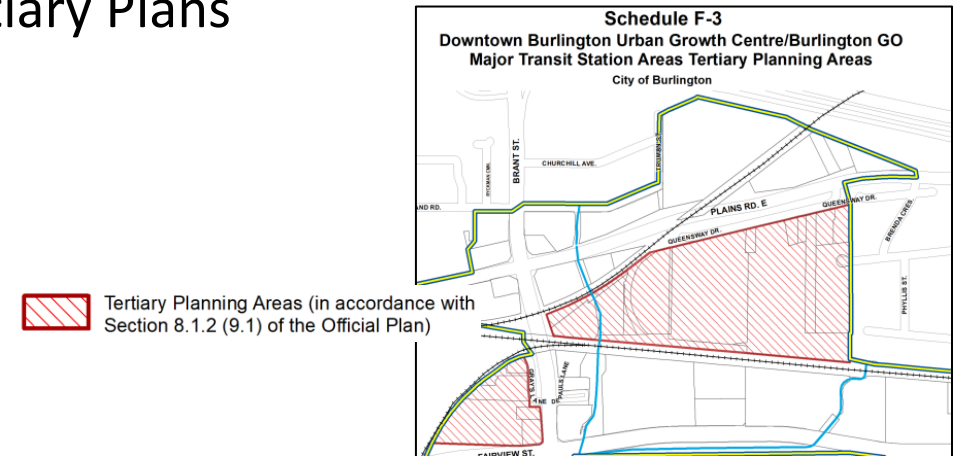
Planning for Complete Communities

Official Plan Amendment

- Identifies conceptual locations for new parks, potential linear parks and greenways
- Permits public service facilities and institutional uses in all Precincts with some exceptions
- Identifies the preparation of a CPPS Monitoring Report to inform future adjustments as needed
- Sets out tertiary planning requirements
- Allows the CPP By-law to outline requirements for services, facilities and matters

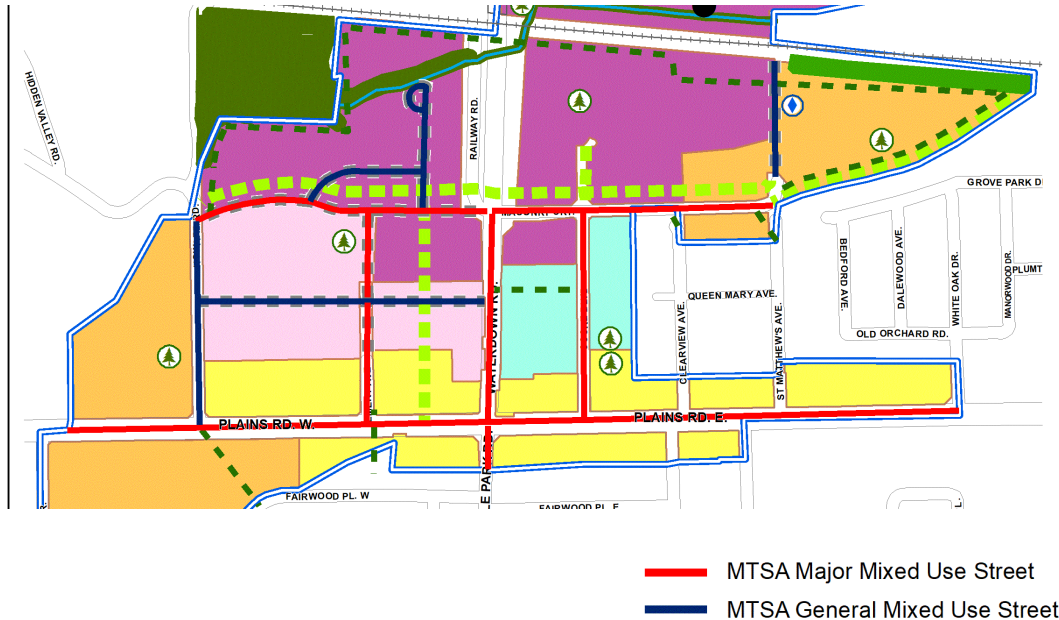
Community Planning Permit By-law

- Public Realm Figures 1a, 2a, 3a
- Permitted, discretionary uses and development standards
- Complete application requirements – Tertiary Plans



Mixed Use & Employment

Activated Streets & Minimum Number of Uses



- Retail, service commercial or office required continuously at grade fronting MTSA Major Mixed Use Streets
- Minimum two uses required in some precincts
- Seeking input on required minimum job-related gross floor area

Mixed Use & Employment

Employment Precincts and Land Use Compatibility



- Industrial uses allowed in Urban Employment (Burlington; Appleby) and General Employment precincts (Appleby)
- Existing major facilities in Aldershot
- Sensitive land uses (such as residential) are Discretionary Uses, subject to land use compatibility study

Parking

All parking variations would be considered a **Class 2 (staff variation)**

Type of Development	Type of Parking	Minimum Number of Parking Spaces	Maximum Number of Parking Spaces
Stand-alone ground-oriented dwellings	Resident parking	1.00 parking spaces per dwelling unit	1.20 parking spaces per dwelling unit
Bachelor unit in a mixed use building or apartment building	Resident parking	0.70 parking spaces per dwelling unit	0.85 parking spaces per dwelling unit
	Visitor parking	0.15 visitor spaces per dwelling unit	0.15 visitor spaces per dwelling unit
	Resident parking	0.80 parking spaces per dwelling unit	1.00 parking spaces per dwelling unit
1 bedroom unit in a mixed use building or apartment building	Visitor parking	0.15 visitor spaces per dwelling unit	0.15 visitor spaces per dwelling unit
2 bedroom unit in a mixed use building or apartment building	Resident parking	1.00 parking spaces per dwelling unit	1.20 parking spaces per dwelling unit
	Visitor parking	0.15 visitor spaces per dwelling unit	0.15 visitor spaces per dwelling unit
3 or more bedroom unit in a mixed use building or apartment building	Resident parking	1.00 parking spaces per dwelling unit plus	1.20 parking spaces per dwelling unit plus
31	Visitor parking	0.15 visitor spaces per dwelling unit	0.15 visitor spaces per dwelling unit

Residential Parking Standards

TABLE 5.2: Required Residential Parking Spaces

Type of Development	Type of Parking	Minimum Number of Parking Spaces	Maximum Number of Parking Spaces
Stand-alone ground-oriented dwellings	Resident parking	1.00 parking spaces per dwelling unit	1.20 parking spaces per dwelling unit
Bachelor unit in a mixed use building or apartment building	Resident parking	0.70 parking spaces per dwelling unit	0.85 parking spaces per dwelling unit
	Visitor parking	0.15 visitor spaces per dwelling unit	0.15 visitor spaces per dwelling unit
	Resident parking	0.80 parking spaces per dwelling unit	1.00 parking spaces per dwelling unit

1 bedroom unit in a mixed use building or apartment building	Visitor parking	0.15 visitor spaces per dwelling unit	0.15 visitor spaces per dwelling unit
2 bedroom unit in a mixed use building or apartment building	Resident parking	1.00 parking spaces per dwelling unit	1.20 parking spaces per dwelling unit
	Visitor parking	0.15 visitor spaces per dwelling unit	0.15 visitor spaces per dwelling unit
3 or more bedroom unit in a mixed use building or apartment building	Resident parking	1.00 parking spaces per dwelling unit plus	1.20 parking spaces per dwelling unit plus
	Visitor parking	0.15 visitor spaces per dwelling unit	0.15 visitor spaces per dwelling unit

5.19 Parking Flexibility

5.19.1 Notwithstanding Section 5.15:

- Where a **dwelling unit** qualifies as an affordable dwelling unit, the minimum number of required resident parking spaces for the **dwelling units** may be reduced by 30% for greater clarity, this reduction does not apply to the required visitor parking spaces, at the discretion of the Approval Authority;
- The minimum number of required parking spaces may be reduced by 1 space for every 15 square metres of **gross floor area** of locker, change room or shower facility provided by a **development**, specifically accessible to all of the secure **long-term bicycle parking** spaces;
- Where the minimum number of required parking spaces for residential and non-residential land uses are provided on the same **lot**, the number of required parking spaces may be reduced by 1 parking space for every 5 **dwelling units**, at the discretion of the Approval Authority.

Non-Residential Parking Standards

TABLE 5.3: Required Non-Residential Parking Spaces

Type of Development	Minimum Number of Parking Spaces	Maximum Number of Parking Spaces
Day Care Centre	0.8 parking spaces per 100 square metres of GFA	0.95 parking space per 100 square metres of GFA
Entertainment	4.0 spaces per 100 square metres of GFA	4.4 spaces per 100 square metres of GFA
Hotel	0.75 parking spaces per unit plus 7.5 per 100 square metres of public areas	0.85 parking spaces per unit plus 8.5 per 100 square metres of public areas
Industrial	1.0 parking space per 100 square metres of GFA	1.5 spaces per 100 square metres of GFA
Institutional uses	3.0 parking spaces per 100 square metres of GFA	3.3 parking spaces per 100 square metres of GFA
Office/ Major Office/ Office for Industrial	3.0 parking spaces per 100 square metres of GFA	3.3 parking spaces per 100 square metres of GFA

Type of Development	Minimum Number of Parking Spaces	Maximum Number of Parking Spaces
Place of Assembly	2.0 parking spaces per 100 square metres of GFA	2.2 parking spaces per 100 square metres of GFA
Recreation use	4.0 spaces per 100 square metres of GFA	4.4 spaces per 100 square metres of GFA
Restaurant	3.0 parking spaces per 100 square metres of GFA	3.3 parking spaces per 100 square metres of GFA
Retail	1.5 parking spaces per 100 square metres of GFA	2.0 parking spaces per 100 square metres of GFA
Service Commercial	3.0 parking spaces per 100 square metres of GFA	3.3 parking spaces per 100 square metres of GFA

Criteria for Variations from Standards

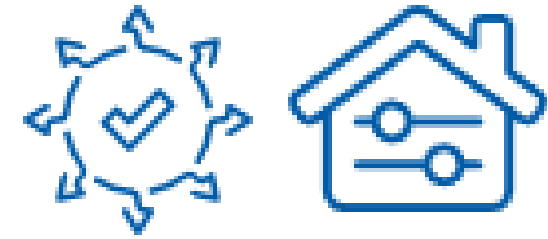
3.5 Criteria for Variations from Standards

- 3.5.1 Where a Class 2 or Class 3 Permit is required, in addition to the requirements of this By-law and in accordance with the objectives of this By-law, the following variation criteria **shall** be addressed to the satisfaction of the Approval Authority, prior to the issuance of a Community Planning Permit;
- a) the proposed **development** implements the Guiding Principles of this By-law;
 - b) the proposed **development** implements the **complete community** requirements and maintains the general intent of the Burlington Official Plan;
 - c) the proposed **development** does not result in significant off-site impacts, or any potential significant off-site impacts can be mitigated to the satisfaction of the Approval Authority;
 - d) the proposed **development** demonstrates consideration for provincial, regional and municipal guidelines and regard for technical studies; and
 - e) the proposed **development** is consistent with provincial policy, regulations and standards, as amended.

Class 2 Thresholds (example)

Precinct	Aldershot GO Central (A)	Aldershot Main Street (AM)	Cooke Commons (C)	Emery Commons (E)	Mid-Rise Residential (M)	Class 2 Variation Limit
Front Yard Setback (minimum)	1.5m for retail at grade	1.5m for retail at grade	1.5m for retail at grade	1.5m for retail at grade	3.0 m for retail at grade	Up to 20%
	3.0m for residential (if permitted)	3.0m for residential (if permitted)	3.0m for residential (if permitted)	3.0m for residential (if permitted)	3.0m for residential (if permitted)	
Front Yard Setback (maximum)	3.0m(a)	3.0m(a)	3.0m(a)	3.0m(a)	7.0m	Up to 20%
Interior Side Yard Setback (minimum)	3.0m, 7.5m(b)	3.0m, 7.5m(b)	3.0m, 7.5m(b)	3.0m, 7.5m(b)	3.0m, 7.5m(b)	Up to 35%

Flexibility with discretionary uses



- Allows the municipality to establish conditions in which additional permitted uses will be considered
- Provides municipality flexibility by adding “other similar uses” as a discretionary use, and picking up in **Class 2**

Example of potential approach for GO Central Permitted Uses:

- Office
- Retail and service commercial
- Hotel
- Entertainment and Recreation

Discretionary Uses:

- Residential

Precincts	
	Burlington GO Central (B)
	Drury Node (D)
	Fairview/Brant Frequent Transit Corridor (F)
	Legion Node (LG)
	Leighland Node (LL)
	Low to Mid-Rise Residential (LM)
	Mid-Rise Residential (M)
	Queensway Main Street (Q)
	Upper Brant (UB)
	Urban Employment (UE)

Land Use Compatibility

Official Plan Amendment:
Engagement with existing
industry landowners is required.

5.24 Land Use Compatibility

- 5.24.1 Proponents of **development** containing **sensitive land uses** must incorporate measures to avoid, or if avoidance is not possible, minimize and mitigate potential impacts and ensure long-term operational and economic viability of **major facilities** in accordance with provincial guidelines, standards and procedures.
- 5.24.2 Notwithstanding Tables 6.1, 7.1, and 8.1, any proposed **development** containing **sensitive land uses shall** require a land use compatibility assessment to be prepared in accordance with a Terms of Reference approved by the **City** prior to submitting a Community Planning Permit Application, demonstrating that potential impacts to industrial, **manufacturing** or other uses are minimized and mitigated in accordance with provincial guidelines, standards and procedures.
- 5.24.3 On lands planned for industrial uses, where a development proposal contains a heavy industrial or manufacturing use, compatibility studies **may** be required as part of a development application, and an appropriate transition to adjacent non-industrial lands should be provided.

Mixed Use & Employment

Official Plan Amendment:

- Sets minimum density and % mix of people and job targets for each MTSA
- Generally, allows a range of residential and non-residential uses in the MTSA
- Outlines a vision for each precinct (sub-area) within the MTSA

Community Planning Permit By-law:

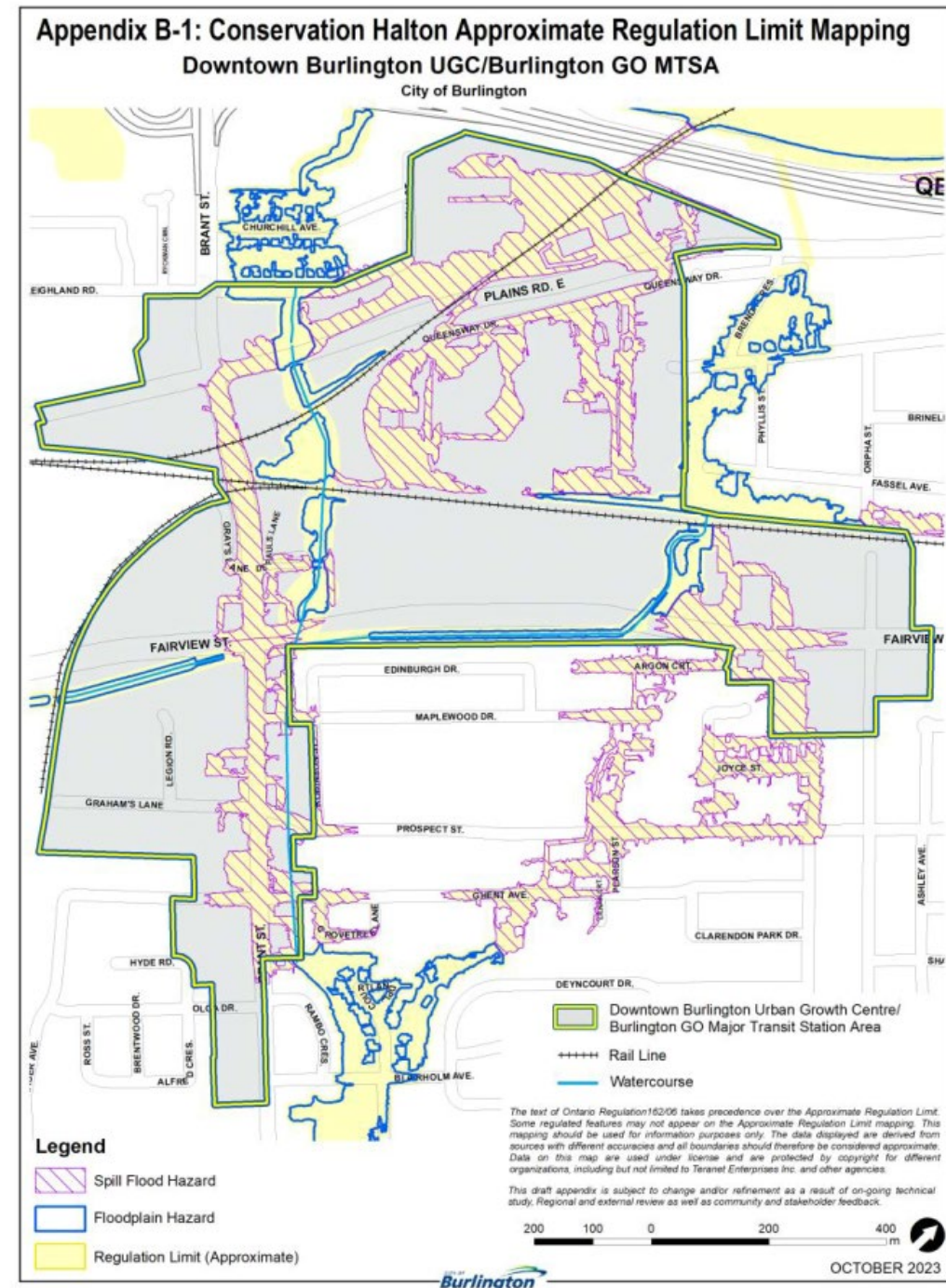
- Provides list of permitted and discretionary uses allowed in each precinct
- Sets development standards to ensure transitions to low-rise neighbourhoods



Flood Hazards

6.4 Conservation Halton Regulatory Limit

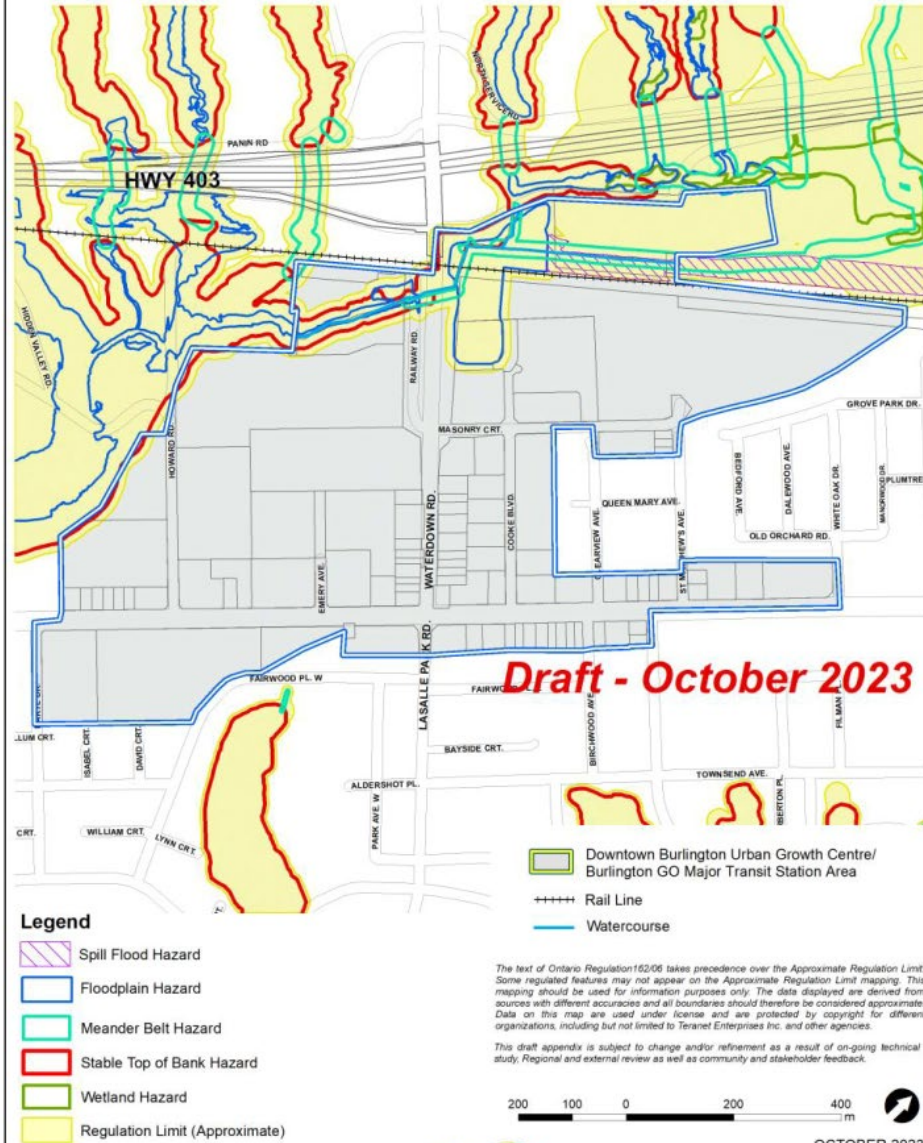
- 6.4.1 Lands within the Conservation Halton Regulatory Limit are depicted in Appendix B-1, B-2 and B-3 attached to this By-law, and include **hazardous lands**, **hazardous sites** and other natural features. Conservation Halton regulates lands in or adjacent to river or stream valleys, including (flooding and erosion hazards), wetlands, shorelines and other **hazardous lands**. The features mapped are approximate and there **may** be some **hazardous lands** and regulated areas which have not been included. Conservation Halton must be contacted to confirm the hazard limits.
- 6.4.2 **Development** in the Conservation Halton Regulatory Limit, as depicted in Appendix B-1, B-2 and B-3 attached to this By-law, **may** require additional studies to delineate and address technical requirements related to flooding and/or erosion hazards and any associated regulatory allowances/**setbacks**. **Development** in **hazardous lands** and **hazardous sites** must be consistent with provincial natural hazard policy and permission is required from Conservation Halton to undertake **development** within these areas, in accordance with Conservation Halton's regulation and regulatory policies.



Appendix B-2: Conservation Halton Approximate Regulation Limit Mapping

Aldershot GO MTSA

City of Burlington

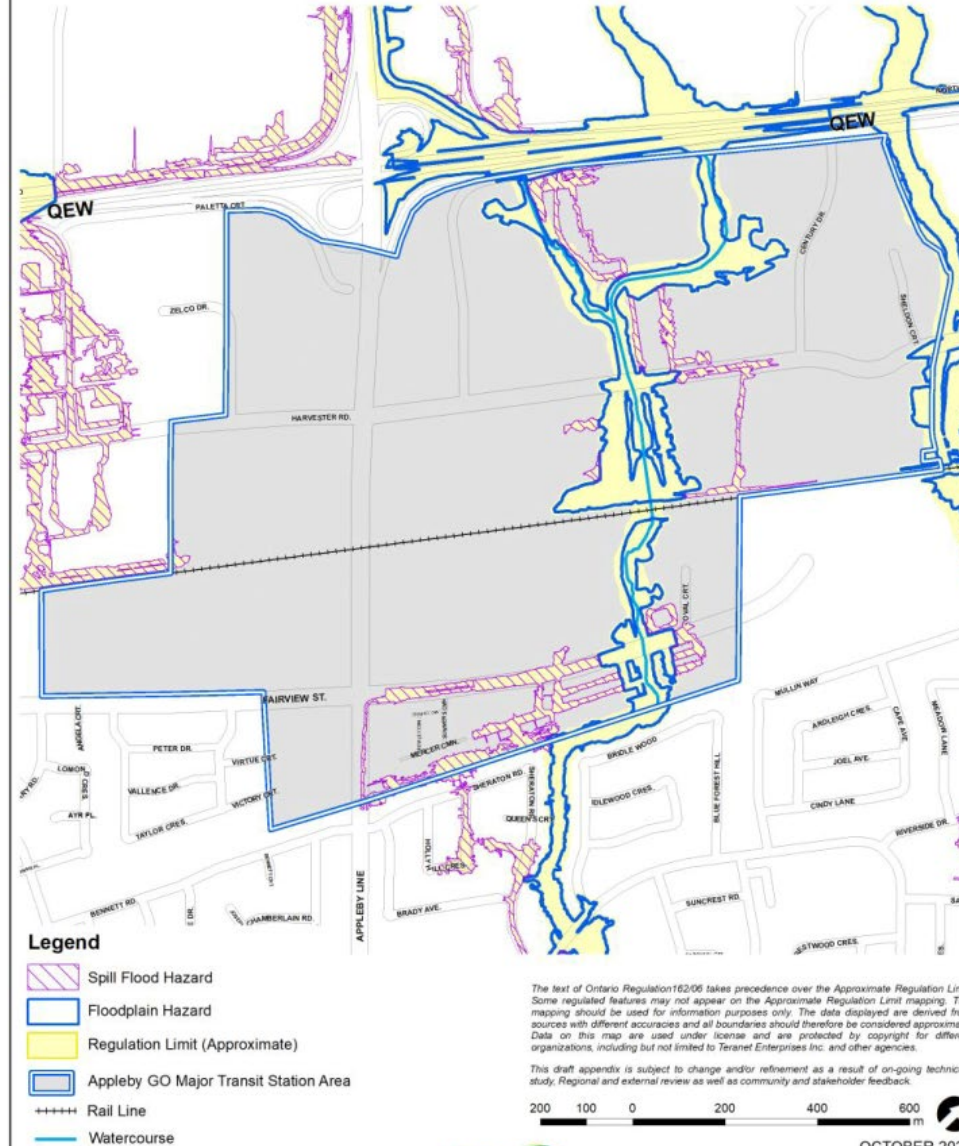


Burlington

Appendix B-3: Conservation Halton Approximate Regulation Limit Mapping

Appleby GO MTSA

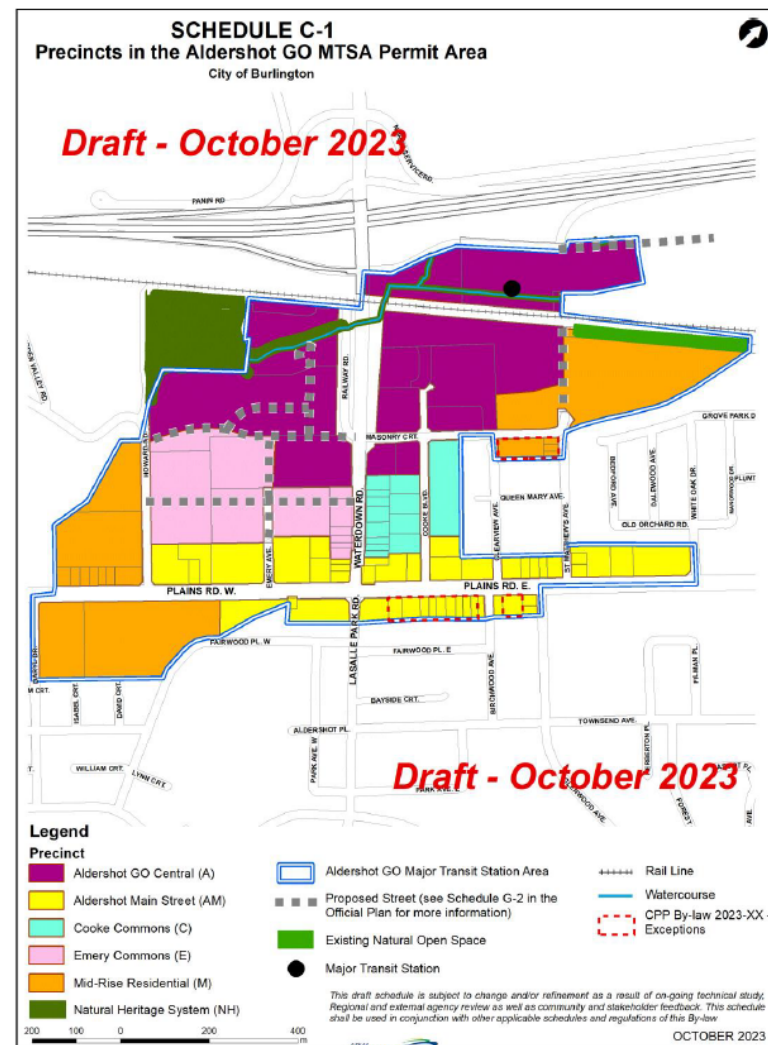
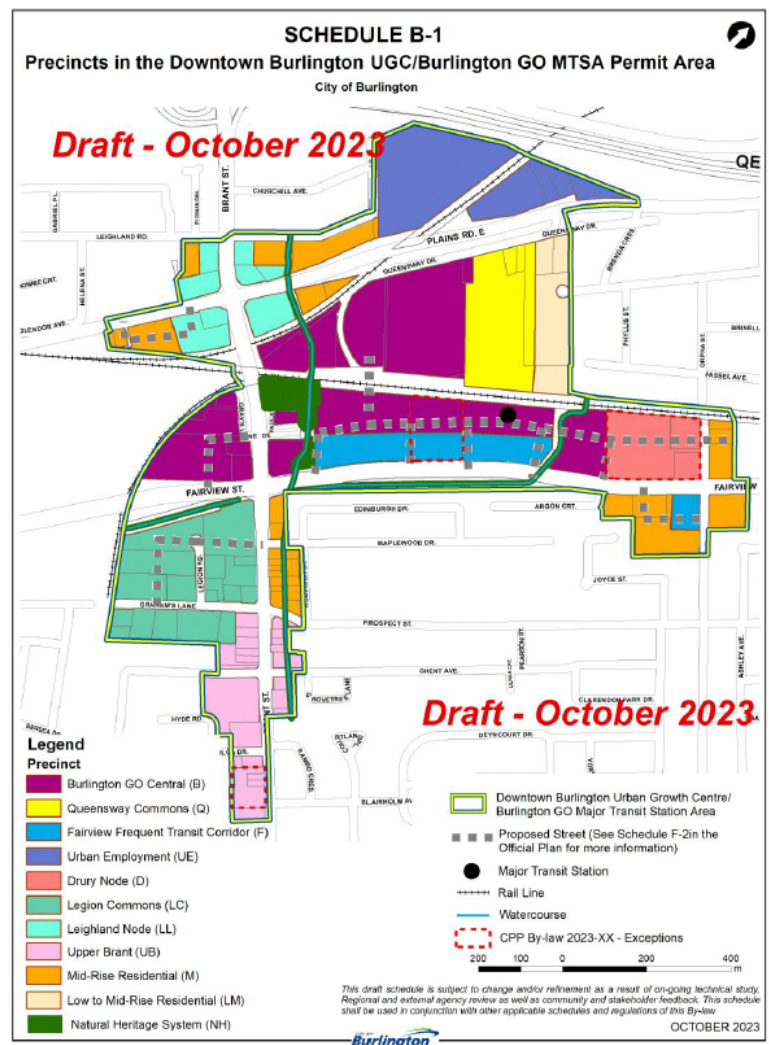
City of Burlington



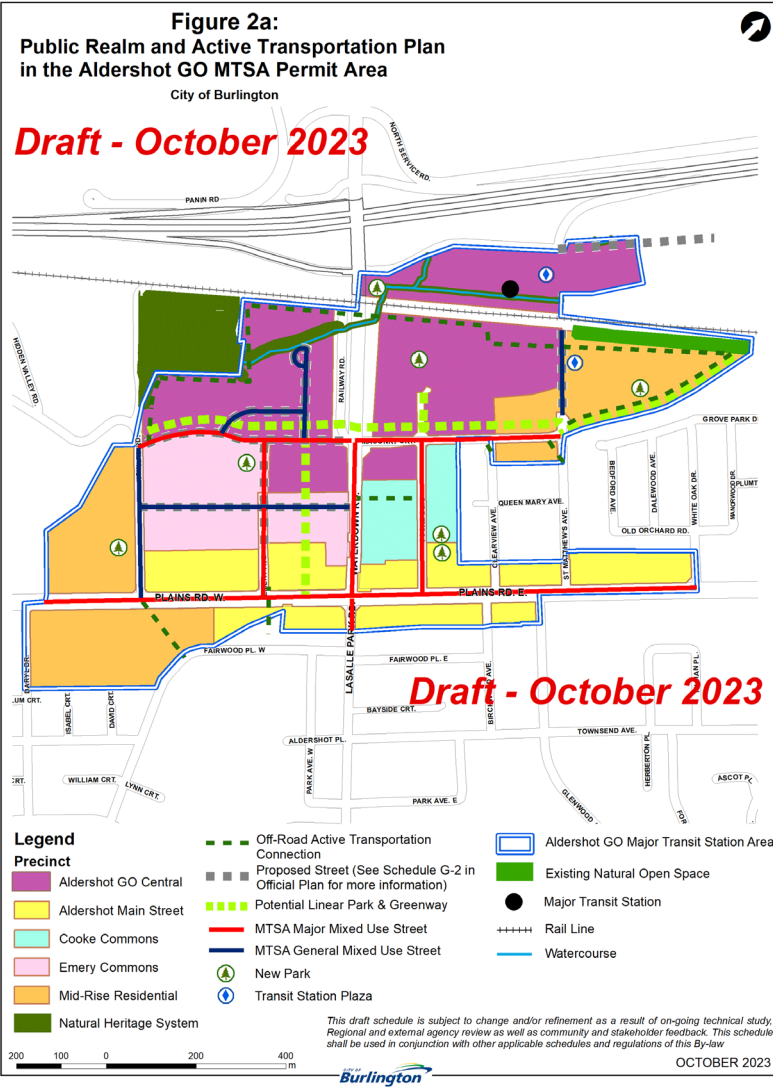
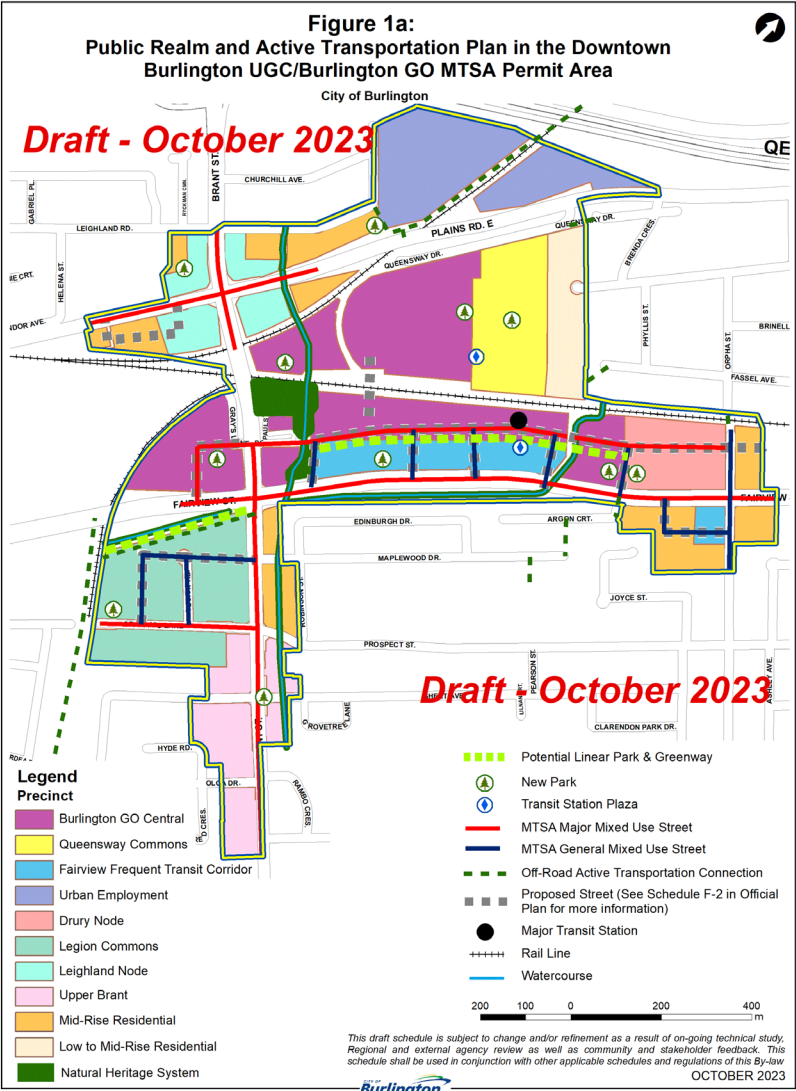
Burlington

Site-Specific Exceptions

 CPP By-law 2023-XX - Exceptions



Public Realm Figures



CPRM, October 31, 2023

PL-59-23

Delegation Materials from Patrick Duffy

Proposed Official Plan Amendment and Community Planning Permit By-law

On behalf of Sofina Foods

Stikeman Elliott LLP

October 31, 2023

Sofina Burlington Facility

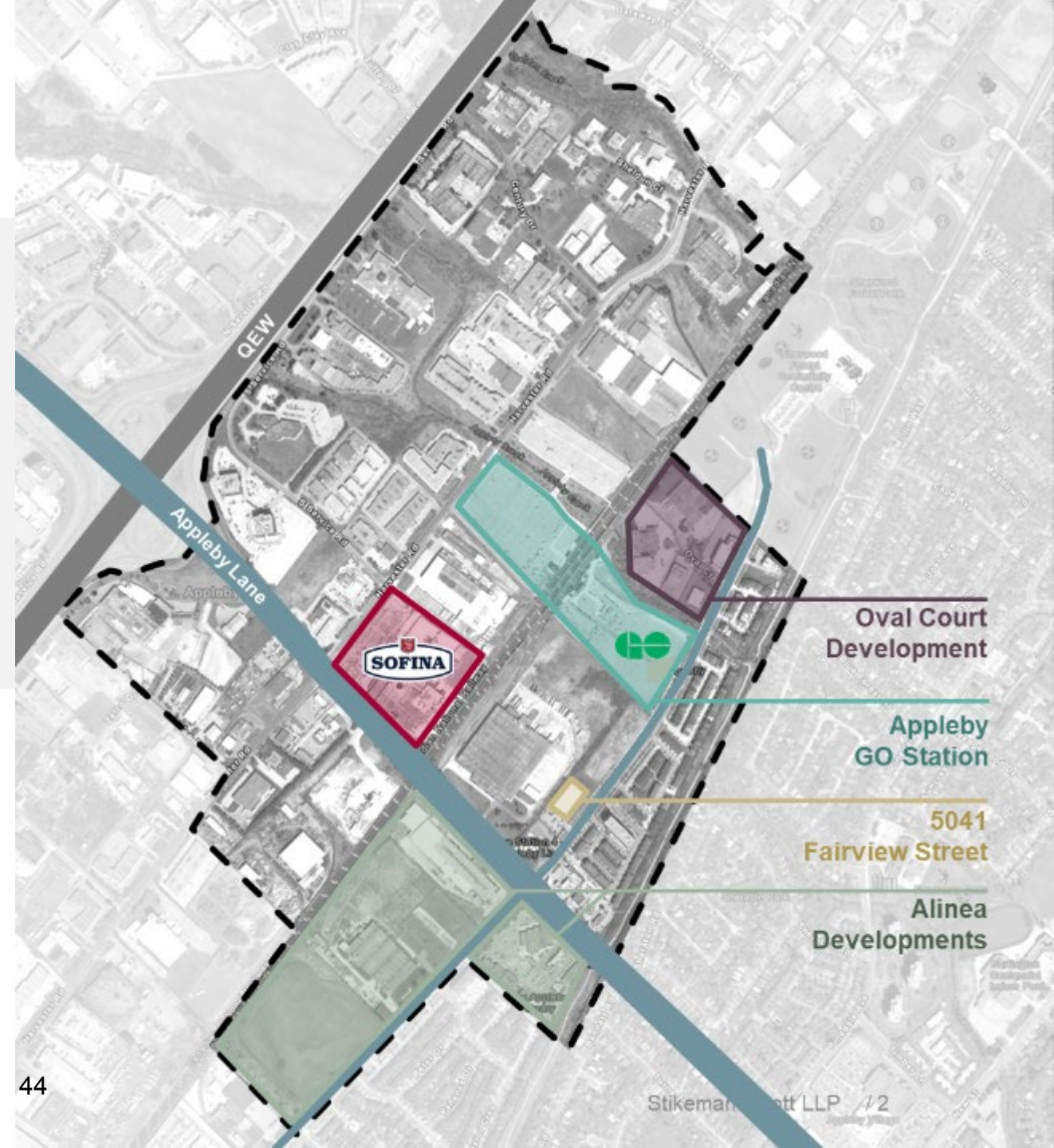
Sofina's Pork Processing Facility

- 📍 Located at 821 Appleby Line
- 🏭 In operation since 1962
- 👥 Currently employs more than 1,100 employees
- 🚶 Located within the Appleby GO MTSA
 - Three high density residential development proposals in the area

Sofina is not opposed to development in the Appleby GO MTSA **provided** it respects the existing industrial uses in the area

Sofina appeared before this Committee on the Oval Court application and is a party in the OLT appeal

- Secured mitigation measures in a settlement with the developer



Implications for Sofina Facility

- ▶ New developments introduce sensitive land uses closer than current nearest receptor for purposes of Environmental Compliance Approval (ECA)
 - May require implementation of new measures to maintain compliance
- ▶ Greater number of residents increases the risk of complaints for nuisance (noise and odour)
- ▶ Additional residents bring additional traffic into the area
- ▶ Potential for increased opposition to renewal / revisions of ECA

Protecting Industry

Provincial policy protects existing industrial operations from the intrusion of new sensitive (residential) uses

New development only permitted if it demonstrates:

- ✓ There is an identified need for the proposed use

- ✓ Alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations

- ✓ Adverse effects to the proposed sensitive land use are minimized and mitigated; *and*

- ✓ Potential impacts to industrial, manufacturing or other uses are minimized and mitigated



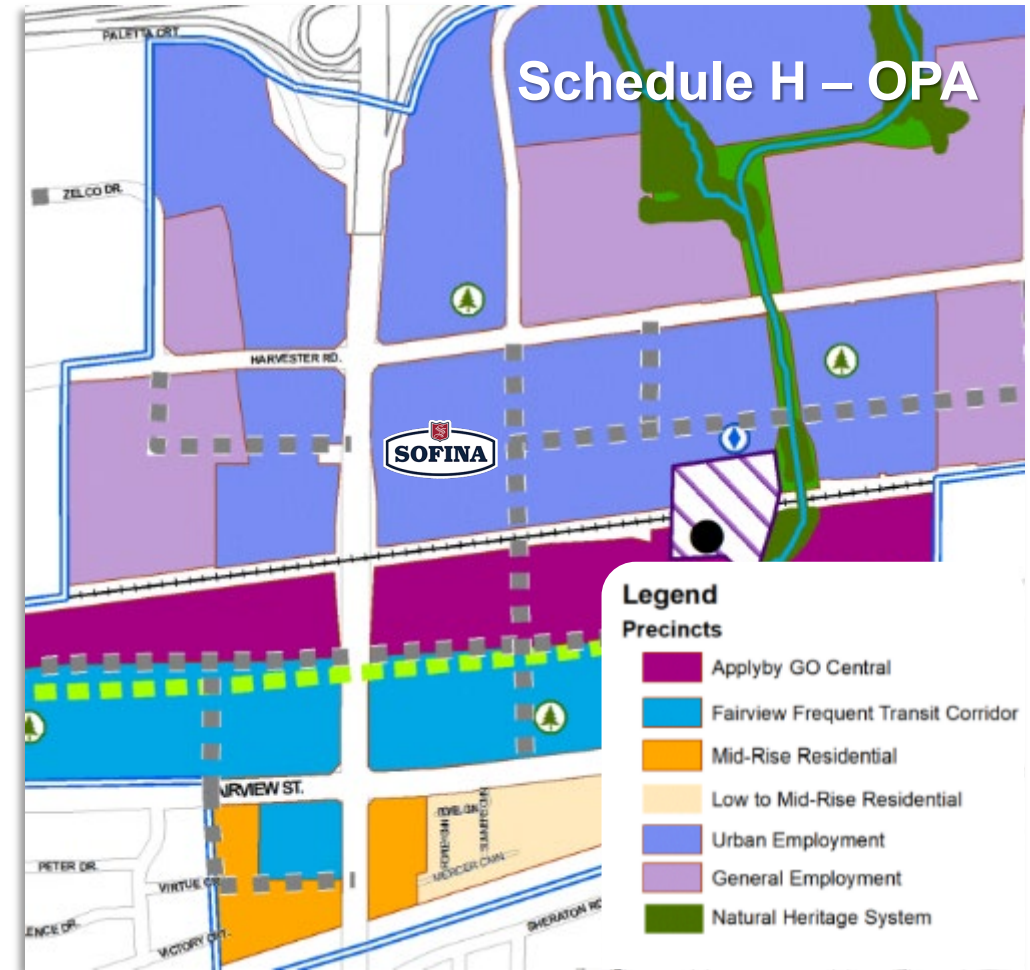
The Proposed OPA and CPP By-law

Sofina's Concerns

- 1 The policies of the proposed OPA and CPP By-law ignore the nature of Sofina's current industrial use
- 2 The policies of the CPP By-law exclude industry from the decision-making process on land use compatibility

Policies Ignore Current Industrial Use

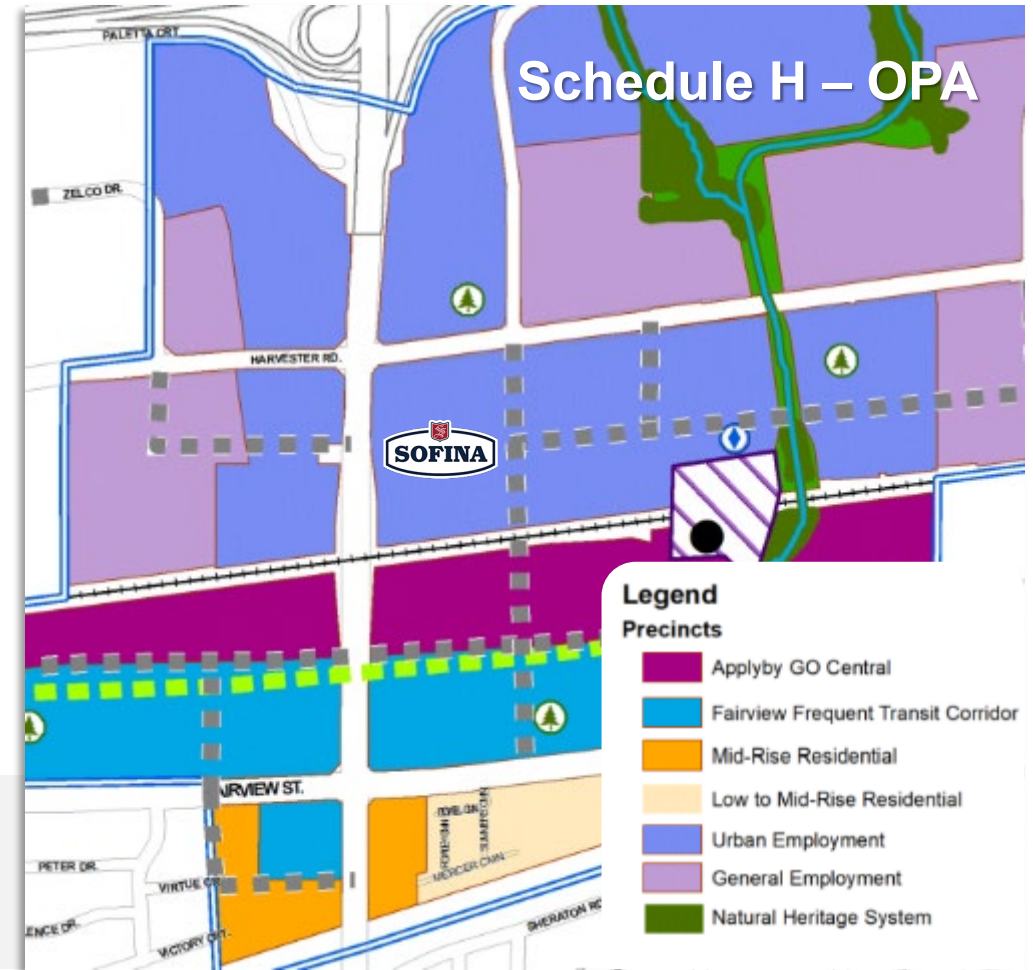
- ▶ A stated policy objective for Appleby GO MTSA in the OPA is to continue “to support existing major facilities” (section 8.1.2(4))
- ▶ Sofina property is designated Urban Employment in Schedule H of OPA
 - Vision is “... more intensive *office* and additional *employment* uses in a mid-rise built form ...” (section 8.1.2(4.3))
 - Does **not** provide for continuation of existing industry (unlike General Employment)
- ▶ CPP By-law **prohibits** “Manufacturing, processing or storage of animal matter or by-products of animal matter” in **all** Precincts (section 5.4.1)



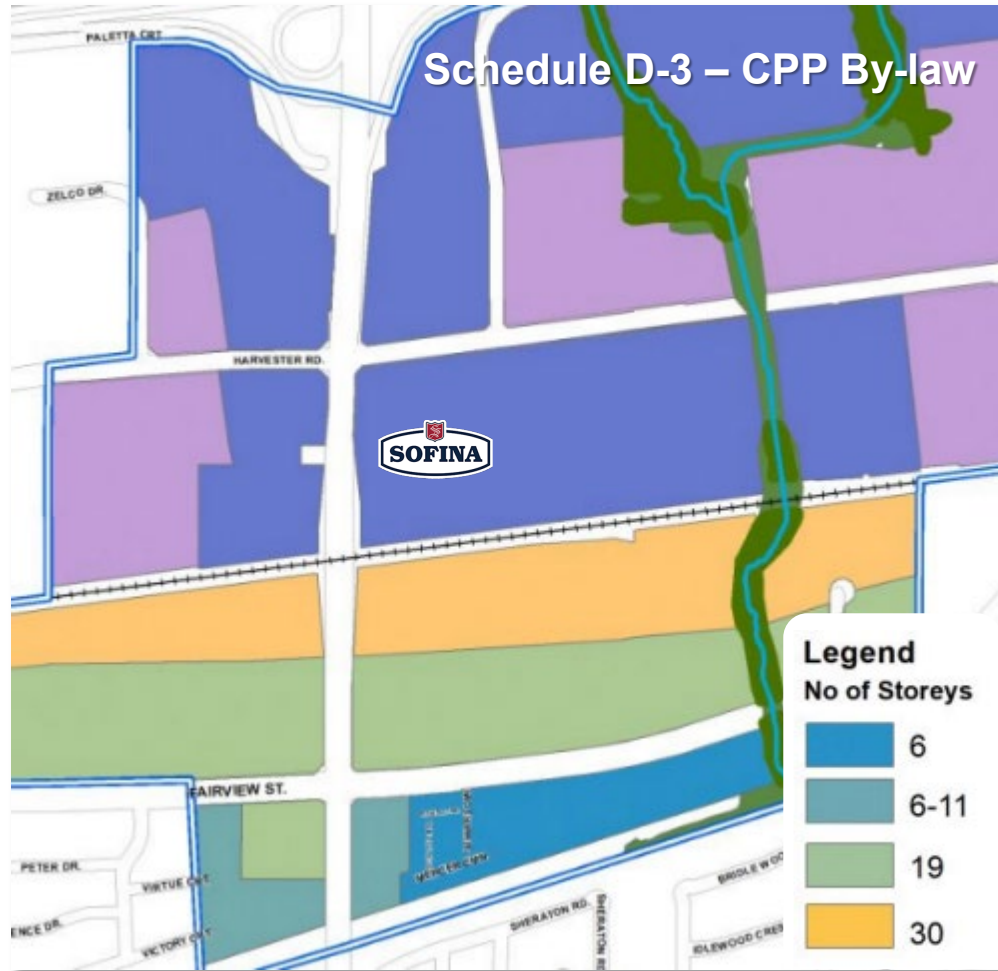
Policies Ignore Current Industrial Use

- ▶ Sofina will be rendered a legal non-conforming use
 - Under the CPP By-law future expansions will be subject to the discretion of City staff
- ▶ CPP By-law only permits expansion if City staff are of the opinion that it:
 - Is desirable for the appropriate development or use of the land, and
 - Will not result in undue adverse impacts on neighbours and the neighbourhood (section 5.2.2)

Policies **severely limit** the ability of Sofina to make future changes to its operations

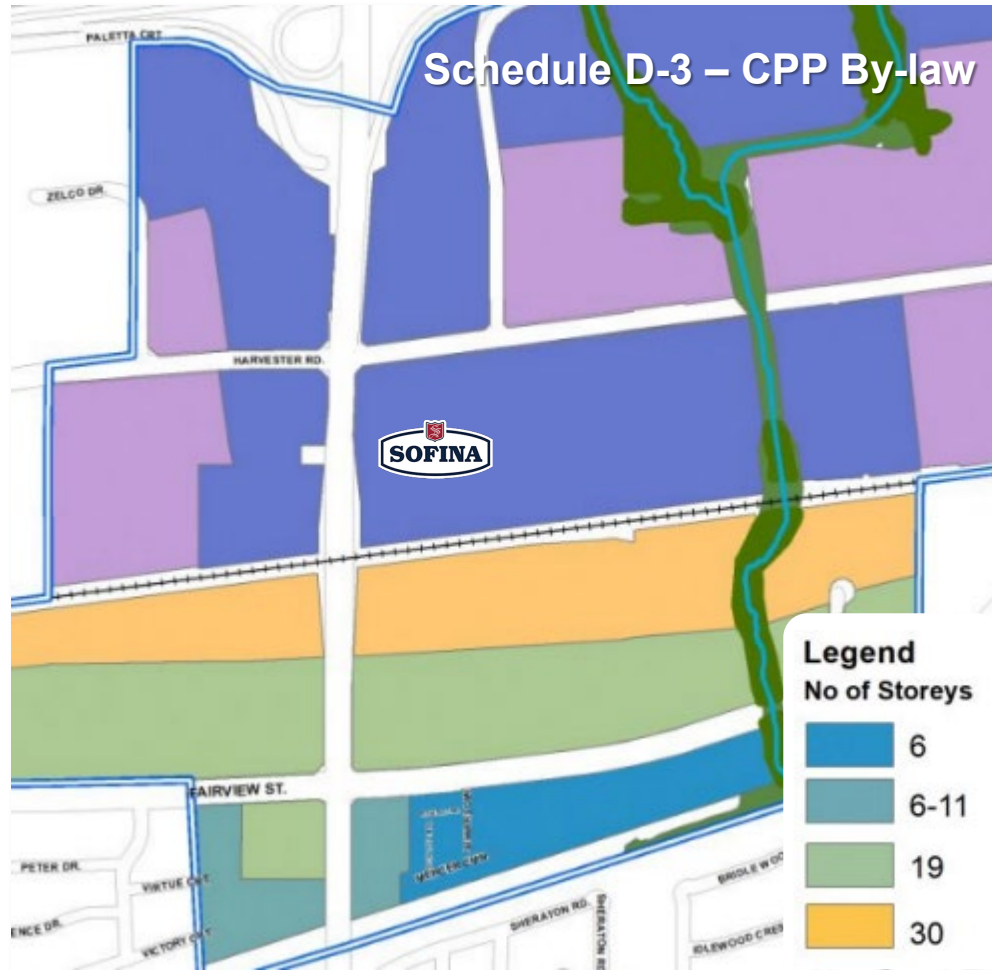


Industry Excluded from Compatibility Assessment



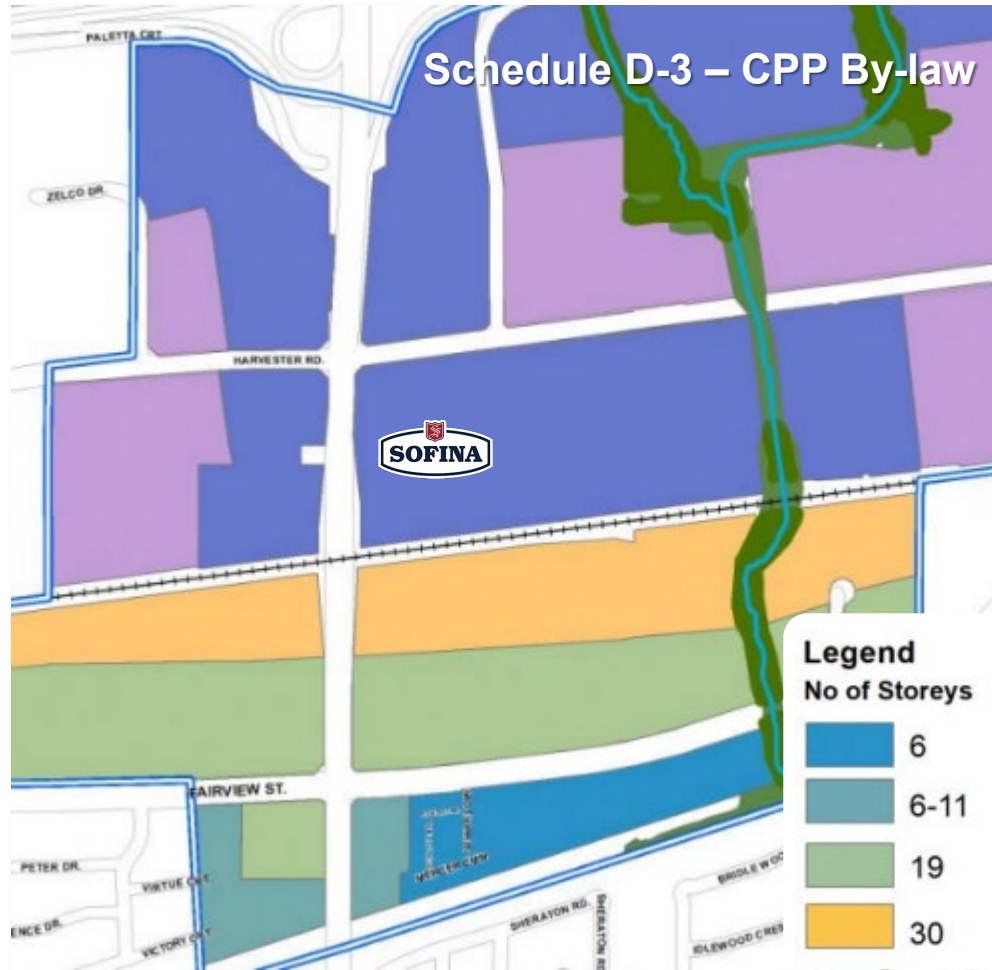
- ▶ OPA addresses compatibility between sensitive land uses and major facilities
 - Requires engagement with existing industry landowners (section 8.1.2(6))
- ▶ CPP By-law permits institutional uses and public service facilities in **any** Precinct (section 5.3.1)
 - Potential to place sensitive uses in Employment Precincts
- ▶ CPP By-law requires any proposed development containing sensitive land uses – inside or outside an Employment Precinct – to prepare a compatibility assessment (section 5.24)

Industry Excluded from Compatibility Assessment



- ▶ Staff are the “Approval Authority” for Class 1 and 2 permits under the CPP By-law – this includes developments of up to 30 storeys immediately south of Sofina (Schedule D-3)
- ▶ CPP By-law provides **no role** for impacted industrial landowners in the decision-making process
 - No mandatory public meetings/notice as part of a development application
 - No need for Committee or Council review or approval for Class 1 and 2 permits; only required for Class 3
 - No right of appeal; only the applicant can appeal a permit decision to the OLT

Industry Excluded from Compatibility Assessment



- ▶ Industry will be entirely dependent on staff to review compatibility assessments and secure appropriate mitigation measures; no ability to protect its own interests
- ▶ CPP By-law would be “a new and untested tool” in Burlington (Dillon memo - May 30)
- ▶ Burlington would be the **first** municipality in Ontario to implement a CPP By-law for an MTSA
 - Only one other example of a CPP By-law in an urban area (a historic main street)

The CPP By-law is the **wrong tool** for an area with extensive employment uses and **violates** provincial policy on land use compatibility

The Proposed OPA and CPP By-law

Sofina's Concerns

Recommended Modifications

1	The policies of the proposed OPA and CPP By-law ignore the nature of Sofina's current industrial use	▶ Designate the Sofina property as General Employment in the proposed OPA ▶ Ensure the current use of the Sofina property remains a permitted use in the General Employment designation
2	The policies of the CPP By-law exclude industry from the decision-making process on land use compatibility	▶ Remove the Appleby GO MTSA from the CPP By-law; its inclusion is premature ▶ Exclude institutional and public service uses that are sensitive land uses from Employment precincts ▶ Formalize the right of industry to participate in decision-making on compatibility assessments ▶ Preserve Council oversight and industry appeal rights

**For more
information**

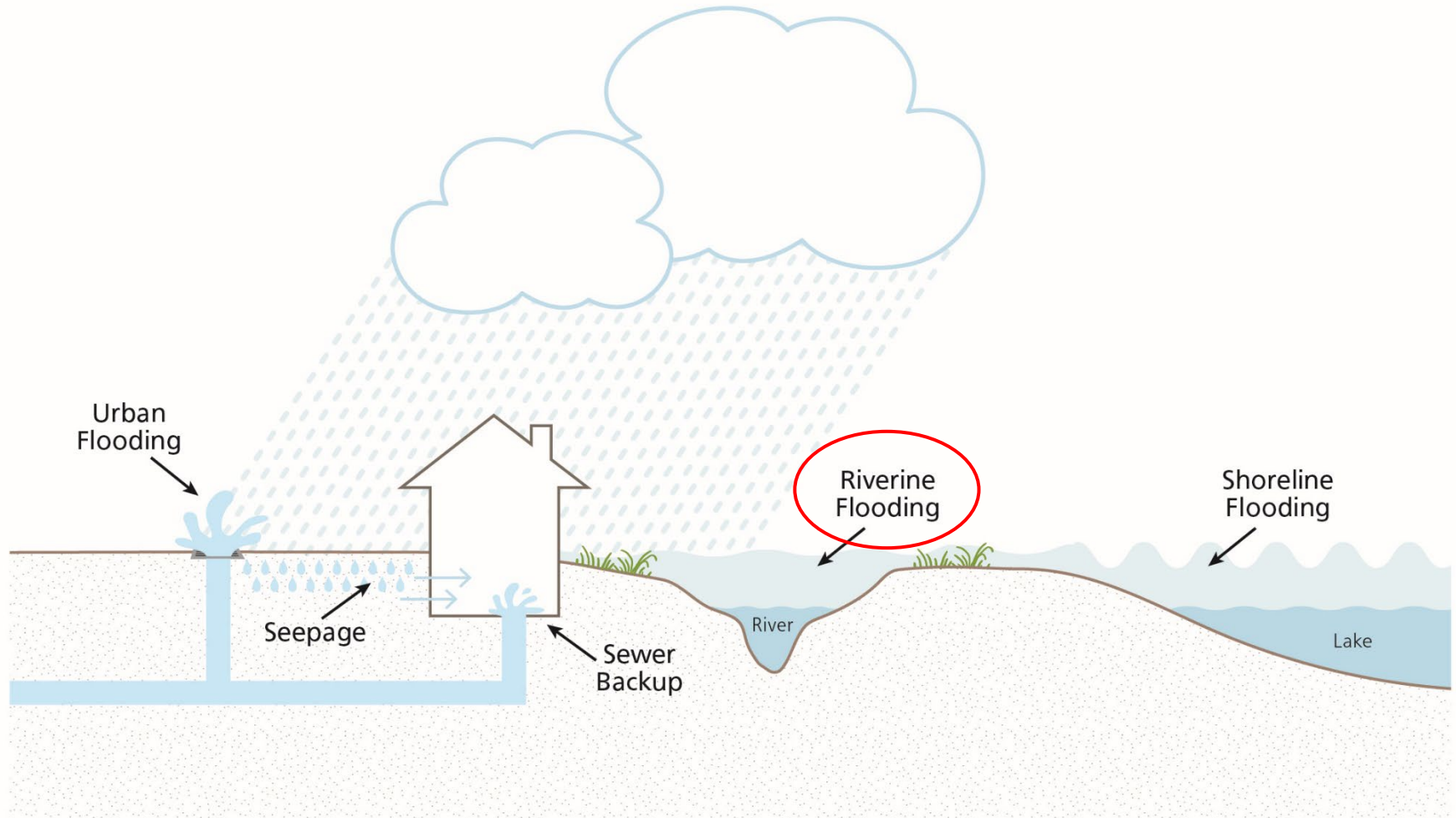
Patrick Duffy
pduffy@stikeman.com

FLOOD HAZARD MAPPING

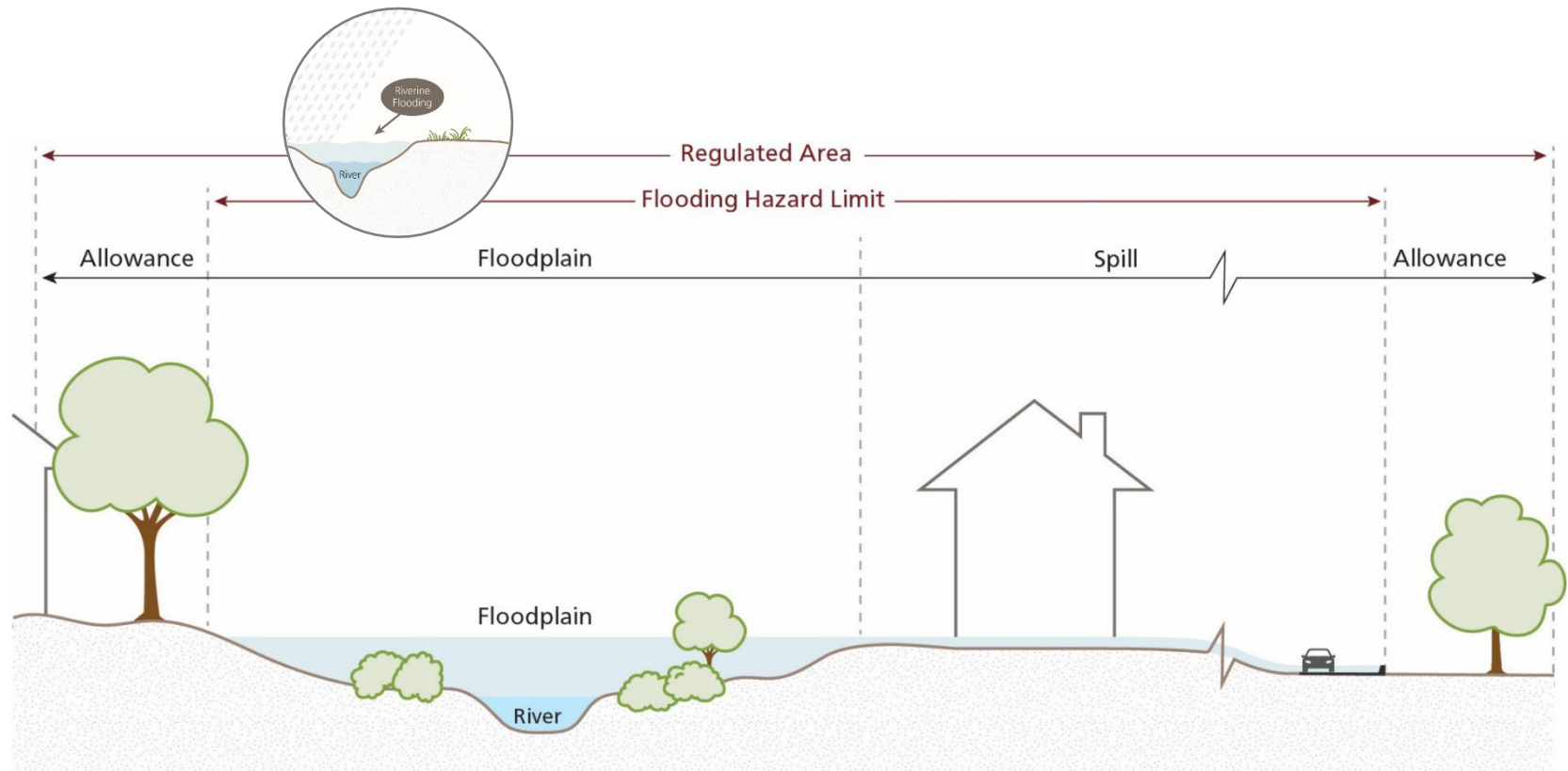
**Community Planning, Regulation & Mobility Committee
City of Burlington**

October 31, 2023

DIFFERENT TYPES OF FLOODING



FLOOD HAZARDS: RIVERINE FLOODING



FLOODPLAIN: Area of land that is flooded by a nearby watercourse, such as a creek (*riverine*) or lake (*shoreline*), during large storm events

SPILL: When water leaves the watercourse, valley and floodplain, flows into surrounding lands, and then returns to the watercourse at a distance downstream, or flows into another watershed

FLOODING: ROLES & RESPONSIBILITIES



PROVINCE

- Legislation & regulations
- Provincial policy & technical guidelines
- Provincial Infrastructure (e.g., highways)

CONSERVATION AUTHORITY

- Flood Forecasting & Warning
- Dams & Channels Operations
- Regulation
- Flood Hazard Modelling & Mapping
- Wetland & Stream Restoration Works

REGIONAL MUNICIPALITY

- Emergency Management
- Land Use Planning
- Regional Infrastructure (e.g., culverts, roads)

LOCAL MUNICIPALITY

- Municipal Infrastructure (e.g., culverts, roads, storm sewers)
- Land Use Planning & Zoning
- Stormwater Management
- Emergency Services

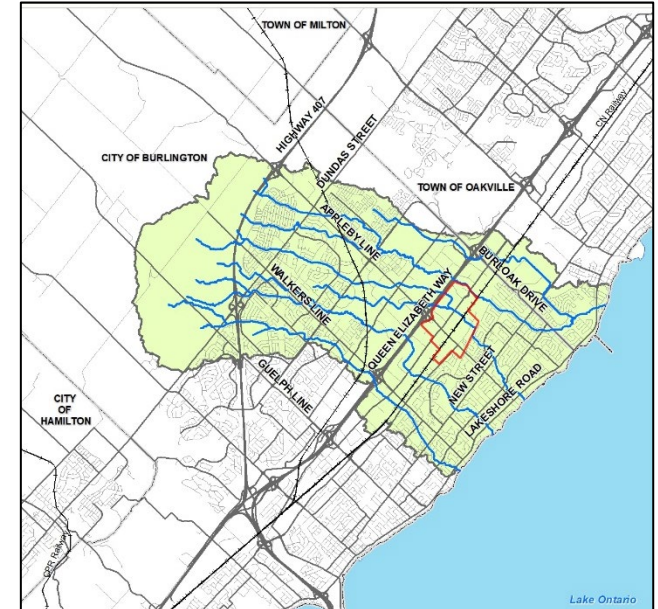
CH STUDY: EAST BURLINGTON CREEKS FLOOD HAZARD MAPPING STUDY

STUDY PURPOSE

- To undertake a comprehensive update of riverine flood hazard mapping

STAKEHOLDER AND PUBLIC ENGAGEMENT

- A TAC was formed with representatives from the City of Burlington, Town of Oakville, and Region of Halton
- Two (2) Public Information Sessions held to ensure the public and stakeholders had opportunities to provide input
- Study information is posted on CH's website: www.conservationhalton.ca/mapping-and-studies/



CH BOARD APPROVAL

- Final draft mapping presented to CH's Board on October 19, 2023 (Report No. CHB 08 23 05)
- CH Board resolution to direct staff to incorporate the approved mapping into CH's ARL mapping in 30 days to enable Burlington Council time to discuss a City mitigation study in collaboration with CH

CITY STUDY: MTSA PHASE 1 FLOOD HAZARD ASSESSMENT

BACKGROUND

- October 2020 – City completed a Phase 1 study; the purpose was to define existing flood hazards for areas of anticipated development in downtown Burlington/Burlington GO MTSA
- Prior to the Phase 1 study, the creeks south of the diversion channel in the Lower Rambo Creek watershed were considered part of the municipal storm drainage system and were not identified as regulated by CH
- Phase 1 study revealed that the extent of the flood hazard in the Lower Rambo watershed was greater than previously understood
 - Greater flooding and erosion risk than previously expected
 - Drainage area of approximately 260ha (previously understood to be <130ha)
 - Substantial spill flood hazard from Upper Rambo into Lower Rambo
- Based on the characteristics of the watershed and the text of *Ontario Regulation 162/06*, the Lower Rambo watershed was confirmed to be regulated by CH
- CH Board Report [CHBD 07 21 06](#)

CITY STUDY: MTSA PHASE 2 FLOOD HAZARD ASSESSMENT

STUDY PURPOSE

- To update the Phase 1 flood hazard modelling and mapping

PUBLIC NOTIFICATION

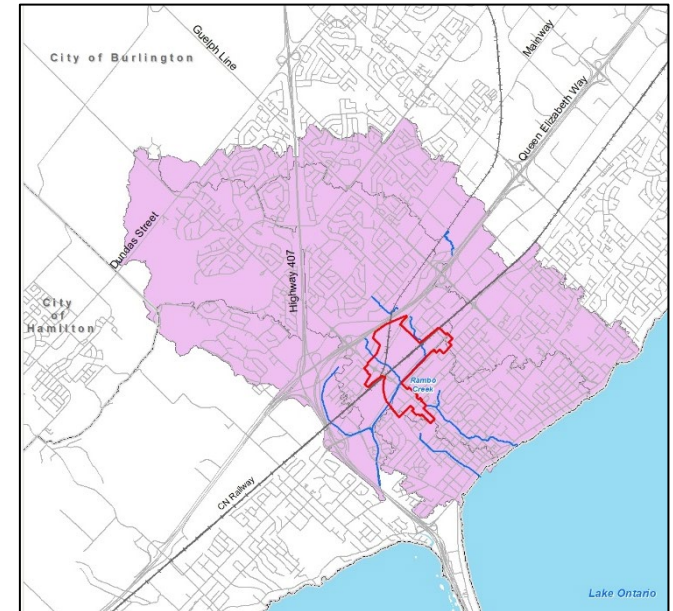
- CH held two (2) public notification periods (November 2021 and August 2023)
- Study information is posted on CH's website: www.conservationhalton.ca/mapping-and-studies/

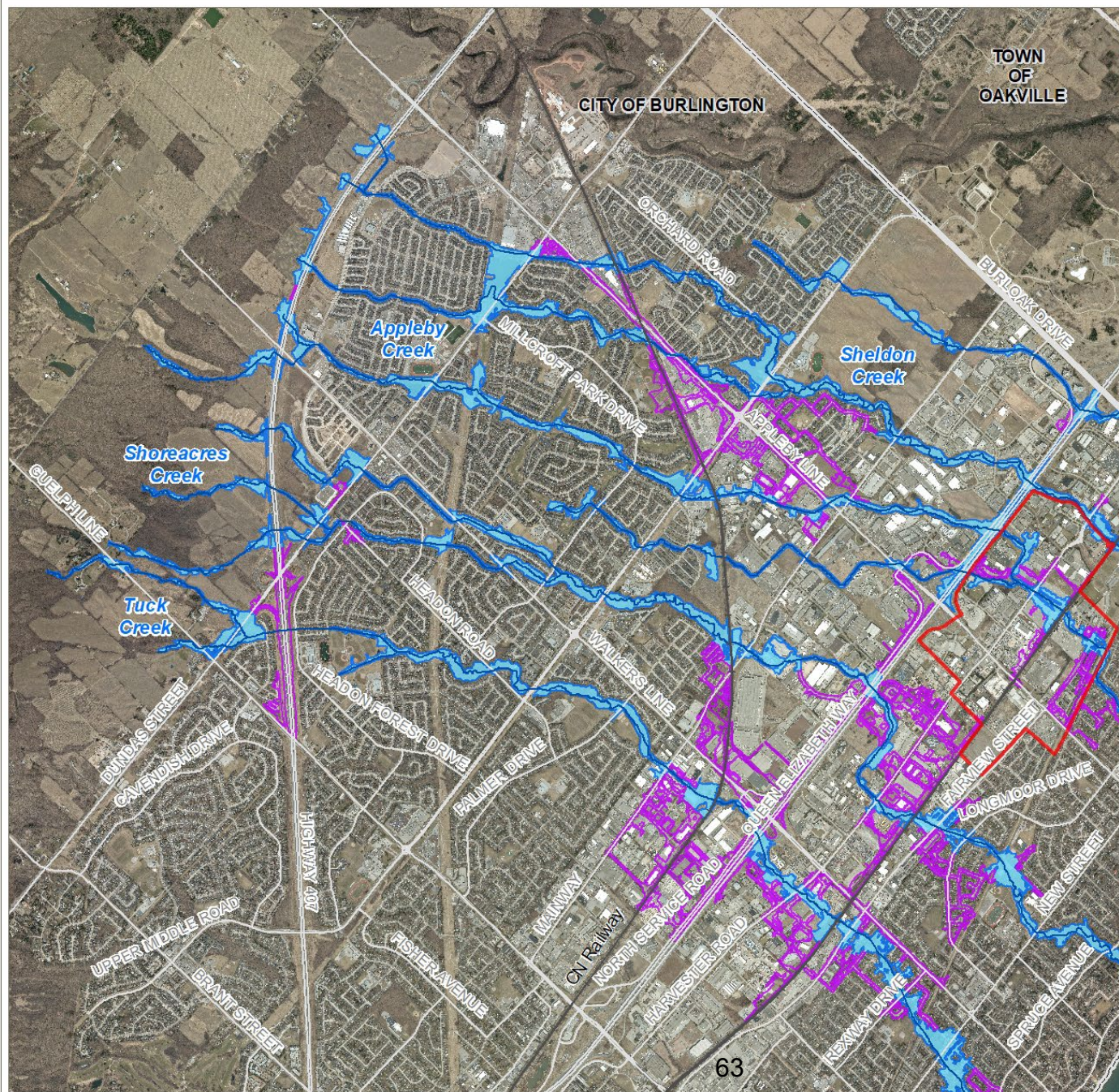
CITY COUNCIL

- Burlington Council received the final MTSA Phase 2 Flood Hazard Assessment, Burlington GO and Downtown on July 11, 2023

CH BOARD APPROVAL

- Final draft mapping presented to CH's Board on October 19, 2023 (Report No. CHB 08 23 04)
- CH Board resolution to direct staff to incorporate the approved mapping into CH's ARL mapping in 30 days to enable Burlington Council time to discuss a City mitigation study in collaboration with CH





Updated Flood Hazard - Upper Reaches of Tuck, Shoreacres, Appleby, and Sheldon Creeks

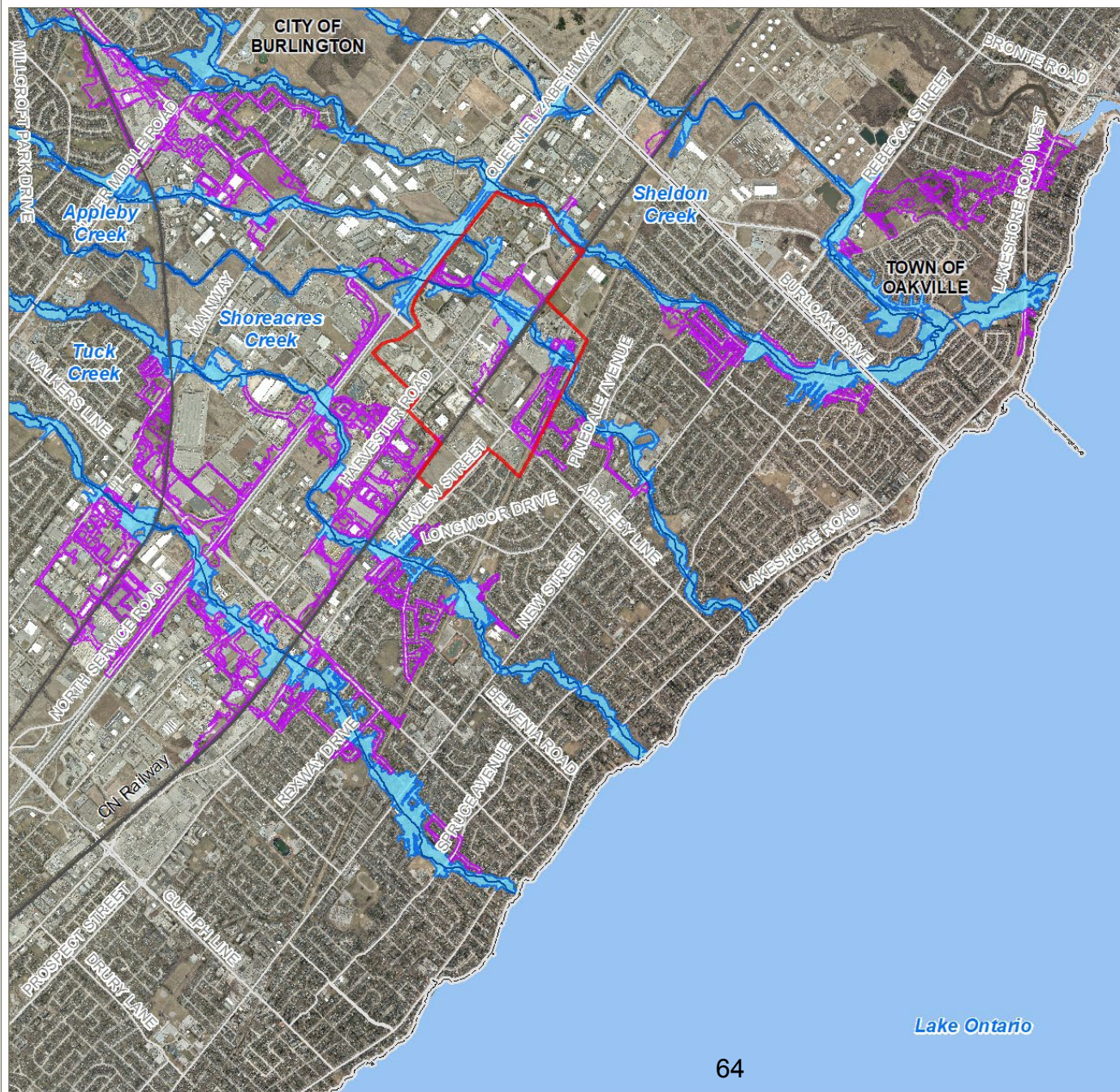
Legend

- Watercourses with Updated Flood Hazard Mapping
- Road
- Railway
- Regulated Floodplain
- Regulated Spill
- Appleby GO MTSA
- Municipal Boundary

Note: Draft mapping only shows updated flood hazards and does not show full extent of Conservation Halton's regulated area.

0 0.25 0.5 1 1.5
KMS

The text of the Ontario Regulation 162/06 takes precedence over mapping information. Some regulated features and associated hazards may not appear on this mapping, and this mapping should be used for information purposes in conjunction with the associated board report only. The data displayed are derived from sources with different accuracies and all boundaries should therefore be considered approximate. No responsibility or liability is assumed by Conservation Halton or its employees, officers and agents or the data providers listed below for any errors, omissions or inaccuracies, whether due to their negligence or otherwise. NOT A PLAN OF SURVEY. Data on this map is used under license and is protected by copyright for different organizations, including but not limited to the Ministry of Natural Resources and Forestry. © King's Printer for Ontario, 2023. All rights reserved. Copyright 2023 Conservation Halton. This map may not be reproduced without written consent from Conservation Halton.



Updated Flood Hazard – Lower Reaches of Tuck, Shoreacres, Appleby, and Sheldon Creeks

Legend

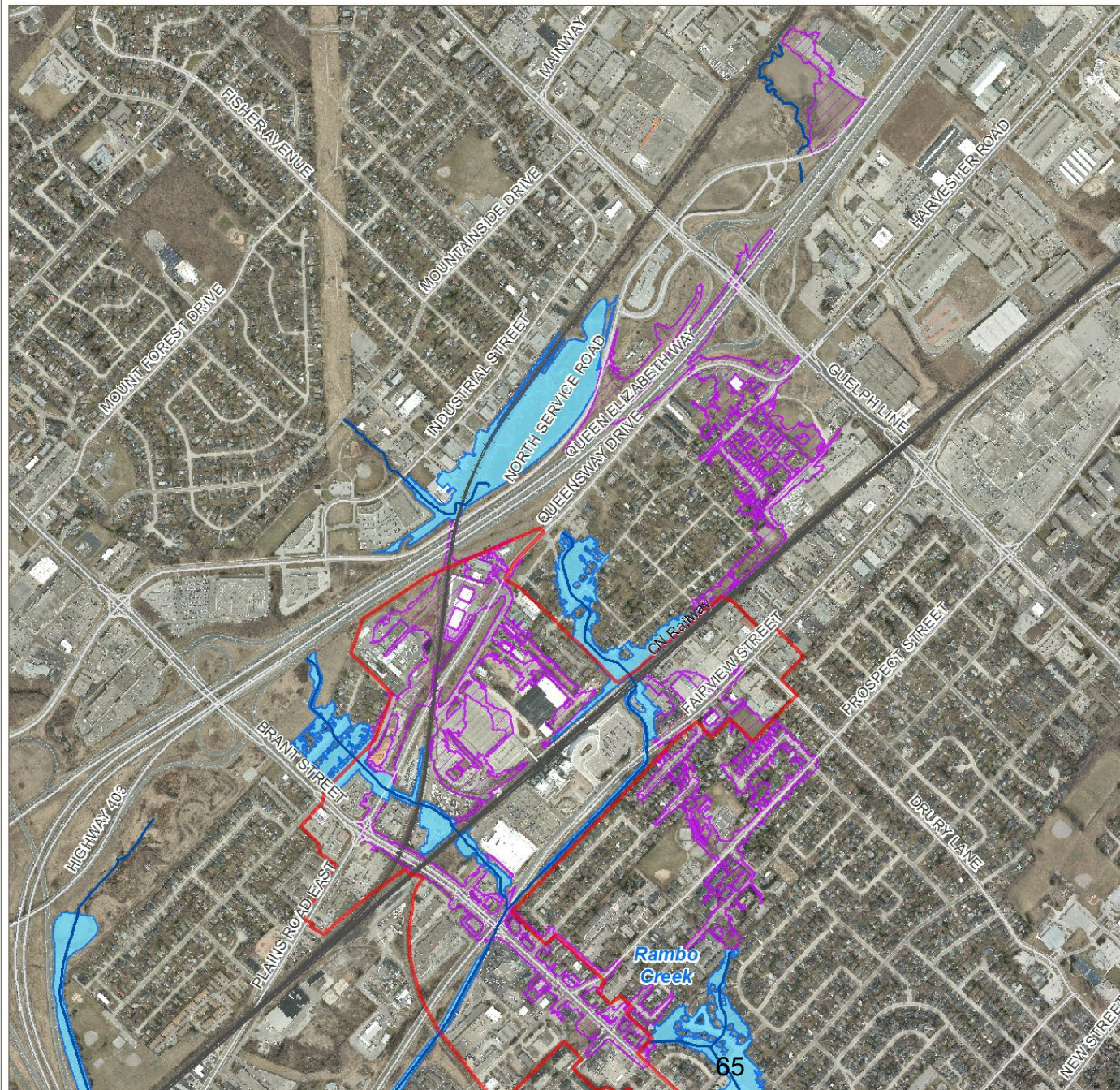
- Watercourses with Updated Flood Hazard Mapping
- Road
- Railway
- Regulated Floodplain
- Regulated Spill
- Appleby GO MTSA
- Municipal Boundary

Note: Draft mapping only shows updated flood hazards and does not show full extent of Conservation Halton's regulated area.

0 0.25 0.45 0.9 1.35
KMS

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Lake Ontario



Final Draft Flood Hazard Mapping – Lower Rambo Creek Watershed (North)

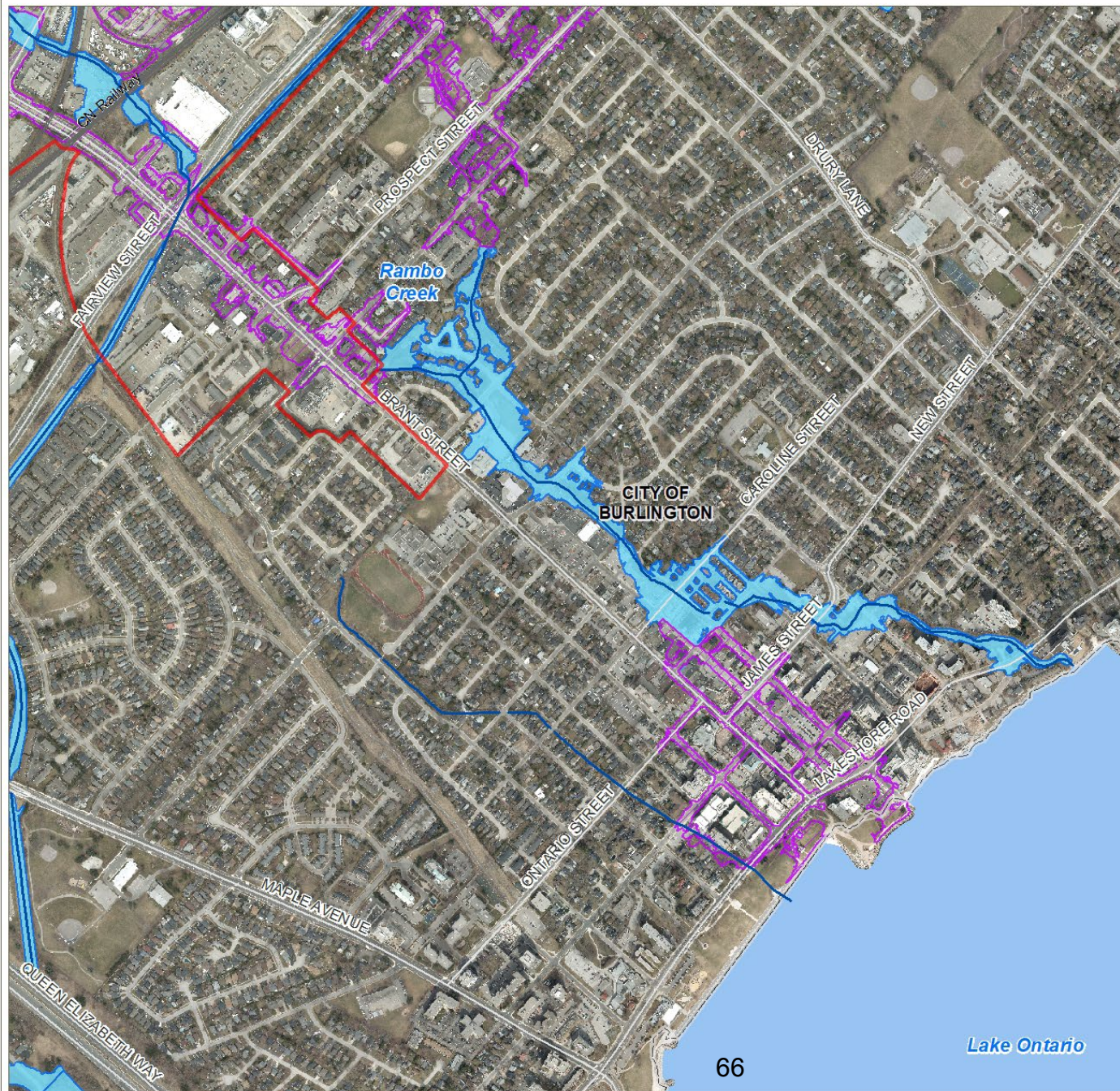
Legend

- Watercourse
- +— Railway
- Road
- Regulated Floodplain
- Regulated Spill
- Downtown Burlington/
Burlington GO MTSA

Note: Draft mapping only shows updated flood hazards and does not show full extent of Conservation Halton's regulated area.



The text of the Ontario Regulation 162/06 takes precedence over mapping information. Some regulated features and associated hazards may not appear on this mapping, and this mapping should be used for information purposes in conjunction with the associated board report only. The data displayed are derived from sources with different accuracies and all boundaries should therefore be considered approximate. No responsibility or liability is assumed by Conservation Halton or its employees, officers and agents or the data providers listed below for any errors, omissions or inaccuracies, whether due to their negligence or otherwise. NOT A PLAN OF SURVEY. Data on this map is used under license and is protected by copyright for different organizations, including but not limited to the Ministry of Natural Resources and Forestry. © King's Printer for Ontario, 2023. All rights reserved. Copyright 2023 Conservation Halton. This map may not be reproduced without written consent from Conservation Halton.



Final Draft Flood Hazard Mapping – Lower Rambo Creek Watershed (South)

Legend

- Watercourse
- Road
- +— Railway
- Regulated Floodplain
- Regulated Spill
- Downtown Burlington/
Burlington GO MTSA

Note: Draft mapping only shows updated flood hazards and does not show full extent of Conservation Halton's regulated area.



The text of the Ontario Regulation 162/06 takes precedence over mapping information. Some regulated features and associated hazards may not appear on this mapping, and this mapping should be used for information purposes in conjunction with the associated board report only. The data displayed are derived from sources with different accuracies and all boundaries should therefore be considered approximate. No responsibility or liability is assumed by Conservation Halton or its employees, officers and agents or the data providers listed below for any errors, omissions or inaccuracies, whether due to their negligence or otherwise. NOT A PLAN OF SURVEY. Data on this map is used under license and is protected by copyright for different organizations, including but not limited to the Ministry of Natural Resources and Forestry. © King's Printer for Ontario, 2023. All rights reserved. Copyright 2023 Conservation Halton. This map may not be reproduced without written consent from Conservation Halton.

FLOOD HAZARDS: OBSERVATIONS & OPPORTUNITIES

- New tools, technologies, and funding support better understanding and mapping of flood hazards, as well as decision making
- Newly-mapped flood hazards (floodplains and spills) fall within Strategic Growth Areas
- Competing Provincial objectives and policies related to growth and development and natural hazards
- Current Provincial regulations, policies and technical guidelines related to natural hazards are out of date
- Solutions exist to mitigate potential risk to public safety or of property damage, increase opportunities for growth and development, and build climate change resiliency
- CH has regulatory policies that allow for development in flood hazards (subject to criteria) and is committed to working with the residents, members of the development community, and the City

THANK YOU

Notes
• Community Planning, Regulation & Mobility Committee • Thank you Chair and Committee Members • Kellie McCormack, Director, Planning & Regulations at Conservation Halton (CH) • CH staff recently presented two reports to the Board regarding Flood Hazard Mapping; 1) City's Phase 2 Flood Hazard Assessment, 2) CH's East Burlington Creeks Flood Hazard Study • CH Board resolutions:
<u>Agenda Item 7.3 – CH Board Report No. CHB 08 23 04</u> THAT the Conservation Halton Board approves updated flood hazard mapping for the Lower Rambo Creek watershed based on the results of the “Major Transit Station Area (MTSA) Phase 2 Flood Hazard Assessment, Burlington GO and Downtown” report prepared by WSP, dated March 6, 2023, and local updates completed by Conservation Halton staff; And THAT the Conservation Halton Board directs staff to incorporate the approved mapping into Conservation Halton's Approximate Regulation Limit mapping in 30 days to allow time for Burlington City Council to discuss the initiation of a City study that assesses and evaluates potential solutions to mitigate or reduce flood hazard risks in downtown Burlington / Burlington GO MTSA and build climate change resiliency, in collaboration with Conservation Halton.
<u>Agenda Item 7.4 – CH Board Report No. CHB 08 23 05</u> THAT the Conservation Halton Board approves updated flood hazard mapping for Tuck Creek, Shoreacres Creek, Appleby Creek, and Sheldon Creek based on the results of the “Hydrology Report – East Burlington Creeks Flood Hazard Mapping Update” and “Hydraulics Report – East Burlington Creeks Flood Hazard Mapping Update” prepared by WSP E&I Canada Limited, both dated September 2023; And THAT the Conservation Halton Board directs staff to incorporate the approved mapping into Conservation Halton's Approximate Regulation Limit mapping in 30 days to allow time for Burlington City Council to discuss the initiation of a City study that assesses and evaluates potential solutions to mitigate or reduce flood hazard risks in the East Burlington Creeks study area and Appleby GO MTSA and build climate change resiliency, in collaboration with Conservation Halton.

- In order to mitigate and protect from flooding it's important to understand the different types and sources.
- Urban Flooding occurs when the urban drainage system consisting of sewers and roadways is overwhelmed by excessive rainfall and runoff that cannot be absorbed into the ground. Water ponds in parking lots, submerges streets, seeps into homes, and backs up into basements.
- Shoreline or Coastal Flooding occurs when normally dry land is flooded by high lake water levels, storm surges or ice-jamming.
- Focus of the Flood Hazard mapping discussed in this presentation relates to riverine flooding.
- Riverine Flooding occurs when excessive rainfall or snowmelt causes a watercourse to overtop its banks and flood surrounding lands that would typically be dry. The magnitude of riverine flooding is determined by many factors including amount and intensity of rainfall, soil conditions and land elevations.

- Riverine flood hazards are comprised of floodplains and spills.
- A floodplain is an area of land flooded by a nearby watercourse during large storms. After the storm passes, the floodwaters recede back to the creek.
- A spill occurs when flood waters leave a watercourse, its valley and floodplain, and continue to flow overland in multiple directions before rejoining the same watercourse downstream, spilling into another watershed, remaining within the spill area, or mixing with urban drainage.
- Spills can be caused by backwatering upstream of crossings or by sloping ground elevations and typically flow in multiple directions, often in complex patterns.
- The flood hazard limit is determined by the extent of the floodplain and spill hazard.

- All agencies have roles and responsibilities related to flood hazard mitigation and management. Refer to slide for summary.
- Local and Regional Municipalities are focused on emergency preparedness and management leading up to and during a flood event, subwatershed and land use planning, and flood prevention and recovery initiatives such as the basement flooding subsidy.
- Municipalities are also responsible for capital works and municipal infrastructure to manage and mitigate impacts from flooding hazards. For example, implementing infrastructure improvements like culvert replacements.
- Conservation Authorities (CAs) are involved in flood forecasting and warning, operating water control infrastructure, implementing regulations in hazardous lands, and creating flood hazard mapping.
- CH's priority to protect people and property from risks related to natural hazards (e.g. flooding & erosion hazards) and to ensure that new hazards are not created or existing ones are aggravated.
- Under the Conservation Authorities Act, CAs must provide programs and services related natural hazards risk management. Ontario Regulation 686/21: Mandatory Programs and Services provides direction for specific programs and services that CAs must provide including:
 - understanding, managing, and preventing or mitigating risks related to natural hazards
 - flood forecasting, warning and operation of flood infrastructure (dams and channels)

- delineating and mapping areas of natural hazards, such as floodplains
- commenting on development plans about risks related to natural hazards
- acting on behalf of the Province to ensure decisions under the Planning Act are consistent with Provincial natural hazard policies
- carrying out regulatory responsibilities

- Flood hazard mapping identifies areas susceptible to riverine flood hazards and ensures that flood risk areas are identified and understood, to help protect people and property.
- It is important to note that flood hazard mapping does not create a flooding hazard, it shows where the hazard already exists.
- New tools and technologies allow us to better understand the magnitude and extent of riverine flooding (this includes better computer models capable of complex calculations (as required for 2D modelling) and access to detailed topographic data using LiDAR).
- Flood hazard mapping supports:
 - CH regulatory & planning and flood forecasting & warning programs
 - municipal emergency management, flood mitigation & infrastructure design
 - residents and property owners emergency preparedness and planning
- CH renewed its Floodplain Mapping program in 2018 with funding from the Region of Halton which supported access to grant programs from the Provincial and Federal governments. The goal of the Floodplain Mapping Program is to update flood hazard mapping for our entire jurisdiction over the next several years.

- CH initiated the East Burlington Creeks Flood Hazard Mapping study and retained the Engineering firm WSP, through funding from the Region of Halton, and grant funding the Provincial and Federal governments through the National Disaster Mitigation Program.
- The purpose of this study is to undertake a comprehensive update of riverine flood hazard mapping for the Tuck Creek, Shoreacres Creek, Appleby Creek and Sheldon Creek watersheds, from their headwaters along the Niagara Escarpment to their outlet at Lake Ontario. In some locations, the study area extends beyond these four watersheds to follow spill flow pathways to their respective outlets.
- CH coordinated closely with planning, engineering and emergency response staff from our partners at Halton Region, the City of Burlington and the Town of Oakville, through a Technical Advisory Committee. Committee members were involved in all key study decisions, provided local insight and supported the review of all study materials.
- Engagement is also a critical component of the study, which is why we held an initial consultation session in 2021 to highlight the start of this study and request information on past flooding, as well as in Spring 2023 to present draft mapping and to allow stakeholders and the public an opportunity to provide feedback, observations and questions on the draft mapping.

- Final mapping was recently brought forward to CH's Board for approval to incorporate into CH's Approximate Regulation Limit (ARL) Mapping.
- This mapping is considered the best available information for understanding the magnitude and extent of the flood hazard, assessing potential risk to life and property, and land use and regulatory decision making.

- The City of Burlington initiated a Phase 1 Flood Hazard and Scoped Stormwater Management Assessment for downtown Burlington and the Burlington GO MTSA, which was completed in 2020.
- Prior to the Phase 1 Study, the creeks south of the diversion channel in the Lower Rambo Creek watershed were considered part of the municipal storm drainage system.
- Phase 1 study revealed that the extent of the flood hazard in the Lower Rambo watershed was greater than previously understood.
 - Greater flooding and erosion risk than previously expected
 - Drainage area of approximately 260ha (previously understood to be <130ha)
 - Substantial spill flood hazard from Upper Rambo into Lower Rambo
- Based on the text of Ontario Regulation 162/06, the Lower Rambo watershed was confirmed to be regulated by CH.

- The City of Burlington retained WSP to undertake a Phase 2 study to update the Phase 1 flood hazard modelling and mapping for tributaries within the Rambo and Hager Creek watersheds, located with Downtown Burlington and the Burlington GO MTSA.
- Burlington Council received the final MTSA Phase 2 Flood Hazard Assessment, Burlington GO and Downtown on July 11, 2023.
- The mapping and modelling developed as part of the Phase 2 Study is considered the best available information for understanding the magnitude and extent of the flood hazard, assessing potential risk to life and property, and land use and regulatory decision making.
- The public was informed of the study and the forthcoming changes to Conservation Halton's Approximate Regulation Limit mapping. Staff recommended that the CH Board approve the updated flood hazard mapping for immediate incorporation into CH's ARL mapping.

- Brief overview of mapping.
- There are some areas where the flood hazard limit (and extent of CH's regulated area) has expanded and other areas where the limit (and extent of CH's regulated area) has decreased.
- The changes in the mapping are due to a number of factors including:
 - 1) new tools and technologies that allow us to better understand the magnitude and extent of riverine flooding (this includes better computer models capable of complex calculations (as required for 2D modelling) and access to detailed topographic data using LiDAR)
 - 2) use of different modelling platforms
- The key difference between these studies and past work is the mapping of spills, which were previously only represented by an arrow or opening in the floodplain limit at the point of spill.
- It is important to note that although we are now able to define spills and model and map the floodplain with greater precision using new

technology, it does not mean these areas were not flood susceptible in the past.

- New tools, technologies, and funding support better understanding and mapping of flood hazards, as well as decision making.
- Newly-mapped flood hazards (floodplains and spills) fall within Strategic Growth Areas.
- Competing Provincial objectives and policies related to growth and development and natural hazards.
- Current Provincial regulations, policies and technical guidelines related to natural hazards are out of date.
- Solutions exist to mitigate potential risk to public safety or of property damage, increase opportunities for growth and development, and build climate change resiliency.
- CH has regulatory policies that allow for development in flood hazards (subject to criteria) and is committed to working with the residents, members of the development community, and the City.

1020 Emery Ave

Delegation to Planning Committee – MTSA

ASPs: Proposed OPA and CPPS

Gervais Development (Emery) Corporation

Comment Outline

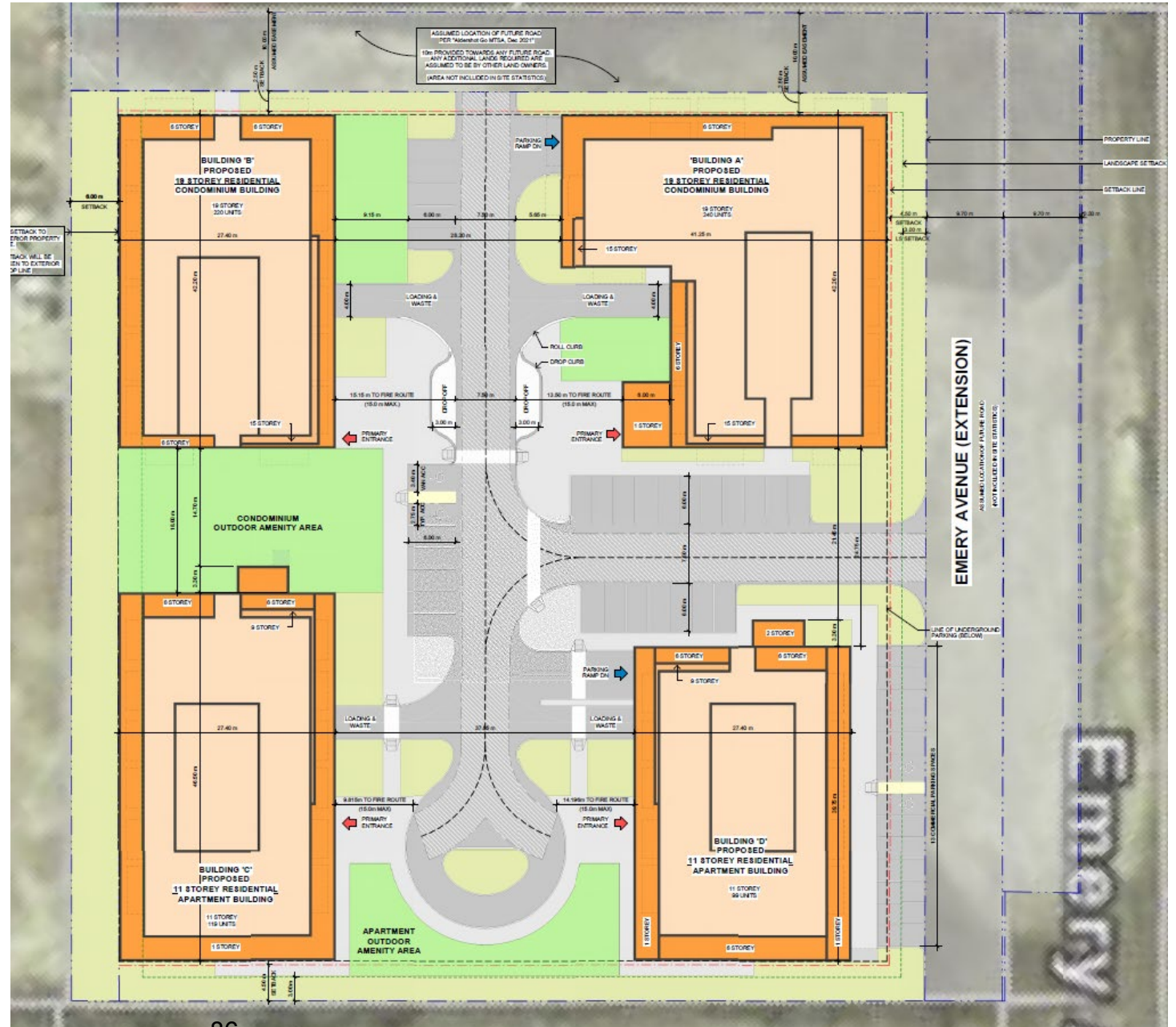
- Gervais Development (Emery Corp)
- Subject Lands and Context
- Subject Site Development Plan
- Chronology of Participation
- ROW Alignment
- Mixed-use Policies
- Housing Policies
- Uncertainty

Gervais Development (Emery) Corp

- Family-Owned Business
- First Project in Burlington



Subject Lands Development Concept



Subject Lands Development Concept



Status

- Initial Discussion with Staff
 - Positive Feedback
 - Suggestion to begin Planning Application Process
- Submission of Pre-Consultation Request
 - Meeting Aug 16, 2023
- Meeting complete, comments received, preparing for submission
- Held Neighborhood Pre-Application Consultation meeting
 - September 6, 2023

ROW Alignment

- Previous submissions to staff
 - Heard positive comments and that it made sense; were looking for feedback
 - Allows for sharing between properties; fairness and implementation

ROW Alignment



Mixed Use Policies

Table 7.1: Permitted and Discretionary Uses in the Aldershot GO MTSA Permit Area

Permitted or Discretionary Use	Precincts				
	Aldershot GO Central (A)	Aldershot Main Street (AM)	Cooke Commons (C)	Emery Commons (E)	Mid-Rise Residential (M)
Rowhouse			D(b)	D(b)	P(d) / D(d)(e)
Dwelling units above the first two storeys in a mixed use building	D(c)(d)(e)	P	P	P	P(d) / D(d)(e)

Permitted or Discretionary Use	Precincts				
	Aldershot GO Central (A)	Aldershot Main Street (AM)	Cooke Commons (C)	Emery Commons (E)	Mid-Rise Residential (M)
Apartment building, single use		D(b)	D(b)	D(b)	P(d) / D(d)(e)

(a) Limited to bottom two floors only.

(b) **May** be permitted if developed as part of a single application that also contains at least one non-residential use and is not located along an **Activated** Street (see Figure 2a).

Mixed Use Policies

- Amount of required non-res GFA
- Requirement for uses on multiple levels
- Prescribing that first two floors be non-residential
 - Our total GFA requirement would be 73 542 Sq ft for Buildings A, B, C (first 2 Levels)
 - 50% of GFA to Non-Res : 36 771 SF
 - Extrapolate to Emery Commons:
 - **NET = 165,628 sqft**
 - Equivalent of 2 Canadian Football Fields in Emery Commons Alone
 - Are there any background studies to support this?
 - Willing to try 1 floor

Housing Policies

- Language - “Target” and “Enhance” vs “Shall”
- Unit Split/Requirements for 25% 3 Bedroom Units
 - What research was done to support this approach?
- Preliminary review of formulas and policy wording; will be seeking clarification from staff in written comments

Uncertainty

- 5.29.6 The **City** may require the provision of additional services, facilities and matters when applying the provisions of 5.29.3:

Correspondence from Sarah Turney
Representing Brant-Plains Holdings Inc.

FASKEN

Fasken Martineau DuMoulin LLP
Barristers and Solicitors
Patent and Trade-mark Agents

333 Bay Street, Suite 2400
P.O. Box 20
Toronto, Ontario M5H 2T6
Canada

T +1 416 366 8381
+1 800 268 8424
F +1 416 364 7813
fasken.com

Sarah J. Turney
Direct +1 416 865 4542
sturney@fasken.com

October 30, 2023

By Email (clerks@burlington.ca) (jo-anne.rudy@burlington.ca)

City of Burlington
426 Brant Street, PO Box 5013
Burlington, ON L7R 3Z6

Attention: Jo-Anne Rudy, Committee Clerk
Attention: City Council c/o City Clerk

Dear Jo-Anne Rudy:

Re: Draft Official Plan Amendment No. 2 to the Official Plan of the Burlington Planning Area (the “OPA”) and the Burlington Major Transit Station Areas: Community Planning Permit By-law (the “CPP”)

We are lawyers for Brant-Plains Holdings Inc. (“**Brant-Plains**”), which owns properties located at 2021, 2051 and 2081 Plains Road East and 1035 Brant Street in Burlington, Ontario (collectively, the “**Properties**”). The Properties are located within the precinct identified as the Leighland Node (LL) in the CPP and within the Burlington Urban Growth Centre/Burlington GO MTSA in the OPA.

Please accept this letter as Brant-Plains’ formal written submission to the City of Burlington in respect of the proposed OPA and CPP, as contemplated by the *Planning Act*.

Process Clarity

The CPP seeks to create a streamlined process for development applications in a Major Transit Station Areas (“**MTSA**”), which is a goal that Brant-Plains supports. However, the CPP includes references to vague requirements that a proposal may need to meet. For example, section 3.9.3 of the “[p]re-consultation” section of the CPP states that: “[w]here a technical study or report is



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required to support a Community Planning Permit Application, the extent of the issues to be addressed will be identified by applicable agencies and/or City staff, based on the Burlington Official Plan and *any terms of reference* during the pre-consultation meeting.” [Emphasis added.] However, the content of such “terms of reference” is not specified. While pre-consultation is an important tool to help a proponent refine its development proposal prior to submission, it should not add material requirements or permit the approval authority to deem an otherwise complete application, incomplete. Provisions that refer to opaque concepts like “terms of reference” add uncertainty to the process. To address this, references to “any terms of reference” should be removed from the CPP, or the content of such terms of reference should be described in the CPP.

Section 3.12 (Decision) currently provides unfettered discretion to the “Approval Authority” by stating that such authority “may” approve an application with or without conditions. This runs contrary to the apparent goal of the CPP to provide a streamlined application process. To address this, section 3.12 should provide that the “Approval Authority” *will* approve an application, provided that it meets all of the “Class 1” or “Class 2” development standards (as the case may be) set out in the CPP, as well as all other laws/regulations that govern at the time of the application.

Finally, the development standards required for a “Class 3” Community Planning Permit should be specified in the CPP. Foundational criteria, such as maximum building height and setbacks, should be specified for all permit classes described in the CPP.

Height and Density

The OPA recognizes that MTSA’s are priority locations for the accommodation of transit supportive, mixed use intensification. This is an important tool to help alleviate the shortage of housing stock that is contributing to the affordability crisis in the province. Brant-Plains supports the overarching goals of supporting intensification around MTSA’s.

That said, the height and density identified in the CPP are not sufficient to meet these goals. In particular, the building height maximum(s) for a “Class 1” or “Class 2” Community Planning Permit for the Properties are insufficient to: (a) meet Burlington’s housing needs; (b) make a material change in the housing stock available around MTSA’s; and (c) encourage investment in MTSA’s by experienced developers. To meet these goals, the relevant maximum building height for “Class 1” and “Class 2” Community Planning Permits should be increased by a minimum of 100% of the current identified limits.

Further, there is a disconnect between the policy goals described in the OPA and the development standards described in the CPP. For example, the OPA provides that the Burlington Go MTSA will “...allow for *intensification* at the major intersection of Brant Street and Plains Road East” yet the maximum building height for a Class 1 permit application ranges from 6 to 12 storeys in the area of our client’s Properties. Again, this is wholly insufficient to permit high density residential development of the kind contemplated by the OPA, and mandated by the Province. Accordingly, it is Brant-Plains’ position that the limited height and density contemplated by the CPP does not conform with the OPA (as currently proposed).



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Further, the policies of the OPA encouraging high density residential and mixed-use development around MTSAs (and the related development standards in the CPP) should be strengthened to be consistent with the policy objectives announced by the province as of the date of this letter, including requiring municipalities to provide a range and mix of housing options to include multi-unit types and to implement intensification policies.

Conservation Review

Conservation authorities can play an important role in providing meaningful comments on development proposals. However, it is important that the ultimate decision-making power remains with the democratically elected City Council. This should be clarified in the OPA. For example, proposed policy 8.1.1 (7.1) (c) should be revised to read as follows:

Development adjacent to valleyland and watercourse features, as well as development within or in proximity to hazardous lands may be required to be supported by detailed slope stability, stream erosion and/or flooding studies, where appropriate. The studies and resulting limits of the hazardous lands shall be to the satisfaction of the City in consultation with Conservation Halton. [Changes have been underlined.]

Similarly, proposed policy 8.1.1 (7.1) (e) should be revised to read as follows:

Adverse effects of development on the downstream aquatic environment including watercourse erosion, shall be avoided or mitigated to the satisfaction of the City in consultation with Conservation Halton. [Changes have been underlined.]

Kindly ensure that we are notified of the recommendation made by staff in respect of the OPA and CPP, and the ultimate decision of City Council regarding these items.

Yours truly,

FASKEN MARTINEAU DuMOULIN LLP

DocuSigned by:

Sarah Turney

A70E265F830A41B...

Sarah J. Turney

SJT/sr



October 30, 2023

Correspondence from Building Industry and Land
Development Association ('BILD')

Mayor Marianne Meed Ward and Members of Council
City of Burlington
426 Brant St.
Burlington, ON
L7R 3Z6

Sent via email to clerks@burlington.ca

**RE: City of Burlington
Community Planning, Regulation and Mobility Committee (PUBLIC) Meeting**

PL-59-23

Proposed Major Transit Station Area (MTSA) Official Plan Amendment and Draft
Community Planning Permit (CPP) By-law

October 31, 2023

The Building Industry and Land Development Association ('BILD') is in receipt of Item 2.1 *Proposed Major Transit Station Area (MTSA) Official Plan Amendment and Draft Community Planning Permit (CPP) By-law* as part of the Community Planning, Regulation and Mobility Committee Public meeting agenda scheduled for October 31st.

On behalf of our Halton Forum, BILD would like to extend our appreciation for the consultation hosted to date on this work. Our members agree that if implemented correctly, this OPA and CPP by-law will assist in the success of delivering housing supply and balanced growth.

Through this letter, we wish to inform the Burlington Council and City staff that BILD is currently in the process of carefully evaluating both the OPA and CPP By-law. We anticipate providing comprehensive feedback shortly. As previously agreed upon by the City and BILD, when the development industry and the City collaborate, progress toward housing is achieved. Consistent with our approach to all endeavors, we eagerly anticipate collaborative discussions and a positive outcome for this project.

As your community building partner, we look forward to this continued collaboration.

Kind regards,



Victoria Mortelliti, MCIP, RPP.
Senior Manager, Policy & Advocacy

CC: Members of the BILD Halton Forum
Brynn Nheiley, City of Burlington
Anita Cassidy, City of Burlington

The Building Industry and Land Development Association is an advocacy and educational group representing the building, land development and professional renovation industry in the Greater Toronto Area. BILD is the largest home builders' association in Canada, and is affiliated with the Ontario Home Builders' Association and the Canadian Home Builders' Association. It's 1,300 member companies consists not only of direct industry participants but also of supporting companies such as financial and professional service organizations, trade contractors, as well as manufacturers and suppliers of home-related products.



EMSHIH DEVELOPMENTS INC.

895 Brant Street, Suite #7
Burlington, ON
L7R 2J6
Tel: (905) 639-9006
Fax: (905) 632-3337

Monday October 30, 2023
Via E-mail

City of Burlington
426 Brant Street
Burlington, ON L7R 2G2

Attention: Clerk's Department

Dear City Clerk,

Subject: Objection to Community Planning Permit By-law

We understand the intent of the CPP by-law is to reduce the time for development applications within the MTSAs, however, the Bylaw as drafted will create more uncertainty, variance issues, and additional financial burdens for any proposed development project. We have summarized our concerns as to how this by-law will have a negative impact on housing affordability:

1. **Market feasibility** – The market dictates what can and cannot be built. With costs varying over time, the feasibility of a development project requires flexibility in the design process, such as lowering parking, reducing setbacks requirements, etc. With the CPP by-law in its current form, there is little design flexibility when conforming 100% to Class 1 standards. Any deviations from Class 1 will bump the application to Class 2 and face various new requirements. The financial burden of Class 2 requirements will reduce the market feasibility of any development application and either render projects less affordable or fully stop the project altogether. In its current form, almost all applications will be bumped up to Class 2 due to the lack of flexibility in Tables 6.1, 6.2, 7.1, 7.2, 8.1, and 8.2. It is also important to note that the heights allowed for Class 1 have been reduced to 50% of the proposed heights which were permitted in the previously published maps by the City.

Our suggestion: To encourage more housing units to be built, Classes 1 and 2 should be combined, and community benefits should be limited to what is required by the Province.

2. **Parking requirements** – Parking adds a significant cost to housing developments. Each underground parking space costs between \$70,000 and \$100,000, and this cost gets added on to each unit. A better way to deal with parking in MTSAs is to eliminate parking minimums and

allow developers to decide on parking rates based on market forces. Developers are under enormous pressure to get the parking ratio right. Too many parking spaces means the units are less affordable, and too few spaces can lead to a lack of market interest from buyers who require parking.

The CPP by-law should also be modified to include more parking flexibility. Falling just below the required parking spaces should not automatically trigger Class 2. Shared visitors parking between residential and non-residential uses should be permitted, to allow for efficient use of visitors' spaces.

The removal of minimum parking requirements is supported by many industry experts, such as Brent Toderian (former chief planner for the City of Vancouver). He stated this is one of the key components of providing affordable housing. Many cities have removed of minimum parking requirements, or are in the process of considering it:

- a. [North Oakville Zoning By-law 2009-189 Table 5.1A \(4\)](#) does not set a minimum number of resident parking spaces for apartment buildings – it only sets a maximum, and a requirement for visitor parking only. This by-law has been in existence for many years and has no negative impact.
- b. Ottawa has no parking requirements in the city center.
- c. Edmonton removed all minimum parking requirements in 2020, with no negative impact.
- d. Hamilton is in the process of removing parking requirements in the urban lower city and along transit routes – a move supported by Environment Hamilton.

With all these cities either having removed, or considering removing the minimum parking requirements, Burlington would be aligned with the industry practice of having no minimum parking requirements in MSTAs.

The number of required bicycle parking spaces is also an issue, with a required 0.5 spaces per dwelling unit in apartment buildings. These spaces take away from the overall affordability of the units. Bicycle use tends to be a recreational activity, and should not come at the cost of affordability.

Our suggestion: Eliminate minimum resident parking requirements to improve housing affordability and reduce the required bicycle parking spaces. Allow for the sharing of required visitors parking for residential and non-residential spaces.

3. **Proposed roadways** – Figures 1a, 2a, and 3a provide concepts of roadways only, as per our conversation with MTSA team. The proposed streets differ from the actual location in certain areas. Language should be included so it is very clear that these figures are conceptual in nature and that some deviations from the figures are permitted.

Our suggestion: In the CCP by-law, add statements to Figures 1a, 2a, and 3a to clarify that the maps are only conceptual and do not necessary depict the exact future street. City will permit minor variations. Alternatively, the mapping needs to be modified and finalized prior to the passing of the Bylaw.

4. **Additional parkland contribution** – Table 5.4 lists Class 1 contribution requirements. These are in addition to Burlington's existing parkland dedication by-law. An additional parkland fee on top of the existing parkland fees, and a new complete community fee are required, which further reduce the affordability of the future housing units.

Our suggestion: Only apply the fees that are mandated by the Province.

5. **Unclear provision of additional community benefits** – Section 5.29.6 lists 15 additional services, facilities and matters that the City may require for a development to be approved. There is no description of how a decision is made to determine which additional services will be required, or how many of the services will be required. Most of these services would reduce affordability or possibly make the development no longer feasible from a market perspective.

Our suggestion: Clarify which additional community benefits will be required to make the cost of projects more predictable.

6. **Density discouraged** – By bumping up development applications to Classes 2 or 3 due to height, and thereby triggering additional requirements imposed by the City, density around the MTSA's will be discouraged, contrary to the Provincial or the City's mandate.

Our suggestion: Support the Province's housing targets by encouraging greater density (building heights) within the Mobility Hubs, with less additional financial constraints from the City.

Sincerely,
Emshih Developments Inc.

Per: 

James Liddycoat, Planner

CC: City Council; MTSA Staff Alison Enns, Jenna Puletto, Samantha Romlewski, Karyn Poad, and Rebecca Lau



PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE

CPRM, October 31, 2023
PL-59-23
Correspondence from MHBC

Community Planning Department
P.O. Box 5013, 426 Brant Street
Burlington, ON L7R 3Z6

via Jo-Anne.Rudy@burlington.ca

October 30, 2023

RE: COMMENTS ON DRAFT COMMUNITY PLANNING PERMIT BY-LAW AND OFFICIAL PLAN AMENDMENT NO. 2

OUR FILE 22173A

On behalf of our client, Halton Standard Condominium Corporation No. 416, owner of the lands municipally addressed as 1026 Cooke Boulevard (hereinafter "the Subject Lands"), we provide the following comments on the proposed draft Community Planning Permit By-law ("CPP By-law") and Official Plan Amendment No. 2 ("OPA") regarding the Aldershot GO Major Transit Station Area.

DRAFT COMMUNITY PLANNING PERMIT BY-LAW

The following outlines our comments regarding the proposed draft Community Planning Permit By-law, dated October 2023.

1. Policy 5.14.7 concerns general parking provisions, and states:

*Servicing, loading, and parking access **should** be from a rear public lane, shared private lane and/or shared driveways, and not from the **Activated Street** frontage.*

Comment: A rear public lane system can not feasibly or practically be implemented at the rear of properties fronting Cooke Boulevard due to:

1. The inability to consolidate the lands needed for a continuous through rear public lane given the existing built form and individual property ownership of lots within the block between Masonry Court and Plains road. In addition, grading of a rear laneway would need to be coordinated across multiple private properties with varying redevelopment schedules;

2. Recent development approvals within this block that have not provided for a rear public lane system, and
3. A rear public lane system requirement as proposed for Cooke Commons would not meet the Transportation Association of Canada (TAC) Geometric Design Guide for Canadian Roads spacing requirements for arterial roadways. As Waterdown Road and Plains Road East are both arterial roadways, the typical minimum spacing for intersections is 200 metres and a right-in right-out at least 100 metre spacing.

Therefore, a rear public lane system would not meet typical minimum spacing according to these guidelines and could result in potential traffic conflict and limited turn movements of future traffic entering and exiting a mid-block laneway at these locations given anticipated queueing, etc.

In short, it would not be feasible or practical to implement a rear public lane system in Cooke Commons for the purpose of servicing, loading and parking access in this location for the reasons set out above.

Recommendation: Request this Section be revised as follows (for at least for Cooke Commons):

*Servicing, loading, and parking access **will be encouraged** from a shared private lane and/or shared driveways where shared access is feasible.*

2. Policy 5.17 concerns parking spaces. Table 5.2 outlines the proposed parking rates for the MTSA.

Comment: Given the provisions proposed to promote active modes of transportation and given the close proximity to the GO station, parking space requirements proposed for Cooke Commons are excessive and counter intensification opportunities. Many other approved development projects have lower parking ratios in MTSA's across the Province and, in some cases, no minimum parking rates. Based on the recommendations of our team's traffic engineer, a lower parking ratio option is recommended where reasonable transit use incentives are provided, and particularly in locations that are in close proximity to the GO Station, including Cooke Commons.

For example, the City of Kitchener provides for parking reduction allowances for sites within 800m of future rapid transit line, including:

1. 10% car space reduction if the building owner/occupant will provide fully subsidized transit passes for all occupants for a period of two years.

2. 10% reduction if the building owner/occupant agrees to charge for parking as a separate cost to occupants.

Recommendation: Request this Section be revised to consider lowering or eliminating minimum parking ratios in certain areas of the MTSA that are in close proximity to the GO Station and Bus Rapid Transit corridors, including Cooke Commons.

3. Policy 5.27 concerns Building Podium Design, and states the following:

- d) *Use of architectural elements and expressions such as arches, awnings, canopies, colonnades, doors, windows, lively colours and the highest quality material at street level should be used to highlight individual units, differentiate between residential and non-residential entrances in mixed use buildings, and engage the street;*

Comment: Policy 5.27.1 as drafted are design principles and are subjective. It is our understanding that the CPP By-law is intended to implement the principles and policies of the Burlington OP and Area Specific Plans for the MTSAs through measurable and objective criteria. This Section of the CPP By-law is not easily quantifiable and will result in inconsistent application and planning approvals.

Furthermore, this Section attempts to re-introduce design elements that were specifically removed from the Planning Act through Bill 23.

Recommendation: Request this Section be deleted and/or that the City provide for measurable regulations in the CPP By-law that implement these principles and **exclude** design elements that were removed from Section 41 of the Planning Act through Bill 23.

- e) *The maximum frontage at grade for individual retail and service commercial units should not exceed 10 metres along an Activated Street to create a character of small shops and to achieve a vibrant, active and animated built environment;*

Comment: The proposed policy places unnecessary restrictions on future ground floor at grade retail and service commercial units where they are to be promoted.

Recommendation: Request this Section be deleted.

- f) *On sites with multiple towers, mid-block pedestrian connections should be provided through the podium to enhance permeability, break up the podium, and create additional corner conditions;*

Comment: While this may work on individual sites, in many cases, the proposed policy would not be practical for ownership, security and architectural reasons and should not be a requirement even with the subjective word “should”.

Recommendation: Request this Section be deleted.

4. Policy 7.6 concerns Development Standards, and provides the following standards in Table 7.2: Development Standards in the Aldershot GO MTSA Permit Area:

- *Front Yard setback (minimum)*
 - *1.5m (retail at grade)*
 - *3.0 m (residential)*

Comment: See comments further below re Draft Official Plan Amendment No. 2. Consideration should be given to a 0.0 metre setback, which is similarly permitted along urban streets in other municipalities, to allow for common elements and a more animated streetscape.

Recommendation: Request this Section be revised for Cooke Commons from 1.5 m to 0.0 m for retail at the ground floor.

- *Front Yard setback (maximum)*
 - *3.0 m*

Comment: Front Yard is defined as: A yard extending across the front of a lot between the side lot lines, and between the front lot line and the nearest wall of any building above grade, produced to the side lot lines.

Therefore, this maximum front yard setback requirement would seem to apply to upper storeys which may conflict with the need for ‘stepping back’ of upper storeys to meet angular plane objectives.

Recommendation: Request this Section be deleted or revised for Cooke Commons so front yard setback (maximum) only apply to the ground floor of a building and not upper storeys.

- ***Interior Side Yard setback (minimum)***
 - 3.0 m
 - 7.5 m (b) - when abutting a single detached dwelling, semi-detached or rowhouse

Comment: A side yard setback is not necessary on both sides of a building and impacts ability for intensification which is appropriate in MTSA.

Recommendation: Request this Section be revised for Cooke Commons from 3.0 m to 3.0 m (on one side) and 0 m (on other side).

- ***Rear Yard setback (minimum)***
 - 7.5 m

Comment: The proposed rear yard setback of 7.5 m is not reflective of an urban environment within a MTSA.

Recommendation: Request this Section be revised for Cooke Commons so that the rear yard setback is changed from 7.5 m to 4.0 m.

- ***Building Height (Maximum)***

Comment: Please refer to comments below re Schedules C-1 and C-2.

5. *Schedule C-2: Class 1 Maximum Heights in the Aldershot GO MTSA Permit Area has a maximum height of 12 Storeys.*

Schedule C-3: Class 2 Maximum Heights in the Aldershot GO MTSA Permit Area has a maximum height of 19 Storeys.

Comment: The proposed maximum height limit of 12 storeys for Class 1 is not appropriate for the Cooke Commons location within an MTSA and was not a recommendation of the Aldershot MTSA Study.

The Class 1 should have a maximum height of 29 storeys, which we will be demonstrating in our imminent application (as others have in the Cooke Commons location) can be appropriately accommodated in conjunction with lower podiums incorporated into the design depending on adjacent land use, providing for land use compatibility and meeting intensification and mixed use objectives in a MTSA.

Recommendation: Request this Section be revised so that: The Class 1 maximum height be revised to 29 storeys for Cooke Commons.

6. Table 5.4 concerns Class 1 Services, Facilities and Matters. It details that the Parkland Dedication contribution requirement is as follows:

Contribution of Planning Act Section 42 Parkland Dedication as per City of Burlington Parkland Dedication By-law 55-2023 in addition to the following as required to meet the needs of the Park Provisioning Master Plan:

- *3.3% of land value for low density****
- *\$22,090 per unit for medium density*** and*
- *\$15,610 per unit for 51 units/net hectare and more****

Comment: The proposed parkland dedication rate is unreasonably high in the context of improving unit affordability, and is not in keeping with rates in other local municipalities and will need to take into consideration changes made under Bill 23.

Recommendation: Request this Section be revised with a more comparable and reasonable rate.

DRAFT OFFICIAL PLAN AMENDMENT NO. 2

The following outlines our comments regarding the proposed draft Official Plan Amendment No. 2, dated October 2023.

Table 3: Classification of Major Transit Station Area Facilities

1. Major Transit Station Area Collector Streets

1.1 MTSA Mixed Use/Commercial Connector

- *Right of Way requirements of 30m*
- *Minimum 1.5m protected cycle track*
- *Minimum 1.8m pedestrian clearway and 1.5 metre planting and furnishing zone*
- *A community 'Main Street' or 'High Street' that balances mobility and*
- *access;*
- *Moves moderate to high volumes of cycling, transit and vehicle*
- *movements;*
- *Balances priority of all modes;*
- *Subject to intensification or redevelopment; and*
- *Likely to have mixed, but predominantly commercial land use.*

Note: Connector is described as moving “moderate to high volumes of cycling, transit and vehicle movements”. Whereas, Distributor (26 m) is described as “high level of pedestrian and cycling activity and low to moderate level of vehicular traffic”.

Comment: Cooke Boulevard (between Plains Road and Masonry Court) is identified as a MTSA Mixed Use/Commercial Connector on Schedule G-1: Aldershot GO Major Transit Station Area Transportation Network. Therefore, the Connector classification would result in an increased planned road width of Cooke Boulevard (between Plains Road and Masonry Court) from 20 m to 30 m.

Our traffic experts have reviewed this proposed change and based on their input, we fundamentally disagree with the proposed road width of 30 metres for the following reasons.

The current width of Cooke Boulevard is approximately 20 metres.

The 2020 Official Plan (OP) does not illustrate Cooke Blvd as a connector or collector road. The inclusion of active transportation facilities and complete streets on Cooke Blvd is supported; however, a 30m ROW is not necessary and in appropriate in an area that is promoting intensification and an animated streetscape.

Only until recently in the Transportation Brief and this Draft OPA 2, released on October 12, 2023, was the 30 metre planned collector/connector road width and function proposed for Cooke Boulevard. As this change to the planned road width was not identified in the City’s documents or by City staff earlier in the process, road widenings to increase the width of Cooke Boulevard have not been conditionally required for recent development approvals along Cooke Boulevard. Specifically, OLT settlement application at 53-71 Plains Road East, 1025 Cooke Boulevard and application at 1062-1074 Cooke Blvd pending OLT settlement do not accommodate a road widening or additional infrastructure along Cooke Boulevard. This will result in a disconnected and non-uniform streetscape if portions are designated for the additional 10 m of ROW for other properties as they come forward for redevelopment now.

That being said, the following Illustration demonstrates how a 20 metre ROW can accommodate active transportation infrastructure, including space for curbs and 0.30 m buffers from the property lines. The Cycle Track sketch illustrates the minimum requirements set out in the By-Law amendment and OTM, with extra space on the outside of the 1.5m buffers. It is noted that the sketch assumes that a two-way left-turn lane (TWLTL) will not be added to Cooke Blvd and the existing “No Parking” restrictions remain.

To provide for more streetscape elements, a 0.0 metre setback for the ground floor of a proposed building will also allow opportunities for contribution of additional space for street elements, patios, etc. in addition to what is identified in the Illustration below.

Recommendation: Maintain Cooke Boulevard as a 20 m ROW, which can accommodate such active transportation infrastructure (as illustrated below).



We appreciate your consideration of these comments through the development of the proposed Community Planning Permit By-law and Official Plan Amendment.

Yours truly,

MHBC


David A. McKay, MSc, MLAI, MCIP, RPP
Vice President and Partner



Debra Walker, BES, MBA, MCIP, RPP
Partner


Maire Stea, BES
Intermediate Planner

cc. Kathleen Dryden, President of Halton Standard Condominium Corporation No. 416



West End Home Builders' Association
1112 Rymal Road East, Hamilton
Serving members in Hamilton and Halton Region

CPRM, October 31, 2023
PL-59-23
Correspondence from
West End Home Builders' Association

October 30, 2023

To:
Members of Community Planning, Regulation and Mobility Committee
City of Burlington
426 Brant Street

WE HBA Letter: Burlington Community Planning Permit System and Major Transit Station Area Official Plan Amendment

The West End Home Builders' Association (WE HBA) is the voice of the land development, new housing and professional renovation industries in Hamilton and Burlington. The WE HBA represents 300 member companies made up of all disciplines involved in land development and residential construction. The WE HBA would like to thank the City of Burlington, City Council, and City Staff for their ongoing commitment to close collaboration with the development industry to ensure the CPPS bylaw and accompanying OPA are viable tools for development within the City's MTSAs. It is critically important to get this bylaw right for all parties and enable Burlington's future growth.

The development industry continues to have serious concerns about the current iteration of the CPPS bylaw. While some comments provided to Staff have been addressed such as a 100% Class 3 variation limit, there are numerous policies within the CPPS bylaw that remain significant issues. The process must streamline and advance development in the MTSAs rather than creating a more complicated and confusing process which also adds substantial costs to housing. **Without collaborating to address these challenges there is a likely result of a range of appeals being filed from multiple sources against the bylaw.**

As it currently stands, the Class 1 and 2 variation limits remain too restrictive to allow for development to proceed as-of-right. While a 45-day timeline is encouraging, most, if not all, development applications will require Class 3 variations to ensure feasibility. The WE HBA believes that for the CPPS bylaw to be successful, Class 1 and 2 approvals must be more permissive to allow development applications to proceed with Staff approval and avoid unnecessary Council review. **The bylaw should function in the same manner that a "pre-zoned" site would to enable as-of-right development, while removing conditions to implement the Official Plan, simplifying the process for true streamlining of the delivery of new housing supply.** Outlined below are some of the concerns that WE HBA continues to have with the CPPS by-law; additional comments on the bylaw and the Official Plan Amendment have been provided as an Appendix, and WE HBA will aim to provide the City with a legal review of the bylaw before the November 7th deadline.

Provision of Services, Facilities, and Matters in Exchange for Height and Density

At the current proposed rates for parkland dedication, contribution towards complete communities and affordable housing requirements—and considering current economic conditions such as high interest rates and high construction and labour costs—the development industry has serious concerns about the feasibility of development within the MTSAs. By adding tens of thousands of dollars to the cost of each unit, the City will lower the feasibility of proposed developments. This may result in projects not moving



forward, and as a result, fewer new units, including affordable units, as well as fewer services and facilities secured. The proposed system creates disincentives and adds additional costs and process to advance development.

The City must take caution in finding a balance between securing necessary community benefits and incentivizing developers to invest in Burlington. We believe the proposed CPPS bylaw should not be seen as a conditional zoning tool, but rather a tool to advance the primary community benefit of ensuring sufficient housing supply for Burlington's growing population. The CPPS bylaw should be seen as an opportunity for streamlining the planning process and allowing further development as-of-right in response to the ongoing housing crisis.

Parking

Parking minimums reduce development feasibility, affordability, and contribute to automobile dependency. A single underground parking space can cost \$100,000 to build, which is a significant cost barrier for developers and is a cost that is passed on to future purchasers and renters. The WE HBA strongly encourages the City to re-examine the use of parking minimums, especially considering the transit-supported nature of development adjacent to the GO stations, where rail service is only improving. There are important trade-offs to consider through the implementation of the CPPS bylaw, and parking has a direct impact on development feasibility.

Building Transitions & Podiums

The WE HBA acknowledges that some language has been softened regarding building transition to adjacent development, including giving discretion to measures taken to reduce impacts. The WE HBA cautions the City on the impact of layering multiple building transition provisions, and ensure that building transitions do not negatively impact the feasibility of developments and ability to reach necessary heights to provide density. The use of angular planes, while not explicitly required, causes concerns over increased costs and impacts on heights and density. The WE HBA understands that the City wishes to prevent shadow, ensure sky-view, and privacy; however, caution must be undertaken to ensure development is feasible.

Like transitions and development standards, the requirements for building podium design are onerous and restrictive. The WE HBA recognizes that the language used ("shall demonstrate consideration", "should be designed") is less restrictive, but concerns remain over how the layering of the multiple design criteria will be used and may impact the ability of developers to provide density. Additionally, the bylaw should not place specifications on materials and quality, as these are subjective and not a planning matter.

Height

The WE HBA has serious concerns about the height limits subject to a Class 1 or Class 2 variation. At the current maximum height limits under Class 2, most, if not all, development applications that would be economically viable would require a Class 3 variation or a CPPS bylaw amendment. The WE HBA believes that this would defeat the purpose of the CPPS bylaw to streamline approvals and direct needed growth to the MTSAs. The WE HBA understands that the height maximums are based on the Mobility Hub and Area Specific Planning processes, which are outdated and do not reflect current economic realities and density needed to meet ambitious housing targets. The WE HBA recommends that the height limits be re-examined, especially in the context of development feasibility.



The WE HBA would like to draw attention to recent developments in Mississauga, where the Ministry of Municipal Affairs and Housing has identified that there should be no height restrictions within MTSAs. To achieve density and provide for the necessary amount of housing supply, applying height restrictions may seriously impede the industry's capacity to deliver.

Development Standards

Currently, the development standards proposed for Class 1 approvals, as well as Class 2 variation limits, are too restrictive and will result in many applications requiring Class 3 Council approval. This will put pressure on the 45-day timeline and will create an unnecessary burden on applicants and Council to facilitate approvals of variations. The WE HBA recommends the City re-examine standards such as setbacks to ensure more economically feasible applications can proceed as-of-right without the additional step of Council review and approval.

Standalone Residential Discretionary Use

The WE HBA acknowledges that there are some policies within the OPA and CPPS bylaw that allow residential lobbies to front onto Activated Streets and Major Mixed-Use Streets; however, WE HBA encourages the City to re-examine policies that do not allow for standalone residential buildings within certain precincts. While mixed-use developments are to be encouraged, some standalone apartment buildings within a larger development or precinct should be allowed. Currently, the over provision of office or commercial spaces that cannot be leased or sold ultimately pass on the costs of their construction and operation to the renters or purchasers of new homes.

Conclusion

The WE HBA appreciates that the City is looking into potential "test cases" to evaluate applications against the CPPS bylaw. This exercise will help to gain insight into the types of developments that are currently viable within the MTSAs. For a CPPS to work, the proposed land use permissions must be beyond the heights and densities currently being contemplated by the industry.

Achieving Burlington's Housing Pledge of 29,000 units through intensification is a significant undertaking that will require a focus on the economic viability of new home construction. It will also require planning policy reform alongside continued significant collaboration and participation on behalf of the local development industry.

Again, WE HBA would like to thank the City for the opportunity for collaboration between the development industry and the City. In addition to the above comments, WE HBA will be providing a more fulsome review of the CPPS bylaw and OPA in consultation with WE HBA's legal team for the November 7th comment deadline.

Sincerely,

Michelle Diplock, RPP, MCIP, MPI

Manager of Planning and Government Relations
West End Home Builders' Association

Anthony Salemi, BURPI

Planner, Policy and Government Relations
West End Home Builders' Association



Appendix A – Further Comments



OPA 2

The WE HBA would like to better understand how the amendment process for Burlington's Official Plan, 2020 will work. Is it possible for the City to better explain this, and how this Official Plan Amendment will be different than the policy that is proposed to be withdrawn? Furthermore, we would like to provide the following specific comments on the proposed policies:

- Policy in 8.1.2(5.1) phases **water and wastewater servicing** capacity improvements to Burlington GO first, then Aldershot, then Appleby- is this based on the Region having to deliver service improvements in this order? All development is limited to the Region delivering servicing – this is concerning based on the Region's current allocation program and servicing plan deferral and the indication of limitations. Will it be possible for developers to front end or advance improvements? Furthermore, why is more study of servicing needed by applicants?
- Policy 8.1.2 (5.2) provides for the **transportation network requirements**, and there appears to be a substantial number of additional streets in the MTSAs. However, the policies still require the developer to complete Traffic Impact Studies – if the proposed developments conform to the OP and CPPS bylaw why would further traffic study be needed to identify upgrades – unless substantially more density is requested than what is permitted? Furthermore, the number of additional road conveyances does not seem justified.
- Policy 8.1.2(7.1) deals with **Natural Hazards and Flood Hazards** and the new mapping is extremely concerning in that it creates a level of constraint on development that may result in no development being possible. The WE HBA recommends the City work with Conservation Halton to improve the current system and mitigate flood risks, thereby reducing the regulated flood areas and enabling new development.
- Policy 8.1.2 (8.1) sets out **Public Realm** policies and it is not clear how streetscapes are to be coordinated. The City should be responsible for these plans.
- Policy 8.1.2 (8.2) **Activated Streets** creates unrealistic expectations for retail and service commercial uses in the ground floor of all developments. A more balanced approach should be put forward.
- Policy 8.1.2 (8.4) sets out policies for **complete community elements** and it is not clear that the City has identified where it will deliver needed services to support growth. Can the City provide a community facility study as this should be an item that is addressed in a wholistic manner, rather than through individual development applications.
- Policy 8.1.2 (8.5) sets out **Parks and Open Space** policies and states that POPS may be "considered", however, POPS should be considered as an integral part of the MTSAs.
- Policy 8.1.2 (8.6) sets out additional **housing** policies requiring housing impact statements. This seems to be an unnecessary additional study. Identifying the number of units provided in a development should be satisfactory.
- Policy 8.1.2 (9) requires more detailed planning for specific areas in the MTSAs in the form of **Tertiary Plans** – this is an additional layer of planning approval that should have been addressed in the "Area Specific Plans". The MTSAs are not significant areas of land, and this information should have been understood as part of the studies that have been ongoing since 2016.



Draft CPPS

In terms of the Permit Class System the requirements for Class 2 and 3 are very confusing and need to be broadened. The City should provide examples of how development will proceed and what the process will look like. It is not clear what it means to vary one or more of the Class 2 Variation Limits identified in the Tables (or the percentage variations) – the tables referenced are zoning provisions – there are not variations or ranges. The concept of permitted and discretionary uses is also questionable in the context of providing certainty as the application of the discretion appears to take away uses that are otherwise permitted by current zoning. This adds a layer of uncertainty into a zoning bylaw wherein uncertainty is not suitable. We would recommend the City advance clear pre-zone uses and provisions for all areas through the CPPS. The City could look to Calgary as an example of this technique used in a permit system.

In terms of process, why is there a pre-consultation required and agency circulation if the applicant meets all the requirements? This should be an application to determine if pre-consultation is needed. The City should not require studies, reports and a planning justification if a development meets the set out standards.

In terms of the provision of services, parkland and affordable housing, WE HBA has significant concerns that through the implementation of Burlington's Official Plan, 2020 the City is layering on additional housing costs in the form of added parkland over and above the Planning Act requirements, added community benefits charges over and above the Planning Act, and adding further affordable housing requirements while also identifying the right to request further costs under section 5.29.6.

From: [Rudy, Jo-Anne](#)
To: [Greenough, Mallory](#)
Subject: FW: Community Planning Regulation and Mobility Committee - The Molinaro Group - Burlington - Report on MTSA
Date: Monday, October 30, 2023 11:44:19 AM

For CPRM package

From: Ed Fothergill
Sent: Monday, October 30, 2023 11:43 AM
To: Mailbox, Clerks <Clerks@burlington.ca>
Cc: Meed Ward, Marianne <Marianne.MeedWard@burlington.ca>; Sharman, Paul <Paul.Sharman@burlington.ca>; Stolte, Shawna <Shawna.Stolte@burlington.ca>; Nisan, Rory <Rory.Nisan@burlington.ca>; Kearns, Lisa <Lisa.Kearns@burlington.ca>; Galbraith, Kelvin <Kelvin.Galbraith@burlington.ca>; Vince Molinaro [REDACTED] Sam DiSanto [REDACTED] Ashley White [REDACTED] >; [REDACTED]
 Commisso, Tim <Tim.Commisso@burlington.ca>; Plas, Kyle <Kyle.Plas@burlington.ca>; Rudy, Jo-Anne <Jo-Anne.Rudy@burlington.ca>
Subject: Community Planning Regulation and Mobility Committee - The Molinaro Group - Burlington - Report on MTSA

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

Please accept this correspondence on behalf of the Molinaro Group with respect to the Staff Report that is to be considered at the meeting tomorrow.

The Molinaro Group owns a number of properties within the area covered by the MTSA. After reviewing the Staff Report and attached documents, we would like to express concern in four areas:

1. The documents include a plan to illustrate Spill Flood Hazard on page 85 and on page 179. However, there does not appear to be anything in the Staff Report that refers to this figure or identifies the implication of this mapping on proposed new policies or current or future development applications..
2. The plan outlining the limits of the MTSA included in the Staff Report does not include properties at 2023, 2027 and 2031-2033 Ghent Avenue which are part of the lands owned by the Molinaro Group and included in their current application for official plan amendment and rezoning. We would ask that all of the mapping for the MTSA be modified to include these properties.
3. The draft OPA includes policies for the Upper Brant Precinct. It is unclear how this will affect both the Official Plan policies that have been adopted by the City and the policies that have been included in our application for official plan amendment.

4. The report includes details of the Community Planning Permit (CPP) system and introduces draft Official Plan policies and zoning by-law. Before these policies are approved by Committee and Council, we would like the opportunity to meet with staff to review the implications for the Molinaro properties.

There may be other issues which arise from our ongoing review of these documents.

We look forward to reviewing these matters further with staff.

Thank you very much.

Sincerely,

(on behalf of The Molinaro Group)

Ed Fothergill, MCIP, RPP
Fothergill Planning and Development Inc


Burlington Economic Development
414 Locust Street
Burlington, Ontario
L7S 1T7

CPRM, October 31, 2023
PL-59-23
Correspondence from Burlington Economic
Development and
Burlington Chamber of Commerce

October 27, 2023

RE: [Proposed Major Transit Station Area \(MTSA\) Official Plan Amendment and Draft Community Planning Permit \(CPP\) By-law public release \(PL-59-23\)](#)

Dear Committee:

Burlington Economic Development and Burlington Chamber of Commerce have worked jointly with City of Burlington Community Planning Staff to engage the development community on the new Community Planning Permit System (CPPS). The new tool represents an opportunity to provide streamlining of development approvals for the Major Transit Station Areas (MTSAs) and has been generally well received by major landowners and developers interested in Burlington's MTSAs.

Working with West End Home Builders (WEHBA) and Building Industry and Land Development Association (BILD) two sessions were hosted with developers to discuss major policy considerations as part of the CPPS tool. Positive discussions took place as part of these sessions on how the City of Burlington and development community can work together to meet provincial housing targets and help address the housing crisis. Essential to developers being able to utilize the CPPS tool and deliver housing to the market is a recognition of current market conditions and the economic impact of the levers used through the CPPS tool to allow additional height and density. Each additional ask through the CPPS tool in terms of delivering of community benefits or parking creates an additional financial impact to the development. For example parking minimums mean a cost of an additional \$60,000 per space which would be added to the unit costs. Specifically the development community asked that jurisdictions without parking minimums be looked to as examples for policy updates through the CPPS and Official Plan Amendments (OPA).

In addition concerns were raised around parkland dedication and understanding the rationale behind additional parkland dedications and how the economic impacts as this are calculated. Overall there needs to be a recognition that flexibility in policy is needed in the short term. Our economy is at a unique inflection point for both residential and commercial real estate with effects being felt through inflation, supply chain issues and economic impacts of the pandemic shifting the balance sheets and pro-formas on developments. There should be a recognition of this in balancing long term city building goals with the current economic conditions affecting our development industry partners.

Thank you in advance. If you have any questions, please feel free to contact Anita Cassidy, Executive Director, Burlington Economic Development, at Anita.Cassidy@burlington.ca or (905) 332-9415. It would be a pleasure to hear from you.

Sincerely,



Anita Cassidy
Executive Director
Burlington Economic Development



Terry Caddo
President
Burlington Chamber of Commerce

CPRM, October 31, 2023

PL-59-23

Correspondence from Macaulay Shiomi Howson Ltd.
on behalf of The Remington Group

October 30, 2023

Community Planning, Regulation and Mobility Committee
City of Burlington
426 Brant Street
Burlington, Ontario
L7R 3Z6

Attention: Ms. Jo-Anne Rudy, Committee Clerk
Sent only by email: clerks@burlington.ca and mtsa@burlington.ca

Dear Madam:

**Re: Official Plan Amendment and Community Planning Permit Bylaw/System –
Burlington's Major Transit Station Areas – Statutory Public Meeting Submission
with respect to Appleby GO Major Transit Station Area**

Macaulay Shiomi Howson Ltd (MSH) is retained as planning consultants by Presidio Construction Limited c/o The Remington Group (Remington) with respect to their employment lands at 5200 Harvester Road (Remington Lands) (See Map 1). The Remington Lands are +/- 24,000 square metres in size and currently undeveloped. They are zoned "General Employment 1 Exception 59 (GE1-59) Zone" in the City's Zoning By-law which permits the full range of uses in the GE1 Zone including many heavy industrial uses such as recycling facility, truck depot, oil depot, waste transfer station and private propane facility, as well as sporting goods sales and service.

Remington has actively participated in the process of the development of the Official Plan Amendment (OPA) (Amendment No. 2 to the Official Plan) for the Major Transit Station Areas (MTSAs) and the related Community Planning Permit Bylaw/System (CPPB) as they pertain to the Appleby GO MTSA. This has included discussions with the MTSA team, submission of written responses to draft documents and attendance at public meetings including the recent virtual open house on October 12, 2023.

MSH has reviewed the draft OPA and CPPB, as noted, with respect to the Appleby GO MTSA. The Remington Lands are proposed to be designated as part of the Urban Employment Precinct in the OPA (Schedule H). A "New Park" symbol is located just west of the Remington lands (See Map 2).

A "Proposed Street" is also identified crossing east/west in the middle of the Remington Lands on Schedule H. That designation is further delineated on Schedule H-1 which identifies the street as "Proposed MTSA Connector". The Connector is shown as linking to a "Grade

Separated Crossing” at the Queen Elizabeth Way to the north and a proposed Arterial to the west.

We have the following comments and concerns regarding the proposed OPA and CPPB:

Official Plan Amendment

1. Urban Employment Designation

Background and Review

The Official Plan Amendment identifies a community structure which transitions from employment/industrial uses north of the CNR line to mixed use, including residential uses, and residential development to the south of that significant barrier. The OPA states that approach recognizes that the existing development to the north of the CNR already is a major general employment area with a variety of uses including a significant amount of heavy industry.

This area includes a number of Major Facilities which, as defined in the Provincial Policy Statement (PPS), are uses which may require separation from sensitive uses. These lands are one of the few such areas in the City, and while largely developed, still there are some potential sites for new heavy industrial uses including the Remington Lands. Further, the existing industries have the potential for expansion and that potential should be protected so it can be realized.

A community structure which protects for employment uses, particularly heavy industrial uses, north of the CNR line is important because these industries provide critical services. The protection of this industrial area also provides a number of other benefits including:

- job options for residents;
- supportive uses for other businesses generating indirect and off-site jobs;
- shorter trips for commuters and goods movement;
- tax revenue; and,
- location for public services.

The division at the CNR between employment to the north and mixed use to the south also recognizes that the lands to the south of the CNR have more potential for redevelopment and the introduction of a mix of uses, including residential.

At the same time, the proposed policy framework in the OPA recognizes the need to mitigate impacts from the existing development to the north on any proposed sensitive land uses, although it does not clearly identify the need to mitigate impacts from potential new development. In particular, Section 8.1.2(6) Land Use Compatibility requires that:

“development containing sensitive land uses shall demonstrate how land use compatibility has been evaluated and addressed through a Land Use Compatibility Study. Development shall only be permitted where impacts to industrial, manufacturing or other major facilities have been minimized and mitigated to the satisfaction of the City.”

Despite this general approach, the OPA introduces the concept of an Urban Employment designation for a significant portion of the lands north of the CNR. This includes a major

portion of the lands between Harvester Road and the CNR where the Remington Lands are located.

These lands are located in a Provincially Significant Employment Zone (PSEZ) and are identified as “Regional Employment Area” in the Appleby GO Major Transit Station Area (MTSA) as identified in the Region of Halton Official Plan, Amendment 48, adopted by Regional Council on July 7, 2021. Sections 79.3 (12), 81.2 (4) and 83.2(7) of Amendment 48 are particularly relevant. These sections require the City, in the preparation of Area-Specific Plans for MTSA, to “recognize the importance of the protection of existing employment uses and the potential for appropriate employment growth and intensification within the Employment Area and within adjacent non-employment areas”. Further, sensitive land uses are only permitted in the MTSA if land use compatibility can be addressed in accordance with Section 79.3(12) of this Plan. Section 79.3(12) in turn provides direction that the long-term operational and economic viability of existing or planned Major Facilities be ensured and land use compatibility be achieved in accordance with specific direction outlined in the policy.

This area is also currently recognized on Schedule B, Urban Structure of the City’s 2020 Official Plan as “Lands Designated for Employment Uses” and “Region of Halton Employment Area”. In addition, the Remington Lands and adjacent area, are designated as “General Employment” on Schedule C, Land Use – Urban Area of the 2020 Official Plan, and also in the 1997 Official Plan. As noted, the Remington Lands are zoned “General Employment Exception 59 (GE1-59) Zone” while adjacent lands are zoned “GE1” in the City’s Zoning By-law.

The policies for the proposed Urban Employment designation are limited. What direction they provide though does not clearly recognize the significance of this area for industrial uses or the need to protect it for the opportunities it provides for Major Facilities including heavy industrial uses, which are already located there and new uses which are looking to locate in the Greater Toronto Area. Further, it could result in imposition of restrictions on the permitted employment uses in this area, and on the Remington Lands in particular, from the current broad range of industrial and office uses which would be permitted in the General Employment designation in the City’s Official Plan and in the GE1 and GE1-59 Zones.

When juxtaposed with the Vision for the General Employment Precinct, the potential for restrictions on development is evident. As noted in the Official Plan Amendment the Vision for the Urban Employment designation only:

“Will continue to be an employment area which will grow to accommodate more intensive office and additional employment uses in a mid-rise built form that provides for access and high visibility along major transportation routes.”

The vision for the General Employment Precinct reads as follows:

- *“Continues to provide locations for existing, new and/or relocating manufacturing, assembly, distribution and service industrial uses.*
- *Will provide a broad range of light industrial to office uses with a mix of office and low-rise employment built form which ensuring compatibility with adjacent sensitive land uses.”*

Further, as noted, Section 8.1.2(6), Land Use Compatibility, does seek to provide protection for existing Major Facilities, but the focus of the policies is on existing industries, there is no

recognition of the need to protect for potential new Major Facilities which are permitted by the current zoning, in particular on the Remington Lands.

Restricting employment and, in particular, industrial development north of the CNR cannot be supported given:

- it is unclear what is meant by “more intensive office and additional employment uses in mid-rise building form” as noted in the Appleby GO MTSA Precinct Vision. This may have adverse impacts on the compatibility of existing permitted uses in this area particularly industrial uses;
- the requirement to protect the long-term viability of existing or planned industrial, manufacturing or other uses in particular Major Facilities, including vacant land parcels with such potential, especially in employment areas of Provincial and regional significance such as this, that are vulnerable to encroachment by sensitive uses;
- the location on the north side of the CNR which creates a significant barrier to the focus of mixed-use development around the GO Station and any linkages to that development which might support the establishment of new intensive office and prestige employment uses; and,
- the priority focus in this area should be to continue to support the existing employment permissions, this is especially important given the significant uncertainty with respect to the potential for the development of new office uses and prestige employment as a result of the pandemic.

Recommendation

The “Urban Employment” Precinct should be removed from the Remington Lands and replaced with a “General Employment Precinct” designation so that the owner has surety that the full potential of the site can be realized based on the existing zoning. Further, the policies within Section 8.1.2(6) should clearly recognize the need to protect not only existing industrial, manufacturing or other Major Facilities but also the full range of potential new industrial facilities including vacant land parcels with such potential.

2. Proposed Park Designation West of Remington Lands

Background and Review

A park is a sensitive use in accordance with Provincial guidelines. As such any designation, even a general symbol, should be carefully considered and evaluated before it is established. There is no indication that such an evaluation has been carried out by the City. Further, given the existing surrounding uses it is unlikely that such a use can be appropriately located in this area both in terms of the nature of the use itself, but also with respect to the constraints it would impose on surrounding development – existing and proposed.

Recommendation

It is premature to designate, even with a symbol, a park location in the Appleby GO MTSA lands north of the CNR. The symbol west of the Remington Lands should be removed.

3. Proposed East/West Street/ Proposed MTSA Connector

Background and Review

A proposed east-west street is identified in the OPA as extending through the middle of the Remington Lands. The location of this proposed street creates a significant constraint on the

development of the Remington Lands for industrial uses, or in fact any significant employment use, as it divides the site into two separate parcels rather than allowing for its use for one facility. Further, based on a review by CGH Transportation Inc. (CGH) the street is unnecessary.

CGH carried out a first principles review of the City of Burlington Major Transit Station Areas Transportation Assessment, September 2023, prepared by Dillon Consulting (Transportation Assessment). They specifically concluded that the proposed east-west collector segment between the Appleby GO Access and the Harvester Road/Century Drive intersection is not needed to support multi-modal mobility in the Appleby GO MTSA. In summary, the review carried out by CGH (See Attachment A) concluded:

- From the GO station traffic generation perspective, the proposed east-west street segment east of the Appleby GO Access will provide limited congestion relief, as the majority of the traffic within the Appleby GO MTSA is expected to arrive to and leave the MTSA through Appleby Line and bottleneck along Harvester Road, east of the GO Station Access.
- The limited relief that the proposed street may provide will result from traffic to and from the employment land uses by-passing the most congested segments of Appleby Line and Harvester Road via a proposed South Service Road rail overpass. However, it is important to note that the construction of the South Service Road rail overpass is contingent on factors beyond the City's control.
- The spacing along the South Service Road extension between Harvester Road and the proposed east-west collector road was reviewed using the 2017 TAC Geometric Design Guide and Halton Region Access Spacing Guidelines (2015). The proposed spacing was found to be deficient and could cause queue spillovers into the highly constrained segment of Harvester Road between Appleby Line and the Appleby GO station Access.
- Additionally, deficient intersection spacing may result in turning movement queue overlaps, traffic blocking accesses, and as a result, encourage unsafe maneuvers along the South Service Road extension.
- Providing additional pedestrian and cyclist corridors along the proposed east-west collector road may yield limited results as the majority of active transportation users will likely choose to travel via Harvester Road due to the location of site frontages as well as enhanced active transportation infrastructure along this road.
- Reallocating the street construction and maintenance costs to Transportation Demand Management measures such as improving transit coverage and services will target the single occupant auto trip mode share, which, coupled with physical constraints surrounding the Appleby GO Station, is a key factor in poor mobility performance within the MTSA.

Recommendation

That the Proposed East/West Street/ Proposed MTSA Connector which crosses the Remington Lands be removed and that consideration be given to removing the entire proposed east-west collector segment between the Appleby GO Access and the Harvester Road/Century Drive intersection.

4. Requirement for Detailed Approach to dealing with potential Air and Noise Impacts

Background and Review

The OPA provides significant recognition and direction with respect to Land Use Compatibility particularly in Section 8.1.2(6) Land Use Compatibility. However, some modifications to the proposed policies are proposed to clarify the process including the need to retain outside peer

reviewers at the cost of the applicant. There are also implications for the CPPB which are discussed in the following sections.

In addition, the policies should clearly recognize the need to protect not just existing industrial, manufacturing or other Major Facilities but potential new or expanded facilities as well, including vacant land parcels with such potential.

Recommendation

That Section 8.1.2(6) Land Use Compatibility of the OPA be modified to:

- i) Delete subsection c) v. as it is duplicated by subsection d);
- ii) Add “and noise” after the phrase “of air” in subsection c) iii);
- iii) Add in subsection c) vi) the following at the end of the phrase “However, this requirement shall not be applicable to lands in the “Urban Employment Precinct” in the Appleby GO MTSA”;
- iv) Modify subsection d) to add after the phrase “existing industry landowners”, the phrase “and the owners of lands with the potential for new industrial development including vacant lands”;
- v) Add at the end of subsection d) the following:
“The Terms of Reference for Land Use Compatibility Study shall be prepared by qualified professionals retained by the City and a peer review of such a study will be carried out by a qualified professional retained by the City all at the cost of the applicant.”; and,
- vi) Modify subsection e) by adding after the term “existing” the phrase “and potential future industrial, manufacturing or other” and removing the phrase “Class 3” before “major facility”.

Community Planning Permit Bylaw

5. Appropriateness of the CPPB for the Appleby GO MTSA

The OPA in Section 8.1.2(6) recognizes the vital importance of ensuring that sensitive uses such as residential development and parks are only permitted where the operational and economic viability of industrial, manufacturing and other Major Facilities can be protected. However, the basic premise of the CPPB, which effectively allows sensitive uses and new Major Facilities as of right, subject only to review by City staff, provides no ability for affected landowners to ensure (i.e. through review of the application and the right to appeal the City’s decision) that the proper controls will be established to ensure a safe environment. This includes owners of vacant land parcels with such potential.

The use of the CPPB for many areas of the City may be appropriate as outlined in the OPA – to provide flexibility in approving development applications to meet the City’s growth objectives while streamlining the development approvals process. However, in the Appleby GO MTSA, where sensitive uses, including residential and parks, are being planned adjacent to existing and potential Major Facilities, the CPPB, as currently crafted, is not appropriate.

The CPPB would potentially allow sensitive uses to be permitted without providing a legal mechanism for the industries or owners of lands with the potential for industrial development, to ensure that they are not impacted. The City may require engagement with existing industries, but there is no requirement for the City to reflect that input in the final approved development.

As such the CPPB, does not adequately provide for the protection of sensitive uses from environmental impacts, nor does it protect the existing Major Facilities from having to retroactively retrofit their facilities or potential Major Facilities from having to mitigate at source beyond what they normally would have to provide. In fact, Section 5.24.3 identifies the need for compatibility studies to be required for new industrial uses. This uncertainty will significantly reduce the viability of the industrial area north of the CNR. An area where numerous industrial operations are located, and which has potential for new development through expansion of existing operations and new uses including on the Remington Lands.

Recommendation

That regulation of land use in the Appleby GO MTSA continue to be through the City's zoning by-law given the nature of the land uses in the MTSA.

6. CPPB Modifications

As noted, it is recommended that given the nature of existing and planned development in the Appleby GO MTSA that land use continue to be regulated through the City's zoning by-law. However, if the City continues with the CPPB approach, significant review and modification is required to ensure that it better address the circumstances in the Appleby GO MTSA.

Detailed comments are provided in Attachment B, however in summary, the following should be considered:

- A separate CPPB should be developed for the Appleby GO MTSA to reflect its unique circumstances;
- That all sensitive uses, including any development containing residential uses, require an amendment to the CPPB which would include a Land Use Compatibility Study and consultation with affected landowners who will have access to all reports and information related to the application;
- That any existing sensitive use which requires an amendment would be subject to a Class 3 variation which would include a Land Use Compatibility Study and consultation with affected landowners who will have access to all reports and information related to the application;
- Any proposed new industrial or manufacturing use be required only to satisfy applicable regulations; and,
- Remington Lands be included in the General Employment Precinct; and that a clear statement be included in the CPPB that the uses currently permitted on their lands through the "General Employment 1 Exception 59 (GE1-59) Zone" will continue to be permitted and the regulations of that zone would continue to apply.

Should you have any questions regarding this submission please contact the undersigned. We will also follow up with staff to schedule a meeting to discuss this submission in more detail. In addition, please consider this letter as a request for notification of the adoption of any Official Plan Amendment and passing of any Community Planning Permit By-law or Zoning By-law for the Major Transit Station Areas, and in particular the Appleby GO MTSA. Notification should be sent to 7501 Keele Street, Suite 100, Vaughan, Ontario, L4K 1Y2 by mail and by email to jsheldon@remingtongroupinc.com and ebarron@remingtongroupinc.com.

Yours truly,

Macauley Shiomi Howson Ltd.



Per: Elizabeth Howson, MCIP, RPP

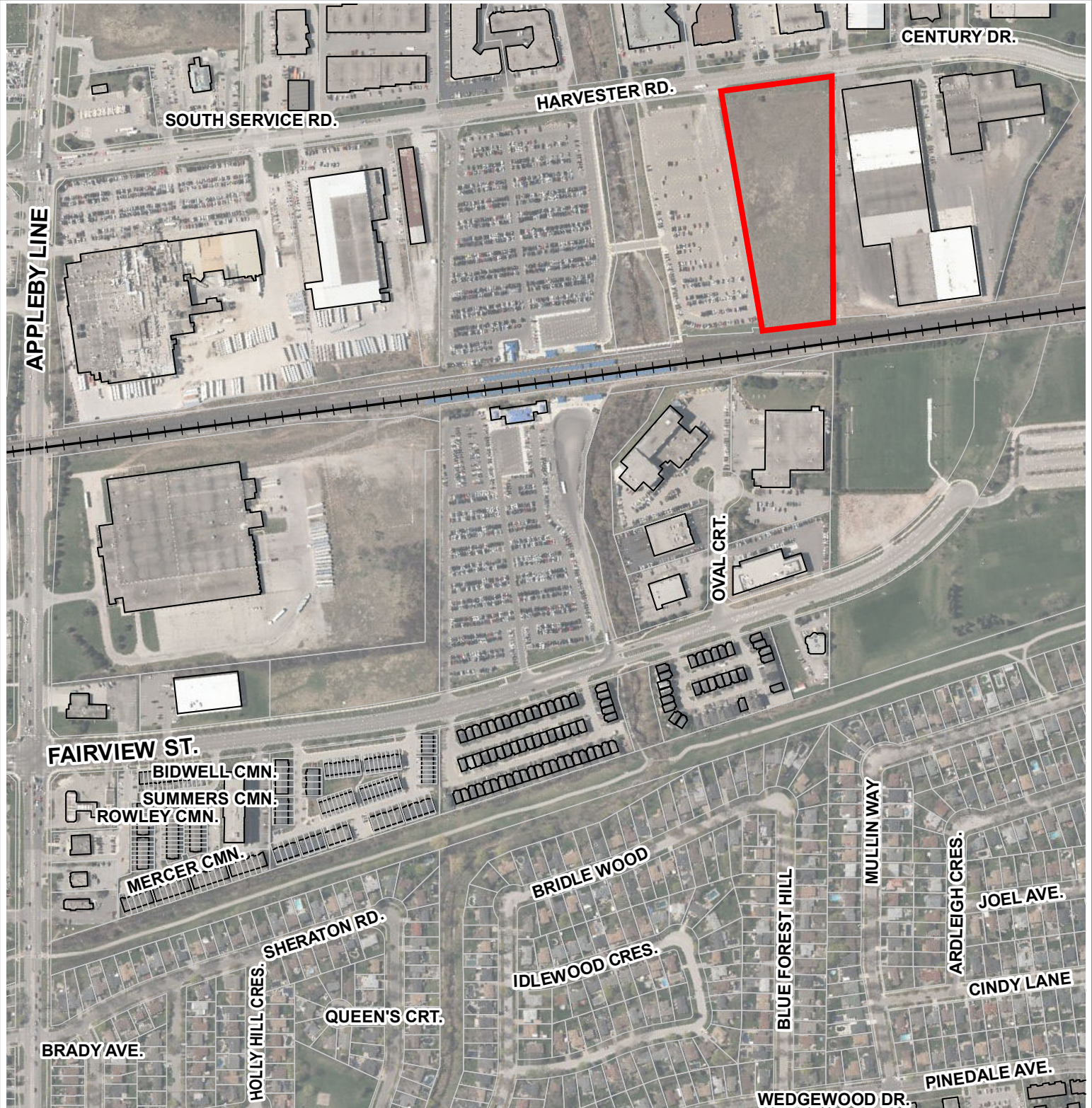
c.c. Jason Sheldon/Emma Barron Presidio Construction Limited c/oThe Remington Group
David Bronskill, Goodmans
Burlington City staff at mtsa@burlington.ca



MAP 1 - LOCATION PLAN



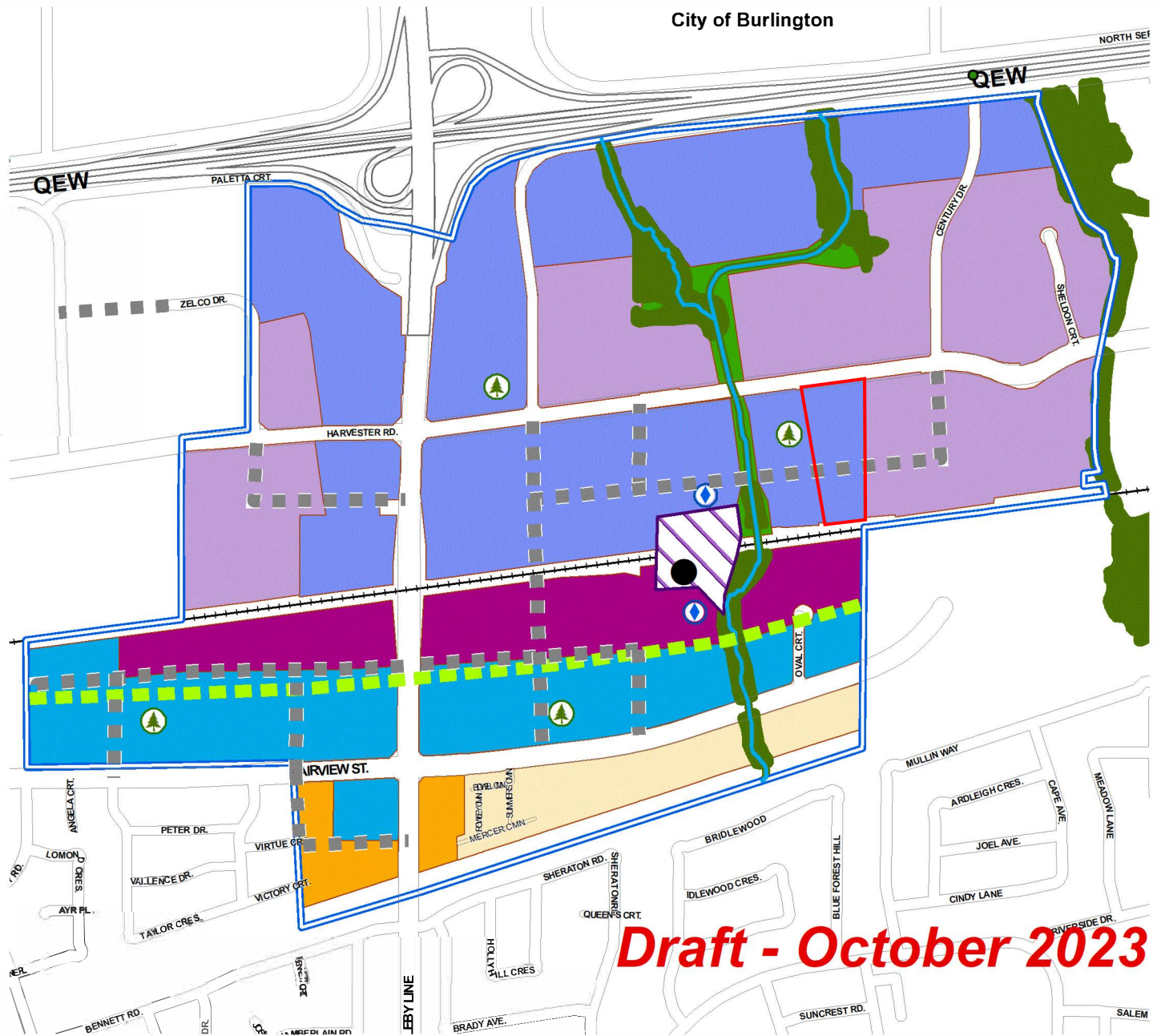
5200 HARVESTER RD - REMINGTON LANDS



MAP 2 - Land Use - Appleby GO Major Transit Station Area



 5200 HARVESTER RD - REMINGTON LANDS



Draft - October 2023

Legend

Precincts

- Appleby GO Central
- Fairview Frequent Transit Corridor
- Mid-Rise Residential
- Low to Mid-Rise Residential
- Urban Employment
- General Employment
- Natural Heritage System

- Existing Natural Open Space
- Appleby GO Major Transit Station Area
- Transit Station Area
- Major Transit Station

- Proposed Street - see Schedule H-1 for details
- Potential Linear Park & Greenway
- New Park
- Transit Station Plaza
- Rail Line
- Watercourse

This draft schedule is subject to change and/or refinement as a result of on-going technical study, Regional and external agency review as well as community and stakeholder feedback. This schedule shall be used in conjunction with other applicable schedules and policies of this Plan

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Attachment A

Technical Memorandum

To:	Emma Barron – Remington Group	Date:	2023-10-26
Cc:	Viktoriya Zaytseva – CGH Transportation		
From:	Mark Crockford, P.Eng. – CGH Transportation	Project Number:	2023-145

Re: Appleby GO Major Transit Station Area – Proposed Road Network Review

As part of the City of Burlington Major Transit Station Areas (MTSA) Transportation Assessment document published in September of 2023, several new streets were proposed to support the projected growth within the Appleby GO MTSA. An east-west collector street between Harvester Road and the rail line connecting the future South Service Road extension to the Harvester Road / Century Drive intersection is one of the proposed streets. To understand the context for why this road was identified within the future Appleby GO MTSA transportation network, the following documents were reviewed:

- City of Burlington MTSA Transportation Assessment (2023)
- City of Burlington MTSA Community Planning Permit By-law (2023)
- City of Burlington Integrated Mobility Plan (2023)
- City of Burlington MTSA Area Specific Planning Project Interim Report (2021)
- City of Burlington Future State of Transportation White Paper (2021)
- City of Burlington Official Plan Schedules and Tables (2020)

Based on the review of the available information, we believe insufficient technical documentation was provided to detail the decision-making methodology behind the proposed collector and to support the transportation benefits that this collector may yield. For example, the City of Burlington MTSA Transportation Assessment and the City of Burlington MTSA Area Specific Planning Project Interim Report lack transportation analysis details, including:

- Trip distribution and assignment
- Existing, future background, and future total volume figures
- Synchro input parameters and analysis results

As the analysis methodology and the resulting quantitative justification for the east-west collector road was not provided within the published document, understanding the underlying assumptions behind the need for the proposed east-west collector road proves challenging. However, based on first engineering principles and CGH's experience in transportation planning, we believe that a proposed east-west collector street segment between the Appleby GO Access and Harvester Road / Century Drive intersection is not needed to support the multi-modal mobility within the Appleby GO MTSA.

From the GO station traffic generation perspective, the proposed east-west road segment east of the Appleby GO Access will provide limited congestion relief, as the majority of traffic within Appleby GO MTSA is expected to arrive to and leave the MTSA through Appleby Line and bottleneck along Harvester Road, west of the GO Access. This is due to geographic constraints of the Appleby GO MTSA, and in particular, its proximity to the rail line to the south, the QEW to the north, and a limited north-south span of Burloak Drive to the east. Appleby Line and Burloak Drive are the major routes expected to be used by the City of Burlington and the Town of Oakville residents living to the north and accessing the Appleby GO station. However, since Burloak Drive's northern approach terminates earlier than Appleby Line and is predominantly surrounded by non-residential uses, Appleby Line is expected to be the main route for residents traveling from and to the north. From the southern approach, the majority of the trips would also be made through Appleby Line as the lands surrounding Appleby Line to the south include more residential land uses, when compared to Burloak Drive. Therefore, it is expected that the majority of City residents will reach the Appleby GO station via Appleby Line and Harvester Road, west of the Appleby GO Access. As a result, providing a new east-west collector street west of the Appleby GO station will not reduce the auto trips from the busiest area of Appleby GO MTSA.

From the employment lands trip generation perspective, providing the east-west collector street may relieve some traffic from Harvester Road between Appleby Line and Appleby GO Access. However, this is contingent on a proposed rail crossing along the South Service Road extension, construction of which may be hindered by its proximity to the Appleby Line rail overpass, existing land uses within the overpass alignment, Metrolinx / CN / CP rail approvals, and construction and maintenance costs. Additionally, rail overpasses require significant right-of-way dedication, which is counterproductive to dense urban development within an MTSA. The traffic for the employment developments is also expected to be considerably lower than the GO station traffic during peak AM and PM hours due to the limited span and number of frontages of Harvester Road and Century Drive, as well as the fact that the industrial land use trip generation peaks outside of an average side-street peak hour.

Additionally, according to the TAC Geometric Design Guide (2017), a typical minimum spacing between signalized intersections along an arterial road is 200 meters. Halton Region Access Management Guidelines (2015) were also reviewed and state that a minimum spacing between full movement accesses in compact, transit-oriented, pedestrian-friendly, and mixed-use neighbourhood centers should not be less than 250 meters. The spacing between the signalized intersection of Harvester Road and South Service Road and the future intersection of South Service Road extension and the proposed collector road is approximately 135 meters. The desired spacing for an assumed average running speed of 50 km/h and a signal cycle length of 90 seconds is 625 meters according to TAC. The proposed spacing does not meet the minimum nor the desired spacing per TAC Geometric Design Guide and Halton Region Access Management Guidelines. Spacing the arterial road intersections below the recommended values may cause queue spillover back onto the busiest area of Harvester Road between Appleby Line and Appleby GO Access. For example, during the AM peak hour, the eastbound right-turning vehicles at Harvester Road and South Service Road may block the eastbound through vehicles along Harvester Road because of the limited space between signalized intersections along the South Service Road extension. Additionally, deficient intersection spacing may result in turn movement queue overlaps, traffic blocking accesses, and as a result, encourage unsafe maneuvers along the South Service Road extension.

When reviewing the proposed east-west collector road from the cyclist and pedestrian connection perspective, it is important to note that active transportation connections may be created without dedicating a collector road right of way. Additionally, limited improvement to pedestrian and cyclist travel distances can be achieved through by-passing Harvester Road, as majority of the land uses front either Harvester Road, South Service Road, or

Century Drive, north of Harvester Road. Harvester Road is also proposed to have an urban, multi-purpose arterial cross-section, including bike lanes, 3.45 pedestrian clearways, and 1.5 meters planting and furnishing zone, and HOV / Bus Rapid Transit lanes. Considering this, pedestrians and cyclists will be inclined to use Harvester Road as the primary travel route to employment uses in the MTSA, further enhancing Harvester Road as a busier streets are more inviting to pedestrians and cyclists.

Lastly, it is important to consider the opportunity cost of building a new street. Reallocating the street construction and maintenance costs to Transportation Demand Management measures such as improving transit coverage and services will target the single occupant auto trip mode share, which, coupled with physical constraints surrounding the Appleby GO station, is a key factor in poor mobility performance within the MTSA.

Conclusions

Based on the first principles transportation review of Appleby GO MTSA, it was determined that a proposed east-west collector street segment between the Appleby GO Access and Harvester Road / Century Drive intersection is not needed to support the multi-modal mobility within the Appleby GO MTSA. This was based on the following review take-aways:

- From the GO station traffic generation perspective, the proposed east-west road segment east of the Appleby GO Access will provide limited congestion relief, as the majority of traffic within Appleby GO MTSA is expected to arrive to and leave the MTSA through Appleby Line and bottleneck along Harvester Road, east of the GO Access.
- The limited relief that the proposed street may provide will result from traffic to and from the employment land uses by-passing the most congested segments of Appleby Line and Harvester Road via a proposed South Service Road rail overpass. However, it is important to note that the construction of South Service Road rail overpass is contingent on factors beyond the City's control.
- The spacing along the South Service Road extension between Harvester Road and the proposed east-west collector road was reviewed using the 2017 TAC Geometric Design Guide and Halton Region Access Spacing Guidelines (2015). The proposed spacing was found to be deficient and could cause queue spillovers into the highly constrained segment of Harvester Road between Appleby Line and the Appleby GO Access.
- Additionally, deficient intersection spacing may result in turning movement queue overlaps, traffic blocking accesses, and as a result, encourage unsafe maneuvers along the South Service Road extension.
- Providing additional pedestrian and cyclist corridors along the proposed east-west collector may yield limited results as the majority of active transportation users will likely choose to travel via Harvester Road due to the location of site frontages as well as enhanced active transportation infrastructure along this road.
- Reallocating the street construction and maintenance costs to Transportation Demand Management measures such as improving transit coverage and services will target the single occupant auto trip mode share, which, coupled with physical constraints surrounding the Appleby GO station, is a key factor in poor mobility performance within the MTSA.

If you have any questions or comments, please do not hesitate to contact the undersigned.



Viktoriya Zaytseva, B.A.Sc.
416-567-3719
Viktoriya.Zaytseva@CGHTransportation.com



Mark Crockford, P. Eng.
905-251-4070
Mark.Crockford@CGHTransportation.com

Attachment B

**ATTACHMENT B Major Transit System Area Community Planning Permit System By-law
Draft for Public Consultation – October 2023 Remington Comment Matrix**

Comments submitted on behalf of Presidio Construction Limited c/o The Remington Group (Remington) 5200 Harvest Road Appleby GO MTSA

Comments include some general comments but are focused on the sections that pertain to the Appleby GO MTSA and specifically the Remington Lands.

These comments are provided with respect to the Draft for Public Consultation.

Item	Section	Remington Comment	Recommended Modifications
Document Format: <i>Schedules are in Portrait Format and text is in Landscape Format. This is a technical legal document which will be used on a daily basis by City staff, landowners and their professionals, as well as members of the public. For ease of use the document should all be in Portrait Format which is a more functional approach.</i>			
2 Definitions and Interpretation			
1	2.1 Interpretation	Section 2.1.4 states that “The provisions and standards of this By-law set out in Sections 5,6,7 and 8 may be applied to the lot or to an entire development, at the discretion of the Approval Authority.” This creates a significant degree of uncertainty for an applicant. If this flexibility needs to be maintained given the nature of the CPPB, some criteria should be established to provide guidance as to when provisions and standards would apply only to a lot and when it would apply to a “development”.	Modify Section 2.1.4 to establish criteria to provide guidance as to when provisions and standards would apply only to a lot and when it would apply to a “development”.
2	2.2 Community Planning Precincts and Overlays	Section 2.2.1 - Precincts shown and Proposed Streets, are in the case of Appleby, not yet part of an approved ASP. In particular, the Urban Employment Precinct applicable to 5200 Harvester Road is questioned, and the Proposed Street which is shown as being located on the property, is not supported as it has not been justified as outlined in general submission with respect to the Official Plan Amendment. The By-law should not be finalized until Official Plan Amendment is approved. Section 2.2.3 - It is not clear from Schedule D-1 what constitutes an “Overlay”.	• Section 2.2.1 - Applicability of Urban Employment designation to 5200 Harvester Road is questioned. In addition, the proposed east-west street between the GO Station Access and the intersection of Harvester and Century Dr., in particular with respect to 5200 Harvester, should not be identified on Schedule D-1 (Appleby GO MTSA) as it is not justified. • Section 2.2.3 - Modify Legend of D-1 to clarify what designations are Overlays.

ATTACHMENT B Major Transit System Area Community Planning Permit System By-law
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Item	Section	Remington Comment	Recommended Modifications
3	2.3 Forms of Words	Section 2.3.1 -The reference to “or relevant City guidelines or standards” is ambiguous. The applicable documents should be specified.	Section 2.3.1 - The relevant City guidelines or standards should be specifically identified to remove ambiguity.
4	2.4 Reference Aids	No comments	No comments
5	2.5 Defined Terms	There are concerns with the following general approaches and defined terms: Activated Street – This contains the first reference to Figures 1a, 2a and 3a. The Table of Contents should be revised to identify the location of the Figures. Definitions should not reference other legislation or other documents, at least for terms which are frequently referenced. For instance, building and floor area are both defined by reference to the Ontario Building Code. This approach is used throughout the document for a range of different definitions. It creates a situation which is ambiguous - where reference must be made to other documents to understand the definition and such documents may not always be readily available to members of the public. More significantly, if there is a change to the definition in the other document it can have implications for the City’s Bylaw. Definitions, particularly for frequently referenced definitions, should be complete and should not reference other documents. The current City Zoning By-law follows this approach making it much more accessible and easier to interpret. For example: Floor Area, Gross (GFA) - Generally definitions of Gross Floor Area exclude certain areas (i.e., the current City Zoning By-law excludes vehicle parking, storage, air handling equipment, enclosed mall and hallways, elevators and associated equipment, washrooms, foyers, and lobbies). The current definition is unclear as it is the “sum of each floor area of a building”. Floor area is defined by reference to the Building	- Identify in the Table of Contents and the document where Figures 1a, 2a and 3a are located for ease of reference. - Definitions should not be dependent on other legislation or other documents but should be complete without such references, at least for terms which are frequently referenced in particular Floor Area, Gross, Floor Area, Grade, Building Height, Storey, and Storey, First. - The definition of “Light Industrial” should not include the phrase “compatible with any abutting sensitive land uses” as it is unclear what the implications are. - The definition of “Major Facilities” should be clarified and brought in line with the OPA by adding a reference to industrial as well as manufacturing. - The definition of “Negative Impact” should be modified to include the assessment of negative impacts with respect to air quality and noise. - The definition of “Sensitive Land Uses” references “common amenity areas” and should be revised to reference “amenity areas” instead to be consistent with the PPS. - The definition of the term “Should” is unclear with respect to its interpretation. The City should be identified as the adjudicator based on submissions from the applicant which can include a planning rationale.

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Item	Section	Remington Comment	Recommended Modifications
		Code. A full definition of Floor Area and Gross Floor Area should be included rather than references to other documents. - This also applies to key terms like: - Grade; - Building Height; - Storey; and, - Storey, First. Light Industrial – This definition makes the assumption that such uses are “compatible with any abutting sensitive land uses” which may not be the case. It’s unclear what the implications of including that condition in the definition. Will it result in certain uses being excluded from specific precincts? Major Facilities- This definition is taken directly from the Provincial Policy Statement (both the current one and the proposed PPS). However, it references “manufacturing” but not industrial land uses. Both terms are defined in the By-law (and use the definitions from the current City Bylaw which does not have a definition of Major Facilities). To clarify the intent the definition of “Major Facilities” should include industrial as well as manufacturing in conformity with OPA which indicates that “development shall only be permitted where the impacts to industrial, manufacturing or other major facilities have been minimize and mitigated”. Negative Impact – The definition identifies potential risks to human health and safety. Further, it indicates that negative impacts should be assessed through environmental studies. However, the only examples given relate to impacts on water, fish habitat and natural features and areas. The assessment of negative impacts to air quality and noise should be included	

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Item	Section	Remington Comment	Recommended Modifications
		as it is assumed that the intent is broader than just impacts on the natural environment. Sensitive Land Uses – This definition is directly from the PPS, with one exception. The PPS states that such land uses “means buildings, amenity areas, or outdoor spaces”. The definition in the By-law references instead “common amenity areas” which is not appropriate because it limits the ability to evaluate the impacts on private amenity areas. Should – The test proposed for interpretation of this term is unclear and itself open to interpretation. The test is “a professional planning rationale is required in order not to fully comply with a provision or standard.” Questions arise as to what are the criteria for determining that a planning rationale is “professional”? Planning is not black and white so who makes the determination if conflicting planning rationales submitted? It would be clearer to make the City adjudicator based on submissions from the applicant which can include a planning rationale.	
3 Administration			
6	3.1 Application of this By-law	No comments	No comments
7	3.2 Exemptions	No comments	No comments
8	3.3 Community Planning Permit Classes and Delegated Authority	Section 3.3.3 - This section identifies specifically who the Approval Authority is, and it identifies the Director of Community Planning for the City and/or delegate. However, Table 3.1 just references City Staff. The reference in 3.3.3 should be clarified.	Section 3.3.3 Revise subsection a) to accurately reference the Approval authority “a) the Director of Community Planning for the City and/or delegate (City Staff).....”

**ATTACHMENT B Major Transit System Area Community Planning Permit System By-law
Draft for Public Consultation – October 2023 Remington Comment Matrix**

Item	Section	Remington Comment	Recommended Modifications
		Section 3.3.3 - It is not clear what Provisional Approvals are vs Community Planning Permits. A section should be added, or at least an explanatory note, as to what each approval involves. Table 3.1 - It is assumed that “Approval Authority” column relates to approval of a Community Planning Permit – this should be made clear.	• Add a new section or explanatory note explaining what a Provisional Approval is vs a Community Planning Permit or at the least reference Section 3.14, Provisional Approval. • Clarify what Approval Authority column relates to in Table 3.1
9	3.5 Criteria for Variations from Standards	Section 3.5.1 a) and b)) See comment 3 above.	Modify Section 3.5.1 a and b to delete a and replace with b, and re-letter the subsequent subsections accordingly
10	3.6 Discretionary Uses	It would be beneficial to have some explanation of what a discretionary use is in this section.	Section 3.6 - Add explanation of the term discretionary use.
11	3.7 Agreements	No comments	No comments
12	3.8 Application Process	The application process is set out relatively clearly, however, without detailed information about how the City intends to structure the administrative support system to implement the by-law, in particular the application process, it is not possible to evaluate the process. In addition, it appears that even a Class 1 Application may still require submission of studies etc. If the process for a Class 1 Applications is to be less onerous this should be made clearer. Finally, a timeline should be provided even if just a target to provide a benchmark against which applicants can evaluate the length of the process.	It is important to understand how the City will structure the administrative support system to ensure that the system works efficiently and effectively. In addition, it appears a Class 1 Application may still require submission of studies etc., if the process is to be less onerous this should be made clearer. Finally, a timeline should be provided, even if just a target, to provide a benchmark against which applicants can evaluate the length of the process.
13	3.9 Pre-Consultation	See comment 15	See comment 15
14	3.10 Complete Applications	See comment 15.	See comment 15.
15	3.11 Required Information, Materials, Studies and Reports	See comment 15	See comment 15
16	3.12 Decision	See comment 15	See comment 15

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Item	Section	Remington Comment	Recommended Modifications
17	3.13 Conditions Attached to Approval	See comment 15	See comment 15
18	3.14 Provisional Approval	Depending on the complexity of the application and the conditions, one year may not be sufficient. For instance, it was found that it was often difficult to meet the relatively simple conditions for a consent in one year and as a result that time period has been extended. It would be preferable to identify a two-year period for provisional approval.	Modify Sections 3.14.3 and 3.14.4 to extend the initial provisional approval period to two years from one year.
19	3.15 Notice of Decision	See comment 15	See comment 15
20	3.16 Appeal Process	See comment 15	See comment 15
21	3.17 Modifications to Provisional Approvals of Community Planning Permits	See comment 15	See comment 15
4 Other Administrative Matters			
22	4.1 Transitional Provisions	No comments	No comments
23	4.2 By-law Amendment Process	Section 4.2.5 should be revised to clarify that under the Planning Act and O. Reg 173/16 Section 17 (3) Council can declare by resolution that such an application is permitted.	Modify Section 4.2.5 to clarify that O.Reg 173/16 Section 17 (3) allows Council to declare by resolution that such an application is permitted.
24	4.3 Repeal of Other By-laws	No comments	No comments
25	4.4 Commencement of By-law	No comments	No comments
5 General Provisions			
26	5.1 Permitted Uses	No comments	No comments

**ATTACHMENT B Major Transit System Area Community Planning Permit System By-law
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Item	Section	Remington Comment	Recommended Modifications
27	5.3 Uses Allowed in all Precincts	No comments	No comments
28	5.4 Uses Prohibited in all Precincts	No comments	No comments
29	5.5 Specific Uses – Additional Residential Units – 5.8 Specific Uses – Home Occupations	No comments	No comments
30	5.9 Specific Uses – Outdoor Patios	No comments	No comments
31	5.10 Specific Uses – Temporary Uses, Buildings and Structures	No comments	No comments
32	5.11 Servicing and Utilities - 5.12 Mechanical Equipment	No comments	No comments
33	5.13 Transportation	Subsection 5.13.1 d) references Figure 3a it identifies a “Proposed Street” on the Remington lands. This designation is also identified on Schedule D-1. This designation is not justified as discussed with respect to the OPA and should be removed from Figure 3a and Schedule D-1.	Remove the Proposed Street designation on Figure 3a and Schedule D-1 on the Remington lands.
34	5.14 General Parking Provisions	The meaning of Section 15.4.5 is unclear, there is a wording or phrase missing in the phrase “Above-grade parking allocated with four or more surface parking spaces”. It is also not clear if the provision applies to industrial buildings. Note some limited parking areas for visitors may be appropriate for industrial uses in the front and exterior side yard. This provision should be clarified to allow for such parking and should not be limited to four spaces.	Modify Section 5.4.5 to clarify the intent and in particular to clarify that some parking, potentially greater than four spaces, in the front and exterior side yard of industrial uses is permitted.
35	5.15 Parking Areas	No comments	No comments
36	5.16 Driveways and Parking Aisles	No comments	No comments
37	5.17 Parking Spaces	No comments	No comments

**ATTACHMENT B Major Transit System Area Community Planning Permit System By-law
Draft for Public Consultation – October 2023 Remington Comment Matrix**

Item	Section	Remington Comment	Recommended Modifications
38	5.18 Parking Space Dimensions	No comments	No comments
39	5.19 Parking Flexibility	A provision which permits a reduction in the number of parking spaces for each dedicated car-share parking space appears applicable only to residential development should be provided for both residential and non-residential development.	Revise Section 5.19 to permit a reduction in required parking spaces for each dedicated car-share parking space for all permitted uses.
40	5.20 Accessible Parking Spaces	No comments	No comments
41	5.21 Electric Vehicle Parking Space	No comments	No comments
42	5.22 Loading Spaces	No comments	No comments
43	5.23 Bicycle Parking		
44	5.24 Land Use Compatibility	The OPA in Section 8.1.2(6) recognizes the vital importance of ensuring that sensitive uses such as residential development and parks are only permitted where the operational and economic viability of industrial, manufacturing and other major facilities can be protected. However, the basic premise of the CPPB, which effectively allows sensitive uses and new industrial and manufacturing major facilities, as well as of right, subject only to review by City staff, provides no ability for affected landowners to ensure (i.e., through review of the application and the right to appeal the City's decision) that the proper controls will be established to ensure a safe environment. The use of the CPPB for many areas of the City may be appropriate as outlined in the OPA – to provide flexibility in approving development applications to meet the City's growth objectives while streamlining the development approvals process. However, in the Appleby GO MTSA, where sensitive uses, including residential and parks, are being planned adjacent to existing and potential Major Facilities, the CPPB, as currently crafted, is not appropriate.	That regulation of land use in the Appleby GO MTSA continue to be through the City's zoning by-law given the nature of the land uses in the MTSA. That if the CPPB approach is to be maintained that: • A separate CPPB should be developed for the Appleby GO MTSA to reflect its unique circumstances. • All sensitive uses, including any development containing residential uses, require an amendment to the CPPB which would include a Land Use Compatibility Study and consultation with affected landowners who will have access to all reports, including any peer reviews, and information related to the application; and, • Any existing sensitive use which requires an amendment would be subject to a Class 3 variation. • Any proposed new heavy industrial or manufacturing use be required only to satisfy applicable regulations.

**ATTACHMENT B Major Transit System Area Community Planning Permit System By-law
Draft for Public Consultation – October 2023 Remington Comment Matrix**

Item	Section	Remington Comment	Recommended Modifications
		The CPPB would potentially allow sensitive uses to be permitted without providing a legal mechanism for the industries or owners of lands with the potential for industrial development, to ensure that they are not impacted. The City may require engagement with existing industries in the OPA, but there is no such requirement in the CPPB and the OPA does not require the City to reflect that input in the final approved development. As such the CPPB, does not adequately provide for the protection of sensitive uses from environmental impacts, nor does it protect the existing Major Facilities from having to retroactively retrofit their facilities or potential Major Facilities from having to mitigate at source beyond what they normally would have to provide. In fact, Section 5.24.3 identifies the need for compatibility studies to be required for new industrial uses. This uncertainty will significantly reduce the viability of the industrial area north of the CNR. An area where numerous industrial operations are located, and which has potential for new development through expansion of existing operations and new uses including on the Remington Lands. At the least, the CPPB, specifically Section 5.24, should require that all sensitive uses, including any development containing residential uses, require an amendment to the CPPB which would include a Land Use Compatibility Study and consultation with affected industrial landowners.	That the Remington Lands be included in the General Employment Precinct; and that a clear statement be included in the CPPB that the uses currently permitted on their lands through the “General Employment 1 Exception 59 (GE1-59) Zone” will continue to be permitted and the regulations of that zone would continue to apply.
45	5.25 Development in Proximity to Rail	Guidelines should reference “or any successor guidelines or regulations.”	Add the phrase “or any successor guidelines or regulations” after the phrase “Rail Guidelines”.
50	5.26 Activated Streets, Public Realm and Active Transportation Plan	Subsection 5.26.3 references Figure 3a which identifies a “Proposed Street” on the Remington lands. This designation is also identified on Schedule D-1. This designation is not justified as discussed with respect to the OPA and should be removed from Figure 3a and Schedule D-1.	Remove the Proposed Street designation on Figure 3a and Schedule D-1 on the Remington lands. Section 5.26.3 the word “Figure” should be “Figures”.
51	5.27 Building Podium Design	No comments	No comments

ATTACHMENT B Major Transit System Area Community Planning Permit System By-law
Draft for Public Consultation – October 2023 Remington Comment Matrix

Item	Section	Remington Comment	Recommended Modifications
52	5.28 Burlington Housing Targets	No comments	No comments
53	5.29 Provision of Services, Facilities and Matters	Without commenting on the content of this section, 5.2.9 should only apply to residential and mixed use development which it appears to do. However, this should be clearly identified to ensure that interpretation issues do not arise.	Section 5.29 should be modified to clarify that it is not applicable to development in the General or Urban Employment Precincts.

Item	Section	Remington Comment	Recommended Modifications
Section 8- Appleby GO MTSA Permit Area Document Format: <i>Schedules are in Portrait Format and text is in Landscape Format. This is a technical legal document which will be used on a daily basis by City staff, landowners and their professionals, as well as members of the public. For ease of use the document should all be in Portrait Format which is a more functional approach.</i>			
54	8.1 Preamble	The Preamble inaccurately describes the existing environment and is misleading with respect to the future of this area. It should acknowledge that the existing development north of the CNR is a major general employment area with a variety of employment uses including heavy industry. These lands are located in a Provincially Significant Employment Zone and are identified as a “Regional Employment Area”. In particular, the Preamble should acknowledge not just the existing employment uses but also the potential for expansion of those uses and new industrial development. It should recognize that new sensitive uses must be designed and located to be compatible with this existing industrial area.	Section 8.1 -Revise the Preamble to recognize that the lands north of the CNR are a major general employment area with a variety of employment uses including heavy industry and are a Provincially Significant Employment Zone.

**ATTACHMENT B Major Transit System Area Community Planning Permit System By-law
Draft for Public Consultation – October 2023 Remington Comment Matrix**

Item	Section	Remington Comment	Recommended Modifications
55	8.2 Precincts	The Urban Employment designation is applicable to the Remington lands. It is not clear in policy or in the regulations, but it appears that ultimately this designation could result in a number of restrictions on the permitted employment uses on the Remington lands. However, it is not evident given the permitted uses in the proposed By-law what the ultimate differences between the two designations are. In particular, “Industrial” uses are permitted in both designations and the regulations are the same or similar, being if anything less restrictive for Urban Employment. However, a number of uses currently permitted on the Remington Lands would be removed under the proposed changes which is not appropriate, including automotive commercial, conference/convention centre and accessory retail (listed as a discretionary use, not as of right).	Remington requests a clear statement in the CPPB that the uses currently permitted on their lands through the “General Employment 1 Exception 59 (GE1-59) Zone” will continue to be permitted.
56	8.3 Natural Heritage System Precinct	No comments	No comments
57	8.4 Conservation Halton Regulatory Limit	No comments	No comments
58	8.5 Permitted and Discretionary Uses	See discussion in Comment 57	See discussion in Comment 57
59	8.6 Development Standards	The Remington Lands should continue to be subject to the development standards in the “General Employment 1 Exception 59 (GE1-59) Zone”. In addition, it is not clear what 10% vertical means with respect to the Landscaped Area requirement.	Remington requests a clear statement in the CPPB that the development standards in “General Employment 1 Exception 59 (GE1-59) Zone” will continue to be applicable to their lands. Please clarify vertical landscape requirement.
60	8.7 Building Transitions	No comments	No comments
61	8.8 Linear Parks & Greenways	No comments	No comments

ATTACHMENT B Major Transit System Area Community Planning Permit System By-law
Draft for Public Consultation – October 2023 Remington Comment Matrix

Item	Section	Remington Comment	Recommended Modifications
Mapping			
Appleby GO MTSA Permit Area			
Document Format: <i>Schedules are in Portrait Format and text is in Landscape Format. This is a technical legal document which will be used on a daily basis by City staff, landowners and their professionals, as well as members of the public. For ease of use the document should all be in Portrait Format which is a more functional approach.</i>			
62	Schedule D-1- Precincts in the Appleby GO MTSA Permit Area	See comments above	Remington Lands should be redesignated “General Employment Precinct”, and Proposed Street designation should be removed.
63	Schedule D-2- Maximum Heights in the Appleby GO MTSA Permit Area	See comments above	Remington Lands should be redesignated “General Employment Precinct”. In addition, east boundary of designation appears to be on an angle. If retained it should align with Schedule D-1.
64	Schedule D-3- Class 2 Staff Variation threshold based on Provision of Services, Facilities and Matters in Appleby GO MTSA Permit Areas	See comments above	Remington Lands should be redesignated “General Employment Precinct”. In addition, east boundary of designation appears to be on an angle. If retained it should align with Schedule D-1.
65	Figure 3a – Public Realm and Active Transportation Plan in the Appleby GO MTSA Permit Area	See comments above	Proposed Street should be removed from the Remington Lands and the New Park symbol to the west of the Remington Lands should also be removed.

*Integrated Transportation Advisory Committee's Response to the Integrated Mobility Plan Final Report
(TS-07-23)*

Dated: Oct. 31, 2023

The Integrated Transportation Advisory Committee (ITAC) congratulates Kaylan Edgcumbe and the Transportation staff on the thorough and thoughtful *Integrated Mobility Plan* (Sept. 2023). This Plan goes a long way towards developing a Council-approved Transportation Master Plan, which is currently lacking for Burlington. ITAC appreciates all the research, consultations, analysis, and effort that has gone into creating a future plan for transportation, especially in reference to mode-sharing. Furthermore, we welcome the opportunity as an Advisory Committee to reflect on what has been accomplished so far.

In that regard, we want to continue supporting the previous work done on creating the Vision, Values, and Goals categories which were approved by Council (with public support) in Dec. 2020. The five areas in the Vision Statement (Safe, Accessible, Sustainable, Balanced, and Liveable) are well incorporated into the six Goals (Council approved in 2021) and remain as valid today as they did a few years ago. We strongly endorse the core of the IMP's philosophy of a sustainable approach, in particular a mode-share driven model rather than corridor-capacity driven. The research to examine the different parts of the city (Global, Character, and Neighbourhood) was detailed and well done.

ITAC was also pleased to see the objective methodology used in prioritizing the IMP capital projects from within the Preferred Integrated Network for Burlington, especially regarding depoliticization and not basing priorities on cost (i.e., no budget is included). The six evaluation factors directly connect to the Values of the IMP.

Concerning the three current programs to be enhanced and the three new programs, ITAC strongly recommends that funds from the Operating Budget be directed towards these six programs. We support additional staff resources, as well as any other type of needed resource so that these programs can fulfill their mandates.

ITAC realizes that the 2051 targets for the Global Mode Share (70% car, 15% transit, and 15% active transportation) are based on the Council-approved Strategic Plan. We encourage Council to not

only approve the IMP and create a future funding model, but with the help of all the city's transportation-related departments, challenge the current 2051 Global Mode Share targets. ITAC thinks these targets are not aggressive enough given the population growth projections in the Strategic Plan. In addition, we also wanted to emphasize that if Goal #4, "Burlington will eliminate transportation-related carbon emissions" is to be achieved then it will be essential to show how EV architecture factors into the Strategic Parking Management program. Creating and scaling EV pilot programs, and expanding EV charging infrastructure should be given high priority.

The Transportation Dept. thoroughly described the necessary Key Performance Indicators (KPI's) that should be adopted to validate the IMP. An immediate recommendation from ITAC is that these KPI's be adopted and that targets for each be quantified. We can appreciate the challenges in doing so in these early stages. For example, we hope that there is a KPI about transportation-related carbon emissions that can be differentiated by mode type, although we realize that this issue also falls under the City's Climate Action Plan so may be redundant here. Benchmarking other cities' KPI's will help Burlington set initial KPI's that will provide milestones to gauge progress, but more importantly, the insights will help the city make future results-based decisions.

Overall, ITAC applauds how the available data was used and the highlighting of all the interdependencies, and how coordinated integration will result in a successful outcome. While not stated specifically in the IMP, but stated explicitly in the final report, partial approval of the plan or piecemeal implementation of the identified projects will not benefit from the available synergies.

In conclusion, ITAC strongly supports and endorses the IMP, especially in reference to the Preferred Integrated Network, the Policy Framework, and the Program Framework. Furthermore, ITAC encourages funding be available from the capital and operating budgets since this will set the pace for the implementation of the plan. We also hope that applications for provincial and federal grants will be successful so that we will not only meet the agreed goals but exceed them.

Burlington Integrated Mobility Plan 2023

Community Planning, Regulation & Mobility Committee

Tuesday, October 31, 2023

Safe Streets Halton would like to express our overwhelming support for the Burlington Integrated Mobility Plan. It has been balanced by staff in a way where each part works in harmony, and is important for securing rights-of-way for transportation facilities. With this in mind, we ask that committee approve the plan quickly so staff can move forward with the recommended actions such as the creation of the Vision Zero Program and the Pedestrian Master Plan.

This plan is another step forward in creating a healthy, safe, and resilient community. It works in tandem with other work that this council has done to move us toward a fiscally and environmentally prudent future, where the automobile is only an option – not a must. Our dependence on automobiles has lead to headaches regarding parking shortages, and struggles to protect the greenspace in our growing city. This is exemplified in the work being done on the former Robert Bateman school, where staff and council have been trying to find a way to accommodate travel demand without the removal of public space.

Returning to the content of the plan, there are a few items that the volunteers at Safe Streets Halton would like to bring to the attention of committee.

Mode Share Targets

While we are willing to accept these targets for this iteration of the IMP, we would be

remiss not to bring them up. It is our understanding that the current targets are set based on the city's current strategic plan, which looks towards 2041. With over 48% of residents working within the city of Burlington and a majority of non-work trips occurring within the municipality, there is a lot of transportation demand that we can shift towards sustainable modes without coordination with other municipalities.

In addition, the neighbourhood-based approach is a great way to prioritize and target investments in certain areas of our city. We would like to stress to committee that a 0% mode share does not mean that no one uses that mode of transportation. If we are to take the Orchard neighbourhood as an example, the reported mode share for cycling is 0%. However, you often do see people of all ages cycling, whether it be to school, to the neighbourhood restaurants to hang out with friends, or to the commercial plazas nearby.

With all this in mind, it is likely that the 2051 mode shares will surpass those set out in the city's strategic plan. We're happy to see that the mode share targets will regularly be updated over time.

In addition, we would like to see land use changes being brought forward that would help shift the mode share, through the creation of complete neighbourhoods. If we return to the Orchard, the neighbourhood was envisioned (via its secondary plan) to be a complete neighbourhood with shops inside of it, and frequent transit connections. This vision was never realized. We want Burlington to be a leading example in successfully shifting transportation habits.

People vs Auto Capacity

The report makes mention of shifting focus to the transportation of people, versus the transportation of private single-occupancy vehicles. This is in recognition of the need to use more space-efficient, fiscally and environmentally friendly modes of transportation if we are to meet our goals as a city. With this in mind, it is important for Halton Region to work collaboratively with Burlington staff to implement what is set out in this plan.

We ask that council bring this local vision to the regional level and keep it in mind when assessing any regional road undertaking that is brought forward, and when speaking with staff concerning the regional transportation master plan. For example,

Appleby Line is set to be widened from 4-6 lanes with HOV or Bus Lanes as the newly added lanes. We would like to use Dundas Street as a cautionary tale.

The road was widened from 4-6 lanes, with the idea that the added lanes would be converted to either HOV or Bus Lanes. Oakville's former transit director asked Oakville council to advocate for those lanes to be converted before people came to expect it to remain as a general-use lane. At a quarterly board meeting, Metrolinx staff said that Halton needs to move forward with converting the lanes before travel behaviours return to normal. According to regional staff, there are currently no set plans to make this conversion, which runs contrary to the position taken in the IMP.

Vision Zero Program

With so many of the deaths and injuries on our roads being preventable with improved road designs, we are happy to see the responsibilities of the program will include proactive identification of problems. When assessing solutions for identified problems, we ask that staff consider a tactical urbanism approach when implementation timelines might be long. This allows for staff to iterate on and try different solutions when making improvements to road safety. We also ask that staff regularly report to council on traffic incidents involving vulnerable road users, with details on what happened and possible solutions. City of Hamilton staff have agreed to do this for their council.

Budget and Resources

In February of this year, we presented information to the budget committee regarding funding gaps in the Cycling Master Plan that amounted to an estimated \$24 million. When proposing programs similar to those laid out in this plan, it came to our attention that current staffing levels do not allow for the proactive approach to traffic safety that we advocate for. If the IMP is to be successful, the prioritized projects in the plan and the municipal budget must be synchronized.

In conclusion, we fully support the Integrated Mobility Plan as is, and look forward to the creation of the programs laid out in it.

Integrated Mobility Plan



FROM VISION TO FOCUS

Burlington’s Plan: 2018-2022

Focus Areas:



Economic
Prosperity



Integrated
Mobility



Resilient
Environment
& Sustainable
Infrastructure



Citizen
Engagement

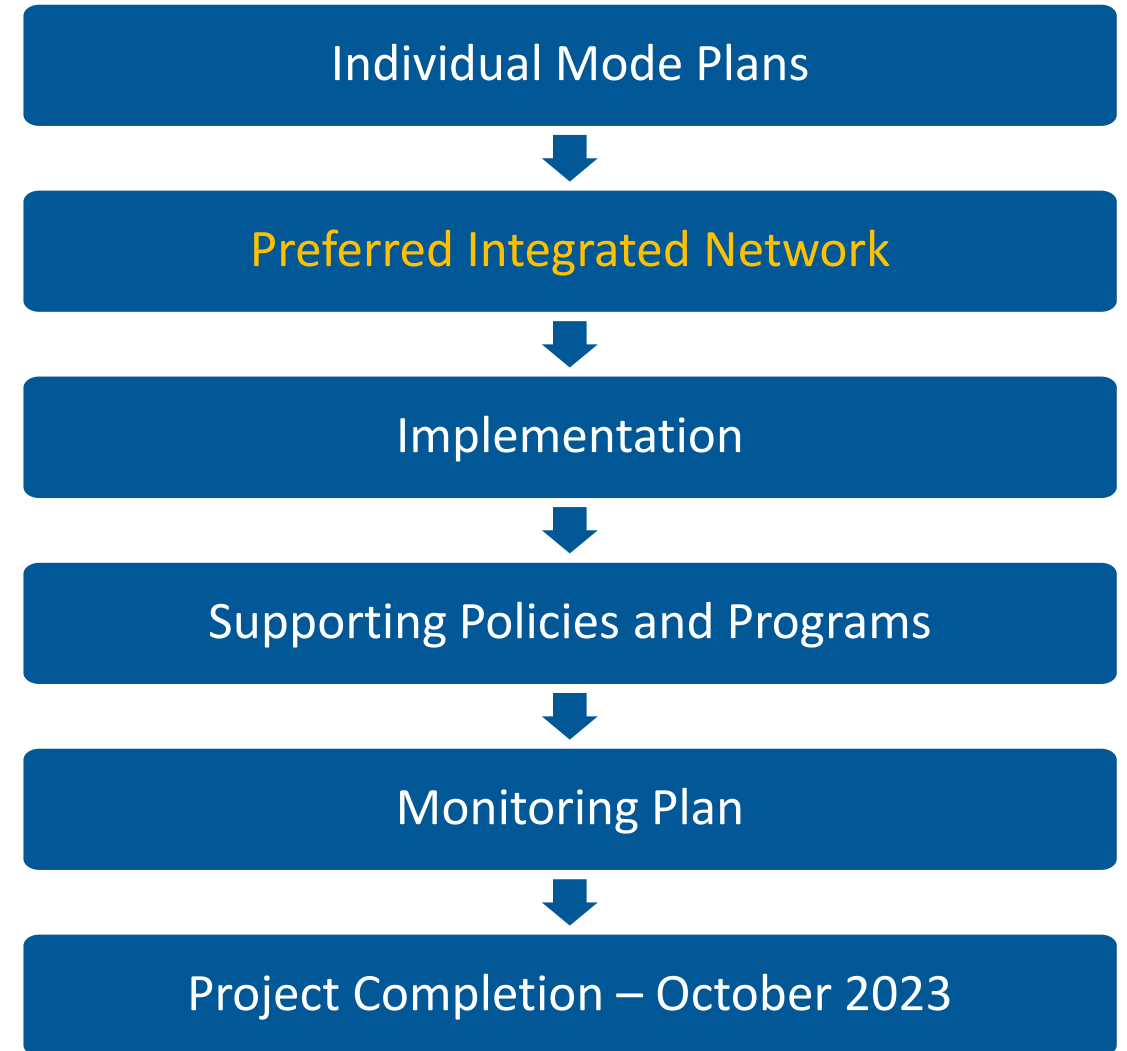


Customer
Centric
Services

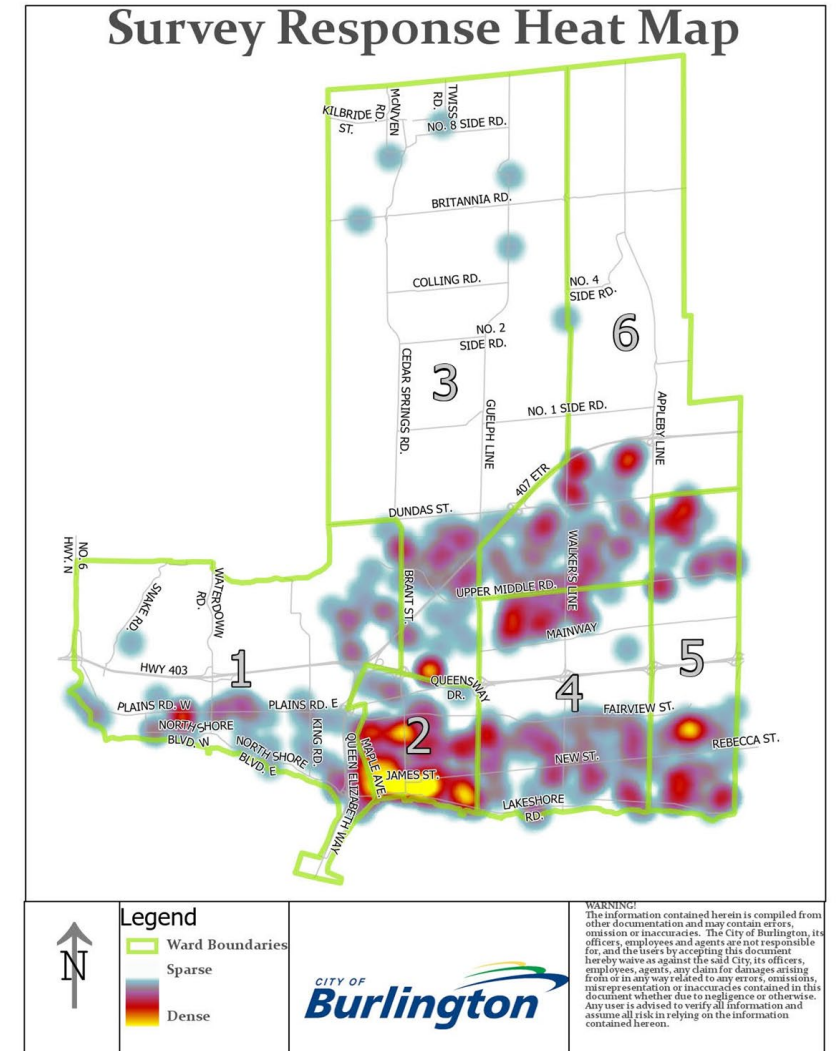




Burlington's **Integrated Mobility Plan (IMP)** is a community-driven action plan for Burlington that aligns its transportation investments over the next 30 years with its community goals.



- A variety of tools and tactics were used:
 - Get Involved engagement platform, StoryMap, video, surveys (in multiple languages), mapping surveys, Food for Feedback, etc.
- Participation from across Burlington
 - More than 1,200 responses were collected through surveys and mapping tools

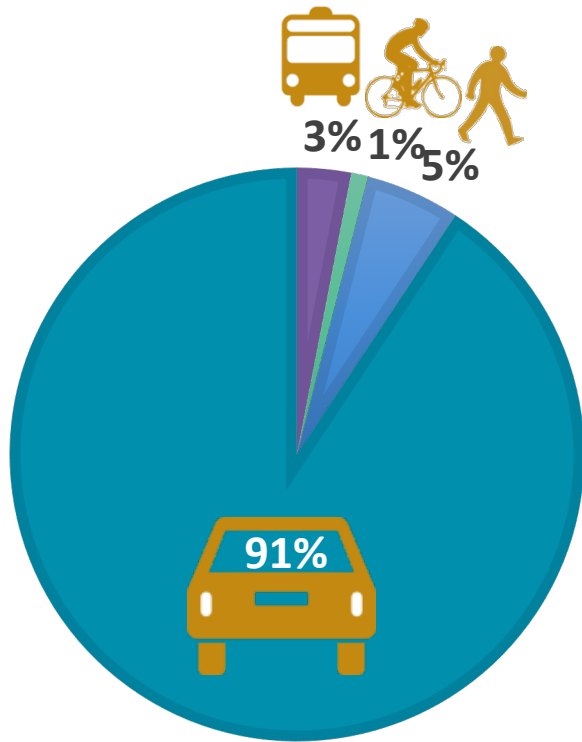


Mobility in Burlington will be **safe, accessible, sustainable, balanced, and livable.**

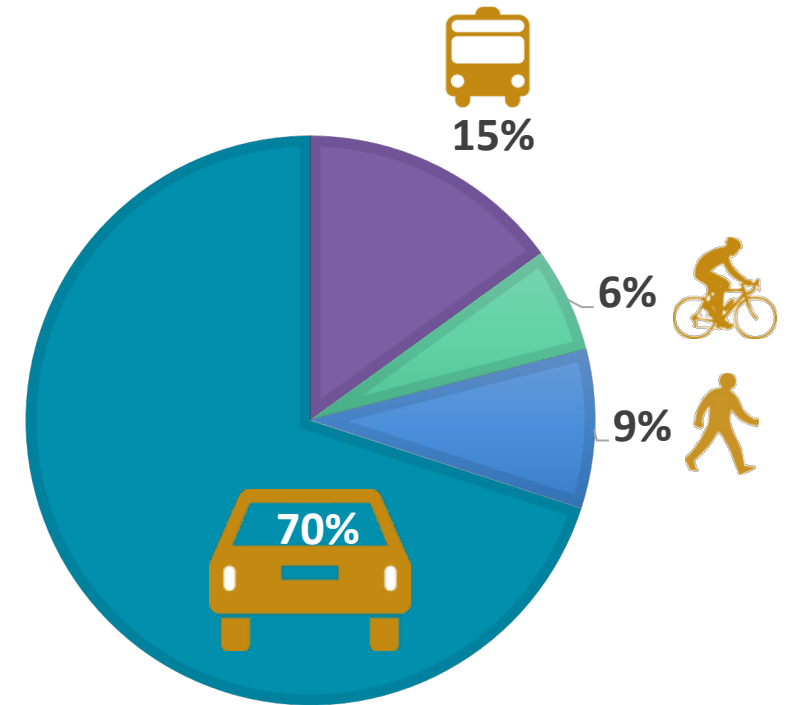
1. Burlington will **eliminate transportation-related deaths and serious injuries.**
2. Burlington's transportation system will be **accessible and reliable** for users regardless of factors like age, ability, income, or familiarity with the city.
3. Burlington will provide **high-quality transportation options** to move people and goods wherever and whenever, while maintaining a high quality of life for residents.
4. Burlington will **eliminate transportation-related carbon emissions.**
5. Burlington's streets will **support the intended roles of the communities** they run through and help these communities be vibrant and prosperous.
6. Burlington will **actively plan for the transportation changes of tomorrow** while continuing to deliver great service today.

Mode share is the percentage of travelers using a particular type of transportation

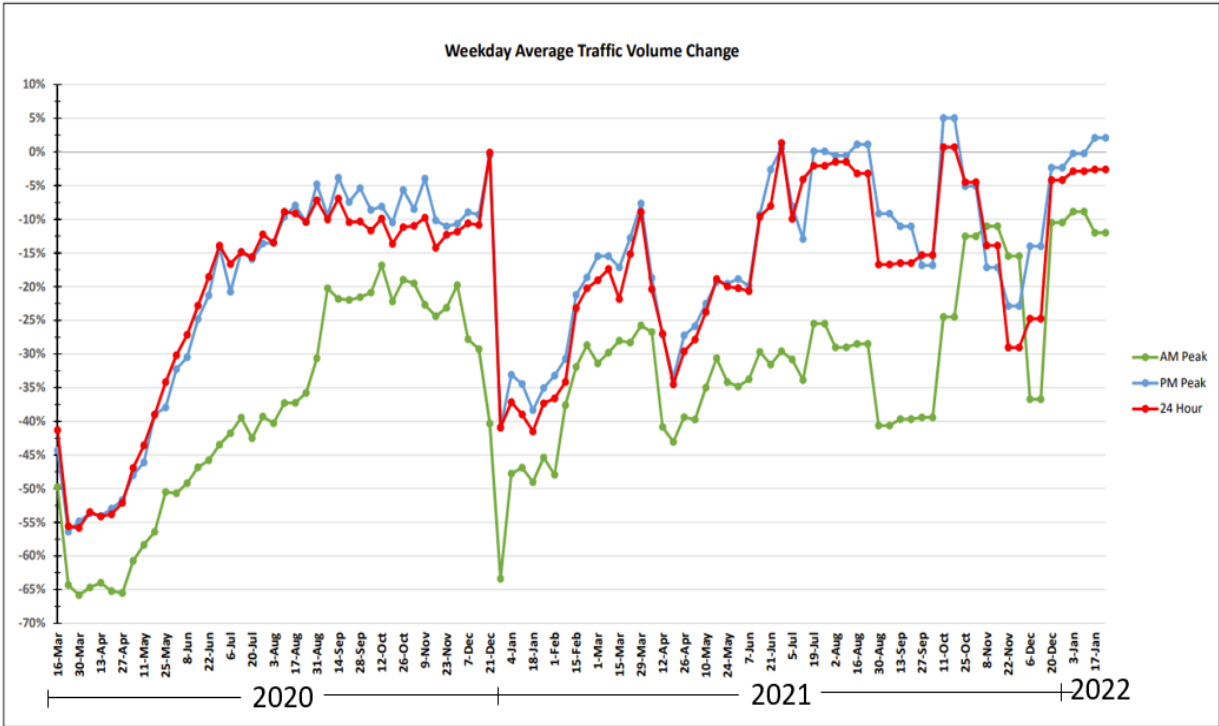
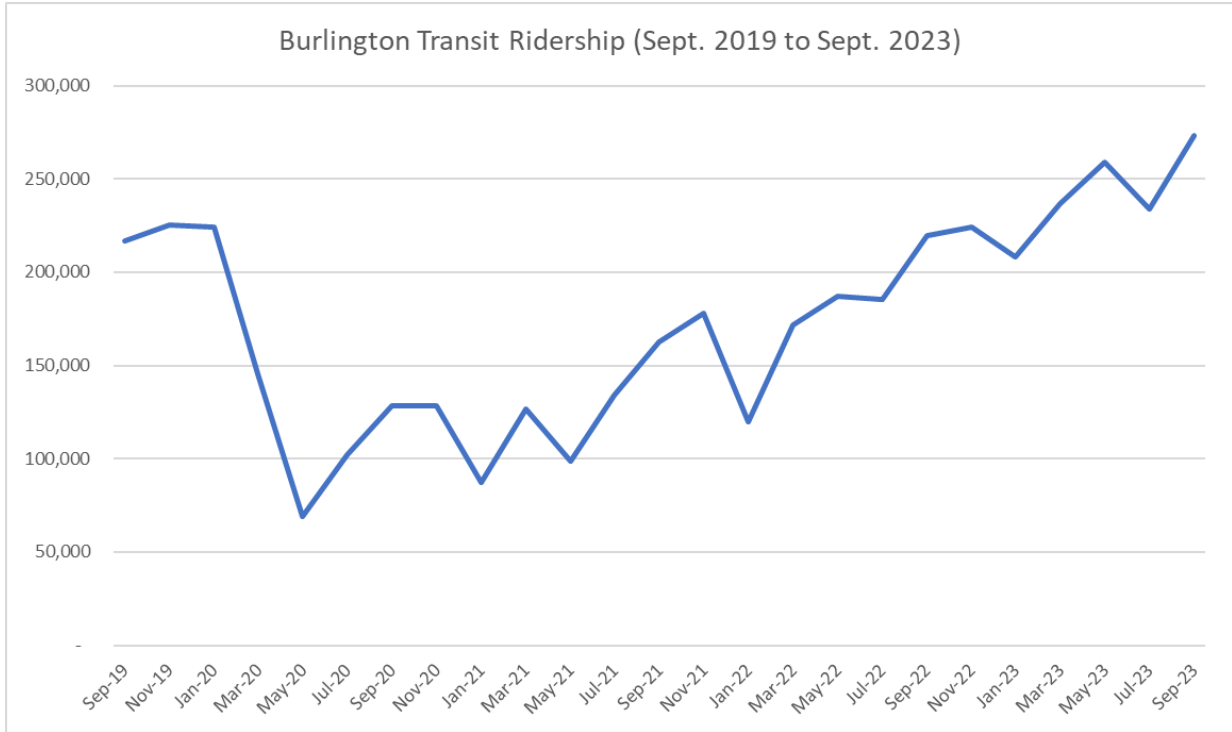
Existing Global Mode Shares (2016 TTS)

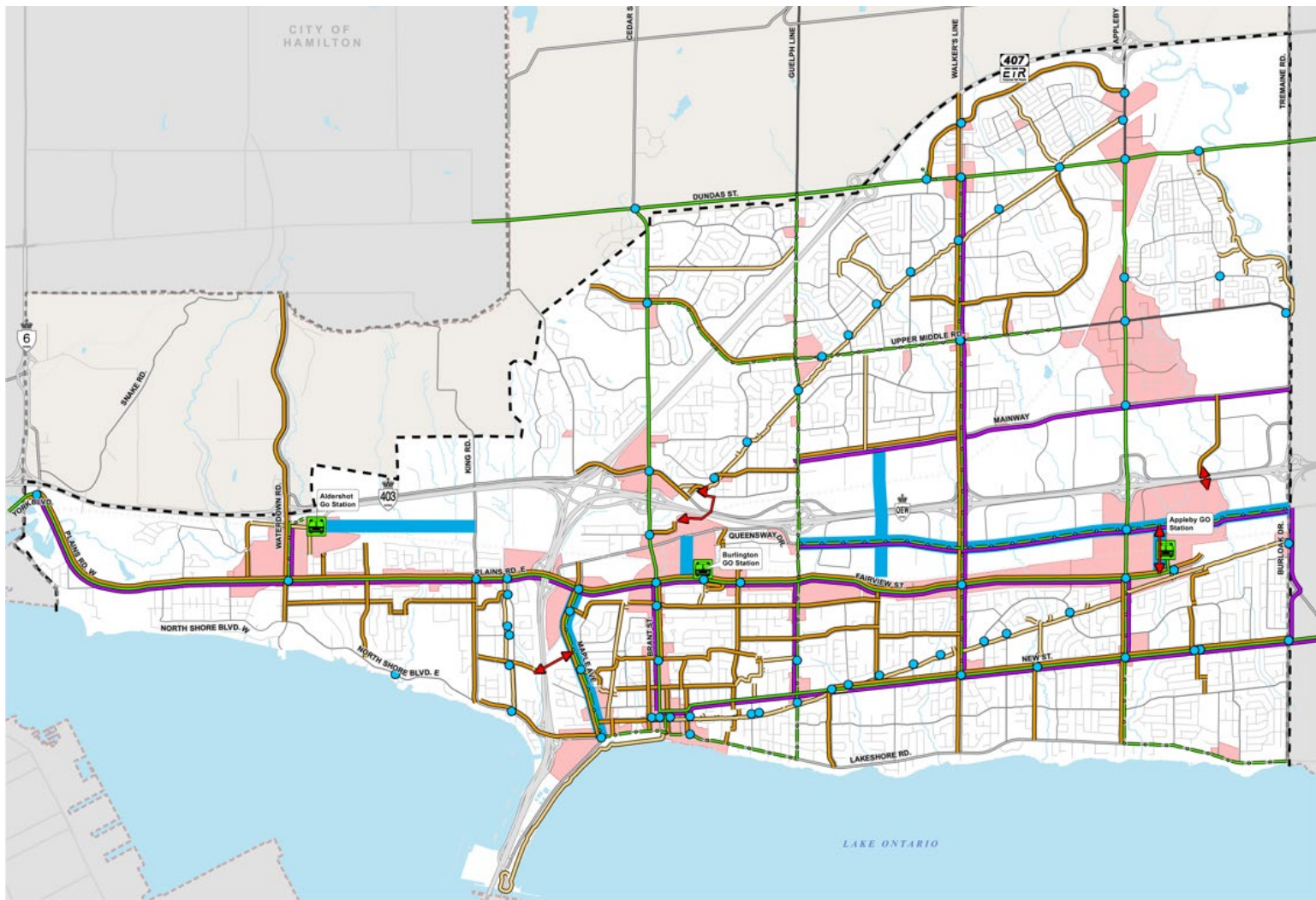
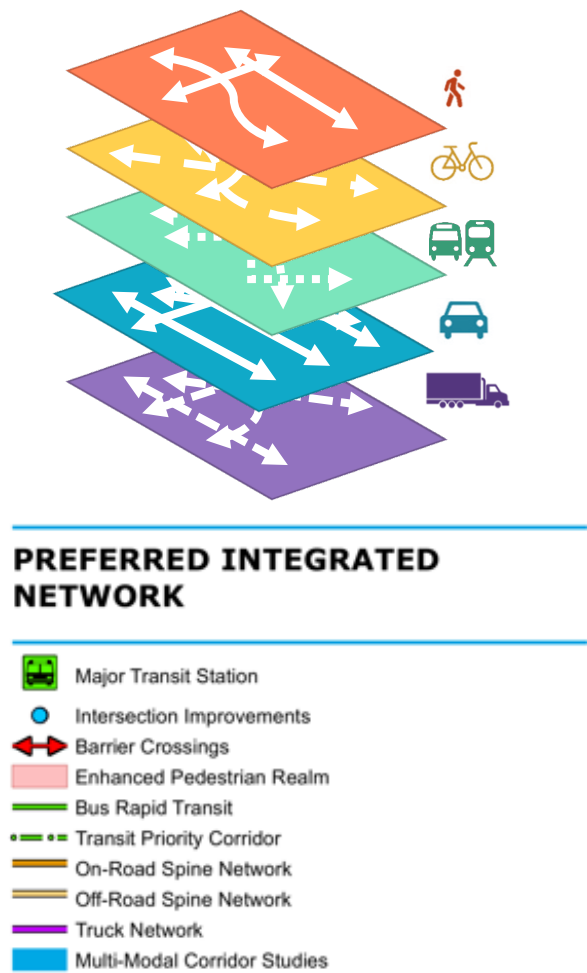


2051 Global Mode Share Targets



Have Traffic volumes and Transit Ridership Recovered?





Capital Project List (top 10):

ID #	Name	From	To	length (m)	OP Designation	Project Description	Total Score	Rank
6	Fairview Street	Brant Street	Drury Lane	1050	Multi Purpose Arterial	Protected Bikes, Pedestrian Realm, BRT Dedicated Lanes / Optimized	13.0	1*
7	Fairview Street	Drury Lane	Guelph Line	725	Multi Purpose Arterial	Protected Bikes, Pedestrian Realm, BRT Dedicated Lanes	13.0	1*
18	North Shore Boulevard E	QEW NB Off-Ramp	Maple Avenue / Lakeshore Road	500	Main Street	Protected bikes, Pedestrian Realm	13.0	1*
65	Grahams Lane	Stephenson Drive	Brant Street	350	Neighbourhood Connector	Local Bikeway, Sidewalks / Pedestrian Realm	13.0	1*
19	Lakeshore Road	Maple Avenue / Lakeshore Road	Brant Street	725	Main Street	Buffered Bikes, Pedestrian Realm, Transit priority corridor	12.0	5
5	Fairview Street	QEW NB Off Ramp / Plains Road E	Brant Street	1300	Multi Purpose Arterial	Protected Bikes, Pedestrian Realm, BRT Dedicated Lanes / Optimized	11.1	6*
52	Harvester Road	Walkers Line	Appleby Line	2050	Industrial Connector	Buffered Bikes, Sidewalks / Pedestrian Realm, Transit priority corridor	11.1	6*
2	Plains Road	Daryl Drive	Shadeland Avenue	1700	Multi Purpose Arterial	Protected Bikes, Pedestrian Realm, BRT Dedicated Lanes	11.0	8*
16	Lakeshore Road	825 m south of North Shore Boulevard E	North Shore Boulevard E	825	Urban Avenue	Pedestrian Realm	11.0	8*
27	Waterdown Road	Highway 403 EB Off-Ramp	Plains Road	725	Multi Purpose Arterial	Protected bikes, Sidewalks / Pedestrian Realm, Transit priority corridor	10.5	10

Catalyst Projects:

Rank	Project Name	From	To	Project Type	EA Required	Prioritization (Score/Rank)
3 / 46	South Service Road Extension	Waterloo Blvd	King Road	New Road, Painted bikes, Sidewalks, Transit	Schedule C	7.8
5.0 / 79*	Cumberland Ave Extension	Mainway	Empire View Street	New Road, Painted bikes, Sidewalks, Transit	Schedule C	
Schedule C	8.0 / 44*	Empire View Street	Plains Road	New Road, Painted bikes, Sidewalks, Transit	Schedule C	
Schedule C	7.0 / 53*	Empire View Street	Harbourview Road	New Road, Painted bikes, Sidewalks, Transit		
h	Schedule C	6.0 / 69*	Grandview Drive	New AT overpass/ underpass, Multi-Use Path		
Pathway	Schedule C	6.0 / 69*	Truman Street	New AT overpass/ underpass, Multi-Use Path		
Multi-Use Pathway	Schedule C	7.8 / 46	Century Drive	New AT overpass/ underpass, Multi-Use Path		

Key Policy Directions: Walking/Pedestrian, Cycling, Transit, Goods Movement, & Integrated Planning

New and Enhanced Programs & Service Delivery:

- Strategic Transportation Planning - Enhanced
- Transportation Demand Management (TDM) - **NEW**
- Strategic Parking Management - **NEW**
- Active Transportation (AT) - Enhanced
- Transportation System Management (TSM) - Enhanced
- Vision Zero – **NEW**

1. Integrated multi-modal transportation plan
2. Works back from set mode share targets
3. Excellence in creative and meaningful engagement tactics
4. Focused on sustainability and complete communities



After council's approval of the IMP:

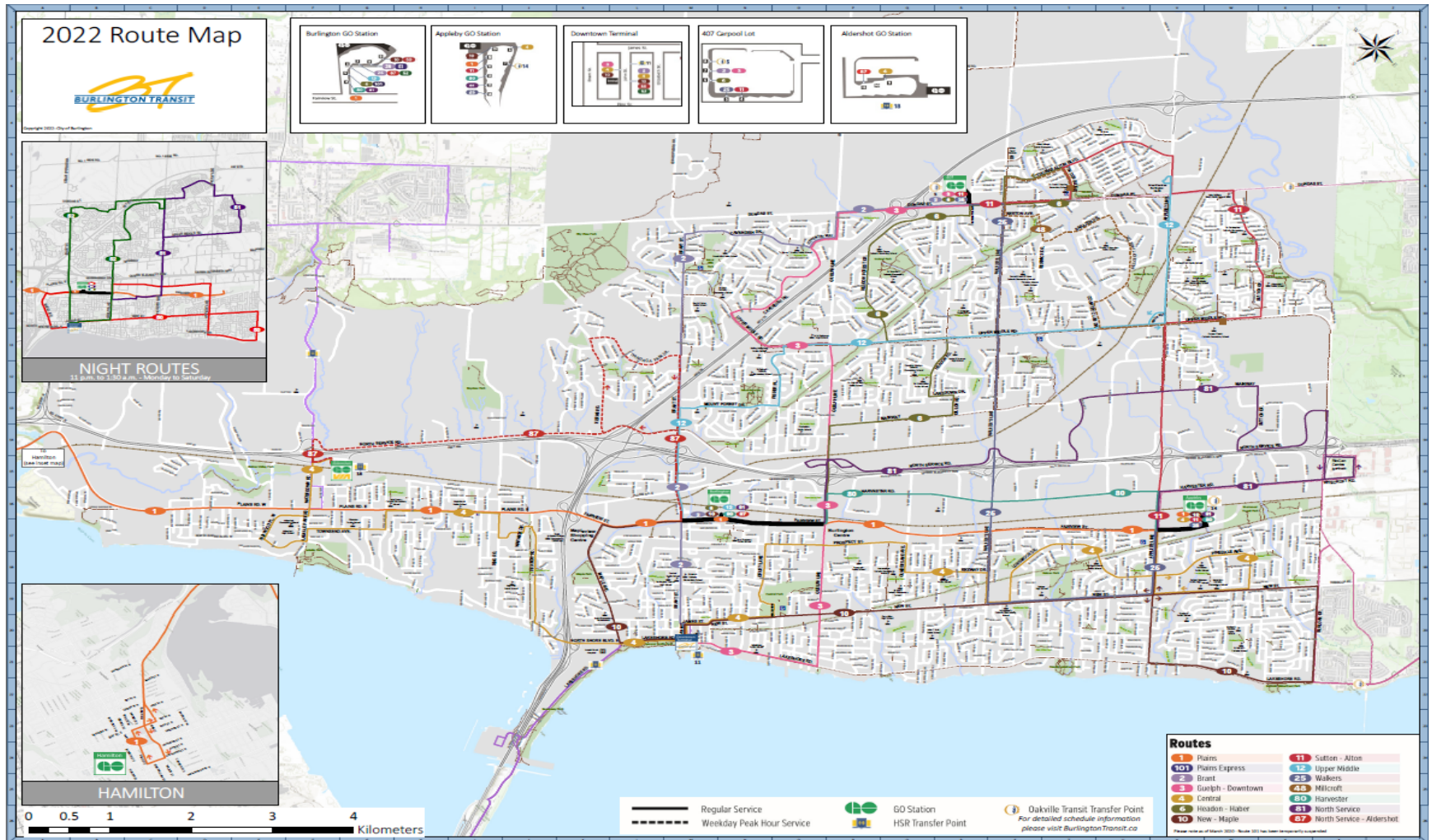
- Documentation for the Municipal Class EA will be available for public review and filed with the Ministry of Environment, Conservation and Parks;
- Regular updates to the IMP at 5-year intervals;
- Using the IMP Key Performance Indicators (KPI), track progress towards achieving the vision and goals of the IMP; and
- Capital and Operating budget to support pace of implementation.

- Rapid Deployment of Cycling Network (RDCN) Network Selection
- Maple Avenue Transformation Feasibility Study
- Development of the following Policy Tools:
 - Complete Streets Design Guidelines
 - TIA Guideline
 - MMLOS Guidelines
- Development of year-over-year monitoring program and funding

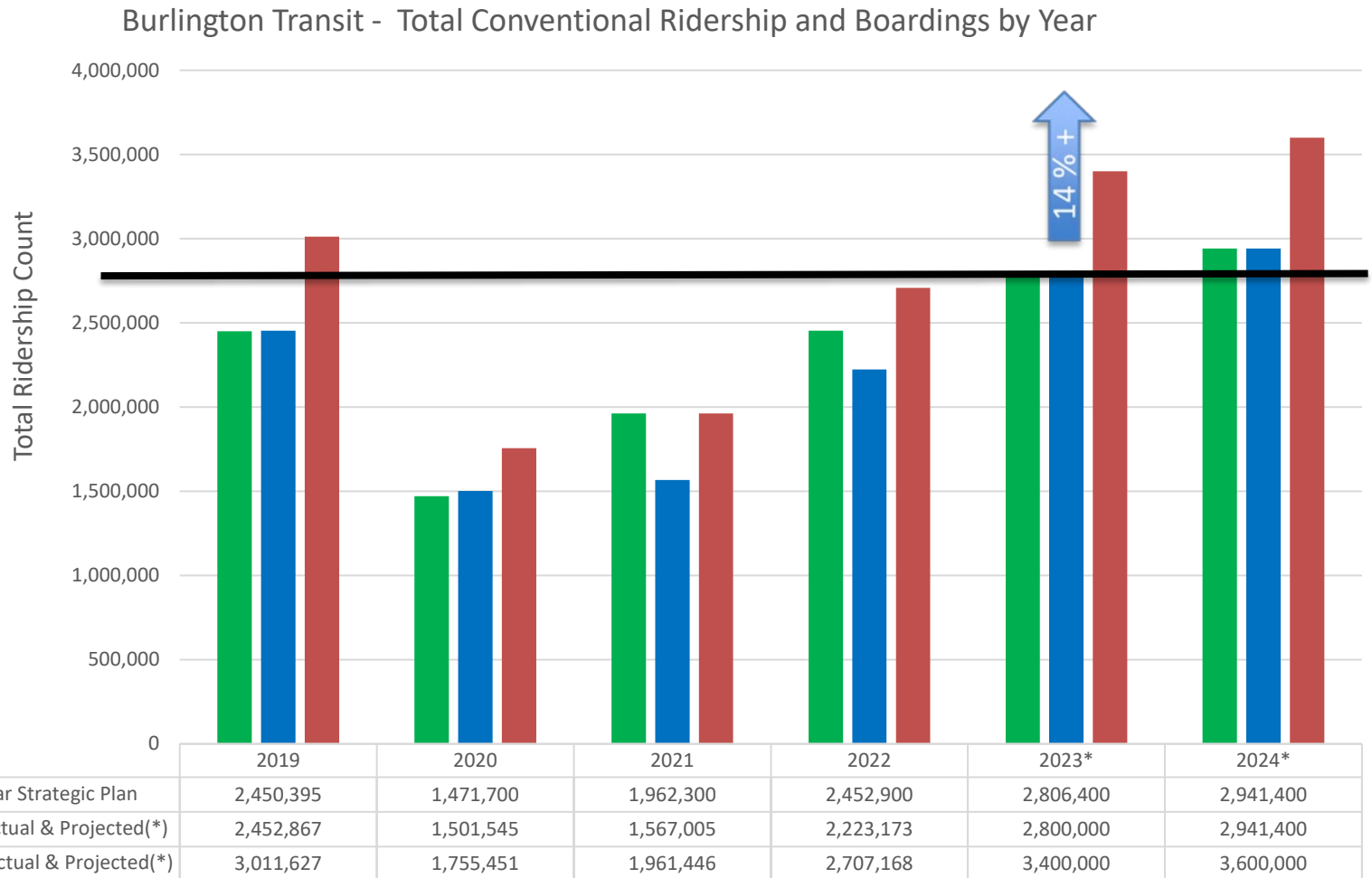
- Innovative approach
- Responds to future travel demands associated with intensification
- Growth-oriented goals
- Rebalances the existing transportation network
- Sustainable = providing more travel options
- The IMP provides the city with a strategy for transforming mobility to 2051 and beyond

Burlington Transit Ridership Update (TR-03-23)

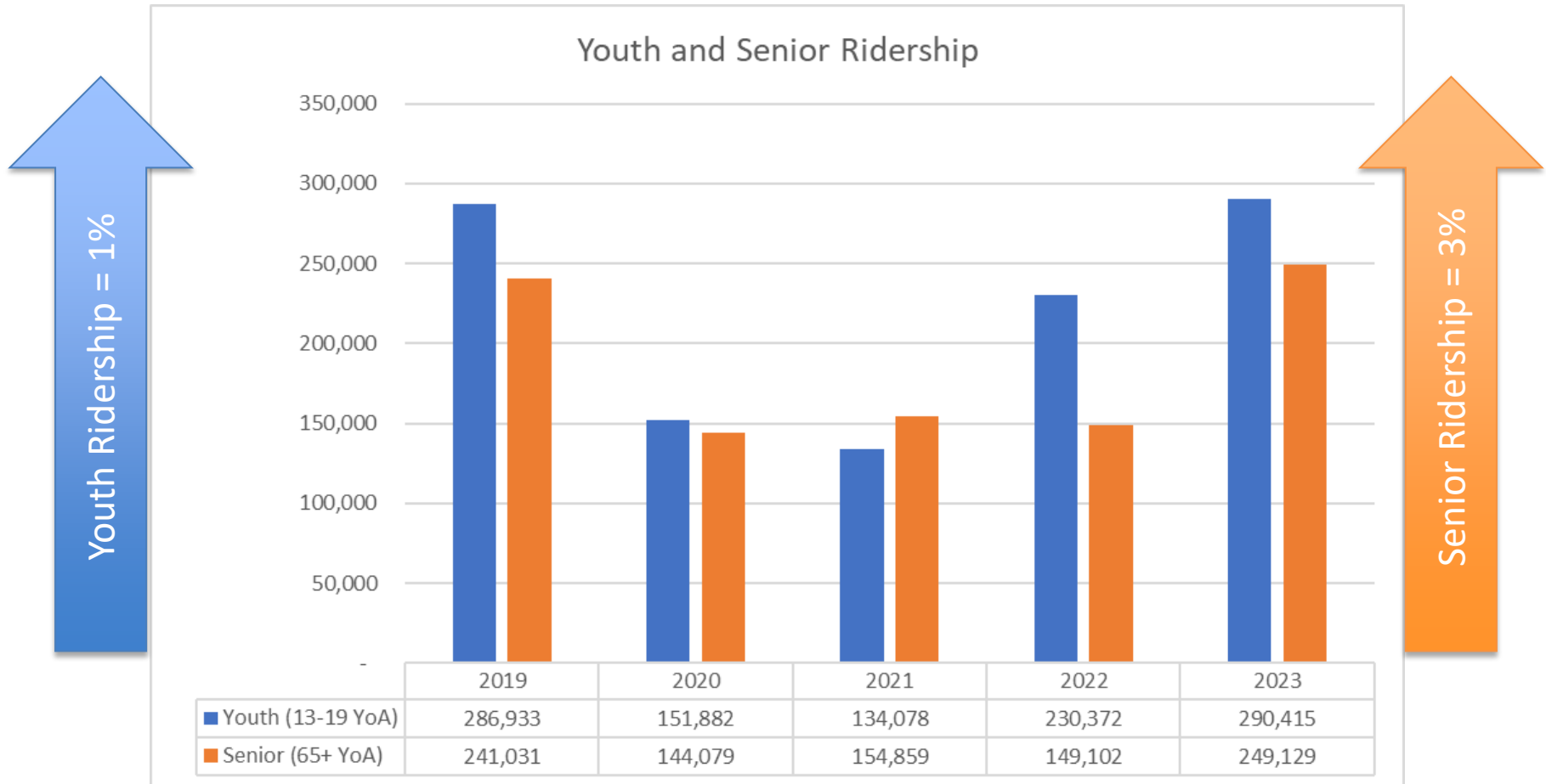
CPRM, October 31, 2023
TR-03-23
Staff presentation



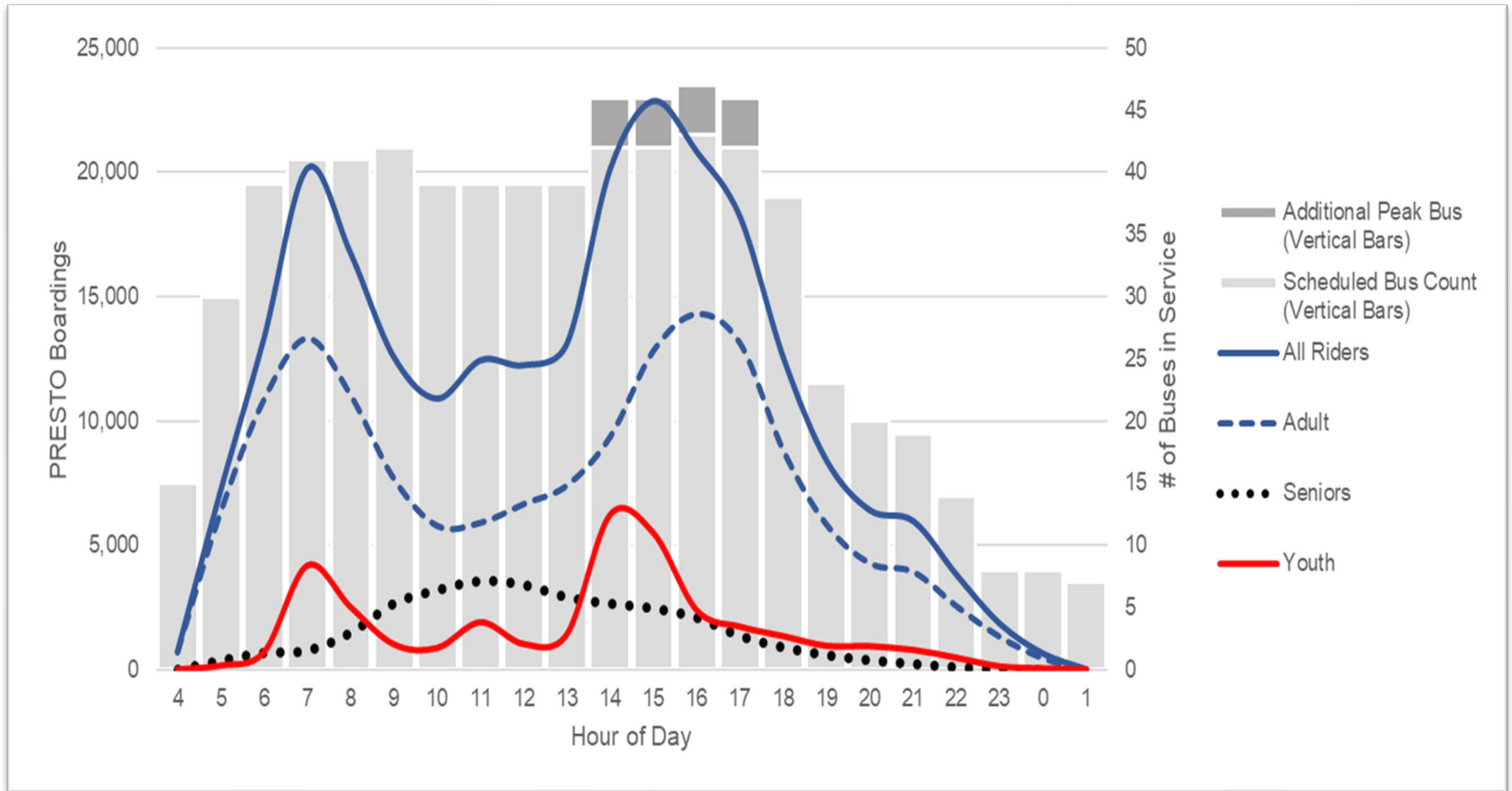
Burlington Transit Ridership Growth & Boardings



Youth & Senior Ridership



Transit Boardings by Hour of Day



Transit 5 Year Strategic Plan Phased Approach (2020 – 2024)



Establish a solid foundation for growth

Prioritize strategies that have the highest potential for

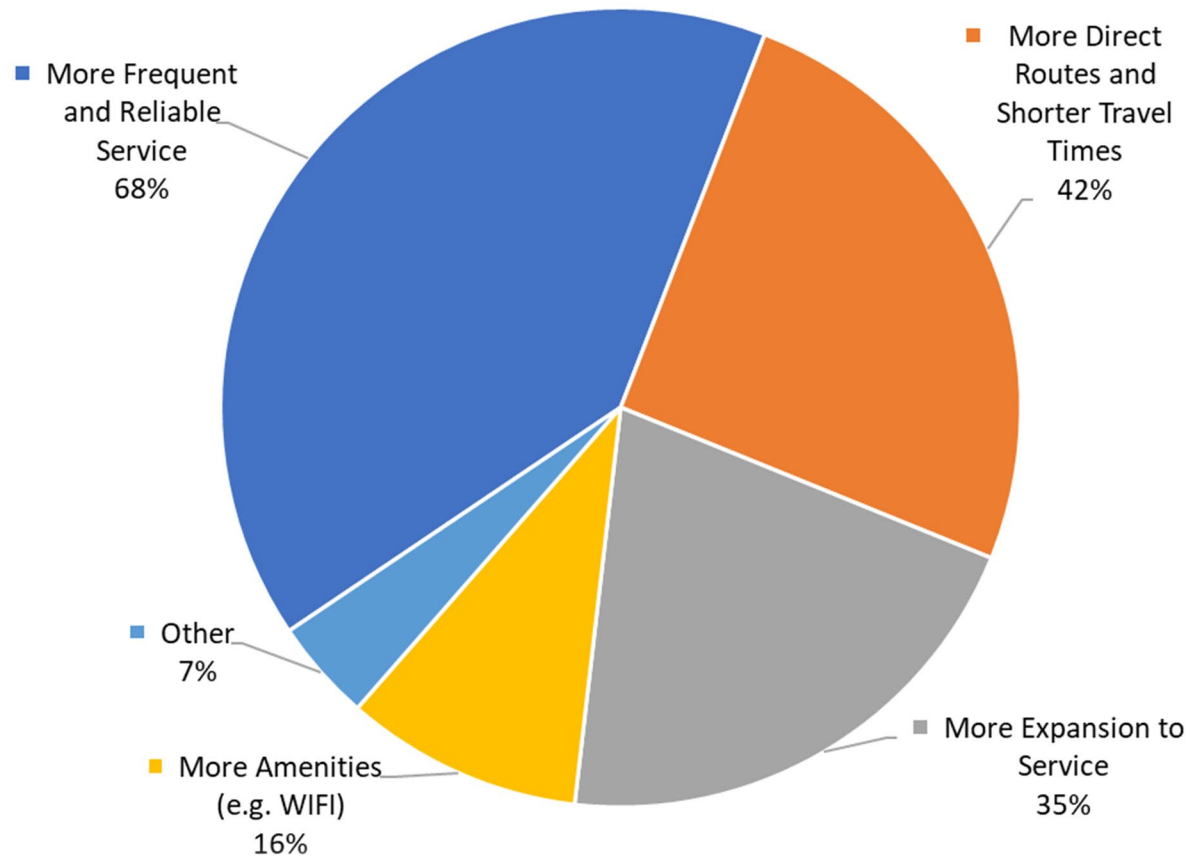
Ensure the organization is positioned to meet the

Phase service improvements and strategies so that service



Transit Survey Results (2023)

What would you like to see more of from Burlington Transit?



Questions?



Dear Mr. O'Reilly,

We received your notice stating that 380 Brant Street is being recommended to be studied for heritage designation. We want to remind you that this building, the former Hotel Raymond, has been reviewed for heritage designation twice before by the City of Burlington, and both times it was found that the building does not hold heritage value.

In 2004, when applying for a demolition permit, L.A.C.A.C. decided that the building did not have heritage value because of the many alterations to the building over the years. As such, the demolition permit was granted. In its decision, L.A.C.A.C. stated, "... Over the years there have been additions and alterations to the structure to the extend that there is little recognizable from the original historic building." (See Appendix A.)

In 2009, Emshih Developments requested for the property to removed from the Heritage Register, and Council approved the request. (See Appendix B.)

We believe it will be a waste of resources for the city to study 380 Brant Street a third time because, since Council's 2009 decision:

1. There have been more alterations to the building, thereby further decreasing the building's heritage value as per L.A.C.A.C.'s reasoning; and,
2. The criteria for determining cultural heritage value have been increased by the Province from one heritage designation criterion to two.

If the building was not considered to have heritage value when it had fewer alterations and only relied on one heritage designation criterion, then it absolutely does not have heritage value now.

The heritage status of 380 Brant Street was already decided in 2004 and 2009, and nothing has occurred to warrant an additional review of the building. If the City pursues a study of this building, it will be harassment towards the property owner, Emshih Developments. We will hold the City responsible for any future costs incurred by Emshih for contesting the process.

Please advise if you intend to proceed on studying 380 Brant Street heritage designation. Additionally, please advise if the City intends to remove properties from the Heritage Register prior to the required date of January 1, 2025.

Sincerely,

Emshih Developments

James Liddycoat, Planner

Item 5.3 Heritage Response to Bill 23 Shortlist of Designation Candidates (PL-35-23)

Community Planning Regulation & Mobility Meeting
October 31, 2023

Bill 23 Background- Relevant Changes to Ontario Heritage Act

- Non-designated properties can only remain on Heritage Register for 2 years
- Non-designated properties on the Heritage Register on January 1, 2023 will be automatically removed on January 1, 2025 and cannot be added back for another five years
- Properties must meet at least two of nine criteria to be heritage designated
- Properties not on the heritage register when an Official Plan amendment, Zoning Bylaw Amendment or subdivision application is deemed complete cannot be heritage designated



490 Elizabeth Street, c. 1855, non-designated heritage property

Bill 23 Response- Background

June 27, 2023 CPRM Motion:

- Direct the Director of Community Planning to explore funding options to retain external consulting assistance to review and complete cultural heritage evaluation reports for a prioritized list of properties currently on the City's Cultural Heritage Register.



Shortlist Criteria

Prioritization Criteria

1. Architectural Style (Classical revival, Victorian, Vernacular...etc)
2. Property Type (Place of worship, institutional, house...etc)
3. Visibility From Street (Highly Visible / Partly Visible / Not Visible)
4. Integrity (Minor Alterations / Moderate Alterations / Major Alterations)
5. # Households within 400 metres (a five-minute walk)
6. Potential # of O. Reg. 9/06 Criteria Met (1-9) (Minimum two required to be met)



The Queens Hotel/Sherwood Inn, c. 1860, 400 Brant St, non-designated heritage property

Evaluation Criteria- Visibility from Street

Visibility from Street- E.g. 447-449 Locust Street, designated



Visible

- Close to the street
- Little or no permanent vegetation (ie. Trees or hedge) obstructing the house

Evaluation Criteria- Visibility from Street

Visibility from Street- E.g. 2373 Dundas Street, Non-designated

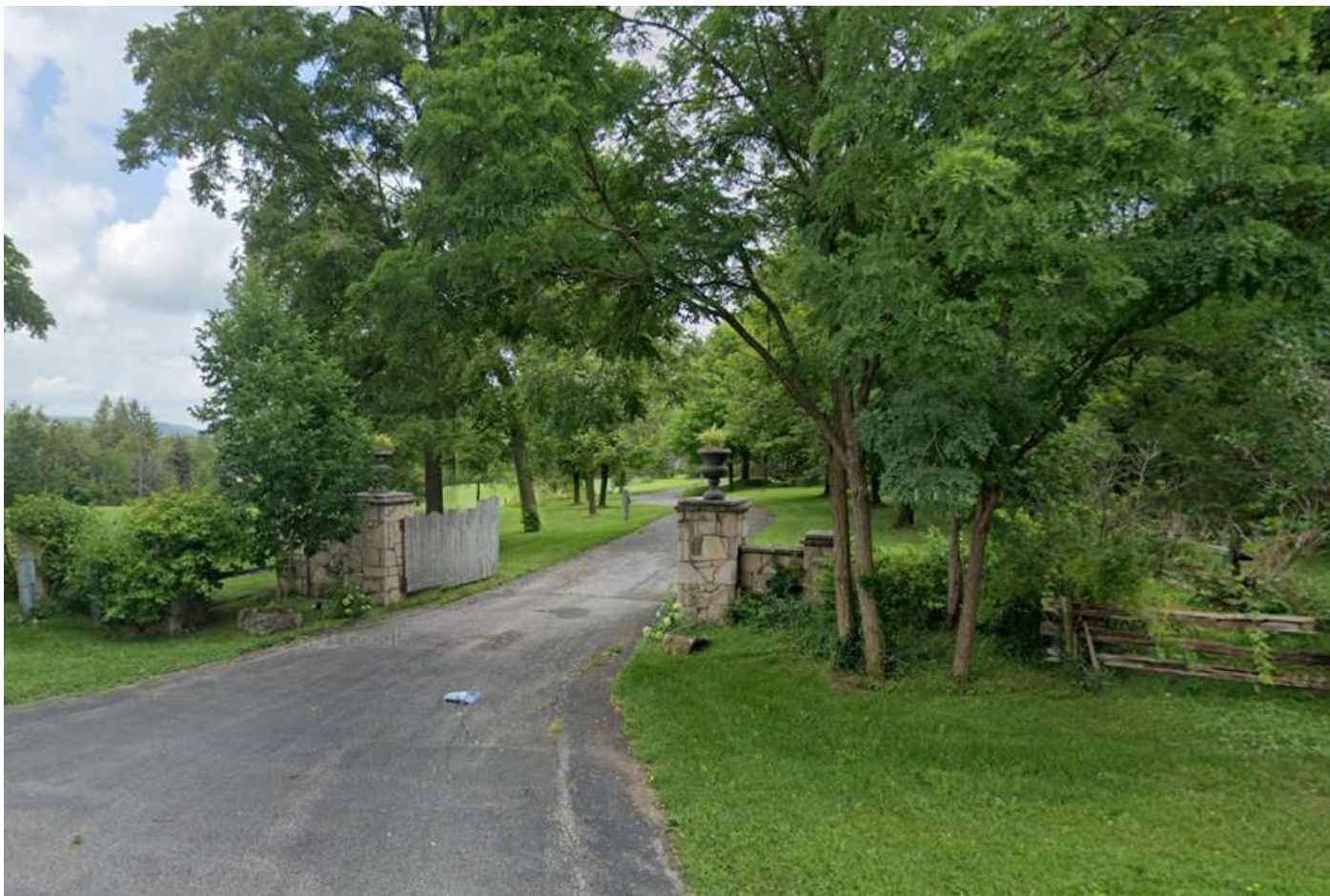


Moderately visible

- Significant setback from the street and/or
- Heavy vegetation in front of building

Evaluation Criteria- Visibility from Street

Visibility from Street- E.g. 6103 Guelph Line, Designated



Not Visible

- Unable to see from public right-of-way

Evaluation Criteria- Integrity

Integrity- E.g. 6006 Guelph Line, designated



Minor Alterations

- Very well preserved,
- Few, if any alterations

Evaluation Criteria- Integrity

Integrity- E.g. 470 Maple Street/1437 Elgin Street



Before



After

Moderate Alterations

- While form, scale and massing are intact, alterations have been performed that are difficult to reverse (ie. New exterior cladding/veneer)

Evaluation Criteria- Integrity

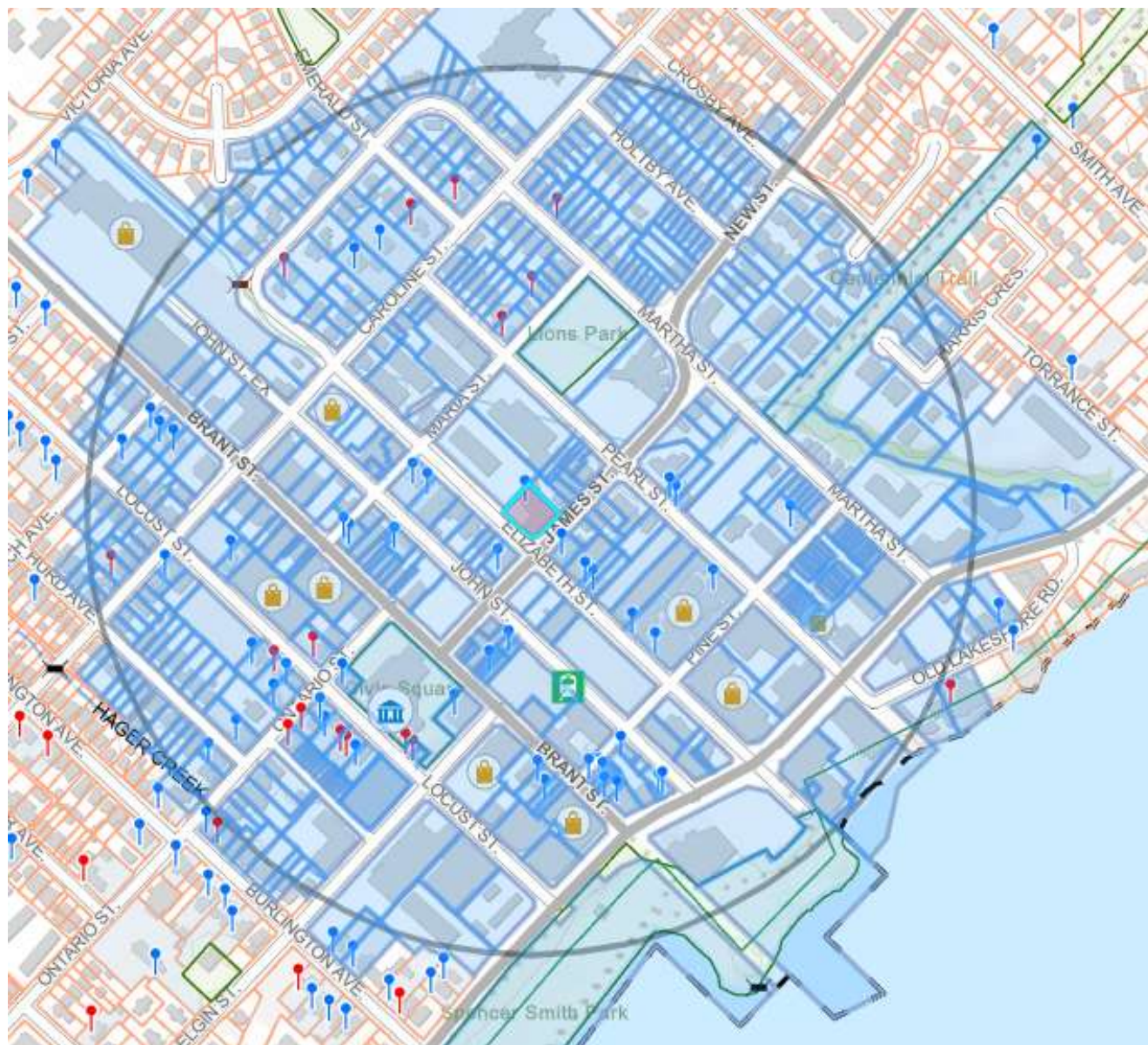
Integrity- E.g. 2357 Lakeshore Road, non-designated



Major Alterations

- Original form, scale and massing no longer intact or/
- Major alterations such that the house no longer resembles an historic property

Evaluation Criteria- Population



Households within 400m counted for each property

The Shortlist

- 25 properties recommended for study (23 consultant, 2 staff)
- Variety of place types:
 - places of worship
 - infrastructure building
 - commercial/mixed use buildings
 - Farmhouses & houses
 - High School
- Oldest built in 1830, newest in 1946
- Rural and urban properties included



Public Notification

- Staff send all owners of a non-designated property a mail notice about the Oct. 31 staff report, explaining the shortlist, evaluation criteria and advertising the City's incentive programs...
- Four owners are opposed:
 - 380 Brant St.,
 - 426 Burlington Ave.
 - 1433 Baldwin St.
(Burlington High School),
 - 416 Elizabeth St. (Knox Presbyterian)

Notice of upcoming report on the study of non-designated heritage properties for potential designation

Report Dates:

Community Planning Regulation & Mobility Committee: Tuesday, Oct. 31, 2023
City Council: Tuesday, Nov. 14, 2023

Dear Property Owner,

We are reaching out to you because you own a property that is listed on the City's Municipal Cultural Heritage Register. A staff report is going to the Community Planning Regulation & Mobility Committee meeting on Oct. 31, [2023](#) that may affect your property. The report discusses Ontario Bill 23, the More Home Built Faster Act, and its implications on heritage properties in Burlington. The report recommends that a shortlist of non-designated heritage properties on the Heritage Register be studied for potential heritage designation between now and Jan. 1, 2025.

The Heritage Register is a list of all historically significant properties in Burlington. It includes two types of properties: designated and non-designated. Designated properties are protected through a City Bylaw registered on title of the property. Non-designated properties are not subject to a bylaw, but an owner must notify City Council if they wish to demolish their property.

Provincial Bill 23 changed the *Ontario Heritage Act* to say that non-designated properties cannot be listed on the Heritage Register for longer than two years. Any non-designated property that was on the Heritage Register on Jan. 1, [2023](#) will be removed on January 1, 2025 and cannot be added back for five years unless it becomes heritage designated. This change affects over 200 properties on the Heritage Register.

Planning staff worked with the Heritage Burlington Advisory Committee and completed an evaluation of over 200 non-designated heritage properties in the City to create a list of the top 30 candidates for heritage designation. The evaluation categories were:

- **Architectural Style** -Classical revival, Victorian, [Vernacular, etc.](#)
- **Property Type** -Place of worship, institutional, house, etc.
- **Visibility from Street** - Highly Visible/Partly Visible/Not Visible
- **Integrity*** - Minor Alterations/Moderate Alterations/Major Alterations
- **Number of Households within 400m** or a 5-minute walk
- **Potential number of 9/06 Criteria Met** (1-9) Minimum 2 required to be met.

Recommendation

Direct the Director of Community Planning to retain a consultant to assess the eligibility of the following properties for potential heritage designation under Part IV of the Ontario Heritage Act, consult the Heritage Burlington Advisory Committee, and report back to Council with statements explaining the cultural heritage value or interest of qualifying properties prior to January 1, 2025...

Approve an upset limit of \$125,000 for the study, funded from the Tax Rate Stabilization Reserve Fund;

and Direct the Director of Community Planning to assess the eligibility of the following properties for potential heritage designation under Part IV of the Ontario Heritage Act, consult the Heritage Burlington Advisory Committee, and report back to Council with statements explaining the cultural heritage value or interest of qualifying properties prior to January 1, 2025...

Shortlist



1. 461 Elizabeth- Knox Presbyterian Church (Downtown Heritage Study)



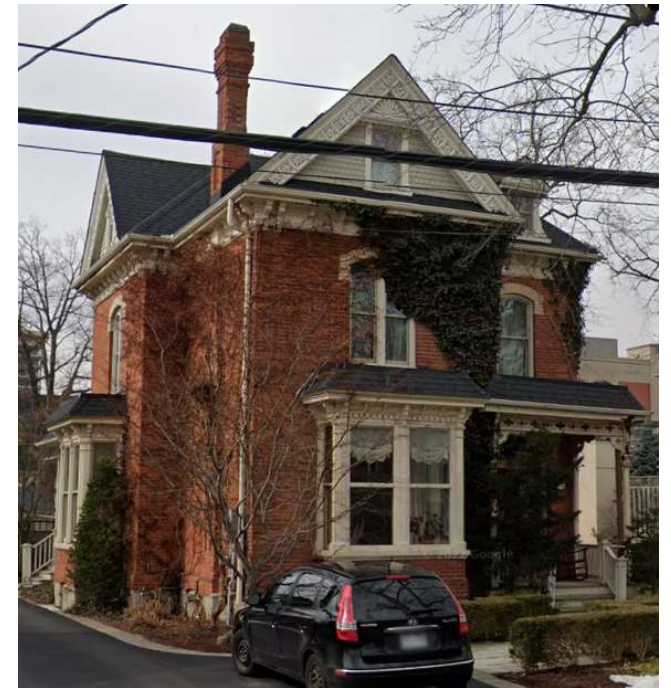
2. 451 Elizabeth- The Iron Duke (DHS)



3. 2137 Lakeshore Road- Sewage Pumping Station

Shortlist

4. 472 Locust Street- L'Eglise St Philippe Originally Calvary Baptist Church (DHS)
5. 482 Elizabeth Street- The Laing - Speers House and former Burlington Public Library (DHS)
6. 472 Burlington Ave- George Blair House (DHS)



Shortlist

7. 466 Burlington Ave- O.T. Springer House (DHS)
8. 451 Nelson Ave- Thomas Rogers House
9. 518 Hager Ave- Calvary Baptist Manse



Shortlist

- 10. 380 Brant St- Hotel Raymond (DHS)
- 11. 562 Maple Ave- The Robert Lindley House
- 12. 1406 Ontario St.- The Robert John Allen House



Shortlist

- 13. 1419 Ontario St.- The O'Brien - Connell House
- 14. 460 Burlington Ave- Henry Foster House (DHS)
- 15. 458 Elizabeth St- John Taylor House (DHS)



Shortlist

- 16. 490 Elizabeth St- Laing Fisher House (DHS)
- 17. 400 Brant St- Sherwood Inn
- 18. 426 Burlington Ave- William Emory House (DHS)



Shortlist

- 19. 2464 Dundas St- St. John's Anglican Church
- 20. 437 Burlington Ave- Thomas Colling- Susan and Percy Dawson House (DHS)
- 21. 2003 Lakeshore Road- Royal Bank (DHS)



Shortlist

- 22. 390 John St.- Shaver Building (DHS)
- 23. 2437 Dundas St- Nelson United Church and Cemetery
- 24. 368 Brant Street- Boot and Shoe store (DHS)



Shortlist

- 25. 550 Hurd Ave- The Hepton Weeks Huse
- 26. 2280 No. 2 Side Rd.- Pitcher Homestead
- 27. 6414 Walker's Line The Donald McGregor Farmhouse



Shortlist

- 28. 2066 Kilbride St.- Kilbride United Church
- 29. 367 Torrance St.- The Torrance House
- 30. 1433 Baldwin St.- Burlington Central High School



An aerial photograph of the Burlington waterfront at dusk. The image shows a curved promenade with a stone shoreline, a green park area, and a modern bridge extending into the water. A blue rectangular overlay is positioned in the upper center, containing the title text in white.

Red Tape Red Carpet Update October 2023

CPRM, October 31, 2023
ECDEV-05-23
Staff presentation

Red Tape Red Carpet

- Created by Burlington's Mayor Marianne Meed Ward in partnership with Councillor Kelvin Galbraith, and supported by Burlington Economic Development, the mandate of the Task Force is to **identify and eliminate barriers to growth** so that businesses can locate here, expand and thrive.
- From a series of engagement opportunities, the Task Force generated a list of key recommendations for the City to act upon. Completed updates include:
 - ✓ The creation of new City Hall positions designed to improve the customer experience
 - ✓ A revamping of all application review processes in order to reduce response times through SDAF funding
 - ✓ Launch of esubmissions and Myfiles
 - ✓ Launch of new One Window at City Hall in Q2 2023

1



2023 -2026 Draft June Recommendations

- Focus on high impact outcomes
 - Prioritization criteria for high economic impact files including housing impact
 - Role of economic development in enabling MTSAs and residential developer engagement to be reviewed
 - Development of internal sales/coordination team for incoming high impact investments



Update: High Impact Outcomes Focus

Concierge Service and dedicated Committee of Adjustment sessions for files that achieve any of the following:

- Economic Impact
- Attainable Housing Impact
- Community Impact

Update: Partnering with the development community

- Coordinated engagement with EcDev and Planning to engage residential development community
 - 2 Roundtables hosted with development community on Community Planning Permit System (CPPS)
 - Best Practices in MTSAs event hosted with Building Industry and Land Development Association(BILD) and West End Homebuilders (WEHBA)

2023 -2026 Draft Recommendations

- Positive Customer Experience and Evolving Relationship Management
 - Evolving Customer Experience Business Development Manager Role to focus on managing high economic impact files including housing impact
 - Expanding the mandate of EcDev to include small business supports and redevelop the Special Business Area Coordinator Role to provide Economic Development support to businesses

Update: Evolving the Customer Experience

- New CX Business Development Manager hired and onboarding
- New AI tools to support file review being examined
- Best practice analysis of Main Street Business Support roles and draft job description in development

2023-2026 Draft Landscape Ontario Recommendations

- Establish a Joint Working Group to review outstanding issues and continuous improvement opportunities related to all facets of the City of Burlington development application permitting process as it applies to professional landscaping services.
- Prepare a high-level workplan in conjunction with the Working Group including key objectives, meeting frequency, format and reporting timelines

Update: Landscape Ontario Working Group

- Landscape Ontario Reps and staff continue to work collaboratively through identified LO issues related to development processing. Two working group meetings completed with focus on process improvement, policy and document requirements and enhanced communications
- Key recommendations and target dates summarized in Appendix C of report ECDEV 5/23
- Further work to continue in Q4 related to following:
 - Utilizing updated My Files data, development of new processing time targets across all application types including full scope landscaping projects c/w building permit, pool installations and other typical landscape projects.
 - Working with LO to develop joint communications and public education on the importance and benefits of hiring a professional landscape designer/contractor.

Next Steps

- Development of Implementation Plan jointly with City of Burlington and EcDev
- Integration of recommendations into V2F and EcDev Strategic Planning/Performance Management Plan
- Ongoing process improvement and evolution of RTRC workplan based on customer needs

An aerial photograph of Burlington, Vermont, showing a dense urban skyline with various high-rise buildings and green spaces. In the foreground, a curved pedestrian bridge extends into Lake Champlain. A semi-transparent blue banner is overlaid across the middle of the image, containing the text "Questions or Comments?".

Questions or Comments?



SUBJECT: City of Burlington's growth-related work and the joint best planning estimates

TO: Community Planning, Regulation & Mobility Cttee.

FROM: Community Planning Department

Report Number: PL-64-23

Wards Affected: All

Date to Committee: October 31, 2023

Date to Council: November 14, 2023

Recommendation:

Direct the Director of Community Planning to forward any comments from Community Planning, Regulation and Mobility (CPRM) Committee regarding the Joint Best Planning Estimates and Allocation Program in discussion with regional staff and report back at the December 5, 2023, CPRM Committee meeting.

PURPOSE:

This report provides an overview of the Joint Best Planning Estimates work undertaken by the Region to inform the Region's Water, Wastewater and Transportation Integrated Infrastructure Masterplan (IMP). This report sets out an understanding of the implications for a wide range of local plans as well as a path for setting local growth management objectives in the near term.

Vision to Focus Alignment:

- Increase economic prosperity and community responsive city growth
 - Improve integrated city mobility
 - Support sustainable infrastructure and a resilient environment
-

Background and Discussion:

Joint Best Planning Estimates

In recognition of a number of Provincial developments through Bill 23, More Homes Built Faster Act, 2022 and the ongoing challenge of housing affordability and supply, the Halton municipal partners identified the need to shift the usual approach to developing data that supports the coordination of infrastructure to support growth. The Minister's decision on ROPA 49, the establishment of municipal housing targets and the effects of Bill 23 including the proposed shift of the Region becoming an "upper-tier municipality without planning responsibilities" all contributed to the decision to take a new approach to continued coordination to ensure regional infrastructure to support the Local Municipal planning vision.

Halton Region commenced work on the Joint Best Planning Estimates (JBPEs) in February 2023 and are currently in the process of finalizing this work. Preparation of the JBPEs was led by the Region in consultation with the local municipalities. The JBPE's primary purpose is to support the Region's [Water, Wastewater and Transportation Integrated Infrastructure Masterplan \(IMP\)](#) work, which is currently under way and targeting completion in early 2024.

Formerly, the Region prepared Best Planning Estimates (BPEs) previously titled "Best Planning Estimates of Population, Occupied Dwelling Units and Employment, 2011-2031" dated June 2011. This work translated the high-level policy distribution of population and employment set out in the Regional Official Plan into detailed population and employment estimates by traffic zone for each of the local municipalities. This was the approach taken in a policy and legislative environment where the Region was the planning authority and tasked with leading growth management and as the major infrastructure provider in Halton with the support of the local municipalities. The BPEs included a detailed section related to "intended use". This section set out in general that the Best Planning Estimates are:

- meant to be used where working numbers of future population, occupied dwelling units or employment are needed for planning purposes
- prepared on a best effort basis by Regional and Local Municipal staff
- estimates, not policy numbers
- prepared in an attempt to achieve a high degree of consistency as possible between Official Plan or policy numbers and the Best Planning Estimates

Further the section sets out that the Best Planning Estimates are to be used as a "consistent set of land use data and forecasts to be commonly used by both private and public agencies". The 2011 BPEs were prepared based on achieving the total population and employment forecasts for Halton set out by the Growth Plan, 2006, as

well as the intensification and minimum density targets of the Designated Greenfield Area and Urban Growth Centres when considering “when”, “where”, and “what” development was to take place. Attempts were also made to achieve a high degree of consistency between the Regional Official Plan (ROP) and the BPEs.

The BPEs were used to inform the infrastructure master planning of the Region and to inform other municipal work such as the preparation of local Development Charges (DC) Background Studies and Community Benefits (CBC) Strategies and other growth-related studies. Halton Region had been intending to prepare new BPEs to reflect the changes to the Regional Official Plan through Regional Official Plan Amendments (ROPAs) 48 & 49 and guided by the findings of the [Region's Land Needs Assessment \(LNA\)](#) and [Regional Official Plan Review \(ROPR\)](#) work, when Bill 23, *More Homes, Built Faster Act, 2022* was introduced and subsequently achieved royal assent in November 2022.

Bill 23, More Homes, Built Faster Act, 2022

This omnibus bill proposed amending a number of existing statutes including: the *Planning Act*, *Development Charges Act*, and *Municipal Act*, amongst others. One of the outcomes of Bill 23 is that, upon Royal Proclamation, planning authority will rest with each individual municipality. This means that the Region will no longer be the Planning Authority and that the Region will shift from leading growth management and land use planning to focusing on planning, financing and delivering infrastructure in support of this work. These roles and the process of preparing, revising and monitoring the JBPEs will continue to evolve over time. Each municipality will soon be tasked with undertaking growth management from the local perspective while continuing to look to the Region to provide infrastructure to support the local vision.

Aside from the shifting of planning authority from the Region to the local municipalities, there are a number of significant factors that the JBPEs considered that previous BPEs did not.

ROPA 49, Modifications by the Minister of Municipal Affairs and Housing

The work undertaken through the Region's LNA as part of the Region's Integrated Growth Management Strategy (IGMS) considered a 2051 planning horizon in earlier drafts. In June 2022, ROPA 49, as adopted by Regional Council, distributed population and employment to 2041 and established a process through policy to distribute growth from 2041 to 2051.

In November 2022, ROPA 49 was then approved by the Minister of Municipal Affairs and Housing with a number of modifications. These modifications, among other things, extended the planning horizon to 2051 and modified Table 1 (Population and Employment Distribution) of the Regional Official Plan. Further, the Province provided

direction to Halton Region to update Table 2 (Intensification and Density Targets) and 2a (Regional Phasing) accordingly. For more details please refer to [PL-05-23: ROPA 48, 49 and Bill 23 – Approach to achieve conformity and compliance](#), see pages 6 and 7.

The Minister's decision on ROPA 49 introduced 347 ha of new Community Area in Burlington that had not been previously considered by the 2019 Growth Analysis Study, nor by the City's Official Plan, 2020 or the Region's Official Plan. While as noted above the Minister's decision set out direction to update Table 2 and Table 2a of the Regional Official Plan, no similar direction was provided to update Table 1: Population and Employment Distribution. Given the new ROPA 49 Community Areas within Burlington and within other areas of the Region there will be a need moving forward, informed by local work to amend Table 1.

In response to these and other changes the city will:

- prepare its Local Growth Management Update to set out local Growth Expectations to 2051;
- set out Urban Structure and Growth Framework updates; and
- undertake Area Specific Planning exercises/or equivalents for the new Community Area.

The population and employment estimates for the city and the new community areas are expected to evolve over time as this work progresses. This may mean that the assumptions set out in the JBPEs are lower than the ultimate population and employment that may be planned for, particularly within new community areas.

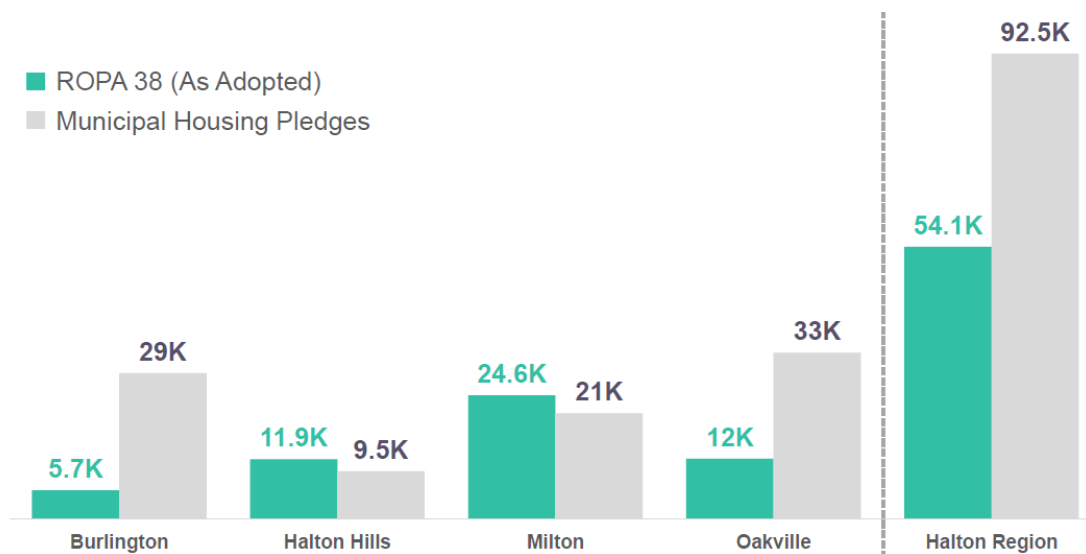
Burlington's Municipal Housing Target: 29,000 Units by 2031

Complimentary to Bill 23, the Province introduced "2031 Municipal Housing Targets". The City of Burlington has been assigned a 2031 Housing Target of 29,000 units and the Province requested that Burlington prepare a Municipal Housing Pledge and take the necessary steps to facilitate the construction of 29,000 units by 2031. At the February 28, 2023, meeting of [CPRM Committee](#), [Staff Report PL- 24-23: Burlington Housing Pledge](#) was presented to Committee.

Council has since approved the City of Burlington's signed [Housing Pledge](#) to demonstrate its commitment to facilitating the construction of 29,000 units by 2031 and the creation of more housing and more diverse housing options. The pledge underlines that the creation of complete communities and the building of more diverse housing options is complex and cannot be achieved by the city alone.

When compared to the ROPA 38 growth projections (the projections upon which the Region's Infrastructure Master Plan are based), the 29,000-unit housing target amounts

to approximately 23,000 more units than are currently anticipated for Burlington in the time period from 2021 to 2031.

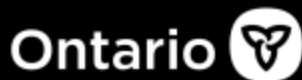


While provincial consultation has been underway at the time of writing this report the Growth Plan and its Schedule 3: Distribution of Population and Employment for the Greater Golden Horseshoe to 2051 remains in effect. At the time of preparing the response to the Housing Pledge a number of conditions were proposed. One of those conditions was: that the City be permitted to continue to utilize the applicable population and employment forecasts from the Growth Plan, 2020 and or municipal growth allocations assigned to and/or developed by the City, for the purposes of creating development related studies, plans and by-laws.

Distribution of Population and Employment for the Greater Golden Horseshoe to 2051		
	POPULATION	EMPLOYMENT
	2051	2051
Region of Durham	1,300,000	460,000
Region of York	2,020,000	990,000
City of Toronto	3,650,000	1,980,000
Region of Peel	2,280,000	1,070,000
Region of Halton	1,100,000	500,000
City of Hamilton	820,000	360,000
GTHA TOTAL*	11,170,000	5,360,000
County of Northumberland	122,000	44,000
County of Peterborough	82,000	26,000
City of Peterborough	125,000	63,000
City of Kawartha Lakes	117,000	39,000
County of Simcoe	555,000	198,000
City of Barrie	298,000	150,000
City of Orillia	49,000	26,000
County of Dufferin	95,000	39,000
County of Wellington	160,000	70,000
City of Guelph	203,000	116,000
Region of Waterloo	923,000	470,000
County of Brant	59,000	26,000
City of Brantford	165,000	80,000
County of Haldimand	75,000	29,000
Region of Niagara	674,000	272,000
OUTER RING TOTAL*	3,700,000	1,650,000
TOTAL GGH*	14,870,000	7,010,000

Note: Numbers rounded off to nearest 10,000 for GTHA municipalities, GTHA Total and Outer Ring Total, and to nearest 1,000 for outer ring municipalities.

**Total may not add up due to rounding*



SCHEDULE 3

Distribution of Population and Employment
for the Greater Golden Horseshoe to 2051

Although this note is slightly dated it is worth noting that as part of the Housing Pledge report staff (PL-24-23) provided the following with the information known at that time:

A note on Water and Wastewater servicing:

Halton Region's population is expected to grow by 153,000 people between 2021 and 2031. Based on the LNA the number of housing units is expected to grow by 56,900 units.

As noted in the table above, three of the four local municipalities within Halton have been assigned housing targets, through the housing targets bulletin – totaling 83,000 units to 2031. When assessed against the overall growth set out in the LNA to 2031 the difference amounts to 26,100 units. With over 45% more units targeted for this timeframe there will be intense competition and the need for prioritization decisions that local municipalities will contribute to but may not be in a position to influence significantly. In this one critical dimension there will be significant challenges predicting where new housing units will actually materialize and ensuring sufficient infrastructure (of all kinds) is planned for, financed and built at the right time to accommodate.

The best approach for the city is to rely on the significant effort invested by the city in:

- the creation of the new Official Plan (BOP, 2020);*
- the completion of the Region of Halton's IGMS and Municipal Comprehensive Review;*
- the work on Major Transit Station Area area-specific planning; and,*
- the creation of the Housing Strategy*

Population and Employment Distribution in Official Plans

Early in 2023 the Ontario Land Tribunal confirmed that the forecasted population and employment growth allocated to the City of Burlington to 2031 in the Regional Official Plan and reflected in the BOP, 2020 came into effect by virtue of the Planning Act, which limits appeal rights to these policies. The current population and employment distribution is as follows:

2.2.4 POPULATION AND EMPLOYMENT DISTRIBUTION

The Regional Official Plan established a growth strategy for the Region of Halton based on the distribution of population and *employment* to 2031 (Table 1: Population and Employment Distribution, of the Regional Plan). This distribution of population and employment *shall* be in accordance with Table 2: Intensification and Density Targets, and Table 2A: Regional Phasing, of the Regional Official Plan.

Population*		Employment	
2006	2031	2006	2031
171,000	193,000	88,000	106,000

*Population numbers are “total population” numbers including approximately 4% under coverage from the official “Census Population” numbers reported by Statistics Canada.

The population and employment forecasts are premised on the adequacy of *infrastructure* and *public service facilities* to support growth in appropriate locations. This Plan will require *infrastructure*, associated services, and *public service facilities*, to support the comprehensive implementation of this Plan.

While the above distribution is in place, further local growth management study will be required to amend the BOP,2020 to align with the ROPA 49 decision. This will include both the distribution of growth to the planning horizon of 2051, but also the Regional Structure and Regional Urban Structure changes and the impact of those significant changes on the assumptions that informed the development of the BOP, 2020 and the Regional Official Plan Review (ROPR).

The Minister's decision on ROPA 49 set out the following in Table 1: Population and Employment Distribution

TABLE 1 POPULATION AND EMPLOYMENT DISTRIBUTION

Municipality	Population ¹			Employment		
	2021	2041	2051	2021	2041	2051
Burlington	195,000	240,050	265,160	98,340	114,330	124,390
Oakville	222,000	313,460	349,990	111,980	160,880	181,120
Milton	137,990	277,000	350,870	44,390	100,120	136,270
Halton Hills	66,010	98,890	132,050	24,510	45,900	65,460
Halton Region ²	620,990	929,400	1,098,070	279,220	421,230	507,240

¹ Population numbers in this table are "total population" numbers including approximately 4% undercoverage from the official "Census population" numbers reported by Statistics Canada.

² Totals for the Region may not add up due to rounding.

Conformity work related to the planning horizon amongst other items is currently underway as a part of the City's [Official Plan Targeted Realignment Exercise](#).

For the purposes of infrastructure master planning, the JBPEs were informed by the Municipal Housing Targets and assume that Burlington, Oakville and Milton will achieve their respective targets.

In the interest of effective infrastructure master planning, the JBPEs are informed by these changes and were informed by the best information available at the time. This included the findings of the LNA, ROPA 48, ROPA 49 as modified, the Housing Pledges and the most current development pipeline data available for the city of Burlington.

In Burlington's case the JBPEs assume that 29,000 units will be added to Burlington by 2031. This information is an important input required to support Region-wide infrastructure master planning. At a high level an analysis like this will ensure that the Region has the ability to test the sufficiency of the infrastructure system to support Halton's municipalities in achieving their respective housing pledges.

JBPEs

The primary purpose of the JBPEs is to assist and support good decision making and to assist in making sound and fiscally responsible decisions related to investment in infrastructure to support growth. The JBPEs may also be used at the discretion of local municipalities and other decision-making bodies to make decisions related to growth such as local development charges should they choose to do so. It is the understanding of city staff that the main purpose of the JBPEs is to inform the preparation of the Region's Infrastructure Master Plan and that the JBPEs are intended to be flexible and responsive to change as new information becomes available.

Joint Best Planning Estimates - Burlington

Year	Population	Units	Jobs
2021	193,141	73,185	98,479
2031	254,264	102,500	124,178
2041	289,668	118,641	138,065
2051	311,874	128,879	146,206

Local Input to JBPEs

Halton Regional staff led this process and worked closely with staff from each of the municipalities to seek input and local context. Burlington staff participated in monthly JBPE working group meetings and also participated in two (2) Burlington specific workshops in addition to other meetings and email exchanges.

Throughout the process, staff provided numerous rounds of comments and recommended changes to each iteration of the JBPEs. Staff provided guidance and comments in order to ensure that Burlington's context and vision for growth were articulated throughout the process. Staff provided insights on the JBPEs from the broad local policy area geography down to the small geographic area level.

Burlington staff were consistent in their messaging that the city's development pipeline, Official Plan policies and Strategic Plan are critical inputs into the JBPEs in order to articulate Burlington's local context when preparing the JBPEs. Staff also provided lengthy comments regarding the context of this work, flagging concerns about a lack of clarity about how the JBPEs will be used, how they will be updated and how responsive to change they might be.

Over the course of 2023, city staff provided a large volume of detailed comments on the JBPEs. While staff was not consulted on the methodology used in preparing the JPBEs, Regional staff did provide a detailed overview of the methodology used and provided clarity on how it evolved throughout the process. Staff were consulted on the initial findings of the JBPEs and were able to provide comments that influenced future iterations and ensured that the JBPEs align with the policies of the City's Strategic Plan

and Official Plan with special attention paid to ensuring that the City's Growth Framework is reflected.

The city's development pipeline was used as the most reliable source of information regarding near-term development potential. Staff made use of the best information available at the time as it related to the new Designated Greenfield Area/Community Area created by the Minister's modifications to ROPA 49 and communicated clearly to regional staff that the estimates for Burlington's new Designated Greenfield Area were likely underestimated and subject to change pending the findings of the Official Plan Targeted Realignment Exercise.

City staff met with Regional Staff in person and virtually in order to provide detailed comments at the small geography level, providing detailed context and clarity regarding the City's vision for growth as it is articulated through the policies of Burlington's Official Plan and informed by the city's development pipeline.

Initial Findings of the JBPEs

The final JBPEs have not yet been published by Halton Region. However, they were recently discussed as part of a [Regional Council Workshop on October 11 2023](#) on the Region's Allocation Program. The associated [presentation](#) provided some of the initial findings of the JBPEs. From a high-level perspective there are a few key takeaways:

- For Burlington, population and employment growth is now expected approximately fifteen (15) to twenty (20) years sooner than articulated through the Region's Land Needs Assessment, prepared as a part of the IGMS.
- Overall, the JBPEs align with the growth framework of the Official Plan, 2020, with the majority of growth directed to the Primary and Secondary Growth Areas.
- The 2031 estimates of the JBPEs align with the city's Pipeline information (current to July 2023). However, it should be noted that the rate of change related to development activity in the city is substantial with the City's pipeline in October 2023 already markedly different. Given the ongoing rate of change, staff continue to raise concerns regarding the flexibility of the JBPEs and their ability to respond to the changing development and policy environment in relation to infrastructure planning.

Burlington Population: JBPE vs. Regional Official Plan Table 1

	Population		Employment	
Year	JBPE	ROP (Table 1)	JBPE	ROP (Table 1)
2021	193,141	195,000	98,479	98,340
2031	254,264	n/a	124,178	n/a
2041	289,668	240,050	138,065	114,330
2051	311,874	265,160	146,206	124,390

Strategy/process/risk

Comments and Context Provided by Staff

Joint Best Planning Estimates Comments

Overall, staff are confident that at a broad level, the JBPEs reflect the city's Urban Structure as it is set out in the Official Plan. The work also reflects the city's development pipeline current to June 2023. There are however some comments made by city staff that have not yet been addressed by regional staff, in particular at the small geographic level and more broadly in terms of information about how the JBPEs will be used and updated.

The list below provides an overview of the items that have yet to be addressed by the Region.

- Documentation to clarify how the JBPEs will be used and what guidance will be attached to them to ensure that it is used appropriately.
- Joint discussion on the approach to updating Tables 2 and 2a (ROP) as directed by the Minister and the potential future required updates to Table 1 as a result of the Minister's decision.
- Documentation to clarify how the JBPEs will be updated or monitored and how this work will be undertaken once the Region is no longer the planning authority.
- Documentation to clarify the nature of the JBPEs and their flexibility and responsiveness to change (market and development trends or new information as a result of local study)
- Seeking out creative options to ensure that the Infrastructure Master Plan and servicing capacity does not impede development in the Regionally identified Strategic Growth Areas as these areas will continue to grow and shift rapidly.
- Clarity on the assumptions set out in the JBPEs that show employment growth well beyond the targets of the Regional Official Plan. Staff understand that this is a result of population driven growth that has been triggered by the Housing Pledge. It is important to note that Burlington's employment areas are in short supply and that achieving this growth must rely on employment uses in intensification areas like MTSAs, within community areas as well as within employment areas. The technical work that the city will be preparing through the Official Plan Targeted Realignment Exercise will provide an improved understanding of the overall urban structure impacts of the significant employment area conversions through ROPA 49 and the ability to accommodate employment growth and the identification of potential new approaches to ensure employment growth tracks with housing growth.

Staff will continue to work with the Region to address the city's concerns and to refine and finalize the JBPEs.

Regional Allocation Plan Comments

At the Regional Council Workshop held on October 11, 2023, Regional Council and Regional Staff discussed the Region's Allocation Plan. As mentioned in the Council Workshop, this allocation plan differs from previous programs as a result of the accelerated growth introduced by the Housing Pledges. Previous allocation programs were based on the BPEs which specified the amount of greenfield growth that was appropriate and created a cap on the amount of greenfield growth allowed. Given the recent legislative changes and the accelerated growth introduced by the Housing Pledges, the JBPEs won't be used as a cap in terms of greenfield growth as with previous plans. This allocation program will allow for flexibility of the allocation of units between the Built Boundary and Greenfield. However, Regional analysis to date has identified that there will be overall capacity limitations as outlined in the Regional Workshop and in Staff Report [CA-08-23/PW-40-23/FN-36: 2023 Allocation Program](#).

In advance of this workshop, city staff attended a brief information session and were asked to respond with answers to two questions:

1. Is the Proportion of Designated Greenfield Area to Built Boundary Units appropriate?
2. What are the City's priorities?

The distribution calculated as an outcome of the JBPEs was a split of 85:15 (built boundary to greenfield units). Staff indicated that Council's priority is to plan to achieve, inclusive of building permit issuance, the 29,000 unit Housing Pledge by 2031. Council direction for the creation of new units within the ROPA 38 boundary remains the City's highest priority. Staff advised that it is the interest of the City of Burlington that the Region adjust the near-term priority to ensuring there are no gaps in servicing capacity within the Built-Up Area with a critical focus on MTSAs. Very critically, the City requests that the Region set out a path for continued discussions to allow for policy and process to unfold on new Designated Greenfield Area and allow for new information to inform the Region's work. A more dynamic and iterative approach will be required to deal with the challenges ahead.

The correspondence highlighted a number of key concerns:

- The city does not control the pace and location of development.
- With even more units within the development pipeline since the inputs to the JBPEs work (currently approaching 41,000 units inclusive of preconsultations), how will the infrastructure master planning work consider opportunities to use existing servicing capacity within the Built-Up Area – or invest in service network improvements to support accelerated intensification growth in Burlington?

- The City requested the opportunity to continue discussions on the JBPEs, the development pipeline and on exploring “first in first out” or “use it or lose it” servicing capacity assignments where development is not moving forward as originally anticipated.
- Staff advised that the total number of people and jobs set out for the Designated Greenfield Area at this time are likely underestimated and future study is expected to clarify expectations over the longer-term. Opportunities to consider new potential Strategic Growth Areas has been set out in the City’s report on the [Targeted Realignment as one of the key policy directions](#):

Growth continues to be prioritized in Strategic Growth Areas and, in general, growth to 2051 will continue to be prioritized within the Built Boundary.

In alignment with the BOP, 2020 and reinforced by ROPAs 48 and 49, care should be taken to phase and prioritize growth within Strategic Growth Areas and within the City’s Growth Framework. Area-Specific planning at the local level, as well as financial and infrastructure planning at the regional level, will be required to bring new Community Areas forward for servicing prioritization by Halton Region. Staff and Council may identify opportunities to delineate new Strategic Growth Areas, where appropriate, in addition to those currently identified within the Regional Official Plan.

- It will be important for local work to be undertaken to establish a local vision for growth and relay those needs to the Region.

On October 18th, 2023, Regional Staff considered Report [CA-08-23/PW-40-23/FN-36: 2023 Allocation Program](#) where recommendations 1 through 5 of the 2023 Allocation Program report, were referred to the Halton CAO’s and Local Municipalities for further discussion, with a request to report back to Regional Council in December 2023. This report demonstrates a new, more flexible approach to allocation and staff look forward to the opportunity to inform this process further in the coming months.

Growth Related Work Currently Underway

While the Region’s ROPR and JBPE work has been underway, the city has been advancing a number of growth-related projects. As with all master planning exercises, staff made use of the best information available at the time for each project with the understanding that as new information becomes available, updates may be required. Each project below provides a rationale for the growth assumptions used, an

understanding of the evolving policy environment and includes processes for updating growth related information.

Work that Relies Primarily on the 2021 Land Needs Assessment

For the purposes of ensuring that these projects remained on schedule and within the prescribed statutory timelines, staff made use of the findings of the [Region's Land Needs Assessment, 2021 \(LNA\)](#) as the best available information for the upcoming Development Charges Background Study, the Community Benefits Strategy and the Park Provisioning Master Plan which was completed in March 2023.

The LNA provides population and employment growth analysis based on the Land Needs Assessment Methodology and the Region's Integrated Growth Management Strategy (IGMS) in compliance with the requirements of the Growth Plan, 2020 and the Planning Act as part of the Region's Official Plan Review (ROPR) work.

When comparing the findings of the JBPEs to the LNA, the JBPEs estimate population and employment growth to arrive 15 to 20 years sooner. The result is that both the JBPEs and LNA assume a similar amount of population and employment growth but differ in terms of the timing of this growth. This means that the JBPEs estimate population and employment growth by 2031 that the LNA does not expect to arrive until 2051.

While the JBPEs show expedited growth compared to the LNA, this growth continues to align with the growth framework of the Burlington Official Plan, 2020, directing the majority of growth to the Primary Growth Areas and Secondary Growth Areas.

In order to account for the uncertainty related to timing of growth (2031 vs. 2051) each of the above-mentioned projects provide a framework to monitor and prepare revisions as required when new information becomes available. On November 1st, through staff report F-25-23, Council will receive the draft growth assumptions being used for the DC Background Study and CBC Strategy. The growth forecast is aligned with the capital needs assessment provided by the city's various masterplans. Given that the DC study informs capital need but does not create it (Burlington's capital need is drawn from Council endorsed plans such as the Official Plan and the Integrated Mobility Plan), using the JBPEs would dilute the DC and CBC charge as this would distribute the same capital need across a larger population, this would in turn, reduce the amount of DCs that could be charged.

Additionally, the city will soon undertake Population and Employment Growth Analysis work as a part of the Official Plan Targeted Realignment Exercise. The purpose of this work is to provide a single, reliable, up-to-date source of population and employment local growth analysis data to 2051 and beyond, that is approved by Council. This work will assist the city in positioning itself in its new role in managing growth as the planning authority. [The Population and Employment Growth Analysis Proposed Terms of Inquiry](#)

was [presented to CPRM Committee on June 27th](#) through staff report [PL-45-23](#). Staff are currently preparing a Terms of Reference for this work.

Integrated Mobility Plan

The technical work plan of the Integrated Mobility Plan was initiated in 2020 and used the best information available at the time of analysis. The strategic transportation demand model utilized the 2031 Best Planning Estimates (BPE's) with the understanding that Master Plans require a five-year review to update population and employment estimates as new data becomes available.

The Integrated Mobility Plan utilized the 2031 population and employment forecasts for the purpose of developing the transportation demand model. This created the Preferred Integrated Network as an ***ultimate plan***, representing a series of re-imagined corridors paired with progressive policy. Thereby, enabling programming that supports future mobility needs beyond the 2031 horizon. It is expected that once the details of the local planning vision work are confirmed and implemented, there will be an opportunity to refine and utilize the 2051 forecasts in subsequent updates to the Integrated Mobility Plan.

The Integrated Mobility Plan will be presented to CPRM committee on October 31, 2023, through staff report TS-07-23: Integrated Mobility Plan Final Report and will include a framework for updating the Integrated Mobility Plan as new information becomes available.

Major Transit Station Area, Area Specific Planning Project

The December 2021 MTSA Area Specific Plan Study Interim Report identified a number of growth assumptions to support the MTSA ASP study and recommended preferred precinct plans. Using the best information available at the time, the Interim report identified MTSA “Top down” population and employment minimum targets derived using an overall density target applied to the entire area based on the ROPA 48 density targets. The Aldershot and Appleby MTSA's do not have a specific time horizon for achieving the density targets minimum density targets established in ROPA 48. The Downtown Burlington UGC/Burlington GO MTSA area is to be planned to achieve the target by 2031.

The interim report also established “bottom-up” population and employment estimates that identified the potential based on maximizing the development opportunities for each MTSA. These are based on the individual land use designations and proposed maximum heights in the December 2021 Preliminary Preferred precinct plans. As a result of public engagement conducted since the December 2021 Preliminary Preferred Precinct plans, the city has refined the precinct plans that will be adopted through an Official Plan Amendment and implemented by way of a Community Planning Permit System. The updates to the precinct plans being advanced through the OPA and Community Planning Permit By-law has resulted in the need to update the interim report growth estimates. Dillon Consulting will be conducting sensitive test analysis and will

be providing an updated growth assumptions memo that demonstrates how each MTSA is being planned to achieve the minimum density target based on the land use and building height policies for each MTSA to full build out.

Financial Matters:

Not Applicable

Climate Implications:

Not Applicable

Engagement Matters:

Not Applicable

Conclusion:

Halton Region commenced work on the Joint Best Planning Estimates in February 2023 with the primary purpose being to support the Region's [Water, Wastewater and Transportation Integrated Infrastructure Masterplan \(IMP\)](#) work. This Master Planning work is currently under way and targeting completion in early 2024.

As always, projects related to local master planning have made use of the best information available at the time of their preparation. In order to align with sweeping Provincial changes and the major changes made through ROPA 49 to the Urban Structure of the City, local growth management planning and forecasting is required to bring the City's framework into conformity. At this time, master planning projects are moving forward using best available information and with the understanding that as new information becomes available, updates will be prepared.

Respectfully submitted,

Kate Hill-Montague
Supervisor, Planning Policy
905- 335-7777 ext. 7508

Alison Enns, MCIP, RPP
Manager of Policy and Community
905-335-7777

Notifications:

Region of Halton

Town of Oakville

Town of Milton

Town of Halton Hills

Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.